



Knowsley Council

REGENERATION AND ECONOMIC DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 21/00348/KMBC1

Name and address of applicant

Knowsley Council
Ground Floor
Yorkon Building
Archway Road
L39 9BF

Name and address of agent

Greyside Planning
Unit 46C
Jamaica Street
Liverpool
L1 0AF

Date of Receipt: 22 April 2021

Date Valid: 11 May 2021

Address/Location Of Development:

Archway Road Railway Bridge
Huyton
Knowsley
L36 9XF

Description of Development:

INSTALLATION OF LIGHTING TO ARCHWAY ROAD TUNNEL TO INCLUDE ASSOCIATED CABLING AND EQUIPMENT

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 light fittings and fixtures, cabling, junction boxes and feeder pillar shall be constructed in accordance with the approved plans as detailed on drawing nos. 9-038_102 Rev G and 9-038_103 Rev G. For the avoidance of doubt the development shall be constructed in accordance with the specification notes on these plans numbered 1 to 9 (but excluding 3) (including the fixing details a. to d.) and shall include the following:
- (i) The feeder pillar shall be finished in RAL 6028 'Hollybush Green';
 - (ii) The cabling shall be routed in accordance with the approved plans and the colour of the cabling and wall mounted junction boxes shall be black;
 - (iii) Fixings shall be in accordance with points a. to d. of the specification notes and shall be carried out in accordance with the method statement contained therein;
 - (iv) The external finish of the lighting housing material shall be silver grey 'anodised aluminium'.

Reason: To preserve the special architectural and historic character of the listed building in accordance with policies CS2, CS19 and CS20 of the Local Plan Core Strategy and the NPPF.

4. The lighting display hereby permitted shall not include the traffic signal colours red or amber at any time.

Reason: To avoid driver confusion and in the interests of highway safety. This condition has been imposed having regard to Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the NPPF.

5. The position of the lighting units shall be as set out in the following drawings: 9-038_102 Rev G and 9-038_103 Rev G.

Reason: To avoid impeding the free flow of traffic and in the interests of highway safety. This condition has been imposed having regard to Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the NPPF.

6. Fixed plant and machinery 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 should 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 shall apply at a position 1 metre from the closest affected window of the nearest noise sensitive property.

Reason: To protect residential amenity in accordance with the NPPF and policies CS2 and CS19 of the Knowsley Local Plan Core: Strategy, adopted January 2016 and Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
07/10/2021	9-038_101	REV G	PROPOSED SITE PLAN
07/10/2021	9-038_102	REV G	PROPOSED SECTIONS A & C
07/10/2021	9-038_103	REV G	PROPOSED SECTIONS B & D
07/10/2021	9-038_104	REV F	PROPOSED PARTIAL ELEVATIONS
17/07/2021		-	GRAZE COMPACT CONSTANT TORQUE HINGE DETAILS
04/04/2021	9-038_001	-	LOCATION PLAN
17/07/2021	IntelliHue, 100-277 VAC		GRAZE COMPACT POWERCORE (1219MM; 60x60) DETAILS
17/07/2021	IntelliHue, 100-277 VAC		GRAZE COMPACT POWERCORE (1219MM; 10x60) DETAILS

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:-

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

ENV2 Noise and Vibration

ENV3 Light Pollution

DQ2 Security in the Built Environment

DQ3 Gateway Sites and Corridors

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 Development Principles

CS6 Town Centres and Retail Strategy

CS7 Transport Networks

CS19 Design Quality and Accessibility in New Development

CS20 Managing the Borough's Historic Environment

Huyton Village Masterplan SPD

NPPF

Planning Practice Guidance (2014) DCLG

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 (Clare Appleyard on 0151 443 2848)

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 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.
- 2 The applicant, their advisers and contractors should be made aware that if any bats are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.



Executive Director - Regeneration and Economic Development

Date: 22 October 2021

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. 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.

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.