



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 22/00333/FUL

Name and address of applicant

Mr G Williams
72 Woodlands Road
Haresfinch
St Helens
WA11 9AQ

Name and address of agent

Schafer Associates
56 Belvedere Road
Ashton-in-Makerfield
WN4 8RU

Date of Receipt: 1 June 2022

Date Valid: 24 June 2022

Address/Location Of Development:

Moss Side Farm Cottage
Hewitts Lane
Kirkby
Knowsley
L34 8HH

Description of Development:

**DEMOLITION OF TWO STOREY SIDE EXTENSION AND THE ERECTION OF A
PART TWO STOREY PART SINGLE STOREY SIDE AND REAR EXTENSION
TOGETHER WITH THE ERECTION OF A DETACHED CARPORT**

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. The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture. The

proposed cladding located on the car port should be stained in a dark colour to respond to the local vernacular.

Notwithstanding the description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used externally in respect of the proposed brick aspect of the development relating to the extension and car port have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of materials and should be reflected of those within the surrounding area, unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed schedule of materials.

Reason: In the interests of visual amenity and to comply with Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

4. No above ground works shall take place until the location of at least 1 bird nesting box and 1 bat box have been submitted to and agreed in writing with the local planning authority. The bird and bat boxes shall be installed in accordance with the approved details prior to the first occupation of the dwelling and shall be retained at all times thereafter.

Reason: In the interests of biodiversity and to comply with Policy CS8 of the Knowsley Local Plan Core Strategy (adopted January 2016).

5. No tree/shrub felling, vegetation management and/or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval and the development shall then be carried out in accordance with the agreed mitigation.

Reason: In the interests of biodiversity conservation and to comply with Policy CS8 of the Knowsley Local Plan Core Strategy (adopted January 2016).

6. No work for the construction of this development, including demolition and deliveries to and from the site shall take place on the site except between the hours:

08:00 - 18:00 Monday to Friday; and
08:00 - 13:00 on Saturdays.

In particular, no work should be carried out on Sundays or officially recognised public holidays without the prior agreement in writing of the Local Planning Authority.

7. Notwithstanding the proposed Site Plan indicated on drawing "3.02 Rev A" the proposed planting should consist of a privet or hawthorn based mixed native hedge. The hedging/mesh wire fence should be extended to the close boarded fence at the property boundary between the Moss Side Cottage and Waterside Cottage before the first use of the extension hereby approved.

Reason: To safeguard the amenities of nearby residents.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
01/06/2022	1308 3.01	-	EXISTING ELEVATIONS AND FLOOR PLANS, LOCATION PLAN AND EXISTING SITE PLAN
01/09/2022	1308 3.02	REV B	PROPOSED ELEVATION, FLOOR AND SITE PLANS

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
CS19 - Design Quality and Accessibility in New Development
SUE1 - Sustainable Urban Extensions and Safeguarded Land
SUE2 - Sustainable Urban Extensions - Development Principles
H8 - Extensions and Alterations to Residential Properties
Householder Development SPD (2016)

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 (John Fleming on 0151 443 2216)

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.

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

- 1) Please see attached letter from Merseyside Environment Advisory Service.
- 2) Please see attached letter from Environmental Health
- 3) Please see attached letter from the Environment Agency.



Executive Director - Regeneration and Economic Development

Date: 12 December 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.
- 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.

Knowsley Metropolitan Borough Council
Development Control
PO Box 26
Huyton
Liverpool
L36 9FB

Our ref: SO/2022/122406/01-L01
Your ref: 22/00333/FUL
Date: 13 August 2022

Dear John Fleming

DEMOLITION OF TWO STOREY SIDE EXTENSION AND THE ERECTION OF A PART TWO STOREY PART SINGLE STOREY SIDE AND REAR EXTENSION TOGETHER WITH THE ERECTION OF A DETACHED CARPORT MOSS SIDE FARM COTTAGE, HEWITTS LANE, KNOWSLEY, PRESCOT, L34 8HH.

Thank you for consulting us on the above application, on 12th August 2022.

Advice to LPA

Flood risk standing advice -

The proposed development falls within Flood Zone 3 and 2, which is land defined in the [planning practice guidance](#) as being at risk of flooding.

We have produced a series of standard comments for local planning authorities and planning applicants to refer to on 'lower risk' development proposals. These comments replace direct case-by-case consultation with us. This proposal falls within this category.

These standard comments are known as Flood Risk Standing Advice (FRSA). They can be viewed at <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications#when-to-follow-standing-advice>.

We recommend that you view our standing advice in full before making a decision on this application. We do not need to be consulted.

Advice to applicant

Environmental permit -

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence

Environment Agency
Richard Fairclough House Knutsford Road, Warrington, WA4 1HT.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Non-Mains Drainage -

Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply. Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at:

[Septic tanks and sewage treatment plants: what you need to do: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/septic-tanks-and-sewage-treatment-plants-what-you-need-to-do)

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

Ms DAWN HEWITT
Planning Advisor

Direct dial 02030250535

Direct e-mail dawn.hewitt@environment-agency.gov.uk

 Knowsley Council	Planning Consultation Response Environmental Health and Consumer Protection Service
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To:	Planning Services (John Flemming)	
From:	Environmental Health & Consumer Protection (Helen Bradshawe)	
Planning App. No:	22/00333/FUL	
Date:	1 September 2022	
Location:	Moss side cottage, Hewitts Lane	
Proposal:	Demolition of existing 2-storey extension. Proposed extension (2-storey and single storey) to existing house. Proposed construction of 5-bay carport.	

No Objection in Principle

Environmental Health has reviewed the application and have no objections but would request that the following issues are addressed by condition to protect the future occupants of the site and / or nearby residents.

Contaminated Land: As the site has previously been a residential property with no other historical land use a watching brief is required.

Construction Hours – our standard conditions have been suggested to protect the amenity of the surrounding residents.

From an Environmental Health perspective, conditions we would suggest are included on any permission granted are:

Suggested Conditions

1. Construction / Demolition Hours

No construction / demolition work shall take place outside the hours of 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.

2. Contaminated Land Advisory Note

Based on the information available to this division we are not aware of any contamination on this site. However, the responsibility to properly address contaminated land issues lies



with the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should contamination be encountered during the development of the site.

If contaminated material is encountered the applicant/developer is required to dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

The applicant should have regard to the following statement in Planning Policy Statement 23 (section 2.51) "As a minimum, after carrying out the development and commencement of its use, the land should not be capable of being determined as contaminated land under Part IIA of the EPA 1990."

Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

Importation of Soil/Material

No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.



Merseyside Environmental Advisory Service
The Barn, Court Hey Park
Roby Road, Huyton, L16 3NA
Director: Alan Jemmett, PhD, MBA

Enquiries: 0151 934 4951

Contact: Saskia van Dongen
Email: measdcconsultations@sefton.gov.uk

DEVELOPMENT MANAGEMENT ADVICE

To: John Fleming
Organisation: Knowsley Council

From: Saskia van Dongen
Assistant Ecologist

Your Ref: 22/00333/FUL
File Ref: KN22-038
Date: 26/07/2022

DEMOLITION OF TWO STOREY SIDE EXTENSION AND THE ERECTION OF A PART TWO STOREY PART SINGLE STOREY SIDE AND REAR EXTENSION TOGETHER WITH THE ERECTION OF A DETACHED CARPORT Moss Side Farm Cottage , Hewitts Lane, Kirkby, Knowsley, L34 8HH

1. Thank you for consulting Merseyside Environmental Advisory Service in respect of this planning application. The proposals comprise of the above planning description.
2. Having reviewed the application and supporting documentation, our advice is set out below in two parts.
 - Part One deals with issues of regulatory compliance, action required **prior to determination** and matters to be dealt with through planning conditions. Advice is only included here where action is required or where a positive statement of compliance is necessary for statutory purposes.
 - Should the Council decide to adopt an alternative approach to MEAS Part 1 advice, I request that you let us know. MEAS may be able to provide further advice on options to manage risks in the determination of the application.
 - Part Two sets out guidance to facilitate the implementation of Part One advice and informative notes.

In this case Part One comprises paragraphs 3 to 11, while Part Two comprises of paragraphs 12 to 13.



Part One

Archaeology

3. The Heritage Statement issued in support of the application (Schafer Associates May 2022) is a reasonable record of this non-designated heritage asset and recognises its values as evidential, historic, aesthetic and architectural.
4. There is one non-designated heritage asset recorded on the Merseyside Historic Environment Record within the proposed development: MME5935 Moss Lane Cottage, Hewitt's Lane, Knowsley, an 18th century building.
5. There is no intention to alter the historic fabric of the dwelling, therefore I advise that archaeology does not need to be considered further for this application.

Ecology

6. The applicant has submitted a Dusk Survey report in accordance with Local Plan Core Strategy policy CS8 (*Dusk Survey Report, Tyrer Ecological Consultancy Ltd, May 2022*) which has minor limitations. However, this does not affect the conclusions of the report and the report is accepted.

Bats

7. The report states that no evidence of bat use or presence was found. The Council **does not** need to consider the proposals against the three tests (Habitats Regulations).
8. The report categorises the Cottage as having moderate suitability for roosting bats and this habitat will be lost to facilitate development. To compensate for this loss, I advise that bat box provision recommended in section 6.4 of the survey report is secured by a suitably worded planning condition.

CONDITION

The development hereby permitted shall not be occupied until details of bat boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, has been provided for approval and implemented in accordance with those details.

Breeding Birds

9. Trees and scrub on site may provide nesting opportunities for breeding birds, which are protected and Local Plan Core Strategy policy CS8 applies. The following planning condition is required.

CONDITION

No clearance and/or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

Water Vole

Merseyside Environmental Advisory Service – delivering high quality environmental advice and sustainable solutions to the Districts of Halton, Knowsley, Liverpool, St.Helens, Sefton and Wirral



10. The site lies adjacent to Knowsley Brook and may therefore provide habitat for water vole which is a protected species and Local Plan Core Strategy policy CS8 applies. In line with best practice guidance¹ I advise that no works are carried out within a minimum of 5 metres of the top of the bank and details of methods of protection to this zone are submitted for approval. This can be secured by a suitably worded planning condition.

Protected/Priority Species

11. The habitats on site are suitable for terrestrial mammals and amphibians which are protected and Priority Species and Local Plan Core Strategy policy CS8 applies. The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them:

- A pre-commencement check for terrestrial mammals;
- All trenches and excavations should have a means of escape (e.g. a ramp);
- Any exposed open pipe systems should be capped to prevent mammals gaining access;
- Appropriate storage of materials to ensure that mammals do not use them.;
- Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians / reptiles present to move away from the affected areas;
- The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians / reptiles from seeking shelter or protection within them; and
- Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians / reptiles from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians / reptiles

These measures can be secured by a suitably worded planning condition.

Part Two

Ecology

Bats

- 12. The applicant, their advisers and contractors should be made aware that if any bat species are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.**

Waste Local Plan

Waste Local Plan – WM8

13. The proposals comprise of development which is unlikely to generate significant volumes of waste. The Merseyside and Halton Joint Waste Local Plan (WLP) Policy

¹ Dean, M., Strachan, R., Gow, D. and Andrews, R. (2016). *The Water Vole Mitigation Handbook* (The Mammal Society Mitigation Guidance Series). Eds Fiona Mathews and Paul Chanin. The Mammal Society, London.



WM8 Waste Prevention and Resource Management, National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) require the use of construction and demolition methods that minimise waste production and maximise re-use, recycling of materials on-site and minimise off-site disposal where practicable. I advise the use of waste audits or a similar mechanism such as a site waste management plan to monitor waste minimisation, recycling, management and disposal.

I would be pleased to discuss these issues further and to provide additional information in respect of any of the matters raised.

Saskia van Dongen
Assistant Ecologist