



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 22/00398/FUL

Name and address of applicant

G&W Stamper Ltd
21 Red Lion Market Place
Knowsley
Prescot
L34 5SB

Name and address of agent

Smith Young Architecture Ltd
23 Roscoe Street
Liverpool
Liverpool
L1 WSX

Date of Receipt: 1 July 2022

Date Valid: 6 July 2022

Address/Location Of Development:

21 Market Place
Prescot
Knowsley
L34 5SB

Description of Development:

VARIATION OF CONDITION NO. 3 OF PLANNING PERMISSION 20/00443/FUL TO ALLOW FOR CHANGES TO OPERATIONAL HOURS SO THAT CUSTOMERS SHALL NOT BE SERVED OR ACCOMMODATED IN THE PREMISES EXCEPT BETWEEN THE HOURS OF 8:00 & 00:00 ON MONDAY TO SUNDAY (INCLUSIVE) & BANK & PUBLIC HOLIDAYS, & CUSTOMERS SHALL NOT BE SERVED OR ACCOMMODATED IN THE BEER GARDEN EXCEPT BETWEEN THE HOURS OF 08:00 & 22:00 ON ANY DAY

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. Customers shall not be served or accommodated in the premises except between the hours of 8:00 and 00:00 on any day including Bank and Public Holidays and customers shall not be served or accommodated in the beer garden except between the hours of 08:00 and 22:00 on any day.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2, H5 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

3. Prior to the installation of the cycle storage area permitted under planning permission ref 20/00443/FUL details of the structure including elevations, materials and finishes shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be construction in accordance with the approved details prior to the first occupation of the development hereby permitted.

Reason : In the interests of visual amenity , to ensure adequate provision is made for parking cycles and to preserve the character and appearance of Prescott Town Centre, Conservation Area in accordance with Policies CS19, CS7, CS20 in the Knowsley Local Plan, Core Strategy adopted January 2016.

4. Prior to the installation of the conservation roof lights permitted under planning permission ref 20/00443/FUL full details of the replacement roof lights shall be submitted to and approved in writing by the Local Planning Authority. The conservation roof lights shall be installed in accordance with the approved details and shall be retained at all times thereafter.

Reason : To preserve the character and appearance of the Prescott Town Centre Conservation Area in accordance with policies CS19 & CS20 in the Knowsley Local Plan Core Strategy and saved policy DQ5 in the Knowsley Replacement Unitary Development Plan.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
10/09/2020	19.043	-	LOCATION PLAN
04/08/2020	006	-	PROPOSED CHIMNEY
04/08/2020	007	-	PROPOSED CHIMNEY ELEVATION
04/08/2020	008	-	PROPOSED CHIMNEY
03/11/2020	001	B	SITE LAYOUT
03/11/2020	004	A	PROPOSED ELEVATIONS
03/11/2020	005	A	PRPOSED ELEVATIONS
03/11/2020	009	A	PROPOSED EXTERNAL DOOR WORKS
03/11/2020	010	A	YORKSHIRE SLIDING SASH DETAIL
03/11/2020	011	A	PROPOSED WINDOW TYPE A

03/11/2020	012	A	PROPOSED WINDOW TYPE B
03/11/2020	013	-	PROPOSED W026 DETAIL
03/11/2020	014	-	PROPOSED GATE DETAIL
03/11/2020	015	-	PROPOSED WINDOW WORKS
03/11/2020	016	-	NOTES

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:-

CS2 - Development Principles
CS7 - Transport Networks
CS14 - Principal Regeneration Area - Prescott TC
CS19 - Design Quality and Accessibility in New Development
CS20 - Managing the Borough's Historic Environment
ENV2 - Noise and Vibration

KNOWSLEY LOCAL PLAN: CORE STRATEGY

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

National Planning Policy Framework

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 (Mark Quinn on 0151 443 2381)

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.

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

1. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencingdistance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

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

Executive Director - Regeneration and Economic Development

Date: 12 September 2022

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.
- 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.