



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 23/02445/FUL

Name and address of applicant

Specsavers Optical Stores UK
Cirrus House
10 Experian Way
Nottingham
NG2 1EP

Name and address of agent

Fisch Design
Fisch Design Ltd
Unit 1 Heritage Business Centre
Derby Road
Belper
DE56 1SW

Date of Receipt: 21 August 2023

Date Valid: 26 October 2023

Address/Location Of Development:

4B Cables Retail Park
Steley Way
Prescot
Knowsley
L34 5NQ

Description of Development:

**INSTALLATION OF 5 NO. EXTERNAL AIR CONDITIONING CONDENSER UNITS
TO REAR ELEVATION**

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. Fixed plant and machinery associated with the development shall be designed to a level that is at least 5dB(A) below the existing LA90 background noise level as

measured during the relevant time period. Any tonal, impulsive and/or irregular noise would be addressed by imposing a penalty as per the methodology set out in BS4142:2014+A1:2019, Methods for rating and assessing industrial and commercial sound. Noise limits for fixed plant are to apply at a position 1 metre from the closest affected window of the nearest noise sensitive at no. 21 Station Road.

Reason: In the interests of protecting the amenity of neighbouring occupiers in accordance with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

4. No external work associated with the installation of the air conditioning un shall take place outside the hours of 08:00 - 18:00 Monday to Friday, 08:00 - 13:00 Saturday and not at all on Sundays/public holidays without the prior written permission of the Local Planning Authority.

Reason: In the interests of protecting the amenity of neighbouring occupiers in accordance with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

5. The condenser units associated with this development shall not operate outside the hours of 08:00 to 20:00 on any day.

Reason: In the interests of protecting the amenity of neighbouring occupiers in accordance with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
17/10/2023	2181-LP	REV A	LOCATION PLAN
17/10/2023	2181-00	-	EXISTING AND PROPOSED ELEVATIONS
17/10/2023	2181-03	-	PROPOSED SETTING OUT FLOOR PLANS
17/10/2023	2181-04	-	PROPOSED SECTIONS FLOOR PLANS
17/10/2023	2181-05	REV A	PROPOSED AC DETAILS
17/10/2023	2181-BP	REV A	BLOCK PLAN
14/12/2023	10570/JC/BL	-	NOISE IMPACT ASSESSMENT

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
- CS6 - Town Centres and Retail Strategy
- CS14 - Principal Regeneration Area - Prescot TC
- CS9 - Principal Regeneration Area - North Huyton and Stockbridge Village

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 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.

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

1. The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine

gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2023 until 31st December 2024

Executive Director - Regeneration and Economic Development

Date: 29 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.