

KMBC Application Ref: 25/00682/REM

Description of Development: Reserved matters application pursuant to outline planning permission 25/00205/FUL. approval sought for appearance, layout, landscaping and scale for the demolition of existing buildings and construction of logistics warehouse (Use Class B8)

At: John Mason International Ltd, 35 Wilson Road, Huyton, Knowsley, L36 6AE

Linden Hill Capital ('the applicant') and the appointed consultant team (including JLL (Planning), FPCR (Landscaping) and Bowland Ecology) have prepared the following responses to comments received from KMBC Landscaping Officer in regard to the above application.

KMBC Comment A

'Streetscape - The development is behind the avenue of trees on the streetscape. It is considered that the planting, partially tree planting on the right-hand side of the entrance could be enhanced / increased.'

Applicant Response

This has been actioned, see drawing 13706-FPCR-XX-XX-DR-L-0003 P03.

KMBC Comment F

'Habitat creation – it is noted that there is an Ecological Enhancement Plan proposed to protect and enhance the site's habitat.'

- i. However, the Detailed POS Plans does incorporate some of these, but there are concerns with what has been proposed; some places there is an opportunity to plant native species, and the hybrid non-native form has been chosen instead.*
- ii. Elsewhere, native species such as Rhamnus sp. will result in management issues.*
- iii. Prunus spinosa also suckers and spreads, but it does have good wildlife value, so would just keep the percentage lower, say 5%.*
- iv. As a general rule of thumb, it is advised a scheme has 60% native species, focusing these on hedgerows or woodland planting / scrub areas. Where the non-native species are then directed to important elements where native species don't provide what is wanted, for example, climax species in their fastigate forms for trees near roads or buildings or around outdoor seating places having small tree species or*

plants with high level of interest to create all year interest.

The scheme has a lot more potential to increase habitat opportunities by reducing the amount of grass and increasing tree cover around the periphery of the site, but this needs to be considered with the potential works with the brook and the site's management regime'.

Applicant Response

- i. Actioned, see drawing 13706-FPCR-XX-XX-DR-L-0003 P03.
- ii. This has been removed.
- iii. Actioned, see drawing 13706-FPCR-XX-XX-DR-L-0003 P03.
- iv. This needs to be carefully balanced against a number of physical and technical constraints associated with the brook corridor and wider existing site infrastructure. Areas adjacent to the brook include locally steep and variable slopes, which influence the practicality of tree establishment in certain locations in terms of stability, access for maintenance, and long-term viability. There are also defined stand-offs to existing drainage assets and infrastructure, which limit the extent of tree planting (particularly larger species) within easement corridors to avoid root conflicts and maintain access for inspection and maintenance. As such, tree planting has been carefully coordinated to avoid disruption and therefore be positioned where it is practically possible.

KMBC Comment H

'Prioritising climax tree species – Presently only Carpinus betulus is a climax species tree. This proposal has a significant potential and space to plant a lot of climax species. So, the tree species needs to be rethought, in the areas away from the building, with the layout starting with setting out climax species first with space to grow to maturity and then interplanted with smaller and shorter-lived species. It would be good to have some native species planted in the side and rear areas.'

Applicant Response

Prioritising climax tree species has been considered as part of the design development, particularly in the less constrained parts of the site. However, in this instance, the use of larger climax species has been limited by the physical parameters of the site, including proximity to buildings and foundations, level changes, existing easements, and the resulting RPA / ZOI implications associated with larger, long-term canopy trees. As a result, species such as Quercus, Fagus sylvatica have not been taken forward within the current proposals, as they are not considered appropriate within these site constraints. Instead, the tree strategy focuses on species that are better suited to the available space and existing site infrastructure. Native species have been introduced where feasible, particularly inside and rear areas, to help strengthen biodiversity value and local landscape character within the practical limitations of the site.

KMBC Comment I

'Mix up tree species – it is noted this has been done, but in light of point h, please revise species.'

Applicant Response

The tree palette has been reviewed and refined to introduce additional variety, with an increased proportion of native species incorporated where appropriate. This has been carefully balanced against the existing site constraints, including existing drainage easements, level changes, and proximity to buildings and foundations (as per above point).

In response, a broader mix of native tree species has been introduced, with a focus on smaller species and those with lower root impact in more constrained areas. This approach enhances biodiversity and resilience while remaining compatible with the existing site infrastructure and avoiding potential conflicts with existing below-ground services, as well as minimising long-term maintenance requirements.

KMBC Comment J

'Limit the amount of Betula and Sorbus species planted – this needs to be done.'

Applicant Response

This has been actioned, see drawing 13706-FPCR-XX-XX-DR-L-0003 P03.

KMBC Comment K

'In native scrub mix it is missing climax species, like oak, please add to enable succession. Native hedgerow: With the native hedgerow mix, the double staggered row (5/Lm) is fine, but would recommend it is dominated by hawthorn (60%) to give a continual line of hawthorn and to increase Ilex to 20% for winter bird cover. Just so you are aware Cornus and Rosa sp will not form a tight hedge, but at the sides and rear this is not too much of an issue, but it is recommended to keep them at a low percentage (say 5%).'

Applicant Response

This has been actioned, see drawing 13706-FPCR-XX-XX-DR-L-0003 P03.

KMBC Comment M

'Planting plans to be appropriate to the setting and seek to aid wildlife where possible.'

- i. *As highlighted in the general comment at the start, the planting scheme is considered overly complex for this type of development and there is a lot of herbaceous plants, so it is hard to know if there will be enough interest in the beds in winter months. Also, there is a risk that it will not be maintained at the high standard this would require, for example removing herbaceous foliage in the winter. It is suggested that the planting has more consistency / coherence, rather than each of the beds having a different mix, it would be good to see a planting plan to understand how the planting is to be laid out.*
- ii. *Would like to see a detail on the amenity areas as they are quite hard to read on this scale plan, so it is clearly understood how the fencing works, the grass strip between the paving and the hedge.*
- iii. *How are the landscaped areas to be accessed for maintenance purposes?*
- iv. *As the site is to be reworked, what are the proposed depths of topsoil to be imported?*
- v. *The root barrier locations are hard to read; can this be made a bit clearer how it is being used?*
- vi. *With the notes, regarding whips - only plant the hawthorn in larger numbers, keep the others at a maximum of 3.*
- vii. *The notes do not give an adequate specification for planting, so would expect a full version to aid the contractor and include topsoil, amelioration including 'Tree backfilling material' and should consist of Previously prepared mixture of free draining topsoil and an Ameliorant / Conditioner, such as a Peat free compost at 7 Ltrs / pit and a UK origin mycorrhizal fungi including bio-additives, where the Mycorrhizal fungi component contains spores, mycelium, dried plant root containing mycelium and attapulgitic clay, colonised by mycelium. The product should not contain fertilisers, and the additives should be proven to enhance mycorrhizal colonisation. Rootgrow Professional as supplied by Plant Works UK Ltd is a known product to the authority which meets these requirements, etc.'*

Applicant Response

- i. This has been actioned where possible, see drawing 13706-FPCR-XX-XX-DR-L-0003 P03. However, providing a detailed planting plan at this stage is considered to be premature and it is requested that this detail is provided at conditions stage as would normally be the case for such proposals.
- ii. As above it is requested that this detail is provided at conditions stage as would normally be the case for such proposals.
- iii. Indicative gate locations have been added to drawing 13706-FPCR-XX-XX-DR-L-0003 P03. Full details of the fencing and gate will be provided at conditions stage.
- iv. Similarly, this level of detailed is considered to be most appropriately provided at conditions stage as we would normally agree for such proposals.
- v. This has been actioned, see drawing 13706-FPCR-XX-XX-DR-L-0003 P03.
- vi. This has been actioned, see drawing 13706-FPCR-XX-XX-DR-L-0003 P03.
- vii. The current notes refer to the planning stage. A full planting specification will be developed and coordinated as part of the detailed design process (RIBA Stages 4–5), including a comprehensive NBS specification with relevant clauses covering topsoil, soil amelioration, tree pit construction, and planting operations. At this

stage, including this level of detailed technical information on planning drawings can lead to complications later in the process, particularly as designs continue to evolve and require coordination with drainage, levels, and other disciplines. Specific products (such as proprietary mycorrhizal fungi systems) will be reviewed and incorporated where appropriate within the NBS specification, ensuring a performance-based approach and flexibility for procurement.

KMBC Comment R

'Landscape and Ecological Management Plan (LEMP) is required for sites enabling those carrying out the works to understand what is required on a month-by-month basis. This is to cover the ongoing and longer-term maintenance of all landscape furniture and hard and soft landscape works, including management and care of existing and proposed trees and hedgerows, wildflower and amenity grassed areas, vegetation along the brook, maintenance of bird and bat boxes and habitat piles, as well as maintenance of hard infrastructure. The LEMP would clearly set out:

- i. Details on how the site is going to be managed, and which areas of the site are covered within this site management*
- ii. The responsibilities of the private owner to ensure that the BNG of the site is kept.*
- iii. Who is to be the responsible body for managing the maintenance?*
- iv. Who is the contractor to carry out the works directed in the LEMP?*
- v. A maintenance schedule of what is to be carried out and when, a generic example of a schedule table is available on request. and what the scope and frequency of*
- i. operations are going to be used.*
- vi. It is expected to be a live document, used by the managing agent in employing the maintenance contractor and by the contractor when maintaining the site.'*

Applicant Response

It is considered that given BNG was not required for this site, as permission was granted prior to the implementation of the BNG requirements, a full LEMP is not necessary for a site of this nature and scale i.e. there are minimal habitat losses at a heavily urban industrial site. Additionally, the Council would normally have requested a LEMP to be secured as part of the outline planning permission where BNG applies, rather than for an application of this sort.

Furthermore, it is understood that MEAS has not requested this which further confirms it is not required for this application. Notwithstanding the above, it is considered that for applications which require a LEMP, this is typically secured by condition rather than submitted at application stage. Can it be confirmed that a LEMP is not required?

KMBC Comment re Logwood Mill Brook

'To note when preparing the surface water drainage scheme. At this stage we would just like confirmation that in principle the applicant is in agreement to work with KMBC on a scheme to improve Logwood Mill Brook.'

Use surface water to create positive habitat spaces - The potential to have a scheme along Logwood Mill Brook is significant and needs to be explored further between the Developer, Council and Environment Agency. This in turn will have an impact on the drainage strategy. At present the drainage strategy is heavily reliant on ditches and attenuation basins, the strategy needs to start where rain falls and then develops ways to reduce flow rate into the interception tanks / attenuation basins before entering into the surrounding network through a wide variety of strategies, with more consideration towards:

- i. Permeable hard surfaced areas;*
- ii. Capture water at point of surface contact, divert into features to slow transfer into surrounding surface water network (such as rainwater butts, attenuation systems*
- iii. integrated into tree pits, rain gardens, etc);*
- iv. SuDS pond features be considered only after the above. They must be natural in form, with gradual slopes at 1 in 6, with different shelving to encourage different*
- v. types of habitats and be more like swales.*
- vi. Should be designed with no fencing for safety required.*
- vii. Engineered 1 in 3 sloped drainage basins are strongly discouraged.'*

Applicant Response

This request appears to be moving into drainage matters which is currently at early preparation stage. We note that the request does not expect submission of the detailed drainage scheme at this time but that it requests an 'in principle' support for improvements to Logwood Mill Brook. The comments also set out a number of specific requests which we have reviewed. Some will form part of the detailed drainage design as per Conditions 16, 17 and 18 of the outline permission (25/00205/FUL) at pre commencement stage whilst others are not achievable. These are summarised below.

On review, first of all, the landscape officer is asking the applicant to deliver wider improvements to Logwood Mill Brook including the semi natural habitat lining the brook. However, the brook, including the semi natural habitat that lines it, sits outside of the red line boundary of this planning application.

The site is located within an urban industrial setting. The request is considered **disproportionate** to require the applicant to deliver restoration or enhancement works to the wider brook corridor which is outside of the red line and has not affected the condition of the corridor previously. Indeed, it is likely that other surrounding land uses and sewer infrastructure are likely contributing more significantly to any existing issues.

Furthermore, this request has not been made, or indeed referenced, by any statutory consultees such as MEAS, United Utilities, or the Environment Agency. Given this was not highlighted during the outline stage of the application and for the reasons set out above, we do not consider it reasonable to expect such enhancements to be requested to the Brook. I'd be grateful if this can be confirmed.

Notwithstanding the above, as mentioned, there are a number of items within i-vii that the applicant will be including within the future drainage strategy. We set out briefly what will likely be achievable and unachievable:

i. Permeable hard surfacing: The external surfacing will comprise a combination of concrete yard to the south of the building and tarmac car parking to the west and north. Permeable tarmac surfacing is likely to be used for the lightly loaded parking bays ie to the west and north of the site. However, we would not recommend permeable surfacing for heavier trafficked surfaces or those areas with potential use by heavier vehicles, due to the construction build-up being less robust and not meeting standards for the proposed service yard . I'm sure this is no different to other industrial schemes in the borough and that this approach will be accepted with the detail agreed when the drainage scheme is submitted as per the pre-commencement conditions.

ii and iii. Capture water at source: The use of features such as rain gardens, water butts and tree pits is limited for this industrial site and not considered suitable. The building occupies a large proportion of the site, and the roof drainage is syphonic, discharging at very high flow rate to the below-ground drainage system. New landscaping is limited across the site (albeit greater than existing) and any isolated tree pits would be nothing more than a token gesture with no meaningful sustainable drainage benefits. Typically, the features requested are effective as part of residential schemes which contribute to their public realm, whereas they are not suitable on industrial schemes such as this.

iv and v. SuDS pond features: Attenuation basins are provided to the north-east and east of the building and are designed with 1:3 side slopes as detailed on the submitted drainage strategy drawings. The proposed extent of basins covers all available externally soft-landscaped areas when taking account of the building, site boundaries and easement zones. There is therefore no opportunity to increase the plan area of these features and any reduction in side slope angle or the creation of plateaus would significantly reduce the basin's capacity to store water, resulting in increased volume of below-ground crate storage. The basins would become biodiversity ponds rather than attenuation ponds. The objective here is considered to ensure that a robust drainage strategy is proposed whilst at the same time delivering biodiversity enhancements which are already achieved.

vi. No fencing for safety: It is not currently proposed to fence around the basins other than perhaps a timber knee rail.

vii. Engineered sloped basins are discouraged- please see explanation at point iv above.

Summary

Overall, there are a number of requests made by the landscape officer, the majority of which we have addressed and revised as per the updated proposed landscape plans.

The request for a LEMP appears disproportionate as per the above explanation and we seek further clarity from the Council on this matter.

In terms of enhancements to Logwood Brook, this has not been requested by statutory consultees including the LLFA and EA at the outline stage, moreover, the brook sits outside of the red line plan. Notwithstanding this, there are purposeful measures within the drainage strategy that are being prepared to discharge conditions 16, 17 and 18 of the outline consent which will allow for elements of permeable paving and on site flood attenuation whilst balancing with the wider landscape proposals and on site constraints including drainage easements etc.

We trust that we have satisfactorily addressed the comments of the landscape officer and look forward to hearing from you accordingly.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Amy', with a stylized flourish at the end.

Amy Murphy

Planning Consultant