



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 21/00184/FUL

Name and address of applicant

Taylor Wimpey North West
Ground Floor, Washington House
Birchwood Park Avenue
Birchwood
Warrington
WA36GR

Name and address of agent

Date of Receipt: 3 March 2021

Date Valid: 16 July 2021

Address/Location Of Development:

Fox's Bank, Halsnead Garden Village, Land West Of Fox's Bank Lane And North Of M62, Whiston, Knowsley, L35 3SS

Description of Development:

**ERECTION OF A SINGLE STOREY TEMPORARY SALES AREA CABIN
TOGETHER WITH CAR PARKING, LIGHTING BOLLARDS AND ASSOCIATED
SIGNAGE**

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 granted full planning permission 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. Prior to the erection of the temporary sales cabin, full specification of materials and their external finishes shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the development complies with the National Planning Policy Framework (2021), Policies CS2, CS19, SUE2 and SUE2c of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

4. The parking layout and access route hereby permitted shall be laid out in accordance with the approved plans prior to the car park being brought into use. The parking provision shall not be used for any other purpose other than the parking of vehicles and shall be hard surfaced in accordance with the hard surfacing details on the approved plans.

Reason: In the interests of highway and pedestrian safety and to comply with Policies CS2, CS19, SUE2, SUE2C and CS7 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework.

5. Prior to the erection of any lighting within the development hereby permitted, a scheme for provision of lighting including lux levels and degree of light spillage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented as approved.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of the safety, to protect residential amenity and to protect biodiversity. This condition has been imposed having regard to policies CS2, CS19, CS21 and SUE2 of the Knowsley Local Plan Core Strategy 2016.

6. This permission for a temporary sales cabin, temporary car park and associated works is for a limited period only. The sales cabin hereby permitted shall be removed from the site within 18 months of the date of this permission and the land shall be used as a temporary car park in accordance with plan reference 20285 TSA 02 Rev N (or developed in accordance with a scheme permitted under any other extant permission excluding this permission). The car park, any foundations, structures, hardstandings/grasscrete, accesses, dropped crossings, enclosures, ancillary works or other groundworks associated with the car park and sales cabin shall be removed and the land restored to its former condition (or the use/condition of the land permitted under any other extant permission excluding this permission) within 7 years of the date of this permission.

Reason: To enable the construction of the show homes whilst facilitating the delivery of the housing scheme in a phased manner, in the interests of visual amenity and to allow the LPA to re-assess any application for a temporary building. This condition has been imposed having regard to policies SUE2, CS19 and CS2 of the Knowsley Local Plan Core Strategy (2016).

7. Prior to being discharged into any watercourse, surface water sewer or soak away system, all surface water drainage from car parks and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained.

Reason: To prevent pollution of the water environment, and to comply with Policies CS2 and CS24 of the Knowsley Local Plan Core Strategy, adopted 2016.

SCHEDULE 1

DATE RECEIVED	REF. NO	VERSION
03/03/2021	20285 SLP 01	-
17/07/2021	LGCHA042	A
15/07/2021	NB31-7-SALES1	A
15/07/2021	NB31-7-SALES2	A
03/03/2023	20285-TSA-01	K
03/03/2023	20285-TSA-02	N
03/03/2023	20285-TSA-03	J
17/07/2021	LGCHA014	-

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 (Clare Appleyard on 0151 443 2848)

ARTICLE 35 STATEMENT

The LPA has acted positively and proactively in determining this application by assessing the proposal against all material considerations including planning policies and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out within the NPPF.

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.

- 1 NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments;
- 2 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

- 3 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.

Executive Director - Regeneration and Economic Development

Date: 9 March 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 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.