



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 24/00152/FUL

Name and address of applicant

Alderley Group 2019 Ltd
167-169 Great Portland Street
5th Floor
London
W1W 5PF

Name and address of agent

Cheshire Planning Solutions Ltd
Park View House
Burgess Lane
Norley
Frodsham
WA6 8PA

Date of Receipt: 22 March 2024

Date Valid: 27 March 2024

Address/Location Of Development:

Land Adjacent Greenhill
The Orchard
Huyton
Knowsley
L36 5UZ

Description of Development:

**VARIATION OF CONDITION 16 - (ELECTRIC VEHICLE CHARGING POINTS) TO
REDUCE THE NUMBER PROVIDED FROM 11 TO 4 - OF 22/00263/FUL-
ERECTION OF A PART TWO STOREY/PART THREE STOREY APARTMENT
BLOCK FOR OVER 55'S COMPRISING OF 40 NO. APARTMENTS WITH
JULIETTE BALCONIES AND COMMUNAL AREAS TOGETHER WITH
VEHICULAR ACCESS, CAR PARKING AND OTHER ASSOCIATED WORKS**

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 of application 22/00263/FUL.

Reason: For the avoidance of doubt.

2. C. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

E. Importation of Soil/Material

No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.

F. Materials Management Plan

Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan, signed off by a Qualified Person, shall be submitted to and agreed in writing with the local planning authority. The MMP shall demonstrate that any reuse of contaminated materials do not result in increased risk to the environment or human health.

Reason: To prevent contamination in the interests of human health in accordance with Core Strategy policy CS19 and Policy ENV5 of the Unitary Development Plan. This information is required before development commences because work without an appropriate strategy could result in pathways for contaminated ground to leave the site.

3. The development shall be carried out in accordance with the approved level details approved under 22/00263/FUL.

Reason: To ensure an acceptable visual appearance to the development and to protect the outlook and privacy of neighbours.

4. No development above slab level shall be commenced until samples of the materials to be used in the development have been submitted to and been approved by the local planning authority. The agreed samples shall then be used and retained hereafter.

Reason: In the interest of good design and to comply with Policy CS19 of the Core Strategy, adopted January 2016.

5. Prior to the occupation of any dwelling or the erection of any lighting a lighting scheme shall be submitted to and approved in writing by the local planning authority. The lighting scheme shall be designed so that it protects ecology and does not result in excessive light spill onto habitats in line with the Bat Conservation Trust's guidelines: <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

Reason: In order to avoid harmful effects from lighting on bats habitats.

6. The development shall not be brought into use until a Car Park Management Plan has been submitted to and agreed by the Local Planning Authority. For the avoidance of doubt, the plan shall set out the frequency and extent of the monitoring regimes with details of how the management will inform the occupiers of the limited parking available and the potential penalties for inconsiderate parking.

Reason: To ensure a satisfactory regime of car parking management to prevent excessive car parking on the highway. In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016

7. No dwelling unit hereby permitted shall be occupied until cycle parking spaces have been provided in accordance with scheme details, that have first been submitted to and approved in writing by the Council as the Local Planning Authority. The cycle storage so provided shall thereafter be made available for such purposes at all times that the dwellings are in use. For the avoidance of doubt, the long stay cycle parking for one cycle per dwelling must be covered and offer a means to secure the cycles. Six secure cycle structures such as Sheffield stands for visitors must be set out on the site, these can be uncovered but overlooked.

Reason: In the interest of sustainable transport provision to encourage travel to/from the site by sustainable modes. To ensure that adequate provision is made for parking cycles and motorcycles on the site and to comply with Policies CS7 and CS19 of the Core Strategy, adopted January 2016.

8. Prior to the occupation of the development, details of bird nesting boxes shall have been submitted to and been approved by the local planning authority (e.g. number, type and location on an appropriately scaled plan) and timing. These shall be installed prior to occupation of any dwellings and retained hereafter in accordance with the approved details.

Reason: In order to provide habitats for wildlife.

9. Prior to the first occupation of the development, a Management and Maintenance Plan for the sustainable drainage system relating to the lifetime of the development through an appropriate legally binding agreement shall be submitted to and approved in writing by the Local Planning Authority. This shall include:
 - o The arrangements for adoption by an appropriate public body or statutory undertaker or details of provision for management and maintenance by a resident's management company.
 - o A schedule for on-going inspections relating to performance and condition.
 - o Details for planned maintenance and a mechanism for remedial and urgent repair works.
 - o Means of access for inspection and maintenance purposes.
 - o The plan shall be implemented in accordance with the timeframes contained within it.

Reason: To ensure effectiveness of the flood risk measures during the lifetime of the development policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy.

10. No dwelling shall be occupied until at least 4 outdoor, weatherproof electric vehicle charging point readily accessible from a dedicated parking space have been installed to serve the dwellings and are operational.

All charge points shall be:

- a) A minimum of 7KW, and
- b) at Least Mode 3 or equivalent, and
- c) located in order to comply with the Equality Act 2010 and the accessibility requirements set out in the Building Regulations Part M.

All EV charging points shall be clearly marked as such and their purpose explained to new occupants within any home welcome pack.

Reason: In the interests of air quality, promoting sustainable travel opportunities and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy and NPPF Para 110.

11. No dwelling hereby approved shall be occupied until a full fibre broadband connection to the dwelling has been installed and made available for use.

Reason: To support economic growth in accordance with NPPF Para 112.

12. No tree felling, scrub clearance, vegetation management or building works are to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected must be submitted for approval to the local planning authority prior to the undertaking of any works.

Reason: In the interests of biodiversity conservation and to comply with Policy CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

13. During construction works the following measures shall be undertaken to reduce the potential impact on hedgehogs:

- oAny trenches dug during the course of construction works must provide a means of escape (e.g., a ramp);
- oMaterials used during the construction works should be stored away from mammal pathways; and
- oAny hedgehog found during construction works should be relocated to the retained woodland area on the northeast of the site.

Reason: In the interests of protecting hedgehogs in accordance with Policy CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

14. No gates or other means of obstruction shall be erected across the vehicular access formed as part of this development.

Reason: In the interests of highway safety to prevent vehicles waiting on the adjacent highway and to comply with Policies CS7 and CS19 of the Core Strategy, adopted January 2016.

15. The number of units/bedrooms to be provided at any time within the development hereby permitted shall not exceed 40 apartments at any one time.

Reason: To prevent an excessive use of the premises, in the interests of protecting the residential environment of the neighbourhood and preventing parking of vehicles taking place outside the site and to comply with Policies CS7 and CS19 of the Core Strategy, adopted January 2016.

16. No construction work, including demolition and deliveries to and from the site shall take place on the site except between the hours:

08.00 - 18.00 Monday to Friday;
08:00 - 13:00 hours Saturday.

No work shall take place on Sundays or on Public Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2 and H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

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:-

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 (Andrew Hunt on 0151 443 2204)

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.

- 2 Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction. For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets - DeveloperServicesWater@uuplc.co.uk

Wastewater assets - WastewaterDeveloperServices@uuplc.co.uk

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

- 3
 - o Access for fire appliances should comply with the requirements of Approved Document B5 of the Building Regulations.
 - o Water supplies for fire-fighting purposes should be risk assessed in accordance with the undermentioned guidance in liaison with the water undertakers (United Utilities - 0161 907 7351) with suitable and sufficient fire hydrants supplied.
 - o Housing - The premises should comply with Section 55 of the County of Merseyside Act 1980
- 4 The applicant, their advisers and contractors should be made aware that if any bat species are found, then as a legal requirement, work must cease, and advice must be sought from a licensed specialist.
- 5 The proposed drainage scheme shall incorporate measures to avoid drainage impacts on neighbouring properties.
- 6 It is an offence to carry out any works within the public highway without the permission of the Highway Authority. The developer will be required to enter into an agreement with the Council to enable the works to be carried out. The applicant is advised to contact Mason Steele, t: 0151 443 2329, email: mason.steele@knowsley.gov.uk to discuss the matter further.
- 7 If any Japanese Knotweed is on site they must be appropriately treated and disposed of in accordance with the Wildlife and Countryside act.
<https://www.gov.uk/guidance/prevent-japanese-knotweed-from-spreading>



Executive Director - Regeneration and Economic Development

Date: 24 September 2024

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. You should ensure that you understand the requirements of all planning conditions and that you fully comply with their requirements. If you are in any doubt about what a condition requires of you, please ask us for assistance. Planning conditions may require you to submit further information to us and await our approval before you can start your development. A failure to do so could result in your development being unlawful and necessitate the submission of a further planning application. A failure to comply with the conditions of the permission/consent may result in the taking of enforcement and potentially legal action, against you to remedy the breach of planning control.
4. A fee is normally payable to discharge planning conditions in accordance with government regulations.
5. This permission does not convey any rights or approval to build on, or develop, any land that is not fully owned or controlled by you, including on party boundaries. You should satisfy yourself that the agreement of any adjoining landowners has been given prior to commencing any building works.
6. 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. Knowsley Council's Building Control team are contactable on (0151)-443 2342 and they would be pleased to assist you.

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.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months 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.