



**Knowsley Council**

**REGENERATION AND ECONOMIC  
DEVELOPMENT DEPARTMENT**

**TOWN AND COUNTRY PLANNING ACT 1990**

## **REFUSAL OF PLANNING PERMISSION**

**Application No: 22/00759/FUL**

**Name and address of applicant**

Mr Jason Barton  
9 Dowhills Road  
Crosby  
Liverpool  
Merseyside  
L23 8SH

**Name and address of agent**

Tom Black Architects  
Studio 1  
12 Jordan Street  
Jordan Street Studios  
Liverpool  
L1 0BP

**Date of Receipt:** 8 December 2022

**Date Valid:** 8 March 2023

**Address/Location Of Development**

**Former Mineral Railway Land  
Hale View Road  
Huyton  
Knowsley  
L36 6DD**

**Nature And Particulars Of Application**

ERECTION OF 1 NO. COMMERCIAL UNIT (USE CLASS E (G) (I))

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Planning Permission has been **refused** for the carrying out of the development referred to above for the following reasons:-

1. The proposed development would result in an undue loss of amenity to occupants of neighbouring residential properties, in particular as a result of the massing of the building close to the adopted highway and the existing dwellings opposite and the potential for loss of privacy given the interface distance between the office windows on the front elevation and main habitable windows in the dwellings. As such the proposed development would be contrary to Policy CS19 in the Knowsley Local Plan, Core Strategy and Saved Policy H5 in the Knowsley Replacement UDP.
2. The proposed development would have a cramped appearance on this narrow site and taking account of its proximity to the adopted highway would pose an incongruous feature in the street scene and would (for an office) be out of character

with the surrounding area. As such the proposed development would be contrary to Policy CS19 in the Knowsley Local Plan, Core Strategy.

3. Insufficient information has been submitted to adequately justify the siting of an office ( town centre use) outside of any of the town, local or district centres in Knowsley as such the sequential approach to site selection has not been met and the proposal would be contrary to Local Plan policies CS4 and CS6 in the Knowsley Local Plan, Core Strategy.
4. The impact that the proposed development would have on existing trees located within the site cannot be fully assessed due to the insufficient information being submitted and the absence of an arboriculture impact assessment. As such the proposal would be contrary to Saved Policy DQ4 in the Knowsley Replacement UDP.

### **ARTICLE 35 STATEMENT**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal, allowing the applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

**Executive Director - Regeneration and Economic Development**

**Date: 2 May 2023**

## **IMPORTANT NOTES FOR YOUR ATTENTION:**

### **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.
- As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks 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.