

<u>APPLICATION NO:</u>	24/00554/FUL	<u>CASE OFFICER:</u>	Jo Sheridan
<u>WARD:</u>	Prescot North		
<u>LOCATION:</u>	Pilkington Court, Sinclair Way, Prescot Business Park		
<u>PROPOSAL:</u>	ERECTION OF A STORAGE/WAREHOUSE BUILDING (USE CLASS B8) AND ASSOCIATED CAR PARKING		

Site Description

The site subject of the application is an area of land off Sinclair Way, Prescot. The site comprises of approximately 0.31 hectares and is within the Prescot Office and Business Park. To the North of the site is Cables Way to the east is Pilkington Court, to the west is Helsby Court and to the south is the unadopted road of Sinclair Way. The site cannot be seen from Cables Way due to a thin landscaped strip of land and there is no direct access to Cables Way.

Proposal

The proposal is for the erection of an 977sq.m storage building, together with car parking and associated works. The building would be sited to the east of the site, with car parking to the west.

The building would be 20.6m wide (including a canopy) and 40.9m long. The height of the building would be 7m to the eaves and 8.1m to the ridge.

Vehicular access would be from Sinclair Way. A total of 47 car parking spaces are proposed, this includes 2 accessible spaces.

Consultations

Highway Authority: Objection – additional information regarding cycle parking is required.

Environmental Health: No objections, subject to five conditions requiring the submission of a scheme to mitigate any noise, the submission of a contaminated land report, the submission of a construction management, plan, a restriction on the hours of construction and the submission of a lighting scheme.

LLFA/Drainage: No objections subject to two conditions, one requiring the submission of a SUDS based drainage scheme and a condition requiring the management and maintenance of the SUDS.

Environmental Sustainability Service: No objections – refer to BNG section of the report.

The Coal Authority: No objections, subject to a standard informative.

United Utilities: No objections subject to two conditions, one requiring the submission of a SUDS based drainage scheme and a condition requiring the management and maintenance of the SUDS.

Merseyside Fire and Rescue Service: No objections.

Representations

This application has been publicised by neighbour notification letter and by the erection of a site notice. No representations were received as a result of the publicity given to the application.

Planning History

20/00207/FUL: Erection of 800 sq m home improvement centre together with car parking and associated works. Planning permission granted 17th December 2021.

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.

Knowsley Local Plan Core Strategy (2016):

SD1 Sustainable Development
CS1 Spatial Strategy for Knowsley Metropolitan Borough Council
CS2 Development Principles
CS7 Transport Networks
CS8 Green Infrastructure
CS13 Principal Regeneration Area – South Prescot
CS19 Design Quality and Accessibility in New Development
CS21 Green Spaces and Trees
CS22 Sustainable and Low Carbon Development
CS23 Renewable and Low Carbon Infrastructure
CS24 Managing Flood Risk

Knowsley Replacement Unitary Development Plan (Saved Policies, 2006):

T7 New Development and Walking & Cycling Routes
DQ2 Security in the Built Environment
ENV2 Noise and Vibration
ENV3 Light Pollution
ENV5 Contaminated Land

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Principle of the development:

When considering development proposals, a positive approach will be taken which reflects the presumption in favour of sustainable development contained within the NPPF. Planning applications that accord with this policies in the Local Plan will be approved without delay unless material considerations indicate otherwise.

The proposed site is part of the former Prysmian Cables and Systems operation which was allocated as the South Prescott Principal Regeneration Area in the Knowsley Local Plan: Core Strategy Proposals Map and as such Policy CS13 'Principle Regeneration Area – South Prescott' of the Local Plan is directly relevant.

Policy CS13 seeks the comprehensive redevelopment of the South Prescott Principal Regeneration Area for missed uses on previously developed land and will be supported where it provides:

- a) New economic development (defined as development in Classes B1 'Business and B2 General Industrial and B8 'Storage and Distribution')
- b) New residential development;
- c) Public realm enhancements
- d) Infrastructure improvements

The proposed use of the building would be B8 which is a compliant use.

Design and layout:

The design and layout of the proposal is to be considered in respect of Policy DQ2 of the Replacement UDP and Policies CS2 and CS19 of the Local Plan: Core Strategy. Also of relevance in considering the design and layout of the development is the Design Quality in New Development SPD. These policies and SPDs share the same aim to ensure that an acceptable level of quality in the development is achieved.

The building would be a total of 20.6m wide, including a canopy and 40.9m long. The highest part of the building is the entrance lobby which would be 8.1m high.

The scale of the building is acceptable in this instance, given its location within a business park and away from residential properties (approximately 44m). Reference is made to materials to be used, however, a condition for materials to be agreed will be imposed. A condition requiring details of boundary treatments is not considered to be necessary as the proposed site plan illustrate an existing 2.4m high fence to be retained.

The layout and design of the proposal is considered to comply with the relevant local plan policies, including policy CS19 – Development Quality and Accessibility in New Development and the relevant UDP policies including saved Policy DQ2 (Security in the Built Environment).

It is considered that the design and siting of the pavilion building and storage containers are acceptable and would not affect residential amenity, nor would it affect the use of the playing fields. The proposal would comply with Local Plan policy CS2 and CS19.

Residential development:

In order for the proposal to be acceptable, it is important that it does not have a detrimental impact on the amenities of existing residents. Core Strategy Policies CS2 and CS19 combine to ensure that new development does not significantly injure the amenities of nearby residential neighbours. Saved Policy ENV2 of the Knowsley UDP seeks to ensure that new or existing developments are protected from new or existing noise sources and that, where necessary, effective mitigation measures are secured.

The proposed building would be approximately 44m from the nearest residential property (Tenlands Drive) and therefore its built form would not affect residents. The hours of use of the building would be controlled by planning condition and would be restricted to between 08:00 and 22:00 on any day.

In addition to the restriction in the hours of construction, Environmental Health have requested a further two conditions to protect residential amenity – namely a condition to ensure that noise from the building and fixed plant to not impact nearby residents and a lighting scheme to ensure lighting does not impact nearby residential properties.

The proposal would not be detrimental to the amenity of the occupiers of existing dwellings and would provide an appropriate level of amenity for future occupiers of the site. The proposal therefore complies with Knowsley Local Plan Core Strategy policies SD1 'Sustainable development,' CS2 'Development Principles' and CS19 'Design Quality and Accessibility in New Development.'

Highways:

Policy CS7 'Transport Networks' in the Local Plan Core Strategy requires new developments to be located and designed to prioritise accessibility and sustainable modes of travel through a choice of walking, cycling, public transport, and incorporate access for private vehicles. The policy also requires new developments to make adequate provision for cycle and car parking.

Access:

Access to the site is via Sinclair Way and an unnamed access road, both of which are unadopted and not under the responsibility of Knowsley Council as the Highway Authority.

The off-site impact is considered to be negligible and would have no detrimental effect on the local highway network.

Visibility splays have not been provided on the plans; however, the access is currently in use as vehicular entrance to a parking area, and due to the low volume and low speed of traffic using this access road, it is deemed that visibility is adequate.

The proposed development is near to good transportation links providing sustainable travel options.

Parking:

Based upon a gross floor area of 885m² for B8 Land use and in accordance with *KMBC SPD 'Ensuring a Choice of Travel', Appendix A*, Highways would require 9 parking spaces. The parking provision of 47 spaces greatly exceeds requirements. The agent has shown provision for 2 disabled parking spaces, which is also acceptable.

No provision for pedal cycle storage has been indicated on the plans submitted. In accordance with *KMBC SPD 'Ensuring a Choice of Travel', Appendix A*, a minimum of 2 spaces for pedal cycle parking/storage. It is recommended that provision for pedal cycles should be covered and secure to encourage use.

A minimum of 2 motorcycle spaces should be provided – the plans do not show marked parking provision for motorcycles.

The Highways Advisor raised an objection. Cycle and motorcycle parking can be secured by condition.

Subject to the to the recommended conditions referred to above, the application accords with policies CS7 'Transport Networks' and CS19 'Design Quality and Accessibility in New Development' in the Knowsley Local Plan: Core Strategy Policy and it is considered that the development would not result in any significant adverse impacts on highway or pedestrian safety.

Biodiversity Net Gain:

The development proposal is required to meet the mandatory 10% Biodiversity Net Gain (BNG) requirement.

The application currently has a 39.83% loss and deficit of 0.38 units. The site currently has a loss of modified grassland and introduced shrub both of which are low distinctiveness habitats therefore they can be mitigated by habitats that are equal or of a greater distinctiveness than the baseline. Individual trees are medium distinctiveness habitat therefore that can be utilised to mitigate some of the loss.

The agent acting on behalf of the applicant originally stated that six native trees and ornamental shrubs are to be planted on site with the deficit of 0.8 HABIATA Units to be obtained via a Habitat Bank.

The local planning authority is not currently aware of any habitat banks providing biodiversity units within the vicinity of the site or locally in the borough. If no local habitat banks are available statutory credits can be used as a last resort. The applicant will be required to purchase 2 credits for every biodiversity unit required to meet 10% net gain. The current estimated price per credit is £42,000. 0.38 units are required to meet 10% net gain therefore 0.76 statutory credits would be required, totalling approximately £31,920.00 according to government pricing.

The agent has since confirmed that it is the applicant's intention to provide the mandatory 10% uplift on BNG onsite. This has been confirmed in writing.

The Council's Ecologist has stated that there is definitely scope to provide the 10% gain on site and this is encouraged as the first course of action rather than off-setting using a habitat bank. The current proposals are delivering little to no landscape design therefore small changes such as including sections of grassland and tree planting could be incorporated into the scheme to improve the site for biodiversity.

Two planning conditions have been drafted – one to secure the submission of a biodiversity net gain plan and a second to secure the submission of a landscaping scheme. The required landscaping scheme will directly inform the BNG Plan.

In this instance, taking into account the scale of the development and the habitats on site, it is considered acceptable to utilise the standard condition. It is also considered appropriate not to request a 30 year management plan, given that the onsite improvements are of a relatively small scale.

Drainage:

Policies CS2 and CS24 of the Local Plan Core Strategy combine to ensure that development will not cause an unacceptable risk of flooding and that surface water is drained in a safe and sustainable manner.

The proposed development is less than 1 hectare and as such, a Flood Risk Assessment has not been included with the planning application.

The LLFA have reviewed documents submitted by the applicant and raised no objections to the proposal subject to two conditions, one requiring the submission of a SUDS based drainage scheme and a condition requiring the management and maintenance of the SUDS.

United Utilities requested a similar conditions to the LLFA and so the LLFA condition and the United Utilities condition were combined into one. The management and maintenance will stand as a separate condition.

Subject to this condition the proposal would be in compliance with Local Plan policy CS24

Coal Risk:

The site falls outside of the Coal Authority's defined Development High Risk Area. They therefore do not consider that a Coal Mining Risk Assessment is necessary to support the development proposal and they do not object to the application.

Notwithstanding the above, the applicant provided a Coal Mining Risk Assessment. The report was compiled to consider a previous wider development, but did include the current application site. The report identified that previous site investigation proved that there is a low risk to the development posed by shallow abandoned mine workings.

Although the development is outside of the defined Development High Risk Area, as the site lies within an area where coal mining activity has taken place, it is requested that a standard informative is added to the decision notice, should planning permission be granted (see informative number 4).

Conclusion

The proposal would secure the development of a currently vacant site and secure the opportunity for a small scale business to be accommodated within the Prescot and would make a valuable contribution to the area. The development would not harm highway safety, and neither would it impact adversely on residential amenity.

The proposal has been fully considered and all the adverse impacts of the development can be mitigated against through the use of conditions.

Recommendation

Grant planning permission 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. Notwithstanding any description of materials in the application, no above ground construction works shall take place until full specification of materials to be used externally on the building has 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, unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed schedule of materials.

Reason: To preserve the character and appearance of the local area and 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. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
 - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365 (the LLFA will be expecting above ground and green SuDS as a source control to be prioritised to promote water quality, amenity and biodiversity);
 - (ii) Drainage drawings, summary calculations and results of all investigations detailing the surface water drainage works as appropriate;
 - (iii) Should the surface water from the proposal be to connect to the public sewer system, provision of evidence that the site has an agreed discharge

point and rate for post-development situation from responsible authorities will be required.

(iv) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);

(v) Should the proposals include works to an ordinary watercourse, under the Land drainage Act 1991, as amended by the Flood and Water Management Act 2010, a prior consent of the Lead Local Flood Authority will be required for this work. This consent will be required as a separate permission to planning.

(vi) Model Information (Micro Drainage or similar approved) to include a plan showing pipework model numbering and network details.

(vii) Results showing all the modelling criteria and summary network results for critical 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% CC storm events showing maximum water level, flow and velocity and details of any surface flooding anticipated will be required.

(viii) A drawing showing the proposed impermeable and permeable areas, suitably annotated will be required.

(ix) Drainage Plan, including levels of the proposed drainage systems including proposed ground and finished floor levels in AOD, showing drainage layout, manholes including cover and invert levels, pipe sizes and gradients, all on-line controls, on and off line storage structures and outfall details will be required.

(x) Plan showing overland exceedance routes in the event of a failure of the drainage system or storm event in excess of the 1 in 100 + 40% CC storm event will be required.

(xi) Summarised drainage report setting out the proposed drainage strategy, design criteria, and results of the calculations/modelling demonstrating compliance with the above will be required.

(xii) Where third party agreements to construct sewers and to discharge flows are required, then written evidence of these two agreements shall be provided.

(xiii) A timetable for implementation of the drainage works including an assessment of any phasing of the development shall be expected.

(xiv) Demonstration of adequate water quality of the off-site surface water flows (draining into a sewer, watercourse and ground) in accordance with the Simplified Index Approach as set out within Section 26 of the SUDS Manual (C753) can be achieved during all phases of the development will be required.

(xv) In designing the drainage strategy, it must demonstrated the surface water runoff up to 1 in 100 year plus 40% CC event will be retained within the site with no negative impact on surrounding areas. At the same time, an assessment will be required to demonstrate that the site will not be impacted by off site surface water runoff in post development situation.

(xvi) Where SuDS are only proposed in part or not at all, then a full justification statement shall be provided to demonstrate why it is not considered appropriate or reasonable.

(xvii) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

(xviii) Foul and surface water shall drain on separate systems.

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

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

Reason: To 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 (January 2016).

5. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 - (i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company;
 - (ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime;
 - (iii) Details for planned maintenance and a mechanism for remedial and urgent repair works and
 - (iv) Means of access for inspection and maintenance purposes.The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

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

6. No above ground works shall take place until a plan showing details of the areas for cycle parking, motorcycle parking and electric vehicle charging has been submitted to and approved in writing by the local planning authority, and the development shall not be brought into use until such areas have been provided, constructed and surfaced in complete accordance with the approved plans. These areas shall be retained at all times thereafter.

Reason: To ensure that adequate on site vehicle parking/manoeuvring facilities are provided in the interests of highway safety and amenity, and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

7. Development shall not commence until a scheme has been submitted to and approved in writing by the local planning authority which specifies the provisions to be made for the control of noise emanating from the site. The scheme shall be based on the results of a noise assessment which suitably characterises the noise climate at nearby residential dwellings (Tenlands Drive) both prior to and following the operation of the development permitted.

The following noise levels shall be met after implementation of the scheme; Fixed plant and machinery associated with the development shall be designed to a level that is at least 5dB(A) below the existing LA90 background noise level as measured during the relevant time period. Any

tonal, impulsive and/or irregular noise would be addressed by imposing a penalty as per the methodology set out in BS 4142:2014+A1:2019, Methods for rating and assessing industrial and commercial sound. Noise limits for fixed plant are to apply at a position 1 metre from the closest affected window of the nearest noise sensitive property.

All works which form part of the scheme shall be implemented in full in accordance with the scheme as agreed. Documentary evidence of the works shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with saved Policies H5, and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy CS2 of the Core Strategy, adopted January 2016.

8. Contaminated Land

A. Risk Assessment

No development shall take place until an assessment of the risks posed by any contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with authoritative guidance (CLR 11), and shall assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include (where relevant):

- (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. Submission of Remediation Scheme

Where land affected by contamination is found which poses unacceptable risks, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. As a minimum, the scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority,

prior to the development (or relevant phase of development) being brought into use.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

E. Materials Management Plan

Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan, signed off by a Qualified Person, shall be submitted to and agreed in writing with the local planning authority. The MMP shall demonstrate that any reuse of contaminated materials does not result in increased risk to the environment or human health.

F. Importation of Soil/Material

No soil (topsoil and subsoil) 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 environment and to comply with Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

9. 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 effects. This shall include but not be limited to the following: -
- 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.
 - Methods for dust control and suppression.
 - Details of wheel washing facilities including location and type direction of vehicles to and from the site and process of accessing facilities.
 - The areas for the storage of plant and materials.
 - Location of site compound.
 - Details of relevant pest control measures
 - Details of hours of construction - No works shall take place outside the hours of:
 - a. 0800 to 1800 Monday to Friday (excluding Public Holidays)
 - b. 0800 to 1300 Saturday

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.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with Policy CS2 in the Knowsley Local Plan Core Strategy January 2016 and saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

10. Prior to the commencement of development, a lighting scheme, which includes the steps necessary to minimise light intrusion to the surrounding residential properties, shall be submitted for the written approval of the local planning authority. The scheme shall include an isolux plot to demonstrate that the obtrusive light limitations suggested in the relevant guidance are met.

All works which form part of the scheme shall be completed prior to operation and shall be maintained thereafter in accordance with the agreed scheme.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with saved Policies H5, and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy CS2 of the Core Strategy, adopted January 2016.

11. Prior to the commencement of development, a biodiversity gain plan must be submitted to the local planning authority. The plan must include the following:
- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat,
 - (b) the pre-development biodiversity value of the onsite habitat,
 - (c) the post-development biodiversity value of the onsite habitat,
 - (d) any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development,
 - (e) any biodiversity credits purchased for the development, and
 - (f) such other matters as the Secretary of State may by regulations specify.
- The plan will be informed by a landscaping scheme (see condition 12). Development cannot commence until the biodiversity net gain plan has been approved by the local planning authority.

Reason: To comply with the Environment Act 2021.

12. Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The details shall relate to all land surfaces not built upon and shall include:

- a) Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks
- b) hard surfaced areas and materials,
- c) planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.

- d) existing plants / trees to be retained
- e) A detailed regime for the ongoing and longer term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which it relates unless otherwise agreed in writing by the Local Planning Authority.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and to comply with Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

13. An undeveloped buffer (no hardstanding) of three metres in width must be retained at the northern boundary to protect the existing trees and landscaping..

Reason: To ensure that the proper protection of trees 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.

Informatives:

1. Positive working
2. Please refer to United Utilities letter dated 10th January 2025.
3. Please refer to Merseyside Fire & Rescue Service dated 7th January 2025.
4. The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the

Mining Remediation Authority Policy in relation to new development and mine entries available at:

Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk)

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

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here -

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Informative Note valid from 1st January 2025 until 31st December 2026

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
14/10/2024			Location Plan
14/10/2024	PL02		Site Plan as Existing
14/10/2024	PL03		Site Plan as Proposed
14/10/2024	PL04		Plan as Proposed (Floor Plan)
14/10/2024	PL05		Elevations as Proposed Sheet 1
14/10/2024	PL06		Elevations as Proposed Sheet 2
14/10/2024	Sept 2024		Design and Access Statement

Signed Case Officer¹:

Jo Sheridan

**Signed Authorising
Officer²:**

K Foster

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

Date:

31 January 2025