



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 24/00352/FUL

Name and address of applicant

C/o Fisher German LLP
Fisher German
International House
Kingsfield Court
Chester Business Park
Chester
CH4 9RE

Name and address of agent

Fisher German LLP
Fisher German
International House
Kingsfield Court
Chester Business Park
Chester
CH4 9RE

Date of Receipt: 28 June 2024

Date Valid: 19 July 2024

Address/Location Of Development:

Land At North End Lane
Halewood
Liverpool
L26 5QB

Description of Development:

**RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE OF
AGRICULTURAL LAND TO TWO DOG EXERCISE AREAS**

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. The use hereby permitted shall not take place outside the hours of 7am-8pm (Monday-Sunday).

Reason: For the avoidance of doubt, in the interests of protecting residential amenities and to accord with Saved UDP Policy EN2: Noise and Vibration.

3. The use hereby permitted shall cease and all, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 7 (seven) days of the date of failure to meet any one of the deadlines set out in i) to iv) below:
- i. Within 1 month of the date of this permission visibility splays shall be provided at the site access junction with North End Lane in accordance with drawing 1194-SK1. The splays shall be provided clear of obstructions to visibility above the height of 0.6 metres measured from the carriageway/verge level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.
 - ii. Within 3 months of the date of this permission a waste management scheme for the site shall be submitted to the Local Planning Authority for approval.
 - iii. Within 3 months of the date of this permission, a biodiversity gain plan must be submitted to the Local Planning Authority for approval. The plan must include the following:
 - a) Information about the steps taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat.
 - b) the pre-development biodiversity value of the onsite habitat.
 - c) the post-development biodiversity value of the onsite habitat.
 - d) any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development.
 - e) any biodiversity credits purchased for the development.
 - f) any such other matters as the Secretary of State may by regulations specify.
 - iv. If the Local Planning Authority has refused to approve a scheme or fails to give a decision within the prescribed period, an appeal shall be made to, and accepted as validly made by, the Secretary of State within 5 months of the date of this permission.

Any scheme approved pursuant to this condition shall be carried out and completed in accordance with the approved timetable. Upon implementation of any scheme approved pursuant to this condition 3, that scheme shall be maintained/retained/remain in use for the lifetime of the permission.

In the event of an appeal against this imposition of this condition, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that appeal has been finally determined.

Reason:

- i. For the avoidance of doubt and to accord with Policy CS7 of the Knowsley Local Plan Core Strategy, adopted January 2016 and the National Planning Policy Framework.
 - ii. To ensure the satisfactory management of the site and to accord with Policy WM9 of the Merseyside and Halton Waste Local Plan (WLP), adopted July 2013.
 - iii. In the interests of protecting biodiversity and to comply with CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016 and Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 and Environment Act 2021.
4. The development hereby approved will operate in full accordance with the submitted and agreed Management Plan, received 10.12.2024, contained within Schedule 1 for the lifetime of the development.

Reason: For the avoidance of doubt and to ensure the satisfactory management of the site.

5. The development hereby approved will operate in full accordance with the submitted and agreed details of the Bookings Schedule, contained within the approved Management Plan, received 10.12.2024 contained within Schedule 1, for the lifetime of the development.

Reason: For the avoidance of doubt, to ensure the satisfactory management of the site and to accord Policy CS7 of the Knowsley Local Plan Core Strategy, adopted January 2016 and the National Planning Policy Framework.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
10/12/2024	LP01	REV A	LOCATION PLAN
10/12/2024	PP01	REV C	PROPOSED SITE PLAN
10/12/2024	-	-	MANAGEMENT PLAN
28/08/2024	1194-SK1	-	PROPOSED ACCESS ARRANGEMENTS AND VISIBILITY SPLAYS

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:-

SD1 - Sustainable Development
CS2 - Development Principles
CS5 - Green Belt
CS7 - Transport Networks
CS8 - Green Infrastructure
CS19 - Design Quality and Accessibility in New Development
CS21 - Greenspaces and Trees
CS26 - Waste Management

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

G3 - Agricultural Land
G4 - Rural Diversification
ENV2 - Noise and Vibration

KNOWSLEY LOCAL PLAN: CORE STRATEGY

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 (Reece Black on 0151 443 5040)

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.



Executive Director - Regeneration and Economic Development

Date: 12 February 2025

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.