



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 21/00062/FUL

Name and address of applicant

Poven Developments Ltd
1 Derby Buildings
Wavertree Road
Liverpool
L7 3ES

Name and address of agent

Date of Receipt: 26 January 2021

Date Valid: 11 March 2021

Address/Location Of Development:

Queens Arms
39 Blacklow Brow
Huyton
Knowsley
L36 5XE

Description of Development:

**CHANGE OF USE OF FIRST FLOOR AND LOFT OF PUBLIC HOUSE _ THE
ERECTION OF A FIRST FLOOR REAR EXTENSION TO FORM 4 NO. FLATS (USE
CLASS C3) (GROUND FLOOR TO REMAIN AS PUBLIC HOUSE) TOGETHER
WITH THE DEMOLITION OF EXISTING GARAGE AND THE FORMATION OF
HARDSTANDING TO FORM 4 NO. CAR PARK SPACES, OUTDOOR SEATING
AREA 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 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 description of materials in the application, no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the proposed extension and boundary wall 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 unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed schedule of materials.

Reason: To preserve the character and appearance of the Orchard Conservation Area. In the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

4. Any windows (including the proposed rooflights) 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 thereafter unless otherwise approved in writing beforehand by the Local Planning Authority.

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

5. Prior to any above ground works commencing full details of the re-positioned chimney including the precise design and proposed materials shall be submitted to and approved in writing by the Local Planning Authority. The Chimney shall thereafter be constructed in accordance with the approved scheme details before any of the flats hereby approved are occupied.

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

6. The bathroom and kitchen windows to Flat one (facing Pinnington Place) shall be glazed using obscure glass, to level 4 the obscure glazing shall be retained at all times thereafter.

Reason : To ensure an acceptable level of privacy is provided for the occupiers of the flat one and the existing occupiers opposite in Pinnington Place and to ensure compliance with saved policy H5 in the Knowsley Unitary Development plan and Policy CS19 in the Knowsley Local Plan Core Strategy.

7. No development shall take place until a scheme for the provision of cycle parking, in

accordance with the Council's current standards, has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles.

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

8. Electric vehicle recharging points shall be provided at a rate of 1 per every 2 parking bays.

All chargepoints shall be:

- a) A minimum of 7KW,
- b) at Least Mode 3 or equivalent,
- c) untethered, and
- d) 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 their new home welcome park/travel planning advice.

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 110.

9. The noise mitigation scheme as set out in Hepworth Acoustics Noise Assessment P21-217-R01v1 shall be implemented in full and confirmation provided to the Local Planning Authority providing evidence of the glazing specification installed to the flats prior to the first occupation of the flats hereby permitted .

Reason : to ensure that the noise mitigation measures proposed are implemented prior to first occupation to provide the occupiers of the proposed flats an acceptable standard of amenity and to ensure compliance with saved policy ENV2 in the Knowsley Replacement Development Plan, 2006.

10. Customers of the public house shall not be served or accommodated in the external seating areas after 23:00 hours on any day of the week.

Reason: To ensure a satisfactory standard of amenity for the occupiers of the proposed dwellings and to ensure compliance with saved policy ENV2 in the Knowsley Replacement Development Plan, 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
11/03/2021	-	-	LOCATION PLAN
09/06/2021	QA 01 A	-	PROPOSED GROUND FLOOR PLAN
23/07/2021	QA 08 B	-	PROPOSED ELEVATIONS

23/07/2021	QA 07 A	-	PROPOSED 2ND FLOOR PLAN
23/07/2021	QA 06 B	-	PROPOSED 1ST FLOOR PLAN
11/06/2021	ISSUE 1	-	NOISE IMPACT 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:-

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

CS20 - Managing the Borough's Historic Environment

CS7 - Transport Networks

ENV2 - Noise and Vibration

DQ5 - Development in Conservation Areas

National Planning Policy Framework

KNOWSLEY LOCAL PLAN: CORE STRATEGY

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

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 (Mark Quinn on 0151 443 2381)

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 an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

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

- 2 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

- 4 See consultation response from Cadent Gas



Executive Director - Regeneration and Economic Development

Date: 30 September 2021

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.