



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 23/00112/FUL

Name and address of applicant

Mr J Ravenscroft
17 Preston Avenue
Prescot
Knowsley
L34 1LS

Name and address of agent

Mr K Woodward
24 Chester Road
Helsby
Frodsham
WA8 0EZ

Date of Receipt: 22 February 2023

Date Valid: 8 June 2023

Address/Location Of Development:

92 Whitefield Lane
Tarbock Green
Knowsley
L35 1QX

Description of Development:

**RETENTION OF 1NO DETACHED DWELLING - AMENDMENT TO SCHEME
APPROVED UNDER PLANNING REFERENCE 17/00742/FUL FOR THE
DEMOLITION OF DWELLING AND ERECTION OF REPLACEMENT TWO STOREY
DWELLING, TOGETHER WITH ALTERATION TO ACCESS TO FORM VISIBILITY
SPLAYS**

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. The dwelling house hereby approved shall not be occupied until a scheme demonstrating highway visibility splays can be achieved to the satisfaction of the Local Planning Authority and the land fronting the property has been cleared of all obstruction exceeding 600mm in height. The land shall be so maintained thereafter at all times that the proposed development is occupied and in use.

Reason: In the interests of highway safety and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

3. The parking provision shown within the curtilage of the dwelling on the approved plans shall be provided prior to occupation. The parking area shall be hard surfaced and shall be made available for its intended use at all times thereafter.

The parking area shall be made to accommodate at least 3no. vehicles side by side. The additional car parking area shall be made of porous materials, or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house. The agreed area shall be retained as such at all times that the proposed development is in use.

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

4. Within three months of the date attached to the decision notice, the windows and doors located on the north and south elevations of the dwelling house hereby approved and as indicated on drawing number K273-2-F shall be treated opaque to at least a level 4 or 5 on the Pilkington Glass Scale. The windows and doors shall be retained as such with level 4/5 obscure glazing at all times thereafter.

Reason: In order to safeguard the residential amenities enjoyed by the occupants of adjoining residential property and to ensure the development complies with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy and Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, , and the National Planning Policy Framework

5. Notwithstanding any description of materials on the proposed plans and documents submitted, the facing brick work located on all four elevations excluding the stone accents shall be rendered in either in a white finish or cream finish within three months of the date attached to the decision notice and retained at all times thereafter.

Reason: In the interests of visual amenity and having regard to policies CS2, CS5 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved policy H8 of the Unitary Development Plan, adopted June 2006.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) Schedule 2, Parts 1 a) - f) and 2 a) - b), or any amendments made to that Order, shall not apply:

- i. no extensions shall be carried out to the dwelling.
- ii. no garages or carports shall be erected within the curtilage of the dwelling.
- iii. no buildings, gates, walls, fences or other structures shall be erected within the curtilage of the dwellings.
- iv. no windows or dormer windows shall be added to the dwelling

unless on application to the Local Planning Authority, planning permission for such development has been granted.

Reason: To protect the residential and visual amenities of the area, safeguard the character of this residential development and to comply with the National Planning Policy Framework; Policies CS2, CS5, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
29/01/2024	K-273-2	REV F	PROPOSED PLANS AND ELEVATIONS
22/02/2023	LOCPLAN	-	LOCATION PLAN

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
CS5 - Green Belt
CS19 - Design Quality and Accessibility in New Development
CS7 - Transport Networks
H8 - Extensions and Alterations to Residential Properties

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 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.

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

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

Standing Advice valid from 1st January 2023 until 31st December 2024

Executive Director - Regeneration and Economic Development

Date: 5 April 2024

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.