



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 23/01371/FUL

Name and address of applicant

Derby Road Investments Ltd
48-52 Penny Lane
Mossley Hill
Liverpool
L18 1DG

Name and address of agent

ArchiPhonic Ltd
Unit 256, Slater Studios
9 Slater Street
Liverpool
L1 4BW

Date of Receipt: 19 June 2023

Date Valid: 17 October 2023

Address/Location Of Development:

**55, 57, 59, 61, 63 & 65 Derby Road & Lansdowne Way
Huyton
Knowsley
L36 9UQ**

Description of Development:

CHANGE OF USE AND REFURBISHMENT OF EXISTING BUILDINGS TO INCLUDE GROUND FLOOR RETAIL RETAINED, FIRST FLOOR OFFICES AND SECOND FLOOR GYM, SHOP FRONT UPGRADES TO 55-65, CANOPY ALTERATION, FACADE UPGRADE TO INCLUDE CLADDING, LIGHTING AND GREEN WALL, CLADDING/LIGHTING TO UNDERSIDE OF CANOPY OF LANSDOWNE WAY, ALTERATIONS TO SIDE/REAR ELEVATIONS INCLUDING FIRST FLOOR REAR TERRACE. ACCESS TO GYM/OFFICES, INSTALLATION OF SOLAR PANELS 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 following approved plans and documents :-

- a. Proposed Second Floor Plan - Rev 1 (received 21/11/2023).
- b. Design and Access Statement - (received 17/10/2023).
- c. Living Wall Plant Box Specification - (received 17/10/2023).
- d. Noise Impact Report - (received 17/10/2023).
- e. Commercial Entrance 3D Image - (received 17/10/2023).
- f. Lansdowne Way 3D Image - (received 17/10/2023).
- g. Derby Road 3D Image - (received 17/10/2023).
- h. Green Wall and Planting - (received 17/10/2023).
- i. Timber Cladding and Canopy - (received 17/10/2023).
- j. Tile and Shopfront Cladding - (received 17/10/2023).
- k. Solar Panels Section Proposed - (received 17/10/2023).
- l. Proposed Rear and right side elevation - (received 17/10/2023).
- m. Proposed Front and Left side elevation - (received 17/10/2023).
- n. Reflective Ceiling Plan - (received 17/10/2023).
- o. Proposed Roof Plan - (received 17/10/2023).
- p. Proposed First Floor Plan - (received 17/10/2023).
- q. Proposed Ground Floor Plan - (received 17/10/2023).
- r. Site Layout Plan - (received 17/10/2023).
- s. Location Plan - (received 17/10/2023).

Reason: For the avoidance of doubt.

3. No part of the development hereby permitted shall be commenced until a construction management plan has been submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction / demolition effects. This shall include but not be limited to the following:

- Access routes of commercial vehicles to the site (this should avoid Derby Road which is pedestrianized during shopping hours 9-5).
- Timing of Works to Derby Road (this should ideally be outside of peak shopping hours of (9-5).
- Timing of works to Lansdowne Way (to minimise any closure of this route).

All site works shall then proceed only in accordance with the approved management plan.

Reason: In order to minimise construction impacts on Huyton town centre.

4. The Green wall and planting shall be maintained in accordance with the details provided in the email of 24/11/23.

Reason: to ensure adequate maintenance of the Green Planting.

5. Prior to the occupation of the gym/offices the recommendations as per the noise report, included with the application, (Noise Impact Report, Spratt and Hamer, Dated 25/09/23, reference: 21154) shall be implemented in full. The ongoing measures required shall be complied with in full at all times the gym remains operational.

Reason: to protect the amenity of neighbouring occupiers.

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

CS6 - Town Centres and Retail Strategy

CS19 - Design Quality and Accessibility in New Development

CS23 - Renewable and Low Carbon Infrastructure

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 (Andrew Hunt on 0151 443 2204)

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

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

Executive Director - Regeneration and Economic Development

Date: 4 December 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. 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.
- 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.