



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 21/00656/FUL

Name and address of applicant

Greene King
Abbott House
Bury St Edmunds
IP33 1QT

Name and address of agent

DV8 Designs Ltd
Suite H3
Birchwood Park
Warrington
WA3 6AE

Date of Receipt: 13 August 2021

Date Valid: 18 August 2021

Address/Location Of Development:

**Eagle And Child
Church Road
Halewood
L26 6LB**

Description of Development:

EXTENSION TO EXISTING OUTDOOR SEATING AREA, FIXED SEATING AND LAYING OF NEW SURFACE; ERECTION OF EXTERNAL BAR, PERGOLAS AND COVERED WALKWAY; NEW FENCING TO OUTDOOR SEATING AREA AND SERVICE YARD; ERECTION OF 3.45M HIGH TIMBER POSTS TO ACCOMMODATE EXTERNAL LIGHTING; AND LAYING OF NEW SURFACE TO OVERSPILL CAR PARK AND ERECTION OF 1NO. ASSOCIATED FLOODLIGHT

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 external seating area shall not be used by customers for drinking/eating purposes between the hours of 10.00pm and 09.00am on any day, and the external bar shall not serve customers between the hours of 10pm and 09.00am on any day.

Reason: To safeguard the amenities of nearby residents and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

4. Prior to the installation of the floodlight to the overspill car park area a lighting scheme shall be submitted to the Local Planning Authority for its consideration and approval. The lighting scheme shall include full details of the support structure, the lighting unit itself including any cowling (manufacturer's specification for the Ansell AMLED100 floodlight have been submitted), confirmation that the floodlight support will be black and powder coated or painted prior to installation together with an isolux drawing of the floodlight illuminance levels of the car park area and beyond. The floodlight shall only be installed and operated in accordance with the agreed details at all times that it is in use.

Reason: In the interests of residential and visual amenity and to comply with Policies CS2, CS19 and CS20 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policies H5, DQ5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

5. The siting of the external bar hereby is for a limited period only. The external bar structure hereby permitted and any foundations, structures, hardstandings, enclosures, ancillary works or other groundworks associated with the external bar shall be removed and the land restored to its former condition on or prior to three years from the date of the first use of the external bar unless planning permission has been applied for and granted for its continued presence and use on site.

The Local Planning Authority shall be notified in writing by the applicant or a representative of the applicant of the date of first use of the bar 5 days prior to its first use.

Reason: To enable the Local Planning Authority to re-assess the proposal on the expiry of the permission having regard to residential amenity issues within the locality, and to comply with Policy CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted 2016 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

6. The overspill car park is to be surfaced and laid out in accordance with a scheme previously submitted to and agreed in writing by the Local Planning Authority prior to the first use of the external bar. The car park shall remain for parking and manoeuvring purposes as agreed at all times that the public house is in use.

Reason: To maintain and improve parking within the site and ensure that the area can operate adequately with regard to manoeuvring and to comply with Policies CS2 of the Knowsley Local Plan Core Strategy adopted 2016 and saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
16/11/2021	101	K	Proposed Site Plan
16/11/2021	200	F	Existing and Proposed Elevations
14/10/2021	1972-LOC-1	D	Location Plan
16/11/2021	202	C	External Details
16/11/2021	103	-	Proposed External Bar Elevations and Floor Plan

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: 13 December 2021

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.