



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 24/00461/FUL

Name and address of applicant

Mr P Punnavelil
Flavios Italian Restaurant
34 Tarbock Road
Huyton
Knowsley
L36 5XW

Name and address of agent

MAT DESIGN LIMITED
17 Brookside Avenue
Eccleston
St. Helens
WA10 4RN

Date of Receipt: 29 August 2024

Date Valid: 2 September 2024

Address/Location Of Development:

34 Tarbock Road
Huyton
Knowsley
L36 5XW

Description of Development:

**CHANGE OF USE OF FLAVIO'S ITALIAN RESTAURANT (USE CLASS E (B) TO A
CONVENIENCE STORE (USE CLASS E (A) (NO EXTERNAL ALTERATIONS)**

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 development hereby approved shall not be open or in operation outside the following times of 07:00am to 23:00pm from Mondays to Sundays and Bank Holidays.

Reason: In the interests of protecting the amenities of neighbouring occupiers, in accordance with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, Saved Policy H5 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, and the National Planning Policy Framework.

4. Prior to the development hereby approved being first brought into use, the provision for waste and recycling facilities as shown on the approved plans shall be made available for use and thereafter retained.

Reason: To ensure satisfactory provision for waste and recycling facilities is provided in accordance with Policy CS26 of the Knowsley Local Plan Core Strategy, adopted January 2016 and Policy WM9 of the of the Merseyside and Halton Waste Local Plan.

5. No waste collections or use of the external refuse area, as shown on the approved plans, shall take place outside the hours of 08:00am to 20:00pm from Monday to Sundays and Bank Holidays.

Reason: In the interests of protecting the amenities of neighbouring occupiers, in accordance with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, Saved Policy H5 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, and the National Planning Policy Framework.

6. Prior to the development hereby approved being first brought into use, the access and parking area as shown on the approved plans shall be provided and thereafter retained.

Reason: To ensure that adequate access and parking provision is made on the site in accordance with Policy CS7 of the Knowsley Local Plan Core Strategy, adopted January 2016, The Ensuring a Choice of Travel SPD (September 2010) and the National Planning Policy Framework.

7. Prior to the development hereby approved being first brought into use, the space and facilities for bicycle parking as shown on the approved plans shall be provided. These facilities shall then be retained and permanently reserved for bicycle parking.

Reason: To ensure that adequate and satisfactory provision is made for bicycle parking in accordance with Policy CS7 of the Knowsley Local Plan Core Strategy, adopted January 2016, The Ensuring a Choice of Travel SPD (September 2010) and the National Planning Policy Framework.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
29/08/2024	1	-	Site Location Plan
29/08/2024	3	-	Existing and Proposed Floor Plans (No External Alterations)
28/10/2024	3 Rev.3	Rev.A	Existing and Proposed Site Plans - Rev. A

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

CS1 - Spatial Strategy for Knowsley

CS2 - Development Principles

CS4 - Economy and Employment

CS6 - Town Centres and Retail Strategy

CS7 - Transport Networks

CS19 - Design Quality and Accessibility in New Development

CS26 - Waste Management

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

H5 - Development within Primarily Residential Areas

S9 - Shop Fronts and Security Shutters

ENV2 - Noise and Vibration

The Joint Merseyside and Halton Waste Local Plan 2013

WM9 - Sustainable Waste Management Design and Layout of New Development

SUPPLEMENTARY PLANNING DOCUMENTS

Ensuring a Choice of Travel SPD (2010)

Design Quality in New Development SPD (2016)

Shopfronts and Signage Design SPD (2016)

National Planning Policy Framework

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 (Kim Vo on 0151 443 5401)

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: 31 October 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.
- 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.