



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

**This application is subject to a Section 106 Agreement and needs to
be read in conjunction with that Agreement.**

PLANNING PERMISSION

Application No: 22/00233/FUL

Name and address of applicant

Group D Developments & Thomas Rose
4 St Paul's Square
Avenue HQ
Liverpool
L3 9SJ

Name and address of agent

Date of Receipt: 13 April 2022

Date Valid: 6 October 2023

Address/Location Of Development:

Dye House
Liverpool Road
Prescot
Knowsley
L34 3LX

Description of Development:

**DEMOLITION OF EXISTING BUILDING AND REDEVELOPMENT OF LAND AT
DYE HOUSE, PRESCOT, TO ERECT UP TO 45 RESIDENTIAL UNITS (TO
INCLUDE A MIX OF HOUSES AND APARTMENTS) WITH ASSOCIATED
INFRASTRUCTURE AND LANDSCAPING (ACCESS TO BE TAKEN FROM THE
EXISTING DEVELOPMENT TO THE NORTHEAST)**

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 below:

Drainage Strategy 2075-SCE-00-00-DR-C-0001 P05
Proposed Site Plan GDD2020-GDA-ZZ-RF-DR-A-2220-P18
Swept Path Analysis 11.2 Refuse 082242-CUR-00-XX-DR-TP-05002 P03
Street Scene 1 GDD2020-GDA-ZZ-XX-DR-A-2410-P02
Street Scene 2 GDD2020-GDA-ZZ-XX-DR-A-2420-P02
Street Scene 3 GDD2020-GDA-ZZ-DR-A-2430-P02
Proposed Section K-K GDD2020-GDA-ZZ-XX-DR-A-2588
Proposed Section J-J GDD2020-GDA-ZZ-XX-DR-A-2587
Proposed Section H-H GDD2020-GDA-ZZ-XX-DR-A-2580
Proposed Section G-G GDD2020-GDA-ZZ-XX-DR-A-2570-P01
Proposed Section D-D GDD2020-GDA-ZZ-XX-DR-A-2540-P02
House Type 2 Floor Plans GDD2020-GDA-H2-ZZ-DR-A-2310-P01
House Type 2 Elevations GDD2020-GDA-H2-DR-A-2410-P01
House Type 1 Floor Plan GDD2020-GDA-H1-ZZ-DR-A-2310
House Type 1 Elevations GDD2020-GDA-H1-XX-DR-A-2410-P01
Block B Elevations GDD2020-GDA-HB-XX-DR-A-2410-P01
Block B Floor Plans GDD2020-GDA-BB-XX-DR-A-2321-P01
Block A Sections GDD2020-GDA-BA-XX-DR-A-2552-P01
Block A Elevations 1 & 2 GDD2020-GDA-BA-XX-DR-A-2421-P03
Block A Elevations 3 & 4 GDD2020-GDA-BA-XX-DR-A-2420-P03
Block A First Floor Plan (actually shows Roof Plan) GDD2020-GDA-BA-RF-DR-A-2350-P03
Block A Ground Floor Plan GDD2020-GDA-BA-GF-DR-A-2310-P07
Block A First Floor Plan GDD2020-GDA-BA-01-DR-A-2320-P07
Material Specification GDD2020-GDA-ZZ-XX-SP-A-210-P02
Noise Impact Assessment Reference 21.081.1.R7 dated 5.1.24
Flood Risk Assessment Reference HYD730_DYE.HOUSE_FRA dated 19.10.23
Social Value Strategy dated 11.8.22

Reason: For the avoidance of doubt.

3. The development shall be carried out in accordance with the submitted flood risk assessment (reference October 2022/HYD730_FRA REV1.0/Betts Hydro Consulting Engineers) and the following mitigation measures it details:
 1. Sequential location of development within the site (no buildings within flood zone 3);
 2. Finished floor levels shall be set no lower than 51.45 metres above Ordnance Datum (OAD);
 3. Safe access and egress route to be provided for residents during flood conditions onto Liverpool Road (prior to first occupation);
 4. Provision of 8metre unobstructed maintenance access to Prescot Brook within the development site;
 5. Details of timing/phasing arrangements of the above works.

These mitigation measures shall be fully implemented in accordance with the agreed details. 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.

4. Prior to the erection of any lighting within the development hereby permitted, details of a scheme for the provision of lighting of private (non-adopted) communal areas,

the brook and all public areas shall be submitted to and approved in writing by Local Planning Authority. The scheme shall have regard to 'Bats and Artificial Lighting at Night' guidance produced by the Institute of Lighting Professionals in conjunction with the Bat Conservation Trust. The scheme shall also include details of lighting overspill (shown on a plan with overspill lux levels) onto adjacent properties and woodland/habitats/the brook area. The scheme shall be implemented in full accordance with the approved scheme details prior to first occupation of the development unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt, such a scheme shall be accompanied by a maintenance strategy to ensure its future operation.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of the safety, to protect the amenity of residents and to protect biodiversity to ensure there is no excessive light spill onto the retained woodland and brook habitats.

5. NOISE MITIGATION FOR PROPERTIES:

Prior to the construction of any dwelling, a scheme, detailing the specific noise mitigation measures that will be installed in each plot, shall be submitted to the local planning authority for their approval in writing.

The scheme shall be based on the recommendations of the Noise Impact Assessment for Dye House, Prescott, by Professional Consult, ref 21.081.1.R7, dated 05 January 2024, and must include details on the specification of the glazing and ventilation that will be installed in each plot, together with the build specification of any noise barrier.

The measures installed shall ensure that future residents are not subject to overheating and that the recommended internal noise levels stated in BS 8233: 2014 are achieved.

The noise mitigation measures must be completed in full before the first occupation of the dwelling that they relate to and any deviations from the approved scheme must be agreed in writing with the local planning authority before the changes are made.

NOISE MITIGATION FOR GARDENS:

Prior to the construction of any properties located to the south of Prescott Brook, full details of the acoustic barrier shall be submitted to and approved in writing by the local planning authority. These details shall include the design and specification and shall include details of how the fencing shall relate to the adjoining sandstone wall, including elevation details. The fencing shall then be erected in accordance with the approved details prior to first occupation of any property to the south of Prescott Brook and it shall be retained thereafter and maintained in accordance with the manufacturer's recommendations.

Reason: To protect the amenity of future occupiers and in the interests of visual amenity.

6. Fixed plant and machinery associated with the development shall be designed to 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 a position 1 metre from the closest affected window of the nearest noise sensitive property.

Reason: To protect the amenity of existing neighbours and future occupiers.

7. Prior to any above ground construction, full details of the materials to be used in the external construction of the development hereby permitted, to include samples, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure the development integrates well with the surrounding area.

8. 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):

1. a survey of the extent, scale and nature of contamination;
2. 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: To ensure contamination is appropriately identified and a strategy is in place before works commence on the site, to prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers and the general public. This is a pre-commencement condition to secure a safe development that protects the health/amenity of future occupiers and prevents pollution before any works occur.

9. No development shall commence until remedial stabilisation works to address land instability arising from coal mining legacy have been carried out in full in order to ensure that the site is made safe and stable for the development proposed. The remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: To deliver a safe and stable development. The formulation and implementation of an appropriate scheme of remedial measures before building works commence on site is necessary to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework

10. Prior to the occupation of any dwelling on the development a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the remedial works and any mitigatory measures necessary to address the risks posed by past coal mining activity.

Reason: To secure a safe and stable development.

11. Prior to the commencement of development, an updated Arboricultural Method Statement (AMS) and updated Arboricultural Implications Assessment (AIA) shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the Arboricultural Method Statement shall include tree pit details, additional tree protection measures and a watching brief for acoustic fencing/service

runs affecting tree roots. The Arboricultural Method Statement and Assessment shall include the following provisions:

1. Where construction including acoustic fencing and service runs encroach within the root protection zone, an Arboricultural Clerk of Works shall oversee the construction and BS5837 'Trees in relation to Design and Construction' shall be followed. The AMS shall include a watching brief for works including acoustic fencing and service runs and shall include the use of hand tools for excavation and roots under 25mm shall be pruned back making a clean cut, except where they appear in clumps.
2. The AMS shall set out the preventative measures that shall be put in place to avoid cutting roots where possible.
3. The AMS shall include tree pit details and the methodology for dealing with exposed roots to include the provision for wrapping or covering exposed roots (from excavation) with damp hessian material until such area can be backfilled with topsoil.
4. Details of any crown lift or other works to existing trees to include details of only necessary works where low overhanging branches should be avoided. All tree works shall be undertaken in accordance with BS3998:2010.

The development shall then only be carried out in accordance with the updated AMS and updated AIA (as approved) unless such variation is submitted to and approved in writing by the Local Planning Authority.

5 working days advance notice shall be given prior to the erection of any tree protective fencing.

Reason: In the interests of biodiversity, to protect the retained trees and to ensure that only necessary tree works are undertaken. This is a pre-commencement condition to secure the protection of the trees before any works take place.

12. No part of the development hereby permitted shall be commenced until a Construction Environmental Management Plan has been submitted to and approved 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. The site working hours (our standard hours are 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority);
 - b. Methods for the mitigation of noise and vibration from building works, including any piling works, and also from the operation of any temporary power generation or pumping plant which will operate overnight.
 - c. Methods for dust control and suppression.
 - d. Details of wheel washing facilities including location and type to control mud out of the site.
 - e. The areas for the storage of plant and materials.
 - f. Location and layout of the site compound including identification of areas for loading/unloading and turning areas for delivery vehicles.
 - g. Details of relevant pest control measures during demolition and construction.
 - h. Reasonable avoidance measures to ensure no adverse effects on hedgehogs and badger, which shall include the following:
 - A pre-commencement check for badger and hedgehog mammals.
 - All trenches and excavations should have a means of escape (e.g. a ramp).
 - Any exposed open pipe systems should be capped to prevent mammals gaining access; and
 - Appropriate storage of materials to ensure that mammals do not use them.

- i. Waste audit or site waste management plan to minimise off site waste disposal and minimise waste production which shall include the following: the anticipated nature and volumes of waste that the development will generate; where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development; the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities; and any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete.
- j. A toolbox talk to be delivered by a suitably qualified ecologist to all operatives on site prior to commencement of development.
- k. A sensitive lighting scheme avoiding light spill on retained and proposed habitats.
- l. Protection and pollution control measures for Prescott Brook and the trees (no works to be carried out within 5m of the top of the bank of Prescott Brook).
- m. Avoidance of breeding bird season (1st March to 31 August) for any vegetation clearance and where this is not possible, a breeding bird check shall be carried out by a suitably qualified ecologist prior to any works.
- n. The details of the design, siting and maintenance of any security hoardings.
- o. There shall be no burning of materials on-site during construction work without the prior written approval of the Local Planning Authority.
- p. Soft felling of trees with bat roost potential.
- q. 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, details of how construction traffic will access 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).
- r. Construction staff parking arrangements.
- s. A programme of works including phasing, if applicable.
- t. Adequate provision for addressing any abnormal wear and tear to the highway, if applicable; and
- u. Details of pollution prevention measures to include an invasive species measures Method Statement for Prescott Brook. For the avoidance of doubt, the method statement for treatment of invasive species shall be prepared by a competent person, and shall include the following:
 - A plan showing the extent of the invasive plants which include Himalayan Balsam and cotoneaster.
 - The methods that will be used to prevent the plant/s spreading further, including demarcation.
 - The methods of control that will be used, including details of post-control monitoring.
 - How the plants will be disposed of after treatment/removal; and
 - Timetable for implementation.

The CEMP shall be made available and accessible to all site managers, contractors and subcontractors working on site. The development shall then be carried out in accordance with the approved Construction Environmental Management Plan.

Reason: To ensure satisfactory development of the site, to minimise the main environmental effects during the construction phase of the development, to ensure that appropriate measures are put in place in the interests of the amenity of neighbouring occupiers/areas, to prevent pollution of the environment, to protect and promote biodiversity, in the interests of highway safety and to ensure the development does not result in adverse effects upon the integrity of national and

international sites and to protect Prescot Brook from pollution and invasive species. This is a pre-commencement condition to protect the amenity of existing residents and to prevent pollution before any works occur.

13. A. HARD LANDSCAPING

Notwithstanding the submitted hard landscaping scheme and any description of materials in the application, no above ground construction works shall commence until a hard landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a. Type, colour and texture of the materials.
- b. Specification and samples where appropriate of materials to be used for the construction of hard surfacing within the development.
- c. Details of street furniture (e.g. bins, benches etc) and any signage.
- d. Tree pit details for the trees to be sited within the hard surfacing areas.
- e. Management and maintenance details.
- f. Timetable for implementation.

The development shall be carried out only in accordance with the approved hard landscaping scheme.

B. SOFT LANDSCAPING

Notwithstanding the submitted soft landscaping scheme, no above ground construction works shall commence until a soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a. The provision for replacement tree planting shall be based on the Landscape Masterplan reference 01(OPT.B) Rev H. For the avoidance of doubt the tree planting shall include climax species, a minimum of 23 extra heavy standards and shall be in line with the tree planting numbers outlined in the Landscape Masterplan reference 01(OPT.B) REV H;
- b. Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks.
- c. planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.
- d. A detailed regime for the ongoing and longer-term maintenance of all soft landscaping, including the retained trees, is also required to be submitted for approval.
- e. Timetable for implementation.

The approved landscaping works shall be implemented in accordance with the approved details and in accordance with the approved timetable for implementation.

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 and to achieve a high-quality design.

14. Prior to first occupation of any of the dwellings hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include timing/implementation details and shall include, but not be limited to the following:

1. Submission of a breeding bird mitigation scheme which shall include details of the siting, numbers and type of bird boxes to be erected.
2. Submission of the bat mitigation scheme which shall include details of the siting, numbers and type of bat boxes to be erected;
3. Hedgerow planting details;
4. Management proposals for retained habitats such as hedgerow, area around the Brook and woodland areas;
5. Hibernacula/other ecological enhancements (including terrestrial mammals hibernacula) such as log piles;
6. Hedgehog highways to be installed in boundary fences;
7. Details of how the Brook, POS and landscaped areas will be managed and maintained;
8. Description and evaluation of the features to be managed and a statement confirming the LEMP will be for a minimum 30 year period;
9. Ecological trends and constraints on site which may influence management;
10. Preparation of a work schedule (including an annual work plan and the means by which the plan will be rolled forward annually);
11. Details of a programme of monitoring and remedial measures triggered by monitoring.

The LEMP shall then be carried out in accordance with the approved details.

Reason: To protect and preserve the green space areas, in the interests of visual amenity and in the interests of promoting biodiversity and sustainable developments.

15. Prior to any above ground works, full details of the existing and proposed ground levels (including levels for all vehicular manoeuvring, pedestrian/cyclist and parking areas) shall be submitted to and approved in writing by the Local Planning Authority, with full details of adequate mitigation measures to support the adopted highway and public areas as deemed necessary by the Local Planning Authority. The submitted details shall include adjoining land levels and sections across the site including sections where there are the retaining walls near to or on the site boundary, a couple of sections across to the Walnut Grove properties at various points but including no. 16 and a section showing the car park, retaining wall and the garden of the Acorn Drive properties). The development shall be implemented in accordance with the approved details prior to first occupation or within a previously approved timetable for implementation.

Reason: To ensure the impact of the development on adjacent properties and the locality/proposed street scene is acceptable, in the interests of highway and pedestrian safety and to achieve an integrated development.

16. Prior to the erection of any boundary treatments within the site, full details of the boundary treatments and gates, to include any retaining structures and materials (but excluding the acoustic fencing covered by condition 5) shall be submitted to and approved in writing by the local planning authority. Provision shall be made for hedgehog highways within any new close boarded fences within the site. The boundary treatment details shall include railings adjacent to the ramp at the entrance to the site off Liverpool Road, the provision of gates to the rear of plots 29-32 to allow bins to be stored in rear gardens and shall include the use of permeable boundary treatments such as hit and miss fencing or railings adjacent to Prescott Brook to facilitate some overlooking of the brook area. The boundary treatments shall then be erected as approved prior to first occupation of the development hereby permitted or within a previously approved timetable for implementation.

Reason: To promote biodiversity, in the interests of visual amenity and to ensure the development includes adequate waste management facilities for residents.

17. 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 the agreed Written Scheme of Investigation (ARS 2022). The WSI includes:

- 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; and
- Provision for archive deposition of the report, finds and records of the site investigation.

Reason: To ensure the implementation of the required scheme of archaeological investigation and its publication. This is a necessary pre-commencement condition to ensure the implementation of the required scheme of archaeological investigation and its appropriate publication before any construction or ground works occur.

18. Prior to first occupation of Apartment A or Apartment B, shown on the site layout plan reference GDD2020-GDA-ZZ-RFF-DR-A-2220-P18 Rev P18, full details of the bin stores (to include siting, elevations and materials) shall be submitted to and approved in writing by the Local Planning Authority. The bin stores shall then be erected in accordance with the approved details prior to first occupation of Apartment A of Apartment B.

Reason: In the interests of visual amenity.

19. Prior to first occupation, details of the bollard(s), to prevent vehicular access onto the footpath from Liverpool Road, together with a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The bollard(s) shall then be erected in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety.

20. Prior to first occupation, a Wildlife/European/local Site Information Leaflet/Pack informing new residents of the availability of suitable alternative natural greenspace, presence and importance of the European Sites (Mersey Estuary SPA) (for habitat and species), and how residents can help protect them including an outline 'responsible user code' shall be submitted to and approved in writing by the Local Planning Authority. The approved Leaflet or Pack shall be issued to new residents on first occupation as part of any sales or rental agreement.

Reason: In order to comply with the Habitat Regulations Assessment Regulations, to mitigate increased recreational pressure on European sites and to ensure there are no adverse effects upon the integrity of national and international sites.

21. Prior to first occupation of the development hereby permitted, a risk assessment relating to Prescott Brook considering safety and public access shall be undertaken identifying any mitigation measures that will enhance user safety around the Brook area. This risk assessment and the mitigation measures (including a timetable for implementation) shall be submitted to and approved in writing by the Local Planning

Authority prior to first occupation. These mitigation measures shall be carried out in accordance with the approved details and implementation timetable.

Reason: In the interests of public safety.

22. No part of the development shall be occupied until the access road into the site, approved as part of condition 25, has been fully laid out and constructed.

Reason: In the interests of highway safety.

23. Prior to first occupation of the development hereby permitted, full details of the siting and appearance of the cycle parking stores shall be submitted to and approved in writing by the Local Planning Authority. The cycle stores shall then be erected in accordance with the approved details and shall be made available for use prior to first occupation of each dwelling to which the cycle storage relates.

Reason: To ensure that adequate provision is made for parking cycles, to promote sustainable transport and in the interests of visual amenity.

24. The development shall not be brought into use until the areas indicated on Drawing GDD2020-GDA-ZZ-RF-DR-A-2220-P18 be set aside for parking, servicing, vehicular manoeuvring (including provision for pedestrians/cyclists) have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown. These areas shall be retained as such thereafter, shall be hard surfaced, and where private, shall not drain to the highway.

Reason: In the interests of highway and pedestrian safety.

25. Prior to first occupation, full details of the access road into the site including design, cross section, materials and any servicing have been submitted to and approved in writing by the Local Planning Authority. The access road shall then be constructed in accordance with the approved details.

Reason: In the interests of highway safety.

26. Prior to the commencement of development, details of a sustainable SUDS based surface water drainage scheme (based on the principles of The SUDS Manual C753) and based on the criteria set out within the Knowsley Strategic Flood Risk Assessment SFRA Level 2) and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include:

1. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365.
2. A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations);
3. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD.
4. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable.
5. Foul and surface water shall drain on separate systems.
6. Drainage drawings, summary calculations and results of all investigations detailing the surface water drainage works as set out in the Drainage Strategy reference 2075-SCD-00-00-DR-C-001 dated 23.2.23.

7. The maximum rate of discharge, off-site, shall not exceed 5.5l/s for all events up to and including the 1 in 100 years event plus climate change and in line with the Drainage Strategy set out within the FRA September 2022/HYD730_DYE.HOUSE_FRA Rev 1.0/Betts Hydro Consulting Engineers, unless otherwise agreed in writing with the Local Planning Authority.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to first occupation of the development hereby permitted, or within a previously approved timescale for implementation, the foul and surface water drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development. This pre-commencement condition is necessary to secure an appropriate drainage scheme before any works occur.

NOTE: The surface water and drainage strategy, detailed design drawings, calculations and supporting information shall be expected to consider the following elements:

The United Utilities Agreement on the drainage design and Strategy is in place; The Environment Agency's Agreement on the proposed development including the Environmental Permit for all activities in and close to Prescott Brook affecting the main watercourse and / or its floodplain are in place.

27. 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 prior to first occupation of the development hereby permitted. This shall include:
 1. 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.
 2. 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.
 3. Details for planned maintenance and a mechanism for remedial and urgent repair works.
 4. Means of access for inspection and maintenance purposes.

The plan shall be implemented in accordance with the timeframes contained within it.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

28. Prior to the erection of the substation/pumping station/utility buildings, full details of these utility buildings/structures shall be submitted to and approved in writing by the Local Planning Authority. These details shall include elevations, materials, hard standing areas, boundary treatments, timetable for implementation and any

associated plant. The substation/pumping station/utility buildings shall then be constructed in accordance with the approved details.

Reason: In the interests of visual amenity.

29. The development hereby approved shall be implemented in full accordance with the Social Value Strategy (reference 16424) dated 2nd September 2024.

Reason: To maximise employment and training opportunities for local people.

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:-

Knowsley Local Plan: Core Strategy (2016)

- SD1 - Sustainable Development
- CS1 - Spatial Strategy for Knowsley
- CS2 - Development Principles
- CS3 - Housing Supply, Delivery and Distribution
- CS7 - Transport Networks
- CS8 - Green Infrastructure
- CS15 - Affordable Housing
- CS17 - House Sizes and Design Standards
- CS19 - Design Quality and Accessibility in New Development
- CS20 - Managing the Borough's Historic Environment
- CS21 - Greenspace and Trees
- CS22 - Sustainable and Low Carbon Development
- CS24 - Managing Flood Risk
- CS26 - Waste Management
- SUE1 - Sustainable Urban Extensions and Safeguarded Land
- SUE2 - Sustainable Urban Extensions - Development Principles

Knowsley Replacement Unitary Development Plan (Saved Policies 2009)

- T5 - Location of Major Traffic Generating New Development
- T7 - new Development and Walking & Cycling Routes
- T9 - Travel Plans
- T10 - Access for the Less Mobile
- G3 - Agricultural Land
- DQ2 - Security in the Built Environment
- DQ3 - Gateway site and corridors
- DQ4 - Trees and Development
- ENV2 - Noise and Vibration
- ENV3 - Light Pollution
- ENV5 - Contaminated Land
- H7 - Provision of Flats, Nursing and Residential Homes, Hostels and HMOs

The Joint Merseyside and Halton Waste Local Plan (2013)

- WM8 - Waste Prevention and Resource Management
- WM9 - Sustainable Waste Management Design and Layout of New Development

Adopted Supplementary Planning Documents (SPD)

- Ensuring a Choice of Travel SPD (2010)
- Design Quality in New Development SPD (2016)
- Trees and Development SPD (2016)
- Developer Contributions SPD (2016)

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 (Clare Appleyard on 0151 443 2848)

ARTICLE 35 STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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.

Informatives

1. The applicant's attention is drawn to comments from the Environment Agency, Merseyside Fire and Rescue, Cadent Gas, UU and the Coal Authority.
2. Environmental Permit - advice to applicant

Prescot Brook passes through the site and is designated as a main river. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- On or within 8 metres of a main river (16metres 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 the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission.

For further guidance please visit <http://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the EA's national customer contact centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

3. A Flood Risk Activity Permit under Environmental Permitting Regulations 2016 will be required. Please consult with the EA with an in depth details including:
 - A robust reasoning and justification for the design and layout of the headwall.
 - In depth method statements outlining method of work for the construction of the headwall;
 - Timings of work;
 - Materials used to create the headwall.

Please see comments from the EA and comments regarding their preference for structures to be set back from the channel utilising SUDs features where practicable. The outfall pipe shall be aligned to an angle of between 30 and 60 degrees to the direction of flow in the watercourse and be sited at a geomorphologically stable section of watercourse. Any works within 8m of a statutory main river will require an appropriate ecological survey to be conducted by experienced ecologists at an appropriate time of year using recognised techniques.

4. It is an offence to carry out any works within the public highway without the permission of the Highway Authority. This 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 of the Highways Act 1980. If it is the developer's intention to offer any of the roadworks included in the proposals for adoption, a s38 agreement would be required. The applicant is advised to contact the Site Development Team at SiteDevelopment@knowsley.gov.uk to discuss the matter further.

It should be noted that the Council operates the Advance Payments Code in accordance with Sections 219 - 225 of the Highways Act 1980. This Code applies wherever a new building is to be erected which will have a frontage onto a new section of road which is to be 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 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.

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

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

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

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com or on 0800 688 588 quoting your reference at the top of this letter.

6. Ground Investigations and Groundworks

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. 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 permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

7. Shallow coal seams.

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.



Executive Director - Regeneration and Economic Development

Date: 4 October 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.

Knowsley Metropolitan Borough Council
Development Control
PO Box 26
Huyton
Liverpool
L36 9FB

Our ref: SO/2023/123619/04-L01
Your ref: 22/00233/FUL
Date: 27 February 2024

Dear Clare Appleyard,

DEMOLITION OF EXISTING BUILDING AND REDEVELOPMENT OF LAND AT DYE HOUSE, PRESCOT, TO ERECT UP TO 45 RESIDENTIAL UNITS (TO INCLUDE A MIX OF HOUSES AND APARTMENTS) WITH ASSOCIATED INFRASTRUCTURE AND LANDSCAPING (ACCESS TO BE TAKEN FROM THE EXISTING DEVELOPMENT TO THE NORTHEAST).

DYE HOUSE , LIVERPOOL ROAD, PRESCOT, KNOWSLEY, L34 3LX.

Thank you for re-consulting us on the above application, on 6th February 2024.

Environment Agency position

Based on the additional information we are able to withdraw our previous objection on both Flood Risk and Biodiversity grounds but make the following comments.

Flood risk

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Condition

The development shall be carried out in accordance with the submitted flood risk assessment (ref: **October 2022/HYD730_DYE.HOUSE_FRA Rev1.0/Betts Hydro Consulting Engineers**) and the following mitigation measures it details:

- Sequential location of development within the site.
- Finished floor levels shall be set no lower than 51.45 metres above Ordnance Datum (AOD).
- Safe access and egress route to be provided for residents during flood conditions on to Liverpool Road.
- Provision of 8m unobstructed maintenance access to Prescott Brook within the development site.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The

Environment Agency
Richard Fairclough House Knutsford Road, Warrington, WA4 1HT.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons

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

Advice to applicant/LPA

Sequential test - advice to LPA

We have not objected to this application on flood risk grounds, but this does not remove the need for you to apply the sequential test and to consider whether it has been satisfied. Where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, there will always be some remaining risk that the development will be affected either directly or indirectly by flooding. A failure to satisfy the sequential test can be grounds alone to refuse planning permission.

Environmental permit - advice to applicant

Prescott Brook passes through the site and is designated as a main river. The Environmental Permitting (England and Wales) Regulations 2016 require a permit 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 the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Biodiversity

It is proposed a new headwall structure to discharge into Prescott Brook will be required as part of the development. A Flood Risk Activity Permit under Environmental Permitting Regulations 2016 will be required. Please consult us at this stage with further in-depth details including:

- A robust reasoning and justification for the design and layout of the headwall.
- In-depth method statements outlining method of work for the construction of the headwall.
- Timings of work.
- Materials used to create the headwall.

The Environment Agency has a preference for structures set back from the channel that utilise SUDs features wherever practicable. The outfall pipe shall be aligned to an angle of between 30° and 60° to the direction of flow in the watercourse and be sited at a geomorphologically stable section of water course. Any works which are within 8metres of statutory main river will require an appropriate ecological survey to be conducted by experienced ecologists at an appropriate time of year using recognised techniques.

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Should you have any queries regarding this response, please do not hesitate to contact me.

Yours sincerely,

Miss India Blythin
Planning Advisor

india.blythin@environment-agency.gov.uk

Knowsley MBC
Planning Department
Municipal Buildings
Archway Road
Huyton
L36 9YU

**Merseyside Fire & Rescue Authority
Community Fire Protection**

Fire Engineering Team
Service Headquarters
Bridle Road
Bootle
Merseyside
L30 4YD

Email: dcconsultations@knowsley.gov.uk

Telephone: 0151 296 6590 (Calls may be recorded)
Inspecting Officer: Alison Harrison
Email: fireengineeringteam@merseyfire.gov.uk
web Site: www.merseyfire.gov.uk

Your ref: 22/00233/FUL

Our ref: 00451983/1087358/AH/LC

Date: 23rd October 2023

Dear Sir/Madam,

THE TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATION NUMBER REF: 22/00233/FUL
PROPOSAL: DEMOLITION OF EXISTING BUILDING AND REDEVELOPMENT OF
LAND AT DYE HOUSE PRESCOT TO ERECT UP TO 45 RESIDENTIAL UNITS (TO
INCLUDE A MIX OF HOUSES AND APARTMENTS) WITH ASSOCIATED
INFRASTRUCTURE AND LANDSCAPING (ACCESS TO BE TAKEN FROM THE
EXISTING DEVELOPMENT TO THE NORTHEAST)
ADDRESS: Dye House Liverpool Road Prescott Knowsley L34 3LX

The Fire Authority requests that any decision notice includes the following information;

The plans relating to the above application have been examined and below are the Fire Authority's observations:

- * Access for fire appliances should comply with the requirements of Section B5, Schedule 1 of the Building Regulations. Provisions for access will depend on the size and use of the building. The design of the access route, for example minimum road widths and maximum reversing distances, should also be considered (Appendix A, attached).
- * In accordance with Section 55 of the County of Merseyside Act 1980, the position of the premises should not compromise or impede existing means of fire service access to a neighbouring building.
- * Water supplies for firefighting purposes (Appendix B) should be risk assessed in accordance with the undermentioned guidance in liaison with the water undertakers (United Utilities - 0161 907 7351) with suitable and sufficient fire hydrants supplied.

*** Housing**

Housing developments with units of detached or semidetached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant. Multi occupied housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development.

Further information regarding access requirements can be found in the current version of Approved Document B, which is available for free download via:
<https://www.gov.uk/government/publications/fire-safety-approved-document-b>

Should you require any further information in respect of this correspondence please contact the Officer named above

Yours faithfully

A handwritten signature in black ink that reads "Alison Harrison". The script is cursive and fluid.

Alison Harrison

Authorised Fire Safety Inspecting Officer
And on behalf of Merseyside Fire and Rescue Authority

Appendix A - Access and Facilities for the Fire Service as given in Section B5 of Approved Document B

Domestic Dwellings

For dwelling houses, access for a pumping appliance should be provided to within 45m of all points inside the dwelling house.

For flats, either: access for a pumping appliance should be provided to within 45m of all points inside each flat of a block, measured along the route of the hose; or fire mains should be provided.

Commercial Buildings

Small buildings (up to 2000m², with a top occupied storey a maximum of 11m above ground level), require access for a pump appliance to 15% of the perimeter, or within 45m of every point of the footprint of the building, whichever is the less onerous.

Larger buildings will require access to a percentage of the perimeter that increases incrementally with size of the total floor area and height of building – please see details in Approved Document B Volume 2 Section 15.

Elevations to which vehicle access is provided will require a door, to give access into the building. The maximum distance between doors, or between a door and the end of the elevation, is 60m (ie a 150m elevation would need a minimum of two doors).

All Buildings

Access routes and hardstanding should comply with Table 13.1 ADB Volume 1 / Table 15.2 ADB Volume 2. Please note: MFRS appliances are 17 tonnes (pump) and 26 tonnes (high reach).

Dead-end access routes longer than 20m require turning facilities (eg a turning circle or hammer head, or other turning point).

Where fire mains are fitted, access should be provided for a pumping appliance to within 18m of each fire main inlet connection point. Inlets should be on the face of the building and visible from the parking position of the appliance. The run of horizontal internal connecting pipe should be a maximum of 18m in length.

Buildings with a storey more than 18m above the fire service vehicle access level, or a basement more than 10m below, should have one or more firefighting shafts containing fire-fighting lifts and fire mains (a minimum of two fire-fighting shafts will be required for buildings with a floor area of 900 m² or more).

Buildings in the 'shop and commercial', 'assembly and recreation' or 'industrial' purpose groups (Groups 4, 5, or 6), with a storey area of 900m² or more and a storey height of 7.5m or more above fire service vehicle access level will require at least two firefighting shafts (firefighting lifts may not be needed).

Entry to a firefighting shaft at fire service access level should be available either directly from the open air or by way of a protected corridor not exceeding 18m in length. The corridor is deemed to be part of the firefighting shaft, and any access to it from the accommodation should be by way of protected lobbies.

Hydrants

Where a building has a compartment with an area of more than 280m² and is being erected more than 100m from an existing fire hydrant, additional hydrants are required as follows:

Buildings with fire main – hydrant within 90m of dry fire main inlet;

Buildings without fire main – hydrant within 90m of an entrance to the building; and a maximum of 90m apart.

Appendix B - Guidelines on flow requirements for firefighting

The following flows represent the ideal requirements on new developments and during permanent system changes.

Housing

Housing developments with units of detached or semidetached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant. Multi occupied housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development.

Transportation

Lorry/coach parks - multi-storey car parks - service stations.

All of these amenities should have a water supply capable of delivering a minimum of 25 litres per second through any single hydrant on the development or within a vehicular distance of 90 metres from the complex.

Industry

The water supply infrastructure to any industrial estate should be as follows with the mains network on site being normally at least 150 mm nominal diameter—

Up to one hectare 20 litres per second.

One to two hectares 35 litres per second.

Two to three hectares 50 litres per second.

Over three hectares 75 litres per second.

Shopping, offices, recreation and tourism

Commercial developments of this type should have a water supply capable of delivering a minimum flow of 20 to 75 litres per second to the development site.

Education, health and community facilities

Village halls— Should have a water supply capable of delivering a minimum flow of 15 litres per second through any single hydrant on the development or within a vehicular distance of 100 metres from the complex.

Primary schools and single storey health centre's— Should have a water supply capable of delivering a minimum flow of 20 litres per second through any single hydrant on the development or within a vehicular distance of 70 metres from the complex.

Secondary schools, colleges, large health and community facilities— Should have a water supply capable of delivering a minimum flow of 35 litres per second through any single hydrant on the development or within a vehicular distance of 70 metres from the complex.

Dear Sir/Madam,

Your planning application – No objection, informative note required

We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low pressure assets. We have no objection to this proposal from a planning perspective, however we need you to take the following action.

What you need to do

To prevent damage to our assets or interference with our rights, please add the following **Informative Note** into the **Decision Notice**:

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

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

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

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com or on 0800 688 588 quoting your reference at the top of this letter.

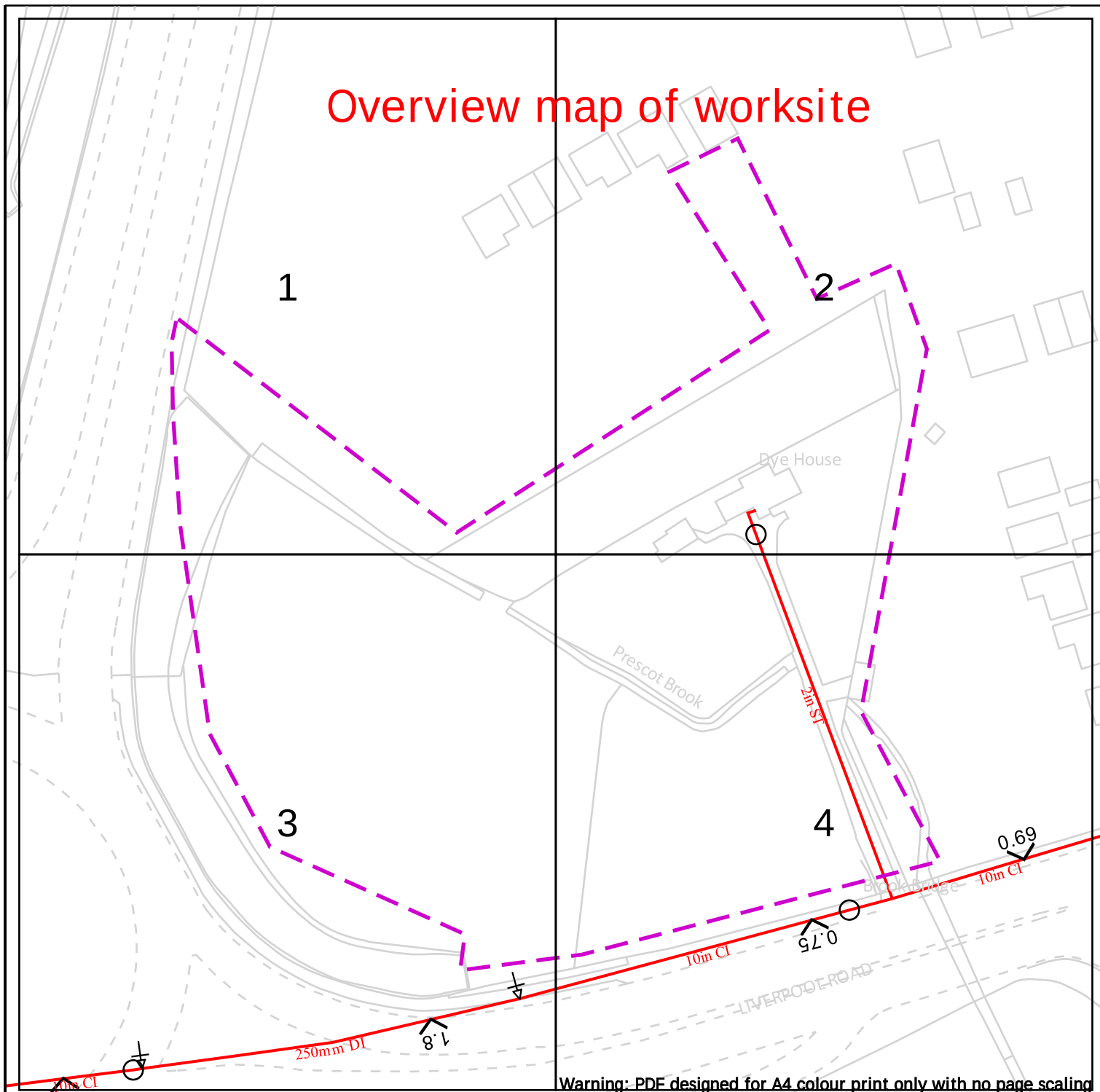
Kind Regards,

Plant Protection Team

T: 0800 688 588

plantprotection@cadentgas.com
cadentgas.com

Overview map of worksite



Warning: PDF designed for A4 colour print only with no page scaling

Cadent
Your Gas Network

Dig Sites

Area:

Line:



LP Mains



MP Mains



IP Mains



LHP Mains



Valve



Depth of cover



Syphon



Diameter Change



Material Change



Out of Standard Service

Date Requested: 26/10/2023
Job Reference: 31325534
Site Location: 345806 392779
Requested by: Mr Sukvinder Singh

Your Scheme/Reference:
22/00233/FUL (SS)

View extent: 100m, 100m

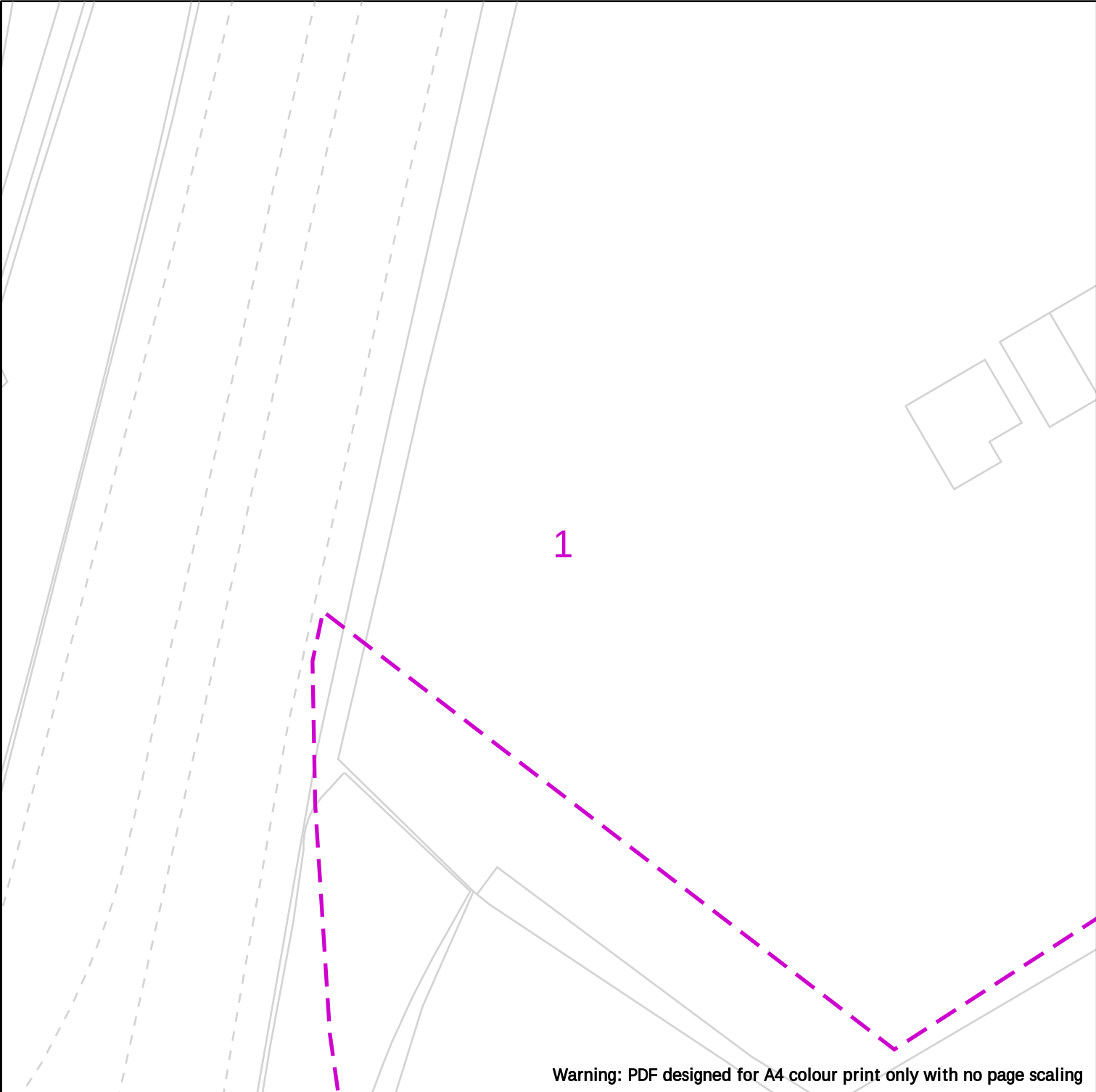
IMPORTANT NOTICES

This plan shows these pipes owned by Cadent Gas Limited in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GT's or otherwise privately owned may be present in this area. Information with regards to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections etc. are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Cadent Gas Limited or their agents, servants or contractors for any errors or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

In case of emergency call - 0800 111 999

Crown Copyright © - This plan is reproduced from or based on the OS map by Cadent Gas Limited, with the sanction of the controller of HM Stationary Office. Crown Copyright Reserved. Ordnance Survey Licence number 100024886

Scale: 1:1025 (When plotted at A4)



Warning: PDF designed for A4 colour print only with no page scaling



Dig Sites

Area:



Line:



LP Mains



MP Mains



IP Mains



LHP Mains



Valve



Depth of cover



Syphon



Diameter Change



Material Change



Out of Standard Service

Date Requested: 26/10/2023
Job Reference: 31325534
Site Location: 345806 392779
Requested by: Mr Sukvinder Singh

Your Scheme/Reference:
22/00233/FUL (SS)

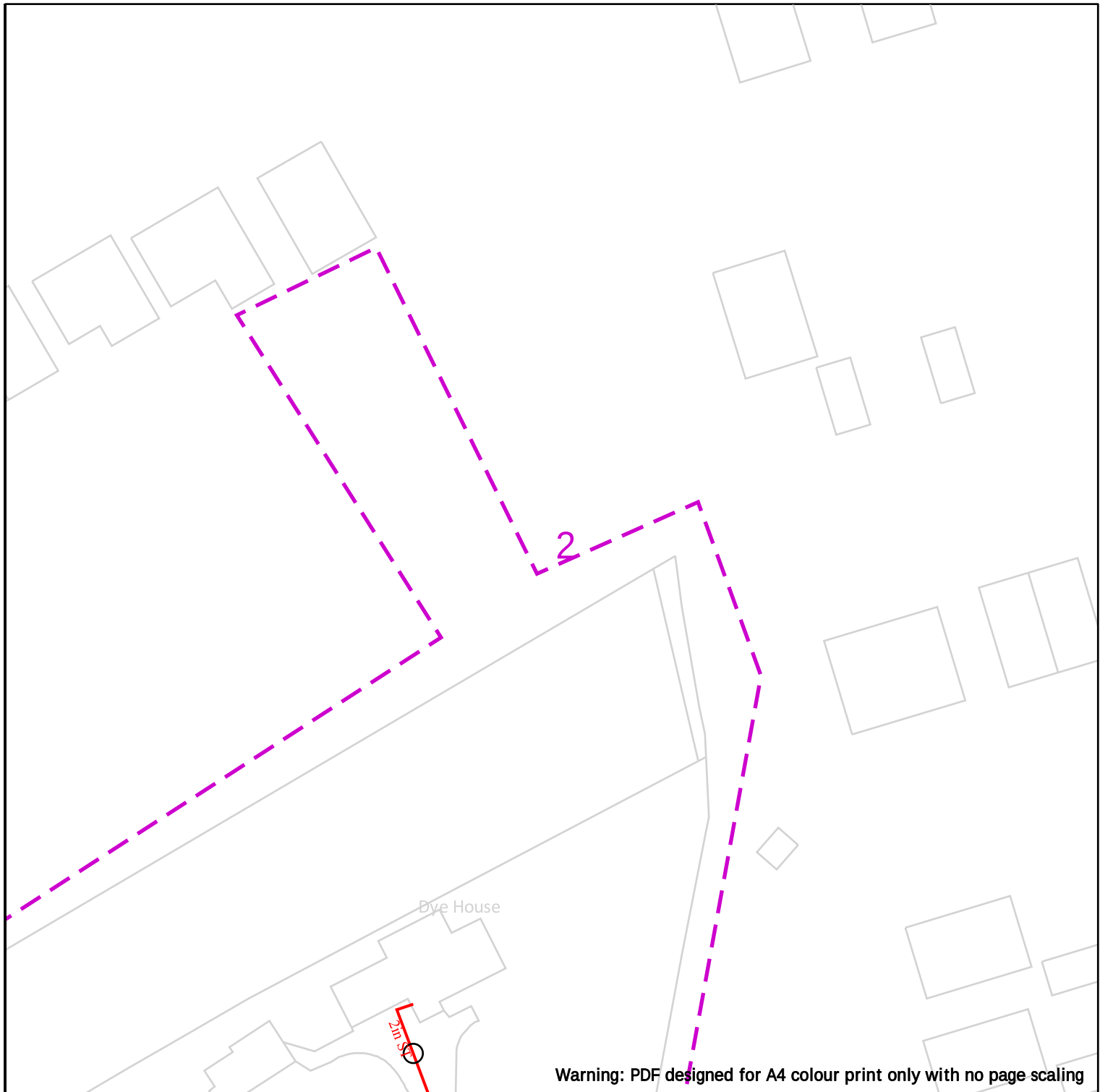
View extent: 100m, 100m

IMPORTANT NOTICES

This plan shows these pipes owned by Cadent Gas Limited in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GT's or otherwise privately owned may be present in this area. Information with regards to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections etc. are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Cadent Gas Limited or their agents, servants or contractors for any errors or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

In case of emergency call - 0800 111 999

Scale: 1:500 (When plotted at A4)



Warning: PDF designed for A4 colour print only with no page scaling

25m

Dig Sites

Area:



Line:



Cadent
Your Gas Network



LP Mains



MP Mains



IP Mains



LHP Mains



Valve



Depth of cover



Syphon



Diameter Change



Material Change



Out of Standard Service

Date Requested: 26/10/2023
Job Reference: 31325534
Site Location: 345806 392779
Requested by: Mr Sukvinder Singh

Your Scheme/Reference:
22/00233/FUL (SS)

View extent: 100m, 100m

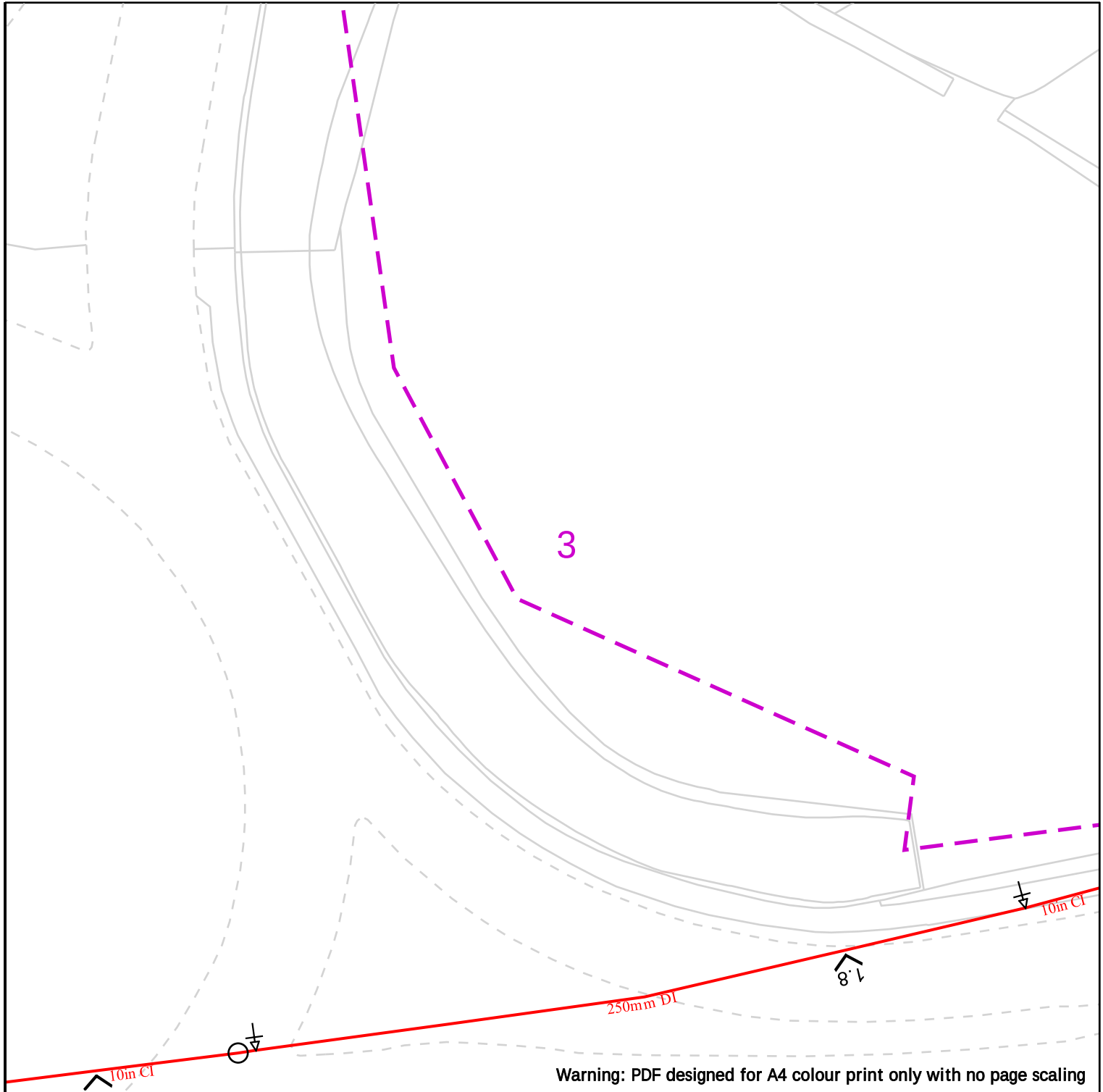
IMPORTANT NOTICES

This plan shows these pipes owned by Cadent Gas Limited in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GT's or otherwise privately owned may be present in this area. Information with regards to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections etc. are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Cadent Gas Limited or their agents, servants or contractors for any errors or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

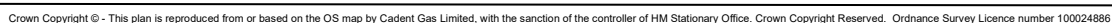
In case of emergency call - 0800 111 999

Scale: 1:500 (When plotted at A4)

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	Dig Sites Area:  Line:   LP Mains  MP Mains  IP Mains  LHP Mains  Valve  Depth of cover  Syphon  Diameter Change  Material Change  Out of Standard Service
Date Requested: 26/10/2023 Job Reference: 31325534 Site Location: 345806 392779 Requested by: Mr Sukvinder Singh Your Scheme/Reference: 22/00233/FUL (SS) View extent: 100m, 100m Scale: 1:500 (When plotted at A4)	IMPORTANT NOTICES This plan shows these pipes owned by Cadent Gas Limited in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GT's or otherwise privately owned may be present in this area. Information with regards to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections etc. are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Cadent Gas Limited or their agents, servants or contractors for any errors or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue. In case of emergency call - 0800 111 999 Crown Copyright © - This plan is reproduced from or based on the OS map by Cadent Gas Limited, with the sanction of the controller of HM Stationary Office. Crown Copyright Reserved. Ordnance Survey Licence number 100024886



Knowsley Council
By email

Your ref 22/00233/FUL
Our ref DC/23/3541v2
Date 15-JAN-23

Dear Planning Team

Location: Dye House Liverpool Road, Prescot, Knowsley, L34 3LX.

Proposal: Redevelopment Of Land At Dye House, Prescot, To Erect Up To 45 Residential Units (To Include A Mix Of Houses And Apartments) With Associated Infrastructure And Landscaping.

United Utilities provides the following comments to support the Local Planning Authority in their determination of the planning application detailed above, and to direct the applicant to further sources of support and guidance on matters that might impact their proposal.

The letter and Appendix should be read in their entirety to support the determination, the design, and should the scheme be approved, the subsequent delivery of the proposal.

DRAINAGE

Following our review of the submitted Drainage Strategy, prepared by Shape Consulting, Ref: 2075, Rev 04 Dated 19.12.2023, we can confirm that whilst the strategy for the disposal of foul and surface water is acceptable in principle, there are elements of the detailed drainage design that might not be acceptable to United Utilities and will require resolution by the applicant. For this reason, and to avoid any unnecessary delays or costs for the applicant, we request that the proposed drainage strategy is not approved until such time as all concerns are resolved. The applicant should contact our Wastewater Developer Services team regarding this matter. See Appendix, Section 4.0 Contacts. Should planning permission be granted without resolution of all drainage concerns, we request the following condition is attached to any subsequent Decision Notice:

Should planning permission be granted without resolution of all drainage concerns, we request the following condition is attached to any subsequent Decision Notice:

REQUESTED CONDITION

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;***
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);***
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;***
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and***
- (v) Foul and surface water shall drain on separate systems.***

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

If the applicant intends to offer the site drainage forward for adoption to United Utilities, they should be aware that the proposals submitted within this application do not currently meet with our adoptions criteria. We recommend the applicant seeks further advice regarding the SuDS design by visiting our website. See Appendix, Section 4.0 'Contacts'.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as a main river).

To discuss their drainage proposals the applicant should contact our **Developer Services** team by email at SewerAdoptions@uuplc.co.uk. Alternative ways to contact the team are detailed in the Appendix, Section 4.0 'Contacts'.

Management and maintenance of Sustainable Drainage Systems (SuDS)

Without effective management and maintenance SuDS can fail or become ineffective which may have a detrimental impact on the surrounding area. There is also a risk ineffective SuDS could impact the performance of the public sewer network where the two systems interact. Therefore, when SuDS is included in a proposed development, we recommend the Local Authority include a condition relating to SuDS management and maintenance in any subsequent Decision Notice. We provide an example condition below that may be suitable in many circumstances.

Please note United Utilities cannot provide comment on an asset that is owned by a third party management and maintenance company. Therefore, whilst we recommend the inclusion of a management and maintenance condition, United Utilities would not be involved in its discharge.

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- (i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and*
- (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.*

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout.

It is important that the supporting information contained in the Appendix, Section 2.0 'United Utilities' Property, Assets and Infrastructure', is read in conjunction with this letter. This provides information that might impact a proposed layout and additional guidance that an applicant or developer must consider when United Utilities assets are located in, or in the locality of, the proposed site.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. See Appendix, Section 4.0 'Contacts'

We request that a copy of this letter and the Appendix is made available to the applicant.

Yours faithfully

The Planning, Landscape and Ecology Team

APPENDIX:

Supporting information for the decision maker, applicant, developers and any other interested party

Whilst we provide the following information to support the design and delivery of the proposed scheme, we strongly recommend that the applicant, or any subsequent developer, contacts our Developer Services team at the earliest opportunity, using our **free pre-development enquiry service**, to ensure they have fully considered all aspects of development and to avoid any potential issues or unexpected costs at a later date.

Full details of the services offered to developers, guidance and application forms are available on our website: www.unitedutilities.com/builders-developers/

1.0 DRAINAGE DESIGN

1.1 The importance of sustainable drainage systems

We strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. We request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

1.2 Adoption and construction of drainage systems

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewerage Sector Guidance Appendix C – Design and Construction Guidance v2-2' dated 29 June 2022 or any subsequent iteration. This is important as drainage design can be a key determining factor of site levels and layout.

If the proposal incorporates a SuDS component(s) which interacts with a sewer network that may be offered for adoption by United Utilities we recommend the applicant seeks further advice regarding the SuDS design; detailed information is available on our website.

Our acceptance of any drainage strategy submitted by an applicant to the Local Planning Authority for approval does not infer that a detailed drainage design will meet the requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design has been submitted directly to United Utilities, assessed and accepted in writing. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

2.0 UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE

2.1 Water pipelines

United Utilities will not allow building over or in close proximity to a water main.

For any works in the vicinity of water pipelines, the applicant must comply with our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website: <https://www.unitedutilities.com/builders-developers/your-development/planning/building-over-or-working-near-our-assets/working-near-our-pipes/>

2.2 Wastewater pipelines

United Utilities will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. This will only be reviewed in exceptional circumstances.

Nb. Proposals to extend domestic properties either above, or in close proximity to a public sewer will be reviewed on a case by case basis by either by a building control professional or following a direct application to United Utilities (see our website for further details).

2.3 Water and wastewater pipelines and apparatus

A number of providers offer a paid for mapping service, including United Utilities (see Section 4.0 'Contacts' (below)). The position of the underground apparatus shown on water and wastewater asset maps is approximate only and is given in accordance with the best information currently available. Therefore, we strongly recommend the applicant, or any future developer, does not rely solely on the asset maps to inform decisions relating to the detail of their site and instead investigates the precise location of any underground pipelines and apparatus. Where additional information is requested to enable an assessment of the proximity of proposed development features to United Utilities assets, the proven location of pipelines should be confirmed by site survey; an extract of asset maps will not suffice. The applicant should seek advice from our Developer Services team on this matter. See Section 4.0. 'Contacts' (below). United Utilities Water will not accept liability for any loss or damage caused by the actual position of our assets and infrastructure being different from those shown on asset maps.

Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme.

Any agreement to divert our underground assets will be subject to a diversion application, made directly to United Utilities. This is a separate matter to the determination of a planning application. We will not guarantee, or infer acceptance of, a proposed diversion through the planning process (where diversion is indicated on submitted plans). In the event that an application to divert or abandon underground assets is submitted to United Utilities and

subsequently rejected (either before or after the determination of a planning application), applicants should be aware that they may need to amend their proposed layout to accommodate United Utilities' assets.

Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include sustainable drainage features, earth movement and the transport and position of construction equipment and vehicles.

Any construction activities in the vicinity of United Utilities' assets, including any assets or infrastructure that may be located outside the applicant's red line boundary, must comply with national building and construction standards and where applicable, our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website: <https://www.unitedutilities.com/builders-developers/your-development/planning/building-over-or-working-near-our-assets/working-near-our-pipes/>.

The applicant, and/or any subsequent developer should note that our 'Standard Conditions' guidance applies to any design and construction activities in close proximity to water pipelines and apparatus that are no longer in service, as well as pipelines and apparatus that are currently in operation.

It is the applicant's responsibility to ensure that United Utilities' required access is provided within any proposed layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity.

3.0 WATER AND WASTEWATER SERVICES, METERING AND CHARGES

If the applicant intends to receive water and/or wastewater services from United Utilities they should visit our website or contact the Developer Services team for advice at the earliest opportunity. This includes seeking confirmation of the required metering arrangements for the proposed development. See Section 4.0 'Contacts' (below).

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the connection(s) will be suitable for the new proposal or that any existing metering arrangements will suffice. In addition, if reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for.

In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit <https://www.unitedutilities.com/my-account/your-bill/our-household-charges-20232024/> and go to Section 7.7 for compulsory metering.

To promote sustainable development United Utilities offers a reduction in infrastructure charges to applicant's delivering water efficient homes and draining surface water sustainably (criteria applies). For further information, we strongly recommend the applicant visits our website when

considering any water or wastewater design <https://www.unitedutilities.com/builders-developers/your-development/planning/building-sustainable-homes/>
Business customers can find additional information on our sustainable drainage incentive scheme at <https://www.unitedutilities.com/Business-services/retailers/incentive-schemes/>

To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services and metering arrangements, at the earliest opportunity. See Section 4.0 'Contacts' (below).

4.0 CONTACTS

For advice on your development contact our **DEVELOPER SERVICES** team as follows:

Website (including 'Live Chat'): <http://www.unitedutilities.com/builders-developers.aspx>

Email:

WATER (water mains, supply and metering): DeveloperServicesWater@uuplc.co.uk
WASTEWATER (public sewers and drainage): SewerAdoptions@uuplc.co.uk

Telephone (Monday-Friday, 8am-6pm): **0345 072 6067**

PROPERTY SEARCHES (FOR ASSET MAPS):

A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, please visit <https://www.unitedutilities.com/property-searches/>

Water and sewer records can be viewed for free at our Warrington Head Office by calling 0370 751 0101. Appointments must be made in advance. Public sewer records can be viewed at local authority offices. Arrangements should be made directly with the local authority.

UNITED UTILITIES LEGAL SERVICES (FOR EASEMENT DOCUMENTS):

Copies of relevant deeds may be purchased from United Utilities Legal Services. This information is also available from Land Registry.

To purchase a copy of easement documents from United Utilities, please email: LegalServices@uuplc.co.uk



The Coal
Authority



INVESTOR IN PEOPLE



RTPI
Learning Partner

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Ms C. Appleyard – Case Officer
Knowsley Metropolitan Borough Council

[By Email: dcconsultations@knowsley.gov.uk]

25 October 2023

Dear Ms Appleyard

PLANNING APPLICATION: 22/00233/FUL

Demolition of existing building and redevelopment of land at Dye House, Prescot to erect up to 45 residential units (to include a mix of houses and apartments) with associated infrastructure and landscaping (access to be taken from the existing development to the northeast) at Dye House, Liverpool Road, Prescot, Knowsley, L34 3LX

Thank you for your consultation letter of 11 October 2023 seeking the views of the Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response: Material Consideration

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

More specifically, the Coal Authority's information indicates that the site lies in an area where historic unrecorded shallow coal mining activity is likely to have taken place at shallow depth. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

In addition, a recorded off-site mine entry (shaft 345392-006) is present within 20m of the eastern boundary of the site. Our records indicate that this feature was treated by means of pressure grouting in 2021. Based on these past treatment works, we are satisfied that the zone of influence of shaft is unlikely to extend to the application site.

The application is accompanied by a Desk Study Report (August 2022, prepared by Betts Geo). Based on a review of relevant sources of coal mining and geological information, including the results of intrusive investigations carried out in the locality, the report concludes that there is a very high potential for shallow coal mine workings, including voids and bell pits / shafts, to be present beneath the site. It goes on to recommend that the matter should be investigated further by means of a rotary borehole investigation, but advises that a site wide drilling and grouting scheme to stabilise shallow workings is anticipated.

We note that the application is also accompanied by a Site Investigation report (5 May 2023, prepared by Edge Consulting Engineers), which indicates that seven rotary boreholes were subsequently drilled within the site to depths of up to 35.0m bgl. The report advises that coal seams and evidence of mine workings were encountered during drilling within influencing distance of the site surface. It goes on to advise that *'A drilling and grouting programme will be required if the development is to proceed (anticipated to comprise a site wide drill and grout on a 6.0 m grid).'*

The Coal Authority's Planning & Development Team welcomes the recommendation for the undertaking of remedial stabilisation works. These works should be designed and carried out by competent persons in order to ensure the safety and stability of the proposed development as a whole, including the buildings and external parts of the site such as the new road, driveways and parking areas.

The applicant is requested to note that Permission is required from the Coal Authority's Permitting & Licensing Team before undertaking any remedial works that will disturb Coal Authority property, i.e. coal seams and associated workings. 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.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development Team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

Surface Coal Resource

The Coal Authority's records indicate that surface coal resource is present on the site, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning application decision making process consideration should be given to such advice in respect of the indicated surface coal resource.

SuDS

Where SuDS are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

The Coal Authority Recommendation to the LPA

The Coal Authority's Planning & Development Team notes the conclusions of the Site Investigation report; that coal mining legacy poses a risk to stability at the site and that remedial measures are required in order to ensure the safety and stability of the development.

As such, should planning permission be granted for the proposed development, we would recommend that the following conditions are included on the Decision Notice:

- 1. No development shall commence until remedial stabilisation works to address land instability arising from coal mining legacy have been carried out in full in order to ensure that the site is made safe and stable for the development proposed. The remedial works shall be carried out in accordance with authoritative UK guidance.**
- 2. Prior to the occupation of the development a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the remedial works and any mitigatory measures necessary to address the risks posed by past coal mining activity.**

The Coal Authority therefore wishes to raise **no objection** to the proposed development **subject to the imposition of the above conditions**. This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

The following statement provides the justification why the Coal Authority considers that a pre-commencement condition is required in this instance:

The formulation and implementation of an appropriate scheme of remedial measures before building works commence on site is necessary to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework

Should planning permission be granted for this proposal, we also request that the following Informative Notes are included on the decision notice:

1 - Ground Investigations and groundworks

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. 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 permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority

permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

2 - Shallow coal seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

James Smith

James Smith *BSc. (Hons), Dip.URP, MRTPI*

Planning and Development Manager

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

In formulating this response The Coal Authority has taken full account of the professional conclusions reached by the competent person who has prepared the Coal Mining Risk Assessment or other similar report. In the event that any future claim for liability arises in relation to this development The Coal Authority will take full account of the views, conclusions and mitigation previously expressed by the professional advisers for this development in relation to ground conditions and the acceptability of development.