



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

This application is subject to a Section 106 Agreement and needs to be read in conjunction with that Agreement.

PLANNING PERMISSION

Application No: 21/00787/FUL

Name and address of applicant

Countryside Properties
301 Bridgewater Place,
Birchwood Park
Warrington
WA3 6XG
United Kingdom

Name and address of agent

Date of Receipt: 7 October 2021

Date Valid: 12 October 2021

Address/Location Of Development:

**Site Of Former Bridgefield Forum
Cartbridge Lane
Halewood
Knowsley
L26 6LH**

Description of Development:

VARIATION OF CONDITION NO. 4 AND NO. 5 OF PLANNING PERMISSION 15/00559/FUL (ERECTION OF 44 NO. SEMI-DETACHED DWELLINGS & 69 NO. DETACHED DWELLINGS (113 NO. IN TOTAL), TOGETHER WITH ENGINEERING WORKS (INCLUDING FLOOD MITIGATION WORKS), LAYING OUT OF PUBLIC OPEN SPACE AND OTHER ASSOCIATED WORKS) TO AMEND THE VOLUME OF THE COMPENSATORY FLOOD STORAGE AREA FROM 4,541 CUBIC METRES TO 3,108 CUBIC METRES

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

Reason: For the avoidance of doubt.

2. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) September 2015/880590R2(02)/RSK LDE Ltd (as amended by Flood Compensation Works at Bridgefeld Forum July 2021 - T80208 FRA L02 by RSK) and the following mitigation measures detailed within the FRA:
 1. Restriction of surface water discharge to existing greenfield rates.
 2. Provision of compensatory flood storage area to the south part of the site comprising 3,108 cubic metres of compensatory volume.
 3. Finished floor levels are set no lower than 8.70m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented within 6 months of this decision and shall be retained thereafter.

Reason : To reduce the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site, ensuring that compensatory storage of flood water is provided and to ensure compliance with the National Planning Policy Framework, Policy CS24 'Managing Flood Risk' in the Knowsley Local Plan Core Strategy and saved policy ENV7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

3. Notwithstanding the details submitted the development hereby permitted shall be carried out in accordance with the approved flood compensation works identified in the following plans and documents:

- Figure 2 of Flood Compensation Works at Bridgefeld Forum July 2021 - T80208 FRA L02 by RSK and
- Open Space and Flood Compensation Levels Plan - SK378-FCL
- Sections Through POS & Flood Compensation - SK378-PSEC-01

For the avoidance of doubt the works shall relate to the creation of the flood storage area only and not the placement of fill on the embankment - excavated material shall be removed from site unless otherwise agreed under condition 6.

Reason : To reduce the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site, ensuring that compensatory storage of flood water is provided and to ensure compliance with the National Planning Policy Framework, Policy CS24 'Managing Flood Risk' in the Knowsley Local Plan Core Strategy and saved policy ENV7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

4. Precise details of the SUDS basin at the north east of the Public Open Space based on plan 'Open Space Landscape Layout SK378-L-PL-05 PL11' shall be submitted to and agreed in writing with the local planning authority. The agreed SUDS basin shall be completed within 6 months of this decision
5. Within 6 months of this decision, a Site Completion/Validation Report which demonstrates that the site could not be classed as 'contaminated land' shall be submitted to and agreed in writing with the Local Planning Authority.

Reason. To prevent any risk to the public and general pollution of the environment

6. Prior to the commencement of the works to create the flood mitigation area or amend the SUDS basin an amended Earthworks Operations Environmental Management Plan which identifies that material will not be placed on the embankment shall be submitted to and agreed in writing with the Local Planning

Authority. The development shall be implemented in accordance with the agreed Plan.

Reason: To ensure that the development does not increase the risk of flooding elsewhere and also to ensure that it does not cause harm to highway safety or residential amenity.

7. No works hereby permitted shall be carried out outside the hours

08:00 - 18:00 Monday - Friday

08:00 - 13:00 Saturdays.

No works shall be carried out on Sundays or Bank/Public Holidays

Reason: To protect the amenity of nearby residents

8. Notwithstanding the Open Space Landscape layout drawing ref SK378-L-PL-05 a detailed scheme and full specification for the areas of public open space and landscaping to be retained by Knowsley Metropolitan Borough Council as identified on the E mail and site layout plan received on 18th November 2015 shall be submitted to and approved in writing by the Local Planning Authority within 12 months of this decision. This scheme shall be based upon the principles shown on the Open Space landscape layout drawing ref SK378-LPL-05 and shall include details of the maintenance and management of the sustainable drainage features within the open space. These areas shall be laid out in full accordance with the approved scheme in accordance with a timescale agreed in writing by the Local Planning Authority and they shall be maintained and managed in accordance with the approved details.

Reason: In the interests of visual and residential amenity and to ensure that the areas of public open space are made available in a timely manner having regard to Saved Policies DQ1 and OS5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

9. Within 6 months of this decision, a management and maintenance plan for the surface water drainage system implemented as part of this development shall be submitted to and agreed in writing with the Local Planning Authority. The surface water drainage system shall be managed and maintained in accordance with the agreed plan thereafter.

Reason: To ensure that the surface water drainage system is appropriately maintained and does not lead to flooding elsewhere

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification):

(i) no gates, walls or fences shall be erected forward of the front wall of the dwellings;

(ii) no extensions or buildings shall be erected to the side of any of the dwellings;

(iii) no extensions or outbuildings to plots 4-8 (inclusive), 13-20(inclusive), 37-48 (inclusive) and 95-113(inclusive)

other than those expressly authorised by this permission, unless planning permission for such development has been granted by the Local Planning Authority.

Reason: In the interests of visual amenity, to safeguard the character of this residential development, to protect the existing pressurised water main and the safety of the occupants

11. The screen fences/walls hereby permitted shall be erected in accordance with the approved details shown on the Site Layout ref SK378/PL/401 Rev G and wall and fence type drawings NSD 9001 and RSD 9102 prior to the first occupation of the dwelling to which it relates.

Reason: To ensure satisfactory privacy for occupants of the proposed dwellings, in the interests of visual amenity

12. The approved Residential Travel Plan Ref. VN40368, dated July 2021 shall be implemented in accordance with the timetable contained therein and shall continue to be implemented so long as any part of the development is occupied.

An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for a period of 5 years. This report shall include a review of the Travel Plan measures, monitoring data and updated action plan.

Reason: To maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable

13. The parking provision shown within the curtilage of each dwelling on the approved plans shall be provided prior to first occupation of the dwelling to which it relates. The parking provision shall not be used for any other purpose other than the parking of vehicles.

Reason: In the interests of highway and pedestrian safety

SCHEDULE 1

Date Received	Reference No. on Plan/Report	Version No.
1 December 2015	SK378/LEV105	no version Number
1 December 2015	SK378-CS-400	B
26 November 2015	WATER VOLE METHOD STATEMENT	15/00103
18 November 2015	LAND RETAINED BY KMBC	REV F
8 September 2015	880590R2(02)	SEPTEMBER 2015
8 September 2015	14/00074	no version Number
1 September 2015	SK378/400/LP LOC PLAN	no version Number
1 December 2015	SK378/PL/400 SITE LAOUT	REV G
1 September 2015	ASHP(14)-03 ASHOP FLR PLAN	no version Number
1 September 2015	ASHP(14)-04 ASHOP 1ST FLR PLAN	no version Number

1 September 2015	ASHP(14)-6.0 ASHOP ELEVS	no version Number
1 September 2013	BBDGE(14)-01 BAY GRND FLR	REV C
1 September 2015	BBDGE(14)-02 BAY 1ST FLR	REV A
1 September 2015	BBDGE(14)-6.1 ELEVS	REV B
1 September 2015	CAM(14)-01 GRND FLR	no version Number
1 September 2015	CAM(14)-02 1ST FLR	no version Number
1 September 2015	CAM(14)-6.1 ELEVS	no version Number
1 September 2015	ELLES(14)-01 FLR PLANS	no version Number
1 September 2015	ELLES(14)-6.0-SEMI(A) FLR PLANS	no version Number
1 September 2015	GLASS(14)-01 GRND FLR	no version Number
1 September 2015	GLASS(14)-01 1ST FLR	no version Number
1 September 2015	GLASS(14)-6.0 ELEVS	no version Number
1 September 2015	LIFE-2B4P(77) FLR PLAN	REV A
1 September 2015	LIFE-2B4P(77)/02 ELEVS	no version Number
1 September 2015	LIFE-3B5P(90) FLR PLAN	no version Number
1 September 2015	LIFE-3B5P(90)/6.0/02 ELEVS	no version Number
1 September 2015	PKTON(14)-01 FLR PLAN	REV B
1 September 2015	PKTON(14)-02 1ST FLR	REV A
1 September 2015	PKTON(14)-03 2ND FLR	REV A
1 September 2015	PKTON(14)-6.0 ELEVS	REV B
1 September 2015	RIBB(14)-01 GRND FLR	no version Number
1 September 2015	RIBB(14)-02 1ST FLR	REV A
1 September 2015	RIBB(14)-6.0 ELEVS	no version Number
1 September 2015	STAM(14)-01 FLR PLANS	REV B
1 September 2015	STAM(14)-6.0 ELEVS	REV A
1 September 2015	LIFE-3B5P-01-SA(SEMI) FLR	no version Number
1 September 2015	LIFE-3B5P-02-SA(SEMI) 1ST FLR	no version Number

1 September 2015	LIFE-3B5P-6.O-SA(SEMI) ELEVS	no version Number
1 September 2015	SINGLE GAI/OI GARAGE	no version Number
1 September 2015	SHARED GA/OI GARAGE	no version Number
1 September 2015	DOUBLE GA/OI GARAGE	no version Number
1 September 2015	RSD 9102 FENCES	REV B
1 September 2015	NSD 9001 WALLS	REV *

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:-

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 (Alan Kilroe on 0151 443 2315)

ARTICLE 35 STATEMENT

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.

Executive Director - Regeneration and Economic Development

Date: 27 February 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.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months 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.