



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 23/00037/FUL

Name and address of applicant

Mr Darrin Addams
Alderley
Water Lane
Tarbock Green
Knowsley
L35 1RE

Name and address of agent

O'Driscoll Architecture
7 Hatton Grange
Brownley Green Lane
Hatton
Warwickshire
CV35 7BZ

Date of Receipt: 28 January 2023

Date Valid: 1 February 2023

Address/Location Of Development:

Alderley
Water Lane
Tarbock Green
Knowsley
L35 1RE

Description of Development:

**DEMOLITION OF GATE PIERS AND CONSTRUCTION OF REVISED VEHICULAR
ACCESS, ERECTION OF GATE PILLARS AND ACCESS GATES TOGETHER
WITH HEDGE PLANTING**

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Planning Permission has been **granted** for the carrying out of the development referred to above in accordance with the application and plans submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

3. Notwithstanding any details and any description of materials shown on the approved drawings or forming part of the submission, no above ground works shall commence until scheme details for the hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a. Soft Landscaping

Planting specifications and schedule for the replacement hedge including:

- Planting plan
- Written specifications
- Schedule of hedge planting, noting species, planting size; proposed numbers / densities
- Implementation timetable

For the avoidance of doubt the planting shall comprise native species.

- b. Hard Landscaping

- Details of the materials for the paving of the hard surfacing
- Details of surface water drainage provision

The agreed planting shall be wholly implemented in accordance with the approved details in the first planting season following the start of the development unless alternative timing is agreed in the scheme details.

Any planting forming part of the development, which is removed, uprooted, destroyed, dies, becomes severely damaged or becomes seriously diseased within a period of five years of planting shall be replaced within the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the site is satisfactorily landscaped in the interests of visual amenity and preserving the character and appearance of the Tarbock Green Conservation Area; the nature of the proposed development and to comply with the National Planning Policy Framework (2023), Policies CS2, CS5, CS8, CS19, CS20 and CS21 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

4. Notwithstanding any details or any description of materials shown on the approved drawings forming part of the submission, prior to their incorporation into the development hereby permitted, precise scheme details, finishes and sample(s), where applicable, shall be submitted to and approved in writing by the Local Planning Authority relating to:

- a. Facing materials to be used for the gate pillars
- b. Access gates, including precise details of their design, materials and finish.

The development shall be carried out only in accordance with the approved details.

Reason: To ensure that the site is satisfactorily landscaped in the interests of visual amenity and preserving the character and appearance of the Tarbock Green Conservation Area; the nature of the proposed development and to comply with the National Planning Policy Framework (2023), Policies CS2, CS5, CS8, CS19, CS20 and CS21 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

5. Within 3 months of the date of the completion of the development hereby approved, precise scheme details of the associated footway crossing modifications shall be submitted to and approved in writing by the Local Planning Authority. For the

avoidance of doubt, the area between the highway and the gateway shall be hard surfaced to avoid tracking of any loose material onto the highway, and shall not drain onto the highway.

Reason: In the interests of highway and pedestrian safety, visual amenity, preserving the character and appearance of the Tarbock Green Conservation Area and to comply with the National Planning Policy Framework, Policies CS2, CS19 and Policy CS7 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

6. The following reasonable avoidance measures should be in place throughout the development:

- A pre-commencement check for hedgehog mammals.
- All trenches and excavations should have a means of escape (e.g., a ramp.)
- Any exposed open pipe systems should be capped to prevent mammals gaining access.
- Appropriate storage of materials to ensure that mammals do not use them.

Reason: To ensure the protection of species/habitat protected by the Wildlife and Countryside Act 1981 (as Amended) and in the interests of biodiversity and to minimise/mitigate the potential impacts upon protected species resultant from the development and to comply with the National Planning Policy Framework (2023) and Policies CS2, CS8 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
16/10/2023	211	REV. A	PROPOSED SITE PLAN
16/10/2023	212	REV. A	PROPOSED SITE ENTRANCE

REASON(S) FOR THE GRANTING OF PLANNING PERMISSION

The decision to grant planning permission has also been taken having regard to the policies and proposals as set out below, and to all relevant material considerations including supplementary planning guidance:-

CS8 - Green Infrastructure

CS19 - Design Quality and Accessibility in New Development

CS20 - Managing the Borough's Historic Environment

CS21 - Greenspaces and Trees

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

G7 - Alteration, Extension or Replacement of Existing Dwellings in the Green Belt

DQ2 - Security in the Built Environment

DQ4 - Trees and Development

DQ5 - Development in Conservation Areas

SUPPLEMENTARY PLANNING DOCUMENTS

Design Quality in New Development SPD (2016)

Householder Development SPD (2016)

National Planning Policy Framework

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS5 - Green Belt

CS7 - Transport Networks

This informative is only intended as a summary of the reason(s) for the granting of planning permission. Should you require any further details relating to the decision please contact the relevant case officer (Maxine Wishart on 0151 443 2381)

ARTICLE 35 STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

NOTE FOR APPLICANT:

IMPORTANT - PLEASE READ CAREFULLY THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

- 1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
 - a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
 - b) You or your agent or any other person responsible for implementing this permission should inform Planning Services immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.
- 2) This permission is granted subject to conditions and it is the owner of the property and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.
- 3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent.
 - a) If a condition precedent is not complied with prior to the start of development, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - b) In addition, if the requirements of a condition precedent are subsequently not complied with, the development is unauthorised and the only way to rectify the development is the submission of a new application.

If any other type of condition is breached then you will be liable to a breach of condition notice.

NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments;

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024

2. It is an offence to carry out any works within the public highway without the permission of the Highway Authority. This permission requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor

approved by the Highway Authority can carry out these works. Prior to the commencement of any works, the applicant is advised to contact the Council's Maintenance Contractor Tarmac on 0800 023 2334 or Knowsley.highways@tarmac.com

3. Breeding birds are protected under the general provision of Section 1 of the Wildlife and Countryside Act 1981 as amended. Whilst the nest is being built or is in use, the eggs, young and nest are protected against intentional and reckless taking, damage and destruction. No tree, scrub or hedgerow felling, management and/or cutting operations should take place during the period 1 March to 31 August inclusive to protect breeding birds.

Executive Director - Regeneration and Economic Development

Date: 10 November 2023

IMPORTANT NOTES FOR YOUR ATTENTION:

1. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.
2. This permission refers only to those plans submitted as part of the Planning Application a copy of which is retained by the Local Planning Authority. The Local Planning Authority should be contacted in writing if it is proposed to amend these plans in any way as a further permission, may be required.
3. You should ensure that you understand the requirements of all planning conditions and that you fully comply with their requirements. If you are in any doubt about what a condition requires of you, please ask us for assistance. Planning conditions may require you to submit further information to us and await our approval before you can start your development. A failure to do so could result in your development being unlawful and necessitate the submission of a further planning application. A failure to comply with the conditions of the permission/consent may result in the taking of enforcement and potentially legal action, against you to remedy the breach of planning control.
4. A fee is normally payable to discharge planning conditions in accordance with government regulations.
5. This permission does not convey any rights or approval to build on, or develop, any land that is not fully owned or controlled by you, including on party boundaries. You should satisfy yourself that the agreement of any adjoining landowners has been given prior to commencing any building works.
6. If a Building Regulations Consent is required for these works it is your responsibility to ensure that the plans submitted for both the Building Regulations Consent and Planning Permission are the same in all respects. Should the plans relating to one consent vary from the other, it will be necessary for you to submit amended plans to this Department and obtain the relevant approval(s) prior to commencing any works. Knowsley Council's Building Control team are contactable on (0151)-443 2342 and they would be pleased to assist you.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.