



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 24/00031/FUL

Name and address of applicant

Mr Antony Bell
60 Church Road
Roby
Knowsley
L36 9TR

Name and address of agent

O'Rourke-Designs
9 Swansea Close
Garston
Liverpool
L19 2HF

Date of Receipt: 24 January 2024

Date Valid: 29 January 2024

Address/Location Of Development:

60 Church Road
Roby
Knowsley
L36 9TR

Description of Development:

**ERECTION OF SINGLE STOREY REAR AND SIDE EXTENSION AND
CONVERSION OF BUILDING TO A HOUSE IN MULTIPLE OCCUPATION (HMO)
(11 PERSONS) (SUI GENERIS) WITH DEMOLITION OF EXISTING REAR
EXTENSION AND ATTACHED GARAGE**

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. Before any above ground works associated with the extension hereby permitted is begun, the materials to be used on all external elevations and roofs shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2023); Saved Policies H5, H7 and H8 of the Knowsley Replacement Unitary Development Plan and in accordance with Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

4. Notwithstanding the details of the application as indicated on the approved layout, prior to first occupation of the development hereby permitted, the area(s) set aside for parking and manoeuvring shall have been surfaced and drained in accordance with details that have previously been submitted to and agreed in writing by the Local Planning Authority.

For the avoidance of doubt:

a) The parking area(s) shall be laid out such that 6 no. parking spaces are provided within the curtilage and shall be made of porous materials, or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the site and shall ensure that arrangement is made so that surface water does not discharge onto the highway.

b) The layout shall provide for, where possible, the retention of planting / soft landscaping within the site frontage; the details of which shall inform the landscaping scheme required pursuant to Condition 8 of this permission.

The development shall be carried out only in accordance with the agreed details and the area(s) made available prior to the first occupation of the use hereby approved. The area 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 drainage and to comply with Policies CS2, CS7, CS19 and CS24 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policies H7 and T7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Ensuring a Choice of Travel SPD, adopted September 2010.

5. Notwithstanding the submitted detail prior to first occupation of the development hereby permitted, the vehicular access shall be re-located towards the centre of the site and measure a minimum of 3.5 m wide; and new dropped kerb shall be provided circa 8m south of the junction with Western Avenue in accordance with precise scheme details that have first 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, brought into use prior to first occupation and retained in accordance with the agreed details thereafter.

Reason: In the interests of highway safety and satisfactory access to the site and to comply with the National Planning Policy Framework (2023), Saved Policies H5, H7 and H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policies CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

6. The use hereby permitted shall not be occupied until a scheme to permanently close off the existing vehicular and pedestrian access onto Church Road has been submitted to and agreed in writing by the Local Planning Authority. The method of closing off the access should inform the landscaping details required pursuant to Condition 8 of this approval.
The scheme shall be implemented as agreed before any part of the development has been brought into use and retained as such thereafter.

Reason: To limit the number of access points and to maintain proper construction of the highway in the interests of highway safety and to comply with the National Planning Policy Framework (2023), Saved Policies H5 and H7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policies CS2, CS7 and CS19 of the Local Plan: Core Strategy, adopted January 2016.

7. The building shall not be occupied for the use hereby approved until cycle parking provision within the site for a minimum of 12 bicycles to be securely parked in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be implemented in accordance with the agreed details prior to the occupation of the building for the purposes hereby approved and shall remain available for its intended purpose thereafter.

For the avoidance of doubt, the scheme should provide long stay cycle parking which must be covered and offer a means to secure the cycles.

Reason: In the interests of ensuring the provision and availability of adequate cycle storage and promoting sustainable travel opportunities and to comply with the National Planning Policy Framework (2023 Saved Policies H5 and H7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

8. No part of the development hereby permitted shall take place until full details of landscaping works for the proposed development have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) details and location of hedges and trees to be retained;
- b) details including the location size and species of any trees that would be lost due to development;
- b) new hedge planting for the closing off of the existing vehicular access;
- c) specifications and schedules;
- d) planting size;
- e) species and numbers/densities; and
- f) a scheme for the timing / phasing of work.

Any trees which are proposed to be removed due to development shall be replaced on a 2:1 basis.

The planting shall be wholly implemented in its finally approved form in accordance with the approved scheme 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.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and to comply with the National Planning Policy Framework (2023), Saved Policies H5 and H7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

9. Prior to any works relating to the erection of the extension hereby permitted commencing scheme details for the protection of trees to be retained on the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include, but not be limited to:

a) a plan showing the location of each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained;

b) details of the specification and position of protective fencing and of any measures to be taken for the protection of any retained tree from damage during the course of development.

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

Reason: In the interests of amenity and to ensure that the development accords with the National Planning Policy Framework (2023), Saved Policies H5 and DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS8, CS19 and CS21 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Trees and Development SPD (2016).

10. No part of the development hereby permitted shall be occupied until precise scheme details of arrangements for secure storage of bins and the collection of waste from the site have been submitted to and approved in writing by the Local Planning Authority.

The scheme details shall include:

a) the location design and external appearance of a suitable store; and

b) details of bin provision showing the requisite level and type of bins to serve the development.

For the avoidance of doubt, the siting shall avoid the bin store in a highly visible location on the site out of public view and in a convenient location for future residents and for the facilitation of collection from the site.

The approved scheme details shall be provided before first occupation. The refuse /recycling bins shall be stored in the agreed refuse storage area at all times, with the exception of the allocated refuse collection day and these arrangements shall be maintained at all times.

Reason: In the interests of the amenities of the surrounding area, to comply with the National Planning Policy Framework (2023), Saved Policies H5 and H7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Policy WM9 of the Joint Waste Local Plan (2013).

11. Prior to the first occupation of the use hereby permitted a Management Plan for the operation of the premises shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include, but not be limited to:-

- a) Arrangements for the management and maintenance all external areas, including garden and associated boundary treatments / gates and landscaped areas, parking provision, cycle and waste stores.
- b) Arrangements for waste management in relation to the storage and servicing of waste facilities. The arrangements shall ensure the facilitation of collection of waste from the site by making sure that appropriate arrangements are put in place for waste receptacles to be presented on bin collection day and returned to a designated storage areas after their collection as soon as practicable following waste collection.
- c) The methods to be deployed by the landlord to prohibit nuisance or annoyance caused by residents and their visitors on surrounding neighbours and other occupiers of the application premises and how complaints will be dealt with.
- d) Recording of complaints received about residents or their visitors in association with the development and in relation to anti-social behaviour. The records shall be made available to the Council on request.
- e) A contact provided for the reporting of complaints.
- f) Commitment of the landlord to secure any relevant licence.

The use shall not be occupied until the plan has been agreed and shall thereafter be occupied in accordance with the agreed Management Plan.

Reason: In the interests of residential amenity and to ensure compliance with the National Planning Policy Framework (2023), Saved Policies H5 and H7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy CS19 of the Knowsley Local Plan: Core Strategy.

12. The house of multiple occupation hereby permitted shall not accommodate any more than 11 persons.

Reason: In the interests of neighbouring residential amenity and to comply with the National Planning Policy Framework (2023), Saved Policies H5 and H7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
24/01/2024	003	-	SITE LOCATION PLAN
24/04/2024	002	-	PROPOSED PLANS

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

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

H5 - Development within Primarily Residential Areas
H7 - Provision. of Flats, Nursing and Residential Homes, Hostels, and Housing in Multiple Occupation (HMOS)
H8 - Extensions and Alterations to Residential Properties
T10 - Access for the Less Mobile
DQ2 - Security in the Built Environment
DQ4 - Trees and Development
ENV2 - Noise and Vibration
ENV5 - Contaminated Land

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS8 - Green Infrastructure
CS2 - Development Principles
CS3 - Housing Supply, Delivery and Distribution
CS7 - Transport Networks
CS19 - Design Quality and Accessibility in New Development
CS21 - Greenspaces and Trees
CS24 - Managing Flood Risk
CS26 - Waste Management
CS27 - Planning and Paying for New Infrastructure
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

SUPPLEMENTARY PLANNING DOCUMENTS

Amended New Residential Development SPD (2018)
Ensuring a Choice of Travel SPD (2010)
Design Quality in New Development SPD (2016)
Householder Development SPD (2016)
Trees and Development SPD (2016)

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 Dropped Kerb Crossings

To request a quote for a dropped crossing from our contractor Tarmac they can be contacted via 0800 023 2334 or knowsley.highways@tarmac.com. Tarmac will then instruct an Inspector to attend the location and scope out the works.

The applicant is reminded that it is an offence to carry out any works within the public highway without the permission of the Highway Authority.

2 Contaminated Land Advisory Note

Based on the information available to this division we are not aware of any contamination on this site. However, the responsibility to properly address contaminated land issues lies with the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should contamination be encountered during the development of the site.

If contaminated material is encountered the applicant/developer is required to dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

Executive Director - Regeneration and Economic Development

Date: 2 May 2024

IMPORTANT NOTES FOR YOUR ATTENTION:

- 1. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.**
- 2. This permission refers only to those plans submitted as part of the Planning Application a copy of which is retained by the Local Planning Authority. The Local Planning Authority should be contacted in writing if it is proposed to amend these plans in any way as a further permission, may be required.**
- 3. You should ensure that you understand the requirements of all planning conditions and that you fully comply with their requirements. If you are in any doubt about what a condition requires of you, please ask us for assistance. Planning conditions may require you to submit further information to us and await our approval before you can start your development. A failure to do so could result in your development being unlawful and necessitate the submission of a further planning application. A failure to comply with the conditions of the permission/consent may result in the taking of enforcement and potentially legal action, against you to remedy the breach of planning control.**
- 4. A fee is normally payable to discharge planning conditions in accordance with government regulations.**
- 5. This permission does not convey any rights or approval to build on, or develop, any land that is not fully owned or controlled by you, including on party boundaries. You should satisfy yourself that the agreement of any adjoining landowners has been given prior to commencing any building works.**
- 6. If a Building Regulations Consent is required for these works it is your responsibility to ensure that the plans submitted for both the Building Regulations Consent and Planning Permission are the same in all respects. Should the plans relating to one consent vary from the other, it will be necessary for you to submit amended plans to this Department and obtain the relevant approval(s) prior to commencing any works. Knowsley Council's Building Control team are contactable on (0151)-443 2342 and they would be pleased to assist you.**

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.