

APPLICATION NO: 23/02815/NMA1 **CASE OFFICER:** Jo Sheridan

WARD: Whitefield

LOCATION: Car Park, St Chads Drive, Kirkby Town Centre

PROPOSAL: NON MATERIAL AMENDMENT FOLLOWING THE GRANT OF PLANNING PERMISSION 23/02815/FUL (ERECTION OF A 53 NO. APARTMENT RETIREMENT LIVING DEVELOPMENT (USE CLASS C3), LANDSCAPING, CAR PARKING AND ALL ASSOCIATED WORKS) TO AMEND THE DESCRIPTION OF DEVELOPMENT TO - ERECTION OF A 53 NO. APARTMENT DEVELOPMENT (USE CLASS C3), LANDSCAPING, CAR PARKING AND ALL ASSOCIATED WORKS

Site Description

The site subject of the application is an area of land approximately 0.35ha in area, situated between St Chad's Drive to the west and County Road to the east. To the north of the site is an St Chads Medical Centre and to the south is Kirkby Police Station. Between the site and the medical centre, is an adopted footpath that links St Chad's Drive to County Road. The site is located within Kirkby Town Centre and is currently utilised as a surface level car park which serves visitors to Kirkby Town Centre.

The site slopes from higher ground in the west to lower ground in the east towards County Road.

The site lies within Flood Zone 1.

Proposal

The non material amendment application seeks to change the description of development from:

Erection of a four-storey building comprising of 53 no. apartment retirement living development (Use Class C3), landscaping, car parking and all associated works.

To:

Erection of a 53 no. apartment development (Use Class C3), landscaping, car parking and all associated works

Consultations

None required.

Representations

No publicity undertaken.

Planning History

23/002815/FUL: Erection of a 53 no. apartment retirement living development (Use Class C3), landscaping, car parking and all associated works. Planning permission granted 26/04/2024.

23/02815/NMA: Non material amendment following the grant of planning permission 23/02815/FUL (Erection of a 53 no. apartment retirement living development (Use Class C3), landscaping, car parking and all associated works) variation to condition 2 to amend the approved plans to add the cycle store and a redesign of the internal path. Granted 25/06/2025.

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

Knowsley Replacement Unitary Development Plan (Saved Policies, 2006)
Knowsley Local Plan Core Strategy (2016)
Merseyside Waste Local Plan (2013)

Assessment

The non material amendment application seeks to change the description of development from:

Erection of a four-storey building comprising of 53 no. apartment retirement living development (Use Class C3), landscaping, car parking and all associated works.

To:

Erection of a 53 no. apartment development (Use Class C3), landscaping, car parking and all associated works

The change would remove the reference in the description of development to 'retirement living.' The application documents identified that retirement living would benefit people who are 55 and over.

The agent is agreeable to a condition to control the occupancy of the 53 bed scheme to over 55's and it is on this basis, that the application is considered to be non material and recommended for approval.

Recommendation

That the non material amendment application be approved, subject to the condition below:

The proposal hereby permitted shall only be occupied by person(s) over the age of 55 years.

Reason: To comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved policy H5, of the Knowsley Replacement Unitary Development Plan adopted June 2006.

Signed Case Officer¹:

Jo Sheridan

**Signed Authorising
Officer²:**

Alan Kilroe

Date:

22 June 2026

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

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