

APPLICATION NO: 25/00665/FUL **CASE OFFICER:** Maxine Wishart

WARD: Whiston & Cronton **PARISH:** Cronton Parish Council

LOCATION: Denbigh , Pex Hill, Cronton

PROPOSAL: S73 APPLICATION FOR THE VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 25/00074/FUL (VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 23/00485/FUL (DEMOLITION OF EXISTING DWELLING AND OUTBUILDINGS AND THE ERECTION OF A REPLACEMENT DWELLING TOGETHER WITH OTHER ASSOCIATED WORKS INCLUDING ALTERATIONS TO FRONT BOUNDARY FENCE - TO ALLOW FOR REDUCTION IN RIDGE HEIGHT OF FRONT GABLE, REMOVAL OF DORMER WINDOWS AND RAISING OF EAVES, CHANGES TO WINDOW DETAILING, REDUCTION IN WIDTH OF BI-FOLD DOORS, ALTERATIONS TO DORMER SIDE ELEVATION AND GROUND FLOOR LEVEL REDUCED AND INTERNAL ALTERATIONS) - TO ALLOW FURTHER AMENDMENTS RELATING TO THE INSTALLATION OF PHOTOVOLTAIC PANELS, ERECTION OF A PLANT ROOM AND INSTALLATION OF AN AIRSOURCE HEAT PUMP

KNOWSLEY LOCAL PLAN POLICIES MAP ALLOPCATION

Green Belt

Site Description

The site area extends over an area of approximately 0.21 ha and is triangular in shape, extending considerably to the north of the house which gives the plot considerable width. The plot is located on the north-eastern side of Pex Hill, approximately 23m from its junction with Cronton Road (A5080) and opposite to the exit at the western end of Cronton Sixth Form College. The site is on the edge of Widnes urban area. Cronton Road (A5080) is a main route linking Liverpool to Widnes and beyond. Pex Hill is a private road leading to a United Utilities waterworks and an area of urban green space, disused quarry and observatory at the summit of Pex Hill. A Public Right of Way (PROW) runs along Pex Hill directly in front of the application site.

The application site previously contained a brick built two-storey double fronted, pyramid type roof, detached late 1930's dwelling with detached garage a brick-built W.C. outbuilding and a timber 'summer / play house', a partly above and partly underground air-raid shelter. The detached garage and an annexe, later replaced by a single storey extension was reasonably assumed to form part of the original dwelling.

Planning permission was granted in 2024 for the demolition of the dwelling and outbuildings and the erection of a replacement dwelling and associated works including alterations to the front boundary wall fence. That permission was subject to a suite of planning conditions (Ref:23/00485/FUL). In 2025 planning permission was granted to amend the approved plans under a s73 application which sought consent to vary

Condition 2 (Approved Plans) of planning permission referenced 23/00485/FUL and involves changes to the design of the dwelling.

That permission has subsequently been implemented, the original house demolished and the new dwelling built up to roof level. At the time of Officer's site visit contractors were still active on the site with site construction facilities including a 2-storey container site storage and office space. The site enclosed by high walls and access gates.

Proposal

This application has been made under Section 73 (s73) of the Town and Country Planning Act 1990 which allows applications to be made for permission to carry out development without complying with a condition(s) or to vary condition(s) that have previously been imposed on a planning permission.

The 2024 permission granted under planning reference 23/00485/FUL for the demolition of existing dwelling and outbuildings and the erection of a replacement dwelling together with other associated works including alterations to the front boundary wall fence. That permission was subject to a suite of planning conditions.

Subsequently, in June 2025, planning permission was granted (Ref: 25/00074/FUL) for the variation of Condition 2 attached to permission referenced 23/00485/FUL. Condition 2 relates to the approved plans and documents listed in Schedule 1 and that application involved changes to the design of the dwelling.

Conditions imposed on the 25/00074/FUL permission have, where required to, been fully discharged. The later (s73) permission has been implemented, and the dwelling is built to roof level. The current application therefore seeks amendments during the implementation of that permission.

The key differences proposed by this application under consideration and that implemented under the previous s73 permission are as follows:

Additional Plant Room

The extension would be single storey and located to the side of the dwelling to house associated plant which would include water storage tank, buffer cylinder, floor mounted cylinder and solar batteries. The extension would have dimensions of 2.5m wide by 4.5m deep it would have a duo-pitched which would attain a maximum height of 4.3m.

Air Source Heat Pump (ASHP)

The ASHP would be located to the rear of the extension. It would have dimensions of 1490mm (w) x 593mm (d) x 1045mm (h). It would be coloured white.

Photovoltaic (PV) Panels

It is proposed to install roof mounted PV solar roof panels which would result in arrays to three elevations comprising 9 no. to front elevation, 7 no. to the east elevation; and 10 no. to the rear elevation (north).

Each of the panels would have dimensions of 1762mm x 1134mm x 30mm. They would be all black in appearance.

Consultations

Cronton Parish Council - No comments received

Environmental Health - No objection in principle subject to condition in relation to limitation of noise from fixed plant.

Representations

This application has been publicised by letters sent to 9 neighbours. It has also been advertised by site notice. No representations have been received.

Planning History

APP. NO: K/APP/1890 (Alt. Ref:74/02158/HIST)
PROPOSAL: Denbigh Pex Hill, Cronton - Proposed Bungalow
DECISION: Refused
DECISION DATE: 26 January 1977

APP. NO: K/APP/7549 (Alt. Ref: 74/07792/HIST)
PROPOSAL: Proposed Bungalow
DECISION: Refused
DECISION DATE: 2 September 1983
APPEAL: Dismissed
DECISION DATE: 04/04/84

APP. NO: 22/00124/FUL
PROPOSAL: Demolition of existing garage and erection of a two storey side extension including 1 no Juliet balcony to proposed rear first floor bedroom
DECISION: Granted
DECISION DATE: 23 November 2022

APP. NO: 23/00485/FUL
PROPOSAL: Demolition of existing dwelling and outbuildings and the erection of a replacement dwelling together with other associated works including alterations to front boundary fence
DECISION: Granted
DECISION DATE: 22 August 2024

APP. NO: 25/00074/FUL
PROPOSAL: Variation of Conditions 2 (approved plans), attached to planning permission 23/00485/FUL (demolition of existing dwelling and outbuildings and the erection of a replacement dwelling together with other associated works including alterations to front boundary fence) to allow for reduction in ridge height of front gable, removal of dormer windows and raising of eaves, changes to window detailing, reduction in width of bi-fold doors, alterations to dormer side elevation and ground floor level reduced and internal alterations
DECISION: Granted
DECISION DATE: 10 June 2025

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that 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 normally 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.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

NATIONAL PLANNING POLICY FRAMEWORK

KNOWSLEY LOCAL PLAN: CORE STRATEGY

- CS2 - Development Principles
- CS5 - Green Belt
- CS7 - Transport Networks
- CS8 - Green Infrastructure
- CS19 - Design Quality and Accessibility in New Development
- CS21 - Greenspaces and Trees
- CS22 - Sustainable and Low Carbon Development
- CS24 - Managing Flood Risk
- CS26 - Waste Management

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

- G7 - Alteration, Extension or Replacement of Existing Dwellings in the Green Belt
- DQ2 - Security in the Built Environment
- DQ4 - Trees and Development
- ENV2 - Noise and Vibration
- ENV5 - Contaminated Land

SUPPLEMENTARY PLANNING DOCUMENTS

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

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.

ASSESSMENT

Principle of Development

Permission was granted in 2024 under reference 23/00485/FUL for the demolition of existing dwelling and outbuildings and the erection of a replacement dwelling together with other associated works including alterations to front boundary fence.

An application made under Section 73 the Town and Country Planning Act 1990 was granted in 2025 (Ref: 25/00074/FUL) which allowed minor materials amendments to the original planning permission (23/00485/FUL).

S73 allows applications to be made to vary condition(s) previously imposed on a planning permission, including making minor material amendments to plans listed. A s73 planning permission is the grant of a new planning consent. The legal effect is to issue a new grant of planning permission, whilst leaving the original planning consent unaffected; any new permission sits alongside the original permission, with the time limit for implementation the same as the original consent. Either permission can then be implemented. When considering a s73 application consideration must be given to any changes both on the site and within the surrounding area together with any changes to planning policy since the grant of the previous planning permission.

Since the grant of permission under reference 25/00074/FUL, the original dwelling has been demolished and the 2025 s73 approval implemented. There have been no changes to national or local planning policy since the original planning application or the later s73 applications were granted.

The principle of the development was established by the original planning permission. Given the nature of the proposal, which seeks to vary details that have been previously approved, there are no in principle land use objections to the proposal.

It is not necessary to re-assess all matters addressed under the original planning application when determining this s73 application; only matters relevant to the proposed amendments need to be considered. The extant permission (25/00074/FUL) could still be implemented.

The site is designated Green Belt and the NPPF attaches great importance to Green Belts with the fundamental aim of Green Belt policy preventing urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Saved Policy G7 of Knowsley's UDP requires proposals to ... not result in the disproportionate addition over and above the size of the 'original dwelling'; not impact the amenity of neighbouring properties; is adequately served by public services without impact on the openness of the Green Belt; ensure damage to habitats is minimised. As

a general guideline enlargements (either through extension or replacement dwelling) of over 50% will not be allowed. ('original dwelling' - 'that which existed on 1st July 1948, or the dwelling as originally built if this was later').

When considering s73 applications the local planning authority must assess the cumulative impact of all amendments to ensure that the development, as amended, does not become materially different in nature or scale from the original permission, which is particularly important in considering the volume increase and the impact on the openness of the Green Belt.

The key differences between the original planning permission and that approved under 25/00074/FUL are as follows:

- Ground Floor Level Reduced
- Reduction in Ridge Height to Front Gable
- Removal of Dormer Windows and Raising of Eaves
- Reduced Width of Bi-Fold Doors
- Change to Dormer on 'Amal Suite'
- Amended Staircase layout (internally)

That permission does not change the footprint and the reduction in the level of ridge offset the increase in volume from lowering the ground level.

However, the original permission (23/00485/FUL) involved a volume increase of 64.45% compared to the 'original dwelling' or, 14.45% over the volume specified in the guidelines set out in UDP Policy G7 which states that 'as a general guideline [emphasis added] enlargements (either through extension or replacement of the dwelling) of over 50% will not be allowed'.

As previously reported, the approved replacement dwelling is materially larger than the building it replaces and as such is inappropriate development in the Green Belt as it failed to meet the exception to para. 154 d) of the NPPF and Saved UDP Policy G7. A number of factors put forward in support of the development were afforded substantial weight and considered to be 'very special circumstances' justifying the development. This was also having regard to a 'fallback' position of an extant permission for an extension (+volume 50.8% -22/00124/FUL).

In this current case, the application proposes works that would increase the floor space with an uplift in volume of approx. 44m³. This amounts to a 70.2% percentage increase over that of the 'original' dwelling (770.5m³) and that now proposed (1311.24m³).

While the principle of the development was established through the 2024 permission for the replacement dwelling, this application must consider whether the cumulative effect of the proposed amendments would have on the openness of the Green Belt and which also continues to amount to 'very special circumstances' that outweigh the harm to the Green Belt.

The works to provide a plant room, ASHP and photovoltaic panels aims to deliver the use of renewal energy which would help achieve greater energy efficiency. Part 14 of the NPPF strongly supports renewable energy proposals unless they would have an unacceptable impact. Core Strategy Policy CS23 supports proposals that will produce and distribute low carbon and renewable energy. These elements of the development

align with a drive of both national and local level policy objectives and this should be

given considerable weight.

Taken in the planning balance, given the minor additional volume addition to the approved dwelling, it is considered to be an acceptable amendment given that the proposal supports renewable energy and would have limited impact on the openness of the green belt.

Design and Layout

Design and Layout

Plant Room

The amendments include the erection of an extension to the eastern side elevation to house the plant associated with the dwelling. It would measure 2.5m by 4.5m and have a maximum height of 4.3m. It would have a double leaf door opening to the side elevation. It would be located between the main dwelling and the side boundary of the sit; set off the side boundary by approx. 2.3m.

The proposed additional floorspace would be modest in scale. This amendment to the approved scheme would not be out of character with the details of the approved dwelling. The plant room would not have a detrimental impact on the visual amenity of the proposed dwelling or the area in general. The external facing of this element of the proposal would be suitably conditioned to ensure that the proposed plant room would be constructed in materials to match those previously agreed by Condition 3 of 25/00074/FUL.

Air Source Heat pump (ASHP) and Photovoltaic Panels

Paragraph 167 of the NPPF states that *local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights)*...

Paragraph 168 goes on to state that when determining applications for all forms of renewable and low carbon energy developments and their associated infrastructure, Local Planning Authorities should... give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future... *Recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions.*

The ASHP would be modest in scale and utilitarian in design, however, it would be located to the rear of the proposed plant room and shielded from view from outside of the application site. As such the ASHP would have little impact on the character of the dwelling or the visual amenity of the area in general.

The photovoltaic panels would be located on the roof plane of the proposed dwelling. To three elevations, in total there would be 26 no. panels. Details of the design of the panels support the application. The details indicate that the panels would be all black with a black anodized aluminium frame. The approved material for the roof of the dwelling is a grey roof tile. The proposed all-black panels would provide a better design aesthetic as the electrical contacts are behind the cell resulting in a uniform black smooth finish which would be less obtrusive than other photovoltaic panels available. The proposed design would have a reduced visible impact and help to assimilate this amendment into the streetscene than some other designs of solar panels. It is not

considered that this amendment would have a detrimental impact upon the character or appearance of the proposed dwelling, the Green Belt, street scene or wider area.

Site Layout and Parking

The proposed amendments wouldn't impact on the level of amenity space to be provided and previously considered acceptable. Parking provision and facilitation of collection and storage of waste would be unaffected.

Conclusion - Design and Layout

The proposed additional floorspace would be modest in scale and it is considered that the proposed dwelling would not be substantially more intrusive than that as approved and as such it would not have a significantly greater impact on the openness of the Green Belt.

Overall, the design would not be detrimental to the character of the approved dwelling or the visual amenity of the area in general.

Conditions relating to materials; hard and soft landscaping; parking layout and lighting; imposed on the earlier s73 application (25/00074/FUL) would be repeated or amended to reflect the detail of the application and details agreed through the discharge of conditions, if planning permission is granted.

Having regard to the above, it is considered that the proposal complies with the NPPF, Policies CS2, CS5, CS19 and CS23 of the Core Strategy and Saved Policy G7 of the Replacement UDP.

Arboricultural Considerations and Landscaping

An Arboriculture Impact Assessment and Method Statement was previously submitted for the original planning application. Tree protection for the development was fully considered at that stage. The proposed amendments would not impact on trees and the earlier tree report would be listed as an approved document if this permission is granted.

Condition 6 of the earlier S73 permission requires a landscaping scheme for hard and soft landscaping which has been submitted and discharged. A condition requiring the development to be carried out in accordance with the previously agreed details would be imposed if planning permission is granted.

Subject to the approved documents and suitably worded condition, the development would comply with saved Policy DQ4 of the Knowsley UDP, and Core Strategy Policies CS2, CS8 and CS21 together with the Trees and Development SPD.

Highways

Parking provision would remain unaltered. Conditions 6 (landscaping) and 7 (parking layout) of the earlier S73 permission required further details of the parking and manoeuvring area to be submitted and approved by the LPA would be amended and imposed if planning permission is granted to ensure that approved parking provision would be provided in accordance with previously agreed details.

Subject to the above, the proposal would comply with the NPPF, Policies CS2, CS7 and CS19 of the Local Plan: Core Strategy, Saved Policies T7 and T10 of the Knowsley

UDP and the Ensuring a Choice of Travel SPD.

Residential Amenity

Policy CS19 requires that to maintain a good standard of amenity for all existing and future occupants of land and buildings, development proposals will be required to avoid unacceptable impacts on existing residents, business occupiers, and future occupiers. Saved Policy ENV2 of the Knowsley UDP seeks to ensure that new or existing developments are protected from new or existing noise sources and that, where necessary, effective mitigation measures are secured.

Annexe at Meadows, Pex Hill

Located to the northwest of the application site, The Annexe is the nearest residential property. It is located approximately 25m from the edge of the application site boundary and in excess of 85m from the proposed dwelling. The plant room and ASHP would be located on the far side of the new dwelling. Given the juxtaposition of this neighbouring property and the development it is not considered that there would be unacceptable impacts on the occupiers of this property.

Meadows, Pex Hill

Meadows is located to the northwest, located approximately 45 metres from the application site boundary and in excess of 100 metres from the proposed dwelling. It is not considered that the development would result in unacceptable impacts on the occupiers of this property.

Sandstone Gable, Pex Hill

Located on the opposite side of Pex Hill to the northwest, the proposed dwelling is in excess of 50m from the boundary of this neighbouring property, as such it is not considered that there would be any unacceptable impacts that would have an impact on the amenities of this property.

No. 659 Cronton Road

No. 659 is located to the south west of the application site and is sited in excess of 40m from the front boundary of the application site. Given that a significant interface that would be maintained between this dwelling and the proposed development this would ensure that there would be no detrimental impacts on the occupiers of this dwelling

No. 95 Cronton Road / Cronton 6th Form College /

Other properties lie to the southeast and east of the site along Cronton Road, the nearest residential property being No. 95. These properties are within the administrative boundary of Halton. It is not considered that the proposed development would have harmful impacts on these properties.

Conclusion Residential Amenity

A condition would be attached to any permission if granted to restrict noise levels of the fixed plant (ASHP). Overall, there would be no harm to the amenity of the occupiers of surrounding properties.

Having regard to the above, it is considered that the proposal complies with the NPPF, Policies CS2 and CS19 of the Local Plan Core Strategy, Saved Policy ENV2 of the Knowsley UDP.

Ecology

Bats

The amendments would not have any further impact on ecology than that considered in the original planning application. Conditions relating to ecology previously imposed will be amended to address the current proposal if planning permission is granted and the ecology reports would continue to be an approved document.

Amphibians / Hedgehog

The need for reasonable avoidance measures (RAMs) to be adhered to during construction will remain by re-imposing Condition 8 of planning permission 25/00074/FUL if planning permission is granted.

Breeding Birds

An informative would be reiterated if permission granted advising the applicant of their duty to ensure that no vegetation management (including tree works) take place during the bird breeding season and if necessary, vegetation shall be checked first by an appropriately experienced ecologist to ensure no breeding birds are present.

Biodiversity Net Gain

Biodiversity net gain (BNG) was not a requirement of the original substantive application. BNG does not apply to s73 permissions where the original permission was either granted before 12 February 2024 or the application for the original permission was made before 12 February 2024. Subsequent s73 permissions remain exempt as long as the original application was made before 12 February 2024.

Conclusion - Ecology

The proposed amendments that would arise through the variation to condition 2 would not result in any adverse impacts on ecology. As such the development would comply with Policies CS2, CS8, CS19 and CS21 of the Local Plan Core Strategy and the NPPF.

Surface Water Drainage and Flood Risk

Drainage

Condition 12 of permission 23/00485/FUL in relation to surface water drainage scheme details has been discharged. Condition 12 would be reworded to require amendment to the agreed drainage details if this s73 is approved. Subject to a condition requiring compliance with details agreed by condition, the proposal would not conflict with Policies CS2 and CS24 in the Local Plan: Core Strategy.

Main River

Due to main river Alder Brook passing in culvert adjacent to the site boundary the Environment Agency's advice would remain and their advice re-iterated as an informative if this s73 application is granted.

Environmental Considerations

Contaminated Land

Conditions relating to the reporting of unexpected contamination and the importation of soil imposed by conditions (Condition 4 and 5) attached to planning permission 23/00485/FUL would be re-imposed if planning permission is granted to ensure that the development complies with the NPPF, Policy CS2 of the Local Plan Core Strategy and saved Policy ENV5 of the Knowsley UDP.

Other Matters

United Utilities Assets / Wastewater Pipelines

A water main crosses the site entrance. Advice from United Utilities previously provided to the applicant would be re-iterated and conveyed by way of an informative if the s73 is granted.

Conclusion

An extant permission exists on this site for a replacement dwelling and the application proposes minor material amendments to the approved scheme. The amendments proposed would not alter the description of development. The principle of the development is acceptable

The proposed amendments would see a small change to the footprint of the dwelling and introduction of an ASHP and photovoltaic panels to the roof. The alterations to the overall design would largely maintain the appearance of the dwelling as approved.

It is not considered that the development would be materially greater than the previously approved development and it is considered that it would not be materially more harmful to the Green Belt. Amendments would be acceptable in terms of the impacts on visual and residential amenity.

Amendments would support the use of renewable energy. There would be no impact on parking provision and highway safety. No additional impacts would arise in relation to the environment, ecology or drainage.

On balance, the amendments arising from the variation of the approved plans (Condition 2) of the previously approved scheme would result in modest changes to the overall development. The proposal would therefore, subject to relevant conditions, accord with the Local Plan, Saved UDP policies and relevant Supplementary Planning Documents as listed above.

Recommendation

That planning permission be granted subject to the following conditions:

- 1) 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.

- 2) Notwithstanding any details on the approved plans, the materials to be used externally on the development (with the exception of the PV panels) shall be carried out only in accordance with the details within the document '*Proposed Materials for Approval*' dated 10 June 2025 approved pursuant to Condition 3 of planning permission referenced 25/00074/FUL.

For the avoidance of doubt, the doors within the proposed plant room shall match the colour of the windows and doors of the main dwelling (RAL 7016 – Anthracite Grey) as agreed in the aforementioned materials document.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2023), Policies CS2, CS5 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, saved Policy G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Amended New Residential Development SPD (2018).

3) *Reporting of Unexpected Contamination*

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority.

Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

Reason: In the interests of the protection and protection of human health and the pollution of the water environment and to comply with the National Planning Policy Framework (2024), Policies CS2 and CS19 of the Knowsley Local Plan Core: Strategy, adopted January 2016 and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 4) No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: In the interests of the protection and protection of human health and the pollution of the water environment and to comply with the National Planning Policy Framework (2024), Policies CS2 and CS19 of the Knowsley Local Plan Core: Strategy, adopted January 2016 and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 5) The proposed development shall be carried out in accordance with the landscaping scheme agreed pursuant to Condition 6 of planning permission referenced 25/00074/FUL granted 10 June 2025 and as amended by Drawing 01 - 3 C05 Proposed Landscape Plan.

a) *Hard Landscaping*

The approved hard landscaping shall be implemented in its approved form prior to the first occupation of the dwelling hereby permitted and retained as such thereafter.

b) *Soft Landscaping*

The approved soft landscaping shall be wholly implemented in its finally approved form within the first available planting season following the substantial completion of development or a timetable to be agreed in writing with the Local Planning Authority.

Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage.

The development shall be fully constructed in accordance with the approved scheme in accordance with timescales contained therein.

c) Boundary Treatments

No occupation of the development shall take place until all walls and fences indicated in the agreed scheme have been erected in accordance with the agreed details. Thereafter the approved boundary treatment(s) shall thereafter be retained and maintained.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2024), Policies CS2, CS5, CS8, CS19 and CS21 of the Knowsley Local Plan Core: Strategy, adopted January 2016 and saved Policies DQ2, DQ4 and G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the New Residential Development SPD (2018).

- 6) The area set aside for parking and vehicular manoeuvring indicated on the approved layout plan shall be surfaced and drained in accordance with the details agreed pursuant to Conditions 6 and 7 of planning permission planning permission referenced 25/00074/FUL granted 10 June 2025.

The agreed parking and manoeuvring areas shall be made available prior to the first occupation of the dwelling hereby permitted and retained as such thereafter.

Reason: In the interests of highway and pedestrian safety, to secure adequate parking provision and drainage and to comply with the National Planning Policy Framework (2024), Policies CS2, CS7, CS19 and CS24 of the Knowsley Local Plan: Core Strategy, adopted January 2016, saved Policy G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, the Ensuring a Choice of Travel SPD, adopted September 2010 and Amended New Residential Development SPD (2018).

- 7) All construction work in relation to the development hereby permitted shall be carried out only in accordance with Reasonable Avoidance Measures which shall have been implemented on site to prevent harm to wildlife during the construction phases of the development in accordance with the following measures:

Amphibians

- Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians present to move away from the affected areas.
- The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them; and

- Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil (or similar) to prevent amphibians from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians.

Hedgehog

- A pre-commencement check for hedgehog.
- Any exposed open pipe systems should be capped to prevent mammals gaining access.

The avoidance measures shall be implemented in accordance with the above details and shall remain in force as such for the full duration of the construction phase of the development.

Reason: To ensure that the development does not cause harm to any protected species in the interests of biodiversity and to comply with the National Planning Policy Framework (2024) and Policies CS2 and CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 8) A) The dwelling hereby permitted shall not be occupied until bat and bird nesting boxes have been provided in accordance with the details of Drawing No: 01_04A - Proposed Bird and Bat Box Locations received 30 July 2025 approved pursuant to Condition 9 of planning permission referenced 25/00074/FUL (25/00074/COND1).

The development shall be carried out only in accordance with the approved details; and

- B) Photographic evidence of their installation shall be provided prior to the occupation of the dwelling and retained at all times thereafter.

Reason: In the interests of biodiversity conservation and to comply with the National Planning Policy Framework (2024) and Policy CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 9) If not already carried out, the demolition of the Summer House shall be carried out only in strict accordance with the recommendations set out in the supporting Ecological Assessment carried out by Tyrer Ecological Consultants Ltd dated July 2023. In particular:

- The building (B4 Summer House) should undergo a precautionary soft strip using hand tools at localised features of interest to the eastern aspect and around the front window - all areas where damage is present.
- The soft strip shall be carried out by appointed contractors and supervised by an Ecologist to check for evidence of bats and provide recommendations accordingly.
- If any evidence of bats is found, works would legally be required to cease and a mitigation licence requirement would be activated.

Reason: In the interests of biodiversity conservation and to comply with the National Planning Policy Framework (2024) and Policy CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 10) Prior to the installation of any external lighting on the application site, a lighting scheme shall have first been submitted to and been approved by the Local Planning Authority. The details shall include, but not be limited to:

- A detailed description and precise details of the type of lighting.
- Positioning details;
- Details of proposed luminance which shall be designed to protect ecology and does not result in excessive light spill onto habitats and have regard to the 'Bats and Artificial Lighting at Night' guidance which has been produced by the Institute of Lighting Professionals in conjunction with the Bat Conservation Trust

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

Reason: In order to minimise the effect of lighting on protected species, in the interests of biodiversity in the interests of visual amenity and to comply with the National Planning Policy Framework (2024), Policies CS2, CS8 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies DQ2 and ENV3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 11) No part of the plant room hereby permitted shall be commenced until a surface water drainage scheme which updates the agreed scheme details approved pursuant to Condition 12 of planning permission referenced 25/00074/FUL has 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 and the dwelling not occupied until the agreed surface water drainage system to serve the property has been implemented in accordance with the agreed details. The agreed drainage scheme shall be maintained in good working order at all times thereafter.

Reason: To ensure that appropriate surface water drainage is provided, in accordance with the National Planning Policy Framework (2024) and Policies CS2 and CS24 of the Knowsley Local Plan:Core Strategy, adopted January 2016.

- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) Schedule 2, Part 1 a) - b), d) - f) or any amendments made to that Order, shall not apply:

- i. no extensions (including porches) shall be carried out to the dwelling.
- ii. no additional storeys shall be constructed.
- ii. no dormer extension shall be added to the dwelling.
- iv. no buildings, enclosures, swimming pool or other pool or container for fuel storage shall be erected within the curtilage of the dwelling.
- vi. no additional hard surface shall be laid out within the curtilage of the dwelling.

unless on application to the Local Planning Authority, planning permission for such development has been granted.

Reason: To protect the residential and visual amenities of the area, safeguard the character of the development and the area, and to protect the openness of the Green Belt. Also to ensure compliance with the National Planning Policy Framework (2024); Policies CS2, CS5 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and saved Policy G7 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 14) Fixed plant and machinery associated with the development shall be designed to a level that is at least 5dB(A) below the existing L_{A90} background noise level as measured during the relevant time period. Any tonal, impulsive and/or irregular noise would be addressed by imposing a penalty as per the methodology set out in BS 4142:2014+A1:2019, Methods for rating and assessing industrial and commercial sound. Noise limits for fixed plant are to apply at a position 1 metre from the closest affected window of the nearest noise sensitive property.

Reason: In the interests of the amenity of neighbouring sites and to comply with the National Planning Policy Framework (2024), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies ENV2 and EC3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
28/01/2026	01703/SK/02	E	PROPOSED PLANS AND ELEVATIONS
06/01/2026	01_03 C05	-	PROPOSED LANDSCAPE PLAN
07/08/2023	1:1250	-	SITE LOCATION PLAN
10/07/2023	-	Issue 1.0	PRELIMINARY ECOLOGICAL APPRAISAL (TYER ECOLOGICAL CONSULTANTS - JULY 2023)
30/06/2023	-	-	ARBORICULTURE IMPACT ASSESSMENT AND METHOD STATEMENT (MP TREES - JUNE 2023)

Signed Case Officer¹:

M Wishart

**Signed Authorising
Officer²:**

Jo Sheridan

11/02/2026

Date:

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

Informatives

NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments;

- 1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Standing Advice valid from 1st January 2025 until 31st December 2026

- 2 **Environment Agency**
The comments of the Environment Agency in their letter dated 24 August 2023 as attached.
- 3 **United Utilities**
The comments of United Utilities in their letter dated 3 October 2023 as attached.
- 4 **Bird Nesting**
Breeding birds are protected under the general provision of Section 1 of the Wildlife and Countryside Act 1981 as amended. No scrub clearance, hedgerow removal, vegetation management or ground clearance should take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all scrub, hedgerows and vegetation should be checked first by an appropriately experienced ecologist to ensure no breeding birds are present.
- 5 **Bats**
All bat species are designated and protected as European protected species (EPS). EPS are protected under the Conservation of Habitats and Species Regulations 2017.

It is an offence to:

- deliberately kill, injure, disturb or capture them
- damage or destroy their breeding sites and resting places (even when bats are not present)
- possess, control or transport them (alive or dead)

It is also an offence under the Wildlife and Countryside Act 1981 to intentionally or recklessly:

- disturb bats while they occupy a structure or place used for shelter or protection
- obstruct access to a place of shelter or protection.

If bats are discovered during work or are suspected of being present, the relevant work should be halted, and Natural England (formerly English Nature) notified and further advice sought (<http://www.naturalengland.org.uk/>).

For more information about bats please go to the Bat Conservation Trust website: <http://www.bats.org.uk/>