
**APPLICATION
NO:**

24/00427/FUL

CASE OFFICER:

Mark Quinn

WARD:

St Gabriels

PARISH:

LOCATION:

John Mason International Ltd, 35 Wilson Road, Huyton

PROPOSAL:

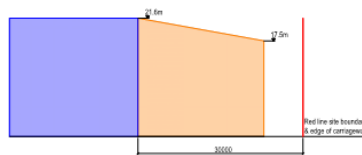
VARIATION OF CONDITION 3 ATTACHED TO OUTLINE PLANNING PERMISSION 22/00284/OUT (DEMOLITION OF EXISTING BUILDINGS AND OUTLINE APPLICATION FOR THE ERECTION OF A LOGISTICS WAREHOUSE (USE CLASS B8) - APPROVAL SOUGHT FOR ACCESS (APPEARANCE, LAYOUT, LANDSCAPING AND SCALE RESERVED FOR FUTURE APPROVAL) TO ALLOW FOR AN AMENDMENT TO THE PARAMETERS PLAN IN ORDER TO CHANGE THE MAXIMUM RIDGE HEIGHT OF THE BUILDING AT THE FRONT SECTION OF THE SITE TO COMPRISE A GRADUAL MAXIMUM RIDGE HEIGHT BETWEEN 17.5M AND 21.6M IN ACCORDANCE WITH THE SITE SECTION ON THE PARAMETERS PLAN.

Site Description

The application site is currently occupied by John Mason International Ltd who are an international moving company. The site is located on the eastern side of Wilson Road, Huyton on the Huyton Business Park. The site is bounded by existing industrial and commercial premises including the household waste recycling centre to the southern site boundary, Huyton Travel Bus company to the northern site boundary and to the eastern site boundary is the Logwood Mill Brook. The site is currently occupied by a two-storey building and external vehicle parking, comprising HGV's, caravans and campervans.

Proposal

This application proposes to vary condition 3 attached to Outline Planning Permission ref 22/00284/OUT to allow for an amendment to the approved parameters plan to increase the ridge height of the proposed warehouse along the Wilson Road frontage (for the first 23m from the site boundary as set out in the orange zone shown below) from a set maximum ridge height of 17.5m to a gradual maximum ridge height between 17.5m at the site boundary to 21.6m at a set back of 23m from the site boundary. In accordance with the section provided (see below).



Consultations

None Required.

Representations

This application has been publicised by letters sent to 30 neighbours. It has also been advertised by Site Notice and a Press Notice. No representations have been received.

Planning History

22/00284/OUT - DEMOLITION OF EXISTING BUILDINGS AND OUTLINE APPLICATION FOR THE ERECTION OF A LOGISTICS WAREHOUSE (USE CLASS B8) - APPROVAL SOUGHT FOR ACCESS (APPEARANCE, LAYOUT, LANDSCAPING AND SCALE RESERVED FOR FUTURE APPROVAL) Granted 23.03.2023.

24/00132/FUL - VARIATION OF CONDITION 3 ATTACHED TO OUTLINE PLANNING PERMISSION 22/00284/OUT (DEMOLITION OF EXISTING BUILDINGS AND OUTLINE APPLICATION FOR THE ERECTION OF A LOGISTICS WAREHOUSE (USE CLASS B8) - APPROVAL SOUGHT FOR ACCESS (APPEARANCE, LAYOUT, LANDSCAPING AND SCALE RESERVED FOR FUTURE APPROVAL) TO ALLOW FOR AN AMENDMENT TO

THE PARAMETERS PLAN IN ORDER TO INCREASE THE RIDGE HEIGHT TO A
MAXIMUM OF 21.6M

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
- CS4 - Economy and Employment
- CS7 - Transport Networks
- CS19 - Design Quality and Accessibility in New Development
- CS20 - Managing the Borough's Historic Environment
- CS22 - Sustainable and Low Carbon Development
- CS24 - Managing Flood Risk
- CS27 - Planning and Paying for New Infrastructure

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

- EC3 - Primarily Industrial Areas
- ENV2 - Noise and Vibration
- ENV5 - Contaminated Land
- DQ4 - Trees and Development
- T5 - Location of Major Traffic Generating New Development
- T8 - Transport Assessments
- T9 - Travel Plans
- National Planning Policy Framework

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

The parameters plan approved under the Outline Planning Permission (22/00284/OUT) set out a maximum building ridge height of 17.5m for 23m from the Wilson Road site boundary and then a maximum ridge height of 20m for the remainder of the site.

In May 2024 under planning permission 24/00132/FUL the maximum ridge height was amended from 20m to 21.6 m, however the 17.5m maximum ridge height towards the front of the site remained unchanged.

The applicant is now requesting a further amendment to introduce a gradual height parameter in the identified zone on the parameters plan at the site frontage. (see extract above). Instead of a set maximum height of 17.5 m in this zone the maximum height would gradually increase from the approved 17.5m to the maximum approved 21.6m in accordance with the submitted sectional drawing as indicated above.

The proposed change is expected to enhance the marketing process towards securing an occupier for the site. The applicant has stated that key requirements occupiers are seeking is size and volume of the building to make their operations financially viable for the foreseeable future. Most occupiers are seeking to maximise their building footprint and height to enable them to benefit from economies of scale that come with these increases.

This amendment would allow more flexibility for future occupiers and if necessary (depending on the individual requirements of the occupier) would allow for scenarios whereby to achieve the required floorspace the building needed to move slightly closer to the Wilson Road site frontage but still achieve the necessary maximum ridge height. The precise siting of the building would of course be considered further at the reserved matters application.

The applicant has submitted revised photomontages indicating the maximum ridge heights of 17.5m and 21.6m and the gradual increase in the frontage zone between 17.5m to 21.6m. It is considered that given that there would be some element of a setback from Wilson Road (to be determined at the reserved matters stage) the gradual height increase would only have a marginal visual impact when compared with the set 17.5m ridge height currently approved within the frontage zone. In the outline planning application, the applicant confirmed (by way of a design code) that any reserved matters application in respect of appearance would ensure the building is constructed incorporating cladding panels of different coloured banding (darkest cladding at the bottom). This would mitigate the scale and appearance of the building. This is secured by planning condition.

On balance the gradual height increase in the ridge height of the proposed building within the frontage zone would not have an adverse impact on the street scene in terms of scale and appearance subject to the use of appropriate materials and colours and would ensure compliance with Local Plan policy CS19.

Conclusion

The proposed change in the building height within the frontage zone indicated on the parameters plan is required to enhance the marketing process to enable an occupier to be secured for the site. The amendment would allow for increased flexibility for future occupiers which would include scenarios where to achieve the required floorspace the building needed to move slightly closer to the Wilson Road frontage whilst still retaining the required height to be able to install automated racking systems in order to maximise storage capacity.

The change in the frontage zone from a set maximum ridge height of 17.5m to a flexible ridge height gradually increasing between 17.5m and 21.6m (dependant on the set back

from the site boundary) is considered to be acceptable in terms of overall scale and appearance of the building subject to the requirements of the design code and would ensure compliance with Knowsley Local Plan, Core Strategy, Policy CS19.

Recommendation

That Outline Planning Permission be granted subject to the following conditions :-

- 1) Before any part of the development hereby granted permission is commenced, approval shall be obtained from the Local Planning Authority with respect to the reserved matters, namely (the layout, scale, appearance, and landscaping). The reserved matters applications in respect of appearance and scale shall follow the principles set out in the Design Code document ref 12156-AEW-RP-A-0520 REV P2 received 08/02/23.

Reason: The application is in outline form only.

- 2) Application for approval of reserved matters must be made not later than the expiration of three years from 23.03.2023 (the date the outline planning permission was granted) and the development must be begun no later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In order to comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3) 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.

- 4) The maximum ridge height of any building sited in the area shaded orange on the submitted Parameters Plan Drg No 12156-AEW-XX-XX-DR-A-0503- REV P06 shall be determined in accordance with section AA on the parameters plan.

Reason : For the avoidance of doubt and in the interests of visual amenity in accordance with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016

- 5) No part of the development hereby permitted shall be occupied until a scheme for the design and layout of the site access junction has been submitted to and approved in writing by the Local Planning Authority. The site access junction shall be implemented in accordance with the approved details and shall be available for use prior to occupation. The access shall be kept available for use at all times.

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 Knowsley Local Plan Core Strategy, adopted January 2016.

- 6) Within six months of the building coming into occupation a Travel Plan shall be submitted to and approved in writing by the 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:

- Involvement of employees.
- Information on existing transport policies, services and facilities, travel behaviours and attitudes.
- Access for all modes of transport.
- Targets for mode share.
- Resource allocation including Travel Plan Co-ordinator and budget.
- A parking and management strategy.
- A marketing and communications strategy.
- Appropriate measures and actions to reduce car dependence and encourage sustainable travel.
- An action plan, including a timetable for the implementation of each of the above.
- Mechanisms for monitoring, reviewing and implementing the Travel Plan.

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

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 maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable and to ensure compliance with saved policy T9 in the Knowsley Replacement Unitary Development Plan, adopted 2006.

- 7) Any gate or other form of barrier across the access shall be positioned at least 17 metres back from the highway boundary of Wilson Road and shall be constructed to open into the site only.

Reason: To permit vehicles to pull clear of the Highway when entering the site, in the interests of highway and pedestrian safety and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016

- 8) No part of the development hereby permitted shall be occupied until details of the number and location of bat boxes to be incorporated into the scheme have been submitted to and approved in writing by the Local Planning Authority. The bat boxes shall be installed in accordance with the approved details prior to the first occupation of the building and shall be retained at all times thereafter.

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

- 9) Prior to the first occupation of the development hereby permitted a scheme for the provision of lighting for the site shall be submitted to, approved in writing by the Local Planning Authority and fully implemented accordingly.

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.

Reason: In the interests of 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.

- 10) No part of the development hereby permitted, including any works of demolition, shall be commenced until a Construction Environmental Management Plan that details the means of mitigation of construction effects has been submitted and agreed in writing by the Local Planning Authority. This shall include the following:
- a) Methods for the mitigation of noise and vibration from building works, including a method statement for any piling works, and also from the operation of any temporary power generation or pumping plant which will operate overnight.
 - b) Methods for dust control and suppression.
 - c) Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
 - d) The areas for the storage of plant and materials.
 - e) A programme of works, including phasing
 - f) Location of site compound, including any loading/unloading areas, turning areas for delivery vehicles and construction staff parking arrangements.
 - g) Scheme for recycling/disposal of waste resulting from demolition and construction works.
 - h) Adequate provision for addressing any abnormal wear and tear to the highway.
 - i) Proposed hours of construction (the following is usually acceptable: 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday and not at all on Sundays/Public Holidays).
 - j) Pollution prevention measures to prevent impacts to Logwood Mill Brook (in line with paragraph 5.6 of the submitted Ecological Appraisal).
 - k) A five-metre buffer zone to be marked out and maintained along Logwood Mill Brook to prevent impacts to water vole.
 - l) Reasonable Avoidance Measures for protection of hedgehog, in line with paragraph 5.13 of the submitted Ecological Appraisal.
 - m) Measures to prevent invasive species being spread on and off site including a validation report confirming the treatment carried out and that the site has been free of the invasive species for 12 consecutive months.

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 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 Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 11) 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: In the interests of archaeological investigation or recording and to comply with Policy CS20 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 12) The reserved matters applications relating to appearance and layout shall include full details of commercial and industrial waste storage and collection arrangements.

Reason: To ensure adequate waste storage and collection arrangements are provided on the site in accordance with Policy WM9 of the Merseyside and Halton Waste Local Plan.

- 13) The reserved matters applications shall include full details of the low carbon/ carbon neutral energy technologies which are being installed to power the site.

Reason: To ensure the provision of low carbon and renewable energy technologies in compliance with Policy CS22 in the Knowsley Local Plan Core Strategy.

- 14) The reserved matters applications relating to landscaping shall include a scheme for replacement tree planting. The submitted scheme shall include tree replacement for individual and groups of trees on a 2:1 basis at a minimum of 12-14cm. The scheme should include the location, size and species of the replacement trees.

The tree planting and landscaping 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: 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.

- 15) Prior to the commencement of development hereby submitted an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include:-

Details of all protective measures required to retain the health and stability of all retained trees and/or hedges on or adjacent the site including; fencing, designated washing and mixing areas, designated site cabin areas, access in and out the site, special surfaces and site supervision.

All works identified in the method statement shall be in accordance with British Standard documents No's 3998:2010 and 5837:2012.

Reason: To ensure that the proper protection of trees has been carried out 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.

- 16) The development shall be carried out in accordance with the submitted flood risk assessment (Farrow Walsh Consulting/April 2022/ref: FW2197_FRA_001 V1) and the following mitigation measures it details:

- As stated in section 7.1.2, the design and placement of the development will be confined to the Flood Zone 1 outline.
- As stated in section 7.1.3, mitigation measures mentioned in this section are to be included within the design of the development.
- As stated in section 7.3.1, finished floor levels shall be set no lower than 300mm above existing site levels.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's 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 and to ensure compliance with Policy CS24 Local Plan Core Strategy adopted June 2016.

- 17) The development hereby permitted (excluding demolition) shall not be commenced until a scheme for the provision and implementation of a surface water regulation system to manage the risk of flooding from both overland flow and from the sewer network, has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first occupation of the development.

The surface water drainage scheme should be consistent with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Reason: To prevent increased risk of flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to comply with saved Policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 18) 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:

- i. The arrangements for adoption by an appropriate public body or statutory undertaker or details of provision for management and maintenance by a management company.
- ii. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.
- iii. Details for planned maintenance and a mechanism for remedial and urgent repair works.
- iv. Means of access for inspection and maintenance purposes.

v. 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 (adopted 2016)

19) Contaminated Land

A. Risk Assessment

No development (excluding demolition works) 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. 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 water environment and to comply with Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 20) No development shall commence (excluding the demolition of existing structures and site clearance) until;

a) a scheme of intrusive investigations shall be submitted to and approved in writing by the Local Planning Authority to establish the risks posed to the development by past coal mining activity; and

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure satisfactory investigations are undertaken and appropriate mitigation measures are undertaken due to the coal mining legacy of the site in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

- 21) Prior to the first occupation of the development hereby permitted a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the safety and stability of the development in accordance with paragraphs 183 and 184 of the National Planning Policy Framework

- 22) Prior to the first occupation of the development hereby permitted a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the site. The scheme shall be based on the results of a noise assessment which suitably characterises the noise climate at nearby residential dwellings both prior to and following the first operation of the development permitted.

All works which form part of the scheme shall be implemented in full in accordance with the scheme as agreed. Documentary evidence of the works shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development.

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.

- 23) Prior to the installation of any external plant or machinery full scheme details, including the acoustic specification should be submitted to and approved in writing by the local planning authority. The information should also include the results of a noise assessment to confirm that any fixed plant or machinery associated with the development achieves a level that is at least 5dB(A) below the existing LA90 background noise level as measured during the relevant time period. Any tonal, impulsive and/or irregular noise would be addressed by imposing a penalty as per the methodology set out in BS 4142:2014+A1:2019, Methods for Rating and Assessing Industrial and Commercial Sound. Noise limits for fixed plant are to apply at the boundary of the closest dwellings in Holland Grove, Rudgate Road and Logwood Road.

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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
09/05/2022	12156-AEW-XXXX-DR-A-0502	-	SITE LOCATION PLAN
02/03/2022	12156-AEW-XXXX-DR-A0518_Access	-	SITE ACCESS PLAN
09/05/2022	12156-AEW-XXXX-DR-A-0007	-	DEMOLITION PLAN
09/05/2022	12156-AEW-XXXX-SK-A-0001	-	TREE FELLING PLAN
08/02/2023	12156-AEW-RPA-0520	-	DESIGN CODE
09/05/2022	12156-AEW-XXXX-SK-A-0003	-	TREE CONSTRAINTS PLAN
22/11/2022	22036-MA-XXXX-RP-D-TN03	-	TECHNICAL NOTE TRIP GENERATION
09/05/2022	TA01 REV C	-	TRANSPORT ASSESSMENT
09/05/2022	FW2197_FRA_0	-	FLOOD RISK ASSESSMENT
09/05/2022	MARCH 2022	-	TREE CONSTRAINTS REPORT
09/08/2024	12156-AEW-XX-XX-DR-A-0503_P06	-	REVISED PARAMETERS PLAN
23/05/2022	VERSION 2	-	ARBORICULTURE IMPACT DOCUMENT

Signed Case Officer¹:

Mark Quinn

Signed Authorising Officer²:

K Foster

Date: **15 October 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

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Informatives

- 1 The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2023 until 31st December 2024

- 2 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

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applicant is advised to contact the Site Development Team at SiteDevelopment@knowsley.gov.uk to discuss the matter further.

- 3 Breeding birds are protected under the general provision of Section 1 of the Wildlife and Countryside Act 1981 as amended. Whilst the nest is being built or is in use, the eggs, young and nest are protected against intentional and reckless taking, damage and destruction. No tree, scrub or hedgerow felling, management and/or cutting operations should take place during the period 1 March to 31 August inclusive to protect breeding birds.

- 4 In relation to condition 10 the following details are required in relation to the invasive species.

- Toolbox talk so that contractors are aware of the locations of the Japanese knotweed and how to correctly identify the plant (see Appendix F of Ecological Appraisal);
- Marking off all stands of the plant with hi-visibility fencing, including a buffer zone of 7 metres;
- Access to infected areas should be avoided until the plant has been successfully eradicated from the area in line with best practice; and
- Biosecurity measures to be implemented whilst on site to prevent cross contamination. This involves the cleaning of footwear and machinery, prior to, and on completion of each working window to ensure that Japanese knotweed is not taken off site.

A validation report is then required confirming the remediation treatment carried out and that the site has been free of the invasive species for 12 consecutive months for approval in writing by the Local Planning Authority.

- 5 Environmental permit - advice to applicant

The site location is within 8 metres of Logwood Mill Brook which is designated a statutory main river. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-riskactivitiesenvironmentalpermits>

or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk.

- 6 Please see attached consultation response from Cadent GAS & Merseyside Fire Authority (from 22/00284/OUT)

- 7 Pursuant to condition No. 17, the submitted drainage scheme shall include the following:

(i) Evidence and justification will be required to demonstrate that in selecting drainage features for post-development situation the surface water drainage discharge hierarchy taking into account the site geological and topographical characteristics has been followed. As requested by National Planning Practice Guidance applications should aim

to discharge surface water runoff as high up the following hierarchy of drainage options as reasonably practicable:

- into the ground (infiltration)
- to a surface water body
- to a surface water sewer, highway drain, or another drainage system, and o to a combined sewer.

To assess the feasibility of infiltration techniques, evidence must be provided to show that a suitable number of soakaway tests have been completed across the whole site within different geology and to a suitable depth (i.e., a similar depth to the proposed infiltration devices). The tests should be completed according to the BRE 365 method and their results should be submitted with the full application.

(ii) A SuDS aims to minimise the impacts from a proposed development on water quantity

and quality and maximise amenity and biodiversity. In designing an appropriate set of SuDS techniques for a development site, the LLFA will therefore be expecting above ground, green SuDS to be prioritised to promote water quality, amenity and biodiversity. In the outline planning application, no above ground and green SuDS have been considered.

(iii) The exiting drainage system on the site has not been surveyed and it is not clear whether or not it will/can be used for post development situation. As part of the survey, the existing connection points to public sewer system(s) or outfall(s) to the Logwood Mill

Brook should be determined.

(iv) Should the surface water from the proposal is to connect to the public sewer system

or the Logwood Mill Brook, provision of evidence that the site has an agreed discharge point and rate for post-development situation from responsible authorities (Untied Utilities and Environment Agency respectively) will be required.

(v) At a number of points the site is crossed by public sewers, the developer is advised that they will need to consult United Utilities and obtain agreement for building over, easement width, or diversion of the public sewer.

(vi) The proposed greenfield Qbar runoff rate from the post development site is acceptable. Where the post development maximum discharge rate is set to the greenfield Qbar, the attenuation storage must be estimated using the 1 in 100 6 h duration plus 40% CC event. Depending on the infiltration feasibility on the site and taking the 1 in 100 6 h duration plus 40% CC event for the estimation of attenuation storage, the type, size and placement of attenuation storage adopted may alter.

(vii) Drainage system network proposals should be designed to cope with events up to the

1 in 100 plus 40% CC events. We note that the 1 in 30 event has been considered in designing the surface water drainage network, Should this event magnitude is

considered for the final design, the proposed system should be simulated using the 1 in 100 plus 40% CC event and results should be able to demonstrate that at what points surcharges and floodings occur, what would be the volume of flood water, where the flood water flows and/or pools, and what is maximum flood water depth and velocity during such an event. It should be demonstrated that the flood water during the 1 in 100 plus 40% CC event will be retained within the site boundary, and not affect the buildings, and the site will be operational at such a time.

viii) Water quality should be taken into account as part of the proposed drainage design. It

will be required to demonstrate that adequate water quality of the off-site surface water flows (draining into a sewer, watercourse and ground) in accordance with the Simplified Index Approach as set out within Section 26 of the SUDS Manual (C753) can be achieved. In this case that an industrial yard is proposed, water quality risk to surface water bodies and groundwater should be assessed (screening risk or detailed risk assessment) and mitigation measures to be adopted to ensure that risk to both surface water bodies, and groundwater are effectively managed (see Table 26.1 of the SUDS Manual).

(ix) In Section 5.6.2 of the FRA report, it has stated "Leicestershire". To be amended.

(x) In Sections 5.6.6 and 5.6.7 of the FRA report, features of catchpits, filter drains, Type C permeable paving, treatment trenches and cellular crates have been mentioned. If they are retained in the final design at the full planning application, their full construction details will be required.

(xi) Exceedance routes of surface water should be provided for the post development situation. It is recommended that based on the exceedance routes and flow depth produced, finished floor levels for proposed building, access roads and car parking to be set. A 1 in 200 years plus 40% event would normally be considered as the Exceedance event and expected that where manholes are surcharged to be identified, and volume and maximum depth of flood water and where the flood water pools or flows to be determined.

(xii) An evaluation of impact of potential failure of the drainage system should be provided. The risk assessment should include for blockage of pipes, blockage of outlet structures and risk of impediments across planned flood routing paths. The drainage design should be supported by a designer's risk assessment that identifies key points of failure of the system and what means have been considered to limit risk of failure. This will also inform the maintenance plan with regards to corrective actions needed should a failure occurs.

(xiii) An updated Model Information (Micro Drainage or similar approved) considering above points will be required. Results showing all the modelling criteria and summary network results including attenuation mechanism for 1 in 2 years, 1 in 30 years and 1 in 100 years plus 40% CC storm events at critical durations along with maximum water level, flow and velocity and details of any surface flooding anticipated will be required.

(xiv) Detailed Drainage Scheme Plan will be required showing the layout of the proposed drainage network, post development impermeable area, post development catchment areas to each SUD feature, SUDs features adopted for interception of first 5mm of rainfall, the location of the storage within the proposed development, connection points and how these relate to the submitted calculations, including any chamber, pipe

numbers, direction of flow, invert and cover levels, gradients diameters and dimensions.

(xv) Summary Drainage Report setting out the Drainage Strategy and results of the calculations demonstrating compliance with the above.

(xvi) A timetable for implementation of the drainage works including an assessment of any phasing of the development if applies.

8 Pursuant to condition 10 the method statement for any piling works shall include the following:-

- 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).

Appendix 1 – Site Photographs



