



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 23/02740/FUL

Name and address of applicant

New Start Homes
179 Townsend Lane
Clubmoor
Liverpool
L14 9DY

Name and address of agent

Smith Young Architecture Ltd
23 Roscoe Street
Liverpool
L1 2SX

Date of Receipt: 23 October 2023

Date Valid: 11 December 2023

Address/Location Of Development:

5 Netherley Road
Tarbock Green
Knowsley
L35 1QE

Description of Development:

REFURBISHMENT AND CHANGE OF USE OF ATTACHED BARN / STORAGE BUILDING FROM AGRICULTURAL USE TO CHILDRENS CARE FACILITY FOR 3 CHILDREN TOGETHER WITH ASSOCIATED TRAINING AND STAFF FACILITIES (USE CLASS C2 RESIDENTIAL INSTITUTIONS) TOGETHER WITH REBUILD OF DETACHED OUTBUILDING TO REAR TO PROVIDE STORE AND OFFICE TO GROUND FLOOR WITH STORAGE ABOVE.

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. Notwithstanding any submitted details no part of the development hereby permitted shall commence until full details of the means by which all site accesses from Netherley Road shall be closed off and the footway reinstated have been submitted to and approved in writing by the Local Planning Authority including boundary treatments where applicable. The closures and footway reinstatement shall be implemented in accordance with the approved details prior to the first occupation or use of any part of the development hereby permitted and shall be retained at all times the development is in use.

Reason: In the interests of highway safety and to comply with Policies CS2 and CS7 of the Local Plan Core Strategy adopted January 2016.

4. A Phase I site investigation shall be submitted for written approval prior to works commencing in order to establish whether there are any concerns of contamination from the current or previous use of the site or adjacent sites. This report shall include the results of a desk study, site walkover, and human health and environmental risk assessment. If identified as necessary by the desk study, a Phase 2 site investigation and remediation proposals shall be submitted for approval prior to works commencing. In any event the applicant / developer is requested to contact the Councils Environmental Health Service (Tel: 0151 443 4267/4266) as soon as is practicable should previously unsuspected contamination be encountered during the development of the site. A site completion report shall be submitted for written approval prior to occupation confirming that encountered site conditions were as expected and detailing any necessary remedial actions.

Reason: In the interests of the health and safety of residents and persons attending the site, public safety and the water environment and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 201 and Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

5. The number of children residing at the premises hereby permitted shall not exceed 3 at any time.

Reason: To maintain the level of amenity enjoyed by local residents, and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016.

6. Works shall not commence until the Local Planning Authority has been provided with a copy of a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified development to proceed.

Reason: In the interests of bat habitat mitigation and to comply with Policies CS2 and CS8 of the Knowsley Local Plan Core Strategy adopted January 2016.

7. The development shall only be implemented and carried out in accordance with all of the recommendations for mitigation and compensation set out in the Bat Survey Report (Brewery House, 5 Netherly Road, Knowsley, Bat Survey Report, Rachel Hacking Ecology, Matthew Bottomley, 2024, RHE.3997) which details the methods for maintaining the conservation status of bats, unless otherwise varied by a European Protected Species licence subsequently issued by Natural England.

Reason: To ensure protection of bats and suitable mitigation for the loss of bat habitat in compliance with Policies CS2 and CS8 of the Knowsley Local Plan Core Strategy adopted January 2016.

8. Prior to the first occupation or use of the development hereby approved a scheme of hedgehog highways in the form of 13cm by 13cm gaps in the boundary treatments shall be submitted to and agreed in writing, and the agreed scheme implemented. The hedgehog highways shall be retained at all times the boundary treatments remain in place.

Reason: In the interests of species protection and biodiversity and to comply with Policies CS2 and CS8 of the Knowsley Local Plan Core Strategy adopted January 2016.

9. Notwithstanding any description of materials in the application, no above ground development works shall take place until samples and full specification of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and include mortar details and should be reflective of those within the overall site and surrounding area. The development shall be carried out only in accordance with the agreed schedule of materials.

Reason: To preserve the character and appearance of the Tarbock Green Conservation Area in the interests of visual amenity and to comply with Policies CS2, CS19 and CS20 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy DQ5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

10. Notwithstanding submitted details all windows to be formed or altered in connection with the proposed development hereby permitted shall be constructed in accordance with details (including details of all mouldings, transoms, mullions and opening mechanisms) which have been submitted to and approved in writing beforehand by the Local Planning Authority. These shall be retained at all times that the buildings remain in use.

Reason: To preserve the character and appearance of the Tarbock Green Conservation Area to comply with Policies CS2, CS19 and CS20 of the Knowsley Local Plan Core Strategy adopted January 2016S and Saved Policy DQ5 of the Knowsley Replacement Unitary Development Plan adopted in June 2006.

11. No trenches, pipe runs for services or drains shall be sited within the root protection area of any tree.

Reason: In the interests of local amenity and tree protection and to comply with Policies CS2, CS19 and CS21 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order), no windows or openings shall be inserted in the buildings the subject of this application other than those shown on the approved plans.

Reason: To preserve the character and appearance of the Tarbock Green Conservation Area and in the interests of privacy having regard to Policies CS2, CS19 and CS20 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy DQ5 of the Knowsley Replacement Unitary Development Plan adopted in June 2006.

13. No development shall take place (including any demolition, ground works, site clearance) until a method statement for swallow harm and habitat loss mitigation has

been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include:

- Avoidance measures to avoid harm to swallows.
- Extent, type and location of proposed swallow nesting provision.
- Timing for implementation of replacement swallow nesting provision.

For the avoidance of doubt drawings shall be included with regard proposed swallow nesting provision

Reason: In the interests of swallow and swallow habitat protection, biodiversity conservation and to comply with Policies CS2 and CS8 of the Knowsley Local Plan Core Strategy adopted January 2016.

14. No above ground works shall take place prior to details of the number and location of bird nesting boxes and bat roost boxes to be incorporated into the scheme and located within the site including drawings, being submitted to and approved in writing by the Local Planning Authority. The bird nesting boxes, and bat roost boxes shall be installed in accordance with the approved details prior to the first occupation / use of the buildings and shall be retained at all times thereafter.

Reason: In the interests of biodiversity conservation and to comply with Policies CS2 and CS8 of the Knowsley Local Plan Core Strategy adopted January 2016.

15. No part of the development hereby permitted shall be commenced until a Construction / Demolition Environment Management Plan has been submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction / demolition effects. This shall include but not be limited to the following: -

- Methods for the mitigation of noise and vibration from building works, including any piling works, and also from the operation of any temporary power generation or pumping plant which will operate overnight.
- Methods to avoid any potential pollution transfer from the proposals through to Brickwall Covert LWS and the wider water environment.
- Methods for dust control and suppression.
- Details of wheel washing facilities including location and type.
- The areas for the storage of plant and materials.
- Location of site compound.
- Details of relevant pest control measures to be taken during both the construction and demolition phases.

Development works and proceedings shall only take place in accordance with the agreed Construction / Demolition Environment Management Plan.

Reason: In the interest of residential and general amenity, protection of Brickwall Covert LWS and the wider water environment and highway safety and to comply with Policies CS2, CS8 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

16. During the site works period no works or deliveries shall take place outside the hours of: 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday and not at all on Sundays, Bank Holidays or Public Holidays.

Reason: in the interests of residential amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
03/07/2024	001	A	LOCATION PLAN (1:1250) AND EXISTING SITE PLAN (1:200)
03/07/2024	002	-	PROPOSED SITE PLAN
22/07/2024	004	A	PROPOSED FLOOR PLANS
22/07/2024	006	-	PROPOSED ELEVATIONS
26/09/2024	RHE.3997	-	BREWERY HOUSE, 5 NETHERLEY ROAD, KNOWSLEY BAT SURVEY REPORT 2024 (RACHEL HACKING ECOLOGY)
23/10/2023	008	-	BOUNDARY DETAILS
23/10/2024	007	-	PROPOSED CYCLE STAND / BIN STORE

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

CS5 - Green Belt

CS7 - Transport Networks

CS8 - Green Infrastructure

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)

DQ5 - Development in Conservation Areas

G6 - Conversion or Change of Use of Existing Buildings in the Green Belt

G7 - Alteration, Extension or Replacement of Existing Dwellings in the Green Belt

ENV2 - Noise and Vibration

ENV5 - Contaminated Land

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 identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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.

Informatives

1. See attached letter from Merseyside Fire Authority
2. Badgers and Hedgehogs

The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on badgers and hedgehogs:

- A pre-commencement check for badger and hedgehog.
- All trenches and excavations should have a means of escape (e.g. a ramp).
- Any exposed open pipe systems should be capped to prevent mammals gaining access.
- Appropriate storage of materials to ensure that mammals do not use them.

3. Amphibians and Reptiles

The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on amphibians and reptiles:

- Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians / reptiles present to move away from the affected areas.
- The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians / reptiles from seeking shelter or protection within them.
- Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar to prevent amphibians / reptiles from seeking shelter beneath them. Any excavation must be infilled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians / reptiles.

4. Breeding birds are protected under the general provision of Section 1 of the Wildlife and Countryside Act 1981 as amended. Whilst the nest is being built or is in use, the eggs, young and nest are protected against intentional and reckless taking, damage and destruction. No tree, scrub or hedgerow felling, management and/or cutting operations should take place during the period 1 March to 31 August inclusive to protect breeding birds. If works are undertaken in this period a qualified ecologist should be on hand to advise on procedure should eggs, young or nests be encountered.
5. The applicant, their advisers and contractors should be aware that if any European Protected Species are found, then as a legal requirement, work must cease, and advice must be sought from an ecologist.



Executive Director - Regeneration and Economic Development

Date: 6 January 2025

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.
- 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.

Knowsley MBC
Planning Department
Municipal Buildings
Archway Road
Huyton
L36 9YU

**Merseyside Fire & Rescue Authority
Community Fire Protection**

Fire Engineering Team
Service Headquarters
Bridle Road
Bootle
Merseyside
L30 4YD

Email: dcconsultations@knowsley.gov.uk

Telephone: 0151 296 6590 (Calls may be recorded)
Inspecting Officer: Alison Harrison
Email: fireengineeringteam@merseyfire.gov.uk
web Site: www.merseyfire.gov.uk

Your ref: 23/02740/FUL

Our ref: NG001463/1121679/AH/LC

Date: 16th January 2024

Dear Sir/Madam,

THE TOWN AND COUNTRY PLANNING ACT 1990

PLANNING APPLICATION NUMBER REF: 23/02740/FUL

PROPOSAL: Refurbishment and change of use from agricultural use to children's care facility for 3 children together with associated training and staff facilities (use class C2 residential institutions)

ADDRESS: 5 Netherley Road Tarbock Green Knowsley L35 1QE

The Fire Authority requests that any decision notice includes the following information;

The plans relating to the above application have been examined and below are the Fire Authority's observations:

- * Access for fire appliances should comply with the requirements of Section B5, Schedule 1 of the Building Regulations. Provisions for access will depend on the size and use of the building. The design of the access route, for example minimum road widths and maximum reversing distances, should also be considered (Appendix A, attached).
- * In accordance with Section 55 of the County of Merseyside Act 1980, the position of the premises should not compromise or impede existing means of fire service access to a neighbouring building.
- * Water supplies for firefighting purposes (Appendix B) 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.

*** Housing**

Housing developments with units of detached or semidetached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant. Multi occupied housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development.

Further information regarding access requirements can be found in the current version of Approved Document B, which is available for free download via:
<https://www.gov.uk/government/publications/fire-safety-approved-document-b>

Should you require any further information in respect of this correspondence please contact the Officer named above

Yours faithfully

Alison Harrison

Authorised Fire Safety Inspecting Officer
And on behalf of Merseyside Fire and Rescue Authority

Appendix A - Access and Facilities for the Fire Service as given in Section B5 of Approved Document B

Domestic Dwellings

For dwelling houses, access for a pumping appliance should be provided to within 45m of all points inside the dwelling house.

For flats, either: access for a pumping appliance should be provided to within 45m of all points inside each flat of a block, measured along the route of the hose; or fire mains should be provided.

Commercial Buildings

Small buildings (up to 2000m², with a top occupied storey a maximum of 11m above ground level), require access for a pump appliance to 15% of the perimeter, or within 45m of every point of the footprint of the building, whichever is the less onerous.

Larger buildings will require access to a percentage of the perimeter that increases incrementally with size of the total floor area and height of building – please see details in Approved Document B Volume 2 Section 15.

Elevations to which vehicle access is provided will require a door, to give access into the building. The maximum distance between doors, or between a door and the end of the elevation, is 60m (ie a 150m elevation would need a minimum of two doors).

All Buildings

Access routes and hardstanding should comply with Table 13.1 ADB Volume 1 / Table 15.2 ADB Volume 2. Please note: MFRS appliances are 17 tonnes (pump) and 26 tonnes (high reach).

Dead-end access routes longer than 20m require turning facilities (eg a turning circle or hammer head, or other turning point).

Where fire mains are fitted, access should be provided for a pumping appliance to within 18m of each fire main inlet connection point. Inlets should be on the face of the building and visible from the parking position of the appliance. The run of horizontal internal connecting pipe should be a maximum of 18m in length.

Buildings with a storey more than 18m above the fire service vehicle access level, or a basement more than 10m below, should have one or more firefighting shafts containing fire-fighting lifts and fire mains (a minimum of two fire-fighting shafts will be required for buildings with a floor area of 900 m² or more).

Buildings in the 'shop and commercial', 'assembly and recreation' or 'industrial' purpose groups (Groups 4, 5, or 6), with a storey area of 900m² or more and a storey height of 7.5m or more above fire service vehicle access level will require at least two firefighting shafts (firefighting lifts may not be needed).

Entry to a firefighting shaft at fire service access level should be available either directly from the open air or by way of a protected corridor not exceeding 18m in length. The corridor is deemed to be part of the firefighting shaft, and any access to it from the accommodation should be by way of protected lobbies.

Hydrants

Where a building has a compartment with an area of more than 280m² and is being erected more than 100m from an existing fire hydrant, additional hydrants are required as follows:

Buildings with fire main – hydrant within 90m of dry fire main inlet;

Buildings without fire main – hydrant within 90m of an entrance to the building; and a maximum of 90m apart.

Appendix B - Guidelines on flow requirements for firefighting

The following flows represent the ideal requirements on new developments and during permanent system changes.

Housing

Housing developments with units of detached or semidetached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant. Multi occupied housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development.

Transportation

Lorry/coach parks - multi-storey car parks - service stations.

All of these amenities should have a water supply capable of delivering a minimum of 25 litres per second through any single hydrant on the development or within a vehicular distance of 90 metres from the complex.

Industry

The water supply infrastructure to any industrial estate should be as follows with the mains network on site being normally at least 150 mm nominal diameter—

Up to one hectare 20 litres per second.

One to two hectares 35 litres per second.

Two to three hectares 50 litres per second.

Over three hectares 75 litres per second.

Shopping, offices, recreation and tourism

Commercial developments of this type should have a water supply capable of delivering a minimum flow of 20 to 75 litres per second to the development site.

Education, health and community facilities

Village halls— Should have a water supply capable of delivering a minimum flow of 15 litres per second through any single hydrant on the development or within a vehicular distance of 100 metres from the complex.

Primary schools and single storey health centre's— Should have a water supply capable of delivering a minimum flow of 20 litres per second through any single hydrant on the development or within a vehicular distance of 70 metres from the complex.

Secondary schools, colleges, large health and community facilities— Should have a water supply capable of delivering a minimum flow of 35 litres per second through any single hydrant on the development or within a vehicular distance of 70 metres from the complex.