

APPLICATION NO: 22/00150/COU

CASE OFFICER: Maxine Wishart

WARD: Halewood South

PARISH: Halewood Town Council

LOCATION: Brook House Farm, Lower Road, Halewood

PROPOSAL: CHANGE OF USE FROM AN AGRICULTURAL BUILDING TO A
COMMERCIAL USE COMPRISING 5 NO. OFFICE UNITS
(USE CLASS E (g) (i)) WITH ASSOCIATED RECEPTION AREAS AND CAR
PARKING

Site Description

The application site measures c. 0.13 ha, located on the eastern side of Lower Road, Halewood. The application relates to a disused agricultural building located adjacent to the house associated with Brook House Farm. The house has recently been granted planning permission for a house in multiple occupation (Ref: 20/00408/FUL) other it is currently in operation as a Holiday Let granted at a later point (Ref:22/00335/COU).

The former agricultural building the subject of this application, comprises of three attached sections with a central two-storey section and single storey elements either side. The roof comprises mainly of asbestos sheeting together with sections of slate. The building fronts onto the central 'courtyard' area.

The application building together with other farm buildings form a 'horseshoe' layout around the central section which includes a manege and a cobbled / concrete area currently overgrown, formerly muck midden and a remnant of a small existing brick structure, believed to be former pig pens.

Agricultural land surrounds the site to the north, east and to the west beyond the adjacent house. To the south-east of the building the site shares a boundary with a site comprising existing commercial buildings which also shares the access off Lower Road. That site is currently the subject of a planning application for the demolition of the buildings and erection of a 2-storey dwelling with 1 and half storey garage (Ref: 22/00627/FUL).

To the south-west on the opposite side of Lower Road is Wellbrook Farm which comprises a house and a number of farm buildings. Further to the south beyond the A562 lies Vertellus, an existing large chemical facility.

Proposal

The application seeks planning permission for the conversion of an agricultural building to form a commercial use comprising of 5 no. office units (Use Class E(g)(i) together with associated reception areas and car parking.

In order to convert the buildings into office use there would be works to the building which would include the removal of asbestos roofing which would be replaced with slate over modern membranes. Openings would be altered in some places. Weathered brick would be replaced and some sandstone and concrete cills and lintels would be replaced together with re-pointing works.

The existing former midden area within the courtyard would be utilised for parking, cycle storage and storage of bins. The remnants of former pig pens would be removed to make way for the development.

Consultations

Arboricultural Officer (KMBC) - No objections, considering the works proposed and the distance from the trees a tree survey is not necessary in this instance.

Building Control (KMBC) - Advise that the supporting structural survey report is adequate to confirm the barn is suitable for conversion. It has been produced by a RICS surveyor with suitable experience.

Environmental Health (KMBC) - No objection in principle subject to conditions relating to contaminated land; construction management; hours of construction and fixed plant noise.

Highway Authority (KMBC) - No objection subject to conditions relating to the laying out of the parking and an informative relating to mud on the highway.

Cadent Gas Limited - No objection. Request applicant be advised that Cadent gas asset/s are in the area and statutory requirements if the application affects one of their high-pressure pipelines and what needs to be done by developer.

Halewood Town Council - No Comments Received.

Halton Borough Council - No comments received.

Health and Safety Executive - Do not advise against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Merseyside Environmental Advisory Service - Advise that ecology information be submitted; site is close to a designated site (LWS) though impacts of the development unlikely; bat survey(s) required; pond in proximity to site advise Reasonable Avoidance Measures (RAMs) during construction phase; barn owl survey; no building works during bird nesting season and conditions requested in relation to Archaeological Written Scheme of Investigation.

Merseyside Fire and Rescue Authority - No objection. Make observations in relation to access for fire-appliances; water supplies for fire-fighting purposes; and Section 55 of the County of Merseyside Act 1980.

Representations

This application has been publicised by letters sent to 2 neighbours. It has also been advertised by Site Notice. No representations have been received.

Relevant Planning History

APP. NO:	05/00657/COU
PROPOSAL:	CONVERSION OF AGRICULTURAL BUILDING TO FORM 6 NO. RESIDENTIAL DWELLINGS WITH ASSOCIATED CAR PARKING, ENGINEERING WORKS TO FORM BIODISC SEWAGE PLANT AND LANDSCAPING WORKS
DECISION:	Refused
DECISION DATE:	1 September 2005

APP. NO: 20/00408/FUL
LOCATION Brook House Farm, Lower Road, Halewood
PROPOSAL: CHANGE OF USE FROM RESIDENTIAL DWELLING (USE CLASS C3) TO FORM HOUSE OF MULTIPLE OCCUPATION COMPRISING OF 7 BEDROOMS (SUI GENERIS) TOGETHER WITH SINGLE STOREY REAR EXTENSION (RETROSPECTIVE) EXTERNAL ALTERATIONS INCLUDING 2 NO. NEW WINDOWS AND THE INSTALLATION OF A BIN AND CYCLE STORE

DECISION: Granted
DECISION DATE: 11 June 2021

APP. NO: 22/00335/COU
LOCATION Brook House Farm, Lower Road, Halewood
PROPOSAL: RETROSPECTIVE CHANGE OF USE FROM RESIDENTIAL DWELLING (USE CLASS C3) TO HOLIDAY LET (USE CLASS C1)

DECISION: Granted
DECISION DATE: 24 August 2022

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

National Planning Policy Framework

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

T10 - Access for the Less Mobile
G3 - Agricultural Land
G4 - Rural Diversification
G6 - Conversion or Change of Use of Existing Buildings in the Green Belt
DQ2 - Security in the Built Environment

ENV2 - Noise and Vibration
ENV3 - Light Pollution
ENV4 - Hazardous Substances
ENV5 - Contaminated Land

KNOWSLEY LOCAL PLAN: CORE STRATEGY

SD1 - Sustainable Development
CS1 - Spatial Strategy for Knowsley
CS2 - Development Principles
CS4 - Economy and Employment
CS5 - Green Belt
CS8 - Green Infrastructure
CS19 - Design Quality and Accessibility in New Development
CS20 - Managing the Borough's Historic Environment
CS21 - Greenspaces and Trees
CS22 - Sustainable and Low Carbon Development
CS24 - Managing Flood Risk
CS26 - Waste Management

SUPPLEMENTARY PLANNING DOCUMENTS

Ensuring a Choice of Travel SPD (2010)
Design Quality in New Development SPD (2016)

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.

Assessment

Principle of Development

Green Belt Considerations

The application site is within the Green Belt. Inappropriate development in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (NPPF paragraph 147).

National planning policy requires local planning authorities to ensure substantial weight is given in considering planning applications to any harm to the Green Belt and that 'very special circumstances' will not exist unless it outweighs harm to the Green Belt due to inappropriateness, and any other harm resulting from the proposal.

Paragraph 150 of the NPPF states that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green

- Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

The proposed development would fall to be considered under category d) above. Saved Policy G6 of the UDP also states at criterion b) that a proposal to convert an existing building will be permitted provided that, inter alia, the building is of permanent and substantial construction and major reconstruction would not be necessary to accommodate the proposed development.

Structural Integrity of Building

The application is supported by a structural survey which concludes that the building is structurally stable for such conversion and does not require wholesale demolition and rebuilding.

The Council's Building Control Group Manager has advised that the supporting structural survey report is adequate to confirm the barn is suitable for conversion. The application satisfies criteria b) of the policy as the buildings can be converted without major rebuilding as indicated by the structural survey.

Farm Diversification

Criterion g) of Saved Policy G6 states that where the change of use is associated with farm diversification the proposal would not lead to the subsequent fragmentation of the agricultural unit by separate sale of the building. The applicant has indicated that Brook House was previously a livestock small holding which was purchased by the applicant in 2019 together with associated land. The land is farmed by the applicant whose principal holding is at Water Lane Farm and farms circa 1200 acres under a mixed arable cultivation. A Steel framed building to the rear is used for storage of produce. The traditional buildings are used for storage, obsolete from their original use as livestock accommodation and being an arable farmer, they are not required or suitable for storage associated with the land therefore the applicant is looking at options to maintain and utilise them as part of farm revenue and reinvestment in the site rather than fall into a further state of repair.

Overall, it is considered that the proposal is appropriate development that would not have a greater impact on the openness of the Green Belt than the existing development on the site, and by allowing the scheme the development will retain an existing building which itself will provide a use and be of a design respectful of its location.

Main Town Centre Use

Policy CS4 of the Local Plan seeks to facilitate employment of the right type and in the right location to support the Council's employment priorities. Criterion 1) i) supports the diversification of the rural economy. Criterion 5) requires that a sequential approach is taken for site selection in accordance with Policy CS6.

Policy CS6 defines a network and hierarchy of town, district and local centres requiring that development for main town centre uses should be focused in existing centres and these uses outside will only be permitted if they would complement regeneration opportunities, avoid significant impact on vitality and viability of the centres complying with the sequential test of CS4.

The need to safeguard the vitality of town centres is reiterated in the NPPF 2021 which also advocates that a sequential test should apply to main town centre uses. However, at paragraph 89 the NPPF states that this sequential approach should not be applied to applications for small scale rural offices or other small scale rural development. The proposal meets the criteria of the NPPF and therefore significant weight should be given to this consideration and a sequential test is not required in this instance

Layout and Design

The proposed development would see existing asbestos roofing replaced with slate and alterations to the openings across the building. The proposed works are acceptable in design and will contribute to a quality small scale office development which will sit comfortably within the site and the rural Green Belt context of the locality. Precise scheme details of materials will be secured through suitable planning conditions.

The car park area would re-use an existing (overgrown) hardstanding area within the courtyard which has historically been used as a midden. Other associated external structures, such as a bin and cycle store together with EVC charging pedestal would not appear obtrusive in the context of the existing farm buildings and associated storage and activities that are carried out on the site.

The proposed works are acceptable in design and will contribute to a quality small scale office development which will sit comfortably within the site and the rural Green Belt context of its locality.

Residential Amenity

The building is located in close proximity to the original farm-house, now in use as a holiday let. No other residential dwellings are in close proximity. The rear of the application building immediately abuts the amenity space to the rear of the house and an existing field. There are no boundary treatments marking a boundary and there would be some windows retained to the rear elevation of the building serving office, reception and WCs which would have some views across the rear elevation of the house. These windows are either high level or very small secondary windows at ground floor level or at a distance of approximately 20 m from the house at first floor level. Given the nature of the neighbouring property; the size of the windows and the juxtaposition of the buildings, it is not considered that significant adverse impacts would be encountered.

The site has former agricultural use and other buildings around the courtyard retain an agricultural use with associated activity and noise that would be expected from this type of use. It is not expected that there would be any additional activity on the site that would be detrimental to the surrounding environment than what can currently be carried out.

Waste Management

The application proposes the provision of a number of waste receptacles adjacent to the proposed car park to serve the development. The bins would be enclosed within a timber coral. It is considered that given the location the timber should be stained a dark colour and this can be secured via a suitable planning condition.

The applicant has provided sufficient information to comply with Policy WM9 (Sustainable Waste Management Design and Layout for New Development) of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8).

Highway Considerations

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. Paragraph 130 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. These objectives are supported adopted Policies CS2, CS7 and CS19 of the Local Plan.

The application site would be accessed off an existing access point off Lower Road. 23 parking spaces including 2 disabled spaces and electric vehicle charging points are proposed. This provision of parking is accepted for the proposed use.

A quantum of cycle storage more than the minimum standard is proposed. This is accepted and welcomed.

The proposal does not raise any highway safety concerns.

Health & Safety

The application site is located within the inner HSE Consultation Zone relating to existing premises (Vertellus) located to the south of the application site beyond the A562 (Speke Road). The Health and Safety Executive (HSE) is a statutory consultee on certain developments in the vicinity of major hazard sites and major accident hazard pipelines. The application has been considered using HSE's planning advice web app to obtain HSE advice on the planning application. In this instance, the HSE's advice is: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

The development is in the vicinity of a High Pressure Major Accident Hazard Pipeline (MAHP) and/or an Intermediate Pressure Pipeline and/or an Above Ground Installation, as such Cadent have commented. Certain informatives will be attached to any planning decision notice; requiring the developer to adhere to requirements set out by Cadent which are essential for the safety of the development.

Arboricultural Considerations

The Council's Arboricultural Officer is satisfied that there are no trees in the vicinity of the application site that would be affected by the development and therefore no tree reports were required, or further consideration given to trees.

Ecology

Designated Sites

The proposed development is close to a designated site: Ditton Brook Local Wildlife Site (LWS) (350 m north). Ditton Brook is primarily designated for the presence of water vole, however in this instance, MEAS advise that the impacts on the LWS are unlikely given the distance from the application site to the watercourse.

Amphibians

A pond is located approximately 60 metres north of the application site. The Council's Ecologist (MEAS) has advised habitat connectivity between the proposed working area and the pond is poor, comprising predominantly hard-standing. The courtyard which will form the new car park is also an active farm area which is heavily disturbed and unlikely to offer high quality refuge opportunities for amphibians.

There is however a risk of amphibians crossing the working area therefore as a precaution it is considered that a condition requiring the adoption of Reasonable Avoidance Measures (RAMs) during the construction phase is required and this can be secured by a suitably worded planning condition if permission is granted.

Bats/Barn Owls/ Birds

A preliminary roost assessment was carried out by the applicant's appointed ecologist. The results of the bat scoping survey indicate that the building offered moderate bat roost potential and as such this was followed up by a Bat Activity Survey Report.

The Bat Activity Survey report concludes that the results of the activity surveys indicate that the target building does not currently contain a bat roost.

The report therefore suggests that the proposed works can proceed with caution and any bat related constraints should be covered by adhering to a bat safeguard method statement and it is suggested that three bat boxes/bricks are installed on the elevation facing away from the street/local flood lighting which can be secured by condition.

The scoping report indicates that there were no signs of ancient bird nesting but common species such as blackbird, robin and house sparrow were noted within the extended farmyard during the survey. The activity report indicates that an active wren's nest was located in the fabric of the building. In this case it is considered that the provision of bird boxes as part of the proposals should to be secured by condition and that no works should be carried out during bird nesting season without the building first being assessed by an ecologist.

Habitats around the site provide foraging and commuting habitat for bats, and lighting for the development may affect the use of these areas. Precise details will be required of any lighting scheme, which should be designed so that it protects ecology and does not result in excessive light spill; this can be secured through a planning condition.

Impacts on Heritage Assets

Policies CS19 and CS20 seek to preserve or enhance the Borough's historic and architectural assets and any archaeological remains. The impacts arising and therefore assessed is that of the 'setting'. The NPPF makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting and regard must be had as to whether the proposal will cause 'substantial harm', 'less than substantial harm' or no harm to the asset.

Merseyside Environmental Advisory Service have advised that Brook House Farm appears on the 1893 1:2,500 Ordnance Survey map in its current form i.e., farmhouse adjacent to a regular courtyard plan with traditional agricultural buildings to the west, north and east of the yard. The Historic England Farmstead Assessment Framework (2015) advises that "the greater the survival of the historic form of the group (farmstead buildings) and the detail of the individual buildings, the greater its significance as a traditional farmstead." Therefore, the courtyard range of buildings subject to the application, is considered to be a non-designated heritage asset.

Development proposals on sites which include, or are considered to have the potential to include, Heritage Assets or assets comprising archaeological interest or relates to designated or non-designated Heritage and their settings should usually be accompanied by a Heritage Assessment and the Historic Environment Record (HER) considered; the planning application does not include such a document. The Local Planning Authority has however undertaken a check of the Historic Environment Records (HER). There are no HER entries within the redline of the application site. A

19th century well was recorded adjacent to the farmhouse to the west, a possible medieval moated site is recorded to the north-east and a prehistoric enclosure is recorded c.275m east of the site.

The Council's Archaeological Consultant (MEAS) advises that the applicant should be required to undertake a programme of historic building investigation and recording to mitigate on this occasion the impact on the non-designated heritage asset, and that such recording can be secured by means of a suitable planning condition, if permission is granted.

Drainage

The application indicates that the proposed development would utilise a packaged sewage treatment plant to serve the development in regard to foul waste. This matter would be addressed under Building Regulations.

Conclusion

The proposal would be acceptable in terms of principle and design, it would retain the character of the buildings agricultural past and its setting alongside farming activities. The proposal would not impact more on the openness of the Green Belt than existing development and is the re-use of an existing building. As such, the development by re-using existing buildings is sustainable. The proposal would be acceptable in terms of highway safety and amenity and with suitable mitigation would not have detrimental impacts on ecology.

The application complies with national and adopted Council planning policies and as such the proposal is recommended for approval.

Recommendation

That planning permission be granted subject to the following conditions:

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

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

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

Reason: For the avoidance of doubt.

- 3) All new external brick and stonework and finishes and work of making good shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance.

Reason: In the interests of visual amenity and the character of the building and the area and to comply with the National Planning Policy Framework (2021), Policies CS2 and CS19 of the Knowsley Local Plan: core Strategy, adopted January 2016 and Saved Policies G4, and G6 of the Knowsley replacement Unitary Development Plan, adopted June 2006.

- 4) No development shall take place until details of the external facing materials to be used on the roof, windows and doors have been submitted to and approved in writing

by the Local Planning Authority. For the avoidance of doubt the detail shall include but not be limited to:

- (a) detailed plans and sections of the proposed windows and doors at a scale of 1:20 together with details of proposed finishes;
- (b) Details and samples of roofing materials;
- (c) Rainwater goods, including type, material, colour and siting indicated on a plan.

The works shall be carried out in accordance with the approved details prior to the use hereby permitted first being occupied and thereafter maintained as such.

Reason: To safeguard the architectural character and appearance of the building having regard to the Green Belt location, the National Planning Policy Framework (2021), Policies CS2, CS5 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies G4 and G6 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 5) No part of the development hereby permitted shall commence 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 development / construction effects. The Plan shall include timing/implementation details of each phase and shall include, but not be limited to the following:
- a) Methods for the mitigation of noise and vibration from demolition / building works, including any piling works, and also for the operation of any temporary power generation or pumping plant which will operate overnight.
 - b) Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
 - c) Methods for dust control and suppression.
 - d) Details of methods for pest control to be taken during development.
 - e) Location and layout of any site compound(s) including identification of areas for the storage of plant and materials, loading / unloading and turning areas for delivery vehicles (for each phase as necessary); and the methods of loading and unloading of plant and materials.
 - f) Management of deliveries including prevention of waiting/layover of construction related traffic on the highway; measures for the control of traffic to and from the site; and consideration of any temporary traffic management arrangements which may be necessary during periods of construction. Note reversing on the highway is not permitted without a Banksman.
 - g) Identification of permanent on-site contact and/or traffic manager as main point of enquiries or issues arising from development activities.
 - h) An implementation programme of works including phasing if applicable.
 - i) The parking of vehicles of site operatives and visitors.
 - j) Adequate provision for addressing any abnormal wear and tear to the highway.

- k) Hours of construction shall be limited to 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday and not at all on Sundays/Public Holidays.
- l) The details of the design, siting and maintenance of any security hoardings.
- m) There shall be no burning of materials on-site during construction work without the prior written approval of the Local Planning Authority.
- n) No scrub clearance, hedgerow removal, vegetation management or ground clearance is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

The development shall thereafter be carried out in accordance with the measures described within the approved Construction Environmental Management Plan.

Reason: To ensure a satisfactory development of the site and that appropriate measures are put in place in the interests of the amenity of neighbouring occupiers/areas and in the interest of highway safety and to comply with the National Planning Policy Framework (2021), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy WM8 the Merseyside and Halton Joint Waste Local Plan, adopted 2013.

- 6) Before any works associated with the car parking layout shown on the Site Layout Plan hereby approved are commenced, full scheme details of the car park shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include, but not be limited to:
 - (a) Levels and any retaining features;
 - (b) Drainage details;
 - (c) Surface finishes, including precise details, and where applicable, samples provided; which shall be made of porous materials, or provision made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the site; and
 - (d) Method by which parking bays will be demarcated.

For the avoidance of doubt the surfacing and demarcation shall not be laid to tarmac with white markings.

The development shall not be brought into use until the areas indicated on the approved Site Layout Plan have been set aside for parking, servicing, vehicular manoeuvring (including provision for pedestrians/cyclists) have been surfaced, drained and demarcated in accordance with the approved scheme details and thereafter retained.

Reason: To protect visual amenity and the character of the area; in the interests of highway safety and to ensure a satisfactory environment having regard to the National Planning Policy Framework 2021, Policies CS2, CS5, CS7 and CS19 of the Local Plan: Core Strategy, adopted January 2016, Saved Policies G4 and G6 of the Knowsley replacement Unitary Development Plan, adopted June 2006 and the Ensuring a Choice of Travel SPD (2010).

- 7) Notwithstanding the detail of the Electric Vehicle Charging Point indicated on the approved Proposed Site Layout and the submitted details - Rolec EV Basiccharge:EV - Free-To-Use Type 2 Mode 3 Charging Socket(s) received 12 April 2022, prior to the first occupation of the development, a scheme that shall include for a 2-way version of the pedestal to be provided to serve 2 no. parking bays and detail of how the pedestal will be protected from vehicle strike shall be submitted to and agreed in writing by the Local Planning Authority

The development shall not be occupied until the 2 no. electric vehicle charging points and associated protection have been installed in accordance with the agreed details and shall be retained as such at all times that the development is occupied.

Reason: In the interests of air quality, promoting sustainable travel opportunities and to comply with paragraph 110 of the National Planning Policy Framework (2021) and Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

- 8) Notwithstanding the detail of the 'The Economy Collection - Cycle Shelters' submitted with the application, the development hereby approved shall not be first occupied until a cycle shelter of an alternative design is installed which has first been submitted to and agreed in writing by the Local Planning. The cycle shelter shall be retained thereafter.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2021), Policy CS2, CS5, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy G6 of the Knowsley replacement Unitary Development Plan, adopted January 2006.

- 9) The bin store as indicated on drawing Open Bin Store (scale 1:50) received 8 April 2022 hereby permitted shall be installed prior to the first use of the offices and then stained a dark brown colour within one month of being installed and retained and maintained thereafter as such at all times.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2021), Policy CS2, CS5 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy G6 of the Knowsley replacement Unitary Development Plan, adopted January 2006.

10) A. Reporting of Unexpected Contamination

- (i) 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.
- (ii) 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.

B. Importation of Soil/Material

No topsoil 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 in the interests of preventing pollution in the interests of human health and the pollution of the water environment and to comply with the National Planning Policy Framework (2021), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 11) The use hereby permitted shall not operate outside the hours 07.00 until 20:00 on any day.

Reason: To safeguard the amenities of nearby occupiers and to comply with the National Planning Policy Framework, Policy CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies G6 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 12) Prior to the commencement of development Reasonable Avoidance Measures shall be implemented on site to prevent harm to amphibians during the construction phase of the development hereby approved in accordance with the following measures:

- Any existing vegetation on the site shall be gradually cut and removed under ecological supervision to encourage any amphibians present to move away from the affected areas;
- The working area, together with any storage areas, shall be kept clear of debris, and any stored materials shall be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them; and
- Any open excavations (e.g. foundations / footings / service trenches etc) shall be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets shall be covered with a thick layer of topsoil or similar) to prevent amphibians / reptiles from seeking shelter beneath them.
- Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians.

The avoidance measures shall be implemented in accordance with the above details and shall remain in force as such for the full duration of the construction phase of the development.

Reason: To ensure that the development does not cause harm to any protected species in accordance with the National Planning Policy Framework (2021) and Policies CS2 and CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 13) *Bat /Bird Boxes*

- (a) No part of the development hereby permitted shall be occupied until details of number and location of bat boxes / bricks to be incorporated into the scheme (minimum three) in accordance with the recommendations of the Bat Activity Survey Report (Leigh Ecology Ltd - dated 18 July 2022) and bird boxes have been submitted to and approved in writing by the Local Planning Authority.

The approved boxes / bricks shall be installed prior to the development hereby permitted first being used and shall be retained as such at all times thereafter.

- (b) On completion of the ecological mitigation and enhancement works, a statement of conformity shall be submitted to the Local Planning Authority to demonstrate that the measures have been implemented in accordance with the details approved under this condition.

Reason: To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and the wider area, to comply with the National Planning Policy Framework (2021) and Policy CS8 of the Local Plan: Core Strategy, adopted January 2016.

- 14) No building works shall take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season, then all buildings shall be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how the birds will be protected are required to be submitted to the Local Planning Authority for approval and the agreed protection measures shall be implemented and retained until the end of the construction phase.

Reason: To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and the wider area, to comply with the National Planning Policy Framework (2021) and Policy CS8 of the Local Plan: Core Strategy, adopted January 2016.

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

Reason: This matter is fundamental to safeguard archaeological features during construction and in the interests of archaeological investigation or recording and to comply with the National Planning Policy Framework (2021) and Policy CS20 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 16) No boundary treatments / gates shall be erected within the application site unless precise scheme details have first been submitted to and approved in writing by the Local Planning Authority. If a boundary treatment is to be installed the details submitted for agreement shall include a plan detailing the position of all proposed boundary treatment / gates and annotated or accompanied by a schedule specifying the type, height, composition and appearance.

The approved boundary treatment / gates shall be erected only in accordance with the agreed details and notwithstanding the provisions of Schedule 1, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) shall thereafter be retained in that form.

Reason: To ensure the satisfactory development and to safeguard the character and appearance of the application site, in accordance with the National Planning Policy framework (2021), Policies CS2, CS5 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies G4 and G6 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 17) Notwithstanding any detail on the approved plans and contained within the Supporting Letter (Amended) received 6 April 2022, no external lighting shall be installed until details have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include (but not limited to):

- (a) The type of light appliance, including technical details, design or specification of lighting to be installed including shields, cowls or blinds where appropriate;
- (b) Height and position of fitting,
- (c) A description of the luminosity of lights and their light colour;
- (d) Illumination levels and light spillage

- (e) Methods to control lighting (e.g. passive infrared sensor (PIR) / timed operation).
- (f) For the avoidance of doubt the details shall clearly demonstrate that lighting will not cause excessive light pollution or disturb bat roosts / habitats.

The developer should refer to the document Bats and Lighting in the UK, Bats and the Built Environment Series, Bat Conservation Trust and Institute for Lighting Engineers.

Bat Conservation Trust website <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

All external lighting shall be installed in accordance with the approved scheme details prior to the first occupation of the development hereby permitted and shall be maintained thereafter in accordance with the approved details.

Reason: In the interests of visual amenity, to safeguard the character of the area and in order to minimise the effect of lighting on protected species in the interests of biodiversity. To comply with the National Planning Policy Framework (2021), Policies CS2, CS8, CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy ENV3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 18) Notwithstanding any further application / permission that may be required, any fixed plant and equipment 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: In the interests of the amenity of surrounding occupiers and to comply with the National Planning Policy Framework (2021), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 19) Prior to installation, details of any means of any ventilation and /or external fixtures shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
- a. manufacturer's operational details;
 - b. the siting of any external equipment; and,
 - c. where applicable, details of any measures which are necessary to attenuate noise from the equipment

The approved scheme shall be fully installed and operating prior to the development hereby permitted being first brought into use. It shall thereafter be retained and operated to the approved specification.

Reason: In the interests of visual amenity and to protect the character of the building and to safeguard the amenities of neighbouring occupiers, and to comply with Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy G6 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 20) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the premises to which this permission relates shall be used for Office use (Use Class E (g) (i)) and for no other purpose, including any other use falling within Class E of the Schedule to that Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, except with the prior grant of a further planning permission.

Reason: To enable the Local Planning Authority to regulate and control future uses of the site having regard to amenity and highway safety.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
18/07/2022	HALEW2/2022	-	BAT ACTIVITY REPORT (18/07/22)
13/05/2022	HALEW/2022	-	BAT SCOPING SURVEY REPORT (22/04/22)
12/04/2022	-	-	LOCATION PLAN
12/04/2022	-	-	PROPOSED SITE LAYOUT (PROMAP 1:500)
12/04/2022	-	-	PLANS AS PROPOSED
08/04/2022	-	-	OPEN BIN STORE

Signed Case Officer: M Wishart

Signed Authorising Officer: Alan Kilroe

Date: 4 November 2022

Informatives

NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments:

- Coal Mining Area*
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority
- Cadent*
The comments of Cadent in their letter dated 28 March 2022.
- Merseyside Fire and Rescue Authority*
The comments of Merseyside Fire and Rescue Authority in their letter dated 6 April 2022.

4. *Breeding Birds*

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

5. *Great Crested Newts*

The applicant, their advisers and contractors should be aware that if any great crested newts are found at any point during works on the site, then as a legal requirement, work must cease and advice must be sought from an ecologist.

6. *Advertisements*

The display of advertisements associated with the development may require a separate consent required under the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended).

7. *Mud on the highway*

The applicant is reminded that it is an offence to allow material carried from the site to be deposited on or cause damage to the public highway as a result of dirty wheels or badly loaded vehicles. Should this occur, the Council as Local Highway Authority will seek to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and will prosecute offenders under Sections 131, 148 and 149 of the Highways Act 1980.

8. *Asbestos*

It is the responsibility of the owner consider the presence of asbestos at the premises and they have a 'duty of care' to manage such asbestos. The applicant is advised to refer to the Health and Safety website for relevant information and advice.

9. *Waste Collection Indemnity*

Where the Council undertakes waste collection by travelling on a private road or drive, indemnity will be required from relevant parties so that the Council is not held liable for any damage to the road as a result of the collections.

Appendix 1 – Site Photographs







