



**Knowsley Council**

**REGENERATION AND ECONOMIC  
DEVELOPMENT DEPARTMENT**

**TOWN AND COUNTRY PLANNING ACT 1990**

## **PLANNING PERMISSION**

**Application No: 23/01627/COU**

**Name and address of applicant**

Mrs Clare Wilson  
48 St Helens Road  
Prescot  
Merseyside  
L34 6HS

**Name and address of agent**

**Date of Receipt:** 4 July 2023

**Date Valid:** 11 August 2023

**Address/Location Of Development:**

56 Derby Road  
Huyton  
Knowsley  
L36 9UL

**Description of Development:**

**CHANGE OF USE FROM USE CLASS E (RETAIL) TO BAR (SUI GENERIS)**

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 chairs, tables and free standing barriers associated with the seating area shall be removed from the highway and stored securely overnight within the premises, within 30 minutes of the associated premises closing to customers.

Reason: In the interests of minimising crime, disorder and anti-social behaviour and to comply with Policy DQ2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and the National Planning Policy Framework (2023).

## **SCHEDULE 1**

| <b>Date Received</b> | <b>Ref. No</b>     | <b>Version</b> | <b>Drawing/Document Title</b>            |
|----------------------|--------------------|----------------|------------------------------------------|
| <b>11/08/2023</b>    | <b>AS/347/2022</b> | <b>-</b>       | <b>SITE LOCATION PLAN</b>                |
| <b>11/08/2023</b>    | <b>1</b>           | <b>-</b>       | <b>EXISTING AND PROPOSED FLOOR PLANS</b> |

### **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  
S2 - Diversification of Uses within Existing Centres  
CS19 - Design Quality and Accessibility in New Development  
CS6 - Town Centres and Retail Strategy

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 (John Fleming on 0151 443 2216)

### **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 applicant is advised that the granting of planning permission does not entitle the applicant to place chairs, tables or other equipment in the adopted highway. The placing of such in the highway is an offence unless a Pavement Café licence is granted by the Council, under the provisions set out in S115E of the Highways Act 1980. Contact: [Licensing@knowsley.gov.uk](mailto:Licensing@knowsley.gov.uk) for further information.
2. The proposed change of use may require a separate Express Consent to Display Advertisements. Please contact the Council's Development Control Section (Tel: 0151 443 2819) for further advice).
3. 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](http://www.gov.uk/government/organisations/the-coal-authority)

**Executive Director - Regeneration and Economic Development**

**Date: 5 October 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. 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.

### **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.
- 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.