

Agenda



Knowsley Council

2 December 2025

To: The Chairperson and
Members of the Planning Committee

Dear Councillor

A Meeting of the **PLANNING COMMITTEE** will be held on **Thursday, 11th December, 2025**, in the Council Chamber, Municipal Buildings, Huyton at **6.00pm**.

If you have any queries regarding this meeting, please contact Keith Glover on telephone number 0151 443-3502.

Yours faithfully

Chief Executive

Please Note:-

1. *(Please Note: Access to the Council Chamber is limited and members of the public or press wishing to attend in person are strongly advised to register in advance by emailing committees@knowsley.gov.uk or telephoning (0151) 443 2679. Attendees will be required to show photographic identification and will be subject to [security checks](#). Please note that meetings will also be live streamed. The live stream can be accessed from the following link - <https://knowsley.public-i.tv/core/portal/home>.)*
2. *If you have submitted a representation in respect of any of the planning applications that are included on the agenda for determination at this meeting, and wish to speak at the meeting, there is a procedure to be followed which can be accessed via the link below:-*

<https://www.knowsley.gov.uk/residents/building-and-planning/make-a-planning-application/speaking-at-planning-committee>

Membership of the Planning Committee

Councillors

S Donnelly	(Chairperson)
Mrs D Arnall	Ms J Harvey
Mrs C Bannon	Ms J Lilly
D J Baum	Mrs J E Lonergan
H Bell	K W McGlashan
T Brennan	G J Morgan
M Burke	Mrs S Powell
T Byron	I Smith
A J Flute	K Taylor
R Gaffney	Ms A Wright
G Golding	

(Note: The Agenda and Reports are circulated to all other Members of the Council for information only.)

A G E N D A

PART I

APOLOGIES

1. DECLARATIONS OF INTEREST

2. MINUTES

To receive as a correct record the minutes of the meeting of the Committee held on 6th November 2025.

(Pages 1 - 2)

3. APPLICATIONS FOR PLANNING PERMISSION

To consider the reports of the Executive Director (Regeneration and Economic Development) in respect of the following applications for planning permission.

(Please note that:-

- (i) Background Papers to the planning applications referred to in this agenda comprise the following: -
 - 1. The planning application as submitted or subsequently revised including all forms and plans, etc.
 - 2. The application case sheet, inspection report, photographs, etc.
 - 3. An Ordnance Survey sheet extract showing the application site and the surrounding area.
 - 4. Standard planning conditions as adopted by the Council.
 - 5. Relevant policies from the Unitary Development Plan as appropriate.
 - 6. Copies of all statutory and non-statutory consultations and related correspondence except where they are strictly confidential.
 - 7. The relevant planning history of the application site.

Specific documents, which have been used as a background paper for a particular planning application, and which are not included in the above, are detailed as appropriate at the end of the individual report concerned. Please contact the planning services team (0151 443 2381 or via email at Dcsubmissions@knowsley.gov.uk) to arrange inspection of these files and documents; and

- (ii) Details of the contact officer is contained in the individual report and additional information/some background papers can be found on the [Public Access](#) site via the link shown beneath each planning application below).

- (a) **25/00137/FUL - INSTALLATION OF 2NO VEHICULAR ACCESS POINTS OFF CUMBER LANE TO SERVE PROPOSED NEW CEMETERY ON LAND AT WHISTON WOODS (CEMETERY TO BE WHOLLY LOCATED WITHIN ST HELENS MBC BOUNDARY - THIS APPLICATION IS FOR THE PROPOSED SITE ACCESS POINTS ONLY). - WHISTON WOODS, CUMBER LANE, WHISTON, KNOWSLEY.**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 25/00137/FUL in the search box

(Pages 3 - 20)

4. DELEGATED PLANNING DECISIONS

To consider the report of the Head of Planning and Building Control.

(Pages 21 - 26)

5. TOWN AND COUNTRY PLANNING ACT 1990 - APPEAL DECISIONS

The Head of Planning and Building Control to report on the appeal decision taken by the Planning Inspectorate in respect of Alderley, Water Lane, Tarbock Green, Prescot, Merseyside, L35 1RE.

(Pages 27 - 32)

6. ANY OTHER ITEM(S) WHICH THE CHAIRPERSON DEEMS TO BE OF AN URGENT NATURE

PLANNING COMMITTEE

At a meeting of the Planning Committee held in the Council Chamber, Municipal Buildings, Huyton on Thursday, 6th November, 2025 the following Members were

P r e s e n t:

Councillors

S Donnelly
Chairperson of the Committee
(in the Chair)

Mrs C Bannon, D J Baum, H Bell, T Brennan, M Burke, T Byron, A J Flute, R Gaffney, G Golding, Ms J Harvey, Mrs J E Lonergan, K W McGlashan, G J Morgan, Mrs S Powell and K Taylor

APOLOGIES

Apologies for absence were received on behalf of Councillors Mrs D Arnall, Ms J Lilly, I Smith and Ms A Wright

14. DECLARATIONS OF INTEREST

The representative of the Assistant Executive Director (Legal and Governance) reported that no declarations of interest had been submitted by Members.

15. MINUTES

The minutes of the meeting held on 9 October 2025 were received as a correct record and signed by the Chairperson.

16. APPLICATIONS FOR PLANNING PERMISSION

- (a) **23/01037/OUT - Outline Planning Application (With All Matters Other Than Access Reserved) (To be Determined by Halton Borough Council Only) for the Development of up to 350 Dwellings, Public Open Space, Landscaping and Associated Infrastructure Works. Full Details For Site Access Arrangements via a New Junction on Chapel Lane (To be determined by Knowsley Borough Council Only) and Emergency Access via Sandy Lane (to be determined by Halton Borough Council) - Land To North And East Of Rose Farm, Chapel Lane, Widnes, Knowsley / Cheshire**

The Committee considered:-

- (1) the report of the Executive Director (Regeneration and Economic Development) on the above application for planning permission;
- (2) the verbal representations of the three public objectors to the application that were made during the 8-minute period, with 2 minutes and 40 seconds being allocated to each objector, as part of the decision-making process; and

- (3) the verbal representation of the applicant's representative in support of the application that were made during the 3-minute period allocated as part of the decision-making process.

Following the discussion in relation to this item, Councillor Mrs J Lonergan moved the following recommendation, which was seconded by Councillor T Byron:-

'That the application be refused based on highway safety contrary to policies CS2, CS7 and CS19 in the Local Plan Core Strategy and the National Policy Framework.'

The Head of Planning and Building Control confirmed that there had been policy context and a valid reason for the proposed alternative recommendation.

The recommendation was unanimously approved by members of the Planning Committee.

RESOLVED – That the application be refused based on highway safety contrary to policies CS2, CS7 and CS19 in the Local Plan Core Strategy and the National Policy Framework.

17. DELEGATED PLANNING DECISIONS

The Committee considered the report of the Head of Planning and Building Control that set out those applications for planning permission that had been determined under delegated powers since the last meeting of the Committee.

RESOLVED – That the report be noted.

Minutes 14 to 17 to be received as a correct record the 11th day of December 2025.

Chairperson of the Committee
(The meeting closed at 6.45 pm)

APPLICATION NO: 25/00137/FUL
Council

APPLICANT: Knowsley Metropolitan Borough

WARD AFFECTED: Whiston & Cronton

DEVELOPMENT:

INSTALLATION OF 2NO VEHICULAR ACCESS POINTS OFF CUMBER LANE TO SERVE PROPOSED NEW CEMETERY ON LAND AT WHISTON WOODS (CEMETERY TO BE WHOLLY LOCATED WITHIN ST HELENS MBC BOUNDARY - THIS APPLICATION IS FOR THE PROPOSED SITE ACCESS POINTS ONLY).

LOCATION OF SITE:

Whiston Woods, Cumber Lane, Whiston, Knowsley.

DEVELOPMENT PLAN ALLOCATION

The wider cemetery site is within St Helens MBC's boundary. Cumber Lane where the accesses are proposed fall within Knowsley and is allocated as a Primarily Residential Area.

REPRESENTATIONS

This application has been advertised by letters to 59 neighbouring properties and by site notices along Cumber Lane. In response to the consultation there have been a total of 24 objections.

RECOMMENDATION:

That members delegate authority to the Head of Planning & Building Control to grant planning permission subject to :

- (i) The conditions set out in the attached schedule or such additional or amended conditions that the Head of Planning & Building Control in consultation with the Chair of Planning Committee consider appropriate.

CASE OFFICER

Mark Quinn 0151-443-2223

SUMMARY:

This application is for the installation of two vehicular access points from Cumber Lane, Whiston to provide vehicular access to a proposed new cemetery at Whiston Woods. Whilst the access from the cemetery is within Knowsley the proposed cemetery falls within the boundaries of St Helens Borough Council, and St Helens Borough Council's Planning Committee have resolved to grant planning permission for it subject to the signing of a S106 legal agreement. Therefore,

this application can only assess the proposed vehicular access points in terms of highway safety and congestion on the road network. All other matters such as the principle of a cemetery on this site, impacts on green belt, tree loss, ecology, drainage and design and layout are not material to this application and have already been considered by St Helens Borough Council's Planning Committee when they resolved to grant planning permission for the cemetery on 4 November 2025 subject to the completion of a legal agreement.

1. SITE AND SURROUNDINGS

- 1.1 The application site boundary comprises approximately 550m of the adopted highway at Cumber Lane and Foxes Bank Lane in Whiston.
- 1.2 To the west of Cumber Lane is a grassed embankment and an established residential area within Knowsley and to the east of Cumber Lane is Whiston Woods which is a large area of Woodland and public open space (located within St Helen's Borough) with existing pedestrian and maintenance access from Cumber Lane.
- 1.3 The Whiston Woods site was the subject of an application to change its use to a cemetery. The application proposed to leave a retain and upgrade a significant amount of the site as a woodland/open space and to incorporate up to 5,477 cemetery plots could accommodate up to 11,400 burials over an estimated 100 year period. A one way loop would run north to south through the site and 36 parking spaces would be accommodated within the site. St Helens Council's Planning Committee resolved to grant planning permission for the site subject to the signing of a S106 legal agreement on 4 November 2025.

2. PROPOSAL

- 2.1 This application proposes the creation of two vehicular access points to serve the cemetery. Thee proposed access points would be sited in between the existing two pedestrian access points to Whiston Woods. The two vehicular access points would be separated by around 180m, the northern point would be the access and the southern point the egress (to accommodate a proposed one-way internal link road within the proposed cemetery site).

3. RELEVANT SITE HISTORY

None

4. ARTICLE 35 STATEMENT

- 4.1 As required by paragraph 39 of the National Planning Policy Framework (NPPF) officers have assessed the proposal against all material considerations, including planning policies and representations 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.

5. EQUALITIES ACT 2010

- 5.1 In determining this application, the Local Planning Authority has considered the requirements under S149 of the Equalities Act 2010.
- 5.2 Section 149 of the Act sets out a general duty that requires the council to have due regard to the need to:
- eliminate discrimination, harassment and victimisation;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.3 In this case, the proposed development is not anticipated to have any unacceptable impact on protected characteristics.

6. REPRESENTATIONS

- 6.1 This application was publicised by 59 letters sent to neighbouring properties and public notices displayed in the vicinity of the site. Following the publicity 24 objections have been received.
- 6.2 The objections raise the following matters (in summary)

Highway Safety/ Site Access Issues.

- The proposal will have a severe impact on local traffic conditions and road safety.
- The proposal would unacceptably compromise highway safety and traffic flow.
- The proposal fails to mitigate potential negative impacts of traffic growth on highway safety.
- The proposal fails to demonstrate a safe vehicular access into and out of the development.
- The proposal significantly underestimates the true impact of the development on an already overstretched road network.
- The Transport Statement acknowledges that the primary access to the site will be from Cumber Lane. However, this section of Cumber Lane is already constrained by a narrow single-lane railway bridge controlled by traffic signals
- The Transport Statement also fails to sufficiently assess the impact on emergency vehicle response times or address how this issue would be

managed and mitigated especially given the close proximity to Whiston Hospital.

- The proposal fails to take into account further developments in the local area that also impact the road network significantly.
- The following issues will cause significant delays and congestion not considered or addressed in this application:
 - The traffic lights controlling the single way traffic over the Cumber Lane bridge where traffic waits in a queue to travel over.
 - The bus stop before the traffic lights when the bus stops to allow passengers to get on or off.
 - The access road to housing estate “Driveway” before the bus stop when traffic is waiting to turn left towards the bridge or right towards Fox's Bank Lane and Lickers Lane.
 - The entrance and exit for vehicles at the site are also on a slight bend in the road, with an incline towards Fox's Bank Lane. Visibility is restricted on a road with known issues of heavy traffic and speeding vehicles.
 - There are already three sets of traffic lights on Cumber Lane, plus an additional set of traffic lights outside Fox Wood Estate just meters away on Fox's Bank Lane. Adding in two further pedestrian crossings will only exacerbate issues of traffic.
 - The pedestrian crossing closest to the railway bridge is especially concerning as it would be meters from the brow of a railway bridge where vehicles currently achieve hazardous speeds. This crossing is ill thought out and would cause a potential accident spot because traffic crossing over the railway bridge would be unaware of pedestrians crossing until passing over the brow of the bridge, when they tend to speed up.
 - The majority of the pedestrians using that area at certain times of the day are pupils of the secondary school, the risk to these young people from the increased traffic and the planned crossing and changes to the layout of the road are unacceptable.
- Potential congestion and accident point where exiting traffic turns left, on a bend, to join traffic travelling towards the traffic lights.
- Slow moving funeral traffic could be the cause of drivers overtaking and thereby causing collisions with vehicles coming in the opposite direction.
- Entrance and exit points are potential congestion and accident points as funeral traffic, within the proposed cemetery, is designed to move in a circular one-way system. Heavy traffic on Cumber Lane could stop funeral traffic exiting and entering.
- A potential accident point would be where pedestrians crossing the new proposed uncontrolled crossing towards the left of 'The

Driveway' would still need to cross The Driveway, through traffic turning left or right onto Cumber Lane in order to access the bus stop.

- The National Planning Policy Framework makes it clear that developments should only be approved if their transport impact is not severe. In this case, the cumulative impact of funeral traffic, existing congestion, emergency service delays, and insufficient parking provision will create an unacceptable highway safety risk. Given these issues, the development should be refused on the grounds that it fails to provide safe and suitable access, significantly increases congestion, and has the potential to impact life-saving emergency response times in the area.
- The existing cemetery on Foxes Bank Lane already causes a number of traffic problems , at Christmas , mothers and father's day there is far too much traffic for a small road to carry , people park all along Fox's Bank Lane , causing a danger to other road users , we have already seen an increase in traffic and people using Whiston Woods because of the new housing estate (Halsnead Park) on Fox's Bank Lane.
- No pavements along the lane between the two cemeteries.
- From a safety perspective the proposed cemetery should be next to the existing cemetery with a suitable car park and pathway for access.
- Having an additional access point on Cumber Lane would have a negative effect on the area. The risk to pedestrians would be high.
- Residents do not want any more disruption or building in Whiston. We have been highly inconvenienced by Tarbock Island road improvements and Foxes Bank & Lickers Lane housing estates resulting in travel arrangements disrupted for work/school and making it difficult to travel around Whiston.
- Cumber Lane is already nearing full capacity; the location is near the road/railway single file bridge which is narrow. The proposed access will increase danger to pedestrians and school children needing to walk over the bridge daily. Cumber Lane regularly floods and was closed through flooding recently. Increased traffic with funeral processions and visitors will add to the danger for pedestrians and cause traffic jams.
- Pedestrian and cycle access to the site is poorly addressed
- Additional traffic congestion would lead to increased air pollution and noise. damaging our health and this will mean more pressure on the NHS and other services.
- The recent refusal of planning application 23/01037/OUT (Chapel Lane) establishes a clear precedent that new junctions in similar contexts can pose unacceptable risks, even when technical highways advice is favourable

- Approving this proposal with its own visibility constraints and pedestrian conflict would be inconsistent with the Chapel Lane planning decision.
- Fails to meet sustainability and accessibility standards.
- respectfully request that Knowsley Council Planning Committee consider the safety and wishes of Knowsley residents and taxpayers – the people you represent - and refuse this application

Other Issues

- The proposed parking provision for the cemetery is wholly inadequate
- Use of parking areas by people using the area for leisure could cause a lack of parking facilities for funeral traffic and could potentially cause a major problem within the one-way system envisaged in the development.
- This application is in direct conflict with the National Planning Policy Framework (NPPF) & the St Helens Borough Local Plan
- The application fails to prove that the Whiston Woods site is surplus to requirements as required by St Helen's Policy and also NPPF
- St Helens Borough Council during their review of Greenbelt and they assessed the land to be continued use of Greenbelt, to clarify "Development of the sub-parcel would lead to a significant reduction in the gap between these settlements"
- Knowsley Metropolitan Borough Council has failed to demonstrate that no alternative brownfield sites are available for cemetery use, which is a fundamental planning requirement before considering Green Belt land.
- Knowsley Council also failed to consider the land adjacent to Foxes Bank Cemetery at all, which Knowsley Council already owns, and which was previously designated for cemetery
- The proposed development is inappropriate development in the Green Belt and must be refused outright
- This application contradicts every single one of the purposes of the Green Belt set out in NPPF
- Significant loss of openness and permanent urbanisation
- Encroachment into the countryside and cumulative harm
- Failure to preserve the character of the area

- Knowsley Council has failed to demonstrate a clear and immediate need for a new cemetery, undermining the entire justification for releasing protected green belt land for this development
- Flooding – heightened risk from tree loss and development. The risk of flooding has not been adequately addressed.
- Groundwater contamination – risks to local water sources
- Cumulative and long-term impacts are not addressed
- Lack of groundwater monitoring data and unverified assumptions.
- The presence of a principal aquifer increases the risks.
- The site's Green Belt designation, recent asset of community value status, presence of a bridleway, and the ecological and landscape impacts collectively present overwhelming grounds for refusal. This proposal represents an unjustified loss of a vital and irreplaceable green space and must be rejected in order to uphold both planning policy and community value.
- Environmental harm, public value, and policy conflict
- The cemetery would destroy a vital natural space and rob families of a peaceful place to explore and connect with outdoors.
- Proposal would severely damage, flora and fauna and wildlife in the area.
- Residents have already been impacted on by the loss of Halsnead Park, this proposal would remove the only local green space.
- It would make more sense to use the land already designated land adjacent to the existing cemetery.
- Loss of community space, kept and adopted by the local community.
- Many trees destroyed already.
- A new cemetery is not needed, nor is more housing or anything that involves disturbing the land of Whiston Woods for any reason other than maintenance.
- On the behalf of the trees, plant life and wildlife of Whiston Woods who have no voice please leave Whiston Woods alone.
- The whole of Whiston's ecological system has been disturbed by the housing development with some of the ecological system taking refuge in Whiston Woods.
- Changes to the woods would contribute to anti-social behaviour. There is not enough places for young people to gather in the area.
- The costs of delivering this new cemetery have significantly increased since 2019 and the money could be better spent elsewhere in Knowsley.

- Proposal conflicts with Knowsley Council's Environmental Sustainability and Net Zero Carbon Commitments
- It has not been proven that Whiston Woods is surplus to requirements or that there is a pressing need for a cemetery here.
- Knowsley have failed to consider other suitable sites. Only council owned sites were considered.
- Whiston Woods has been formally listed as an Asset of Community Value under the Localism Act 2011. · That recognition carries weight in planning decisions.
- a direct loss of public amenity and a breach of the Council's duty to safeguard rights of way.
- Existing problems of anti-social behaviour at Foxes Bank cemetery are likely to be repeated here.
- Paragraph 137 of the NPPF encourages *early, proactive, and effective* community engagement. Knowsley Council have not met that standard.
- Some of Knowsley's supporting photographs were misleading. Images were taken after someone accidentally mowed the site — making it appear as open grassland rather than mature woodland.
- Loss of existing greenspace and biodiversity.
- The proposal will alter the character of the woods from informal natural space to a formal, quiet-use area, reducing versatile community benefit.

7. CONSULTATIONS

Local Highway Authority (Knowsley Council) – No objections subject to a planning condition ensuring visibility splays of 2.4m by 90m have been provided at the proposed site egress junction.

St Helens Borough Council – No objections to the proposed vehicular access points.

8. POLICY CONTEXT

- 8.1 Paragraph 11 and 12 of the National Planning Policy Framework (NPPF 2024), an extract from which is set - out below, states that:

“Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

(Para 12) The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local Planning Authorities may take decisions that depart from an up-to date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

- 8.2 In this regard, the Knowsley Local Plan: Core Strategy was adopted in January 2016, although certain saved policies of Knowsley Replacement Unitary Development Plan (UDP) remain operational as part of the Statutory Development Plan and are still given weight in reaching a decision. The Joint Merseyside and Halton Waste Local Plan was adopted in 2013 and is also part of the development plan.

KNOWSLEY LOCAL PLAN: CORE STRATEGY (2016)

CS2 - Development Principles

CS7 - Transport Networks

CS19 – Design Quality & Accessibility in New Development

KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (Saved Policies 2009)

T7 - New Development and Walking & Cycling Routes

T8 - Transport Assessments

9. ISSUES AND ASSESSMENT

Principle of Development

- 9.1 This application only concerns the creation of new accesses onto Cumber Lane so therefore the Council's consideration of the application is limited to matters associated with the proposed access. The consideration of other matters relating to the change of use of Whiston Woods to a cemetery is for the consideration of St Helens Borough Council who resolved to grant planning permission for the new cemetery at their Planning Committee meeting on 4 November 2025 subject to the signing of a S106 legal agreement.
- 9.2 Whilst the impact of the proposed cemetery development that would take place in St Helens is a material planning consideration, only St Helens Council can decide whether the impacts are acceptable or control the impacts of that development by condition or legal agreement. As set out above, St Helens Borough Council has resolved to grant planning permission for the cemetery and this is a material consideration when deciding this application.
- 9.3 Cumber Lane is designated as a primarily residential area in the Local Plan Policies Map, a new vehicular access would in principle be an acceptable form of development subject to the overall siting, design and detailed highway safety considerations set out below.

Highway Safety Considerations

- 9.4 Local Plan Policy CS7 (Transport Networks) states "*new development will be required to be :*
- a) located and designed to prioritise accessibility and sustainable modes of travel through a choice of walking, cycling, public transport and incorporate access for private vehicles. Where deficiencies are identified, developer contributions will be required to improve the accessibility of the location.*
- 9.5 Local Plan policy CS19 states that new development will be expected to:

e) provide safe, secure and convenient routes for movement (including signage) with priority for walking, cycling and public transport to meet the access needs of all users, particularly pedestrians, cyclists, less mobile people and the elderly.

- 9.6 Paragraph's 116 and 117 in NPPF (2024) state the following which is relevant to this application. *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.*

Within this context, applications for development should:

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles.

- 9.7 The application has been accompanied by a comprehensive Transport Statement (TS) that is based upon the operation and use of the cemetery which St Helens Borough Council have resolved to approve subject to the signing of a S106 legal agreement. The Highways team have advised that the TS is acceptable.
- 9.8 Cumber Lane is a single carriageway road with a 30mph speed limit in the vicinity of the application site.
- 9.9 Vehicular access and egress into the site would be via two new access points which are the subject of this application. The northern most access would be between Lyneham and Selborne (roads on the housing estate on the opposite side of Cumber Lane), this would be used for access only. The application includes tracking diagrams which demonstrates that a fire tender could access the site and the Highways team have advised that it is safe and acceptable.
- 9.10 The second access point would be formed close to Dursley (a road on the housing estate on the opposite side of Cumber Lane), it would be used as an egress only.

The application demonstrates that the egress would have visibility splays of 2.4m x 90m in both directions which exceeds the requirements for a 30mph road (which are 2.4m x 43m). The application includes tracking diagrams which demonstrates that a fire tender could egress the site and the Highways team have advised that it is safe and acceptable.

- 9.11 A visibility splay drawing has been provided and , if Members are minded to grant planning permission it is recommended that a planning condition should be attached to ensure that the required visibility splays are kept free from obstructions in perpetuity.
- 9.12 A number of concerns have been raised regarding pedestrian access into the cemetery; the proposed development will retain two existing pedestrian accesses, St Helens Council has already decided this is acceptable and these accesses do not require planning permission from Knowsley Council so are not relevant to making a decision on this application. Nevertheless, for completeness both crossings are described below.
- 9.13 The northern most pedestrian crossing is close to the junction of Cumber Lane and Haslemere and would be provided with pedestrian visibility splays of 1.5m x 90m in both directions.
- 9.14 Some objections have raised concerns about the proximity of the pedestrian crossing to the railway bridge due to the hump in the road, but as the crossing is an existing facility and it is considered that there will be a negligible intensification of use under the proposals, as the site already offers woodland walks and trips to the cemetery are unlikely to significantly increase the number of people using the crossing.
- 9.15 The location has experienced two accidents over a 5 year period, the frequency of which is not a significant cause for concern given the level of traffic on Cumber Lane. Both accidents involved pedestrians crossing the road, however, the vehicles in question were both travelling from south to north so the bridge was not a factor in those accidents. The visibility to the south is greater than that to the north and there are no features of the design which are considered to be unsafe.
- 9.16 The southern most pedestrian access into Whiston Woods, close to the junction of Cumber Lane and Haslemere would also be retained, and the application which St Helens Borough Council resolved to grant planning permission for included a new footway along the eastern side of Cumber Lane down to the controlled crossing at Lickers Lane. As set out above consideration of this falls outside of this application but provides useful context for Members.

- 9.17 The area surrounding the application site is acknowledged to be frequented by children around the school opening and closing times. However, the proposed cemetery is expected to have a negligible impact on traffic volumes, particularly around these times, and given the low frequency of funerals plus the low volume of day to day traffic generated. Highways have no concerns regarding the proposed access arrangements for either pedestrians or vehicular traffic.

Traffic Generation

- 9.18 The application has been supported by a Transport Statement (TS) which considers the expected traffic associated with the cemetery which the accesses will serve. The Council's Bereavement Service who state that the existing cemetery attracts 3-4 ceremonies per week on average with 10 cars and 1 funeral hearse typically associated with a funeral; the proposed cemetery would operate with a similar number of services and would not result in any increase in services. Funerals would also be held between 10:30am and 3pm which is outside of typical 'peak' hours. Funeral services will continue to take place at the existing cemetery at Fox's Bank Lane once all burial plots have been purchased, until interment capacity is reached. There would be an expected crossover period of 10-15 years whereby interments take place at Fox's Bank Lane, whilst burial plots located at the proposed site become available for purchase.
- 9.19 Based on 22 two-way vehicle trips associated with a funeral, the operation of the cemetery would increase traffic flows by less than 2% which Highways have confirmed is not a significant impact and would not have a severe impact on the capacity of nearby junctions.
- 9.20 Weekends are the most popular times to visit cemeteries and there are peak days where higher number of visitors would be expected such as Mothers Day, Fathers Day and Christmas Day. The times of these visits are typically between 9:30am and 1pm and the days and times would be outside of 'peak' periods. The Highways team have advised that visitors to the cemetery would not result in a severe impact on the capacity of nearby junctions.
- 9.21 The cemetery would not result in a significant increase of traffic on the highway network and there are no concerns regarding the ability of the local highway network to accommodate the expected level of traffic. The Highways team have no objections and the proposed development therefore complies with Policies CS2, CS7 and CS19 in the Core Strategy and NPPF.

Other matters

- 9.22 The impact of funeral processions along Cumber Lane impacting the response times of ambulances visiting Whiston Hospital is considered to be negligible. As

noted above, the frequency of funerals for the new cemetery is expected to be 3-4 per week, with the processions likely to be using Cumber Lane for a maximum of one minute or so. The frequency of funerals for the proposed cemetery will remain that of the existing cemetery, and Highways have not received any complaints from the NHS regarding this issue.

10. CONCLUSION

- 10.1 The scheme is considered to have a low impact on the level of traffic using the local highway network, and the increase in the numbers of pedestrians and cyclists visiting the site is expected to be negligible. The proposed access arrangements are considered fit for purpose and do not give rise to any highway safety concerns.
- 10.2 The proposal complies with the provisions of Local Plan policies CS2, CS7 and CS19 and Paragraphs 116 and 117 in the NPPF (2024).

RECOMMENDATION:

That Planning Permission be granted subject to the conditions set out in the attached schedule or such additional or amended conditions that the Head of Planning considers appropriate.

SCHEDULE OF CONDITIONS

	<i>Condition</i>	<i>Trigger</i>
1.	Time period to implement the permission – 3 years	Compliance
2.	List of approved plans and documents	Compliance
3.	Visibility splays of 2.4m by 90m to be provided at site egress junction.	Prior to the first use of the proposed site egress point.
4.	Scheme to control the use of the site access/ site egress points	Prior to the first use of the site access/egress points

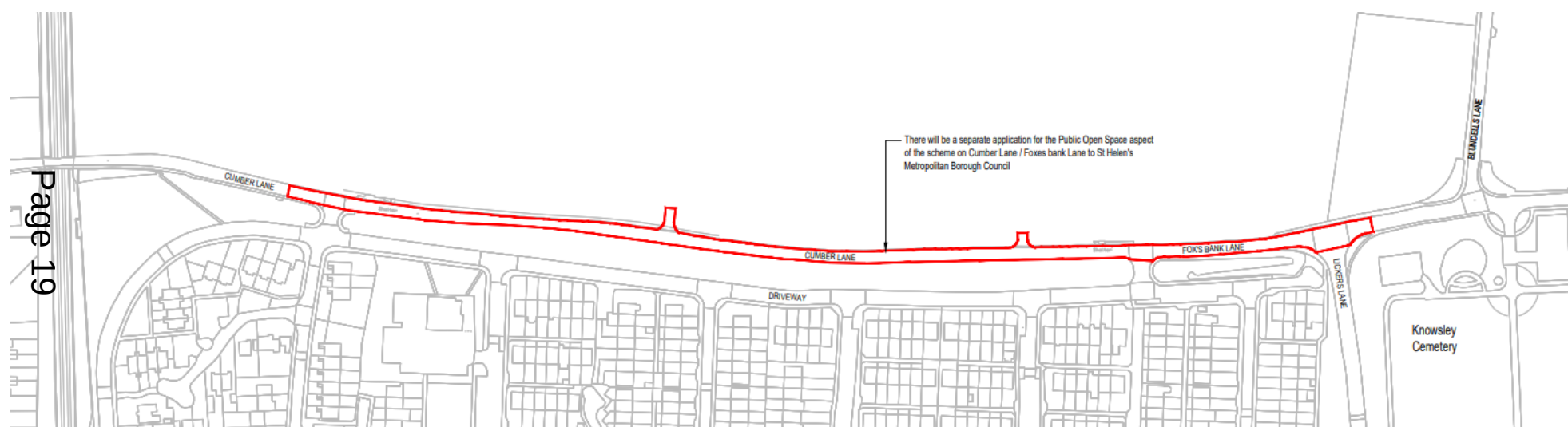
APPLICATION No: 25/00137/FUL



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APPLICATION No: 25/00137/FUL

Page 19



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HALEWOOD NORTH WARD

APP. NO: 24/00445/FUL
LOCATION: Foxhill House Foxhill Lane
DEVELOPMENT: ERECTION OF SINGLE STOREY REAR EXTENSION (DEMOLITION OF OUTRIGGER EXTENSION)
DECISION: Granted

APP. NO: 24/00446/LBC
LOCATION: Foxhill House Foxhill Lane
DEVELOPMENT: ERECTION OF SINGLE STOREY REAR EXTENSION AND INTERNAL ALTERATIONS (DEMOLITION OF OUTRIGGER EXTENSION)
DECISION: Granted

APP. NO: 25/00498/FUL
LOCATION: 22 Chartwell Grove Halewood
DEVELOPMENT: ERECTION OF A FIRST FLOOR SIDE EXTENSION TOGETHER WITH THE EXTENSION OF EXISTING DRIVEWAY TO PROVIDE ADDITIONAL PARKING PROVISION.
DECISION: Granted

APP. NO: 25/00170/NMA
LOCATION: Bosco Hall Farm Ash Lane
DEVELOPMENT: NON-MATERIAL AMENDMENT FOLLOWING THE GRANT OF PLANNING PERMISSION 25/00170/FUL (ERECTION OF SINGLE STOREY REAR EXTENSION (DEMOLITION OF CONSERVATORY)). AMENDMENT SOUGHT TO ADD WINDOW TO SIDE ELEVATION OF EXTENSION.
DECISION: Granted

APP. NO: 25/00528/FUL
LOCATION: Grove Farm Halewood Road
DEVELOPMENT: ERECTION OF A SINGLE STOREY REAR EXTENSION AND A NEW FRONT PORCH TOGETHER WITH THE DEMOLITION OF EXISTING FRONT AND REAR PORCHES AND 2 EXISTING OUTBUILDINGS.
DECISION: Granted

APP. NO: 25/00549/TCA
LOCATION: 2 The Old Rectory Rectory Drive
DEVELOPMENT: FELL 1NO TREE AND REMEDIAL WORKS TO 2NO TREES
DECISION: Granted

HALEWOOD SOUTH WARD

APP. NO: 25/00363/FUL
LOCATION: Jaguar Land Rover, Halewood
DEVELOPMENT: DEMOLITION OF EXISTING STRUCTURES AND ERECTION OF 1NO WIND NOISE TESTING FACILITY (USE CLASS B2) - (SITE 1) AND PROVISION OF ECOLOGICAL ENHANCEMENT AREA (SITE 2)
DECISION: Application Withdrawn

APP. NO: 25/00509/TWA
LOCATION: Land Rear Of 1-39 Redoaks Way Halewood
DEVELOPMENT: FELL 14NO TREES
DECISION: Granted

NORTHWOOD WARD

APP. NO: 25/00409/FUL
LOCATION: Hill View Farm Cut Lane
DEVELOPMENT: VARIATION OF CONDITION 9 ATTACHED TO PLANNING PERMISSION 15/00414/FUL TO INDICATE EXTENT OF EXISTING HARDSTANDING TOGETHER WITH INDICATION OF PROPOSED HARDSTANDING AREA PLUS RELOCATED CAR PARKING AREA.
DECISION: Granted

APP. NO: 25/00591/CLD
LOCATION: 21 Quernmore Walk Northwood
DEVELOPMENT: CERTIFICATE OF LAWFULNESS FOR RESIDENTIAL DWELLING (USE CLASS C3) TO CHILDRENS CARE HOME (USE CLASS C2) FOR A MAXIMUM OF 1NO. CHILD
DECISION: Granted

PRESCOT NORTH WARD

APP. NO: 25/00301/FUL
LOCATION: 6 Singleton Drive Knowsley
DEVELOPMENT: ERECTION OF A TWO STOREY SIDE EXTENSION, SINGLE STOREY FRONT EXTENSION TOGETHER WITH THE DEMOLITION OF EXISTING GARAGE.
DECISION: Refused

APP. NO: 25/00325/FUL
LOCATION: 1 Cables Retail Park Steley Way
DEVELOPMENT: REPLACEMENT OF EXISTING SIDE ENTRANCE DOORS AND INSTALLATION OF 6 NO. AIR CONDENSER UNITS, 1 NO. AIR SOURCE HEAT PUMP AND 7 NO. LOUVRES TO THE REAR ELEVATION
DECISION: Granted

APP. NO: 25/00441/FUL
LOCATION: 8 The Prescott Centre Eccleston Street
DEVELOPMENT: REPLACEMENT SHOP FRONTAGE WITH A RAISED BRICK STALLRISER, SINGLE LEAF AUTOMATED DOOR TO EXTERNAL FRONTAGE WITH TIMBER WINDOW FRAMES, INSTALLATION OF EXTERNAL LOUVRES AND THE INSTALLATION OF A CONDENSOR TO THE ROOF
DECISION: Granted

APP. NO: 25/00442/ADV
LOCATION: 8 The Prescott Centre Eccleston Street
DEVELOPMENT: DISPLAY OF ADVERTISEMENT SIGNAGE COMPRISING OF - 1 NO. NON ILLUMINATED FASCIA SIGN, 1 NO. NON ILLUMINATED PROJECTING SIGN, 3 NO. NON ILLUMINATED POSTER SIGNS, 1 NO. NON ILLUMINATED VINYL WINDOW/DOOR SIGN AND 1 NO. NON ILLUMINATED VINYL LETTERING SIGN TO FRONT ELEVATION TOGETHER WITH 2 NO. NON ILLUMINATED FASCIA SIGNS, 1 NO. NON ILLUMINATED PROJECTING SIGN, 2 NO. NON ILLUMINATED POSTER SIGNS SIGN AND 1 NO. NON ILLUMINATED VINYL LETTERING SIGN TO SIDE ELEVATION
DECISION: Granted

APP. NO: 25/00511/FUL
LOCATION: 3 Station Road Prescott
DEVELOPMENT: CONVERSION OF EXISTING RESIDENTIAL DWELLING INTO 3NO. SELF CONTAINED APARTMENTS.
DECISION: Refused

APP. NO: 25/00527/FUL
LOCATION: 102 Tithebarn Road Knowsley
DEVELOPMENT: ERECTION OF A SINGLE STOREY REAR EXTENSION TOGETHER WITH A GARAGE CONVERSION.
DECISION: Granted

APP. NO: 25/00531/FUL
LOCATION: 14 South Avenue Prescott
DEVELOPMENT: ERECTION OF TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION. DEMOLITION OF EXISTING CONSERVATORY.
DECISION: Granted

APP. NO: 25/00552/FUL
LOCATION: 157 Sugar Lane Knowsley
DEVELOPMENT: ERECTION OF A TWO STOREY FRONT PORCH EXTENSION
DECISION: Granted

ROBY WARD

APP. NO: 25/00448/FUL
LOCATION: 8 Edenhurst Avenue Roby
DEVELOPMENT: ERECTION OF PART TWO STOREY AND PART SINGLE STOREY SIDE AND REAR EXTENSION AND SINGLE STOREY FRONT EXTENSION
DECISION: Granted

APP. NO: 25/00520/FUL
LOCATION: 54 Lawton Road Roby
DEVELOPMENT: ERECTION OF A SINGLE STOREY SIDE AND REAR EXTENSION
DECISION: Granted

APP. NO: 25/00523/FUL
LOCATION: 30 Bowring Park Avenue Roby
DEVELOPMENT: ERECTION OF PART TWO-STOREY / PART SINGLE STOREY EXTENSIONS TO THE REAR AND SIDE, TOGETHER WITH A SINGLE STOREY EXTENSION TO THE FRONT AND DEMOLITION OF EXISTING GARAGE, CONSERVATORY AND PORCH
DECISION: Granted

ST GABRIEL WARD

APP. NO: 25/00305/FUL
LOCATION: 69 Attlee Road Huyton
DEVELOPMENT: ERECTION OF A SINGLE STOREY SIDE AND REAR EXTENSION, HIP TO GABLE LOFT CONVERSION TOGETHER WITH THE ERECTION OF A REAR DORMER.
DECISION: Granted

APP. NO: 25/00555/CLD
LOCATION: 44 Smithford Walk Huyton
DEVELOPMENT: CERTIFICATE OF LAWFULNESS FOR PROPOSED SINGLE STOREY REAR EXTENSION
DECISION: Granted

STOCKBRIDGE WARD

APP. NO: 25/00495/FUL
LOCATION: Unit 2 Earlsfield Park
DEVELOPMENT: ERECTION OF 1 NO. ELECTRICITY SUBSTATION
DECISION: Granted

APP. NO: 25/00510/FUL
LOCATION: 56 Highfield Road Huyton
DEVELOPMENT: INSTALLATION OF AN AIR SOURCE HEAT PUMP TO FRONT ELEVATION OF PROPERTY.
DECISION: Granted

SWANSIDE WARD

APP. NO: 25/00361/FUL
LOCATION: Hillcrest Thingwall Hall
DEVELOPMENT: CHANGE OF USE OF VACANT BUILDING FROM USE CLASS F1 (LEARNING AND NON-RESIDENTIAL INSTITUTIONS) TO USE CLASS C2 (RESIDENTIAL INSTITUTIONS) TO PROVIDE SUPPORTED RESIDENTIAL ACCOMMODATION (FOR A MAXIMUM 6 NO. ADULTS) TOGETHER WITH EXTERNAL ALTERATIONS INCLUDING NEW ROOF FINISHES, NEW WINDOW AND DOOR OPENINGS & RENOVATION OF BRICK FACADES.
DECISION: Granted

WHISTON & CRONTON WARD

APP. NO: 25/00293/FUL
LOCATION: Unicorn Inn 405 Cronton Road
DEVELOPMENT: DEMOLITION OF EXISTING GARAGE, ERECTION OF A SINGLE STOREY CONTAINER TO BE USED AS A FARM SHOP (CLASS E) TO THE REAR OF CARPARK AND RETENTION OF RECENTLY ERECTED SINGLE STOREY BUILDING TO BE USED AS ICE-CREAM KIOSK (CLASS E) TO THE FRONT OF CARPARK
DECISION: Granted

APP. NO: 25/00426/FUL
LOCATION: 433 - 435 Cronton Road Cronton
DEVELOPMENT: CHANGE OF USE OF RESIDENTIAL ANCILLARY ANNEX (C3) TO A SELF CONTAINED 1 BEDROOM APARTMENT WITH ALTERATIONS TO ELEVATIONS.
DECISION: Granted

WHITEFIELD WARD

APP. NO: 24/00068/NMA1
LOCATION: Land South Of Cherryfield Drive Kirkby Town Centre
DEVELOPMENT: NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 24/00068/FUL (DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 800 DWELLINGS (USE CLASS C3) WITH VEHICULAR ACCESS FROM CHERRYFIELD DRIVE AND BEWLEY DRIVE AND ASSOCIATED LANDSCAPING AND INFRASTRUCTURE , AMENDMENT TO THE EXISTING CHERRYFIELD DRIVE CAR PARK TO PROVIDE A REVISED- AMENDMENT SOUGHT TO CHANGE THE DESIGN OF THE FALKIRK APARTMENT BLOCK (PLOTS T001-T006) AND TO RE-NAME AS PEERS 3 STOREY APARTMENT BLOCK.
DECISION: Granted

APP. NO: 25/00586/TWA
LOCATION: 16 North Park Road Kirkby Park
DEVELOPMENT: FELL 1NO. TREE AND REMEDIAL WORKS TO 1NO. TREE
DECISION: Granted

Appeal Decision

by Nick Fagan BSc (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 November 2025

Appeal Ref: APP/V4305/X/24/3351740

Alderley, Water Lane, Tarbock Green, Prescot, Merseyside L35 1RE

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr Darrin Addams against the decision of Knowsley Metropolitan Borough Council.
 - The application ref 23/02813/CLD, dated 30 November 2023, was refused by notice dated 20 March 2024.
 - The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 (as amended).
 - The development for which a certificate of lawful use or development is sought is the construction of a building for garage space and space incidental to enjoyment of the dwellinghouse.
-

Decision

1. The appeal is allowed and attached to this decision is a certificate of lawful use or development describing the proposed operation which is found to be lawful.

Preliminary Matter

2. The outcome of the appeal turns on considering relevant aspects of planning legislation including evidence provided of the alleged development and not on assessing matters of planning merit that would normally require a visual site inspection of the premises. I have therefore been able to determine the appeal without a site visit. Neither side has been prejudiced by this course of action.

Main Issue

3. The main issue, as usual in LDC appeals, is whether the Council's decision to refuse a LDC was well-founded.
4. LDC applications and appeals are determined on the balance of probability, and the onus is firmly on the appellant to establish the lawfulness of the development. If the LPA has nothing to contradict the appellant's submissions or otherwise make his version of events less than probable, it should grant the LDC provided the appellant's evidence alone is sufficiently precise and unambiguous on the balance of probability.
5. The Council refused this application because it considered the applicant had failed to demonstrate as a matter of fact and degree that the proposed building would be genuinely subordinate and reasonably required for purposes incidental to the enjoyment of the dwellinghouse. Consequently, the Council alleges that it would not be permitted development (PD) under Schedule 2, Part 1, Class E of the GPDO¹ and would therefore require planning permission.

¹ The Town and Country Planning (General Permitted Development) (England) Order 2015

Reasons

6. The issue here is whether the proposed building would be reasonably required for purposes incidental to the dwellinghouse. Whether it would be subordinate in size to the existing (extended) dwelling is a consideration, but not one that is necessarily determinative.
7. An incidental use is one which is functionally related to the primary use of the property. As the Council says in its appeal statement: *'The test to be applied is whether the uses of the proposed building, when considered in the context of the 'planning unit', were intended and would remain ancillary or subordinate to the main use of the property as a dwellinghouse. Size may be an important consideration but it is not by itself conclusive.'*
8. I acknowledge that the *Emin* judgement² considered that it is necessary, in the context of a particular planning unit, that *'the uses of the proposed buildings are intended and would remain ancillary or subordinate to the main use of the building as a dwellinghouse.'* And that the *Wallington* case³ established that it is necessary to consider whether the relevant purpose is incidental to the particular dwellinghouse rather than any dwellinghouse.
9. There is no contention that the proposed building would infringe any of the exceptions to such outbuildings constituting PD under E.1 or E.2 of Class E. The Council's sole reason for refusing the application is that it would not *'be genuinely subordinate and reasonably required for purposes incidental to the enjoyment of the dwellinghouse.'*
10. However, the appellant has made clear in his appeal statement that: *'The outbuilding will only ever be used for domestic purposes relating to the residential dwelling at Alderley, Water Lane.'* The existing pool would be reduced in size (by 37%) and be enclosed by the proposed building, which would also be mainly used for the parking of the appellant's family's cars, motorbikes and garden maintenance vehicles (ride-on lawn mower) as well as a plant room for the pool, a small shower and changing area and a small workbench area and space for storing domestic tools and machinery (including a log-splitter) to be used for repair and maintenance of the house and garden.
11. Indeed, in his Final Comments the appellant includes a proposed plan (Figure 2) showing the layout of the building to accommodate precisely these vehicles, machinery and features and points out that, contrary to the Council's suggestions, storage space is needed for various garden and other tools because the vernacular design of the house and its extensions do not include attic space, even if such space would be reasonable for storing such tools – which I doubt, given their predominantly outside use. As such, I disagree with the Council that the floorspace of the proposed building is based on the *'unrestrained whim of the appellant'*, as per the *Emin* case.
12. There is no doubt that parking vehicles belonging to the appellant and his family, storing tools and workbenches, and enclosing the (proposed smaller) existing pool and related facilities would be purposes incidental to the use of Alderley as a dwellinghouse, as well as being ancillary or subordinate to its use.

² *Emin v SSE & Mid Sussex DC* [1989] JPL 909

³ *Wallington v SSE & Montgomeryshire DC* [1990] JPL 112; [1991] JPL 942 (CoA)

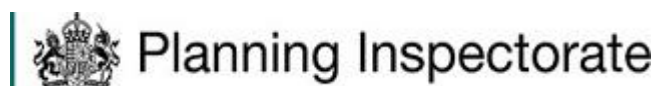
13. The proposed single storey outbuilding at 188m² is, I acknowledge, relatively large; indeed, the Council points out that it would have a footprint 13% larger than the dwelling itself. However, apart from its proposed use which would clearly be incidental and subordinate to the use of the dwellinghouse, it is relevant that it would be situated in the northern part of the garden where the swimming pool with all its now demolished decking is/was situated, as well as the recently demolished garage. The large decking area within which the existing pool was situated combined with the area of the demolished garage totalled 264m², an area nearly 30% greater than the proposed building.
14. For all these reasons I determine that the proposed outbuilding would be PD and would therefore be lawful.

Conclusion

15. For the reasons given above, I conclude, on the evidence now available, that the Council's refusal to grant a certificate of lawful use or development for the construction of a building for garage space and space incidental to enjoyment of the dwellinghouse is not well-founded and that the appeal should succeed. I will exercise accordingly the powers transferred to me in section 195(2) of the 1990 Act (as amended).

Nick Fagan

INSPECTOR



Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192
(as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015: ARTICLE 39

IT IS HEREBY CERTIFIED that on 30 November 2023 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in blue on the plan attached to this certificate, would have been lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason:

The proposed garage and domestic storage building would solely be used for purposes incidental to the use of Alderley as a dwellinghouse, as well as being ancillary or subordinate to its use.

Signed

Nick Fagan

Inspector

Date: **7 November 2025**

Reference: APP/V4305/X/24/3351740

First Schedule

The construction of a building for garage space and space incidental to enjoyment of the dwellinghouse

Second Schedule

Land at Alderley, Water Lane, Tarbock Green, Prescot, Merseyside L35 1RE

IMPORTANT NOTES – SEE OVER

NOTES

This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).

It certifies that the use /operations described in the First Schedule taking place on the land specified in the Second Schedule would have been lawful, on the certified date and, thus, was /were not liable to enforcement action, under section 172 of the 1990 Act, on that date.

This certificate applies only to the extent of the use /operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use /operation which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.

The effect of the certificate is subject to the provisions in section 192(4) of the 1990 Act, as amended, which state that the lawfulness of a specified use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters which were relevant to the decision about lawfulness.

Plan

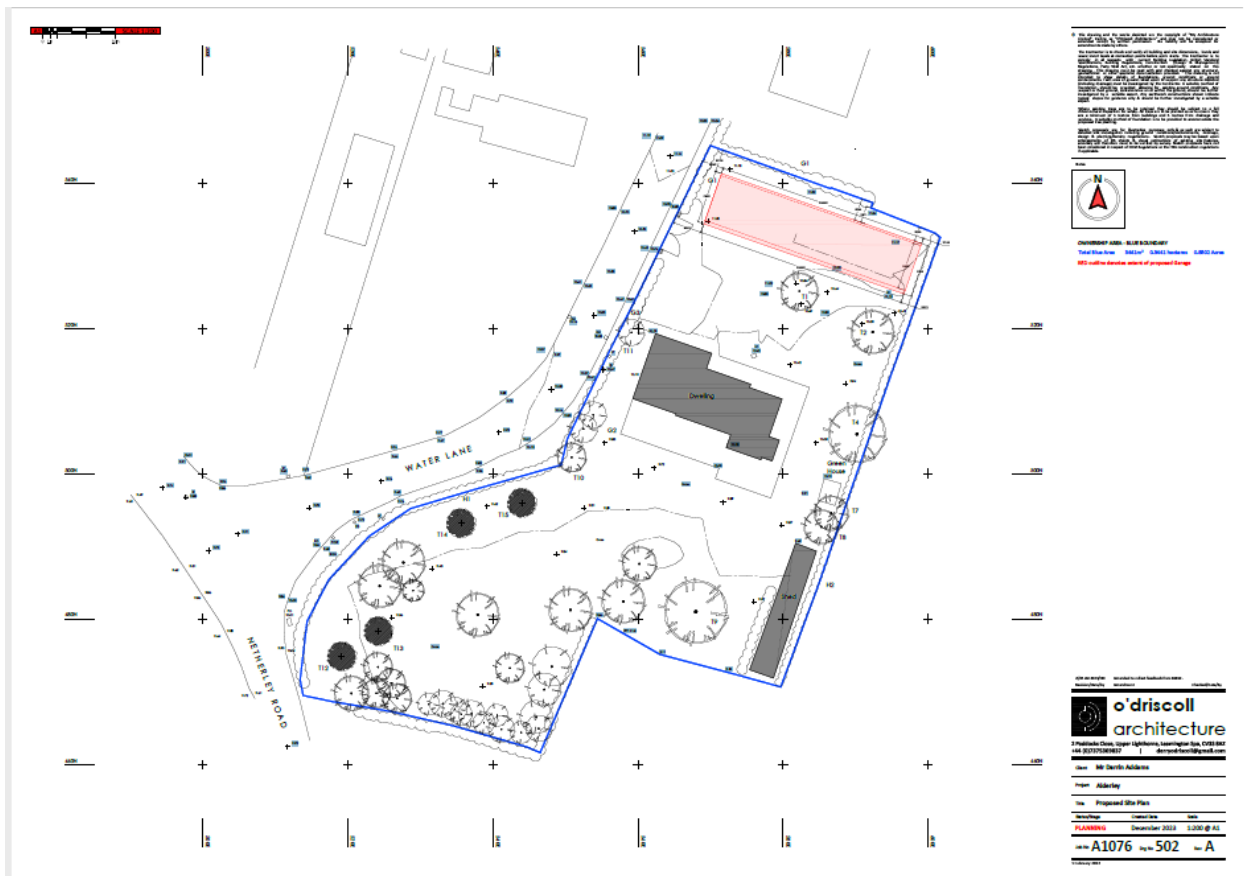
This is the plan referred to in the Lawful Development Certificate dated: **7 November 2025**

by Nick Fagan BSc (Hons), DipTP, MRTPI

Land at: Alderley, Water Lane, Tarbock Green, Prescott, Merseyside L35 1RE

Reference: APP/V4305/X/24/3351740

Scale: Not to Scale



NB Proposed building shown in pink on the plan above, as submitted with application/appeal.