



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 19/00469/FUL

Name and address of applicant

ATE Farms
Moorbarns Lane
Lutterworth
Leicestershire
LE17 4JD

Name and address of agent

MTC Planning and Design Limited
Barn 5a
Sutton Hall Farm
Sutton Maddock
TF11 9NQ

Date of Receipt: 8 August 2019

Date Valid: 7 October 2019

Address/Location of Development:

Knowsley Village Stables
School Lane
Knowsley Business Park
Knowsley
L34 9ER

Description of Development:

**DEMOLITION OF EXISTING STABLE BUILDING AND ERECTION OF 5
DWELLINGS**

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. A Phase I site investigation shall be submitted for written approval prior to development 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 Council's Environmental Protection Unit (Tel: 0151 443 4712) 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: To prevent contamination in the interests of human health.

4. No part of the development hereby permitted shall be commenced until a Construction / Demolition 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:

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- 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 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.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and highway safety in accordance with saved Policies H5, and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policies CS2 and CS7 of the Core Strategy, adopted January 2016.

5. Five working days written notice shall be given to the Arboricultural Officer before commencement of the works hereby granted.

Reason: For the avoidance of doubt and to comply with the application.

6. Prior to the erection of any lighting, a lighting scheme that avoids harm to ecology shall have been submitted to and been approved by the local planning authority.

Reason: In order to avoid harm to ecology.

7. No part of the development hereby permitted shall be occupied until a landscaping scheme incorporating ecological enhancements has been submitted to and been approved by the local planning authority.

Suggested Planting Species for Biodiversity Enhancement:

Hedgerow - suggested species and management: hawthorn, holly, hazel, dog rose, elder, blackthorn, birch, alder, ash, rowan, aspen, field maple and honeysuckle. It is envisaged that the hedgerows be allowed to attain a height and spread of 2 metres, with some of the tree species (e.g., birch, alder, rowan, aspen, field maple) being allowed to attain a height of 5 metres or more to provide additional habitat and visual screening.

Suggested native tree species: rowan; birch; willow; hawthorn; blackthorn; cherry; field maple; alder; and oak. Tree species should be tailored to the local area, and this can be discussed with the local tree officer.

The landscaping shall be implemented on site in accordance with the approved details prior to the occupation of the 3rd dwelling and retained hereafter.

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

8. Prior to the implementation of any landscaping or the removal of trees from the site a scheme for replacement tree planting shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include tree replacement for individual and groups of trees on a 2:1 basis. The scheme should include the location, size and species of the replacement trees.

The tree planting shall be wholly implemented in its finally approved form in accordance with the approved scheme within the first available planting season following the substantial completion of development. 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 ensure the development complies with Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

9. No dwelling hereby approved shall be occupied until details of bird and bat boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, have been submitted to and been approved by the local planning authority and implemented in accordance with those details. The bird boxes shall be retained hereafter.

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

10. No part of the development shall be brought into use until visibility splays of 2.4 metres by 65 metres (as highlighted on Drawing No. 18/08408/104 Rev N), have been provided at the proposed site access junction with Knowsley Lane. The splays shall be provided clear of obstructions 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

Reason: To ensure adequate visibility at the junction or site access is made and maintained, and to comply with Policy CS19 of the Core Strategy, adopted January 2016.

11. The development shall not be brought into use until the areas indicated on Site Plan Drawing No. 18/08408/104 Rev N, (received 18th January 2022) be set aside for parking, servicing, vehicular manoeuvring (including provision for

pedestrians/cyclists) have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown. These areas shall be retained as such thereafter.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

12. The proposed development shall not be brought into use until the proposed cycle storage highlighted on Drawing 18/08408/110 Rev C (received 17th November 2021) has been implemented as agreed on the submitted plan

Reason: To ensure that adequate provision is made for parking cycles securely and to comply with Policy CS7 of the Core Strategy, adopted January 2016

13. No dwelling shall be occupied until an outdoor, weatherproof electric vehicle charging point readily accessible from a dedicated parking space has been provided to serve the dwelling and is operational.

All charge points shall be:

- a) A minimum of 7KW,
- b) at Least Mode 3 or equivalent, and
- c) located 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, adopted January 2016 and NPPF Para 112.

14. 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 114.

15. Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan (MMP), carried out in line with the CL: AIRE code of practice and 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 does not result in increased risk to the environment or human health.

Reason: To prevent contamination in the interest of human health.

16. No topsoil 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.

Reason: To prevent contamination in the interest of human health.

17. If 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.

Reason: To prevent contamination in the interest of human health.

18. No tree felling, scrub clearance, vegetation management or building works are to take place between 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 are required to be submitted for approval to the local planning authority.

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

19. 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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
06/05/2020	ARB METHOD STATEMENT	-	ARBORCULTURAL METHOD STATEMENT
20/04/2020	-	REV A	DESIGN AND ACCESS STATEMENT
04/10/2019	2274 1909R	-	ECOLOGICAL ASSESSMENT
19/08/2020	18/08408/ 101	REV A	LOCATION PLAN
18/01/2022	18/08408/104	REV N	SITE LAYOUT PLAN
14/01/2022	210136.53-01	-	PROPOSED SITE PLAN
03/12/2021	241-21-02	A	HOUSE TYPE A; PROPOSED PLANS, SECTIONS AND ELEVATIONS
17/11/2021	18/08408/110	C	HOUSE TYPE B; PROPOSED PLANS, SECTIONS AND

			ELEVATIONS
17/11/2021	18/08408/111	C	HOUSE TYPE C; PROPOSED PLANS, SECTIONS AND ELEVATIONS
17/11/2021	18/08408/112	E	BUNGALOW TYPE A; PROPOSED PLANS AND ELEVATIONS
17/11/2021	18/08408/113	B	PROPOSED STREET SCENE
17/11/2021	18/08408/114	A	PROPOSED GARAGE AND BOUNDARY TREATMENTS
06/05/2020	ARB IMPLICATIONS ASSESSMENT	-	ARBORCULTURAL IMPLICATIONS ASSESSMENT

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

SD1 - Sustainable Development
CS2 - Development Principles
CS3 - Housing Supply, Delivery and Distribution
CS7 - Transport Networks
CS8 - Green Infrastructure
CS17 - Housing Sizes and Design Standards
CS19 - Design Quality and Accessibility in New Development
CS20 - Managing the Borough's Historic Environment
CS21 - Greenspaces and Trees
CS22 - Sustainable and Low Carbon Development
CS24 - Managing Flood Risk
CS26 - Waste Management

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

DQ4 - Trees and Development
ENV2 - Noise and Vibration
The Joint Merseyside and Halton Waste Local Plan 2013
WM9 - Sustainable Waste Management Design and Layout of New Development

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 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 It would be helpful for refer to Bat Conservation Trust website <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>
- 2 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.

Executive Director - Regeneration and Economic Development

Date: 16 June 2022

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.