

APPLICATION NO: 22/00763/FUL **CASE OFFICER:** Maxine Wishart

WARD: St Gabriels **PARISH:**

LOCATION: Vacant Land To Rear Of 171-177 Tarbock Road, Huyton, Knowsley

PROPOSAL: ERECTION OF SINGLE STOREY BUILDING FOR STORAGE USE IN CONNECTION WITH ADJACENT SHOP TOGETHER WITH THE CONSTRUCTION OF 11 NO. SPACE CAR PARK AND NEW VEHICULAR ACCESS OFF ST JOHNS ROAD

KNOWSLEY LOCAL PLAN ALLOCATION –

Primarily Residential Area

Site Description

The application relates to an area of vacant land located off St. John's Road, Huyton extending over an area of approx. 700 sq m. The site is located close to a signalised junction with Tarbock Road and part of the site faces Greenfield Drive. The application site is associated with the All in One convenience store located to the south west and is detached from that property by an existing access off St John's Road and service yard with an existing detached double garage. A brick wall separates these areas.

The site is vacant and accessed via double palisade gates at the southern corner of the site.

The application site is surrounded by other residential dwellings located on the opposite side of St John's Road, to the south west by dwellings on Tarbock Road and to the north and west by dwellings located on Beech Road. Immediately to the east of the site, sharing a common boundary, sits two-storey commercial premises comprising of a Funeral Directors with associated off-street parking immediately off St. John's Road.

The site is fronted by an existing hedge, which has recently been significantly cut back and reduced in height. A pavement runs along the site frontage and there are parking restriction comprising double yellow lines to the front of the site and the surrounding junctions.

Proposal

The application proposes the erection of a single storey detached building which would be used as a storage building to store convenience goods in connection with the adjacent All in One convenience store (175-177 Tarbock Road) and the construction of a car parking area providing 11 car parking spaces with a new access off St. John's Road.

The building would be a brick structure with a duo-pitched roof which would have dimensions of 11.5 m wide by 5 m deep. It would be 2.67 m to the underside of the eaves and attain a maximum ridge height of 4m. It would be set back into the site by

approximately 6.7 m; have an access point via a roller shuttered opening facing into the car park and a smaller roller shuttered opening on the rear which would be accessed via the existing service yard behind 171 – 177 Tarbock Road.

The car park would be accessed from St. John's Road and comprise of 11 no. spaces, including 2 no. disabled bays. Nine of the parking bays would be sited off the boundary with the adjacent Funeral Director's premises, the other 2 no. spaces would be sited in front of the proposed building with hardstanding in between providing manoeuvring space.

It is proposed to provide a separate pedestrian access/egress point from the car park adjacent to the vehicle access which would lead to the existing pavement fronting the site and leading to the entrance to the shop.

An existing access, currently enclosing the site with double 2.4 m high palisade gates is to be closed off. It is proposed to provide soft landscaping around the site.

Consultations

Highway Authority - No objections subject to conditions.

Environmental Health - No objections subject to conditions.

United Utilities Water Ltd - Advise they will not allow building over or in close proximity to a water main. A water main is located in the vicinity of the site. It must not be built over, or our access to the pipeline compromised in any way. We require an access strip.

Cadent Gas Limited - Cadent have identified that the site is in close proximity of their medium and low pressure assets. They have no objection to this proposal from a planning perspective, however, to prevent damage to their assets or interference with their rights, they have requested that an Informative Note is added to the Decision Notice.

Representations

This application has been publicised by letters sent to 15 neighbours. It has also been advertised by Site Notice

There have been 3 letters of objection, two of which are from the same person. The representations are summarised as follows:-

- a) Detail of Building:
 - How big will the storage unit be and what will the construction material be?
- b) Use of building unknown.
- c) Excessive size of car park.
- d) Highway safety concerns:
 - Vehicle access onto St John's Road would be dangerous as oncoming traffic to a major set of traffic lights would be hazardous.
 - If parking is to be off-street then bollards should be installed to deter kerb-side parking.
- e) Security Concerns:
 - Require additional security to their existing boundary fence.

- Query what security would be provided for car park.
 - Will car park be locked and closed when the shop is shut?
 - Security of land when shop premises are closed.
 - Access to alleyway running between the rear of Tarbock Road and Beech Road.
- f) Anti-social behaviour:
- Unsocial and possible illegal activities.
 - The current plans show no additional street lighting being installed, which suggest the car park will be dark and encourage anti-social behaviour.
- g) Noise and disturbance:
- With shop being open 7 days and until late in the evening this will create
 - Additional noise and lighting from vehicles, loud behaviour and any additional security lighting - all invading my property.
 - There are 4 dogs in my immediate vicinity(sic), extra noise and light will cause these dogs to be alarmed, causing them to bark excessively. Stress for the dogs as well as me.
- h) Boundary treatments:
- What will the boundary material be made of?
 - Will the hedging surrounding this plot be replaced with brickwork, if not, why not?
- i) Loss of visual amenity.
- j) Waste Management:
- What will be done about Waste Management?
 - Additionally, there appears to be no increased provision of bins and currently the area is covered in litter from the shop.
- k) Landscaping Concerns:
- Potential for roots to encroach onto neighbouring land.
 - The plans show a perimeter of trees/bushes but the application does not detail the exact number of type of trees/bushes, which seems to suggest this will not be followed through upon completion.

Planning History

APP. NO: 01/00769/COU
PROPOSAL: CONTINUATION OF USE OF LAND FOR STORAGE OF ROOFING MATERIALS AND RETENTION OF 2 NO CONTAINERS TO BE USED AS STORAGE, 1 NO CONTAINER TO BE USED AS OFFICE. TOGETHER WITH THE ERECTION OF 2M HIGH GATES TO SITE ENTRANCE.
DECISION: Refused
DECISION DATE: 18 March 2002

APP. NO:
PROPOSAL: ERECTION OF SINGLE STOREY BUILDING FOR STORAGE USE AND CONSTRUCTION OF CAR PARKING AREA FOR 8 NO. CARS TOGETHER WITH NEW VECHICULAR ACCESS
DECISION: Granted
DECISION DATE: 19 March 2008

APP. NO: 13/00194/COU
PROPOSAL: CHANGE OF USE OF LAND FOR USE AS A CAR WASH, THE CREATION OF A NEW VEHICULAR ACCESS ONTO ST JOHNS ROAD, THE ERECTION OF A 2-METRE-HIGH PALADIN FENCE AND GATES ALONG THE FRONTAGE, A 2.4M HIGH PROTECTIVE SCREEN SITE FENCE, THE ERECTION OF A SITE BUILDING AND ASSOCIATED LANDSCAPING
DECISION: Refused
DECISION DATE: 6 June 2013

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

NATIONAL PLANNING POLICY FRAMEWORK

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles
CS7 - Transport Networks
CS8 - Green Infrastructure
CS19 - Design Quality and Accessibility in New Development
CS21 - Greenspaces and Trees
CS24 - Managing Flood Risk
CS26 – Waste Management

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

H5 - Development within Primarily Residential Areas
T10 - Access for the Less Mobile
DQ2 - Security in the Built Environment

ENV2 - Noise and Vibration
ENV3 - Light Pollution
ENV5 - Contaminated Land

SUPPLEMENTARY PLANNING DOCUMENTS

Ensuring a Choice of Travel SPD (2010)
Design Quality in New Development SPD (2016)

The application site is located within a Primarily Residential Area, the use associated with an existing convenience store is considered to be acceptable in principle in such a location subject to the development satisfying relevant policy requirements as discussed in this report.

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of clarity and concern within the application (as originally submitted) and negotiating with the applicant, acceptable clarification / 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.

ASSESSMENT

Background

Planning permission was granted for a similar proposal in 2008 (Ref: 08/00036/FUL). The development granted planning permission subject to conditions was granted for the erection of a storage building and for 8 no. car parking spaces with new access off St. Johns Road.

Previous planning decisions are capable of being a material consideration, that is, *one which is relevant to making the planning decision in question (eg whether to grant or refuse an application for planning permission)* (para 008 Planning Practice Guidance).

It is noted that the permission granted under the above 2008 permission, due the time elapsed, is not capable of implementation. However, in circumstances where an earlier decision is a material consideration in the context of a current application, the Local Planning Authority (LPA), if coming to a different view on the decision, must provide clear reasons for any departure from their original position. It is open to the LPA to reach a different decision but only if it can justify what circumstances have changed to come to a different view to that of the earlier decision.

Although the earlier application was granted some 15 years ago, officers consider that there have been no significant changes to either national or local planning policy which would reverse the principle of the development. The principle of the development is therefore acceptable, and it is the impacts of any changes to the development currently under consideration that must therefore be considered, as detailed below.

Layout and Design

The building would be located adjacent to the common boundary with the existing

shop premises. It would be set back 6.8 m into the site from the site frontage on St. John's Road and approximately 7.8 m from the rear boundary which is shared with existing residential properties on Beech Road and 169 Tarbock Road.

The proposed car parking area would be set in front of the storage building and would comprise of 2 no. spaces located immediately to the front of the building to the left of the access point. The other 9 spaces would be laid out to the right, along the common boundary with the adjacent Funeral Director's premises to the northeast of the site. These 9 no. parking bays would be separated from the boundary by soft landscaping.

The previous permission (08/00036/FUL) proposed a different siting, whilst in the proximity of that proposed, previously the building was 11 m off the boundary to the rear and approximately 5 m from the site frontage; the building was set in off the common boundary with 171 – 175 Tarbock Road by between approx. 1 - 2 m. The proposal would be 8 m off the rear boundary; 6.8 m from the site frontage and would be located immediately adjacent to the common boundary with properties on Tarbock Road.

In terms of the size of the building, the earlier permission proposed a building with dimensions of 12 m by 7 m attaining a height of 4.5 m to the ridge. This current application proposes a smaller footprint with dimensions of 11.5 m by 5 m attaining a maximum height of 4 m.

The proposed building would be of a simple functional design, constructed of brickwork with a grey tiled roof. In terms of the objector comments in relation to the size and materials of the building and impacts on visual amenity, firstly the detail is clear from the submitted application form and plans which indicate the materials and show key dimensions. Furthermore, if planning permission is granted it is considered prudent to secure brick detail by condition. The proposed building is considered to be of an acceptable scale in relation to its surroundings and is smaller than previously approved.

Eleven car parking spaces and manoeuvring areas are proposed with soft landscaping around the site, though the detail of these elements are not known at this stage. The limited detail is a cause for concern from an objector, who doubts that the landscaping would be provided and that the roots could encroach onto their land. In the first instance, if planning permission is granted, and a condition would be imposed to secure suitable landscaping of the site is carried out. Regarding the second point, encroachment of roots from planting would be a civil matter. Nonetheless, adequate distance from surrounding properties should ensure that this would not be likely to be an issue.

Comments have also been raised by a neighbour concerning the proposed boundary treatments, their concern continues to question whether the hedge to the site would be replaced by a brick wall.

The existing comprises a brick wall and palisade double gates to the side elevation along the boundary with 171 – 175 Tarbock Road; timber fencing to the rear along the boundary with 169 Tarbock Road and properties on Beech Road; and part concrete panel fence with a section of brick wall to the boundary with the Funeral Director's premises. In regard to the site frontage, since the submission of the application the existing hedge has been removed in its entirety and the site is now open to the street.

The application does not indicate that there would be modifications to the existing boundary treatments were they separate existing dwellings. It is proposed that the access / egress point of the car park would be controlled by a 1 m high barrier.

In addition, a separate gated pedestrian access would be provided. No details of the gates / barriers are provided and the precise scheme details of such would be secured by condition if planning permission is granted.

Hedgerow

At the time of submission, situated along the site frontage with St, John's Road there was a semi-mature mixed species hedge which consisted predominantly of Hawthorn. Officers note that since the planning application was submitted the hedge to the front of the site has been removed. Whilst the hedge was not protected it did provide beneficial visual amenity value to the streetscene and the retention of sections of the hedge, albeit to a much-reduced height would have assisted in softening and enclosing the development.

Whilst the application indicates that a new 1m high barrier would be provided at the new access, there would need to be other means of enclosure to secure the site and an appropriate scheme of landscaping. Both these requirements are proposed to be secured by suitable planning conditions if planning permission is granted.

Overall, the layout and design of the proposed development, subject to appropriate planning conditions is considered acceptable and provided adequately enclosed and landscaped would not be detrimental to visual amenity.

Waste Management

The application as submitted does not include for the provision of waste bins to serve the development. A neighbour objection raises this issue and states that currently the area is covered in litter from the shop. There is an existing litter bin to the front of the shop on Tarbock Road, however, there is also evidence of litter both on the site and in the vicinity. Whilst this cannot be corroborated by officers that users of the shop are responsible, it is considered that it would be reasonable to require the applicant to provide a litter bin within the car park. This can be secured by an appropriate planning condition if planning permission is granted.

Security / Crime Prevention Considerations

Concern has been raised from objectors in relation to the security of the site, particularly outside of the hours that the shop is open. It has been raised that, especially as lighting of the site is not shown, the development could lead to anti-social behaviour.

Paragraph 92 criterion (b) of the National Planning Policy Framework (NPPF) states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder and the fear of crime, do not undermine the quality of life or community cohesion... Fear of crime is therefore a material consideration, although the weight that it can be given is limited unless there is significant evidence to show that the increased fear of crime would actually occur.

It is acknowledged that neighbours have legitimate concerns about the potential for an increase in crime and anti-social behaviour. However, the fear of crime is only a material consideration where the proposal would provide a reasonable basis for concern.

Whilst there is no firm evidence that such occurrences would ensue from the development it is considered that the site should be made secure overnight to deter it from attracting anti-social behaviour. Whilst the application has been amended to provide a barrier at the site entrance, which the application proposes to be open to coincide with the opening hours of the shop (0600 – 2200), the loss of the hedge means that there will be a requirement for additional means of enclosure. The hours of use of the car park is also a matter that officers consider should be controlled beyond that which the applicant proposes and this is discussed further below.

A neighbour further submits that they would require additional security to their boundary fence and mention is also made in relation to an alleyway off Beech Road backing onto the site which it is feared would provide an escape route from the application site. It is not considered that the proposed development would result in a security risk such that it would necessitate re-enforced boundary treatments and whilst it is acknowledged that the writers fear that this may be an issue, the alleyway is secured along the common boundary by a concrete block wall. It is noted that enhanced boundary treatments between the site and residential properties was not a requirement of the earlier permission.

It is considered that appropriately conditioned, if planning permission is granted, the proposed development would not result in significant security concerns that would warrant refusal of planning permission, and this is also having regard to the previous approval being a material planning consideration.

On balance therefore the layout and design of the proposed development, subject to relevant planning conditions is acceptable.

Residential Amenity

The main considerations in relation to the proposed development would relate to the impact of the proposals in terms of the siting of the building together with potential impacts from the use of the building and the car park in terms of noise and disturbance.

The site is bounded by residential dwellings to either side and rear on Tarbock Road and Beech Road; and on the opposite side of St. John's Road / Greenfield Drive and further along St. John's Road. The building would present a gable elevation to that would be sited approx. 8 m off the rear boundary shared with properties on Beech Road. It would be sited immediately adjacent to the rear boundary with dwellings to the south, located at 171 and 173 Tarbock Road. There is an existing high brick wall, a service yard area and an existing double garage sited in between the development and those dwellings.

In regard to neighbour comment made in relation to overlooking and loss of privacy, taking account of the modest scale of the building and the relationship of the siting it is not considered that the building would be detrimental to the amenities of local residents.

Noise

In regard to the noise and disturbance issues that objectors have raised, it is acknowledged that the proposed development has the potential to generate noise from comings and goings, deliveries, and potential operation of any external plant.

The building would be used for the storage of convenience goods associated with the existing 'All-One' store adjacent to the application site. In terms of the activities proposed, the applicant's agent has stated that there would typically be 3 - 5 deliveries to the storage building per week. The application proposes that the car park would operate the same opening hours as the shop premises. The application proposes that the car park and access would be open from 0600 – 2200 hours and will be automatically closed outside of these hours.

Nevertheless, officers consider that to mitigate impacts of disturbance from the use of the building and the car park, given the site's location within a primarily residential area, the hours of use and that of deliveries should be more stringently controlled. It is considered that the car park should not be available to customers and that the building should not be accessible outside the hours of 0700 hours to 2200 hours on any day. In terms of deliveries, this should be restricted to between the hours of 0700 – 2100 hours Monday to Saturday and 0900 to 1800 hours Sundays and Public Holidays. This can be secured through conditions should planning permission be granted.

It is noted that these hours of operation are broader than that previously granted in 2008 which required:

- Site frontage to be locked outside the hours of 0800 to 1800 hours Monday - Friday and 0900 – 1800 hours Sundays/Bank Holidays; and
- Deliveries not to be made outside the hours of 0800 – 1800 hours Monday – Saturday and 0900 - 1800 hours Sundays/Bank Holidays.

However, it is considered that the hours proposed by condition would be less onerous on the applicant whilst still protecting the residential amenity of surrounding residents.

Lighting

Turning to objection raised in respect of lighting from vehicles, there is existing fencing which separates the site from residential properties and given the juxtaposition of dwellings it is not considered that detrimental impacts from car headlights would ensue from this development.

As for lighting of the application site, it is considered that as the car park and building would be operational during darkness and as such, in the interests of safety, the car park should be provided with some form of lighting and this can be secured via a suitable condition should planning permission be granted. Any lighting scheme should ensure that it would not impact on the amenity of neighbours.

It has been expressed by an objector that extra noise and light will cause dogs in the vicinity to be alarmed, causing them to bark excessively which would be stressful for the dogs and the writer. Whilst the perception of such impacts can be a material consideration, to carry weight in the determination of the application, this must be based on sound reasons. In this instance, officers do not consider that there is reasonable evidence for this fear of disturbance to justify a reason for refusal of this application.

It is acknowledged that the operation of the development could cause some degree of noise and disturbance. However, suitably controlled through the imposition of planning conditions (if planning permission is granted) which minimise activity such

as restricting the hours of the use and deliveries would mitigate unreasonable harm to the amenity of surrounding residents. In this instance it is not considered that there would not be sufficient concern to justify refusal of planning permission in this instance, particularly having regard to the previous consent.

Highways

A neighbour has expressed concern in relation to the access point due to there being a danger from oncoming traffic close to major set of traffic lights. The Council's Highways Engineer has stated that whilst visibility is below that normally required for a road of this speed, the presence of speed cushions and the location of the site close to the staggered, signalised crossroads of Tarbock Road with St John's Road and Wheathill Road, would allow for reduced visibility to be considered. The visibility splay to the south is considered appropriate.

Notwithstanding the above, the Council's Highway Engineer has opined that the technical visibility has the potential to be restricted by the presence of on-street parking (partially on the pavement), this is particularly true of the area between the proposed car park access and the start of the pedestrian barrier situated adjacent the pedestrian crossing at the St John's Road/Tarbock Road/Wheathill Road signals which would remain a shorter distance to the shop entrance. This is currently used as the primary area for short stay customer parking despite the waiting restrictions in force (double yellow lines). A neighbour has also commented that if there is to be off-street parking, bollards should be installed to deter kerb-side parking.

In order to discourage such parking, the Council's Highways Engineer has indicated that they would require the extension of the pedestrian guard railing as far as the proposed site access, except for a gap to allow retained service access to the rear of the shop. It is Officer's view however, that this would be too onerous and disproportionate placing unjustifiable financial burden on the applicant. This is having regard to there being existing parking restrictions in place which should control parking under an existing and separate regulatory regime. It is noted that no such requirements were made of the 2008 permission and that the same parking restrictions were in place at that time. It is therefore considered that there has not been any significant changes in circumstances since the last permission was granted that would warrant the imposition of such an obligation on the applicant.

Subject to conditions it is considered that the development would not have a detrimental impact on highway safety.

Environmental Issues

The Council's Environmental Health Officer has reviewed the application and have no objections to the proposed development. However, they note that the site has previously had a drainage ditch infilled and a watching brief is required.

Environmental Health Officers recommend that if planning permission is granted, an advisory note should be attached to any decision advising that it is the developer's responsibility to report any contamination encountered during the development. This can be secured through the use of a suitable informative on any decision.

Other Issues

Roller Shutter

It has been noted that a roller shutter has been installed at the existing vehicle

service access to the rear of the shop premises taken off St John's Road. This does not form part of the application under consideration. The Council's Enforcement Officer will be notified and relevant action initiated.

Conclusion

The proposed development is considered acceptable in terms of the design; siting, impact on visual amenity, access and impacts on residential amenity and would be in compliance with relevant national and local policies.

The proposal is therefore recommended for approval.

Recommendation

That planning permission be granted subject to the following conditions:

Time Limit

- 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).

Approved Plans

- 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.

Materials Specification

- 3) Notwithstanding any description of materials in the application, no above ground construction works shall take place until a specification of materials to be used externally on the building and any walls together with a sample of the brick have been submitted to and approved in writing by the Local Planning Authority.

Such details shall include the type, colour and texture of the materials and should be reflective of those within the surrounding area. The development shall be carried out only in accordance with the agreed schedule of materials.

Reason: In the interests of visual amenity and to comply with saved Policy H5 of the replacement Unitary Development Plan, adopted June 2006, Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework (2021).

Landscaping

- 4) Notwithstanding the any details and any description of materials on the approved drawings, no above ground construction works shall be commenced until precise scheme details of soft landscaping works have been submitted to and agreed in writing by the Local Planning Authority. The details shall relate to all land surfaces not built upon and shall include, but not be limited to:

- a) Hard surfaced materials including samples (where appropriate).

- b) Planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.
- c) Existing plants / hedges / trees to be retained.
- d) A detailed regime for the ongoing and longer-term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be wholly implemented and completed within the first available planting season following the substantial completion of development or a timetable to be agreed.

Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage. The development shall be fully constructed in accordance with the approved scheme in accordance with timescales contained therein.

Reason: In the interests of visual amenity and to comply Saved Policies H5, DQ2 and DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS8, CS19 and CS21 of the Knowsley Local Plan Core: Strategy, adopted January 2016 and the National Planning Policy Framework (2021).

Hard Surfacing Scheme

- 5) The development shall not be brought into use until precise scheme details identifying the hard surfaced materials including samples (where appropriate) and proposed demarcation of the areas for the movement, loading, unloading and parking of vehicles have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the agreed scheme has been hard surfaced, drained within the site and permanently marked out or demarcated in accordance with the approved details. These areas shall be retained as such at all times thereafter.

Reason: To ensure that adequate on site vehicle parking and manoeuvring facilities are provided in the interests of highway and pedestrian safety and to comply with Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework (2021).

Boundary Treatments

- 6) Notwithstanding any detail or description on the approved drawings, prior to any above ground works taking place, precise scheme details of all boundary treatments (including existing to be retained), gates / barriers or other means of enclosure to be erected shall be submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt and in the interest of certainty:

- a) The scheme shall include details on how the site frontage will be secured to restrict access to the site outside hours of use.

- b) The existing gated entrance off St John's Road to be closed shall be constructed in brickwork to match the existing (adjacent) wall.

The approved details shall be installed prior to the substantial completion of the car park hereby approved and shall be retained and maintained at all times thereafter.

Reason: In order to ensure that the site is suitably secured to reduce the risk of crime and anti-social behaviour in the interests of the visual and residential amenity of the area and to comply with Saved Policies DQ2, H5 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework (2021).

Existing Access Closure

- 7) The existing gated access point into the site off St John's Road shall be closed in accordance with details agreed pursuant to condition 6 of this permission prior to the first occupation of any part of the development hereby approved.

Reason: In the interest of highway safety and visual amenity and to comply with Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework (2021).

Visibility Splays

- 8) No part of the development shall be brought into use until visibility splays of 2 metres by 2 metres have been provided on each side of the car park access. The depth shall be measured from the back of footway/verge into the site and the width measured outward from the edges of the access. The splays shall be provided clear of obstructions to visibility above the height of 1.0 metres measured from the footway/verge level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.

Reason: To provide the driver of a vehicle using the access and other users of the public highway with adequate inter-visibility and to comply with Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework (2021).

Lighting Scheme

- 9) Prior to the development hereby permitted first being brought into use, a scheme for the provision of lighting for outside of the building and the parking area, together with the pedestrian access route shall have first been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt, the details shall include, but not be limited to:

- A site layout indicating positions of lighting;
- Detailed drawings and precise details of the type of lighting
- Manufacturer's specifications; and which shall be designed so that the lighting does not result in excessive light spill onto the highway or adjacent sites.

The approved scheme shall subsequently be implemented prior to the development coming into use and retained and maintained in accordance with the approved details at all times thereafter.

Reason: To ensure the development is safe and convenient for future users, in the interests of security and residential amenity and in order to minimise the effect of lighting on the surrounding highway network and neighbouring sites to comply with Saved Policies T10, DQ2 and ENV3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework (2021).

Litter Bin(s)

- 10) No part of the development hereby permitted shall first be brought into use until a scheme for the installation of a litter bin(s) within the application site together with proposals for regular emptying and measures to collect litter from the site has been submitted to and approved in writing by the Local Planning Authority.

The bin(s) shall be provided in accordance with the agreed scheme before the development is brought into use and together with the approved litter / waste strategy, maintained in accordance with the agreed details thereafter.

Reason: In the interest of the amenity of the area and to comply with Saved Policies H5, ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS19 and CS26 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework (2021).

Hours of Use

- 11) Notwithstanding the details submitted:

- a) the car park shall be gated and locked and unavailable to customers; and
- b) the building shall not be accessed

outside the hours of 0700 hours to 2200 hours on any day.

Reason: In the interests of the amenity of local occupiers and to reduce the risk of crime, anti-social behaviour and noise to comply with Saved Policies H5, ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS19 and CS26 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework (2021).

Delivery Times

- 12) Notwithstanding the details submitted, deliveries shall not be made to the building or the application site outside the hours of:

0700 – 2100 hours Monday to Saturday and
0900 to 1800 hours Sundays and Public Holidays

Reason: In the interest of residential amenity and to safeguard local occupiers from noise to comply with Saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2

and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework (2021).

External Plant

- 13) No external plant (including refrigeration / air conditioning units) shall be installed to serve the building hereby permitted without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenity of nearby properties and to safeguard local occupiers from noise to comply with Saved Policies H5, ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework (2021).

Restriction of Use of Building

- 14) The building to which this permission relates shall only be used in connection with the adjacent shop premises located at 175-177 Tarbock Road and for no other purpose, including any which falls within Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, except with the prior grant of a further planning permission.

Reason: To enable the Local Planning Authority to assess any proposal for further change of use, having regard to a B8 use within a Primarily Residential Area and potential impacts on adjacent properties whether or not it falls within the same Use Class or would be permitted development having regard to the location in a residential area and to comply with Saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2 and CS19 of the Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework (2021).

Restriction of Use of Car Park

- 15) The car park to which this permission relates shall only be used in connection with the adjacent shop premises located at 175-177 Tarbock Road and for no other purpose except with the prior grant of a further planning permission.

Reason: To enable the Local Planning Authority to assess any proposal for further change of use, whether or not it falls within the same Use Class or would be permitted development having regard to the location in a residential area and to comply with Saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2 and CS19 of the Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework (2021).

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
19/07/2023	01	REV A	SITE LOCATION PLAN
09/12/2022	02	REV A	EXISTING AND PROPOSED SITE PLANS AND BUILDING DETAILS
19/07/2023	03	REV A	PROPOSED SITE PLAN WITH VISABILITY SPLAYS

Signed Case Officer¹: M Wishart

Signed Authorising Officer²: K Foster

Date: 14 August 2023

Informatives

1 NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments:

2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024

3 United Utilities

See attached email and letter dated 13 February 2023.

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

- 4 **Cadent**
See attached letter email and attached plan(s) dated 14 February 2023.

Contd.....

Appendix 1 – Site Photographs



Google Map Data @2023



Google Street View Image Capture June 2022



Google Street View Image Capture March 2023



February 2023



February 2023





August 2023



August 2023