

<u>APPLICATION NO:</u>	23/02803/FUL	<u>CASE OFFICER:</u>	Jo Sheridan
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	Lant At Civic Way, Huyton, Knowsley		
<u>PROPOSAL:</u>	ENABLING AND ENGINEERING WORKS COMPRISING OF DEMOLITION OF THE MUNICIPAL BUILDING AND COMPUTER BUILDING; EXISTING CAR PARKS AND HARDSTANDING, REMOVAL OF TREES, GROUND REPROFILING AND REMEDIATION, INSTALLATION AND DIVERSION OF BELOW GROUND INFRASTRUCTURE, FORMATION OF A TEMPORARY CAR PARK, INSTALLATION OF SECURITY HOARDING AND ASSOCIATED WORKS		

Site Description

The site subject of the application is an area of land approximately 2.9ha in area, situated to the southeast of Archway Road, within Huyton Town Centre. The site is currently occupied by Huyton Municipal Council Office, an IT Centre building, car parks and small areas of trees and landscaping. The Municipal Building is 8 storeys high and has an attached two storey annex to the south of it. The IT Centre is single storey.

Both the Municipal Building and the IT Centre building are occupied by Knowsley Council employees.

The site gently slopes from higher ground in the southeast to lower ground in the northwest towards Archway Road.

The site lies within Flood Zone 1.

Proposal

The proposal is for the enabling and engineering works comprising of demolition of the Council Municipal building and computer IT Centre building; existing car parks and hardstanding, removal of trees, ground reprofiling and remediation, installation and diversion of below ground infrastructure, formation of a temporary car park, installation of security hoarding and associated works.

Consultations

Highway Authority: No objection subject to three conditions; one requiring the submission of a Demolition Management Plan; one requiring the submission of details of servicing and access for 22-50 Derby Road and one requiring the submission of a car park and pedestrian route management plan.

Environmental Health: No objections subject to two conditions; the first requiring the submission of a demolition management plan and the second a condition regarding contaminated land.

LLFA/Drainage: No objections subject to a condition requiring details of the surface water drainage to be submitted.

Arboricultural Officer: No objections subject to two conditions; the first requires the replacement planting of 56 new trees and a condition requiring protective fencing around trees.

Merseyside Environmental Advisory Service: No objections subject to @@ conditions requiring the soft felling of trees; a condition ensuring no tree felling to take place between 1st March and 31 August; the requirement to provide bird nesting boxes; a condition for reasonable avoidance measures for terrestrial mammals; a condition to control the spread of Cotoneaster and a condition regarding waste.

Merseyside Police: No comments.

Cadent Gas: No objections, subject to an informative being added advising the applicant/develop of likely gas infrastructure in the immediate area.

United Utilities: No objections subject to two conditions; the first requiring details of foul and surface water and the second condition requiring details of the protection for water infrastructure.

Representations

The application has been publicised by letters sent to 93 neighbours, the erection of four site notices and a notice in the local press. No representations have been received as a result of the publicity given to the application.

Planning History

None relevant.

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

Saved Policies - Knowsley Replacement Unitary Development Plan (2006)

DQ2 – Security in the Built Environment

ENV 2 – Noise and Vibration

Knowsley Local Plan Core Strategy (2016)

CS1 – Spatial Strategy for Knowsley

CS2 – Development Principles

CS6 – Town Centres and Retail Strategy

CS19 – Design Quality and Accessibility in New Development

CS21 – Greenspaces and Trees

Huyton Village Masterplan Supplementary Planning Document

Trees and Development Supplementary Planning Document

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.

Assessment

Principle of development

The site is located within Huyton Town Centre. The Town Centre is part of a retail hierarchy identified in Local Plan Core Strategy Policy CS6. Huyton Town Centre is identified as the top of the hierarchy along with Prescot and Kirkby Town Centres. Huyton is the civic heart of the Borough. Policy CS6 requires development proposal to enhance their role in providing a comparison and convenience shopping as well as a complementary mix of other uses.

Policy CS4 seeks to safeguard existing employment land from other uses, however, it contains the caveat that land that is currently in use or allocated for employment will be safeguarded from changes to other development, except where other uses would bring wider regeneration, environmental and amenity benefits.

The site is also within the Huyton Village Masterplan Supplementary Planning Document 2017-2028 which sets out the new vision for Huyton Village identifying ambitious development opportunities to promote the vitality and viability of the Village. Whilst not an allocated site, the Municipal Building and IT Centre are highlighted within the Civic Core Action Area under Policy CCAA1 'Archway Road car park and ASDA petrol station' as having potential for redevelopment for civic and residential uses. Policy CCAA2 'Yorkon site and Civic Way IT suite' states that the IT Centre site could be flexible missed use.

This application seeks to demolish the Municipal Building and its associated annex and the IT Centre building. Other civic buildings have been demolished over the last 2-3 years, including The Venue (20/00543/KMBC1) and more recently the Yorkon building (21/00606/DEMCON). The proposed demolition will help to secure a major mixed-use development and the wider comprehensive redevelopment of the area.

The Municipal Building, associated annex and IT Centre are proposed to be demolished to facilitate future development. The proposed demolition would be acceptable to allow the facilitation of the comprehensive redevelopment of the site.

Residential amenity

For the proposal to be acceptable, it is important that it does not have a detrimental impact on the amenities of existing residents. Core Strategy Policies CS2 and CS19 combine to ensure that new development does not significantly injure the amenities

of nearby residential neighbours. Saved Policy ENV2 of the Knowsley UDP seeks to ensure that new or existing developments are protected from new or existing noise sources and that, where necessary, effective mitigation measures are secured.

The applicant and Knowsley Council within its capacity as landowner will carry out the demolition works in a phased, controlled manner to minimise disruption to both local residents, as well as to businesses, workers and visitors to Huyton.

The applicant has stated that targeted communications would be shared with residents who are in close proximity to the site and local businesses surrounding the site to confirm what works are taking place and when.

It is not considered that the proposal would result in undue harm to residential or local amenity, subject to the imposition of a condition requiring the submission of a demolition management plan. The impacts on residential and local amenity are acceptable having regard to noise, general disturbance and dust.

The supporting Transport Statement is not considered sufficiently detailed to demonstrate the ability of the site (and wider environs) to accommodate the parking displaced by the proposed works nor the intended pedestrian routes to be provided on a phase-by-phase basis to ensure adequate access always remains available. However, a Car Park and Pedestrian Route Management Plan, required by condition, will be sufficient to ensure that the Town Centre, and surrounding Council Offices have sufficient parking and access to always cater for demand during and after the proposed works. On this basis, Highways offers no objections to the proposals.

Highways:

Policy CS7 'Transport Networks' in the Local Plan Core Strategy requires new developments to be located and designed to prioritise accessibility and sustainable modes of travel through a choice of walking, cycling, public transport, and incorporate access for private vehicles. The policy also requires new developments to make adequate provision for cycle and car parking.

The NPPF requires new developments to ensure that appropriate opportunities to promote sustainable transport modes can be taken up, that safe and suitable access to the site can be achieved for all users, and that any significant impacts from the development on the transport network, or on highway safety can be mitigated to an acceptable degree. Furthermore, that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The planning application as accompanied by a Transport Statement (November 2023), which outlines that the purpose of the statement is to consider the highways and transport effects of implementing the package of enabling works (i.e. The works subject to this planning application).

The applicant has stated that any necessary car park closures will be clearly signposted and communicated in advance, through Knowsley NEWS, the Council's social media accounts as well as printed banners around the affected site. All communications would advise of the proposed closures, timescales and where alternative parking is available.

The applicants transport consultant conducted a site visit in September 2023 during the weekday morning peak period to observe transport conditions during a busy time of the day for traffic and movement. The main aim of the visit was to better

understand the existing operating characteristics of the car parks within and around the enabling works application site in relation to vehicles and pedestrian access to the area and the occupancy levels of the town centre car parks that are served from Civic Way and Westmorland Road. The observations revealed that the five car parking areas within and adjacent to the enabling works site boundary were approximately 80-90% occupied within the morning peak period and this is consistent with the results of a 2018 parking survey undertaken by Knowsley Council.

The site boundary of this application includes some sections of adopted highway at the northeast corner and on Westmoreland Road and Civic Way. The enabling works area within the site boundary will be in close proximity to the highway boundary of Civic Way and Westmorland Road and the position of the hoarding line in these areas will need to be agreed with the Local Highways Authority to minimise any encroachment onto the highway. This detail can be secured by condition within will require the submission of a Construction Traffic Management Plan.

The Transport Statement outlines pedestrian routes and desire lines that will be affected by the proposed enabling works.

- Archway Road has three sets of steps leading into Archway Road car park that pedestrian would use to access KMBC buildings, Huyton Library, NHS Walk in Centre and the main shopping area to the east on Cavendish Walk;
- A north-south pedestrian route from Archway Road to the east of the Archway Road car park that runs adjacent to the KMBC buildings and connects with the footways on Westmorland Road;
- Civic Way and Westmorland Road consists of footways that run both adjacent and into the site which will be affected
- Cavendish Walk includes three walkways to the site and also onto Westmorland Road.

The Transport Statement states that the aforementioned pedestrian routes and desire lines will be affected by the enabling works and appropriate temporary routes and /or diversions will be provided if required. This detail can be secured by condition within will require the submission of a Construction Traffic Management Plan.

The applicant has confirmed in the Transport Statement that during the enabling works, vehicles can access and exit the area to the west of the site by using Archway Road, Poplar Bank, Civic Way and Westmorland Road. Civic Way will provide access to the existing ASDA petrol filling station and the Archway Road car park and Westmorland Road is proposed to still be operational. These routes will facilitate servicing and delivery activity with adjacent uses that will continue to operate whilst the enabling works are taking place.

The Transport Statement goes on to say that the proposed enabling works at the site are likely to be implemented in two phases, with the southern and northern parts of the site being phases 1 and 2 respectively. The phase 1 hoarding line will be immediately adjacent to the one way section of Civic Way and Westmorland Road to the east of the junction with Civic Way. Should the one way section of Civic Way require a temporary closure, this would be subject to a Temporary Traffic Regulation Order. The Phase 2 hoarding line will be along the east side of the two way section of Civic Way and will be across entry/exit routes for car parks:

- 1 Archway Road (109 spaces)
- 2 Archway Road (Brown Zone) (29 spaces)
- 8 KMBC front visitors (15 spaces)
- 11 Municipal Offices Members (30 spaces)
- 14 Yorkon (Green Zone) (61 spaces)

The closure of the above car parks would lead to a loss of 244 parking spaces, with the majority being lost from car park 1 Archways Road which is a public car park for shoppers. The Transport Statement states that there are 6 car parks unaffected by the proposed enabling works:

- Car park 5 - Club Bingo (149 spaces)
- Car park 4 - Cavendish Walk (70 spaces)
- Car park 6 - Huyton Hey (97 spaces)
- Car park 7 - Huyton Multi Storey Car Park (298 spaces)
- Car park 13 - UKPC (12 spaces)
- (No car park number) - Venue (50 spaces)

The Transport Statement states that the results of the 2022 parking survey showed that sufficient parking provision is available across the whole town centre on a neutral weekday with a peak parking occupancy of circa 63% (1,041) vehicles parked between 8am and 6pm and an average occupancy of 53%. In addition, the 2022 parking survey results for the Saturday showed a peak parking occupancy of 31% (512 vehicles parked) between 8am and 6pm and an average occupancy of 25%.

The supporting Transport Statement was not considered sufficiently detailed to demonstrate the ability of the site (and wider environs) to accommodate the parking displaced by the proposed works nor the intended pedestrian routes to be provided on a phase by phase basis to ensure adequate access remains available at all times. However, a Car Park and Pedestrian Route Management Plan, required by condition, will be sufficient to ensure that the Town Centre, and surrounding Council Offices have sufficient parking and access to cater for demand at all times during and after the proposed works. On this basis, Highways offers no objections to the proposals.

Highways carried out snapshot surveys of the car parks in the Huyton campus, and at the time of survey (February 2024), there were approximately 330 spare spaces available during the weekday. The proposals show that a potential maximum loss of 244 car parking spaces is proposed, although the loss at any one time may not reach this level. On the basis of the available car parking, Highways are satisfied that the spare capacity in the vicinity of the proposed development site can accommodate the potential maximum car parking displacement if necessary and it is on this basis, Highways offers no objections to the proposals.

To further mitigate the loss of parking spaces during the phase 1 enabling works, a temporary car park is proposed to be delivered on the site of the IT Centre building and the Municipal Annex. This car park can only be provided when the other car parks have been removed from use as part of the enabling works.

The Highways Advisor is satisfied with the information within the Transport Statement and its conclusions.

Subject to the to the recommended conditions referred to above, the application accords with policies CS7 'Transport Networks' and CS19 'Design Quality and Accessibility in New Development' in the Knowsley Local Plan: Core Strategy Policy and it is considered that the development would not result in any significant adverse impacts on highway or pedestrian safety.

Trees and landscaping:

Saved Policy DQ4 of the Knowsley UDP seeks to ensure that new developments include adequate tree and landscape provisions, whilst also seeking the protection or replacement of trees affected by development. Policy CS21 of the Local Plan Core Strategy has the same aims and sets out the principles for mitigation where tree loss is unavoidable. This approach is supported by the Trees and Development SPD.

The entirety of Huyton Town Centre is covered by a Tree Protection Order.

The Arboricultural impact assessment identified 47 individual trees, thirty six groups of trees and four hedgerows. Three trees (T25, T36 and T47) identified during the survey were considered to be unsuitable for retention due to the presence of defects resulting in reduced life expectancies of the trees. A further 25 trees are proposed to be removed to enable the demolition of the buildings.

The loss of trees on site will inevitably lead to a negative impact on the visual amenity of the area. This tree loss is considered unavoidable to allow the demolition the buildings.

Saved Policy DQ4 states that where the Council accepts that tree loss will be unavoidable, the applicant will be required to make adequate provision for their replacement, normally including two new trees for each tree lost.

This is quite a unique situation as the trees are proposed to be removed to allow demolition of the buildings to enable the regeneration of the site. Tree replacement planting cannot be secured at this time as the medium to long term proposal is to redevelop the site in accordance with the Huyton masterplan and any planting may need to be removed again to accommodate redevelopment. To secure replacement trees, a planning condition will be imposed which will require the planting of 56 new trees within 5 years, regardless of redevelopment of the site. This will ensure that replacement trees will be planted regardless of whether development comes forward or not.

The details provided to date are sufficient for the proposal to comply with Saved Policy DQ4 of the Knowsley UDP and Policy CS21 of the Local Plan Core Strategy.

Ground conditions and site levels:

A Phase 1 Preliminary Risk Assessment accompanied the planning application for the demolition of the buildings. Environmental Health reviewed the report and advised that a full contaminated land condition be imposed.

Site levels across the site are being amended with variances ranging from removal of 750mm in some locations to the addition of 750mm in other locations. Levels are to remain relatively consistent across the site.

Drainage:

Policies CS2 and CS24 of the Local Plan Core Strategy combine to ensure that development will not cause an unacceptable risk of flooding and that surface water is drained in a safe and sustainable manner.

The LLFA has reviewed the submitted drainage strategy for the above the application.

United Utilities requested a similar condition relating to surface water drainage to that requested by the LLFA and as such, these have been consolidated into one condition.

United Utilities have confirmed that a public sewer crosses the site and that they would not permit building over it. They have requested that CCTV is carried out on the UU sewers before and after demolition works to confirm the condition of the sewers and to ensure no damage. The second condition requested by United Utilities seeks to secure details of the means of ensuring this on site waste water infrastructure are protected from damage as a result of the proposed works. This is not to be carried through to a condition as this is a matter for the applicant/developer and United Utilities outside of the planning system. The applicant/developer has been made aware of the comments of United Utilities.

Subject to these conditions the proposal would be in compliance with Local Plan policy CS24

Ecology:

Policy CS8 of the Local Plan Core Strategy, at various points, aims to ensure that new development protects and enhances biodiversity, including the protection of designated sites, priority habitats and protected and endangered species. This is fully consistent with the aims of the NPPF. The application is accompanied by a Preliminary Ecological Appraisal, bat surveys and biodiversity net gain metric.

Bats:

The applicant submitted a Preliminary Bat Roost Assessment (PRA) report and a Dusk Emergence & Dawn Re-entry Bat Surveys. The report and survey were not accepted because of limitations within it and an update report was requested.

The updated report was submitted and no evidence of bat use or presence were found. The Council do not need to consider the proposal against the three tests (Habitats Regulations).

The PRA (Trees T1 (arb ref T23) and T2 (arb ref T22) were identified as having moderate suitability for roosting bats. These trees are shown as being retained as part of this planning application.

A number of trees were identified as having low bat roost potential. Of these trees, the following are to be removed as part of the proposed works – T3 (arb ref – within G31, T4 (arb ref T42) and T6 (arb ref – within G18). In line with best practice, the felling of these trees must employ soft felling techniques under the supervision of a qualified ecologist. This will be secured by condition.

Merseyside Environmental Advisory Service have requested a condition requiring the installation of bat and bird boxes. As the proposal is for the demolition of buildings and not the development of the site, a situation may arise where the boxes provided may have to be removed. It is therefore considered that the bat and bird boxes are not provided at this time but will be incorporated into the future development of the site.

Cotoneaster:

Cotoneaster is present within the site, however the plant could not be identified to species level. Due to several species of Cotoneaster being invasive, the submitted Preliminary Ecology Report recommends taking a precautionary approach and to assume the Cotoneaster is an invasive species. Two conditions will therefore be imposed should planning permission be granted; one requiring the applicant to submit a method statement detailing how the Cotoneaster is to be treated and one

condition requiring a validation report to be submitted confirming the Cotoneaster remediation treatment has been carried out and that the site has been free of the invasive species for 12 consecutive months.

Biodiversity Net Gain

The applicant has submitted a Biodiversity Net Gain Report and a metric calculation. The submitted documents were not accepted as they comprised the baseline assessment only. There would be a net loss of 8.91 habitat units (-44.42%) and a net loss of 1.20 hedgerow units (-55.99%).

Consequently, the applicant submitted further information on 16th February which stated:

“This application relates only to enabling works associated with the site, and the detail of the final redevelopment proposal (including biodiversity mitigation strategy) will be confirmed by way of a future planning application. The BNG Assessment has confirmed that the enabling works (without any mitigation) will result in a net loss of 8.91 habitat units and 1.2 hedgerow units. The Applicant confirms that in the event that the site doesn’t come forward for redevelopment within 5 years following commencement of the enabling works, or where a 10% BNG cannot be achieved within the final redevelopment scheme, a commuted sum to offset the net loss of habitat and hedgerow units will be provided. In order to secure this commitment, the Applicant proposes to enter into a Memorandum of Understanding, which will detail the value of the commuted sum (or details of offsite mitigation measures) and set out triggers and obligations for delivery of BNG. This is an approach we have adopted elsewhere and provides the Council with an enforceable mechanism for securing biodiversity enhancements.”

Biodiversity Net Gain was enacted into legislation following the receipt of this planning application; therefore, the applicant is not required to demonstrate biodiversity net gain. As with the loss of and replacement of trees on site, this is a unique application as it is for demolition works to enable the regeneration of the site, therefore any habitat creation on site or mitigation may be futile as an application for redevelopment is expected in the future. When a planning application is submitted in the future for the development of the site, that application will require the applicant to demonstrate 10% net gain on site and the baseline data presented as part of this application will be the starting point for assessing future biodiversity net gain.

Taking the above into account, the proposal complies with Policy CS8 of the Local Plan Core Strategy.

Archaeology:

There is one non-designated heritage asset recorded on the Merseyside Historic Environment Record within the proposed development: MME21183 ‘Former site of Nos. 14 and 16 Westmoreland Road, Huyton, built in the mid to late 1840’s. However, any below ground archaeological remains are likely to have been truncated by the construction of the Municipal Offices and associated landscaping works.

The Historic Environments Baseline prepared by Fenix Heritage (November 2023) has fully assessed the archaeological potential of the proposed development site. This assessment is based on a more extensive red line boundary than issued with the planning application, and therefore, unnecessarily considers a larger number of non-designated heritage assets.

The proposed development site is considered to have negligible archaeological

potential and no further information is required.

The proposal complies with Local Plan Core Strategy Policy CS20 – Managing the Borough's Historic Environment

Conclusion

The proposal is considered to be acceptable in terms of its impact on residential amenity, highways and drainage. The proposal complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF. In coming to this view, regard has also been given to the Huyton Village Masterplan Supplementary Planning Document 2017-2028.

Recommendation

Grant planning permission subject to the following conditions:

1. Time limit
2. Approved plans
3. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes should consider the following points:
 - (i) The LLFA understands that an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365 has been undertaken. The results of infiltration tests will be required to disqualify the infiltrating-based SuDS methods from the drainage options.
 - (ii) The CCTV survey of all within-site drainage assets that remain after the enabling works will be required.
 - (iii) The CCTV survey of exiting points of connections to the public sewer system before and after the enabling works will be required.
 - (iv) Levels of the proposed drainage systems (filter drains, swales and new manholes) including proposed ground and finished floor levels in AOD will be required.
 - (v) To ensure that the capacity of downstream public sewers after the works are not compromised, a demonstration will be required to indicate that existing catchment areas to each outfall will be maintained. Where such a risk is applicable, incorporation of mitigation measures to manage the risk of sewer surcharge will be expected.
 - (vi) Should the applicant or their contractor identify sources of pollution and associated mitigation measures within their CEMP (Construction Environmental Management Plan) other than already set out in the proposed Drainage Strategy, this must be submitted to and approved in writing by the Local Planning Authority prior to the works commencing.

Reason: To ensure a satisfactory drainage system is provided to serve the site in accordance with Paragraph 163 of the National Planning Policy Framework, House of Commons Written Statement 161 for Sustainable Drainage Systems, Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) and Policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy (January 2016).

4. No part of the development hereby permitted shall be commenced until a Demolition Management Plan has been submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of demolition effects. This shall include but not be limited to the following:
- (i) The site working hours (our standard hours are 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.)
 - (ii) Methods for the mitigation of noise and vibration from the works, including the operation of any temporary power generation or pumping plant which will operate overnight.
 - (iii) Methods for dust control and suppression.
 - (iv) Details of wheel washing facilities including location and type.
 - (v) Demolition parking arrangements
 - (vi) Adequate provision for addressing any abnormal wear and tear to the highway
 - (vii) Measures for the control of traffic to and from the site, parking and temporary traffic management arrangements during demolition
 - (viii) The areas for the storage of plant and materials, including wastes.
 - (ix) Location of site compound.
 - (x) Arrangement of any temporary lighting (to prevent it from causing a nuisance).
 - (xi) A site waste management plan to include details of measures to be implemented for the minimisation of waste
 - (xii) Details of relevant pest control measures that will be in place throughout the demolition phase.
 - (xiii) Details of how the nearby neighbours / businesses will be informed of the works. Any letter / leaflet that is to be distributed should contain the following:
 - a. a brief description of the intended works, including details of any works likely to cause disturbance.
 - b. the anticipated start and finish date of the works.
 - c. a site contact name and phone number should issues arise.
- All site works shall then proceed only in accordance with the approved management plan unless otherwise agreed in writing beforehand with the Local Planning Authority.

Reason: To ensure the satisfactory development of the site and to preserve the safety and function of the highway network and to comply with the National Planning Policy Framework; Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016; Policy WM9 of the Merseyside and Halton Joint Waste Local Plan 2013 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

5. Contaminated Land

A. Risk Assessment

No development shall take place until an assessment of the risks posed by any contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with authoritative guidance (CLR 11), and shall assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include (were relevant):

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and
- service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments.

B. Submission of Remediation Scheme

Where land affected by contamination is found which poses unacceptable risks, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. As a minimum, the scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.

D. Reporting of Unexpected Contamination

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. 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.

E. Materials Management Plan

Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan, signed off by a Qualified Person, shall be submitted to and agreed in writing with the local planning authority. The MMP shall demonstrate that any reuse of contaminated materials does not result in increased risk to the environment or human health.

F. Importation of Soil/Material

No soil 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 by the Local Planning Authority.

Reason: To prevent any risk to the public and general pollution of the environment and in accordance with Policy CS2 in the Knowsley Local Plan Core Strategy and saved policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

6. Within 5 years of the date of this decision notice, a scheme for replacement tree planting must be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include tree replacement for individual trees on a 2:1 basis and tree replacement for groups on a 2:1 basis. For the avoidance of doubt, the scheme must include at least 56 new trees. The scheme should include the location, size and species of the replacement trees. Following the approval of the scheme for replacement tree planting, the tree planting shall be wholly implemented in its finally approved form the first available planting season following the substantial completion of development. Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced during the first available planting season following the date of loss or damage.

Reason: In the interests of visual amenity and to ensure the development complies with Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

7. No part of the development hereby permitted shall be commenced until:
 - a) A plan showing the location of all protective tree fencing has been submitted to and agreed in writing by the Local Planning Authority.
 - b) All existing trees/hedges to be retained on site (as indicated on Drawing No. C161140-04-01 Rev A 'Tree Retention Plan' in the Arboricultural Impact Assessment received 4th December 2023) have been protected by fencing in accordance with BS5837:2012, of a minimum height of 2.3 metres, which shall use vertical and horizontal scaffolding poles with the uprights driven well into the ground and well braced to resist impact. Onto this, weldmesh panels (without the use of rubber or concrete feet) should be securely fixed.
 - c) At least five days written notice has been given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in parts (a) and (b) shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall be retained in place until the development is complete.No storage of plant or material (including soil), works (including movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing thereby defined for the duration of the development works.

Reason: To protect existing trees within the site in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

8. No part of the development shall commence until a scheme for the provision of vehicular access and servicing (including turning movements) for numbers 22 to 50 Derby Road has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented in full accordance with the approved scheme details prior to first occupation of the development unless otherwise agreed in writing by the Council as Local Planning Authority. For

the avoidance of doubt, such a scheme shall be retained at all times to ensure access in perpetuity.

Reason: To ensure the provision of safe and adequate means of access to the adjacent sites in the interests of the safety and amenity of residents and visitors.

9. No part of the development proposals shall be commenced until a Car Park and Pedestrian Route Management Plan has been submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the plan shall have within it, either detailed provision for each phase of the proposals, or a review mechanism to ensure that no phase may proceed until the Council as Local Planning Authority are satisfied that the proposals are adequate to cater for the impacts of said phase.

Reason: To ensure a satisfactory regime of car parking management and pedestrian access is provided at all times throughout and after the development has taken place, in order to prevent pedestrian severance and excessive car parking on the highway during times of peak demand.

10. The Preliminary Bat Roost Assessment identified Tree T1 (arb ref T23) and T2 (arb ref T22) were identified as having moderate suitability for roosting bats. These trees are shown as being retained. Should this change and the trees need to be removed, prior to their removal, a bat survey is first required to identify whether the trees have roosting bats. The mitigation of the bat survey must be approved in writing with the Local Authority and implemented in full.

Reason: To safeguard protected species in accordance with the NPPF.

11. The Preliminary Bat Roost Assessment identified trees T3 (arb ref – within G31), T4 (arb ref T42) and T6 (arb ref – within G18) as having low bat roost potential. The felling of this tree shall be in line with best practice and the felling of this tree should employ soft felling techniques under the supervision of a suitable qualified ecologist.

Reason: To safeguard protected species in accordance with the NPPF.

12. Prior to the removal of any vegetation or the demolition or conversion of buildings between 1st March and 31st August in any year, a detailed survey shall be carried out to check for nesting birds. Where nests are found in any building, hedgerow, tree or scrub or other habitat to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority before any further works within the exclusion zone taking place.

Reason: To safeguard protected species in accordance with the NPPF.

13. No development shall take place until the following reasonable avoidance measures have been put in place to ensure that there are no adverse effects on hedgehogs which are a priority species:
 - A pre-commencement check for hedgehogs;
 - All trenches and excavations should have a means of escape (e.g. a ramp);

- Any exposed open pipe systems should be capped to prevent mammals gaining access; and
- Appropriate storage of materials to ensure that mammals do not use them.

Reason: In the interests of biodiversity conservation and to comply with Policy CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

14. Prior to the commencement of development, a method statement for the treatment and/or removal of Cotoneaster must first be submitted to and approved in writing by the Local Planning Authority. The report must be prepared by a competent person and include the following information:
 - A plan showing the extent of the Cotoneaster;
 - The method(s) that will be used to prevent the Cotoneaster spreading further including demarcation;
 - The method(s) of control that will be used, including details of post-control monitoring; and
 - How the Cotoneaster will be disposed of after treatment/removal.
 The approved details shall thereafter be implemented in full.

Reason: These details are required to be approved before the commencement of development to prevent the spread of invasive species and protect local biodiversity

15. Within 12 months following the completion of the removal of Cotoneaster from the site, a validation report confirming the Cotoneaster remediation treatment has been carried out and that the site has been free of the invasive species for 12 consecutive months shall be submitted to the Local Planning Authority.

Reason: To ensure the invasive species has been adequately dealt with.

Informatives:

1. 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.
2. The applicant is advised that part of the land within the red line boundary is adopted highway and it is an offence to obstruct the highway. This permission does not entitle the developer to obstruct the public highway whatsoever. Any proposed temporary or permanent stopping-up or diversion of a highway must be the subject of an Order under the appropriate Act.
3. The applicant, their advisers and contractors should be made aware that if any European protected species are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.
4. 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

5. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linsearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Please see plans provided by Cadent Gas attached at the end of the decision notice.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
27/11/2023	M10335_0007	Rev P01	Site Location Plan
27/11/2023	HTC-BHE-XX-ZZ-DR-S-0001	Rev P01	General Arrangement Demolition Plan
27/11/2023			Huyton Mixed Use District Project: Indicative Phasing Proposals and Options for Delivery of Enabling Works 23/11/23
27/11/2023	M10335_0003	Rev 01	Proposed Ground Levels
27/11/2023	M10355_0006	Rev P01	Topographical Plan
08/12/2023	VN32696-D100	Rev -	General Arrangement & Dimensions – Site Access Junction & Parking Bays
19/02/2024	M10335_0008	Rev 01	Site Layout Following Demolition
19/02/2024	VN232696-D106	Rev -	Affected Pedestrian Routes/Desire Lines at the Site

Signed Case Officer¹:

Jo Sheridan

Signed Authorising Officer²:

K Foster

Date:

19 March 2024

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

