



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 23/02831/FUL

Name and address of applicant

Ormskirk Skip Recycling Ltd
Unit 9
Abbey Lane
Burscough
Ormskirk
Lancashire
L40 7SR

Name and address of agent

BHL Technical Design consultant
14 Cobden Road
Southport
PR9 7TJ

Date of Receipt: 12 December 2023

Date Valid: 15 December 2023

Address/Location Of Development:

Coach Road Farm
Cut Lane
Kirkby
Knowsley
L33 3AJ

Description of Development:

VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 22/00299/FUL (CONVERSION OF 1 NO. AGRICULTURAL BUILDING INTO 1NO. DWELLING INCLUDING DETACHED GARAGE TOGETHER WITH CREATION OF ACCESS AND OTHER ASSOCIATED WORKS) TO ALLOW FOR CHANGES TO THE ELEVATIONS INCLUDING REPLACING A WINDOW WITH A DOOR AND CHANGE FROM TIMBER TO UPVC WINDOWS AND DOORS

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 the original permission (22/00299/FUL).

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 following approved plans and documents :-

- a. Biodiversity Enhancement Plan Issue 1.1 (received 28/11/2022).
- b. Ecology Info - (received 18/11/2022).
- c. Upper Floor Plans and sections - MG2022/08D - (received 12/12/2023).
- d. Lower Floor Plans and sections - MG2022/07D - (received 12/12/2023).
- e. Boundary Treatments and Tree planting details - MG2022/03 B - (received 18/11/2022).
- f. Existing and Proposed Site Plans - MG2022/02 D - (received 18/11/2022).
- g. Proposed Garage - MG2022/10B - (received 18/11/2022).
- h. Proposed Elevations - Rev C - MG2022/09 D - (received 12/12/2023).
- i. Dusk Survey Results - (received 04/10/2022).
- j. Location Plan - Rev A - MG2022/01A - (received 29/09/2022).
- k. Arboricultural Method Statement - (received 24/06/2022).
- l. Arboricultural Impact Statement - (received 24/06/2022).
- m. Planning Statement (received 12/12/2023).

Reason: For the avoidance of doubt.

3. A site completion report shall be submitted for written approval prior to occupation confirming that encountered site conditions were as expected and detailing any necessary remedial actions.

Reason: In order to protect human health and avoid contamination.

4. The Dwelling shall not be occupied until details of the Written Scheme of Investigation (WSI) fieldwork and results have been submitted to and approved by the local planning authority.

Reason: In order to ensure the heritage of the site is appropriately recorded.

5. Compensatory nesting habitat, as described within the submitted biodiversity enhancement plan (Biodiversity Enhancement Plan - Coach Road Farm, Tyrer Ecological Consultants, 25/11/2022) shall be retained on site hereafter.

Reason: In order to provide appropriate nesting habitats.

6. No work shall commence on the proposed garage until both of the following have been completed:
 - a. details and samples of the proposed materials have been submitted to and approved by the Local Planning Authority.
 - b. b) details of an electric vehicle charging point have been submitted to and approved by the Local Planning Authority. The chargepoint shall be:
 - I. A minimum of 7KW, and
 - II. at Least Mode 3 or equivalent,
 - III. located in order to comply with the Equality Act 2010 and the accessibility requirements set out in the Building Regulations Part M.

Reason: In order to ensure appropriate materials and infrastructure is provided.

7. Prior to the installation of any lighting, a lighting scheme shall have been submitted to and been approved by the local planning authority. The lighting shall be installed in accordance with the approved plans and retained hereafter.

Reason: In order to prevent harm to wildlife from inappropriate lighting.

8. During any construction work, the following measures should be taken to reduce potential harm to wildlife.
- Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians 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 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 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.

Reason: To avoid harm to wildlife.

9. The development shall only be carried out in accordance with all of the recommendations for mitigation and compensation set out in Sections 7.7 to 7.10 of the dusk bat survey report (Dusk Survey Results - Coach Road Farm, Tyrer Ecological Consultants, September 2022) which details the methods for maintaining the conservation status of bats unless otherwise varied by a European Protected Species licence subsequently issued by Natural England.

Reason: In order to protect bats.

10. 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.

Reason: In order to avoid harm to human health from contamination.

11. 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.

Reason: In order to avoid harm to human health from contamination.

12. Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan, signed off by a Qualified Person, shall be submitted to and agreed in writing with the local planning authority. The MMP shall demonstrate that any reuse of contaminated materials do not result in increased risk to the environment or human health.

Reason: In order to avoid harm to human health from contamination.

13. No tree felling, scrub clearance, vegetation management 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 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.

Reason: In order to protect the habitats of breeding birds.

14. No construction work, 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;
08:00 - 13:00 hours Saturday.

No work shall take place on Sundays or on Public Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2 and H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

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:-

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

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

G6 - Conversion or Change of Use of Existing Buildings in the Green Belt

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 (Andrew Hunt on 0151 443 2204)

ARTICLE 35 STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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: 31 January 2024

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 minor commercial 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.