



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 21/00825/FUL

Name and address of applicant

Mr Dennis Zhao
12 Mackets Lane
Halewood
Knowsley
L25 0LQ

Name and address of agent

GEO-NEO Uk Architectural
7 Orchid Grove
Riverside Gardens
Liverpool
L17 7EY
United Kingdom

Date of Receipt: 22 October 2021

Date Valid: 25 October 2021

Address/Location Of Development:

12 Mackets Lane
Halewood
Knowsley
L25 0LQ

Description of Development:

**INSTALLATION OF VENTILATION / EXTRACTION SYSTEM, EXTERNAL
STAIRCASE TO REAR AND REFUSE STORAGE AREA**

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. Prior to the first use of the extraction equipment, evidence (including photographs) that the odour control equipment, as detailed in the Purified Air Report (dated 17 March 2022) and the extraction system, as detailed in the Kitchen Ventilation Report (dated 18 March 2022), has been installed as detailed in the reports, shall be submitted to the local planning authority, for approval in writing.

For the avoidance of doubt the odour control equipment will include the following 2 stages:

1. ESP 4500E Unit
2. Carbon filtration system (18 carbon filters)

For the avoidance of doubt the stack shall:

1. Terminate via a high velocity discharge hat.
2. Be attached to solid structures using anti-vibration mountings.
3. Be fitted with an acoustic silencer on both the input and output face of the box fan, as stated in the report.

Once installed, the approved extraction system and odour control system shall be operated and maintained in accordance with the manufacturer's recommendations.

Reason: In order to avoid harm to the amenity of neighbouring properties.

4. a. Fixed plant and equipment associated with the development shall be designed to a level that is at least 5dB(A) below the existing LA90 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.
- b. Where possible, all fixed plant shall be turned off when the premises closes.

Reason: In order to avoid harm to the amenity of neighbouring properties.

5. The rear extraction equipment shall be painted black.

Reason: In order to ensure an acceptable appearance for the equipment.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
23/03/2022	W.20/88/03A	Rev A	Proposed Floor Plans
23/03/2022	W.20/88/04A	Rev A	Proposed Elevations
10/02/2022	W.20/88/05A	Rev A	Proposed Sections
09/02/2022	-	-	Ducting Details
24/01/2022	-	-	Refrigeration Specification
24/01/2022	-	-	Air Filtration Info
24/01/2022	-	-	Box Fan Specification
23/03/2022	-	-	Kitchen Ventilation Report
23/03/2022			Specification & EMAQ Report

22/10/2021	-	-	Extraction Diagram
22/10/2021	-	-	Fan Details
21/10/2021	W.20/88/00	-	Location Plan
21/10/2021	-	-	Ventilation Statement

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

CS6 - Town Centres and Retail Strategy

CS19 - Design Quality and Accessibility in New Development

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

H5 - Development within Primarily Residential Areas

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 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.

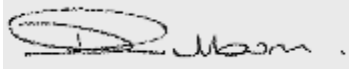
NOTE FOR APPLICANT:

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.

A handwritten signature in black ink, appearing to read 'S. Mann', is written over a light grey rectangular background.

Executive Director - Regeneration and Economic Development

Date: 28 April 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.