



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 23/00081/FUL

Name and address of applicant

Neil Walsh
C/O Carl Ward

Name and address of agent

Keith Davidson Partners Ltd
13 Seymour Terrace
Seymour Street
Liverpool
L3 5PE

Date of Receipt: 17 February 2023

Date Valid: 10 March 2023

Address/Location Of Development:

Land Adjacent To Properties No. 372 - 378,
Cronton Road
Cronton
Knowsley

Description of Development:

**CONSTRUCTION OF DROPPED KERB VEHICULAR ACCESS AND
RETROSPECTIVE PERMISSION FOR RETENTION OF ACCESS TRACK**

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. Prior to the installation of the dropped crossing a visibility splay of 2.4 metres by 60 metres in an easterly direction from the site access and a visibility splay of 2.4m x 43m in a westerly direction from the site access shall be provided at the proposed site access junction with Cronton Road. The splays shall be provided clear of obstructions to visibility above the height of 0.6 metres measured from the footway/verge level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times that the access is in use.

Reason: To ensure adequate visibility at the junction of the site access is made and maintained, and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016.

4. Prior to the installation of the dropped crossing a landscape scheme for the provision of native species hedgerow behind the easterly visibility slay required for the access pursuant to condition 3 of this planning permission shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:

- a) Planting plans, specifications and schedules, planting size, species/densities,
- b) A detailed regime for the establishment and ongoing/longer term maintenance of the hedgerow

The approved landscaping works shall be implemented and completed prior to the first use of the dropped crossing for the access hereby permitted, or within 1 month of the start of the planting season if the access is installed outside of the planting season.

The hedgerow, or any part thereof, planted in accordance with this condition which is removed, uprooted, destroyed, dies or becomes severely damaged or becomes seriously diseased within 5 years of planting shall be replaced within the next planting season by hedgerow of similar size and species to that originally approved and required to be planted.

Reason: To ensure that the existing visibility splay hedging is adequately replaced outside the visibility splay site in the interests of visual amenity and biodiversity having regard to its location and the nature of the proposed development and to comply with Policies CS2, CS8, CS19 and CS21 of the Knowsley Local Plan Core Strategy adopted January 2016.

5. Prior to the installation of the dropped crossing hereby approved the site access and the access track shall be hard paved and maintained thereafter in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority for a distance of not less than 10 metres back from where the access and track meet the public highway.

Reason: To prevent mud and other debris being carried onto the public highway in the interests of highway safety and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016.

6. Notwithstanding any submitted details a scheme for the design and layout of highway improvement works shall be submitted to and agreed in writing by the Local Planning Authority, and the agreed details implemented prior to the installation of the dropped crossing hereby approved. For the avoidance of doubt the works shall include introduction of dropped kerbs, verge crossover, and modifications to the edge of carriageway marking to diagram 1010.

Reason: To ensure the provision of safe and adequate means of access to the access track in the interests of highway safety and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
11/05/2023	001	-	PROPOSED SITE PLAN (1:500), ACCESS DETAIL (1:200), LOCATION PLAN (1:1250), AERIAL OF EXISTING SITE ACCESS.
05/05/2023	EMAIL	-	EMAIL CONFIRMING ACCESS TRACK TO BE AS EXISTING (AT TIME OF EMAIL) WITH REGARD TO SURFACING.
04/05/2023	EMAIL	-	EMAIL REGARDING WHY THE ACCESS IS NEEDED AND THE USE OF THE LAND.

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 (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.

- 1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024

- 2 It is an offence to carry out any works within the public highway without the permission of the Highway Authority. This permission requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Prior to the commencement of any works, the applicant is advised to contact the Council's Maintenance Contractor Tarmac on 0800 023 2334 or Knowsley.highways@tarmac.com

Water from your driveway must not discharge onto the highway. Where your driveway slopes towards the road, you should ensure that a crossfall is applied to shed water to the side or that the driveway is constructed in an acceptable permeable material. It is an offence under Section 163 of the Highways Act 1990 to allow surface water from your premises to flow onto the highway.

Executive Director - Regeneration and Economic Development

Date: 15 June 2023

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.
- As this is a decision 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.