



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 21/00931/FUL

Name and address of applicant

EG Group
Waterside Head Office
Haslingden Road
BB1 2FA

Name and address of agent

Date of Receipt: 8 December 2021

Date Valid: 7 January 2022

Address/Location Of Development:

KFC - Unit 2
Coppice Lane
Huyton
Knowsley
L35 1QT

Description of Development:

**VARIATION OF CONDITIONS 2 AND 4 OF PLANNING PERMISSION
19/00610/FUL TO CHANGE THE APPEARANCE OF THE BUILDING, SITE AND
CONSEQUENTIAL CHANGES TO APPROVED DOCUMENTS**

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 hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

2. Within 3 months of the date of this planning permission a Travel Plan must be submitted to and approved in writing by the Local Planning Authority. The Plan shall include immediate, continuing, and long-term measures to promote and encourage

alternative modes of transport to the single-occupancy car. For the avoidance of doubt, the Travel Plan shall include:

- Involvement of employees.
 - Information on existing transport policies, services and facilities, travel behaviours and attitudes.
 - Access for all modes of transport.
 - Targets for mode share.
 - Resource allocation including Travel Plan Co-ordinator and budget.
 - A parking and management strategy.
 - A marketing and communications strategy.
 - Appropriate measures and actions to reduce car dependence and encourage sustainable travel. -
 - An action plan, including a timetable for the implementation of each of the above.
- Mechanisms for monitoring, reviewing, and implementing the Travel Plan.

The approved Travel Plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied and in use.

An annual report shall be submitted to the Council no later than 1 month following the anniversary of the agreement of the first Travel Plan for a period of 5 years. The report shall include a review of the Travel Plan measures, monitoring data and updated action plan.

Reason: To maximise opportunities for travel by modes of transport other than the private car, to ensure that the development is sustainable and to comply with Policy CS7 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy T9 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

3. Fixed plant and machinery associated with the development shall be designed to a level that is at least 5dB(A) below the existing LA90 background noise level as measured during the relevant time period. Any tonal, impulsive, and/or irregular noise would be addressed by imposing a penalty as per the methodology set out in BS4142:2014, Methods for rating and assessing industrial and commercial sound. Noise limits for fixed plant are to apply at a position 1 metre from the closest affected window of the nearest noise sensitive property.

Reason: To prevent undue noise nuisance in the interests of the residential amenities of local residents and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted June 2016 and saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

4. The litter bins which have been installed at the site by the parking area and drive-thru access, or similar litter bins, shall remain on site for customer use at all time the unit is in use.

Reason: To mitigate against waste arising from sales from the unit in the interests of visual amenity and vermin control and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy adopted January 2016.

5. Within three months of the date of this planning permission Electric Vehicle Charging Points shall have been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The charging points shall be

implemented and made available for use in accordance with the approved details in the stated timescale and thereafter retained in accordance with the approved details.

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.

6. No raw materials, finished or unfinished products or parts, crates, materials, waste, refuse or any other item shall be stacked or stored outside any building or corral area without the prior approval in writing of the Local Planning Authority

Reason: In the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core strategy adopted January 2018.

7. Within two months of the date of this planning permission and notwithstanding any submitted details, details of soft landscaping to be carried out within the application site and a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the soft landscape details shall be in accordance with the general principles laid out and specified on the Landscape Layout - Drawing Nos 01 Rev A submitted with reserved matters submission 19/00511/REM. The landscaping shall be carried out in accordance with the agreed scheme. Any trees / shrubs which form the scheme which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the development in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

8. Within one month of the date of this planning permission details of the system of fume extraction and odour control which has been installed within the unit shall be submitted to and approved in writing by the Local Planning Authority. The details shall include specifications of how the smoke and odour from the kitchen is controlled. If changes/revisions are deemed to be necessary specified revisions shall be implemented within a timescale specified by the Local Planning Authority in the responses specifying that revisions are required.

The information submitted must include;

- a) Details / specification of the equipment that will be installed to control odour and smoke
- b) The siting and details of any external ventilation stack.

The submitted scheme when approved shall thereafter be retained and operated to the approved details and manufacturers specification whenever the permitted use is in operation.

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

9. Within 3 months of this decision a verification report which provides evidence that the development has been carried out in accordance with the approved remediation scheme, that no unexpected contamination was found during the implementation of

the development, and that any soils imported onto the site were screened to ensure they were suitable for use on the site.

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 in accordance with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
20/12/2021	160979 - PLNG 154	-	Proposed Site Plan (1:200)
20/12/2021	160979 - PLNG 155	-	Proposed Site Plan (1:500)
20/02/2021	160979 - PLNG 157	-	Drive - Thru Unit Elevations
20/02/2021	160979 - PLNG 156	-	Site Elevations
04/01/2022	Letter	-	Covering letter from agent.
19/04/2021	Email	-	Email from agent confirming that drainage installed is as previously approved.

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

CS4 - Economy and Employment

CS7 - Transport Networks

CS19 - Design Quality and Accessibility in New Development

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

DQ3 - Gateway Sites and Corridors

ENV2 - Noise and Vibration

ENV3 - Light Pollution

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 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.

- 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

Executive Director - Regeneration and Economic Development
Date: 6 May 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.