

Regeneration and Economic Development Department

APPLICATION NO: 21/00783/FUL

APPLICANT: Built Group Ltd

WARD AFFECTED: Whiston & Cronton

DEVELOPMENT: Erection of 22no apartments and associated parking and landscaping

LOCATION OF SITE: Land adjacent to 35 Greenes Road, Whiston, L35 3RE

KNOWSLEY LOCAL PLAN ALLOCATION:

Primary Residential Development - Primary Residential Development

RELEVANT POLICIES:

Knowsley Replacement Unitary Development Plan (Saved Policies 2009):

H5 - Development within Primarily Residential Areas
DQ2 - Security in the Built Environment
DQ4 - Trees and Development
ENV2 - Noise and Vibration
ENV5 - Contaminated Land

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 - Delivering Affordable Housing
CS17 - Housing Sizes and Design Standards
CS19 - Design Quality and Accessibility in New Development
CS21 - Greenspaces and Trees
CS22 - Sustainable and Low Carbon Development
CS24 - Managing Flood Risk
CS26 - Waste Management

Merseyside and Halton Waste Local Plan (2013):

WM 3 - Allocations for District Level Sites
WM 9 – Sustainable Waste Management Design and Layout for New Development

Supplementary Planning Documents

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

TECHNICAL CONSULTATIONS:

Whiston Town Council: This type of development will have a visual impact on the village, it is positioned on a very busy junction and will undoubtedly cause an increase in traffic congestion. Members would also like some consideration to be given to implementing a pedestrian footpath alongside the development into Paradise Lane and alongside the development onto Greene's Road.

Highway Authority: No objections subject to five conditions; one requesting visibility splay; provision of parking; submission of a Construction Management Plan; details of the lighting of private drives and a condition stating gates shall not obstruct the access.

Environmental Health: No objections, subject to three conditions, namely, standard contaminated land condition, the submission of a Construction Management Plan and a condition restricting construction hours.

LLFA/Drainage: No objections, subject to two conditions, one for a detailed drainage strategy and the second for the management and maintenance of the drainage system.

Arboricultural Officer: No objection to the application on the basis that all of the arboricultural documents are made approved documents and a condition requiring that the Council is given 5 days' notice of the erection of the protective fencing.

Merseyside Environmental Advisory Service: No objections subject to five conditions; one requesting the provision of information is sales packs informing residents of the importance of nations sites; the submission of a Construction Management Plan; a plan restricting the timing of tree removal; a condition relating to the treatment of invasive species (Montbretia) and a condition to address land contamination.

Housing Strategy: No objections, subject to 10% affordable housing being provided.

The Coal Authority: No objections, subject to two standard conditions.

Merseyside Fire and Rescue Authority: Standard response and request that the information that they provide is included with any decision notice.

United Utilities: No objections subject to a condition to ensure proper drainage and to manage the risk of flooding and a condition to ensure the management and maintenance of the sustainable drainage system.

Natural England: Natural England has no comments to make on this application.

NEIGHBOUR NOTIFICATION:

This application has been publicised by neighbour notification letters, two site notices and a notice in the local press.

There has been one letter of objection received as a result of the publicity given to the application. The letter raises the following issues:

- Building another 22 apartments in this area is madness and takes no account of residents in the area.
- The noise and air pollution from the increased traffic over the past 5 years is already unbearable. Traffic noise starts from as early as 4am and at weekends can continue until the early hours of the morning.
- Myself and several of my elderly neighbours feel trapped by the ongoing so called "development" in this small area. The building of another 22 apartments will add to the already high levels of air and noise pollution and traffic congestion we have to suffer daily and add to an ever increasing overcrowding situation.

ARTICLE 35:

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.

SITE AND PROPOSAL:

The site subject of the application is land to the south west of the junction of Greene's Road and Paradise Lane, Whiston. The site is currently vacant with all former buildings now demolished. The site is bounded to the north by Greene's Lane and to the east by Paradise Lane. To the south lies a public car park for visitors to Stadt Moers Park. To the west of the site is the residential property is 35 Greene's Road which is included in this application's red line.

The application seeks the erection of 22 apartments and associated parking and landscaping. The apartments are two storey in scale. The developer proposes to deliver 100% of the housing proposed as affordable housing to be let as an Affordable Rent tenure (80% of Market Rent inclusive of any service charge).

PRINCIPLE OF THE DEVELOPMENT

In terms of the principle of residential development on this site, relevant policies to consider are Saved Policy H5 and CS1, CS2 and CS3.

Saved Policy H5 'Development within Primarily Residential Areas' states that new development within the Primary Residential Areas which is for uses appropriate to a residential area will be permitted provided that the development would not have an unacceptable impact on the amenity of adjoining occupiers or adversely affect the character of street scene of the area.

Policy CS1 'Spatial Strategy for Knowsley' in the Local Plan Core Strategy identifies that one of the priorities is to rebalance the Borough's housing stock by providing a wide range of new market sector and affordable housing.

Policy CS2 'Development Principles' sets out that new development in Knowsley is expected to promote sustainable economic development, tackle the causes of deprivation and disadvantage and narrow the gap between the richest and the poorest neighbourhoods by, amongst other things, meeting the needs for new housing.

Policy CS3 'Housing Supply, Delivery and Distribution' identifies that provision will be made for 8,100 new dwellings to be delivered in Knowsley between 2010 and 2028.

The site is an undeveloped area of land and the proposal is for residential development in a predominantly residential area. The development would make a contribution of meeting the Council's housing delivery targets and is in a sustainable location. Therefore, the proposed development is considered to accord with Policies CS1, CS2 and CS3.

Design and Layout:

Policy CS19 'Design Quality and Accessibility in New Development' in the Core Strategy sets out several criteria that developments will be expected to conform to so that they enhance the local distinctiveness and the identity and accessibility of new places. The NPPF identifies that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

The design of the proposal is acceptable. The development proposes two storey dwellings which are in keeping with the form and scale of properties of the surrounding area. The appearance of the properties is acceptable and are of a quality that enhance the locality.

The layout of the development is considered acceptable with properties fronting the highway of Greene's Road. Vehicular access would be taken from Paradise Lane and properties would front onto this access road also.

Design details such as window reveals have been incorporated into the design to add interest to the fenestration and overall appearance of the units.

Care and consideration have been given to bin storage and cycle storage, both of which are often overlooked in new residential developments.

Electric Vehicle Charge points have also been added to the proposal.

Residential amenity:

Policy CS19 in the Core Strategy requires new development to maintain a good standard of amenity for all existing and future occupants by avoiding unacceptable impacts on existing residential and future occupiers.

Supplementary Planning Document 'Amended New Residential Development' gives guidance on separation distances that should be maintained between residential properties to ensure that harm is not caused to amenity by overshadowing, loss of privacy or through undue dominance. The SPD sets out that:

- 22m should be provided between existing rear principal elevations and proposed principal rear elevations for two storey properties
- 20m should be provided between the principal elevations of two storey properties
- 12m should be provided between the principal elevation of one property and the gable elevation of another, and
- Properties should have a garden depth of at least 10m.

Residential amenity: Existing residents:

The design of Block A and Block C face out onto Paradise Lane and are opposite residential properties. These windows have been added into the design of the Block to avoid a blank frontage along Paradise Lane. The distance between Block C and the residential property across Paradise Lane is 16.5m, which is below the guidance contained within the SPD.

In this instance, there is a balance to be made between residential amenity and design. This site is very prominent, and a blank frontage would not be acceptable and it is on this basis that the reduction in interface distance is considered acceptable. The applicant proposed to obscurely glaze the windows, however it was considered that this would harm the overall design of the scheme having obscurely glazed windows on such a prominent frontage. The interface distance of 16.5m is considered acceptable in this instance and is not considered to cause unacceptable harm the amenity of neighbouring properties.

Residential amenity: Proposed residents:

The proposed dwellings would provide an acceptable level of amenity for future occupiers with all habitable room a provided with a window that would ensure good outlook and light.

Residential Amenity summary:

Overall, it is considered that the development will provide a good standards of amenity for existing and proposed residents and will not harm the amenity of neighbouring properties. The development complies with Policy CS19 of the Core Strategy.

Highways:

Site Access:

The development is proposed to be accessed via Paradise Lane. The access will consist of 5m corner radii with a 6m carriageway width. Vehicular tracking has been provided which shows that two large cars (>5.0m in length) can pass each other at the site access. Visibility splays of 2.4m x 23m are proposed to the north and 2.4m x 43m are proposed to the south. It is on this basis that the Highways Advisor considers that the access to the development proposal is acceptable.

Pedestrian Access:

Pedestrian access will be provided via Paradise Lane and Greene's Road. 2m wide footways are to be provided which is deemed suitable for pedestrian access. The new footway to be provided along Paradise Lane and Greene's Road will be adopted as part of a joint S38/S278 agreement

Site Layout / Vehicle Tracking:

The site layout has been reviewed. Vehicular tracking has been provided which highlights that a large car (>5.0m in length) can access and manoeuvre within the site. A 6.3m length delivery vehicle can also access the site, turn, and egress the site safely.

Refuse collection from Paradise Lane and Greene's Road is acceptable. The refuse store has been moved so that it is as close as possible to the adopted highway for collection to take place. A dropped kerb is also proposed to allow for ease of collection from Greene's Road.

It is on this basis that the Highways Advisor considers that the internal layout is acceptable.

Parking:

The Highways Advisor originally raised an issue regarding parking as 22 spaces are proposed and 34 should be provided in line with the guidance provided by Knowsley.

Although on street parking surveys were provided originally (0500-0530 on a Weekday), additional surveys were requested to provide further confidence in relation to the adjacent shops (4pm – 7pm on a weekday, as well as 9am – 12pm on a Saturday).

During the requested times, both Paradise Lane and Greene's Road were found to have parking capacity. Particularly Paradise Lane, which for both the new weekend and weekday survey had less than 20% of the legal on street parking spaces occupied.

Additional information, in the form of Census data for the Knowsley 013 MSOA (which includes the development site) and car ownership levels has been provided. The information indicates that for those living in similar accommodation in the surrounding area, 65% own no vehicles, 31% own a singular car and only 3% own 2 or more vehicles. In comparison to the 22 apartments proposed, this would indicate that only circa 9 vehicles may be associated to the proposal once fully occupied.

Although highways would like to see additional car parking spaces provided with the scheme, the parking surveys completed do indicate that any additional vehicles are likely to be able to be accommodated on the surrounding highway without forming a detriment to the free flow of traffic or highway safety and on balance the level of parking provided is acceptable.

The level of cycle storage proposed is acceptable. A condition is not required as information has been provided as part of this application.

Traffic Impact:

A trip generation exercise has been completed with the submitted Transport Statement. The assessment has highlighted that the proposed development could be expected to generate in the region of 5 two-way trips in the AM peak and 7 two-way trips in the PM peak.

Highways do not strictly agree with the TRICs assessment undertaken, with a less than 10-year range selected. However, the impact in terms of vehicular trips for 22 apartments dwellings will nonetheless be unlikely to have a significant impact. Highways are then satisfied regarding the expected level of vehicular trips.

Minimum Accessibility Standard Assessment:

The development has been assessed in accordance with the target scores for a 'medium' residential development in an 'other urban' location.

The Knowsley Council scoring has been provided below, with the applicants scoring also provided

	Knowsley Council Scoring	Applicant Scoring	Required Scoring
Walking	4	4	4
Cycling	3	3	3
Public Transport	4	4	5
Vehicle Access / Parking	0	1	1

It can be seen from the above table that a proportion of the required scoring is achieved through both Knowsley Councils own assessment and the applicant's assessment.

The development is within an 800m walk of a district/local centre and there are no barriers between the site and this location. Although the site fails to meet the required public transport score, it is noted that a reasonably frequent bus stop is within a circa 100m walk and the development site. The development scored 0 for parking, with the application scoring the site 1. Issues regarding parking for the development site have already been discussed earlier in the report.

No additional highway improvements or funding are then considered appropriate for the proposed development.

Open Space:

Supplementary a Planning Document 'Developer Contributions' requires that developments of more than 10 new residential units provide a contribution towards public open space provision.

A planning contribution of £26,430.88 is to be provided to fund open space improvements in the area.

The contribution will be for the following projects:

£12,717.04 for Parks and Garden

This will contribute to the Stadt Moers Park 'Paradise Lane Entrance and Car Park Improvement Project'

£1,986.88 for Amenity Space

Whiston Greenway and Penny Drive POS path repair and tree planting project

£1,712.48 for Children and Young People

This will contribute to the Foxshaw Close Play Boundary and Surfacing Renewal Project

£10,014.48 for Outdoor Sports

This will contribute to the Football Hub Project at Windy Arbor Playing Fields

The full contribution for 'Children and young people' (maximum contribution - £8,719.20) has not been sought because in this instance Environmental Sustainability Services within the Council are enhancing an existing play offer offsite, rather than creating a new play area.

A contribution for allotments (£675.92) has not been sought in this instance.

The developer will enter into a S106 Agreement for the contribution towards open space.

Overall, the development complies with Core Strategy Policy CS21.

Affordable Housing:

Policy CS15 requires that development of 15 dwellings or more provide 10% affordable housing units. Affordable housing can be secured via a S106 Agreement.

The developer proposes to deliver 100% of the housing proposed as affordable housing to be let as an Affordable Rent tenure (80% of Market Rent inclusive of any service charge).

The National Planning Policy Framework (paragraph 65) states that on a major development, decisions should expect at least 10% of the total number of homes to be available for home ownership, unless this would exceed the level of affordable housing in the area. Paragraph 65 of the NPPF goes on to state the exceptions to the 10% requirement should be made where the site or proposed development is exclusively for affordable housing.

The developer is proposing to deliver 100% affordable housing as affordable rent. 10% of the development (two units) will be secured as affordable rent through a s106 agreement. The proposal is therefore complies with the NPPF and Core Strategy Policy CS15.

Ecology:

The proposal is for 22 net residential units will result in increased visits (recreational pressure) to the sites listed above. This may result in significant effects on habitats and species for which these sites have been designated. Recreational pressure from residential development has been identified as a Likely Significant Effect alone and in-combination within the Liverpool City Region. Recreational pressure is recognised in the formal statutory Conservation Advice Packages and Site Improvement Plans. as Medium-High risk to qualifying features of the national and international sites. A condition (condition 9) has been advised for the provision of this information to new residents.

The proposed development is located adjacent to Stadt Moers Local Wildlife Site (LWS) and local plan policy CS8 applies.

Due to the proximity to the Stadt Moers LWS, pollution prevention measures will be required to prevent construction related dust and pollutants entering the designated site. This can be addressed through the production of a Construction Environmental Management Plan (CEMP). This too has been attached as a condition (condition 5).

The Ecological Survey Assessment submitted alongside the planning application states that no evidence of bats use or presence was found.

Montbretia is present within the site boundary. Montbretia is listed on Schedule 9 of the Wildlife and Countryside Act and national Planning Policy Guidance applies. The method statement outlined in section 5.3 of the ecology report (*ERAP, September 2021*) is acceptable and can be secured by a suitably worded planning condition (condition 11).

The proposal is acceptable and complies with the policies contained within the Local Plan.

Contamination:

The site has been used for an unknown commercial use with the building(s) demolished on site between 2009 and 2012. The former Metallic Brick Works which was subsequently infilled and now forms part of Stadt Moers Park lies to the southwest. The intrusive works undertaken on site record elevated levels of contaminants within the made ground which will require remediation. Gas Monitoring is also ongoing, although no significant gas has been recorded to date.

Environmental Health have requested that the standard contaminated land (condition 4) be attached to address the known contaminants.

Coal Mining:

The application site falls within the defined Development High Risk Area; therefore within the 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 underground 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.

The planning application is accompanied by a Combined Phase I-II Geoenvironmental Report (September 2021, prepared by CC Geotechnical Limited). The report concludes that possible historical shallow coal mining activities pose a potential risk of surface instability at this site. Accordingly, the report goes on to make appropriate recommendations for the carrying out of intrusive ground investigations, in the form of the drilling of boreholes to depths of 30.0m bgl, in order to establish the presence or absence of mining related voids and/or broken ground beneath the site.

The Coal Authority has requested two standard conditions relating to former mine workings (conditions 7 and 8).

Drainage:

Comments from United Utilities state that the current proposals outlined in the submitted FRA are likely to cause a flood risk on the proposed development due to high surcharge levels in the receiving sewer and the introduction of a low spot on the site. Foul Water out to the existing combined sewer in Paradise Lane. Surface water will be attenuated on site and discharged to the combined sewer to the southeast corner of the site at a discharge rate of 5 l/s. As a result, United Utilities have requested a condition regarding surface water drainage (condition 12) and a condition to ensure the management and maintenance of the sustainable drainage system (condition 13).

The Local Lead Flood Authority (LLFA) also provided comment on the proposal. The LLFA stated that most of the points and comments raised in their initial review are still valid and not satisfied. As a result, the LLFA have requested two conditions – one for a drainage strategy (condition 12) and one for the management and maintenance of the drainage system (similar to the condition requested by United Utilities - they have been combined to form condition 12). The condition requested by the LLFA (condition 12) has been amended as it was considered too onerous and the site is not considered a greenfield site as stated by the LLFA.

Archaeology:

There is one non-designated heritage asset recorded on the Merseyside Historic Environment Record within the proposed development: MME13217 Former site of a house and barn, Greenes Lane, Whiston, possibly 18th century buildings. However, the site of the building to the north-east of the site, last shown on the Ordnance Survey map of 1959, lies beneath former modern development (now demolished) and is likely to have been truncated by the construction and demolition of this, and further disturbance within the development site. The building to the south-west, a barn, was recorded prior to demolition. It can be concluded that the proposed development site has negligible archaeological potential and no further works or investigation is required.

CONCLUSION

The development is acceptable in principle and would not cause harm in relation to design, amenity of residential properties, highway safety, flood risk or ecology. The proposed development complies with policies within the Core Strategy, Knowsley Replacement Unitary Development Plan (saved policies) and National Planning Policy Framework.

RECOMMENDATION:

Grant planning permission subject to the following conditions and subject to the applicant signing a S106 Agreement:

1. Time limit
2. Approved plans.

3. Notwithstanding any description of materials in the application, no above ground construction works shall take place until the full specification of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and should be reflective of those within the surrounding area. The development shall be carried out only in accordance with the agreed schedule of materials.

Reason: In the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

4. **A. Risk Assessment**

No development shall commence 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):

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments.

B. Ground Gas Risk Assessment

No part of the development shall commence until a scheme to deal with the potential risk of Ground Gas at the site has been submitted to and approved in writing by the Local Planning Authority. The Ground Gas Risk Assessment should consider the provision of a pictorial CSM and take into account all credible on-site and off-site gas sources. It is considered that additional intrusive works are likely to be required to inform this Gas Risk Assessment, specifically to reduce data uncertainty and increase data confidence, notably with respect to on-site/off-site sources.

The Gas Risk Assessment should take into account the proposed foundation and floor slab construction of the residential properties in line with current UK guidance. The protection measures to all buildings proposed as part of the residential development should be passive. No active protection measures should be permitted.

C. 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.

D. Implementation of Approved Remediation Scheme and Verification Report

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.

E. 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.

F. Materials Management Plan

Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan, carried out in line with the CL: AIRE code of practice and 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 do not result in increased risk to the environment or human health.

G. Importation of Soil/Material

No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.

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

5. No part of the development hereby permitted shall be commenced until a Construction Management Plan has been submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction / demolition effects. This shall include but not be limited to the following:
- a) 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.
 - b) Methods for dust control and suppression.
 - c) Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
 - d) The areas for the storage of plant and materials.
 - e) A programme of works, including phasing
 - f) Location of site compound, including any loading/unloading areas, turning areas for delivery vehicles and construction staff parking arrangements.
 - g) 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.
 - h) Scheme for recycling/disposal of waste resulting from demolition and construction works
 - i) Adequate provision for addressing any abnormal wear and tear to the highway.
 - i) Details of relevant pest control measures to be taken during the construction phase.

All site works shall then proceed only in accordance with the approved Construction Management Plan.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with the National Planning Policy Framework; Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016; Policy WM9 of the Merseyside and Halton Joint Waste Local Plan 2013 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

6. No work for the construction of the developments, including demolition and deliveries to and from the site shall take place on the site, except between the hours:
08.00 - 18.00 Monday to Friday;
08.00 - 13.00 on Saturdays; and
Not at all on Sundays, Bank Holidays or Public Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2 and H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

7. No development shall commence (excluding the demolition of existing structures) until:
a) a scheme of intrusive investigations which has first been submitted to and agreed in writing with the local planning authority has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been agreed in writing with the local planning authority and the agreed works implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.
The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: These details are needed prior to the commencement of development to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

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

Reason: These details are needed prior to the commencement of development to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

9. Details on recreational pressure of national, European and international designated sites and the need for care, especially to prevent disturbance from recreational activities. shall be provided within sales packs and/or to all residents, informing the residents the need for care, especially to prevent disturbance from recreational activities. The leaflet can be downloaded from: http://www.meas.org.uk/media/11045/lcr_leaflet_knowsley.pdf

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

10. No tree felling, scrub clearance or vegetation management 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 trees, scrub 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 to the local planning authority and shall be approved in writing, the development shall then be carried out in accordance with the approved details.

Reason: To protect breeding birds and to ensure compliance with CS8 of the Knowsley Local Plan Core Strategy (January 2016).

11. Prior to the commencement of development, a written statement detailing how Montbretia is to be removed shall be submitted to and approved in writing by the Council as Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure there is no spread of Montbretia in the wild.

12. Development shall not commence until a detail SUDS based drainage scheme based on the principles of [Sustainable Drainage & Surface Water Management Technical Guidance For Developers](#), the SUDS Manual (C753) and the criteria as set out within Knowsley Strategic Flood Risk Assessment (SFRA, Levels 2), has been submitted and approved in writing by the Local Planning Authority (LPA). The applicant should provide suitable drainage drawings, summary calculations and results of all investigations detailing the surface water drainage works as set out below. The works shall be implemented in accordance with the approved scheme before the development is brought into use. The surface water and drainage strategy, detailed design drawings, calculations and supporting information shall be expected to consider the following elements:

In fulfilling this condition, the applicant should consider the following points:

- (i) Interception mechanism should be applied to manage the first 5ml of rainfall events
- (ii) In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to no more than 5 l/s
- (iii) The exceedance event using the 1 in 200 event plus 40% CC (pool area and flow direction)
- (iv) An evaluation of impact of potential failure of key drainage features (blockage of pipes, chambers or outlet structure and risk of impediments across planned flood routing paths). The drainage design should be supported by a designer's risk assessment that identifies key points of failure of the system and what means have been engaged to limit risk of failure. This will also inform the maintenance plan with regards to corrective actions needed should a failure occur.
- (v) An updated Model information (Micro Drainage or similar approved) considering above points will be required. Results showing all the modelling criteria and summary network results including attenuation mechanism for critical 1 in 2 years, 1 in 30 years and 1 in 100 years plus 40% CC storm events showing maximum water level, flow and velocity and details of any surface flooding anticipated will be required.
- (vi) A drawing showing the proposed impermeable and permeable areas, suitably annotated
- (vii) An updated drainage plan showing drainage layout, manholes including over and invert levels, proposed levels, pipe sizes and gradients, all on line controls, on and off-line storage structures and outfall details
- (viii) Summary of Drainage Report setting out the Drainage Strategy and results of the calculations demonstrating compliance with the above.

The development shall be implemented in accordance with the agreed details.

Reason: To ensure a satisfactory drainage system is provided to serve the site in accordance with Paragraph 163 of the National Planning Policy Framework, House of Commons Written Statement 161 for Sustainable Drainage Systems, Non-Statutory Technical Standards for

Sustainable Drainage Systems (March 2015) and Policies CS2 and CS24 of the Knowsley Local Plan Core Strategy (2016).

13. Prior to the first occupation of the development, a Management and Maintenance Plan for the sustainable drainage system relating to the lifetime of the development to be secured through an appropriate legally binding agreement shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- 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
- A schedule for on-going inspections relating to performance and condition
- Details for planned maintenance and a mechanism for remedial and urgent repair works
- Means of access for inspections and maintenance purposes
- The plan shall be implemented in accordance with the timeframes contained within it.

Reason: To ensure effectiveness of the flood risk measures during the lifetime of the development policies CS2 and CS24 of the Knowsley Local Plan Core Strategy (2016).

14. No part of the development shall be brought into use until visibility splays of 2.4m metres by 23 metres have been provided to the north and 2.4m metres by 43 metres have been provided to the south, at the proposed (site access) junction with Paradise Lane. The splays shall be provided clear of obstructions to visibility above the height of 0.6 metres measured from the footway/verge level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.

Reason: To ensure adequate visibility at the junction or site access is made and maintained, and to comply with Policy CS19 of the Core Strategy, adopted January 2016.

15. The development shall not be brought into use until the areas indicated on the Site Plan (Drawing 417-1-PLN-003 Revision B Received 10/02/2022) to 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.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

16. No gates or other obstruction shall be placed across the vehicular access.

Reason: To permit vehicles to pull clear of the carriageway when entering the site, in the interests of highway and pedestrian safety.

17. No part of the development shall commence until a scheme for provision of lighting of private communal areas has been submitted to and approved in writing by the Council as Local Planning Authority. 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 Council as 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 and amenity of residents and visitors.

Informatives

1. Please find the attached comments from Merseyside Fire & Rescue Service.
2. The applicant should note that Permission is required from our Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb Coal Authority property. Any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

3. The applicant, their advisers and contractors should be made aware that if any European protected species are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.
4. As a minimum, bicycle storage will need to be provided to security standard LPS 1175 Issue 8 AR1 / LPS 1175 SR1 set by the Loss Prevention Certification Board (LPCB). Similarly, a 'Sold Secure' standard to certification SS104 or SS314 can be provided
5. It is an offence to carry out any works within the public highway without the permission of the Highway Authority. The grant of planning permission will require the developer to enter into an agreement under s278 of the Highways Act 1980 with the Council. The applicant is advised to contact: SiteDevelopment@knowsley.gov.uk
6. A grant of planning permission does not negate the need for the submission and approval of highway engineering details. 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: SiteDevelopment@knowsley.gov.uk

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
10/02/2022	417-1-PLN-003	Rev B	Proposed Site Plan
10/02/2022	417-1-PLN-004	Rev A	Block A Floor Plans
10/02/2022	417-1-PLN-006	Rev A	Block A Elevations 1 of 2
10/02/2022	417-1-PLN-007	Rev A	Block A Elevations 2 of 2
10/02/2022	417-1-PLN-008	Rev A	Block B Floor Plans
10/02/2022	417-1-PLN-010	Rev A	Block B Elevations
10/02/2022	417-1-PLN-012	Rev A	Block C Floor Plans
10/02/2022	417-1-PLN-014	Rev A	Block C Elevations
10/02/2022	417-1-PLN-019	Rev A	Proposed Streetscene
10/02/2022	417-1-PLN-021	Rev #	Proposed Boundary Treatments
10/02/2022	417-1-PLN-022	Rev #	External Bin Store Proposed Elevations
06/10/2021	417-1-PLN-002	Rev #	Existing Site Plan
06/10/2021	417-1-PLN-001	Rev #	Location Plan
10/02/2022	Cycle shelter details	-	Cycle Shelter Details
10/02/2022	VN212003	-	Transport Statement v2
10/02/2022	Addendum Transport Note	-	Addendum Transport Note
09/12/2021	-	-	Coal Mining Risk Assessment
06/10/2021	01065	Rev O	Topographical Survey
06/10/2021	DTC.267.AIA.2021	-	Tree Survey Schedule for Arboricultural Impact Assessment
06/10/2021	CCG-C-21-12319	-	Combined Phase I-II Geoenvironmental Report
06/10/2021	LRD-31895	Rev 002	Drainage Strategy and Flood Risk Assessment
06/10/2021	DTCL.267.AIA.2019	-	Arboricultural Impact Assessment
06/10/2021	DTCL.267.AIA.AMS.TS.01-Tree Survey	-	Tree Survey Map

06/10/2021	DTCL.267.AIA.A MS.TS.02-Tree Protection	-	Tree Protection Plan
06/10/2021	2021-259	-	Ecological Survey and Assessment
06/10/2021	Affordable Housing Plan	-	Affordable Housing Statement
06/10/2021	Design & Access Statement	-	Design and Access Statement
06/10/2021	VN212003	-	Transport Statement
06/10/2021	Planning Statement	-	Planning Statement

Jo Sheridan
22 June 2022

Alan Kilroe
19 July 2022



View from Paradise Lane, towards 35 Greene's Road



View of the site towards Paradise Lane, with 35 Greene's Road in the foreground