



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 23/02677/FUL

Name and address of applicant

Partner Construction Ltd
6th Floor - Lambert Smith Hampton
3 Hardman Street
Spinningfields
Manchester
M3 3HF

Name and address of agent

Lambert Smith Hampton
6th Floor
3 Hardman Street
Spinningfields
Manchester

Date of Receipt: 20 September 2023

Date Valid: 11 October 2023

Address/Location Of Development:

Land At Carr Lane
Prescot
Knowsley

Description of Development:

**ERECTION OF 88 NO. AFFORDABLE RESIDENTIAL DWELLINGS AND
ASSOCIATED INFRASTRUCTURE**

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Planning Permission has been **granted** for the carrying out of the development referred to above in accordance with the application and plans submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

3. 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 (where relevant):

- a. a survey of the extent, scale and nature of contamination;
- b. 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 to by the Local Planning Authority.

Reason: In the interests of safety, to prevent pollution of the environment and to comply with Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

4. Prior to the commencement of above slab level works, a scheme for the protection of dwellings from noise from the M57 shall be submitted to and approved in writing by the local planning authority. The scheme shall be based on the findings of the Road Traffic Noise Impact Assessment by Hepworth Acoustics, Report No: P23-228-R01v9, July 2024.

The scheme shall detail the specific measures to be installed in each of the properties identified in the assessment, including the specifics with regards to:

- a. The manufacturer and specification of glazing to be installed;
- b. The make and model of the ventilation systems to be installed;
- c. Precise location, height and specification of the 4m high acoustic fence on land within Carr Lane Woods, adjacent to the M57;
- d. Specification of the 2.1m high acoustic garden fences.

All works which form part of the scheme shall be completed before the relevant dwelling is occupied and always retained thereafter. Evidence of the agreed measures shall be submitted to the local planning authority prior to first occupation of the property.

Reason: To safeguard local residents from noise and disturbance, and to comply with Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

5. 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;
 - b. Management of deliveries including prevention of waiting/layover of 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 trained Banksman (RoSPA or equivalent);
 - 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. Methods for the mitigation of noise and vibration from building works, including any piling works, and from the operation of any temporary power generation or pumping plant which will operate overnight;

- g. Methods that can be put in place quickly, should odour control be required. (There is potential for odour from the historic use of the site, particularly when ground excavations take place);
- h. Details of relevant pest control measures that will be put in place during the construction / demolition phase;
- i. Adequate provision for addressing any abnormal wear and tear to the highway, if applicable;
- j. A site waste management plan to include a scheme for recycling/disposal of waste resulting from demolition and construction works;
- k. No construction / demolition work shall take place outside the hours of 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;
- l. Details of a designated site manager name and number to be displayed on site.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers 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.

6. Development shall not commence until a detailed SUDS based 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 15.4 l/s (Greenfield Qbar) 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.

PART A:

For avoidance of doubt and in order to discharge the condition, the application should consider the following points in the preparation of final surface water and drainage strategy, detailed design drawings, calculations and supporting information. In order to discharge the condition, the applicant shall be expected to consider the following elements:

- a. Full details of the maximum discharge rate must be demonstrated on the drainage strategy.
- b. Details of an Environment Permit for surface water discharge (max 15.4 lit/s) to Prescot Brook to be submitted.
- c. Details of proposed outfall structure to Prescot Brook to be submitted. In designing of the proposed outfall, the invert level should be set considering the high water level in the Brook to avoid backwater effect into the proposed drainage system on the site.
- d. Details of attenuation storage be submitted.
- e. If the pipe network has been designed using 1 in 30 years rainfall event, the model information should be able to demonstrate the maximum volume, extent and depth of surcharged flood water in order to prove that the proposed nearby dwellings are safe from flood water.
- f. Plan showing overland exceedance routes and flood depth in the event of a failure of the drainage system to be submitted. The failure of the proposed system should include for blockage of pipes, blockage of outlet structures and risk of impediments across planned flood routing paths. This could be supported by a designer's risk

assessment that identifies key points of failure of the system and what means/mitigations have been adopted to limit risk of failure. This will also inform the maintenance plan with regards to corrective actions needed should a failure occur.

- g. Plan showing overland exceedance routes and flood depth, and extreme event exceedance management in the event of a storm event in excess of the 1 in 100 + 45%CC storm event to be provided. It would be expected to consider a 1 in 200 years rainfall event plus 40% climate change as the exceedance event.
- h. Details demonstrating that adequate water quality of the off-site surface water flows to be submitted, in accordance with the Simplified Index Approach as set out within Section 26 of the SUDS Manual (C753).
- i. Design details of the proposed SuDS pond to be submitted.
- j. A revision will be required to be undertaken where the proposed manhole cover level is higher than nearby Finished Floor Levels (e.g. S9 versus FFL at Plot 85-88, S11 versus FFL at Plot 62, 63 and 64, S14 versus FFL at Plot 68 and 69). It is expected that the proposed FFLs to be higher than the proposed manhole cover level by 300-600mm.
- k. Completed Knowsley SUDS Proforma to be submitted.
- l. Drainage strategy report describing the methodology and principles applied, calculation sheets, design details and summary results to be submitted.
- m. The finished floor levels shall be set no lower than 42.8 AOD metres above Ordnance Datum (AOD)
- n. Foul and surface water shall drain on separate systems

PART B: 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 an approved in writing by the Local Planning Authority. The plan will include:

- a. 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
- b. A schedule for ongoing inspections relating to performance and condition
- c. Details for planning maintenance and a mechanism for remedial and urgent repair works
- d. Means of access for inspection and maintenance purposes
- e. The plan shall be implemented in accordance with the timeframes contained within it.

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 (2016).

7. The development shall be carried out in accordance with the submitted flood risk assessment (ref FD125- April 2024) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 42.8m AOD above Ordnance Datum (AOD).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the schemes timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

8. Prior to the commencement of development details of the proposed remedial measures for shafts -001 and -008 must be submitted to and approved in writing by the Council as local planning authority. The remediation proposals should be designed and undertaken by competent persons. The approved scheme for remedial works must be implemented in full and prior to the occupation of any dwelling within the site.

Reason: These details are needed prior to the commencement of development to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 197 of the National Planning Policy Framework.

9. No development or demolition shall take place until the applicant or their agents, has secured the implementation and submission of a report on a programme of archaeological works. That programme of archaeological works should be undertaken in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority prior to works taking place. The WSI must include:
- A phased programme and methodology of site investigation and recording;
 - A programme for post-investigation reporting to include production of a final report of the significance of the below-ground archaeological interest;
 - Provision for appropriate publication and dissemination of the archaeology and history of the site;
 - Provision for archive deposition of the report, finds and records of the site investigation; and
 - Nomination of a competent person or persons / organisation to undertake the works set out within the approved WSI.

Reason: To comply with guidance set out in Paragraph 205, Chapter 16, Conserving and Enhancing the Historic Environment, of the National Planning Policy Framework (Department for Levelling Up, Housing & Communities: September 2023), Managing Significance in Decision Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2 (Historic England: 2015) and Knowsley Local Plan Policy CS20 (Knowsley Council: 2016).

10. Piling or any other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed activity does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework's and Position Statement J of the 'The Environment Agency's approach to groundwater protection.'

11. The development hereby permitted shall not be brought into use until the areas for the movement, loading, unloading and parking of vehicles, including the electric vehicle charge points have been provided, constructed and surfaced in complete accordance with the plans hereby approved. These areas shall be retained at all times thereafter.

Reason: To ensure that adequate on site vehicle parking/maneuvering facilities are provided in the interests of highway safety and amenity, and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

12. Prior to the first occupation of each relevant dwelling to which it relates, cycle storage highlighted on Drawing No. UL/CL/EVCS/01 and Drawing No. UL/CL/CBS/01 shall be implemented as agreed.

Reason: To ensure that adequate provision is made for parking cycles securely and to comply with Policy CS7 of the Core Strategy, adopted January 2016

13. Prior to the construction of any dwelling hereby permitted, a scheme to construct a pedestrian footpath at Carr Lane, where it is void, shall be submitted to and approved in writing by the Council as local planning authority. The approved scheme shall be implemented in full prior to the occupation of the 50th dwelling.

Reason: To ensure that adequate provision is made for walking and to comply with Policy CS7 of the Core Strategy, adopted January 2016

14. Prior to the occupation of any dwelling, a Residential Travel Plan shall be submitted to and approved in writing by the Council as Local Planning Authority. The Plan shall include immediate, continuing and long-term measures to promote and encourage alternative modes of transport to the single-occupancy car. For the avoidance of doubt, the Travel Plan shall include, but not be limited to, the following:

- a. Production and distribution of an information pack for residents detailing travel options and information on all modes of transport.
- b. Information on existing transport policies, services and facilities, travel behaviour and attitudes.
- c. Access for all modes of transport.
- d. Resource allocation including Travel Plan Co-ordinator and budget.
- e. Marketing and communication strategy.
- f. Appropriate measures and actions to reduce car dependence and encourage sustainable travel.
- g. An action plan including timetable for implementation of each of the above.
- h. Mechanisms for monitoring, reviewing and implementing the Travel Plan.

The approved Residential Travel Plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented so long as any part of the development is occupied.

An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for a period of 5 years. The report shall include a review of the Travel Plan measures, monitoring data and updated action plan.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

15. Prior to the construction of any dwellings a scheme for the provision of lighting for the shared private drive has been submitted to, approved in writing by the Local Planning Authority. For the avoidance of doubt, the scheme shall include drawings of the lighting and lighting columns, a site layout indicating positions of the lighting, isolux and luminosity details and manufactures specifications. The approved scheme for each private driveway shall be implemented in full prior to the occupation of any dwellings served from that private drive.

Reason: In the interests of residential amenity, security and ecology and to comply with the National Planning Policy Framework; Policies CS2, CS8 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and save Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

16. Notwithstanding the approved plans, a scheme specifying details of the proposed footpath within the site connecting the residential development to the south of this development site to Carr Lane Woods and Carr Lane shall be submitted to and approved in writing prior to the construction of any dwellings. For the avoidance of doubt, the width of the footpath will be a minimum of 3m. The path is to be installed and open to use by pedestrians and cyclists in accordance with a timetable to be submitted as part of this condition.

Reason: In the interests of highway safety.

17. Prior to above ground works, full details of the photovoltaic installation and heat pumps shall be submitted to the Local Planning Authority in accordance with the submitted Energy Statement & Regulation 25a Low or Zero Carbon (LZC) technology feasibility study. The details shall include full plans and specifications. The agreed details will be implemented prior to the first occupation of any part of the development hereby permitted and maintained and retained thereafter.

Reason: To reduce carbon emissions in accordance with Knowsley Local Plan Core Strategy Policies CS2, CS11 and CS22.

18. Notwithstanding the details shown on the submitted plans, prior to above ground works, full details of replacement tree planting and all soft landscaping works have been submitted to and approved in writing by the Council as local planning authority.

The details shall relate to all land surfaces not built upon and shall include:

- a) Planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work (see informative 9).
- b) Existing plants / trees to be retained
- c) The incorporation of wildflower species in the key areas that can create new bee orchids as set out by 5.34 of the Preliminary Ecological Appraisal;
- d) A detailed regime for the ongoing and longer-term maintenance of all soft landscaping to be submitted for approval prior to the occupation of the development.

The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which it relates unless otherwise agreed in writing by the Local Planning Authority.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: In the interests of visual amenity to ensure the landscaped areas are satisfactorily maintained and to ensure the development complies with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

19. Prior to the commencement of development, an Arboricultural Method Statement shall be submitted to and approved by the Council as local planning authority. The statement shall outline the measures to be taken to protect the trees on site during the construction process. The scheme shall include scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted

to and approved in writing by the Local Planning Authority. The tree protection measures shall be carried out as described and approved and shall be maintained until the development is completed.

Reason: To ensure that the proper protection of trees 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.

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

Reason: For the avoidance of doubt and to comply with the application.

21. A colour copy of a leaflet (refer to informative 2) setting out information about the Sefton Coast should be provided by the applicant to all first-time occupiers of new homes. The leaflet has been produced by Merseyside Environmental Advisory Service and has been approved by Natural England. Applicants may also make this leaflet available in digital form to all first-time occupiers.

Reason: To ensure compliance with CS8 of the Knowsley Local Plan Core Strategy (January 2016).

22. Prior to above ground works, a lighting scheme which includes the steps necessary to ensure the lighting scheme does not result in excessive light spill that negatively affects the foraging and commuting of bats shall be submitted for the written approval of the local planning authority (refer to informative 3). The agreed details shall be installed in full prior to the occupation of any dwelling hereby permitted and maintained thereafter.

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

23. Tree T7 (mature Black Poplar) and tree G15a (mature poplar) have been identified as having low bat roost potential. The felling of these trees 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.

24. Prior to above ground works, a scheme for enhancement measures for bats and birds (bat and bird boxes/bricks) shall be submitted to the Council as Local Planning Authority. The scheme shall include the number, type and location on an appropriately scaled plan as well as timing of installation. The approved scheme shall be implemented in accordance with the approved timeframe and retained thereafter. For the avoidance of doubt, as a minimum, there shall be a minimum of six bat boxes sited within the woodland in the vicinity of trees T3, T4 and T5 and a minimum of nine integrated bat boxes on houses adjacent to linear vegetated boundaries as an enhancement measure.

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

25. No tree felling, scrub clearance, hedgerow removal, is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the breeding bird season, Prior to the removal of any vegetation or the demolition or conversion of buildings between 1st March and 31st August in any year, then all

trees, scrub, hedgerows and vegetation 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 for approval. Details must include a 10m exclusion zone shall around the nest until breeding is complete and the young have fledged and are no longer returning to the nest site. 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.

26. Prior to the commencement of development, a Construction Environmental Management Plan must be submitted to and approved in writing by the local planning authority. The CEMP must include the following reasonable avoidance measures to ensure that there are no adverse effects on protected species:

- a) Measures to protect terrestrial mammals as contained within section 5.17 of the Ecological Assessment Report (October 2023);
- b) The provision of hedgehog highways (13cm by 13cm gaps) should be installed into close board fences on site);
- c) Measures to protect habitat for breeding birds as described in section 5.18 of the Ecological Assessment Report (October 2023);
- d) Measures to protect Water Voles as contained within section 5.22 of the Ecological Assessment Report (October 2023). In line with best practice guidance, it is advised that no works are carried out within a minimum of 5m of the top of the banks and details of methods of protection zones are submitted for approval as part of the CEMP;
- e) Measures to protect amphibians as contained within section 5.17 of the Ecological Assessment Report (October 2023).
- f) In accordance with sections 5.30 to 5.35 of the Ecological Assessment Report (October 2023), the measures specified to minimise habitat loss shall be implemented in order to mitigate biodiversity loss within the site.
- g) Standard pollution control measures to protect all retained habitats including wetlands.

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

27. Prior to the commencement of development an amphibian mitigation strategy shall be submitted to the Council as local planning authority for approval which includes a method statement on how the pond 1 (which is to be removed) will be drained under ecological supervision to enable the relocation of any amphibians encountered during drainage to an appropriate receptor site. The mitigation strategy will be carried out in accordance with the approved details.

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

28. Prior to above ground works a Landscape and Habitat Management Plan which covers the management of the site for 30 years shall be submitted to the Local Planning Authority and agreed in writing. The Plan should be prepared in accordance with the Biodiversity Metric Assessment, Biodiversity Metric 3.1 and Landscape Masterplan and should include the following:
- Description and evaluation of the features to be managed;
 - Ecological trends and constraints on site which may influence management;
 - Aims and objectives of management;
 - Appropriate management options for achieving aims and objectives;

- Prescriptions for management actions;
 - Preparation for a work schedule (including an annual work plan and the means by which the plan will be rolled forward annually);
 - Personnel responsible for implementation of the plan;
 - Confirmation of funding and ownerships; and
 - Details of a programme of monitoring and remedial measures
- The approved works shall be carried out to the agreed timetable to the satisfaction of the local planning authority.

Reason: To comply with the Environment Act 2021.

29. No development shall take place until a scheme for the provision and management of an 8m wide buffer zone alongside the Prescott Brook has been submitted to and approved in writing by the Council as local planning authority. The 8m wide buffer is to be measured from the top of the river bank. Thereafter, the development shall be carried out in accordance with the approved scheme. The buffer zone scheme shall be free from built development including fencing, lighting, domestic gardens and formal landscaping. The scheme shall include
- Plans showing the extent and layout of the buffer zone (including cross sections)
 - Details of any proposed planting schemes (for example, native species)
 - Details demonstrating how the buffer zone will be protected during development and managed over the longer term including the production of a detailed management plan
 - Details of any proposed footpaths, fencing, lighting etc.

Reason: Land alongside Prescott Brook is valuable for wildlife and it is essential this is protected. This approach is supported by paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) which recognizes that the planning system should conserve and enhance the environment by minimizing impacts on and providing net gain for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.

30. In accordance with the approved Arboricultural Impact Assessment trees T3, T4 and T5 must be retained in situ.

Reason: Reason: In the interests of visual amenity to ensure the landscaped areas are satisfactorily maintained and to ensure the development complies with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

31. No development shall commence until:
- (a) a plan showing the alignment and elevational treatment of a close boarded fence of not less than two metres in height shall be erected along the eastern boundary of the development site (or at least one metre from any part of the existing motorway fence where the boundary lies within one metre of this including detail of its future management and maintenance in perpetuity, has been submitted to and agreed in writing by the local planning authority in consultation with the Highway Authority for the M57 motorway; and
 - (b) the fence approved by part (a) of this condition has been erected in accordance with the agreed details.
- Thereafter, the fence shall remain in situ and only be repaired or replaced in accordance with the requirements of this condition.

Reason: For reasons of safety, liability and maintenance in accordance with paragraph 57 DfT Circular 01/2022.

32. Prior to the commencement of any development within 20 metres of the highway boundary of the M57 motorway, a scheme detailing any earthworks and the measures in place to prevent any vibration affecting the Strategic Road Network shall be submitted to and approved in writing by the local planning authority in consultation with the Highway Authority for the M57 motorway. The approved scheme shall be implemented in full prior to the commencement of any development within 20 metres of the M57 motorway and to the satisfaction of the of the local planning authority.

Reason: To ensure the integrity of National Highways' asset and the continued safe operation of the Strategic Road Network, hence clarification on proposed groundwork improvements work next to the Strategic Road network is required.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
30/01/2024	UL/CL/LP/01	Rev C	Location Plan
17/05/2024	UL/CL/SL/01	Rev L	CAD Site Layout
17/05/2024	UL/CL/CSL/01	Rev G	Colour Site Layout
02/05/2024	UL/CL/AHP/01	Rev E	Adoptable Highways Plan
02/05/2024	UL/CL/BTP/01	Rev E	Boundary Treatment Plan
23/04/2024	UL/CL/BTD/01	Rev C	Boundary Treatment Details
02/05/2024	UL/CL/EVCS/01	Rev E	EV Charging & Cycle Stores
02/05/2024	UL/CL/HP/01	Rev F	Hardstanding Plan
05/07/2024	PD20-NDS-19(v1)S/02		NDS-19(v1) Planning Drawing (OPP) SEMI DETACHED
05/07/2024	PD20-NDS-19(v1)O/01B	B	NDS-19(v1) Planning Drawing DETACHED
05/07/2024	PD20-NDS-19(v1)S/01B	B	NDS-19(v1) Planning Drawing (AS) SEMI DETACHED
05/07/2024	PD20-F142(APT)/01		F142 (FLATS) Planning Drawing (AS)
05/07/2024	PD20-F115/02		F115 Planning Drawing (OPP)
05/07/2024	PD20-F115/01		F115 Planning Drawing (AS)
05/07/2024	PD20-F114/02		F114 Planning Drawing (OPP) and (MID)
05/07/2024	PD20-F114/01B	B	F114 Planning Drawing (AS)
05/07/2024	PD20-F113(FA)/02		F113 (FA) Planning Drawing (OPP)
05/07/2024	PD20-F113(FA)/01B	B	F113 (FA) Planning Drawing (AS)
05/07/2024	PD20-F112/02		F112 Planning Drawing (OPP) and (MID)
05/07/2024	PD20-F112/01B	Rev B	F112 Planning Drawing (AS)
05/07/2024	PD20-F112 GP/01		F112 Planning Drawing (AS) GABLE PEAK
02/05/2024	UL/CL/P/01	Rev H	Materials Plan
05/07/2024	UL/CL/CBS/01		Proposed Bin Store/Cycle Store
02/05/2024	UL/CL/SS/01	Rev G	Site Sections
02/05/2024	UL/CL/SHP/01	Rev E	Storey Heights Plan
02/05/2024	UL/CL/SS/02	Rev H	Street scenes
19/06/2024	UL/CL/T/01	Rev C	Tenure Plan
17/05/2024			Usable Green Space Plan
17/05/2024	UL/CL/WMP/01	Rev F	Waste Management Plan

12/10/2023	103043	V3	Air Quality Assessment
11/09/2024		Rev E	Arboricultural Impact Assessment
12/10/2023		V1-1	Archaeological Desk Based Assessment
02/08/2024	BOW17_1486		Bat Roost Assessment
17/05/2024		Rev F	Design Statement
12/10/2023	BOW17_1486	V1	Ecological Assessment Report
12/10/2023	AG-77218-LZCR	Rev B	Energy Statement
10/05/2024	FD125	Rev 3	Flood Risk Assessment
12/10/2023	GRO-22463-4596		Geo-Environmental Appraisal
12/10/2023			Health Impact Assessment Report
24/01/2024	14-245-R1		Phase I and II Geoenvironmental Site Assessment
12/10/2023		03	Planning Statement
12/07/2024	P23-228-R01v9	July 2024	Road Traffic Noise Impact Assessment
24/01/2024	GRO-22463-4991		Supplementary Coal Mining Risk Assessment
12/10/2023	CBO-0803-002	3	Transport Assessment

Plans removed from Schedule 1

21/06/2024	23088/102/1	Rev B	Level Appraisal
12/10/2023	CBO-0803-003	3	Travel Plan Framework
12/10/2023	23088/100/1		Drainage Strategy Layout
12/10/2023			Causeway Flow SW Calcs

REASON(S) FOR THE GRANTING OF PLANNING PERMISSION

The decision to grant planning permission has also been taken having regard to the policies and proposals as set out below, and to all relevant material considerations including supplementary planning guidance:-

This informative is only intended as a summary of the reason(s) for the granting of planning permission. Should you require any further details relating to the decision please contact the relevant case officer (Jo Sheridan on 0151 443 2376)

NOTE FOR APPLICANT:

IMPORTANT - PLEASE READ CAREFULLY THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

- 1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
 - a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
 - b) You or your agent or any other person responsible for implementing this permission should inform Planning Services immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

- 2) This permission is granted subject to conditions and it is the owner of the property and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.
- 3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent.
 - a) If a condition precedent is not complied with prior to the start of development, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - b) In addition, if the requirements of a condition precedent are subsequently not complied with, the development is unauthorised and the only way to rectify the development is the submission of a new application.

If any other type of condition is breached then you will be liable to a breach of condition notice.

- 1 The 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.
- 2 Condition 21 - lcr_leaflet_knowsley.pdf (meas.org.uk)
- 3 Condition 22 - Please refer to the 'Bats and Artificial Lighting at Night' guidance which has been produced by the Institute of Lighting Professionals in conjunction with the Bat Conservation Trust.
- 4 Refer to United Utilities letter dated 31/01/2024.
- 5 Refer to Merseyside Fire & Rescue Service letter dated 5/12/2023.
- 6 Environment permit
The Environmental Permitting (England AND Wales) Regulations 2016 required a permit to be obtained for any activities which will take place:
 - On or within 8 metres of a main river (16m if tidal)
 - On or within 8 metres of a flood defence structure or culverted main river (16m if tidal)
- 7 Combined S38 and S278:
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 does not negate the need for the submission and approval of highway engineering details for inclusion in an agreement under S38 and S278 of the Highways Act 1980 (for roads proposed for adoption and connection of off-site highway works onto the existing adopted highway respectively). The applicant is advised to contact the site development team, email: SiteDevelopment@knowsley.gov.uk to discuss the matter further. The highway fees applicable for a combined S38/S278 highway agreement are available on the Knowsley Council website here: <https://www.knowsley.gov.uk/residents/roads/highway-fees-and-charges>
- 8 Advance Payments Code:
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 offered for adoption (or where the Council determines that these areas are potentially adoptable), unless a Road Adoption Agreement under Section 38 of the Act has been concluded, or the street has been declared a private road. Failure to deposit or secure monies with the Local 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.

- 9 The applicant should note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.
- 10 The landscape strategy details that wetland planting is limited to Dogwood, Iris, Soft rush, Purple loosestrife and Black poplar. This is limited in suitable wetland species and the mix should be expanded to include Water mint *Mentha Aquatica*, Meadow sweet *Filipendula ulmaria*, Marsh Marigold *Caltha palustris*, Hemp Agrimony *Eupatorium Cannabinum*, Ragged Robin *Lychnis flos-cuculi*, Water forget me not *Myosotis scorpioides* and Marsh Woundwort *Stachys palustris*. *Juncus effusus* should be removed from the planting schedule as, without adequate management this species can become invasive.
- 11 Himalayan balsam and Japanese knotweed are present within the site. These species are listed on Schedule 9 of the Wildlife and Countryside Act 1981 and Schedule 2 of the Invasive Alien Species (Enforcement and Permitting) Order 2019 and National Planning Policy Guidance applies.



Executive Director - Regeneration and Economic Development

Date: 16 January 2024

IMPORTANT NOTES FOR YOUR ATTENTION:

1. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.
2. This permission refers only to those plans submitted as part of the Planning Application a copy of which is retained by the Local Planning Authority. The Local Planning Authority should be contacted in writing if it is proposed to amend these plans in any way as a further permission, may be required.
3. You should ensure that you understand the requirements of all planning conditions and that you fully comply with their requirements. If you are in any doubt about what a condition requires of you, please ask us for assistance. Planning conditions may require you to submit further information to us and await our approval before you can start your development. A failure to do so could result in your development being unlawful and necessitate the submission of a further planning application. A failure to comply with the conditions of the permission/consent may result in the taking of enforcement and potentially legal action, against you to remedy the breach of planning control.
4. A fee is normally payable to discharge planning conditions in accordance with government regulations.
5. This permission does not convey any rights or approval to build on, or develop, any land that is not fully owned or controlled by you, including on party boundaries. You should satisfy yourself that the agreement of any adjoining landowners has been given prior to commencing any building works.
6. If a Building Regulations Consent is required for these works it is your responsibility to ensure that the plans submitted for both the Building Regulations Consent and Planning Permission are the same in all respects. Should the plans relating to one consent vary from the other, it will be necessary for you to submit amended plans to this Department and obtain the relevant approval(s) prior to commencing any works. Knowsley Council's Building Control team are contactable on (0151)-443 2342 and they would be pleased to assist you.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.