



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 21/00764/FUL

Name and address of applicant

Ms Gynane
345 Cronton Road
Cronton
WA8 5QD

Name and address of agent

The Extension House Ltd
The Extension House Ltd
54 St James Street
L1 0AB

Date of Receipt: 27 September 2021

Date Valid: 17 October 2021

Address/Location Of Development:

345 Cronton Road
Cronton
WA8 5QD

Description of Development:

ERECTION OF SINGLE STOREY EXTENSION TO THE REAR, RAISING OF RIDGE HEIGHT, FIRST FLOOR EXTENSION TO THE FRONT AND REAR (INCORPORATING REAR BALCONY), TOGETHER WITH DORMER EXTENSIONS TO THE FRONT AND REAR TO PROVIDE LIVING ACCOMMODATION WITHIN THE ROOF SPACE, NEW ENTRANCE TOGETHER WITH ASSOCIATED WORKS INCLUDING RENDERING OF WHOLE OF DWELLING.

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.

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 any description of materials in the application, no above ground construction works shall be commenced until samples and / or full specification 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. The development shall be carried out only in accordance with the agreed schedule of materials.

Reason: In the interests of visual amenity and to ensure that the development complies with the National Planning Policy Framework (2021), the National Design Guide (2021), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and saved Policy DQ3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

4. Notwithstanding the detail at Section 20 - Remedial Tree Planting of the approved Arboricultural Report dated 23 June 2022 prepared by IROSARB, the replacement trees identified as RT1 - RT3, that would replace trees lost due to the development, shall be replaced on a one for one basis of a size not less than 20-24cm girth in accordance with a scheme that have first been submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of the development.

a) The trees shall be planted as soon as practically possible but within the first available planting season following the first occupation of the development hereby approved.

b) Once this has been implemented the Council's Arboricultural Officer should be informed within 3 days on Tel: 0151 443 2666.

Should any of the replacement tree(s) fail to establish within a period of five years thereafter it shall be replaced in kind during the first planting season following the date of the loss or damage.

Reason: Interests of visual amenity and to comply with Policies CS2, CS8, CS19 and CS21 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and saved Policies DQ3 and DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

5. Prior to the commencement of any part of the development hereby permitted, at least five working days written notice shall be given to the Local Planning Authority of the intention to commence development.

The protective fencing referred to in the approved Arboricultural Report prepared by IROSARB dated 23 June 2022 shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall be retained in place until the development is complete.

No storage of plant or material (including soil) works (including movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing thereby defined for the duration of the development works.

Reason: To ensure that the proper protection of trees has been carried out and to ensure that the tree protection fencing required pursuant to the approved Arboricultural Report is in place prior to works commencing. in the interests of visual amenity and to comply with the National Planning Policy Framework (2021), Policies

CS2, CS8, CS19 and CS21 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and saved Policies DQ3 and DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

6. No external lighting shall be installed on the development until details of external lighting has been submitted to and approved in writing by the Local Planning Authority. The details shall clearly demonstrate that lighting will not cause excessive light pollution or disturb bat roosts / habitats.

The details shall include, but not limited to, the following:

- i. Technical details, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
- ii. A description of the luminosity of lights and their light colour;
- iii. Drawing(s) showing the location of the light fixings;
- iv. Methods to control lighting control (e.g. passive infrared sensor (PIR) / timed operation)

The developer should refer to the document Bats and Lighting in the UK, Bats and the Built Environment Series, Bat Conservation Trust and Institute for Lighting Engineers.

Bat Conservation Trust website <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

All external lighting shall be installed in accordance with the details and locations set out in the agreed scheme and shall be maintained thereafter in accordance with these details.

Reason: In order to minimise the effect of lighting on protected species in the interests of biodiversity. To comply with the National Planning Policy Framework (2021), Policies CS2, CS8, CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy ENV3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
12/09/2022	01.02	REV. B	PROPOSED FLOOR PLANS AND ELEVATIONS
23/06/2022	23 JUNE 2022	-	ARBORICULTURAL REPORT PROPERTY DEVELOPMENT BASE DON BS5837 - IROSARB
20/06/2022	18 JUNE 2022	-	FURTHER BAT ACTIVITY SURVEYS (ADDENDUM) 18 JUNE 2022 (KINGOM ECOLOGY LTD)
14/02/2022	14 FEBRUARY 2022	-	BAT SCOPING REPORT - 14 FEBRUARY 2022 KINGDOM ECOLOGY LTD
10/01/2022	-	REV.B	PROPOSED LAYOUT PLAN ('BUY A PLAN' - SCALE 1:500)

27/09/2021	1808/3A	-	LOCATION PLAN (1:1250)
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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

CS8 - Green Infrastructure

CS19 - Design Quality and Accessibility in New Development

CS21 - Greenspaces and Trees

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

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

DQ3 - Gateway Sites and Corridors

DQ4 - Trees and Development

SUPPLEMENTARY PLANNING DOCUMENTS

Amended New Residential Development SPD (2018)

Trees and Development SPD (2016)

Ensuring a Choice of Travel SPD (2010)

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 2381)

ARTICLE 35 STATEMENT

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.

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 The proposed works will require a licence issued from Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017. The applicant is required to obtain this licence prior to undertaking any works. Any works undertaken affecting protected species without licence or prior approval from Natural England may represent a criminal offence under the aforementioned Regulations.

Executive Director - Regeneration and Economic Development

Date: 27 September 2022

Appendix 1

Three-Test Assessment for European Protected Species

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NB: post-Woolley case law does not require the three-tests to be carried out by LPAs, however, they still have to determine whether a licence is likely to be issued. As NE do not comment on licensing issues at the planning application stage, the easiest way to determine this is to use the three derogation tests.

The three tests are set out in Regulation 55 of the Habitats Regulations 2017. The three-test assessment of the proposals is set out below.

Test 1: Regulation 55(2)(e): *“preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”*

Please see Test 2 text below regarding Government advice for existing buildings and associated structures that may need to be demolished before redevelopment takes place.

Test 2: Regulation 55(9)(a): *“that there is no satisfactory alternative”*

The extension and updating of a single dwelling on an established residential site is preferable to construction of a new dwelling on a new plot. Emergence bat survey has confirmed the established garden provides foraging habitat for bats and which will be retained by the development. Deteriorating buildings result in the loss of EPS habitat and the inclusion of new, designated bat roost provision will ensure bat roost potential is maintained on site for the long term.

Government guidance on protected species licensing states that a reasoned statement, which includes the supporting evidence and statements on how the proposals meet test 1 and 2, is not required in support of an application for an EPS licence in the following circumstances:

- Housing developments of less than 1 hectare, including:
- Existing buildings and associated structures that may need to be demolished before redevelopment takes place (whether domestic dwellings or other types of buildings); or
- Barn conversions for domestic dwellings (not including conversion for commercial use, such as holiday lets).

The assessment of the proposals against the three tests is to determine the likelihood of the proposals being granted a licence prior to determination of the planning application. As the proposals in this case meet one of the criteria above (through partial demolition), and satisfy test 3, a licence is likely to be granted.

Test 3: Regulation 55(9)(b): *“that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”*

The conservation value of the observed two Common pipistrelle roosts present has been assessed as low, therefore the proposal will not cause a detrimental change to the conservation status of the European Protected Species. The mitigation and compensation measures proposed within the bat report Addendum (*Further Bat Activity Surveys (Addendum)*, Kingdom Ecology, 18/06/2022) are appropriate in avoiding significant harm to the species. The bat report can be adopted as an approved document or the contained Method Statement secured by a suitably worded planning condition. As long as the mitigation recommended in the bat report is implemented, then this test would be satisfied.

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 householder 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.