



Knowsley Council

**REGENERATION AND ECONOMIC
DEVELOPMENT DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 21/00311/COU

Name and address of applicant

Patsyann O'Flaherty
35 Kenbury Road
Kirkby
Liverpool
L33 9TL

Name and address of agent

plans2build.uk
52 Monks Drive
Formby
Liverpool
L37 6DW

Date of Receipt: 7 April 2021

Date Valid: 13 June 2021

Address/Location Of Development:

The Peacock
Quarryside Drive
Northwood
Kirkby
L33 6XJ

Description of Development:

**CHANGE OF USE OF PART OF THE PUBLIC HOUSE TO FORM A HOT FOOD
TAKEAWAY/CAFE AND SEPARATE HAIRDRESSERS**

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. Customers shall not be served or accommodated in either the hot food takeaway premises or the hairdresser's salon hereby permitted except between the hours of 8am and 11pm on any day.

Reason: To safeguard the amenities of nearby residents and to comply with Policies CS2 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

4. The deliveries and refuse collection to the uses hereby permitted shall not be earlier in the morning than any deliveries or refuse collection for the public house and none shall take place after 8pm on any day.

Reason: To ensure that the amenities of nearby residents are not unduly compromised and to comply with Policies CS2 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

5. Prior to installation, details of the means of ventilation and fume extraction including:
 - a. the provision of odour filters;
 - b. the siting of any external ventilation stack; and
 - c. details of any measures which are necessary to attenuate noise from the ventilation stack,

shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully installed and operating prior to the hot food takeaway use hereby permitted being first brought into use. It shall thereafter be retained and operated to the approved specification at all times.

Reason: To safeguard the amenities of neighbouring occupiers and the area in general, in respect of odour and noise generation and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary development Plan adopted June 2006.

6. The entrance door of the hot food takeaway hereby permitted shall have a self-closing device attached which shall operate at all times that the hot food takeaway is in use and shall be retained at all times.

Reason: In order to safeguard the residential amenity of the area and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted in June 2006.

7. Notwithstanding the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (and any Order or Regulations revoking and re-enacting the Order or Regulations), the proposed hairdresser's salon hereby permitted, within the existing The Peacock PH building, to which this permission relates shall be used as a hairdresser's salon only and for no other use, including retail use, falling within Use Class E of those Regulations or in any provision

equivalent to that Class in any statutory instrument revoking and re-enacting those Regulations, except with the prior grant of a further planning permission.

Reason: To enable the Local Planning Authority to assess any proposal for a further change of use, whether or not it falls within the same Use Class and to comply with Policies CS2, CS4 and CS6 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
01/11/2021	21/PEAC/02	B	EXISTING AND PROPOSED ELEVATIONS
01/11/2021	21/PEAC/01/	B	EXISTING AND PROPOSED FLOOR PLANS
07/04/2021	TQRQM2105316 2829449	-	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

CS4 - Economy and Employment

CS7 - Transport Networks

CS19 - Design Quality and Accessibility in New Development

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

H5 - Development within Primarily Residential Areas

ENV2 - Noise and Vibration

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 (Lee Osborne on 0151 443 2395)

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.

Executive Director - Regeneration and Economic Development

Date: 22 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. 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.
- 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.