

Knowsley Metropolitan Borough Council
Planning Services
Municipal Buildings
Huyton
L36 9UX

06 August 2024

Dear Sir / Madam

Cavendish Walk, Huyton, Knowsley, L36 9YG - Section 73 Application relating to remove Condition 16 relating to planning application reference 04/01370/FUL

Broadgrove Planning & Development have been instructed to prepare and submit an application pursuant to Section 73 of the Town and Country Planning 1990 in order to delete Condition 16 attached to planning permission 04/01370/FUL. Permission was granted subject to conditions on 14 December 2005 for the following description of development:

Demolition of former Asda store, retention of basement car park and erection of 3 No. retail blocks (amendment to previously approved application 03/00289/FUL).

Condition 16 states:

The existing underground car park as shown on the submitted layout plan (ref 362-205 received on the 22 December 2004) shall be fully operational and provide the 72 spaces indicated prior to the first unit commencing trading unless otherwise first agreed in writing by the Local Planning Authority. The underground car park shall thereafter be made available for vehicle parking and manoeuvring purposed at all times that the development hereby permitted is in use.

Reason: To ensure that adequate on site vehicle parking/manoeuvring facilities are provided in the interests of highway safety and amenity and to comply with Policy T12 of the Knowsley Unitary Development Plan, adopted in June 1998.

The Condition sets out that the car park must remain open while the development is in use in order to provide sufficient car parking facilities in the interest of highway safety and amenity. The Committee Minutes indicate that the condition was added by the committee members and not suggested by the planning officers.

The current occupiers are experiencing significant issues with anti-social behaviour and health and safety issues in maintaining the underground car park. They are therefore looking for a solution, including the option to permanently shut the car park. As such this application seeks to demonstrate that it is not necessary to keep the car park open as sufficient parking capacity exists in the area and the removal of the 72 spaces within the underground car park would not result adverse impacts on highway safety or an unacceptable demand for parking on-street. It is noted that the car park has been closed for approximately 18 months and its closure has had an insignificant impact on highway operations and there remains a surplus of parking to serve the shopping centre. A Transport Technical Note prepared by Mode Transport Planners has been prepared which assesses local survey data accompanies this submission. The report demonstrates that there is a range of alternate car parks within a short walk from the application site and there is sufficient remaining parking capacity available within these car parks. Therefore, there are no highway or transportation reasons which should prevent the permanent closure of the underground car park.

The application is submitted via the Planning Portal under reference PP-13353848. The application fee of £363 (including £70 service charge) has been paid through the portal. I trust the above is clear but please do not hesitate to contact me should you have any queries. We look forward to discussing this application with you in due course.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Jack Appleton', is positioned above the printed name.

Jack Appleton

Associate

Email:

Mobile