

<u>APPLICATION NO:</u>	23/00075/FUL	<u>CASE OFFICER:</u>	Jo Sheridan
<u>WARD:</u>	St Gabriels		
<u>LOCATION:</u>	Land At Former Ambulance / Fire Station , Huyton Lane, Huyton		
<u>PROPOSAL:</u>	ERECTION OF 53NO. RETIREMENT LIVING APARTMENTS (USE CLASS C3) TOGETHER WITH LANDSCAPING, CAR PARKING AND ALL OTHER ASSOCIATED WORKS		

Site Description

The site subject of the application is the former Fire Station site and current Ambulance Station site, located on the eastern side of the junction of Huyton Lane and Lathom Road, Huyton. The Fire Station has been demolished.

The site is within the Town Centre and lies immediately adjacent to St Michael's Conservation Area. This development site is identified as an important gateway development opportunity and is named as an opportunity site within 'Lathom Road Action Area' within Supplementary Planning Document 'Huyton Village Masterplan'

The site is surrounded by built form. To the south is a supermarket; to the southwest is a 7 storey office building and to the north west is the Grade II* Listed Building St Michaels's Church.

Site levels within the site are quite consistent. Lathom Road is approximately 2.5m higher than the site with the site levels along Huyton Lane increasing from north-east to south-west by approximately the same. There is a highway retaining wall within the site at the junction of Huyton Lane and Lathom Road.

Proposal

This application seeks planning permission for the erection of a four-storey building, comprising of 53 self-contained retirement living apartments. The 53 units would comprise of 16no. 2 bed apartments and 37 1no. bedroom apartments. A car parking area for 22 (including 2 accessible spaces) cars is proposed as well as a substation also located within the car park.

Consultations

Highway Authority: No objections subject to the imposition of four conditions for: cycle parking, a construction management plan; ensuring areas for parking, servicing are surfaced and review of the travel plan.

Environmental Health: No objections subject to the imposition of four conditions for: a noise mitigation scheme; a construction management plan; restriction on the hours of construction and a condition to ensure contaminated land is adequately addressed.

LLFA/Drainage: No objections.

Arboricultural Officer: No objection.

Landscape Architect: No objection.

Merseyside Environmental Advisory Service: No objections, subject to eight conditions for: no tree/scrub felling' provision of bat and bird boxes; reasonable avoidance measures for hedgehogs; secure the implementation of low carbon technologies; lighting scheme to ensure bats remain unaffected; a scheme to eradicate Japanese Knotweed; a validation report confirming Japanese Knotweed has been treated and a condition securing a Landscape and Habitat Management Plan.

Housing Strategy: No objections.

United Utilities: No objections, subject to two conditions for: details of a sustainable surface water drainage scheme and a foul water drainage scheme and the management and maintenance of the drainage system.

Cadent Gas Limited: No objections, informative advised.

FUSION 21: A commuted sum of £3,710 is advised to be secured as a developer contribution to deliver social value.

Merseyside Fire and Rescue Authority: No objections.

Representations

This application has been publicised by letters sent to 30 neighbours. It has also been advertised by site notice and a press notice. One representation was received from a nearby resident who requested further information regarding the boundary to their property. The Council telephoned the resident and answered their questions.

Planning History

None recent.

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 Replacement Unitary Development Plan (Saved Policies, 2006)

T5 – Location of Major Traffic Generating New Development.
T7 – New Development and Walking & Cycling Routes
T8 – Transport Assessments
T9 – Travel Plans
T10 – Access for the Less Mobile
DQ2 – Security in the Built Environment
DQ3 – Gateway Sites and Corridors
DQ4 – Trees and Development
ENV2 – Noise and Vibration
ENV 4 – Hazardous Substances
ENV5 – Contaminated Land

Knowsley Local Plan Core Strategy (2016)

SD1- Sustainable development
CS1 – Spatial Strategy for Knowsley
CS2 - Development Principles
CS3 – Housing, Supply, Delivery and Distribution
CS7 - Transport Networks
CS8 – Green Infrastructure
CS15 – Delivering Affordable Homes
CS17 – Housing Sizes and Design Standards
CS19 - Design Quality and Accessibility in New Development
CS20 - Managing the Boroughs Historic Environment
CS21 – Green Spaces and Trees
CS22- Sustainable and Low Carbon Development
CS24 - Managing Flood Risk.
CS26 – Waste management
CS27 – Planning for and Paying for New Infrastructure

Merseyside Waste Local Plan (2013)

WM8 – Waste Prevention and Resource Management
WM9 – Sustainable Waste Management Design and Layout for New Development

Supplementary Planning Documents

Huyton Village Masterplan
Ensuring a Choice of Travel SPD (2010)
Design Quality in New Development SPD (2016)
Trees and Development SPD (2016)
Developer Contributions SPD (2016)
Amended New Residential Development (2018)
Adding Social Value to Development: Employment and Skills SPD (2018)

Article 35 Statement

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

Assessment

Principle of the development:

The site is allocated as part of Huyton Village Town Centre, Policy CS6 in the Core Strategy says that comparison and convenience shopping in Huyton Town Centre will be supplemented by residential development (along with other appropriate uses).

Saved Policy S2 in the Replacement UDP says that residential uses could be acceptable in town centres provided that nearby uses would not cause unreasonable harm to amenity.

Supplementary Planning Document 'Huyton Village Masterplan' identifies the site as an important gateway development opportunity and is named as an opportunity site within 'Lathom Road Action Area'. The SPD states the following:

- *All new development in Huyton Village should be high quality and enhance the setting of the surrounding conservation areas.*
- *Encourage the use of high-quality materials in new development and public realm improvements which are considered appropriate to their local context.*
- *Promote features to enhance the town's sense of identity, distinguish key routes and key gateways*

The application site is identified as having the potential for a residential use on the Strategy for Huyton Town Centre diagram which is in Figure 8 of the SPD.

The principle of a residential use on the site is therefore acceptable.

Layout, scale and design:

At pre application stage, the scale of the building was increased from 3 storey to 4 storey. During the consideration of application, it was requested that the scale of the building be increased even further to 5 or 6 storey.

An increase in height was requested for two reasons; firstly, due to the prominence of the site and the scale of surrounding buildings and secondly, due to existing site levels, a tall bank between the site and Lathom Road 'hides' the ground floor, given the appearance of a three storey building.

The Design and Access statement states Design and Access statement goes on to state "the scale of the proposed building has been carefully considered to respond to the local context and the character of the wider area", and "the proposal aims to balance and enhance the street scene along this section of the road."

The applicant's property consultants, Alder King, also responded and confirmed that the increase in potential Gross Development Value (GDV) is negated by the increase in the core build cost to develop a higher building. They went on to state that there is also a knock-on impact on other costs and fees and an increase in Empty Property Costs. The consultant ended by stating that the outcome would be to show a significantly negative development that is unviable and would not progress.

With that said, the proposed development, which is an extremely prominent site within Huyton Town Centre and has been vacant for a number of years, is coming forward with an acceptable design building. The building will address both Lathom Road and Huyton Lane and will be finished with a high quality boundary treatments (see later in the report for details for the boundary treatment). Amendments were made to the building to incorporate additional windows (eight in total) to ensure that no elevation was left blank.

The applicant confirmed (in an email dated 23/03/2023) that no plant or machinery is to be located on the roof. This is important as any machinery on the roof would be

quite visible. A condition stating that there shall be no plant or machinery on the roof shall be included on the decision notice.

During the consideration of the application, the substation was originally sited at the front of the site and adjacent to the main vehicular access road and the residential property at 36 Huyton Lane. The applicant was requested to relocate the substation to within the site and a compromise was finally reached whereby the substation has been sited away from the frontage of Huyton Lane and no. 36 Huyton Lane and within the site. This location is considered acceptable.

Conservation and Heritage:

The planning application was accompanied by a Heritage Statement which addressed the built heritage considerations in relation to the proposed development. The report found that four designated heritage assets had the potential to be affected by the development through changes within their setting:

- St Michael's Church, Grade II* Listed Building;
- Entrance gateway (north east corner of the churchyard) to St Michael's Church, Grade II Listed Building;
- Entrance gateway (south east corner of the churchyard) to St Michael's Church, Grade II Listed Building; and
- St Michael's Conservation Area

The assessment concluded that the site comprises a neutral element within the setting of the Church and its two entrance gateways and a neutral to negative element within the setting of the Conservation Area, whereby it makes no contribution to the significance of these designated built heritage assets. The development would result in a change to the setting of the area, however, this is viewed within the context of the existing built development surrounding the site.

Given the scale and design of the building, it is considered that the building would not adversely affect the Listed Building nor the Conservation Area.

It is therefore considered that paragraph 200-203 of the National Planning Policy Framework are not applicable as the proposal would not lead to substantial harm of a designated asset.

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

If we take the 22m for the interface and add 6m (3m for each storey above 2) this brings the required interface distance to 28m. The proposed development would be 32.3m from the side elevation of the dwelling at 36 Huyton Lane, which has a habitable room window

in the side elevation. Therefore the relationship between the proposed building and the closest residential property is acceptable.

A noise report, by Acoustic Consultants Limited, ref 9975/SL, Revision A was submitted, and mitigation has been recommended within the report. To ensure the mitigation measures are installed, Environmental Health have requested a condition which should be included on any permission granted.

The applicant was requested to confirm the noise levels from the substation proposed within the site. Before relocating the substation, the Acoustic consultant modelled the location of the substation and advised the worst-case predicted level at number 36 is 18 dB $L_{Aeq,T}$. From the noise survey data, at the monitoring location adjacent to Huyton Lane the background sound level was 56 dB $L_{A90,1hour}$ during the day and 40 dB $L_{A90,15min}$ during the night. On this basis, the proposed substation results in an assessment difference of -38 dB during the day and -22 dB during the night. This is clearly acceptable when assessing the plant to BS4142 and it is likely that the substation will typically be inaudible at the dwelling over the existing sound climate on the basis of the above. In any event, the substation has been repositioned further away from no.36, as such noise levels will be further reduced.

Environmental Health also requested two further conditions, namely, the submission of a construction management plan and a condition to limit the hours of construction. The two conditions have been added to the decision notice. Both conditions seek to protect the environment and the amenity of the nearby residents during the construction phase.

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.'

Boundary to the site:

Supplementary Planning Document 'Huyton Village Masterplan' is applicable. The SPD goes further and states that as development sites come forward, care should be taken to improve the boundary treatment.

It is on this basis, that the local planning authority have sought through the application to obtain amendments to the proposal to provide a boundary wall around the perimeter of the site. A bow top metal railing with a hedgerow to the rear of it was proposed along the elevations of Lathom Road and Huyton Lane.

The boundary is seen as an opportunity to tie in the wider landmarks in the vicinity of the site, like the Grade II* listed Church opposite and the fact that this site is on the edge of a Conservation Area. A bow top rail would add very little to the development site and to the character of the area as a whole. A sandstone wall with metal railing was requested, however, as discussed further in this report, viability is an issue for the development and following much discussion, it was agreed that a brick wall of 600mm with a metal bow top rail is proposed. Beyond this will be a hedgerow. Whilst not considered to be the ideal design solution in terms of boundary, it is a compromise, but one that will still add to the character of the area.

A new 1.8m high close boarded timber fence with 200mm concrete plinth (total height 2.1m) is proposed along the boundary with the residential property of 36 Huyton

Lane. The applicant confirmed that the fence is replacing the existing fence.

Highways

The application has been submitted with an accompanying Transport Statement (TS) and Travel Plan. The impacts of the development on the highway network are not considered to present a severe impact.

Whilst the car parking falls below the standards set out in the 'Ensuring a Choice of Travel SPD, the TS provides a comprehensive evidence base to demonstrate that the proposed provision will meet the demands of the development, due to the lower levels of car ownership expected inherently, aided by the highly sustainable Town Centre location that is within walking distance of Huyton's train and bus stations.

The car park layout has been shown, through swept path analysis be able to accommodate the on-site turning manoeuvres of an appropriately sized refuse collection vehicles and a fire tender.

The site layout does not show any cycle parking, although it is referenced in the TS. To ensure that residents and staff have the opportunity to cycle, this can be secured through condition. The agent did not want the cycle parking condition referring to motorcycle parking, however, following discussion with the Council's; highways Advisor, it was agreed that this should be sought.

Pedestrian access to the site is available at two locations, one of which is step free (Huyton Lane). Whilst the clear pedestrian desire line is along Lathom Road, the level difference between the floor level of the building and Lathom Road means that the Huyton Lane access is satisfactory as access for the mobility impaired.

At the request of the local planning authority, the applicant has provided supplementary information relating to the retaining wall which supports the highway at the junction of Lathom Road and Archway Road. The applicant confirmed that no works are to be undertaken to the retaining wall. No new retaining walls are proposed. A condition will be attached giving protection of the wall during construction.

The proposal would comply with Knowsley Local Plan Core Strategy policies CS19 'Design Quality and Accessibility in New Development' and CS7 'Transport Networks' and is considered that the development would not result in any significant adverse impacts on the highway network.

Ecology:

Bats:

The development site is close to Huyton Lane Wetland LWS and Local Plan Core Strategy policy CS8 applies.

On this occasion, the proposals are unlikely to harm the features for which the site has been designated due to the distance from the development (200m north east) and intervening built development which remove impact pathways.

MEAS confirmed that the submitted bat survey report has been undertaken by an appropriately qualified and experienced surveyor using appropriate methods and is acceptable.

The bat survey report concluded that Building B1 (main ambulance station) had moderate bat roosting potential and that Building B2 (small adjacent building) had low

bat roosting potential. In line with Best Practice¹ the report therefore recommends emergence and re-entry survey. MEAS advised that an emergence and re-entry bat survey would; be required prior to the determination of the planning application. Bats are a protected species and Local Plan Core Strategy policy CS8 applies.

The applicant subsequently submitted an additional Dusk Emergence & Dawn Re-entry Bat Survey report. The report concluded that no evidence of use by bats was found within the onsite buildings and the Council as Local Planning Authority does not need to consider the proposal against the three tests (Habitat Regulations) and no mitigation in respect of roosting bats is required to be implemented prior to demolition of the onsite buildings.

Two conditions were requested by MEAS in respect of bats. The first seeks to ensure an appropriate lighting scheme that does not affect foraging and commuting of bats be provided and the second condition seeks the provision of bat boxes.

BNG:

As part of the planning application, a Biodiversity Metric Assessment Report and Biodiversity Metric 3.1 spreadsheet in accordance with the Environment Act 2021. Merseyside Environmental Advisory Service confirmed that the site would result in a deliverable Biodiversity Net Gain.

Japanese Knotweed:

Japanese Knotweed (JK) is present within the site boundary and on land immediately adjacent to the site. JK is listed on Schedule 9 of the Wildlife and Countryside Act and National Planning Policy Guidance applies. The applicant submitted a revised Preliminary Ecological Appraisal during the consideration of this application when they found the JK. The revised Report notes the presence of JK and also contained a plan illustrating its location.

MEAS reviewed the updated report and have recommended two conditions be attached to the decision notice; one for a method statement detailing how the JK is to be treated/removed and a second condition requesting that a validation report be submitted to confirm that the remediation treatment has been undertaken.

Trees and Landscaping:

The applicant has submitted a full landscape proposal as part of the planning application which has been amended through the consideration of the application.

The proposal retains two sycamore trees (T10 and T11) and also some sycamore saplings at the junction of Lathom Road and Huyton Lane. The landscape officer wanted the two trees removed in order to provide a more comprehensive landscaping scheme, however the applicant is retaining the two trees and considers that they can be successfully integrated with the proposed layout. This is accepted.

There is a row of Leyland cypress (17 in total) along Lathom Road and these trees are proposed to be removed. Supplementary Planning Document 'Trees and Development' requires replacement tree planting at a ratio of 2:1.

¹

A total of 17 new trees are proposed to be planted. The trees are semi mature standard trees, all would be 20-25cm. One for one replacement trees has been agreed with the applicant as the 'new' trees will be larger specimens and will have a greater positive impact, than a smaller tree.

The landscape proposals have been accepted. The proposal would comply with Knowsley Local Plan Core Strategy policy CS8 and Unitary Development Plan Policy DQ4 – Trees and Development.

Contaminated Land:

Contaminated Land reports were submitted with and during the consideration of the application. A condition has been imposed in relation to contaminated land.

Housing:

The affordable housing provision requirement under Policy CS15 of the Core Strategy is 10% with the proposed development being within the current urban area. The provision on this site would be 5 units. The applicant submitted a viability assessment stating that it is not viable to provide affordable housing.

The Knowsley Housing Needs Assessment 2021 identifies a need of 1022 additional specialist units (C3) by 2036. The development of this scheme will support meeting this need. The proposed McCarthy and Stone delivery/product model could also enhance housing options for older people currently who are owner occupiers where there are currently limited tenure options.

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 £57,236.30 was calculated to be sought to fund open space improvements in the area. The applicant submitted a viability assessment stating that it is not viable to provide a contribution towards open space provision.

Social Value:

The Council's Supplementary Planning Document 'Adding Social Value to Development' has the objective of maximising the employment and the training of local residents. The SPD requires applicants for major development proposals to submit a 'Social Value Strategy' to the Council setting out how they propose to provide employment and training benefits for residents in the local area. It envisages that the SVS is submitted and a commuted sum is sought to deliver its objectives to help deliver its aims. A sum of £3,710 was sought. The applicant submitted a viability assessment stating that it is not viable to provide a contribution towards social value.

Viability:

As part of this planning application, the applicant has submitted a viability appraisal. The document is not in the public domain however, a summary of the assessment is.

The assessment was reviewed by the Council's independent consultants, Keppie Massie who considered each of the inputs in the viability appraisal and determined whether they were reasonable. Keppie Massie agreed with the finding of the viability report that there is not the ability to seek any development contributions based on construction costs, sales costs, developer profit and the sensitivities within the market.

Viability has been a consideration throughout the course of the consideration of this application. The applicant stated several times when various amendments were requested (for example the provision of boundary wall around the perimeter of the site) that viability was closely balanced. The Council would potentially seek to review the viability appraisal once the development is underway, however, that will not be the case in this instance as it is considered that the improvements made to the schemes (boundary wall and relocation of substation as well as slight amendments to the elevation) outweighed this in the planning balance.

Low Carbon Development:

The applicant has submitted an Energy and Sustainability Statement as part of their planning submission. The document details the measures to be taken/included to reduce the carbon footprint of the development, it also references national policy as well as Local Plan Policy CS22 (Sustainable and Low Carbon Developments). The development is to adopt a fabric first approach, and this is welcomed. Other initiatives include electric panel heating, Air Source Heat Pump hot water cylinders in apartments, Mechanical ventilation with Heat Recovery (MVHR), Electric vehicle charging points and Photovoltaic panels.

Archaeology:

There are no heritage assets recorded on the Merseyside Historic Environment Record within the proposed development.

The proposed development site is considered to have negligible archaeological potential. MEAS advised that archaeology does not need to be considered further for this application.

Conclusion

To allow the proposal would bring forward an extremely prominent site within Huyton Town Centre for redevelopment and regeneration. The site has been vacant for approximately four years and this proposal would bring forward residential development of 53 apartments for over 55's which is an identified housing need within Knowsley. The proposal is of good design which will add to the character of the area. The proposed development would not impact the Grade II* Listed Building nor the adjacent Conservation Area, nor would it impact residential amenity. The impact on the highway network and the parking provision proposed are acceptable.

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 samples and/or full specification of materials to be used externally on the building 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: 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 above ground works, a scheme shall be submitted that details the specific noise mitigation measures that will be installed throughout the development. The scheme shall follow the recommendations of the Acoustic Consults Limited Noise Impact Assessment for the proposed residential development – Former Ambulance and Fire Station, Huyton. Reference 9975/SL: Revision A, dated 03/02/23. Any changes from the recommendations in the report must provide equivalent protection or greater. The development shall be implemented in accordance with the agreed scheme.

Reason: To safeguard local residents from noise and disturbance, and to comply with Saved Policy ENV2 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 effects. This shall include but not be limited to the following:

- No work for the construction of these 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; and
08.00 - 13.00 on Saturdays;
In particular, no work should be carried out on Sundays or officially recognised public holidays without the prior agreement in writing of the Local Planning Authority.
- 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.
- The areas for the storage of plant and materials.
- Layout of the site compound including identification of areas for the storage of plant and materials, loading/unloading and turning areas for delivery vehicles.
- Details of relevant pest control measures during construction
- 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 Trained Banksman (RoSPA or equivalent).
- Construction staff parking arrangements

- Adequate provision for addressing any abnormal wear and tear to the highway, if applicable.

All site works shall then proceed only in accordance with the approved 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. A. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme, written in accordance with the findings of the approved Patrick Parsons Phase I Site Appraisal, Phase II Site Appraisal and Final Gas Risk Assessment Reports, 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.

B. 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.

C. 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.

D. 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.

E. 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.

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

7. Prior to above ground works, a scheme for the provision of cycle and motorcycle parking, in accordance with the Council's current standards, shall be submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles.

Reason: To ensure that adequate provision is made for parking cycles and motorcycles on the site and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

8. The development shall not be brought into use until the areas indicated on Site Plan Drawing 1002 Rev P1 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.

9. Within 6 months of the development reaching 50% occupation, a review of the travel plan approved as part of this permission shall be submitted to and approved in writing by the Council as Local Planning Authority. The travel plan shall be implemented in accordance with the timetables and targets contained therein and shall continue to be implemented subject to any modifications agreed by the Local Planning Authority in writing as part of an annual review.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

10. Prior to above ground works, an external lighting scheme shall be submitted to the Council as Local Planning Authority which seeks to ensure that its impacts on the foraging and commuting of bats is minimised. The approved scheme shall be fully implemented prior to the occupation of the building and retained thereafter.

Reason: In the interests of biodiversity conservation and to comply with Policy CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

11. Prior to above ground works, a scheme for enhancement measures for bats and birds (bat and bird boxes) shall be submitted to the Council as Local Planning Authority. The scheme shall include the number, type and location on an appropriately scaled plan as well as timing of installation. The approved scheme shall be fully implemented prior to the occupation of the building and retained thereafter.

Reason: Reason: In the interests of biodiversity conservation and to comply with Policy CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

12. No tree felling, scrub clearance, hedgerow removal, 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, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

Reason: To mitigate for the loss of bird nesting habitat and to ensure compliance with Policy CS8 in the Knowsley Local Plan Core Strategy adopted 2016.

13. The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on hedgehogs which are a priority species:

- A pre-commencement check for hedgehog ;
- All trenches and excavations should have a means of escape (e.g. a ramp);
- Any exposed open pipe systems should be capped to prevent mammals gaining access; and
- Appropriate storage of materials to ensure that mammals do not use them.

Reason: In the interests of biodiversity conservation and to comply with Policy CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

14. Notwithstanding the approved landscaping plans, prior to the first occupation of any part of the building hereby permitted, a scheme for the management and maintenance of the landscaped areas shall be submitted to and approved in writing with the local planning authority. The scheme shall include the following:

- Ameliorant/ Conditioner: UK origin mycorrhizal fungi including bio-additives. Mycorrhizal fungi component to contain spores, mycelium, dried plant root containing mycelium and attapulgitic clay, colonised by mycelium. Product should not contain fertilisers. Additives should be proven to enhance mycorrhizal colonisation.
- Details of the frequency and scope of maintenance visits
- Watering regime whilst plants are establishing.
- Tree ties need to be removed from 3 years on, but will depend upon the firmness of the root take.

Reason: In the interests of visual amenity to ensure the landscaped areas are satisfactorily maintained and to ensure the development complies with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

15. All soft landscape works shall be carried out in accordance with the approved details outlined in Schedule 1 by virtue of condition 2. The works shall be carried out before any part of the development hereby approved is occupied or in accordance with a programme to be agreed in writing with the Local Planning Authority prior to any development commencing. The approved landscaping shall be retained in thereafter. Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted.

Reason: In the interests of visual amenity to ensure the landscaped areas are satisfactorily maintained and to ensure the development complies with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

16. Prior to the commencement of development a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - *Trees in Relation to Construction - Recommendations* has been submitted to and approved in writing by the Local Planning Authority. The tree protection measures shall be carried out as described and approved and shall be maintained until the development is completed.

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.

17. Notwithstanding the submitted Landscape Masterplan, prior to above ground works, a plan illustrating the hard surfacing materials shall be submitted to and approved in writing by the local planning authority. The approved plan shall be implemented in full prior to the occupation of any part of the building hereby permitted and retained thereafter.

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.

18. Prior to above ground works, full details of the photovoltaic installation shall be submitted to the Local Planning Authority. The details shall include full plans and specifications. The agreed details will be implemented prior to the first occupation of any part of the development hereby permitted and maintained and retained thereafter.

Reason: To reduce carbon emissions in accordance with Knowsley Local Plan Core Strategy Policies CS2, CS11 and CS22.

19. Prior to the commencement of development, a method statement for the treatment and/or removal of Japanese Knotweed must first be submitted to and approved in writing by the Local Planning Authority. The report must be prepared by a competent persona and include the following information:

- A plan showing the extent of the Japanese Knotweed;
- The method(s) that will be used to prevent the Japanese Knotweed spreading further including demarcation;
- The method(s) of control that will be used, including details of post-control monitoring; and
- How the Japanese Knotweed will be disposed of after treatment/removal.

The approved details shall be implemented in full.

Reason: These details are required to be approved before the commencement of development to prevent the spread of invasive species and protect local biodiversity

20. Prior to the occupation of any part of the development, a validation report confirming the Japanese Knotweed remediation treatment has been carried out and that the site has been free of the invasive species for 12 consecutive months shall be submitted to the Local Planning Authority.

Reason: To ensure the invasive species has been adequately dealt with.

21. Prior to above ground works a Landscape and Habitat Management Plan which covers the management of the site for 30 years shall be submitted to the Local Planning Authority and agreed in writing. The Plan should be prepared in accordance with the Biodiversity Metric Assessment, Biodiversity Metric 3.1 and Landscape Masterplan and should include the following:

- Description and evaluation of the features to be managed;
- Ecological trends and constraints on site which may influence management; Aims and objectives of management;
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management actions;
- Preparation for a work schedule (including an annual work plan and the means by which the plan will be rolled forward annually);
- Personnel responsible for implementation of the plan;
- Confirmation of funding and ownerships; and
- Details of a programme of monitoring and remedial measures

The approved works shall be carried out to the agreed timetable.

Reason: To comply with the Environment Act 2021.

22. Prior to the commencement of development, details for the protection of the highway retaining wall within the site shall be submitted to the Local Planning Authority. The approved details shall remain in place throughout the construction phase of the development.

Reason: These details are required to be approved before the commencement of development to ensure the preservation of the highway retaining wall in the interests of highway safety.

23. 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 scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Policy Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations). For the avoidance of doubt, no surface water shall drain directly or indirectly into the combined sewer. In the event of surface water discharging to the public surface water sewer, the rate of discharge shall be restricted to 5l/s;
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

24. Prior to the first 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 management and maintenance plan shall include as a minimum:

- a. 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
- b. 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.

Reason: To ensure 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.

25. The development hereby permitted shall not be occupied until outdoor, weatherproof electric vehicle charging points readily accessible from a dedicated parking space are provided at a rate of at least one for every two communal parking bays and are ready to use.

All charge points shall be:

- a) A minimum of 7KW, and
- b) at Least Mode 3 or equivalent, and
- c) untethered, and
- d) located in order to comply with the Equality Act 2010 and the accessibility requirements set out in the Building Regulations Part M.

All EV charging points shall be clearly marked as such and their purpose explained to new occupants within their new home welcome park/travel planning advice

Reason: In the interests of air quality, promoting sustainable travel opportunities and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and NPPF Para 110.

26. There shall be no plant or machinery located on the roof of any part of the building hereby permitted (as confirmed by the applicant by email dated 23/03/2023).

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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
15/02/2023	1001	P1	Existing Site Plan
15/02/2023	1000	P1	Location Plan
12/07/2023	1002	P1 B	Proposed Site Plan
21/04/2023	2001	P1 A	Proposed Elevations (sheet 1) (north east and north west elevation)

			(illustrating additional windows to the north east elevation)
21/04/2023	2000	P1 A	Proposed Elevations (sheet 2) (south west and south east elevation) (illustrating additional windows to the south east elevation)
23/03/2023	2004	P1 A	Proposed Buggy Store/Cycle Store
21/04/2023	1004	P1 A	Proposed Ground Floor Plan
21/04/2023	1005	P1 A	Proposed Upper Floors Plan
21/04/2023	1006	P1 A	Proposed Roof Plan
13/07/2023	1012	P1	Low Dwarf Wall & Bow Top Metal Fence Details (illustrating a 600mm high wall with railing above)
14/07/2023	1007	P1 D	Boundary Treatment (illustrating 600mm high wall with railing above along Huyton Lane and Lathom Road)
15/02/2023	1010	P1	Close Boarded Fence Details
14/07/2023	R/2671	1H	Landscape Masterplan
14/07/2023	R/2671	3D	Landscape details Shrubs S1 – S15
14/07/2023	R/2671	4C	Landscape details Shrubs S16 – S27
23/03/2023	EV-2873-04-AC-3000-14-G	1	Material Details Section & Elevation
23/03/2023	3000	P1 A	Existing & Proposed Site Section AA
23/03/2023	3001	P1 A	Existing & Proposed Site Section BB
21/04/2023	29652/110	A	Proposed Sections Through
15/02/2023	29652/104	B	External Levels
15/02/2023			Energy and Sustainability Statement
15/02/2023			Flood Risk & Drainage Impact Assessment
15/02/2023			Travel Plan
15/02/2023	2037-KC-XX-YTREE-TPPP01	Rev 0	Tree Protection Plan
15/02/2023	2037-KC-XX-YTREE-TreeSurvey-andImpactAssessment	Rev 0	Tree Survey and Impact Assessment

Informatives

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

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

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

3. 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 the Site Development Team at SiteDevelopment@knowsley.gov.uk to discuss the matter further.
4. Please be aware that if any European protected species (e.g. bats) are found during construction, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.
5. To aid in the submission of condition 10 (lighting scheme) it is advised that you refer to Bat Conservation Trust website <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>
6. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

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

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

7. Please see letter from Merseyside Fire and Rescue Service dated 13th March 2023.
8. This site contains a structure which supports the adopted highway (retaining wall). The applicant/developer is reminded that the Highway has a right of support under Common Law, and therefore nothing should be done which could undermine its structural integrity. Highways must be consulted in advance of any proposed works which affect said structure or which may have an impact on the highway, in order to prevent any damage.

Signed Case Officer²: **Jo Sheridan**

**Signed Authorising
Officer³:**

Alan Kilroe

Date:

26 July 2023

Appendix 1 – Site Photographs



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

³ 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



