



Knowsl@y Council

**DEPARTMENT OF REGENERATION, ECONOMY & SKILLS
TOWN AND COUNTRY PLANNING ACT 1990**

PLANNING PERMISSION

Application No: 13/00614/COU

Name and address of applicant

Mundos Express
34 Hall Lane
Tower Hill
Kirkby
Knowsley
L33 4YS

Name and address of agent

KDP Architects
13 Seymour Terrace
Seymour Street
Liverpool
L3 5PE

Date of Receipt: 23 October 2013

Date Valid: 16 January 2014

Address/Location Of Development:

**Mundos Express At Farmers Arms
8 Moorfield
Tower Hill
Kirkby
Knowsley
L33 1XD**

Description of Development:

CONTINUATION OF USE OF PART OF EXISTING PUBLIC HOUSE AS A HOT FOOD TAKEAWAY RESULTING IN A MIXED USE DEVELOPMENT OF PUBLIC HOUSE (USE CLASS A4) AND HOT FOOD TAKEAWAY & DELIVERY BUSINESS (USE CLASS A5).

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.

Reason: For the avoidance of doubt.

2. The hot food takeaway and food delivery use hereby permitted shall not operate outside the hours 11:00 - 24:00 hours Monday to Thursday, 11:00 - 02:00 hours Friday to Saturday and 11:00 - 01:00 hours Sunday into Monday without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that any future regeneration works are not prejudiced in the interests of local residents and to comply with saved Policies H5 and DQ1 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Plan Received	Reference No. on Plan	Plan Version
15 January 2014	SUPPORTING STATEMENT	no version Number
15 January 2014	200	-
15 January 2014	300	-
15 January 2014	FLOOR PLAN DETAILING EXTRACTION SYSTEM	no version Number

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 in the Knowsley Replacement Unitary Development Plan (adopted June 2006) as set out below, and to all relevant material considerations including supplementary planning guidance:-

H5 - Development within Primarily Residential Areas
T6 - Ensuring Choice of Travel to Serve New Development
DQ1 - Design Quality in New Development
ENV1 - Control of Pollution in New Development
ENV2 - Noise and Vibration
National Planning Policy Framework

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 2360)

ARTICLE 31 STATEMENT

The Local Planning Authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning applications and have implemented the requirement in NPPF para 187.

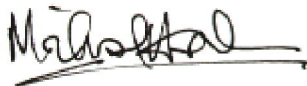
The agent was requested to provide staff numbers and current operating times and advised that when these details were received the application could be put forward for a decision. The information was duly submitted.

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.



Deputy Chief Executive

Date: 26 February 2014

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.**
4. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to condition, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form, which is obtainable from the Planning Inspectorate). See address below. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.
5. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the secretary of state for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
6. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and country Planning Act 1990.

Appeal forms and guidance can be downloaded from the web site www.planning-inspectorate.gov.uk
Alternatively they can be obtained from the following address:-

The Planning Inspectorate
Customer Support Unit
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Telephone: 0117 372 6372