



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 24/00671/FUL

Name and address of applicant

Mr S Nagus
35 Greenes Road
Whiston
Knowsley
L35 3RE

Name and address of agent

Level 2 Architects Ltd
28-30 Grange Road West
Birkenhead
CH41 4DA

Date of Receipt: 16 December 2024

Date Valid: 16 December 2024

Address/Location Of Development:

35 Greenes Road
Whiston
Knowsley
L35 3RE

Description of Development:

**SUBDIVISION OF EXISTING 4 BED DWELLING TO FORM 2 NO. 2 BED
DWELLINGS AND 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. The materials to be used on the external surfaces of the development hereby permitted shall match those of the existing building in type, size, colour and texture.

Reason: In the interests of visual amenity and to comply with Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

4. Notwithstanding the details shown on the approved drawings, no part of the development hereby permitted shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The details shall relate to all land surfaces not built upon and shall include:

- a) hard surfaced areas including specification of materials, and
- b) planting plans,

For the avoidance of doubt, hard surfaced areas shall be permeable / porous, or provision made to direct run-off water from the hard surface to a permeable or porous area within the curtilage of the dwelling to which it relates.

The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which it relates.

All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: To ensure that the site is satisfactorily landscaped in the interests of visual amenity and to enhance the character of the area In the interests of sustainable development and to minimise the risk of surface water flooding. and to comply with the national Planning Policy Framework (2024), Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS8 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the New Residential Development SPD (updated 2018).

5. Prior to the occupation of any of the dwellings hereby permitted a boundary fence shall be erected along the dividing boundary at the rear of the dwellings. The fence shall not exceed the height of the existing timber fencing that encloses the rear of the site and shall match that fencing in terms of the materials and type and colour.

Reason. In the interests of residential and visual amenity and to comply with the National Planning Policy Framework (2024), Policies CS2 and CS19 of the Knowsley: Local Plan:Core Strategy, adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

6. Prior to the first occupation of any of the dwellings hereby permitted precise scheme details shall be submitted to and agreed in writing by the Local Planning Authority which shall show the following:

Bin Storage

The scheme shall set out measures for the storage of the requisite number of bins per dwelling and the facilitation of kerb side collection.

Cycle Storage

The scheme shall show the provision of two cycle parking spaces per dwelling. For the avoidance of doubt, cycle parking must be covered and offer a means to secure the cycles.

The bin and cycle stores shall only be sited and constructed in accordance with the agreed details and shall be made available before any dwelling hereby approved is first occupied and retained thereafter at all times that the dwellings are occupied.

Reason: In the interests of visual and residential amenity, to maximise Opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable and to accord with the National Planning Policy Framework (2024), Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 201; Saved Policies H5 and DQ2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006; Policy WM9 of the Joint Waste Local Plan (2013.) and the Ensuring a Choice of Travel SPD (2010).

7. The development hereby permitted shall not be occupied until the vehicle parking spaces have been provided in accordance with drawing no 494-1-PLN-005 Rev # and pursuant to condition 4 of this permission. Thereafter those spaces shall be retained for the parking of vehicles only.

Reason: To ensure that adequate on site vehicle parking facilities are provided in the interests of highway safety and amenity and to comply with the National Planning Policy Framework (2024), Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy H5 of the Knowsley replacement Unitary Development Plan, adopted June 2006 and the Ensuring a Choice of Travel SPD (2010).

8. Reporting of Unexpected Contamination

A. 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.

B. 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 ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to comply with the National Planning Policy Framework (2024), Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

9. Importation of Soil/Material

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 ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to comply with the National Planning Policy Framework (2024), Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2016 (or any Order revoking and re-enacting that Order with or without modification):

- (ii) no extensions shall be carried out to the dwelling(s)
- (iv) no buildings or other structures shall be erected within the curtilage of the dwelling(s),

other than those expressly authorised by this permission, unless planning permission for such development has been granted by the Local Planning Authority.

Reason. In the interests of residential amenity and to comply with the National Planning Policy Framework (2024), Policies CS2 and CS19 of the Knowsley: Local Plan:Core Strategy, adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
16/12/2024	494-1-PLN-001	-	LOCATION PLAN
16/12/2024	494-1-PLN-002	-	EXISTING SITE PLAN
16/12/2024	494-1-PLN-006	-	PROPOSED ELEVATIONS
16/12/2024	494-1-PLN-005	-	PROPOSED FLOOR PLANS

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:-

National Planning Policy Framework

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS7 - Transport Networks

CS8 - Green Infrastructure

CS17 - Housing Sizes and Design Standards

CS19 - Design Quality and Accessibility in New Development

CS24 - Managing Flood Risk

CS26 - Waste Management

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

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

T7 - New Development and Walking & Cycling Routes

T10 - Access for the Less Mobile

DQ2 - Security in the Built Environment

ENV2 - Noise and Vibration

ENV5 - Contaminated Land

The Joint Merseyside and Halton Waste Local Plan 2013

WM9 - Sustainable Waste Management Design and Layout of New Development

SUPPLEMENTARY PLANNING DOCUMENTS

Ensuring a Choice of Travel SPD (2010)

Design Quality in New Development SPD (2016)

Amended New Residential Development SPD (2018)

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 (Maxine Wishart on 0151 443 2319)

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.

NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments;

1. The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

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 Mining Remediation 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 a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation 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. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Informative Note valid from 1st January 2025 until 31st December 2026



Executive Director - Regeneration and Economic Development

Date: 18 February 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.
- 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.