



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 22/00492/FUL

Name and address of applicant

Mr Eliot Lopian
765 Knowsley Lane
Knowsley
L34 9EE

Name and address of agent

AJ Architectural
70 Oak Street
Southport
PR8 6AL

Date of Receipt: 9 August 2022

Date Valid: 6 September 2022

Address/Location Of Development:

765 Knowsley Lane
Knowsley
Knowsley
L34 9EE

Description of Development:

**VARIATION OF CONDITION NO. 9 OF PLANNING PERMISSION 20/00617/FUL TO
ALLOW FOR CHANGING THE HARDBOUND MATERIAL TO THE FIRST 5M OF
DRIVEWAYS FROM COBBLES TO TEGULA PAVING**

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 contamination report measures, previously approved, shall be implemented in accordance with the submitted details) prior to the first occupation of any dwelling and retained thereafter

Reason: To prevent contamination in the interests of human health in accordance with Core Strategy policy CS19 and Policy ENV5 of the Unitary Development Plan.

4. The footway resurfacing measures, previously approved, shall be implemented in accordance with the submitted details prior to the first occupation of any dwelling and retained thereafter.

Reason: In the interests of highway safety to ensure the provision of safe pedestrian access in the vicinity of the site and to comply with Policy CS19 of the Core Strategy, adopted January 2016.

5. Five working days written notice shall be given to the Arboricultural Officer before commencement of the works hereby granted.

Reason: For the avoidance of doubt and to comply with the application.

6. No part of the development shall be brought into use until visibility splays of 43 metres by 2.4 metres, have been provided at the proposed site access with Knowsley Lane. The splays shall be provided clear of obstructions to visibility above the height of 0.6 metres measured from the footway/verge level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.

Reason: To ensure adequate visibility at the site access is made and maintained, and to comply with Policy CS19 of the Core Strategy, adopted January 2016.

7. No part of the development shall be occupied until bat boxes have been installed in accordance with details previously submitted to and agreed by the local planning authority.

Reason: In order to create a habitat for bats in accordance with Core Strategy policy CS8.

8. The development shall not be brought into use until the areas indicated on the submitted plans to be set aside for access, parking, boundary treatments, vehicular manoeuvring (including provision for pedestrians/cyclists) have been installed, surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown in drawing number DBall/11, titled Site Layout, Jan 21. These areas shall be retained as such thereafter.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

9. The dwelling shall not be occupied until an outdoor, weatherproof electric vehicle charging point readily accessible from a dedicated parking space has been provided for the dwelling.

All chargepoints shall be:

- a) A minimum of 7KW, and
- b) at Least Mode 3 or equivalent, and
- 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 in any home welcome pack.

Reason: In the interests of air quality, promoting sustainable travel opportunities and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and NPPF Para 110.

10. Prior to the implementation of any landscaping or the removal of trees from the site, a scheme for landscaping and for replacement tree planting shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include tree replacement for individual and groups of trees on a 2:1 basis. The scheme should include the location, size and species of the replacement trees.

The tree 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: In order to ensure appropriate landscaping as part of the scheme.

11. 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.

Reason: To prevent contamination in the interests of human health in accordance with Core Strategy policy CS19 and Policy ENV5 of the Unitary Development Plan.

12. In order to protect wildlife, the following reasonable avoidance measures shall be implemented during any construction work on site. The following reasonable avoidance measures should be put in place:
 - A pre-commencement check for hedgehog;
 - 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 that mammals do not use them.

Reason: In order to protect ecology in accordance with Core Strategy policy CS8.

13. No top 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 prevent contamination in the interests of human health in accordance with Core Strategy policy CS19 and Policy ENV5 of the Unitary Development Plan.

14. No temporary power plant shall be used outside the permitted hours of construction unless in accordance with details which have been submitted to and approved in writing by the Local Planning Authority prior to commencement of development. Any such plant shall only be operated in accordance with the approved details.

Reason: To protect the living conditions of neighbours in accordance with Core Strategy policy CS19.

15. Any gate or other form of barrier across the access shall be positioned at least five metres back from the nearside edge of the highway boundary of Knowsley Lane, and shall be constructed to open into the site only.

Reason: To permit vehicles to pull clear of the carriageway when entering the site, in the interests of highway and pedestrian safety and to comply with Policy CS19 of the Core Strategy, adopted January 2016.

16. No construction work, including demolition and deliveries to and from the site shall take place on the site except between the hours:

08.00 - 18.00 Monday to Friday;
08:00 - 13:00 hours Saturday.

No work shall take place on Sundays or on Public Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2 and H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
09/08/2022	Lopian/11	-	SITE LAYOUT
21/09/2022	Materials Photo Email 21 9 22	-	Materials Photo Email 21 9 22
21/09/2022	Materials Specification Email 21 9 22	-	Materials Specification Email 21 9 22
12/04/2021	1925	1.0	Flood Risk Assessment
03/03/2021	DBall/10	-	Visibility Splay
16/02/2021	3D Interior	-	3D - Interior
16/02/2021	3D Exterior	-	3D - Exterior
02/02/2021	Bat and nesting bird survey	-	Bat and nesting bird survey
13/11/2020	DBall/06	-	Proposed Elevations
13/11/2020	Materials Specification	-	Materials Specification
13/11/2020	Site Treatment and management plan	-	Site Treatment and management plan
13/11/2020	Tree Survey	-	Tree Survey
13/11/2020	Arboricultural Impact	-	Arboricultural Impact Assessment
15/10/2020	Fire Station Demolition area	-	Fire Station Demolition area
15/10/2020	DBall/05	-	Proposed Floor Plans

15/10/2020	-	-	Design and Access Statement
15/10/2020	Bat Survey	-	Bat Survey
06/09/2022	001	-	Location Plan

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

CS2 - Development Principles

CS3 - Housing Supply, Delivery and Distribution

CS5 - Green Belt

CS7 - Transport Networks

CS17 - Housing Sizes and Design Standards

CS19 - Design Quality and Accessibility in New Development

CS21 - Greenspaces and Trees

CS22 - Sustainable and Low Carbon Development

CS24 - Managing Flood Risk

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

DQ4 - Trees and Development

ENV5 - Contaminated Land

G6 - Conversion or Change of Use of Existing Buildings in the Green Belt

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 (Andrew Hunt on 0151 443 2204)

ARTICLE 35 STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

NOTE FOR APPLICANT:

IMPORTANT - PLEASE READ CAREFULLY THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

- 1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
 - a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
 - b) You or your agent or any other person responsible for implementing this permission should inform Planning Services immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

- 2) This permission is granted subject to conditions and it is the owner of the property and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.
- 3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent.
 - a) If a condition precedent is not complied with prior to the start of development, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - b) In addition, if the requirements of a condition precedent are subsequently not complied with, the development is unauthorised and the only way to rectify the development is the submission of a new application.

If any other type of condition is breached then you will be liable to a breach of condition notice.



Executive Director - Regeneration and Economic Development

Date: 6 October 2022

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.