



**Knowsley Council**

**REGENERATION AND ECONOMIC DEVELOPMENT  
DEPARTMENT  
TOWN AND COUNTRY PLANNING ACT 1990**

**This application is subject to a Section 106 Agreement and needs to be read in conjunction with that Agreement.**

**PLANNING PERMISSION**

**Application No: 20/00329/FUL**

**NAME AND ADDRESS OF APPLICANT**

Forth Homes Construction LTD  
4 Allerton Road Mossley Hill  
Liverpool  
L18 1LN  
United Kingdom

**NAME AND ADDRESS OF AGENT**

**Date of Receipt:** 15 June 2020

**Date Valid:** 10 July 2020

**ADDRESS/LOCATION OF DEVELOPMENT:**

**LAND AT WINDY ARBOR BROW / WINDY ARBOR ROAD  
WHISTON  
KNOWSLEY**

**DESCRIPTION OF DEVELOPMENT:**

**ERECTION OF A RESIDENTIAL DEVELOPMENT OF 43 NO. DWELLINGS  
COMPRISING 14 NO. APARTMENTS AND 29 NO. HOUSES TOGETHER WITH  
ACCESS, CAR PARKING AND ASSOCIATED DEVELOPMENT (DEMOLITION OF  
EXISTING BARN)**

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 granted full planning permission 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. No development shall take place until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing contained in Annex 2: Glossary of the National Planning Policy Framework or any future guidance that replaces it.

The scheme shall include:

- a) The numbers, type, tenure and location on the site of the affordable housing provision to be made, which shall consist of not less than 25% (11 units) of the total number of housing units;
- b) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- c) The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord involved;
- d) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- e) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy shall be enforced.

The affordable housing shall be provided in accordance with the approved scheme and retained as such thereafter.

Reason: To ensure that 25% affordable housing is retained within the development at all times and to comply with paragraph 65 of the National Planning Policy Framework (2021), Policy CS15 of the Knowsley Local Plan: Core Strategy adopted January 2016 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

#### 4. A. Risk Assessment

No development shall take place until an assessment of the risks posed by any contamination has been submitted to and approved in writing by the Local Planning

Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with authoritative guidance (CLR 11), and shall assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include (were relevant):

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments.

#### B. Ground Gas Risk Assessment

No part of the development shall commence until a scheme to deal with the potential risk of Ground Gas at the site has been submitted to and approved in writing by the Local Planning Authority. The Ground Gas Risk Assessment should consider the provision of a pictorial CSM and take into account all credible on-site and off-site gas sources. It is considered that additional intrusive works are likely to be required to inform this Gas Risk Assessment, specifically to reduce data uncertainty and increase data confidence, notably with respect to on-site/off-site sources.

The Gas Risk Assessment should take into account the proposed foundation and floor slab construction of the residential properties in line with current UK guidance. The protection measures to all buildings proposed as part of the residential development should be passive. No active protection measures should be permitted.

#### C. Submission of Remediation Scheme

Where land affected by contamination is found which poses unacceptable risks, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. As a minimum, the scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

#### D. Implementation of Approved Remediation Scheme and Verification Report

The approved remediation scheme shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.

#### E. Reporting of Unexpected Contamination

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.

#### F. Materials Management Plan

Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan, carried out in line with the CL: AIRE code of practice and 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.

#### G. Importation of Soil/Material

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: To ensure contamination is appropriately identified and a strategy is in place before works commence on the site to prevent pollution in the interests of human health and the pollution of the water environment and to comply with the National Planning Policy Framework (2021), Policies CS2, CS19 and SUE2 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

5. Notwithstanding the submitted plans, no part of the development shall commence until details of the existing and proposed ground levels (including levels for all vehicular manoeuvring, pedestrian/cyclist and parking areas) have been submitted to and approved in writing by the Local Planning Authority, with full details of adequate mitigation measures to support the adopted highway and public areas as deemed necessary by the Local planning Authority. The submitted details shall include sections across the site. The development shall be implemented in accordance with the agreed details.

Reason: To ensure the impact of the development on adjacent properties and the locality/proposed street scene is acceptable, in the interests of highway and pedestrian safety and amenity of all users of the proposed highway network and to comply with the National Planning Policy Framework (2021), Policies CS2, CS7, CS19, SUE2 and SUE2c of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policies T7 and T10 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Halsnead Garden Village Masterplan, adopted June 2017.

6. No part of the development, including any works of demolition hereby permitted shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority that details the means of mitigation of construction effects. The Plan shall include timing/implementation details of each phase and shall include, but not be limited to the following:
- a) Methods for the mitigation of noise and vibration from demolition and building works, including any piling works, and also for the operation of any temporary power generation or pumping plant which will operate overnight.
  - b) Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
  - c) Methods for dust control and suppression.
  - d) Details of methods for pest control to be taken during both the demolition and construction phases.
  - e) Location and layout of any site compound(s) including identification of areas for the storage of plant and materials, loading/unloading and turning areas for delivery vehicles (for each phase as necessary); and the methods of loading and unloading of plant and materials.
  - f) Management of deliveries including prevention of waiting/layover of construction related traffic on the highway; measures for the control of traffic to and from the site; and consideration of any temporary traffic management arrangements which may be necessary during periods of construction. Note reversing on the highway is not permitted without a Banksman.
  - g) Identification of permanent on-site contact and/or traffic manager as main point of enquiries or issues arising from construction activities.
  - h) An implementation programme of works including phasing if applicable.
  - i) The parking of vehicles of site operatives and visitors.
  - j) Adequate provision for addressing any abnormal wear and tear to the highway.
  - k) Proposed hours of construction which unless otherwise agreed with the Local Planning Authority shall be limited to 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday and not at all on Sundays/Public Holidays.
  - l) The details of the design, siting and maintenance of any security hoardings.
  - m) There shall be no burning of materials on-site during construction work without the prior written approval of the Local Planning Authority.
  - n) No scrub clearance, hedgerow removal, vegetation management or ground clearance 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 scrub, hedgerows 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.

- o) A scheme identifying reasonable avoidance measures for hedgehogs:
  - All trenches and excavations should have a means of escape (e.g., a ramp);
  - Any exposed open pipe systems should be capped to prevent mammals gaining access; and
  - Appropriate storage of materials to ensure mammals do not use them.
- p) Site Waste Management Plan:
  - The anticipated nature and volumes of waste that the development will generate
  - Where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development.
  - The steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities.
  - Any other steps to be taken to manage the waste that cannot be incorporated with the new development or that arises once development is complete.
- q) Avoidance and mitigation measures in relation to the Priority Habitat woodland adjacent to the site which shall include: pollution; dust; and debris control methods; appropriate tree protection and buffer zones; and 2 m buffer of retained hedgerow during construction.
- r) Measures to prevent disturbance and spread of Japanese Knotweed as identified in the supporting Extended Phase 1 Habitat Survey and Daytime Bat Survey (June 2020 (Rev. A)).

The development shall thereafter be carried out in accordance with the measures described within the approved Construction Environmental Management Plan.

Reason: To ensure a satisfactory development of the site and that appropriate measures are put in place in the interests of the amenity of neighbouring occupiers/areas and in the interest of highway safety and to comply with the National Planning Policy Framework (2021), Policies CS2, CS8 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policies ENV2 and ENV3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policy WM8 the Merseyside and Halton Joint Waste Local Plan, adopted 2013 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

- 7. Prior to the occupation of any dwelling hereby permitted, the recommendations for glazing, ventilation and acoustic fencing as detailed in E3P Noise Impact Assessment, Ref 50-131-R1-4, dated 30th July 2021 shall have been implemented.

For the avoidance of doubt the mitigation measures include:

- a. Whole house ventilation on all plots;
- b. Higher specification of glazing for certain plots, as identified in figure 6 of the Noise Impact Assessment;

- c. Acoustic barriers, that are free from holes, sealed at the base and have a minimum mass of 10kg/m<sup>2</sup>; and
- d. Retention of the existing stone wall on the eastern boundary.

The agreed mitigation shall be implemented in full in accordance with the agreed details prior to first occupation and maintained as such thereafter.

Reason: To safeguard future occupiers of the approved residential dwellings from noise and disturbance in the interests of residential amenity and to comply with the National Planning Policy Framework (2021), Policies SUE2, CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Halsnead Garden Village Masterplan, adopted June 2017.

8. Notwithstanding any description of materials in the application, no above ground construction works shall be commenced until samples and / or full specification of materials to be used externally on the buildings (including pumping station), have been submitted to and approved in writing by the Local Planning Authority.

Such details shall include the type, colour and texture of the materials and should be reflective of those identified within Section 2 - Built Form of the Council's Design and Local Distinctiveness Guide - Built Form Materials Palette. The development shall be carried out only in accordance with the agreed schedule of materials.

For the avoidance of doubt, meter cupboards should be discreetly located on elevations that are not prominent and shall be coloured to match the colour of the elevation on which they are located.

Reason: In the interests of visual amenity and to ensure that the development complies with the National Planning Policy Framework (2021), the National Design Guide (2021), Policies CS2, CS19, SUE2 and SUE2c of the Knowsley Local Plan: Core Strategy, adopted January 2016; the Halsnead Garden Village Masterplan SPD, adopted June 2017 and the Halsnead Garden Village Design and Local Distinctiveness Guide, July 2020.

9. Notwithstanding the submitted details and any description of materials forming part of the submission, no above ground construction works shall be commenced until the following has been submitted to and agreed in writing by the Local Planning Authority:

*Hard Landscaping:*

- a) A full specification and samples, where appropriate, of materials to be used for the construction of new public highway and hard surfacing.

Such details shall include the type, colour and texture of the materials and should be reflective of those detailed in the Halsnead Garden Village Design and Local Distinctiveness Guide, adopted July 2020.

*Soft Landscaping:*

- b) A detailed landscaping scheme, the details of which shall relate to all land surfaces not built upon and shall include, but not limited to:

- i. Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks;
- ii. The exact location and species of all existing trees and other planting to be retained;
- iii. All proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities per sqm of all new planting (Emorsgate seed mix shall be at least EM2);
- iv. For the avoidance of doubt, the scheme shall include replacement of the 23 trees lost with replacement tree planting on a 2:1 ratio;
- v. An outline specification for ground preparation;
- vi. The proposed arrangements and specifications for initial establishment;
- vii. Maintenance and longer-term maintenance of all planted and/or turfed areas.

Such details should be reflective of those detailed in the Halsnead Garden Village Design and Local Distinctiveness Guide, adopted July 2020.

The approved landscaping shall be wholly implemented in its finally approved form within the first available planting season following the substantial completion of development. 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. The development shall be fully constructed in accordance with the approved scheme in accordance with timescales contained therein.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2021), National Design Guide (2021), Policies CS2, CS19, CS21, SUE2 and SUE2c of the Knowsley Local Plan Core: Strategy, adopted January 2016 and Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, the Halsnead Garden Village Masterplan SPD, adopted June 2017 and the Halsnead Garden Village Design and Local Distinctiveness Guide, adopted July 2020.

10. Prior to the first occupation of any of the dwellings hereby permitted, precise scheme details of the street furniture shall be submitted to and agreed in writing by the Local Planning Authority.

For the avoidance of doubt, the scheme shall incorporate the principles of the Halsnead Design and Local Distinctiveness Guide, July 2020 and shall include details of street signage/lighting.

The agreed details shall be implemented in full to a timetable to be agreed and maintained thereafter.

Reason: To ensure a satisfactory visual amenity and to enhance the character and appearance of the development and to comply with the National Planning Policy

Framework (2021), Policies CS2, CS19, SUE2 and SUE2c of the Knowsley Local Plan Core: Strategy, adopted January 2016, the Halsnead Garden Village Masterplan SPD, adopted June 2017 and the Halsnead Garden Village Design and Local Distinctiveness Guide, July 2020.

11. Notwithstanding the details of the boundary treatments as indicated on the submitted drawings, prior to any above ground works, precise scheme details of all walls (including existing to be retained and retaining walls/structures), fences, gates or other means of enclosure to be erected/retained within the development shall have been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the scheme details shall include, but not be limited to the following:

- The detail shall reflect the recommendations in the Noise Impact Assessment (E3P), Reference: 50-131-R1-4 July 2021;
- The siting of boundary walls/fences shall provide satisfactory highway /pedestrian visibility;
- Evidence to confirm the suitability of the structural strength of high level walls and details of any required reinforcement / supporting pillars;
- Fencing along the Windy Arbor Road boundary shall avoid the concrete posts being visible from outside of the site which should not preclude the use of an acoustic type fencing with posts facing into site and with dark stain;
- Consideration of extending the wall to Plot 1 further along the boundary facing Windy Arbor Road;
- There shall be no 'stepped' arrangement of fencing panels to the sides of dwellings where plot levels differ from adjoining land; Slab on edge should be avoided; and
- Where timber fencing is to be used it needs to be treated and stained in a brown colour.

The agreed details shall be implemented in full before the dwelling to which it relates is first occupied and/or a timetable to be agreed and maintained thereafter.

Reason: In the interests of ensuring an acceptable standard of public realm and visual amenity, to comply with the National Planning Policy Framework (2021), Policies CS2, CS19 and SUE2 of the Knowsley Local Plan: Core Strategy, adopted January 2016, the Halsnead Garden Village Masterplan SPD, adopted June 2017 and the Halsnead Design and Local Distinctiveness Guide, July 2020.

12. Prior to the first occupation of any dwelling located on Plots 5 - 7 precise scheme details for the installation of a lockable gate to the front of the rear access route between dwellings on Plots 5 and 6 shall be submitted to and agreed in writing by the Local Planning Authority.

For the avoidance of doubt the positioning shall ensure that there is no recess. The

scheme shall include the precise details of the design, materials and fixings and the gate and any fixings shall be finished Black. The gate shall be fixed in place in accordance with the agreed details prior to the first occupation of the effected plots.

Reason: To provide a secure development; in the interests of visual amenity and to ensure that the development complies with the National Planning Policy Framework (2021), Policies CS2, CS19, SUE2 and SUE2c of the Knowsley Local Plan: Core Strategy, adopted January 2016; Saved Policy DQ2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, the Halsnead Garden Village Masterplan SPD, adopted June 2017 and the Halsnead Garden Village Design and Local Distinctiveness Guide, July 2020.

13. Notwithstanding the submitted details, prior to any above ground works, precise scheme details of the proposed pumping station shall be submitted to and agreed in writing by the Local Planning Authority.

The scheme shall include full details of the appearance, including any associated compound enclosure, plant, noise levels and details of the measures in place should the pumping station fail. The agreed details shall be implemented in full prior to first occupation of any of the dwellings hereby permitted and maintained at all times thereafter.

Reason: In the interests of visual amenity; controlling noise / disturbance and odour having regard to protecting residential amenity and ensuring a satisfactory development that accords with the National Planning Policy Framework (2021), Policies CS2, CS19, and SUE2 of the Knowsley Local Plan Core: Strategy, adopted January 2016, Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006; the Halsnead Garden Village Masterplan SPD, adopted June 2017 and the Halsnead Design and Local Distinctiveness Guide, July 2020.

14. The pumping station 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 BS 4142:2014+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 property.

Reason: To ensure that the development does not result in unacceptable noise in the interests of residential amenity and to comply with the National Planning Policy Framework (2021), Policies CS2, CS19 and SUE2 of the Knowsley Local Plan Core: Strategy, adopted January 2016, Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

15. No development pursuant to this application shall commence until a detailed construction plan working method statement (including Risk Assessment Method Statement) relating to site development earthworks and drainage alongside the M57 M62 Motorway Link Road has been submitted to and approved by the Local Planning Authority in consultation with National Highways.

The development shall be carried out only in accordance with the agreed details.

Reason: To ensure that the safety and integrity of the M57 M62 Link Road is not compromised in the interests of protecting National Highway's assets and to comply with the National Planning Policy Framework (2021), Policies CS2, CS19 and SUE2 of the Knowsley Local Plan Core: Strategy, adopted January 2016 and the Halshead Garden Village Masterplan SPD, adopted June 2017.

16. No development shall take place until:

- (a) A detailed plan (as depicted in outline on drawing "Windy Arbor Road Site Layout Plan - Planning Drawing 19.044 AL(--)002 Revision X) showing the alignment and elevational treatment of a close-boarded fence of not less than two metres in height to be erected along the South Western boundary of the development site alongside the M57 M62 Motorway Link road (or at least one metre from any part of the existing motorway fence where the boundary lies within one metre of this) has been submitted to and agreed in writing by the local planning authority in consultation with National Highways; and
- (b) The fence approved by part (a) of this condition shall have been erected in accordance with the agreed details prior to any other work approved by this permission taking place.

Thereafter, the fence shall remain in situ and only be repaired or replaced in accordance with the requirements of this condition.

Reason: To ensure that the safety and integrity of the M57 M62 Motorway Link Road is not compromised in the interests of protecting National Highways assets from construction activities and preventing access between the site and the strategic road network to comply with the National Planning Policy Framework (2021), Policies CS2, CS7, SUE2 and SUE2c of the Knowsley Local Plan: core Strategy, adopted January 2016 and the Halshead Garden Village Masterplan SPD, adopted June 2017.

17. No drainage from the proposed development shall connect into the motorway drainage system, nor shall any drainage from the site run-off onto the M57 M62 Motorway Link Road.

Reason: To ensure that the safety and integrity of the M57 M62 Motorway Link Road is not compromised and to comply with the National Planning Policy Framework, Policies CS2, CS19, CS24, SUE2 and SUE2c of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Halshead Garden Village Masterplan SPD, adopted June 2017.

18. Notwithstanding the approved drawings, none of the approved dwellings shall be first occupied until details of the development's highway infrastructure, including revised traffic calming measures and revised highway surfacing materials have been submitted to and agreed in writing by the Local Planning Authority.

The development shall be carried out only in accordance with the agreed details.

Reason: To ensure a satisfactory development of the site; the provision of safe and adequate means of access to the development in the interests of highway and pedestrian safety and amenity and to comply with the National Planning Policy

Framework (2021); Policies CS2, CS7, CS19, SUE2 and SUE2c of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Halsnead Garden Village Masterplan SPD, adopted June 2017 and the Halsnead Design and Local Distinctiveness Guide, July 2020.

19. The areas set aside for parking, servicing, vehicular manoeuvring (including provision for pedestrians and cyclists) indicated on the approved layout plan shall have been surfaced, drained and permanently marked out or demarcated and provided prior to first occupation of the dwellings to which the areas relate.

The development shall be carried out only in accordance with the agreed details and the parking areas shall be made available for its intended use and retained at all times thereafter.

Reason: In the interests of highway and pedestrian safety, to secure adequate parking provision and to comply with Policies CS2, CS7, CS19, CS24, SUE2 and SUE2c of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy T7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, the Ensuring a Choice of Travel SPD, adopted September 2010, the Halsnead Garden Village Masterplan SPD, adopted June 2017 and the Halsnead Design and Distinctiveness Guide, adopted July 2020.

20. Prior to first occupation of the dwellings hereby permitted, they shall be provided with a weatherproof electric vehicle charging point readily accessible from a dedicated parking space in accordance with a scheme that has been submitted to and agreed in writing by the Local Planning Authority.

For the avoidance of doubt the scheme shall ensure that:

Houses: The charging point, where not within a garage, shall, be located discreetly on an elevation that is not prominent and highly visible from the street frontage unless with exception to be agreed by the Local Planning Authority.

Apartments: Points shall be of a design and siting that is discrete and scheme details shall include how the car parking areas will be managed to ensure that EVCs will be made available to all residents.

The charge points shall be:

- a) A minimum of 7KW
- b) at least Mode 3 or equivalent
- c) untethered, and
- d) located in order to comply with the Equality Act 2010 and the accessibility requirements set out in the Building Regulations Part M.

All EV charging points shall be clearly marked as such and their purpose explained to new occupants within their new home welcome pack/travel planning advice. The development shall be carried out only in accordance with the agreed scheme details and shall be retained at all times thereafter.

Reason: In the interests of air quality, promoting sustainable travel opportunities and to comply with paragraph 112 of the National Planning Policy Framework (2021),

Policies CS2, CS7, CS19 and SUE2 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

21. Notwithstanding the details indicated on the submitted drawings, details of the external cycle storage/parking provision associated with the apartments hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage/parking shall be implemented in accordance with the approved details before the first occupation of the apartments to which they relate and retained and maintained thereafter.

Reason: In the interests of ensuring the provision and availability of adequate cycle storage for future occupiers; promoting sustainable travel opportunities and air quality and to comply with paragraph 112 of the National Planning Policy Framework (2021), Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, the Halsnead Garden Village Masterplan SPD, adopted June 2017 and the Halsnead Design and Local Distinctiveness Guide, July 2020.

22. Prior to the first occupation of any of the dwellings hereby permitted, precise scheme details for the provision of a crossing point on Windy Arbor Road to provide access to the bus stop on the eastern side of Windy Arbor Road carriageway (S 51098A) shall have been submitted to and agreed in writing by the Local Planning Authority.

The development shall not be brought into use until the off-site highway works relating to the pedestrian crossing point have been carried out in accordance with the agreed details.

Reason: In the interests of sustainable development, pedestrian accessibility and to ensure a satisfactory form of access to the existing bus stop and to ensure compliance with the National Planning Policy Framework (2021), Policies CS2, CS7, SUE2, SUE2c and CS19 of the Local Plan: Core Strategy, adopted January 2016, Saved Policies T7 and T10 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

23. The development hereby permitted shall be implemented in accordance with the submitted the Arboricultural Method Statement Ref TRE/LAWAB/Rev B dated 4 August 2021.

Reason: To ensure that the proper protection of trees has been carried out in the interests of visual amenity and to comply with the National Planning Policy Framework (2021), Policies CS2, CS8, CS19, CS21 and SUE2 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

24. Prior to commencement of any part of the development hereby permitted, at least five working days written notice shall be given to the Local Planning Authority of the intention to commence development.

The protective fencing referred to in the approved Arboricultural Method Statement Referenced TRE/LAWAB/Rev B - 4 August 2021 shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall

be retained in place until the development is complete.

Reason: To ensure that the proper protection of trees has been carried out and to ensure that the tree protection fencing required pursuant to the approved Arboricultural Method Statement is in place prior to works commencing. in the interests of visual amenity and to comply with the National Planning Policy Framework (2021), Policies CS2, CS8, CS19, CS21 and SUE2 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

25. No trenches, pipe runs for services or drains shall be sited within the root protection areas of trees to be retained without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of the protection of trees and the local amenity and to comply with the National Planning Policy Framework (2021), Policies CS2, CS8, CS19 and SUE2 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

26. Notwithstanding the submitted drainage details, no part of the development, including any works of demolition, hereby permitted shall be commenced until full details of a scheme for the provision and implementation of a surface water regulation system to manage the risk of flooding from both overland flow and from the sewer network, has been submitted to and approved in writing by the Local Planning Authority.

In fulfilling this, the following should be considered:

- The maximum rate of discharge, off-site, shall not exceed 5 lit/s
- An exceedance flows plan will be required to identify where the destination of exceedance flows are, where they would pool and flow, and what would be water depth and extent. As a minimum, the 1 in 200 years event plus %40 CC to be sued as an exceedance event.
- Application and details of rainwater butts at property level to be used.
- To consider the application of an on-line attenuation storage instead of off-line given concerns that exist using the offline storage at this scale of development; a matter as has been raised by the United Utilities.

The agreed scheme shall be implemented in full prior to the first occupation of the development and maintained thereafter.

Reason: To ensure that the site is adequately drained and to prevent increased risk of flooding and pollution by ensuring the satisfactory storage of / disposal of surface water from the site in accordance with the National Planning Policy Framework (2021), Policies CS2, CS19, CS24 and SUE2 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Halsnead Garden Village Masterplan SPD, adopted June 2017.

27. Prior to the first occupation of the development, a Management and Maintenance Plan for the sustainable drainage system relating to the lifetime of the development through an appropriate legally binding agreement shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- The arrangements for adoption by an appropriate public body or statutory undertaker or details of provision for management and maintenance by a resident's management company.
- A schedule for on-going inspections relating to performance and condition.
- Details for planned maintenance and a mechanism for remedial and urgent repair works. Means of access for inspection and maintenance purposes.

The sustainable drainage management and maintenance plan shall include as a minimum:

- The arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Management Company; and
- Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage systems, including on-site watercourses, to secure the operation of the surface water drainage scheme throughout its lifetime.

The plan shall be implemented in accordance with the timeframes contained within it.

Reason: To ensure effectiveness of the flood risk measures during the lifetime of the development and to comply with the National Planning Policy Framework (2021), Policies CS2, CS19, CS24 and SUE2 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Halsnead Garden Village Masterplan SPD, adopted June 2017.

28. Precise scheme details of the proposed rainwater butts indicated on the site layout plan referenced 19.044 AL(--)002 Rev. X received 29 October 2021 shall be submitted to and agreed in writing by the Local Planning Authority prior to first occupation of the dwelling to which they relate. The development shall only be carried out in accordance with the approved details and thereafter retained and maintained as such.

Reason: In the interests of minimising surface water flooding and having regard to visual amenity and to comply with the National Planning Policy Framework (2021), Policies CS2, CS19, SUE2, SUE2c and CS24 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

29. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution in accordance with the National Planning Policy Framework (2021), Policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Halsnead Garden Village Masterplan SPD, adopted June 2017.

30. No development shall take place, including any works of demolition, until:

- (a) A programme of archaeological work has been completed. The work shall be carried out strictly in accordance with the approved Written Scheme of Investigation (Lanpro July 2020).
- (b) Subsequent phases of work shall be in accordance with a second Written Scheme of Investigation if required which shall first be submitted to and agreed in writing by the Local Planning Authority.

The work shall thereafter be carried out only in accordance with the approved details.

Reason: To ensure the implementation of the required scheme of archaeological investigation and its publication and to comply with the National Planning Policy Framework (2021), Policies CS2, CS19, CS20 and SUE2 of the Knowsley Local Plan Core: Strategy, adopted January 2016, and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

31. Prior to the first occupation of any of the dwellings hereby permitted, a Wildlife Information Pack shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt this shall comprise:

- a) *Mitigation Measures for European Sites*  
Provision of information regarding the presence of and importance of the European sites and how residents can help protect them including an outline 'responsible user code'.
- b) *Mitigation Measures for Recreational Pressure on Local Sites and Ancient Woodland*  
Provision of information about the responsible use of Local Sites and their designation features.

The approved Pack shall be issued to new residents on first occupation as part of any sales or rental agreement.

Reason: In order to comply with the Habitat Regulations Assessment Regulations and mitigate increased recreational pressure on European sites to comply with the National Planning Policy Framework (2021), Policies CS2, CS8, SUE2 and SUE2c of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

32. No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority for the provision to be made within the development for accommodating:

- a) bird nesting boxes to be affixed to retained trees and sparrow terraces to be affixed to the approved dwellings;
- b) bat boxes to be affixed to retained trees and new dwellings;

- c) retained hedgerows to be gap-filled and enhanced with greater native species diversity and ground flora; and
- d) tree planting of native species which encourage feeding by birds and bats.

Such agreed details shall be implemented prior to the development first being brought into use.

Reason: To enhance ecology and biodiversity on the site in line with the requirement to achieve a net biodiversity gain from all development and the recommendations of the submitted Extended Phase 1 Habitat Survey & Daytime Survey Report and to ensure that the development complies with the National Planning Policy Framework (2021), Policies CS2, CS8, CS19, CS21, SUE2 and SUE2c of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Halsnead Garden Village Masterplan SPD, adopted June 2017 and the Halsnead Garden Village Design and Local Distinctiveness Guide, July 2020.

33. Prior to first occupation of any of the dwellings hereby permitted, precise scheme details of the proposed lighting to the roads, private communal areas for use by the public including parking areas, footpaths and shared routes shall have been submitted to and approved in writing by the Local Planning Authority.

The details shall include, but not be limited to:

- A detailed description and precise details of the type of lighting;
- Positioning details;
- Details of proposed luminance which shall be designed to protect ecology and does not result in excessive light spill onto habitats.

The scheme shall subsequently be implemented in accordance with the agreed details prior to the dwellings to which the lighting relates first being occupied and/or a timetable to be agreed and shall be retained thereafter.

Reason: In order to minimise the effect of lighting on protected species, in the interests of biodiversity and to ensure the development is safe and convenient for future users and to comply with the National Planning Policy Framework (2021), Policies CS2, CS7, CS8, SUE2, SUE2c, CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policies T7, T10, DQ2, ENV3 and ENV9 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, the Halsnead Garden Village Masterplan SPD, adopted June 2017 and the Halsnead Garden Village Design and Local Distinctiveness Guide, July 2020.

34. The development shall be carried out in accordance with the submitted Energy Statement prepared by Energist Ref: Rev. B, issue date 06/08/2021.

Reason: In the interests of ensuring a sustainable development and to comply with the National Planning Policy Framework (2021), Policies CS22 and SUE2 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

35. No dwelling hereby approved shall be occupied until full details of fibre broadband connections to all proposed dwellings within the development has been submitted to

and approved in writing by the Local Planning Authority. The infrastructure shall be installed prior to first occupation of the dwelling to which it relates and made available for use immediately on occupation of the dwelling in accordance with the approved details.

Reason: To ensure that an adequate level of infrastructure is provided in accordance with paragraph 114 of the National Planning Policy Framework (2021), Policies CS2 and SUE2 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

36. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) Schedule 2, Part 1, Classes 1 A, AA, B, C, D, E, F and Part 2A, or any amendments made to that Order, shall not apply:

- i. No extensions shall be carried out to dwellings on plots 5, 13, 22-24 (inc.), 26 and 29;
- ii. No construction of additional storeys;
- iii. No additions to the roofs;
- iv. No porches;
- v. No garages or carports shall be erected within the curtilage of the dwellings;
- vi. No buildings within the curtilage of the dwellings;
- vii. No vehicle hard standing space shall be constructed within the curtilage of any of the dwellings; and
- viii. No gates, walls, fences or other means of enclosure shall be erected between the forward most part of any wall of a dwelling which fronts a highway, carriageway or footpath.

Other than those expressly authorised by this permission, or pursuant to a condition, unless an application to the Local Planning Authority for planning permission for such has been granted.

Reason: The specific circumstances of the site warrant the Local Planning Authority to retain control over any further development in the interests of public safety; to ensure a satisfactory development of the site in the interests of protecting the amenity of occupiers; visual amenity and to safeguard the character of the development in order to comply with the National Planning Policy Framework (2021), Policies CS2, CS7, CS19 and SUE2 of the Knowsley Local Plan: Core Strategy, adopted January 2016, the Halsnead Garden Village Masterplan SPD, adopted June 2017 and the Halsnead Design and Local Distinctiveness Guide, July 2020.

37. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revising, revoking and re-enacting that Order with or without modification), no internal or external alterations shall take place to the garage of the Milton house type (Plot 4) approved as part of this

permission, which would preclude its use for housing motor vehicles without the prior written approval of the Local Planning Authority.

Reason: To ensure that alterations are not carried out which would deplete the provision of car parking facilities within the site and to comply with the National Planning Policy Framework (2021), Policies CS7, CS19 and SUE2 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

## SCHEDULE 1

| Date Received | Ref. No                     | Version | Drawing/Document Title                                                                                |
|---------------|-----------------------------|---------|-------------------------------------------------------------------------------------------------------|
| 04/08/2021    | 50-131-R1-4                 | -       | Noise Impact Assessment July 2021                                                                     |
| 09/09/2021    | HRA                         | -       | Habitats Regulations Assessment of Likely Significant Effects Appropriate Assessment 9 September 2021 |
| 29/10/2021    | 19.044 AL(--)-002           | X       | Site Layout Plan Drawing                                                                              |
| 04/08/2021    | 19.044 AL(--)-003           | A       | Street Scenes Planning Drawing                                                                        |
| 18/08/2021    | 662926-1-10-01              | A       | Swept Path Analysis                                                                                   |
| 05/08/2021    | TRE/LAWAB                   | B       | Arboricultural Method Statement - 4 August 2021                                                       |
| 04/08/2021    | 2H800EXT2                   | -       | Proposed Elevations (Plots 8-11)                                                                      |
| 04/08/2021    | Windy Arbor Apartment Block | -       | Windy Arbor Apartment Block - Proposed Elevations Sheet 1 (Plots 30-43)                               |
| 04/08/2021    | Windy Arbor Apartment Block | -       | Windy Arbor Apartment Block - Proposed Elevations Sheet 2 (Plots 30-43)                               |
| 04/08/2021    | Windy Arbor Apartment Block | -       | Windy Arbor Apartment Block Proposed Floor Plans Sheet 1 (Plots 30-43)                                |
| 04/08/2021    | Windy Arbor Apartment Block | -       | Windy Arbor Apartment Block - Proposed Plans Sheet 2 (Plots 30-43)                                    |
| 04/08/2021    | Windy Arbor Apartment Block | -       | Windy Arbor Apartment Block - Proposed Floor Plans Sheet 3 (Plots 30-43)                              |
| 04/08/2021    | Windy Arbor Apartment Block | -       | Windy Arbor Apartment Block - Proposed Floor Plans Sheet 4 (Plots 30-43)                              |
| 04/08/2021    | 4H1832EXT1                  | -       | The Milton - Windy Arbor (Plot 4)                                                                     |
| 04/08/2021    | 4H1832PL                    | -       | The Milton - Floor Plans (Plot 4)                                                                     |
| 04/08/2021    | 3H887PL/3H943 PL            | -       | The 3B5P - 3B5P Corner 2020 Edition - Proposed Floor Plans (Plots 5,6,7)                              |
| 04/08/2021    | 3H887PL/3H943               | -       | The 3B5P - 3B5P Corner 2020                                                                           |

|            |                     |   |                                                                                                |
|------------|---------------------|---|------------------------------------------------------------------------------------------------|
|            | PL                  |   | Edition - Proposed Elevations (Plots 5,6,7)                                                    |
| 04/08/2021 | 3H943EXT1           | - | The Aaron 3B5P CNR - Proposed Elevations Brick (Plot 1)                                        |
| 04/08/2021 | 3H943PL             | - | The Aaron 3B5P CNR - Proposed Floor Plans (Plot 1)                                             |
| 04/08/2021 | H943PL/3H887P L     | - | The 3B5P Corner 943 - Butler 3B5P 887 2020 Edition - Proposed Elevations (Plots 14,15, 20 ,21) |
| 04/08/2021 | H943PL/3H887P L     | - | The 3B5P Corner 943 - Butler 3B5P 2020 Edition - Proposed Floor Plans (Plots 14, 15, 20, 21)   |
| 04/08/2021 | 2H800EXT1           | - | The Burns 2B4P 2019 Edition - Proposed Elevations (Plots 12, 13)                               |
| 04/08/2021 | 2H800PL             | - | The Burns 2B4P 2019 Edition - Proposed Floor Plans (Plots 12, 13)                              |
| 04/08/2021 | 2H800EXT1           | - | The Byron Proposed Elevations (Brick) (Plots 16-19)                                            |
| 04/08/2021 | 4H1250PL            | - | The Byron 4B6P 2020 Edition - Proposed Floor Plans (Plots 8-11, 16-19)                         |
| 04/08/2021 | 3H1090EXT1          | - | The Whitman 3B5P 2019 Edition - Proposed Elevations (Plots 26-29)                              |
| 04/08/2021 | 3H1090PL            | - | The Whitman 3B5P 2019 Edition - Proposed Floor Plans (Plots 26-29)                             |
| 04/08/2021 | 3H887EXT1           | - | The Butler 3B5P 2020 Edition - Proposed Elevations (Plots 24, 25)                              |
| 04/08/2021 | 3H887EXTT2          | - | The Butler 3B5P 2020 Edition - Proposed Elevations (Render) (Plots 22, 23)                     |
| 04/08/2021 | 3H887PL             | - | The Butler 3B5P 2020 Edition - Proposed Floor Plans (Plots 2, 3, 22-25)                        |
| 31/03/2021 | WCG 1901309-T-1:2   | - | Topographical Survey (Sheet 1 of 2)                                                            |
| 31/03/2021 | WCG 1901309-T-2:2   | - | Topographical Survey (Sheet 2 of 2)                                                            |
| 05/08/2021 | TRE/LAWAB           | B | Arboricultural Implications Assessment                                                         |
| 12/05/2021 | Forest Keilder Shed | - | Shed Image - 8 x 6 Forest Kielder Overlap Dip Treated Windowless Apex Wooden Shed              |
| 12/05/2021 | Shed                | - | Shed Specification                                                                             |
| 12/05/2021 | 22 August 2019      | - | Utilities Search Report                                                                        |
| 12/05/2021 | 2265/01 July 2020   | - | Written Scheme of Investigation for Archaeological Investigation                               |
| 05/08/2021 | 3540-1r1            | - | Air Quality Assessment                                                                         |
| 10/08/2021 | 6 August 2021       | B | Energy Statement                                                                               |
| 04/08/2021 | June 2020           | A | Extended Phase 1 Habitat Survey and Daytime Bat Survey                                         |

#### 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:-

### **National Planning Policy Framework**

#### **KNOWSLEY LOCAL PLAN: CORE STRATEGY**

SD1 - Sustainable Development  
CS1 - Spatial Strategy for Knowsley  
CS2 - Development Principles  
CS3 - Housing Supply Delivery and Distribution  
CS7 - Transport Networks  
CS8 - Green Infrastructure  
CS15 - Delivering Affordable Housing  
CS17 - Housing Sizes and Design Standards  
CS19 - Design Quality and Accessibility in New Development  
CS20 - Managing Heritage  
CS21 - Greenspace and Trees  
CS22 - Sustainable and Low Carbon Development  
CS24 - Managing Flood Risk  
CS26 - Waste Management  
CS27 - Planning and Paying for New Infrastructure  
SUE1 - Sustainable Urban Extensions and Safeguarded Land  
SUE2 - Sustainable Urban Extensions Development Principles  
SUE2c - Sustainable Urban Extension – South of Whiston and Land South of the M62

#### **KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (SAVED POLICIES 2009)**

T7 - New Development and Walking & Cycling Routes  
T8 - Transport Assessments  
T9 - Travel Plans  
T10 - Access for the Less Mobile  
DQ2 - Security in the Built Environment  
DQ4 - Trees and Development  
ENV2 - Noise and Vibration  
ENV3 - Light Pollution  
ENV5 - Contaminated Land

#### **The Joint Merseyside and Halton Waste Local Plan (2013)**

WM8 - Waste Prevention and Resource Management  
WM9 - Sustainable Waste Management Design and Layout of New Development

#### **Adopted Supplementary Planning Documents (SPD)**

Ensuring a Choice of Travel SPD (2010)  
Design Quality in New Development SPD (2016)  
Trees and Development SPD (2016)  
Developer Contributions SPD (2016)  
Halsnead Garden Village Masterplan SPD (2017)  
Amended New Residential Development (2018)

## Adding Social Value to Development: Employment and Skills SPD (2018)

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 (Maxine Wishart on 0151 443 2381)

### **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.

### **NOTE FOR APPLICANT:**

**The applicant's attention is drawn to the following comments:**

#### **1 Cadent (Plant Protection)**

In their letter dated 5 August 2020.(appended below)