

APPLICATION NO: 22/00630/FUL **CASE OFFICER:** Andrew Hunt

WARD: Whiston & Cronton **PARISH: Whiston**
Town Council

LOCATION: Land At Mp Foods, Lyneham, Whiston, Knowsley, L35 3TN

PROPOSAL: RESIDENTIAL DEVELOPMENT FOR THE ERECTION OF 19NO
DWELLINGS TOGETHER WITH OTHER ASSOCIATED WORKS
INCLUDING 1NO VEHICULAR ACCESS TO LYNEHAM

Site Description

The application site consists of a car park serving a shop and grassed areas surrounding this. There are trees located in the eastern part of the site on the northern and southern boundaries. The site is bounded by a road to the east (Haslemere) which leads to the entrance and exit of the estate and by existing houses to the north and west. Lyneham form the southern boundary of the site and residential properties are located on the opposite side of Lyneham.

Proposal

The proposal is residential development for the erection of 19no dwellings together with other associated works including 1 no vehicular access to Lyneham. The proposal consists of 3 main elements.

- a. A row of 12 cottage flats to the southeast facing towards Lyneham. These are 2 Bed 3 person unit on a single floor with a floor area of 61 (first floor) and 63sqm (ground floor) respectively.
- b. A row of 4 dwellings to the east facing eastwards towards Haslemere. These are 2 Bed 4 person units on two floors with an area of 79sqm.
- c. A row of 3 dwellings to the north. These are 4 bed 5 person units on two floors with a floor area of 106sqm.

Consultations

Arboricultural Officer – No Objection following changes to layout subject to conditions on replacement planting and 5 days notice of the tree protection fencing being erected.

Cronton Parish Council – No Observations received.

Environmental Health – No Objection subject to conditions in relation to contamination, a construction management plan, piling, construction hours and noise.

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Highways - Highways have no objection to the proposed development subject to conditions to secure the implementation of highway improvement works, parking, a construction management plan, lighting scheme and informatives.

Housing Strategy - Proposed scheme is a 100% affordable housing scheme through Onward Homes. • We are satisfied with the units being available as rent to buy homes. Strategic Housing are supportive of this scheme.

Lead Local Flood Authority – No objection subject to conditions to ensure a Detailed Drainage Strategy and Management and Maintenance of Sustainable Drainage.

Merseyside Environmental Advisory Service – The ecology report is acceptable. No objection subject to conditions in relation to felling of trees, lighting, reasonable avoidance measures, hedgehog highways, breeding birds, a waste audit, low carbon technologies, bird and bat boxes.

Merseyside Fire and Rescue Service – No Objection subject to informatives.

Police Architectural Liaison Officer – The layout has improved however, there are still issues of narrow alleyway between 6 and 7. Plots 2 and 3 are vulnerable and there are issues with a corner of the amenity space being unused. The end of the cottage flats could cause issues as it is a blank gable*.

** The plans have been amended including in relation to bringing forward the alleyway To street level and incorporating the leftover space within the development and adding side windows to the end cottage flat to provide natural surveillance.*

Whiston Town Council - Members of Whiston Town Council wish to object to this above planning application as they have concern about the applicant and previous issues around the cleanliness of the site, neighbouring properties will have a negative visual impact, and experience an increase in traffic and possible parking issues.

United Utilities – No Objection subject to details of a sustainable surface water drainage scheme and a foul water drainage scheme.

Representations

This application has been publicised by letters sent to 37 neighbours and by a press notice. The application has been subject to two rounds of consultation, one on the original plans and again on the amended plans.

Original Plans

1 Objection was received on the original plans consisting of the following main points:

- More houses will cause parking problems.
- I am concerned I may be blocked in due to parking.
- The houses being built facing No 39-43 will block the sunlight from coming into are front rooms and we will have no privacy as the new houses front doors face existing houses which is atypical for the estates.

Amended Plans

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1 Objection (from the same objector) was received consisting of the following main points:

- More houses will cause parking problems.
- I am concerned I may be blocked in due to parking.
- The new houses will block my light in the front of my house so my bedroom and kitchen will be dull all year round.
- We will have no privacy as the new houses front doors face existing houses which is atypical for the estates.
- We have a rat problem on the estate and more digging up will cause the rats to look for other options to nest which would lead them coming in doors
- They should build on just the MP Foods store and leave the grassed area undeveloped.

Planning History

Numerous applications have been decided at the site, however, the only material application is an application for 12 houses (16/00608/OUT – approved 20 6 17). The application was an outline application with all matters reserved.

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.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS3 - Housing Supply, Delivery and Distribution

CS7 - Transport Networks

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CS9 - Principal Regeneration Area – North Huyton and Stockbridge Village
CS15 - Delivering Affordable Housing
CS17 - Housing Sizes and Design Standards
CS19 - Design Quality and Accessibility in New Development
CS21 - Greenspaces and Trees
CS22 - Sustainable and Low Carbon Development
CS24 - Managing Flood Risk

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

H5 - Development within Primarily Residential Areas
DQ2 - Security in the Built Environment
DQ4 - Trees and Development
ENV5 - Contaminated Land

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.

ISSUES AND ASSESSMENT:

PRINCIPLE OF DEVELOPMENT

The application site is situated within a Primarily Residential Area; therefore, the development is acceptable in principle. A previous application was approved at the site establishing its suitability for housing in principle (16/00608/OUT). The development is in accordance with UDP policy H5.

DESIGN, ACCESS AND LAYOUT

Policy CS19 (Design Quality and Accessibility in New Development) in the Core Strategy sets out several criteria that developments will be expected to conform to so that they enhance local distinctiveness and the identity and accessibility of new places. The NPPF identifies that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

The layout of the development has been significantly changed since the original design. The proposal now includes 3 rows of dwelling facing in each direction with none of the staggered arrangement of the previous layout. The proposed rows of houses match the rows of existing dwellings surrounding the site. It is considered that this is a significant improvement, and the layout is now acceptable. Consideration of the layout from a highway perspective is detailed later in the report.

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In terms of the design, the buildings have been reduced in height to match the height of surrounding properties and now include part rendering of the front of the buildings. The dwellings are now considered to be of good design and compatible with the surrounding area, which is mixed in character.

The development would entail the loss of trees however a replacement landscaping scheme will be secured via condition that will facilitate replacement planting. This will involve landscape improvements to the north west part of the site and the south east part of the site which are to remain as grassed areas.

Overall, the development is consistent with Core Strategy Policy CS19.

RESIDENTIAL AMENITY

Policy CS19 in the Core Strategy requires new developments to maintain a good standard of amenity for all existing and future occupants of land and buildings by avoiding unacceptable impacts on existing residents and future occupiers.

The Amended New Residential Development Supplementary Planning Document (SPD) 2018, gives guidance on the separation distances that should be maintained between residential properties to ensure that harm is not caused to amenity by overshadowing, loss of privacy or through undue dominance. The SPD sets out that:

- 22m should be provided between existing rear principal elevations and proposed principal elevations for two storey properties
- 20m should be provided between the principle elevations of two storey properties
- 12m should be provided between the principal elevation of one property and the gable elevation of another, and
- properties should have a garden depth of at least 10m.

Existing Residents

In relation to existing properties, almost all dwellings would be at least 22 metres away from the main wall of the properties that directly face it.

The proposed dwellings have been reduced in height compared to the original plans due to the angle of the roof being shallower in the amended plans. This further reduced any potential impact on neighbours.

Number 31 Lyneham has a rear conservatory extension which means that one of the proposed dwellings would be around 20.03 metres away. This would be less than the 22m recommended in the SPD, however, despite the shorter distance it is considered that the occupants of 31 would still benefit from an acceptable level of amenity.

All properties that would face a blank gable or wall are over 12 metres away in accordance with the standards.

In relation to 43 lyneham, a condition is required to ensure that the side windows on the end cottage flat are obscure glazed and non - opening below 1.7 metres.

Unit number 5 extends around 1.6 metres beyond the existing dwelling. This means that they could extend an additional 3 metres (and 4.6 metres beyond the neighbour) without requiring permission and 6 metres (7.6 metres beyond the neighbour) via the prior approval process. It

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is considered that an extension of this length could cause harm to the amenity of the neighbour and should be subject to planning control. Therefore, a condition is required to restrict permitted development rights to avoid harm to amenity.

Construction Issues

In relation to construction issues, a construction management plan is required which will minimise disruption to residents. This will include restrictions on construction hours so a separate condition is not required. Overall, the development would not cause harm to existing residents, this is supported by the views of the council's Environmental Health team.

Solar Panels

32 Lyneham has solar panels on the rear roof. Due to the distance between this dwelling and the nearest proposed dwelling (23.3 metres), there will not be significant loss of sunlight to these solar panels. (This is a significant increase on the 12.68 metre distance of the original layout). There are other solar panels on properties to the south but as the proposed dwelling will be to the north of them, there will not be material loss of sunlight.

Overall, the development will not harm the amenity of neighbouring properties. The development complies with Core Strategy Policy CS19.

Existing Business

A noise assessment has been provided which demonstrates the development would be compatible with the existing shop at the site. This has been reviewed and found acceptable by the council's Environmental Health team who have no objection subject to conditions in relation to contamination, a construction management plan, piling, construction hours and noise.

Future Occupiers

The proposed dwellings would provide an acceptable level of amenity for future occupiers with all habitable rooms capable of being provided with a window that would ensure good outlook and light.

The proposed dwellings would also have sufficient garden space at the rear and would meet or exceed relevant standards.

Overall, it is considered that the development will provide a good standard of amenity for future residents. The development complies with Policy CS19 of the core strategy.

AFFORDABLE HOUSING

In accordance with Core Strategy Policy CS15 and NPPF para 65, affordable housing is required. As the NPPF requires a minimum of 10% of units as affordable housing at least 2 units will need to be affordable housing. NPPF para 65 requires that at least 10% of homes should be for affordable home ownership. Rent to buy is defined as an "other affordable routes to home ownership" in part d) of Annex 2 of the NPPF. Therefore, rent to buy units meet the criteria for affordable home ownership and comply with NPPF para 65.

The tenure shall be rent to buy homes which shall be delivered on site. This will be secured via a section 106 agreement.

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OPEN SPACE

A planning obligation of £43,078, to fund open space improvement within the area will be secured through a legal agreement. The contributions shall be spent within the Whiston settlement area. Overall, the development complies with Core Strategy Policy C21.

TREES

It is considered that the development will not cause harm in relation to trees. A tree survey has been produced. In total fourteen individual trees (T1, T2, T3, T4, T5, T6, T8, T9, T12, T13, T15, T16, T17 & T18) and one group of trees (TG1) would require removal in order to accommodate the development. One tree (T14) is recommended to be removed for Arboricultural Reasons. One tree to be removed is a Class B tree, however all others are Class C or below. The proposal would have an acceptable visual impact on amenity. This demonstrates that the development would not cause harmful tree impacts that could not be mitigated. This is supported by the views of the council's arboricultural officer who has no objection to the development subject to conditions to secure replacement planting and notice of erection of fencing. It is proposed to have replacement planting at a 2 to 1 ratio. In the event of this not being able to be met on site, a commuted sum of £570.56 per tree shall be provided to the council for tree planting elsewhere. This will be secured via a section 106 agreement. Therefore, overall the application complies with Core Strategy Policy CS21 and UDP policy DQ4.

FLOOD RISK

It is considered that the development will not cause harm in relation to flood risk. This is supported by the views of the LLFA who have no objection subject to conditions in relation to a Detailed Drainage Strategy and Management and Maintenance of Sustainable Drainage. In addition, United Utilities also have no objection. The development therefore complies with Core Strategy Policy CS24

ECOLOGY

An ecology survey has been submitted with the application which demonstrates that the development would not have unacceptable ecological impacts. This is supported by the council's ecologists who have no objection to the proposal subject to conditions in relation to felling of trees, lighting, reasonable avoidance measures, hedgehog highways, breeding birds, a waste audit, low carbon technologies, bird and bat boxes. The proposed landscaping scheme will also incorporate measures to enhance biodiversity.

Overall, it is considered that there will be no harm to ecology subject to the other conditions requested by MEAS. The development therefore complies with Core Strategy Policy CS8.

HIGHWAYS

NPPF para 111 states that a development should only be 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"*.

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In relation to parking spaces, there would be 30 parking spaces, between the 19 units. Based upon the council's parking standards this would equate to a figure of 44 spaces required. It is considered that a lower requirement is justified in this instance as the majority of the properties (12) are relatively small single storey apartments of between 61 and 63 sqm in size. In addition, the site is proposed for 100% affordable housing. This will consequently result in a reduced level of parking demand compared to a market housing development. The level of parking has been reviewed by the council's highways department who have found the levels provided to be acceptable.

Four dwellings would take access off Haslemere, however, this is not a busy road and is an internal road that mostly serves the estate, therefore it is considered acceptable for houses to have direct access to this. The other access point would be to the south off Lyneham, the internal road would branch to the west and north east. The layout is considered to provide safe and suitable access to the site.

Overall, there would not be significant harm to highway safety. Overall, the application complies with Core Strategy Policy CS7. Electrical vehicle charging points are required and can be secured via a condition.

OTHER MATTERS

In relation to the conduct of the applicant, this would not be a material planning consideration.

In relation to the cleanliness of the site and the presence of rats, a condition to require a construction management plan will be imposed. This will require details of pest control measures to be submitted and approved by the local planning authority. However, the condition can only relate to inside the site area boundary under the control of the applicant and not surrounding properties.

CONCLUSION

The development is acceptable in principle and would not cause harm in relation to highway safety, design, trees, ecology, flood risk or the amenity of neighbouring properties. The proposed development complies with policies included within the Core Strategy (2016), Knowsley Replacement Unitary Development Plan (saved policies 2009) and National Planning Policy Framework (2021).

RECOMMENDATION:

That Planning Permission be granted subject to a section 106 agreement to secure the following:

- To secure the first tenure of the properties as rent to buy homes, and require two units to remain thereafter as Affordable Housing (rent to buy)
- An Open Space Contribution of £43,078.
- A requirement to pay £570.56 per tree for replacement planting that cannot be accommodated on site.

and the following condition(s):-

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- 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) Plans

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:-

- a. Proposed Site Plan – Rev G - 418-1-PLN-002 - (Received 24/4/23).
- b. Proposed Boundary Plan - Rev G - 418-1-PLN-002 - (Received 24/4/23).
- c. Visibility Splays – VN222261-D101 - Rev B - (Received 24/4/23).
- d. Swept Path Analysis - VN222261-TR102 - Rev B - (Received 24/4/23).
- e. 4 Bed Houses Elevations – 418-1-PLN-007- Rev C - (Received 29/3/23).
- f. Cottage Flats Floor Plans - 418-1-PLN-008- Rev C - (Received 27/3/23).
- g. Cottage Flats Floor Plans - 418-1-PLN-009- Rev C - (Received 27/3/23).
- h. Cottage Flats Floor Plans - 418-1-PLN-010- Rev C - (Received 27/3/23).
- i. Cottage Flats Elevations - 418-1-PLN-011- Rev C - (Received 27/3/23).
- j. Cottage Flats Elevations - 418-1-PLN-012- Rev C - (Received 27/3/23).
- k. 4 Bed Houses Floor Plans - 418-1-PLN-006- Rev B - (Received 20/2/23).
- l. 2 Bed Houses Elevations 418-1-PLN-005- Rev C - (Received 20/2/23).
- m. 2 Bed Houses Floor Plans 418-1-PLN-004- Rev B - (Received 20/2/23).
- n. Location Plan - (Received 11/10/22).

Reason: For the avoidance of doubt.

3) Materials

No above ground construction works shall be commenced until samples and / or full specification of materials to be used externally on the development have been submitted to and approved in writing by the Local Planning Authority.

Such details shall include the type, colour and texture of the materials. The development shall be carried out only in accordance with the agreed schedule of materials.

Reason: In the interests of visual amenity and to ensure that the development complies with the National Planning Policy Framework (2021), the National Design Guide (2021), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Ensuring a Choice of Travel SPD, adopted September 2010.

Pre Commencement

4) Contaminated Land

A. Risk Assessment

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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.

Prior to any further ground investigations taking place, the scope of works for these investigations must be agreed, in writing, with the local planning authority.

The assessment must also 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 (where 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.

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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 to by the Local Planning Authority.

Reason: In order to protect human health and avoid contamination.

5) Highways Works

No development shall take place until a scheme for the design and layout of highway works has been submitted to and approved in writing by the Council as Local Planning Authority. For the avoidance of doubt, the works shall include but not be limited to:

- Repositioning of speed hump(s)
- Introduction of site access with 6m radii, tactile paving, dropped kerbs
- Footway crossovers onto Haslemere
- Reinstatement of redundant access (as footway).

The approved scheme shall be implemented before the development is brought into use.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of highway safety and amenity and to comply with Policy CS19 of the Core Strategy, adopted January 2016

6) Construction Management Plan

Prior to commencement of development a Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction effects. This shall include but not be limited to the following:

- a. Layout of the site compound including identification of areas for the storage of plant and materials, loading/unloading and turning areas for delivery vehicles [for each phase as necessary].
- b. Management of deliveries including prevention of waiting/layover of

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construction related traffic on the highway, measures for the control of traffic to and from the site and consideration of any temporary traffic management arrangements which may be necessary during periods of construction. Note reversing on the highway is not permitted without a Banksman.

- c. Construction staff parking arrangements
- d. Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
- e. Methods for dust control and suppression.
- f. A programme of works including phasing, if applicable.
- g. Adequate provision for addressing any abnormal wear and tear to the highway, if applicable.
- h. Details of pest control measures.
- i. Methods for the mitigation of noise and vibration from building works, including any piling works, and also from the operation of any temporary power generation or pumping plant which will operate overnight.
- j. Details of construction hours

All site works shall then be carried out in accordance with the approved Plan.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with saved Policies H5, and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy CS2 of the Core Strategy, adopted January 2016.

7) Piling

If piling is required as part of the development, then prior to the commencement of any piling works, the applicant shall submit a method statement, to be approved by the Local Planning Authority. The piling work shall be undertaken in accordance with the approved method statement: The method statement shall include the following details:

- a. Details of the method of piling
- b. Days / hours of work
- c. Duration of the pile driving operations (expected start date and completion date)
- d. Vibration monitoring details, including the number of monitors and the monitoring location(s).

Reason: In order to safeguard the residential amenity of neighbours.

8) Trees Notice

Five working days written notice shall be given to the Arboricultural Officer before commencement of the works hereby granted.

Reason: To ensure the required tree protection measure are in place before works commence on site

9) Sustainable Drainage

Development shall not commence (above slab level) until a detailed SUDS based

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drainage scheme based on the principles of The SUDS Manual (C753) and the criteria as set out within Knowsley Strategic Flood Risk Assessment (SFRA, Levels 2), has been submitted and approved in writing by the Local Planning Authority (LPA). The applicant should provide suitable drainage drawings, summary calculations and results of all investigations detailing the surface water drainage works as set out below. The maximum rate of discharge, off-site, shall not exceed 5l/s, and be in line with the drainage strategy as set out within Drainage Strategy dated August 22 Version 003 unless otherwise agreed in writing with the LPA. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

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).

10) Management and Maintenance

Prior to the first occupation of the development, a Management and Maintenance Plan for the sustainable drainage system relating to the lifetime of the development through an appropriate legally binding agreement shall be submitted to and approved in writing by the Local Planning Authority.

This shall include:

- The arrangements for adoption by an appropriate public body or statutory undertaker or details of provision for management and maintenance by a resident's management company.
- A schedule for on-going inspections relating to performance and condition.
- Details for planned maintenance and a mechanism for remedial and urgent repair works.
- Means of access for inspection and maintenance purposes.
- The plan shall be implemented in accordance with the timeframes contained within it.

Reason: To ensure effectiveness of the flood risk measures during the lifetime of the development policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy (January 2016).

11) Levels

No development shall commence other than as may be required in relation to site clearance and remediation until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the local planning authority. This shall include information of the height of the building, gardens and fences in relation to neighbouring dwellings. The development shall be carried out in accordance with the approved details.

Reason: To ensure an acceptable visual appearance to the development and to protect the outlook and privacy of neighbours.

12) Lighting

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No works above slab level shall commence until a scheme for provision of lighting of private communal areas has been submitted to and approved in writing by the Council as Local Planning Authority. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the habitats.

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 accompanied by a maintenance strategy to ensure its future operation.

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

13) Soft Tree Felling

Any felling of Tree number 1 (identified In the Ecological survey and assessment – 2022-201 – (Received 11/10/22). shall only take place if the mitigation measures identified in paras 5.3.4 – 5.3.8 of the document are carried out.

Reason: In order to avoid harm to bats. Tree number 1 was identified as having low bat roost potential.

Pre Occupation

14) Landscaping and Trees

Prior to the occupation of the dwellings a landscape scheme to replace lost trees and enhance biodiversity shall be submitted to and have been approved by the local planning authority.

The landscaping shall include native tree and plant species and shall include bird and bat nesting boxes.

The scheme shall include replacement tree planting on a 2:1 basis. The scheme should include the location, size and species of the replacement trees. The trees shall be a minimum of 20-24cm girth.

The tree planting shall be wholly implemented in its finally approved form in accordance with the approved scheme within 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 in kind during the first available planting season following the date of loss or damage.

Reason: To enhance biodiversity and to comply with Policy CS8 of the Knowsley Local Plan Core Strategy adopted January 2016.

15) Boundary Treatments

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Details of Boundary Treatments shall have been submitted to and have been approved by the local planning authority prior to the occupation of any dwelling. The approved boundary treatments shall be installed prior to occupation and shall be retained as such hereafter.

Reason: In order to ensure acceptable boundary treatments.

16) Noise Measures

Prior to the occupation of the dwellings the recommendations as per the noise report, included with the application, by Environoise, report No. 21868R01aSWMW, shall be implemented. The noise mitigation required is as detailed below:

- 1st Floor bedrooms (2-bed houses on Haslemere) require a glazing performance of 30, with a 10mm pane / 6 to 20mm cavity / 4mm pane with a standard vent / C25 (page 11)

Documentary evidence of the works shall be submitted to and approved in writing by the Local Planning Authority prior to occupation.

Reason: In order to protect occupants of proposed and existing buildings from noise.

17) Electric Vehicle Charging Points

No dwelling shall be occupied until an outdoor, weatherproof electric vehicle charging point readily accessible from a dedicated parking space has been provided for the dwelling.

The chargepoint shall be:

- a) A minimum of 7KW, and
- b) at Least Mode 3 or equivalent,
- c) located in order to comply with the Equality Act 2010 and the accessibility requirements set out in the Building Regulations Part M.

The EV charging point shall be clearly marked as such and their purpose explained to new occupants in any home welcome pack.

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 and NPPF Para 112.

18) Full Fibre Broadband

No dwelling hereby approved shall be occupied until a full fibre broadband connection has been installed and made available for use.

Reason: To support economic growth in accordance with NPPF Para 112.

19) Parking and Manoeuvring

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The development shall not be brought into use until the areas indicated on drawing 418-1-PLN-002 Rev F be set aside for parking, servicing, vehicular manoeuvring (including provision for pedestrians/cyclists) have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown. These areas shall be retained as such thereafter.

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

Ongoing Conditions

20) Reasonable Avoidance Measures

The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on hedgehogs or badgers:

- A pre-commencement check for badger and/or hedgehog mammals;
- 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 order to protect badgers and hedgehogs at the site, which the habitats are suitable for.

21) Breeding Birds

No tree felling or scrub clearance is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then trees and scrub are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted to the local planning authority for written approval and the works shall be carried out in accordance with the agreed details.

Reason: In order to protect breeding birds.

22) Hedgehog Highways

Any close board fences installed on site should have hedgehog highways (13cm x 13cm gaps) to allow movement of hedgehogs.

Reason: In order to maintain habitat connectivity for hedgehogs,

23) Permitted Development

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, Part a and or any amendments made to that Order, shall not apply to dwelling 5 (Shown on the Proposed Site Plan – Rev F):

- no extensions shall be carried out to the dwelling(s)

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

Reason: In order to prevent an extension impacting on the amenity of neighbours.

24) Obscure Glazing

The two side windows on the side west Elevation of the cottage flats (Drawing 418-1-PLN- 012 – Rev C) shall be

- a. Obscure glazed, and
- b. non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed

Reason: To protect the privacy of the dwellings opposite.

Signed Case Officer¹:	Andrew Hunt
Signed Authorising Officer²:	Alan Kilroe
Date:	18/8/23

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

INFORMATIVES

- 1) Merseyside Fire and Rescue – See Letter
- 2) Cadent Gas – See Letter
- 3) Highway Works

It is an offence to carry out any works within the public highway without the permission of the Highway Authority. The grant of planning permission will require the developer to enter into an agreement under s278 of the Highways Act 1980 with the Council. The applicant is advised to contact the Site Development Team at SiteDevelopment@knowsley.gov.uk to discuss the matter further.

The road serving the permitted development is to be designated a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). It is incumbent on the developer to undertake the appropriate measures to ensure that the future maintenance and management of the private street is established and continued in perpetuity. For example: through the

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establishment of a Maintenance or Management Company, whose terms of reference are secured by means of a Section 106 Agreement of the Town & Country Planning Act, as well as the developer formally seeking exemption under Section 219 of The Highways Act 1980. All roads within the development hereby permitted must be constructed to an engineering standard equivalent to that of adoptable highways. Further information can be obtained by contacting SiteDevelopment@knowsley.gov.uk

It should be noted that the Council operates the Advance Payments Code in accordance with Sections 219 – 225 of the Highways Act 1980. This Code applies wherever a new building is to be erected which will have a frontage onto a new section of road which is to be declared a private road. Failure to deposit or secure monies with the Highway Authority prior to the commencement of building work, in accordance with the Code, is an offence, which could lead to the suspension of construction and may lead to prosecution and a fine.

4) Lighting Guidance

It would be helpful for the applicant to refer to Bat Conservation Trust website <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

Appendix 1 – Site Photographs

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