METROPOLITAN BOROUGH OF KNOWSLEY

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 02/00096/REM
Date of Receipt 05.02.2002
Date Valid 05.02.2003

Name and address of applicant
George Wimpey Manchester
629 Eccles New Road
Salford
Lancashire
M5 2BD

Address/Location Of Development

Land Adjacent All Saints School Bewley Drive Kirkby Knowsley

Nature And Particulars Of Application

APPROVAL OF RESERVED MATTERS FOR THE ERECTION OF 15 MEWS AND 60 DETACHED PROPERTIES TOGETHER WITH ACCESS, MEANS OF ENCLOSURE AND ASSOCIATED LANDSCAPING WORKS

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 five 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.

2. Development of the dwellings hereby permitted shall not be commenced until a schedule of external facing materials and the plots to which they relate has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed details.

   Reason: In the interests of visual amenity.

3. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:-

   a. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities per sq m of all new planting;

   c. all proposed hard landscape elements and pavings, including layout, materials and colours;

   b. an outline specification for ground preparation;

d. the proposed arrangements and specifications for initial establishment maintenance and longer term maintenance of all planted and/or turfed areas.

e. a programme for implementation for the landscaping which, in the case of a phased development, should include the completion of landscaping within each phase within the first available planting season following the substantial completion of residential development within the phase to which the landscaping relates.

The scheme(s) shall be wholly implemented in its/their finally approved form in accordance with the agreed programme. Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage.

Reason: In the interests of visual amenity and to comply with Policy H6 of the Knowsley Unitary Development Plan (adopted June 1998).

4. No dwelling hereby permitted shall be occupied until a visibility splay of 4.5m x 70m at a height of 1 metre above the carriageway level of the access has been provided for the proposed vehicular access point off Bewley Drive. No planting, structures or other obstructions shall thereafter be constructed or carried out so as to interfere with the splays thus defined for as long as the site is in use.

Reason: In the interests of highway safety and to comply with Policy H6 of the Knowsley Unitary Development Plan (adopted June 1998).

5. No part of the development hereby granted permission shall be commenced until the approval of the Local Planning Authority has been obtained for the detailed design of a scheme to provide the satisfactory disposal of surface water run-off from the development; and such scheme as approved shall be carried out before any of the dwellings hereby permitted are occupied.

Reason: To ensure that surface water run-off from the development will not adversely affect nearby land by reason of flooding and to comply with Policy En2 of the Knowsley Unitary Development Plan (adopted June 1998).

6. Full details of a gas vent trench shall be submitted to and approved in writing by the Local Planning Authority. The details shall include construction and maintenance details and the vent trench shall be completed in accordance with the agreed details prior to the occupation of any of the dwellings hereby permitted, and shall be maintained in accordance with the agreed specification at all times that the dwellings are on site.

Reason: In the interests of safety taking into account the proximity of the site to a former landfill site and to comply with Policy PWM6 of the Knowsley Unitary Development Plan (adopted June 1998).

7. Dwellings constructed within 50m of the western site boundary shall incorporate gas protection measures outlined in Appendix 8 of Coopers Associates Report 1820 dated 7 August 2001.

Reason: In the interests of safety taking into account the proximity of the site to a former landfill site and to comply with Policy PWM6 of the Knowsley Unitary Development Plan (adopted June 1998).

8. All fill material encountered on site shall be removed and replaced with low permeability inert material.

Reason: In the interests of safety.

9. Prior to any dwelling hereby permitted being occupied a scheme (including a timescale for implementation) of traffic calming measures shall be submitted to and approved in writing by the Local Planning Authority and the agreed scheme implemented. The agreed scheme shall remain on site whilst the site is in use.

Reason: In the interests of highway safety.

10. Notwithstanding the provisions of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order) there shall be no extension, enlargement to any building forming part of the development hereby permitted, on Plots 35-41 (inc.), 44, 47-49 (inc), 52, 66, other than those with an optional conservatory as shown on the drawing titled 'Planning Layout' reference Drawing No. 02-02 received 5 February 2002, or a garage, carport or other building or enclosure erected within the curtilage of those same plots, without a further specific planning permission having been sought and obtained beforehand.

Reason: To safeguard the character of this residential development and in the interests of residential and visual amenity.

11. Notwithstanding the provisions of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order) no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be placed or erected in front of the forwardmost part of any wall of a building which fronts on to or bounds a highway, carriageway, footpath playing fields or other open space without a further specific planning permission having been sought and obtained beforehand.

Reason: To safeguard the character of this residential development and in the interests of visual amenity and to comply with Policy H6 of the Knowsley Unitary Development Plan (June 1998).

NOTE FOR APPLICANT: The applicant's attention is drawn to the attached comments of the following; Transco, United Utilities, The Environment Agency, The Council's Site Development Management Team and the Council's Transportation and Engineering Services Division.

[redacted]

Director Of Planning and Development

Date: 22.03.2002

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. **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.**

4. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to condition, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form, which is obtainable from The Planning Inspectorate). See address below. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning/authority was based on a direction given by him.

5. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the secretary of state for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

6. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and country Planning Act 1990.

Appeal forms and guidance can be downloaded from the web site www.planning-inspectorate.gov.uk Alternatively they can be obtained from the following address:-

The Planning Inspectorate
Customer Support Unit
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Telephone: 0117 372 6372