



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 25/00074/FUL

Name and address of applicant

Dr Araz Athar
Denbigh Pex Hill
Cronton
Knowsley
WA8 5QN

Name and address of agent

Wake Morley Architects Ltd
Wake Morley Architects Ltd
1 Dunford Road
Holmfirth
HD9 2DP

Date of Receipt: 7 February 2025

Date Valid: 25 February 2025

Address/Location Of Development:

Denbigh
Pex Hill
Cronton
Knowsley
WA8 5QN

Description of Development:

VARIATION OF CONDITIONS 2 (APPROVED PLANS), ATTACHED TO PLANNING PERMISSION 23/00485/FUL (DEMOLITION OF EXISTING DWELLING AND OUTBUILDINGS AND THE ERECTION OF A REPLACEMENT DWELLING TOGETHER WITH OTHER ASSOCIATED WORKS INCLUDING ALTERATIONS TO FRONT BOUNDARY FENCE) TO ALLOW FOR REDUCTION IN RIDGE HEIGHT OF FRONT GABLE, REMOVAL OF DORMER WINDOWS AND RAISING OF EAVES, CHANGES TO WINDOW DETAILING, REDUCTION IN WIDTH OF BI-FOLD DOORS, ALTERATIONS TO DORMER SIDE ELEVATION AND GROUND FLOOR LEVEL REDUCED AND INTERNAL ALTERATIONS

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 22 August 2027.

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 the details and any description of materials in the application as identified on the approved plans no above ground construction works shall take place until a full specification and where applicable samples of materials to be used externally on the development have been submitted to and approved in writing by the Local Planning Authority.

Such details shall include the type, colour and texture of the materials and should be reflective of those within the surrounding area. The development shall be carried out only in accordance with the agreed schedule of materials.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2023), Policies CS2, CS5 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, saved Policy G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Amended New Residential Development SPD (2018).

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority.

Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

Reason: In the interests of the protection and protection of human health and the pollution of the water environment and to comply with the National Planning Policy Framework (2023), Policies CS2 and CS19 of the Knowsley Local Plan Core: Strategy, adopted January 2016 and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

5. No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: In the interests of the protection and protection of human health and the pollution of the water environment and to comply with the National Planning Policy Framework (2023), Policies CS2 and CS19 of the Knowsley Local Plan Core: Strategy, adopted January 2016 and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

6. No above ground construction works shall be commenced until a landscaping scheme has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:

a) Hard Landscaping

A full specification of materials including samples (where appropriate) to be used for the construction of all hard surfacing areas. For the avoidance of doubt, such details shall include:

- i. the type, colour and texture of the materials; and
- ii. any hard surfacing shall be made of porous materials, or provision made to direct run-off water from the hard surface to a permeable or porous area / surface within the curtilage of the dwellinghouse

The approved hard landscaping shall be implemented in its approved form prior to the first occupation of the dwelling hereby approved and retained as such thereafter.

b) Soft Landscaping

A detailed landscaping scheme, the details of which shall relate to all land surfaces not built upon and shall include, but not limited to:

- i. Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks.
- ii. All proposals for new planting and turfing indicating the location, arrangement, which shall include native shrub planting as recommended in Appendix III of the Preliminary Ecological Assessment carried out by Tyrer Ecological Consultants Ltd dated July 2023.
- iii. An outline specification for ground preparation.
- iv. The proposed arrangements and specifications for initial establishment; and
- v. Maintenance and longer-term maintenance of all planted and/or turfed areas.

The approved soft landscaping shall be wholly implemented in its finally approved form within the first available planting season following the substantial completion of development or a timetable to be agreed in writing with the Local Planning Authority.

Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage.

The development shall be fully constructed in accordance with the approved scheme in accordance with timescales contained therein.

c) Boundary Treatments

Notwithstanding the details on the approved plans, precise scheme details of all boundary treatments (including existing to be retained), fences, gates or other means of enclosure to be erected / retained within the development.

No occupation of the development shall take place until all walls and fences indicated in the agreed scheme have been erected in accordance with the agreed

details. Thereafter the approved boundary treatment(s) shall thereafter be retained and maintained.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2023), Policies CS2, CS5, CS8, CS19 and CS21 of the Knowsley Local Plan Core: Strategy, adopted January 2016 and saved Policies DQ2, DQ4 and G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the New Residential Development SPD (2018).

7. The area set aside for parking and vehicular manoeuvring indicated on the approved layout plan shall have been surfaced and drained in accordance with details that have previously been submitted to and agreed in writing by the Local Planning Authority pursuant to Condition 6 of this permission.

The parking area shall be made of porous materials, or provision made to direct runoff water from the hard surface to a permeable or porous area / surface within the curtilage of the dwellinghouse. The agreed parking and manoeuvring areas shall be made available prior to the first occupation of the dwelling hereby permitted and retained as such thereafter.

Reason: In the interests of highway and pedestrian safety, to secure adequate parking provision and drainage and to comply with the National Planning Policy Framework (2023), Policies CS2, CS7, CS19 and CS24 of the Knowsley Local Plan: Core Strategy, adopted January 2016, saved Policy G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, the Ensuring a Choice of Travel SPD, adopted September 2010 and Amended New Residential Development SPD (2018).

8. Prior to commencement of development Reasonable Avoidance Measures shall be implemented on site to prevent harm to wildlife during the demolition / construction phases of the development hereby approved in accordance with the following measures:

Amphibians

-Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians present to move away from the affected areas.

-The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them; and

-Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians.

Hedgehog

-A pre-commencement check for hedgehog.

-Any exposed open pipe systems should be capped to prevent mammals gaining access.

The avoidance measures shall be implemented in accordance with the above details and shall remain in force as such for the full duration of the demolition and construction phases of the development.

Reason: To ensure that the development does not cause harm to any protected species in the interests of biodiversity and to comply with the National Planning Policy Framework (2023) and Policies CS2 and CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

9. The dwelling hereby permitted shall not be occupied until details of bat and bird nesting boxes to be incorporated into the scheme (minimum three of each), as recommended in the supporting Preliminary Ecological Appraisal carried out by Tyrer Ecological Consultants Ltd dated July 2023 which shall include the number, type and location as well as timing of installation have first been submitted to and agreed in writing by the Local Planning Authority.

The development shall be carried out only in accordance with the approved details and photographic evidence of their installation shall be provided prior to the occupation of the dwelling and retained at all times thereafter.

Reason: In the interests of biodiversity conservation and to comply with the National Planning Policy Framework (2023) and Policy CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

10. The demolition of the Summer House shall be carried out only in strict accordance with the recommendations set out in the supporting Ecological Assessment carried out by Tyrer Ecological Consultants Ltd dated July 2023. In particular:

- The building (B4 Summer House) should undergo a precautionary soft strip using hand tools at localised features of interest to the eastern aspect and around the front window - all areas where damage is present.

- The soft strip shall be carried out by appointed contractors and supervised by an Ecologist to check for evidence of bats and provide recommendations accordingly.

- If any evidence of bats is found, works would legally be required to cease and a mitigation licence requirement would be activated.

Reason: In the interests of biodiversity conservation and to comply with the National Planning Policy Framework (2023) and Policy CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

11. Prior to the installation of any external lighting on the application site, a lighting scheme shall have first been submitted to and been approved by the Local Planning Authority. The details shall include, but not be limited to:

- A detailed description and precise details of the type of lighting.

- Positioning details;

- Details of proposed luminance which shall be designed to protect ecology and does not result in excessive light spill onto habitats and have regard to the 'Bats and Artificial Lighting at Night' guidance which has been produced by the Institute of Lighting Professionals in conjunction with the Bat Conservation Trust

The scheme shall subsequently be implemented in accordance with the agreed details prior to the dwelling first being occupied and / or a timetable to be agreed and shall be retained as agreed thereafter.

Reason: In order to minimise the effect of lighting on protected species, in the interests of biodiversity in the interests of visual amenity and to comply with the National Planning Policy Framework (2023), Policies CS2, CS8 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies DQ2

and ENV3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

12. The development hereby permitted shall be carried out only in accordance with the surface water drainage scheme details submitted and agreed pursuant to Condition 12 of planning permission referenced 23/00485/FUL granted 22 August 2024.

The dwelling hereby permitted shall not be occupied until the surface water drainage system to serve the property has been implemented in accordance with the agreed details and shall be maintained in good working order at all times thereafter.

Reason: To ensure that appropriate surface water drainage is provided, in accordance with the National Planning Policy Framework (2024) and Policies CS2 and CS24 of the Knowsley Local Plan:Core Strategy, adopted January 2016.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and reenactingthat Order with or without modification) Schedule 2, Part 1 a) - b), d) - f) or any amendments made to that Order, shall not apply:

- i. no extensions (including porches) shall be carried out to the dwelling.
- ii. no additional storeys shall be constructed.
- iii. no dormer extension shall be added to the dwelling.
- iv. no buildings, enclosures, swimming pool or other pool or container for fuel
- v. storage shall be erected within the curtilage of the dwelling.
- vi. no additional hard surface shall be laid out within the curtilage of the dwelling.

unless on application to the Local Planning Authority, planning permission for such development has been granted.

Reason: To protect the residential and visual amenities of the area, safeguard the character of the development and the area, and to protect the openness of the Green Belt. Also to ensure compliance with the National Planning Policy Framework (2023); Policies CS2,CS5 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and saved Policy G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
07/08/2023	1:1250	-	Site Location Plan
12/07/2024	01703/SK/01	REV B	Proposed Site Block Plan
10/07/2023	-	Issue 1.0	Preliminary Ecological Appraisal (Tyer Ecological Consultants - July 2023)
30/06/2023	-	-	Arboriculture Impact Assessment and Method Statement (MP Trees - June 2023)
07/02/2025	-	-	Planning Statement
07/02/2025	01703/SK/02	REV B	Proposed Plans and Elevations

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:-

National Planning Policy Framework

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS5 - Green Belt

CS7 - Transport Networks

CS8 - Green Infrastructure

CS19 - Design Quality and Accessibility in New Development

CS21 - Greenspaces and Trees

CS24 - Managing Flood Risk

CS26 - Waste Management

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

ENV2 - Noise and Vibration

ENV5 - Contaminated Land

SUPPLEMENTARY PLANNING DOCUMENTS

Amended New Residential Development SPD (2018)

Ensuring a Choice of Travel SPD (2010)

Design Quality in New Development SPD (2016)

Trees and Development SPD (2016)

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 2319)

ARTICLE 35 STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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.

0 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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Standing Advice valid from 1st January 2025 until 31st December 2026

- 2 Environment Agency
The comments of the Environment Agency in their letter dated 24 August 2023 as attached.
- 3 United Utilities
The comments of United Utilities in their letter dated 3 October 2023 as attached.
- 4 Bird Nesting
Breeding birds are protected under the general provision of Section 1 of the Wildlife and Countryside Act 1981 as amended. No scrub clearance, hedgerow removal, vegetation management or ground clearance should take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all scrub, hedgerows and vegetation should be checked first by an appropriately experienced ecologist to ensure no breeding birds are present.
- 5 Bats
All bat species are designated and protected as European protected species (EPS). EPS are protected under the Conservation of Habitats and Species Regulations 2017.

It is an offence to:

- o deliberately kill, injure, disturb or capture them
- o damage or destroy their breeding sites and resting places (even when bats are not present)
- o possess, control or transport them (alive or dead)

It is also an offence under the Wildlife and Countryside Act 1981 to intentionally or recklessly:

- o disturb bats while they occupy a structure or place used for shelter or protection
- o obstruct access to a place of shelter or protection

If bats are discovered during work or are suspected of being present, the relevant work should be halted, and Natural England (formerly English Nature) notified and further advice sought (<http://www.naturalengland.org.uk/>).

For more information about bats please go to the Bat Conservation Trust website:

A handwritten signature in black ink, appearing to read 'D. L. Smith'.

Executive Director - Regeneration and Economic Development

Date: 10 June 2025

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 minor commercial 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.