

<u>APPLICATION NO:</u>	23/02821/KMBC1	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	St Michael's	<u>PARISH:</u>	
<u>LOCATION:</u>	Knowsley Central Primary Support Centre, Mossbrow Road, Huyton		
<u>PROPOSAL:</u>	ERECTION OF 2 NO. DETACHED, PORTABLE MODULAR BUILDINGS FOR INCIDENTAL USE TO EXISTING SCHOOL PREMISES		

Site Description

The application site is accessed primarily off Mossbrow Road and adjacent Wellcroft Road. The site comprises a modern building and is situated within an area which is allocated as Urban Greenspace and Education Land in the Development Plan.

The site contains playgrounds and playing fields to the North of the main school premises, along with the hardstanding that accommodates the parking for the site. Alt Bridge Specialist School is situated to the North-East of the application building and is partitioned by a line of tree coverage. There are building lines of terraced, residential dwellings to the East and South of the application site. To the North-East corner of the plot and adjacent the East curtilage of the boundary is an existing modular building.

The South-West corner of the plot features a small playground area for the children and is adjacent the junction where Mossbrow Road adjoins Wellcroft Road. This section is an open area with sparse and established tree coverage adjacent the 2.4m tall palisade fencing that encloses the site.

Proposal

The application seeks permission for the erection of 2 No. detached, portable, modular outbuildings. This will provide classrooms, comprising wheelchair facilities, calm room, sensory room.

These would be called Millennium Garden and Apple Blossom. Both outbuildings would be situated to the South of the plot, and one located to each bottom corner; these would be square in shape, have a width of 12.18m, a depth of 9.76m and occupy a footprint of approximately 119.05 sqm. Both outbuildings would be served by a flat roof and would measure 2.35m from the external ground level. They would be located close to the existing school building and to the palisade boundary treatment.

Millennium Garden would be situated on the South-West corner of the plot and the closet corner of the this would be approximately 2.29m from the curtilage of the boundary.

Apple Blossom would be situated on the South-East corner of the plot and the side elevation would be approximately 1.48m from the curtilage of the boundary.

Each outbuilding would comprise of one access door on its front elevation, together with ramp access and railings, along with three window openings on the front elevation and four on its rear elevation.

The proposed development is required to accommodate an increase in students (20) and staff (6), which will add to the existing 100 capacity roll.

The scheme has seen minor amendments in relation to design of the outbuildings and clarification on materials. The proposal has also seen amendments that include increased parking provisions and replacement tree planting. Following consultation responses from Highways, it was requested and agreed that cycle storage would also be incorporated into the scheme.

Consultations

Cadent Gas Limited – No objections received, subject to informative attached to the Decision Notice.

Arboricultural Officer – No objections received, subject to condition attached.

Highway Authority - No objections received, following receipt of supplementary parking plan to support the proposed development. Highways are satisfied and have requested a condition to be attached.

Environmental Health – No objections received, subject to conditions and informatives attached to the Decision Notice.

Merseyside Fire And Rescue Authority - No objections received, subject to informative attached to the Decision Notice.

Representations

This application has been publicised by letters sent to 102 neighbours.

There have been 2 letters of objection, 0 letters of support and 0 letters of comment. The representations are summarised as follows:-

- Highway Safety
- Loss of light

No specific comments were received exclusively relating to the proposed development, other than a concern the proposal may result in a loss of light. Concerns were raised in relation to existing highway safety issues, stating that staff, visitors and parents in inconvenient spaces, block driveways etc and that the proposed development would contribute and exacerbate these existing issues further. Concerns raised that given the planning history of the site, overseeing the increase in numbers and the cumulative impact on highway conditions in the locality. It was suggested that a dedicated road be installed from Longview Lane.

Planning History

APP. NO:	03/00625/KMBC1
PROPOSAL:	ERECTION OF 2.4 METRE HIGH APEX AND PALISADE SECURITY FENCING AND GATES, TOGETHER WITH PROVISION OF ADDITIONAL CAR PARKING ALONGSIDE EXISTING CAR PARK.
DECISION:	GRANTED
DECISION DATE:	29 August 2003

APP. NO: 03/01132/KMBC1
PROPOSAL: ERECTION OF SINGLE STOREY EXTENSION TO EXISTING RESOURCE AREA AND CLASSROOM, TOGETHER WITH ERECTION OF A NEW SINGLE STOREY STOREROOM.
DECISION: GRANTED
DECISION DATE: 29 December 2003

APP. NO: 08/00209/FUL
PROPOSAL: ERECTION OF SINGLE STOREY EXTENSION TO PROVIDE ADDITIONAL TEACHING ACCOMODATION
DECISION: GRANTED
DECISION DATE: 26 June 2008

APP. NO: 11/00565/KMBC1
PROPOSAL: ERECTION OF A NEW MODULAR TEACHING BLOCK TOGETHER WITH REPOSITIONING OF EXISTING 2.4M HIGH BOUNDARY FENCING
DECISION: GRANTED
DECISION DATE: 25 January 2012

APP. NO: 15/00371/KMBC1
PROPOSAL: ERECTION OF EXTENSION TO EXISTING CLASSROOM SITUATED TO REAR OF SCHOOL TOGETHER WITH NEW SECURITY FENCING & GATES.
DECISION: GRANTED
DECISION DATE: 10 August 2015

APP. NO: 18/00233/FUL
PROPOSAL: RELOCATION OF VEHICULAR ENTRANCE GATES AND ERECTION OF ASSOCIATED 2.4 METRE HIGH FENCING
DECISION: GRANTED
DECISION DATE: 8 June 2018

APP. NO: 22/00447/KMBC1
PROPOSAL: ERECTION OF 1 NO. SINGLE STOREY MODULAR CLASSROOM BUILDING.
DECISION: GRANTED
DECISION DATE: 29 November 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.

The site is identified as a site allocated for Urban Greenspace and Education Land in the adopted Development Plan. As such, additional modular buildings to the within the curtilage of the existing school site and incidental to the main building is considered acceptable in principle, subject to compliance with local planning policy and guidance.

Regarding the adopted Development Plan policies, the proposed application has regard to policies CS2, CS7 and CS19 of the adopted Local Plan Core Strategy (2016) and saved policy OS7 and DQ4 of the Unitary Development Plan (2006).

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS7 – Transport Networks

CS19 - Design Quality and Accessibility in New Development

CS21 – Greenspace and Trees

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

OS7 - Educational Uses and Sites

DQ4 – Trees and Development

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

Saved Policy OS7 in the Replacement Unitary Development Plan states that development for Educational Uses and Sites will be permitted provided that:

1. Proposals for the development of new schools, colleges or other training facilities, or for alterations or extensions to existing educational or training facilities will be granted planning permission provided that they are located and designed in a way which is convenient and accessible to pupils, students and other members of the community which they are intended to serve.
2. The extended and community use of educational buildings and land for wider community purposes and activities (either within existing or new educational facilities) will be encouraged where this is practicable and would not conflict with educational needs, the security of the students or residential amenity.

The proposed modular building would be erected on a permeant basis. A warranty document has been submitted in support of the application, which evidences the

building structure has a guarantee of 25 years.

The proposed development would be constructed off site as a modern modular build and delivered to site to minimise any disruption to the school environment and highway and transport networks, whilst construction is underway. The works are also confirmed to take place during the summer half-term and therefore should not interfere with the local highway network during school term-time.

Design

The application site features a range of colours and materials used on the buildings. The proposed development would be finished in a white smooth texture cladding panels on the external facing walls; this was agreed to harmonise with the adjacent section of the school facility, which would sit in the middle of the two proposed modular outbuildings. Therefore, it was considered this would foster the most cohesive design. It was agreed that the fascia boards would be changed from grey to white to further enhance the cohesion. It was agreed that the UPVC openings for windows and doors would be grey as this was considered an acceptable colour for the modulars.

The proposed development would be considered to feature a design and materials that would be largely in keeping with the existing palette found elsewhere across the school, whilst looking appropriate on the proposed modulars.

The proposed modular buildings would be sited close to highway and to the South frontage of the curtilage. Through discussions with the agent, it has been stated that these are the only locations available to accommodate the modulars. It was stated that the hardstanding and grassed areas to the North of the site would not be practically alternative locations. Given that the hardstanding area is used as part of the school playground and used both during curriculum and non-curricular activities i.e. lunchtimes and PE lessons. Furthermore, this area is used at the end of the day by the buses to facilitate pupil transport. The grassed area has been devised predominately to enhance the school's sensory curriculum (i.e. sensory circuits, sensory breaks etc.) Therefore, there was little room to relocate the proposal to alternative locations.

This would be considered acceptable on this occasion given the single storey nature and scale of the proposal, it would not be considered to appear unduly dominant.

The proposed cycle storage is of an acceptable scale and would be situated in an appropriate place to allow for natural surveillance and to encourage its use. It has been agreed that it would be red to be in keeping with the school colours. It was slightly relocated to be closer to the Highway (Mossbrow Avenue) to mitigate any impact on the nearby tree and be out of its root protection area (RPA). It has been agreed via email that the cycle storage would be predominantly red to be in-keeping with the established school colours, with elevations provided to show the design. However, a Condition will be required as to agree the location of the cycle storage, this will be a prior to commencement of the development(s) and has been agreed with the agent.

Overall, the proposed development would be considered to respond positively to the application site and would not be considered to detract from the original design or cause any adverse harm on design grounds. Additionally, it would be in accord with CS2, CS19, CS21 and OS7.

Residential Amenity

Policy CS19 requires that to maintain a good standard of amenity for all existing and future occupants, development proposals will be required to avoid unacceptable impacts on existing residents, business occupiers, and future occupiers.

The accompanying guidance of Saved Policy OS7 states that, an important factor of any proposal is the relationship with the adjacent area, particularly in terms of visual amenity and impact on neighbours. The proposal by its nature, would not be considered to contravene with this guidance to an unacceptable degree.

The Millennium Garden modular would be located approximately 18.28m from the closest dwelling on Mossbrow Road and approximately 20.55m from the adjacent building line of dwellings on Wellcroft Road.

The Apple Blossom modular would be located approximately 18.3m from the building line of dwellings on Wellcroft Road.

It is acknowledged that these separation distances would have ideally been greater, however, given the scale and single storey nature of the development, it would not be considered to result in an unacceptable impact on residential amenities. Furthermore, the proposals would not be sited in such a place that would significantly detract from the layout and arrangement in relation to the rest of the school buildings. They would not project higher than the palisade fencing which would soften the impact and presence of the proposal. The building features a front projecting section which is in relatively close proximity to the boundary treatment and subsequently the proposal would not appear incongruous or inconsistent. The interface distances between the proposed development and the building lines of dwellings would not be unacceptable, they would not be considered to result in any severe overshadowing. These would be used during term-time.

Following comments from neighbour objections, it may have been necessary to restrict hours for delivery of materials for construction and associated activity to access the site during hours for school pick-up and drop-off, in the interests of highway safety, to prevent adverse harm because of the development and potential vehicle conflict. As addressed earlier, however, the works are stated to take place within the summer half-term and most of the construction would take place off-site and transported to site. Therefore, it would not be considered reasonable or justified to include this Condition given the works would occur during school holidays.

During the construction period disturbance can often be caused to local residents and adjacent occupiers. Any disturbance can be mitigated by a construction management plan, which will be applied as a Condition.

Overall, the proposed development would not be considered to pose any significant harm to the residential amenity to the occupiers of the nearby residential properties and would be in accord with CS2, CS19, CS21 and OS7.

Highways

Concerns often exist around school expansion arising from the potential for an increase in the number of cars visiting the area for the purposes of pick up and drop off and a consequential exacerbation of parking problems arising. However, the proposed increases in the number of pupils will not be matched by an equivalent

increase in the number of vehicular journeys to the school, as schools (primary in particular) have high numbers of siblings, and not all pupils travel to school by car.

This was affirmed during the site visit completed by the Highways Officer when considering their consultation response, who observed that the majority of the students appear to arrive and be collected by minibuses which are accommodated on site from when they arrive until the point at which they collect/drop off the children (on the school playground).

Highways objected to the original scheme on a concern over lack of parking. The original plans proposed no additional car parking for staff on site. The introduction of 2 new classrooms requires 2 additional car parking spaces per classroom (4 in total) according to the KMBC 'Ensuring a Choice of Travel' SPD. In addition, cycle parking should be provided to cater for the additional demand at a rate of 1 space per 5 staff plus 1 space per 3 students, which equates to 8 spaces.

Following the original objection from Highways the application was supported by additional plans which show the (4) required car parking spaces (these will be provided adjacent the main access into the existing school car park and can be accommodated into the existing car park) In addition, cycle storage provision was incorporated into the scheme and would provide a total of 8 spaces.

The proposed cycle storage provision has been sketched on the Proposed Car Park Site Plan (No.006) with the dimensions required, further exact details on the relevant information can be secured by Condition, as stated previously. The inclusion of this facility is in accordance with CS7 and the KMBC 'Ensuring a Choice of Travel' SPD. This guidance states that (4.18) the wide range of cycle and cycle equipment storage options available should be considered when designing suitable facilities for cyclists. It is important that visitors have a convenient level of facility for a short visit (e.g. cycle stand close to entrance). 4.12 also states that car and cycle parking should be in an accessible and secure location with natural surveillance, for example, close to the building entrance.

The submitted proposed car and cycle parking plans have satisfied Highways and they have subsequently removed their objection and provided a Condition.

The initial Highways consultation response also noted that during the site visit that a total of 15 private vehicles associated with school collection. It was stipulated that this would lead to an expected number of 3 private vehicles being attracted and would not be considered to constitute a severe Highways impact, which Paragraph 115 of the NPPF outlines as the relevant threshold test for refusing an application.

Overall, the proposed development would not cause any detrimental impact on highway safety following the receipt of the amended plans and would be in accord with Saved Policy OS7 and Core Strategy Policies CS2, CS7 and CS19 and the 'KMBC Ensuring a Choice of Travel' SPD.

Trees

A Tree Survey has been submitted to support this application. A total of eight trees have been proposed to be removed as a result of the proposal. Seven of these are individual trees and one is situated within a group. These trees are sited to the curtilage of the boundary that face the building lines of residential properties.

Policy CS21 requires that the Council will proposals for new development to

incorporate (c) adequate replacement provision where tree loss is unavoidable, comprising two additional trees for every tree lost and taking account of species and size.

Saved Policy DQ4 states that (2) development proposals affecting existing trees, woodlands and other vegetation, which make a positive contribution to amenity, should make provision for their retention. (4) states that where the Council accepts that tree loss will be unavoidable the applicant will be required to make adequate provision for their replacement, normally including two new trees for each tree lost. Replacement planting will take into account the number; size and species of trees lost and should contribute to the extension of tree and woodland cover across the Borough.

Given the above policy requirements and the consideration that the trees provided amenity value to the locality, it has been agreed that the removed trees will be replaced on a 1:1 basis. This is less than the relevant policies outline, however, it has been considered acceptable on this occasion as the availability of space for planting is limited and to ensure that the replacement tree planting has sufficient space to establish. Furthermore, it was the recommendation of the tree consultant that given the spatial constraints on site, replacement tree planting was proposed at 1:1. Given that the proposal is to support a SEN school with class sizes, it is considered that on planning balance and the wider public benefit, it would be acceptable on this occasion to allow replacement tree planting on a 1:1 basis.

The Trees and Development SPD states that the establishment of trees within a built environment to allow longevity without becoming a nuisance when they reach maturity should be considered within planting schemes. Moreover, it stipulates that there should be adequate space allowed for newly planted trees to reach their full mature height and spread without causing a nuisance to adjacent structures and occupants. This supports the reduction of trees required for replacement to ensure that they allow for longevity and have adequate space.

The relevant SPD also states that where it is not reasonably possible to achieve the tree replacement numbers within the development site the Council may require a financial contribution to achieve the planting and maintenance of the trees off site in line with Local Plan Core Strategy Policy CS21 and CS27. Although, the replacement tree planting was not strictly in accord with the 2:1 requirement, justified in the reasons above, it also acknowledged that the trees put in will be bigger than the existing, this is to ensure that they are more likely to take and establish. It has been agreed that betterment has therefore been secured and larger trees will be acceptable to be incorporated within the site at 18-20 DBH. Therefore, it has not been considered necessary to strictly adhere to this policy guidance on this occasion.

The information submitted has been reviewed by the Council's Arboricultural Officer, who has advised that this tree loss is acceptable provided the trees are replaced on the proposed 1:1 at 18-20 DBH. This will be secured by planning Condition. The Condition will include a provision for tree replacement for any trees felled or adversely damaged for a period of five years.

The consultation response also requested Conditions for notice of protective tree fencing and the AIA and Method Statement would be made approved documents contained in Schedule 1.

Overall, the proposed development would not cause any significantly adverse impact on tree coverage and would not unacceptably conflict with Saved Policy OS7 and

DQ4 and Core Strategy Policy CS21.

Environmental Health

Environmental Health were consulted on the application. No objections were received, but (4) suggested Conditions were provided. These included a contaminated land advisory note and reporting of unexpected, contaminated land, importation of soil/material, construction management plan and construction hours.

Following further discussions with Environmental Health, it has been agreed that the suggested conditions in relation to contaminated land and its reporting and the importation of soil/material could be included as Informatives rather than as Conditions.

Due to the position of the siting of the school premises on the corner of the plot agreed that Conditions relating to a construction management plan (with construction hours included (recommendation provided as a guideline to the applicant) included within the CMP) remain as Conditions. This shall be submitted and agreed before any part of the development begins.

The above has been discussed and agreed with Environmental Health.

Conclusion

The proposed modular buildings would be acceptable in terms of appearance and design. The proposal would not result in any significant adverse harm to residential amenity or substantial highway safety issues and the tree loss (with replacement) is considered to be acceptable. The proposed development would be in compliance with the Local Plan policies listed above.

Recommendation

That Planning Permission be granted subject to the following Condition(s):-

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

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

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

Reason: For the avoidance of doubt.

- 3) The development shall not be brought into use until the areas indicated on Car Park Site Plan Drawing 006 be set aside for car parking spaces been permanently marked out and the covered, secure cycle shelter has been provided 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.

4) Construction Management Plan

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:

- o Methods for the mitigation of noise and vibration from works, and from the operation of any temporary power generation or pumping plant which will operate overnight.
- o Methods for dust control and suppression.
- o The areas for the storage of plant and materials.
- o Location of site compound if required.
- o Proposed hours of construction (the following is usually acceptable: 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday and not at all on Sundays/Public Holidays).

All site works shall then proceed only in accordance with the approved management plan unless otherwise agreed in writing beforehand with the Local Planning Authority.

To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with 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.

- 5) The development hereby permitted shall be implemented in accordance with the submitted Arboricultural Method Statement ref KCPSC/MS/01/ Rec C, received 15.05.2024, unless otherwise agreed in writing by the Local Planning Authority. This includes the replacement tree planting, hereby approved within the agreed Arboricultural Method Statement, at a girth of 18-20 DBH. The submitted scheme shall include tree replacement for individual trees and groups of trees on the agreed 1:1 basis and the tree planting shall be wholly implemented in accordance with the approved scheme within the first available planting season following the substantial completion of development. Any tree or other planting which is lost, felled, removed, becomes diseased or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage.

Reason: To ensure that the proper protection of trees has been carried out in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 6) Five working days written notice shall be given to the Local Planning Authority for the erection for tree protective fencing before commencement of the works hereby granted.

Reason: For the avoidance of doubt, to comply with the application and to act in accordance with Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan.

- 7) Notwithstanding the approved plan 'Proposed Elevations and and Plans for Cycle Storage / 8 Space Original Shelter' (No.1.0) and additional information provided prior to determination, prior to the first occupation of the two modular outbuildings, further details confirming the precise location, materials and colour of the proposed cycle storage shall be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the avoidance of doubt, to ensure the satisfactory development of the site and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
07/03/2024	218 23 01	REV S-2	PROPOSED FLOOR PLANS AND ELEVATIONS (MILLENNIUM GARDEN).
07/03/2024	218 23 02	REV S-2	PROPOSED FLOOR PLANS AND ELEVATIONS (APPLE BLOSSOM).
20/12/2023	002	-	PROPOSED SITE PLAN.
20/12/2023	004	-	LOCATION PLAN.
28/02/2024	006	REV 1	PROPOSED CAR PARK SITE PLAN.
15/05/2024	KCPSC/AIS/01	REV C	ARBOICULTURAL IMPACT ASSESSMENT.
15/05/2024	KCPSC/MS/01	REV C	ARBORICULTRUAL METHOD STATEMENT
12/03/2024	1.0	-	PROPOSED ELEVATIONS AND PLANS FOR CYCLE STORAGE / 8 SPACE ORIGINAL SHELTER

Signed Case Officer¹: Reece Black

Signed Authorising Officer²: K Foster

Date: 29 May 2024

Informatives

- 1 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.

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024

- 2 See letter from Cadent Gas Limited.
- 3 See letter from Merseyside Fire Authority.
- 4 Contaminated Land Advisory Note

Based on the information available to this division we are not aware of any contamination on this site. However, the responsibility to properly address contaminated land issues lies with the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is advised to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should contamination be encountered during the development of the site.

If contaminated material is encountered the applicant/developer is advised to dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

The applicant should have regard to the following statement in Planning Policy Statement 23 (section 2.51) "As a minimum, after carrying out the development and commencement of its use, the land should not be capable of being determined as contaminated land under Part IIA of the EPA 1990."

Reporting of Unexpected Contamination

If contamination is found at any time when carrying out the approved development that was not previously identified it is advisable that the applicant report immediately to the Local Planning Authority. Development on the part of the site affected may have to halt until a risk assessment is completed and submitted to the Local Planning Authority.

- 5 It is advised that soil should not be imported to the site unless 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 the Local Planning Authority.