METROPOLTAN BOROUGH OF KNOWSLEY

TOWN AND COUNTRY PLANNING ACR 1990

APPROVAL OF RESERVED MATTERS

Application No: 02/00114/REM
Date of Receipt: 12.02.2002
Date Valid: 12.02.2002

Name and address of applicant
George Wimpey North West Plc
Lichfield House
Gadbrook Park
Rudheath
Northwich
Cheshire
CW9 7HE

Name and address of agent

Address or location of development
Land Adjacent Littlebrook Cottages (Picea Design) Bewley Drive Kirkby Knowsley

Nature and particulars of application
RESERVED MATTERS APP. FOR PROPOSED DEVELOPMENT OF 114 HOUSES & 2 NO 3 STOREY APARTMENT BLOCKS & ASSOCIATED SITE WORKS, INC. A DIVERSION OF EXISTING RIGHTS OF WAY (AMENDED FOOTPATH ROUTE) (AMENDED SITE LAYOUT/AREA & REVISED HOUSE TYPES).

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Reserved Matters Approval 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 five 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.

2. The development hereby permitted shall be carried out only in accordance with the amended plan referenced Drawing No. 294/PL01D received on 24 July 2002 which indicates a revised site area and minor change to house types and site layout.

   Reason: For the avoidance of doubt and to accord with the terms of the application as amended and to comply with Policy H6 of the Knowsley Unitary Development Plan (adopted June 1998).

3. Development of the dwellings hereby permitted shall not be commenced until a schedule of external facing materials and the plots to which they relate has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed details.

   Reason: In the interests of visual amenity.

4. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:-

   a. the exact location and species of all existing trees and other planting to be retained;

b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities per sq m of all new planting;

c. an outline specification for ground preparation;

d. all proposed boundary treatments, with supporting elevations and construction details;

e. all proposed hard landscape elements and pavings, including layout, materials and colours;

f. the proposed arrangements and specifications for initial establishment maintenance and longer term maintenance of all planted and/or turfed areas.

g. a programme for implementation for the landscaping which, in the case of a phased development, should include the completion of landscaping within each phase within the first available planting season following the substantial completion of residential development within the phase to which the landscaping relates.

The scheme(s) shall be wholly implemented in its/their finally approved form in accordance with the agreed programme. 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.

Reason: In the interests of visual amenity and to comply with Policy H6 of the Knowsley Unitary Development Plan (adopted June 1998).

5. All dwellings hereby permitted shall incorporate precautionary gas protection measures (Characteristic Situation 2 of CIRIA Report 149) outlined in the letter from Cooper Associates dated 25 April 2002.

Reason: In the interests of safety taking into account the proximity of the site to a former landfill site and to comply with Policy PWM6 of the Knowsley Unitary Development Plan (adopted June 1998).

6. No part of the development hereby permitted shall be commenced until the copse adjacent to the site has been protected by fencing, of a minimum height of 1.2 metres, which shall use vertical and horizontal scaffolding poles or equivalent stout fencing with the uprights driven well into the ground. The fence adjacent to the compound shall remain as part of the protective fencing. The fencing shall be erected in a location to be submitted to and agreed in writing beforehand by the Local Planning Authority and retained in the approved position until the development is completed. The fencing shall have plywood panels firmly attached to it for its entire length and height. The plywood panels shall be retained in position until the development is completed.

No storage of plant or material (including soil), works (including movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing thereby defined.

Reason: To protect existing trees within the site in the interests of visual amenity and in accordance with Policy H6 of the Unitary Development Plan (adopted June 1998).

7. At least two working days written notice shall be given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in condition 5 shall be in place prior to the written notice of the start of development being given to the Local Planning Authority.

Reason: To ensure that the proper protection of trees has been carried out in the interests of visual amenity and in accordance with Policy H6 of the Unitary Development Plan (adopted June 1998).

8. No part of the development hereby permitted shall be commenced until temporary protective metal fencing is erected along the Kirkby Brook. Details of the type and height of the protective fencing together with its location shall be submitted to and approved in writing by the Local Planning Authority. The agreed fencing shall be retained in the approved position until the development is completed when it shall be removed and the land reinstated to within 1 month of the completion of development.

No storage of plant or material (including soil), works (including movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place with the protective fencing thereby defined.

Reason: In the interests of visual amenity and in accordance with Policy H6 of the Unitary Development Plan (adopted June 1998).

9. Prior to any dwelling hereby permitted being occupied a scheme (including a timescale for imiplementation) of traffic calming measures shall be submitted to and approved in writing by the Local Planning Authority and the agreed scheme implemented. The agreed scheme shall remain on the site whilst the site is in use.

Reason: In the interests of highway safety.

10. Prior to any of the dwellings located on Plots 39-48 (inc.) of the development hereby permitted as indicated on Drawing No. 294/PL 01D received 24 July 2002 being occupied a scheme to attenuate noise from the boiler plant at Kirkby Sports Centre shall be submitted to and approved in writing by the Local Planning Authority and the agreed scheme implemented.

Reason: In the interests of residential amenity.

11. Notwithstanding the provisions of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order) no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be placed or erected in front of the forwardmost part of any wall of a building which fronts on to or bounds a highway, carriageway or other open space.

Reason: To safeguard the character of this residential development and in the interests of visual amenity and to comply with Policy H6 of the Knowsley Unitary Development Plan (adopted June 1998).

12. Notwithstanding the provisions of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no extension, enlargement to any building forming part of the development hereby permitted on Plots 64-66 (inc.), 82-84 (inc.) and 93-97 (inc.) as shown on the drawing titled 'Planning Layout' referenced 294/PL 01D received 24 July 2002, or a garage, carport of other building or enclosure erected within the curtilage of those plots without a further specific planing permission having been sought and obtained beforehand.

Reason: To safeguard the character of this residential development and in the interests of visual and residential amenity.

13. Notwithstanding the details of the acoustic screen fence to be erected to the southern boundary of the site and partially to the western and eastern boundaries of the site further details shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of development of any dwellings located on Plots 40-48 (inc.), 51, 54, 55, 68-80 (inc.). The development shall only be carried out in accordance with the agreed details.

Reason: In the interests of visual and residential amenities.

NOTE FOR APPLICANT: The applicant's attention is drawn to the attached comments of the following;

The Council's Site Development Management Team.
The Environment Agency.
The Council's Transportation and Engineering Services Division.
Chief Environmental Health Officer
Merseyside Fire Authority
North West Water

[redacted]

Director Of Planning And Development

Date: 16.08.2002

Note: 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.
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.

Notes:

(1) 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 Department of the Environment). 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.

(2) 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.

(3) 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.

Department of the Environment, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN