



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 22/00366/FUL

Name and address of applicant

Shakespeare North Playhouse Trust
Municipal Buildings
Archway Road
Huyton
L36 9YU

Name and address of agent

Knowsley Council
Municipal Buildings
Archway Road
Huyton
L36 9YU

Date of Receipt: 1 June 2022

Date Valid: 22 June 2022

Address/Location Of Development:

Shakespeare North Playhouse
Prospero Place
Prescot
Knowsley
L34 3AB

Description of Development:

VARIATION OF CONDITION 8 (PART A AND C) OF PLANNING PERMISSION 20/00411/FUL TO ALLOW FOR CHANGES TO PERMITTED OPERATIONAL HOURS TO 07:00 TO 24:00 ON ANY DAY AND UNTIL 01:00 FOR A MAXIMUM OF 12 DAYS PER YEAR; AND CHANGES TO THE PERMITTED HOURS FOR DELIVERIES/REMOVALS (INCLUDING BUT NOT LIMITED TO REFUSE COLLECTION) TO 07:30 TO 24:00 ON ANY DAY AND UNTIL 01:00 FOR A MAXIMUM OF 12 DAYS PER YEAR)

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 hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1 in addition to the plans and documents approved via condition discharge under application 19/00111/FUL and 20/00411/FUL.

Reason: For the avoidance of doubt.

2. Within six months of the date of the planning permission a scheme for external lighting shall be submitted to the Local Planning Authority for its written approval.

The lighting scheme shall include all details of siting and lighting column/fixture details and an Isolux plot to demonstrate that the obtrusive light limitations suggested in the Institute of Lighting Engineers Guidance Notes for Light pollution are met. All works which form part of the scheme shall be implemented in accordance with timescales set out in the approved scheme and shall be retained and thereafter operated as such (formerly condition 5 20/00411/FUL).

Reason: In the interest of visual amenity and to comply with policy SC19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

3. Within 3 months of the date of the Theatre being brought into use a Travel Plan shall be submitted to the Local Planning Authority for its written approval. The Plan shall include immediate, continuing and long-term measures to promote and encourage alternative modes of transport, away from single-occupancy car travel. For the avoidance of doubt, the Travel Plan shall include:

- Information on existing transport policies and facilities, travel behaviours and attitudes.
- Access for all modes of transport.
- Targets for mode share.
- Resource allocation including Travel Plan Co-Ordinator and budget. A parking and management strategy.
- A marketing and communications strategy.
- Appropriate measures and actions to reduce car dependence and encourage sustainable travel.
- An action plan, including a timetable for the implementation of each of the above.
- Mechanisms for monitoring, reviewing and implementing Travel Plan.

The approved Travel Plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied and in use.

An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for a period of 5 years. The report shall include a review of the Travel Plan measures, monitoring data and updated action plan.

Reason: To maximise opportunities for travel by modes of transport other than the private car, and in the interest of highway safety, and to comply with Saved Policy T9 of the Knowsley Replacement Unitary Development Plan adopted in June 2006 and Policy CS7 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the national Planning policy Framework.

4. The development hereby permitted shall operate within the following hours:
- a) The Theatre shall only be open to the public (including students) during the hours of 07:00 to 24:00 on any day and until 01:00hrs for a maximum of 12 days per calendar year
 - b) No ancillary activities including performances or educational activities shall take place outside the main building except between the hours of 08:00 until 22:00 on any day
 - c) No deliveries or removals (including but not limited to refuse collection) shall take place outside the hours of 07:30 to 24:00 on any day and until 01:00 for a maximum of 12 days per calendar year).

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policy ENV2 of the Knowsley Replacement Development Plan, adopted June 2006.

5. If the approved sustainable drainage system is not adopted by a public body or statutory undertaker then, prior to the first occupation, a Management and Maintenance Plan for the sustainable drainage system, relating to the lifetime of the development, shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- Details of the provision for management and maintenance
- A schedule for on-going inspections relating to performance and condition
- Details for planned maintenance and a mechanism for remedial and urgent repair works
- Means of access for inspection and maintenance purposes the Plan shall be implemented in accordance with the time frames contained within it.

Reason: To ensure effectiveness of the flood risk measures during the lifetime of the development policies CS2 and CS24 of the Knowsley Local plan Core Strategy.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development specified therein as Permitted Development shall be carried out in relation to any building or other land subject to this permission (formerly condition 11 20/00411/FUL).

Reason: In order to prevent unsympathetic alterations, extensions, boundary fencing, or walls being erected, in the interests of visual amenity and to preserve the character and appearance of the Prescott Town Centre Conservation Area in accordance with and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and Saved Policy DQ5 of the Knowsley Replacement Unitary Development Plan adopted June 2006 and the national Planning policy Framework.

7. The noise mitigation strategy (submitted 28/07/2022) shall be fully adhered to at all times.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2 and H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
28/07/2022	-	-	Evening Noise Mitigation Scheme
01/03/2019	17-00058	A	Arboricultural Impact Assessment 19/00111/FUL
01/03/2019	17-00058	B	Arboricultural Method Statement 19/00111/FUL
10/04/2019	-	F	Construction method statement 19/00111/FUL
19/12/2018	-	F	Approval in principle Mill Street support 19/00111/FUL
11/09/2017	60532186	1	Acoustic Planning Report 17/00577/FUL
11/09/2017	376013/002/B	-	Contaminated land risk assessment 17/00577/FUL

11/09/2017	J07066	-	Desk study & ground investigation 17/00577/FUL
11/09/2017	SE-RRG-F-001 Rev 3	-	Report on ground investigation 17/00577/FUL
25/10/2017	-	1.3	Written scheme of investigation for archaeological works 17/00577/FUL
12/11/2020	-	-	
12/11/2020	916020-ASL-00-GF-DR-A-0008	REV P6	Elevations (sheet 1 of 2)
12/11/2020	916020-ASL-00-GF-DR-A-0009	REV P6	Elevations (sheet 2 of 2)
07/03/2019	916020-ASL-00-GF-DR-A-0005	REV P1	Proposed third floor plan
01/03/2019	916020-ASL-00-ZZ-DR-L-0991	REV P1	Location plan
23/07/2020	916020-ASL-00-02-DR-A-0003	REV P2	Proposed Second floor Plan
23/07/2020	916020-ASL-00-ZZ-DR-L-0992	REV P10	Proposed Site Plan
23/07/2020	916020-ASL-00-01-DR-A-0002	REV P2	Proposed First Floor plan
23/07/2020	916020-ASL-00-03-DR-A-0004	REV P2	Third floor & Technical Level
23/07/2020	916020-ASL-00-03-DR-A-0250	REV P5	Roof Level Plant Screen
23/07/2020	916020-ASL-00-04-DR-A-0006	REV P2	Attic level
23/07/2020	916020-ASL-00-GF-DR-A-0001	REV P2	Ground Floor plan
23/07/2020	916020-ASL-00-RL-DR-A-0007	REV P2	Roof level

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:-

National Planning Policy Framework (2021)

Knowsley Replacement Unitary Development Plan (2006):

H5 – Development within Primarily Residential Area

EC6 – Tourism and Cultural Development

S2 – Diversification of uses within existing Centres

ENV 2 – Noise and vibration

Knowsley Local Plan Core Strategy (2016):

CS7 - Transport Networks

CS2 - Development Principles

CS4 - Economy and Employment

CS19 - Design Quality and Accessibility in New Development

CS24 - Managing Flood Risk

ENV2 - Noise and Vibration

ENV3 - Light Pollution

ENV5 - Contaminated Land

DQ2 - Security in the Built Environment

DQ4 - Trees and Development

T9 - Travel Plans

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 (Jo Sheridan on 0151443 2376)

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: 24 August 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.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months 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.