



Knowsley Council

**REGENERATION AND ECONOMIC
DEVELOPMENT DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 23/00136/COU

Name and address of applicant

Honey Pot Nursery Group
10 Beech House
Huyton Church Road
Huyton
Knowsley
L36 5SJ

Name and address of agent

Landor Planning Consultants Ltd
PO Box 1983
Liverpool
L69 3FZ

Date of Receipt: 9 March 2023

Date Valid: 30 March 2023

Address/Location Of Development:

Beech House
10 Huyton Church Road
Huyton
Knowsley
L36 5SJ

Description of Development:

**CHANGE OF USE OF UPPER FLOORS FROM RESIDENTIAL DWELLINGS (USE CLASS C3) TO FORM CHILDREN'S DAY NURSERY (USE CLASS E(F))
ASSOCIATED WITH EXISTING GROUND FLOOR CHILDREN'S DAY NURSERY**

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 number of children present at the premises, both the existing ground floor day nursery and the proposed expansion into the first floor hereby permitted, shall not exceed 102 children at any time.

Reason: In the interests of residential amenity and highway safety and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted in June 2006.

4. The children's day nursery as hereby permitted to be expanded shall not operate outside the hours 8am - 6pm on Mondays - Fridays and the use shall not operate at all on Saturdays, Sundays or Public Holidays.

Reason: For the avoidance of doubt, to safeguard the amenities of nearby residents and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

5. Notwithstanding any details submitted the first floor of the premises hereby permitted for use as part of a children's day nursery shall not be brought into use until a scheme for the provision of cycle and motorcycle parking, in accordance with the Council's current standards, has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles. Motorbike storage should provide a means for securing the motorbike. The cycle and motorcycle parking proposed should take account the location of the site within a conservation area.

The approved scheme shall be implemented before the first floor of the premises is brought into children's day nursery use and shall be retained as such thereafter.

Reason: To ensure that adequate provision is made for parking cycles and motorcycles on the site and to comply with Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016.

6. Notwithstanding any submitted details prior to the first floor of the premises coming into use as a children's day nursery a car parking layout scheme shall be submitted and approved in writing by the Local Planning Authority for the layout of the existing tarmacked parking area. The scheme shall also include details of the delineation of the car parking spaces, which shall not be white paint but appropriate for the conservation area location of the site (for example: brass stud lines, inlay to the tarmac with paviers delineating the spaces etc). The scheme shall also show the cycle and motorcycle provision required pursuant to Condition 5 of this planning permission where appropriate.

The agreed scheme shall be implemented prior to the first floor of the premises coming into children's day nursery use and shall be retained thereafter.

Reason: In the interests of highway and pedestrian safety, to minimise impact on the Huyton Church Road Conservation Area and to comply with Policies CS2, CS7, CS19 and CS20 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policies H5 and DQ5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

7. No drop off or other signs should be erected within the curtilage of the building, and no drop off or other signage should be painted on or within the curtilage of the application building or on the highway.

Reason: In the interests of the character and visual amenity of the Huyton Church Road Conservation Area, for the avoidance of doubt and to comply with Policies CS19 and CS20 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policies H5 and DQ5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

8. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the premises to which this permission relates shall be used for a children's day nursery and for no other purpose, including any other use falling within Class E of the Schedule to that Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, 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, CS7 and CS19 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
09/03/2023	129-00	-	Location and Site Plan (1:1250 and 1:500)
09/03/2023	129-01	-	Existing and Proposed Site Plan
09/03/2023	129-02	-	Existing and Proposed Floor Plans

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

CS7 - Transport Networks

CS19 - Design Quality and Accessibility in New Development

CS20 - Managing the Borough's Historic Environment

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

H5 - Development within Primarily Residential Areas

DQ5 - Development in Conservation Areas

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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: 4 July 2023

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.