
APPLICATION NO: 22/00662/FUL **CASE OFFICER:** Mark Quinn

WARD: St Gabriels **PARISH:**

LOCATION: Land At Interchange Motorway Estate , Wilson Road, Huyton

PROPOSAL: DEMOLITION OF BUILDINGS AND THE ERECTION OF 2 NO. INDUSTRIAL BUILDINGS TO INCLUDE 24 NO. UNITS COMPRISING OF 2 NO. UNITS (USE CLASS E (g) (iii), 4 NO. UNITS (USE CLASS B8) AND 18 NO. UNITS (USE CLASS B2) TOGETHER WITH OTHER ASSOCIATED WORKS

Site Description

This application relates to the part of Interchange Motorway industrial estate off Wilson Road, Huyton. This part of the estate contains two blocks of single storey commercial units in use within use classes B2 or B8.

The site is bounded by existing residential In Kipling Avenue to the west, Wilson Road and Chapel Brook trade park to the east, the remainder of Interchange Motorway estate to the south and Wolseley plumbing Merchants to the north.

Some landscaping areas and large expanses of hardstanding areas for car paring/manoeuvring are also present on the site.

Proposal

It is proposed to demolish the two existing buildings on site and erect two new buildings comprising 24 individual units within use classes E(g) (iii), B8 and B2. The applicant has specified which uses are proposed for the individual units. In Block A 13 units would be in use class B2 and two units in use class E(g) (iii) and in Block B 5 units would be in use class B2 and 4 units in use class B8.

The two existing vehicular access points off Wilson Road would remain and a total of 177 parking bays would be provided together with 22 cycle spaces and 8 motorcycle spaces.

The proposal would result in the loss of a line of trees adjacent to the site boundary and a new 1.8m high paladin security fence is proposed to the Wilson Road site frontage.

A new electricity sub station is proposed adjacent to the existing sub station on the Wilson Road site frontage.

Consultations

The Coal Authority - No objections subject to a pre commencement condition.

Highway Authority - No objections to mended plans subject to conditions.

Environmental Health - Raise concerns in respect of Air Quality (Nitrogen Dioxide levels)

Arboricultural Officer - No objections subject to adequate tree mitigation.
 Merseyside Fire And Rescue Authority - No objections in principle
 Merseyside Environmental Advisory Service - No objections subject to conditions relating to bat boxes and RAMS
 Public Health - Health Improvement And Health Protection - No objections to amended plans
 LLFA/Drainage - No objections subject to a pre commencement condition.
 FUSION 21 - Sarah Maguire - The SVS is acceptable & a commuted sum is required for implementation and monitoring of the SVS.
 Cadent Gas Limited - No objections in principle
 Street Lighting - No response received
 Highways England - No objections
 United Utilities Water Ltd - No objections subject to planning conditions.

Representations

This application has been publicised by letters sent to 76 neighbours. It has also been advertised by Site Notice and a Press Notice. No representations have been received.

Planning History

APP. NO:	00/00810/FUL
PROPOSAL:	ERECTION OF 3 NO. INDUSTRIAL UNITS TOGETHER WITH CONSTRUCTION OF CAR PARKING AREA AND NEW VEHICULAR ACCESS
DECISION:	PER
DECISION DATE:	20 March 2001
APP. NO:	74/00576/HIST
PROPOSAL:	EXTENSION TO CAR PARK
DECISION:	PER
DECISION DATE:	19 September 1975
APP. NO:	74/03844/HIST
PROPOSAL:	HUNTLEY AND PALMERS WILSON RD HUYTON :- EXTN TO EXISTING FACTORY BLDG
DECISION:	PER
DECISION DATE:	6 February 1979
APP. NO:	74/08972/HIST
PROPOSAL:	WILSON ROAD HUYTON :- ERECTION OF NON FOOD RETAIL WAREHOUSE
DECISION:	REF
DECISION DATE:	26 June 1985
APP. NO:	74/10594/HIST
PROPOSAL:	PART OF HUNTLEY AND PALMERS FACTORY WILSON ROAD HUYTON :- CHANGE OF USE TO CAFETERIA ERECTION OF EXT AND NEW PEDESTRIAN ACCESS
DECISION:	PER
DECISION DATE:	18 November 1987
APP. NO:	74/10713/HIST

PROPOSAL: PART OF FORMER HUNTLEY AND PALMER FACTORY WILSON RD HUYTON :- USE OF PREMISES FOR THE SALE OF 2ND HAND PARTS AND DISMANTLING AND SALVAGING OF VEHICLES

DECISION: REF

DECISION DATE: 23 March 1988

APP. NO: 74/10908/HIST

PROPOSAL: FORMER HUNTLEY AND PALMER FACTORY WILSON RD HUYTON :- ALTERATIONS TO PREMISES TO FORM SEPARATE INDUSTRIAL UNITS FOR THE MANUFACTURE OF PLASTIC FILMS AND BAGS

DECISION: PER

DECISION DATE: 19 May 1988

APP. NO: 74/11045/HIST

PROPOSAL: WILSON ROAD HUYTON :- SUBDIVISION OF FACTORY AND INDUSTRIAL UNITS FOR GENERAL INDUSTRIAL AND OFFICE USE WITHIN CLASSES B1 AND B2

DECISION: PER

DECISION DATE: 31 October 1988

APP. NO: 74/12255/HIST

PROPOSAL: LAND ADJACENT TO FORMER HUNTLEY AND PALMER SITE WILSON ROAD HUYTON :- ERECTION OF A 2 STOREY B1 BUSINESS UNIT WITH ASSOCIATED CAR PARKING AND ACCESS ROAD

DECISION: PER

DECISION DATE: 18 February 1990

APP. NO: 74/12256/HIST

PROPOSAL: LAND ADJACENT TO FORMER HUNTLEY AND PALMER SITE WILSON ROAD HUYTON :- PROPOSED ERECTION OF B1 BUSINESS UNITS TOGETHER WITH ACCESS ROADS CAR PARKING AND LANDSCAPING

DECISION: PER

DECISION DATE: 12 February 1990

APP. NO: 74/12365/HIST

PROPOSAL: UNITS 15 16 19 WILSON ROAD HUYTON :- CHANGE OF USE FROM EIGHT INDUSTRY TO EIGHT INDUSTRY AND WAREHOUSE USAGE

DECISION: PER

DECISION DATE: 7 March 1990

APP. NO: 74/12578/HIST

PROPOSAL: UNITS 1-14 17 AND 18 5A B AND C 13A B C AND 14A B AND C :- CHANGE OF USE FROM EXISTING LIGHT INDUSTRY TO LIGHT INDUSTRY AND WAREHOUSE USAGE

DECISION: PER

DECISION DATE: 25 June 1990

APP. NO: 93/00348/APP

APP. NO: 96/00083/APP
PROPOSAL: CHANGE OF USE OF PREMISES TO STORAGE AND WHOLESALE OF ANIMAL FEED
DECISION: GTD
DECISION DATE: 26 March 1996

APP. NO: 96/00168/APP
PROPOSAL: CHANGE OF USE OF PREMISES TO AUCTION ROOM
DECISION: REF
DECISION DATE: 5 June 1996

APP. NO: 96/00441/APP
PROPOSAL: CHANGE OF USE OF PREMISES TO AUCTION ROOM
DECISION: GTD
DECISION DATE: 2 September 1996

APP. NO: 08/00417/FUL
PROPOSAL: ERECTION OF 4 INDUSTRIAL UNITS WITHIN USE CLASS B2
DECISION: GTD
DECISION DATE: 27 NOVEMBER 2008

APP. NO: 12/00763/FUL
PROPOSAL: ERECTION OF 3 NO. INDUSTRIAL UNITS (USE CLASS B1 (B), B1 (C), B2 OR B8), EXTERNAL ALTERATIONS TO THE EXISTING INDUSTRIAL UNIT(UNIT 1B) AND CAR PARKING ALONG WITH NEW COVERED CYCLE PARKING AND ASSOCIATED WORKS.
DECISION: PER
DECISION DATE: 24 May 2013

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

CS2 - Development Principles
CS4 - Economy and Employment
CS7 - Transport Networks
CS8 - Green Infrastructure
CS19 - Design Quality and Accessibility in New Development
CS23 - Renewable and Low Carbon Infrastructure
CS24 - Managing Flood Risk
CS27 - Planning and Paying for New Infrastructure

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

EC3 - Primarily Industrial Areas
T5 - Location of Major Traffic Generating New Development
T8 - Transport Assessments
T9 - Travel Plans
DQ2 - Security in the Built Environment
DQ4 - Trees and Development
ENV2 - Noise and Vibration
ENV3 - Light Pollution
ENV5 - Contaminated Land
CS8 - Green Infrastructure

SUPPLEMENTARY PLANNING DOCUMENTS

Adding Social Value to Development, Employment and Skills SPD (2018)
Design Quality in New Development SPD (2016)

National Planning Policy Framework

Article 35 Statement

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

Assessment

Principle of Development

Saved UDP policy EC3 states “primary industrial areas are identified on the proposals map and are appropriate locations for Business (Class B1), General Industry (Class B2) and Storage and Distribution (Class B8) Note class B1 has now been replaced with Class E (g).

Local Plan policy CS4 states that provision will be made for at least 164 ha of land to be developed for employment (B1, B2 and B8 uses) uses between 2010 and 2028 to be located among other areas in the Huyton Business Park.

The site is allocated as a primary industrial area on the Local Plan Policies Map. Therefore, in principle a new building within use classes B2, B8 or Class E(g)(iii) would be an acceptable use on this site and in compliance with policies CS4 and EC3.

Residential Amenity Considerations

Policy CS19 requires a good standard of amenity for neighbouring occupiers and unacceptable impacts on existing residents should be avoided.

Saved policy ENV2 states that development which would cause an unacceptable increase in noise levels will not be permitted.

Saved Policy ENV3 states that with regard to lighting that there would be no unacceptable impact on the amenity in the surrounding area.

The proposed building would be erected close to the western site boundary with the existing residential dwellings on Kipling Avenue. Between Block A and the rear elevation of the closest dwelling would be a separation distance of 21m. between Block B and the rear elevation of the closest dwelling would be a distance of 23m. The existing houses are approximately 2.8m higher than the FFL of the new building. There are no windows proposed on the elevation facing the dwellings and these separation distances are considered to be within acceptable limits.

The application is supported by a Noise Assessment. The assessment looked to determine the key noise sources associated with the development and undertake an assessment of any impacts upon existing noise sensitive receptors. An unattended background sound survey has been undertaken in order to capture worst case baseline noise levels.

A detailed 3D noise modelling was undertaken of all the proposed sources in order to predict noise levels at ground and 1st floor windows for the daytime and night-time periods respectively.

A 3.8 m high acoustic barrier is specified on the proposed site plan and has been included within the 3D noise model.

The assessment has concluded that the predicted rating level falls below the typical measured background sound level during daytime and night-time periods. This assessment has shown, with the proposed 3.8 m acoustic barrier in place, that there should be no adverse impact upon existing residential receptors due to the proposed operations. The report also concludes by stating as such, noise should not be a determining factor in the determination of the planning application.

The Council's Environmental Health have raised concerns over the uncertainty of the end use of the individual units and the potential noise issues that could prevail. The site is close to residential properties and the Environmental Health team have received complaints previously. The mitigation of the site management controls and the acoustic barrier of 3.8m should alleviate the majority of noise issues associated with the site. In addition it should also be noted that the existing dwellings also appear to have a 2m high acoustic fence which would have been installed by the developers at the time the housing was constructed.

To try to alleviate their concerns, Environmental Health have proposed that a planning condition restricting the noise levels from fixed plant and machinery is imposed. A further planning condition restricting the hours of operation on the site is also recommended which would be the same as a condition imposed on this site in 2012 for the erection of three industrial units within use classes B1, (Now class E(g) B2 and B8.

A lighting scheme has also been submitted as part of the application. The scheme comprises both lamps on columns and also attached to the buildings. The Environmental Health team has assessed the scheme and had initially raised some queries with regards to the impacts on the surrounding residential dwellings. The lighting scheme has subsequently been revised to ensure there would be no light spillage onto the adjacent residents which is now considered to be acceptable and would be in accordance with Saved UDP policy ENV3.

Subject to the conditions restricting noise levels from fixed plant noise and machinery, the restriction of operating hours and the condition requiring the submission of a Construction Management Plan The proposal would be not have significant adverse impact on the amenity of neighbouring residents and would be in compliance with Policies ENV2, ENV3 and CS19.

Highway Safety/ Car Parking Considerations

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.

The NPPF requires new developments to ensure that appropriate opportunities to promote sustainable transport modes can be taken up, that safe and suitable access to the site can be achieved for all users, and that any significant impacts from the development on the transport network, or on highway safety can be mitigated to an acceptable degree. Furthermore, it states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The application is supported by a Transport Statement (TS) which considers the highway and transport implications of the proposed development.

The proposed development has a mixed use of B2, B8 and E (g) (iii) land uses. Most of the proposed units, 18 of the 24, will be classified as B2 (4 classified as B8 and 2 classified as E (g) (iii)). It is appreciated that the proposed parking spaces are calculated using the B2 land use, which requires a greater number of parking spaces per square metre compared to B8.

The required parking spaces have been calculated for a 'District and Local Centre'. This would require a parking space for every 48 square metres of floor space. The total floor space for the development is 7,740 square metres. This would result in a maximum of 161 parking spaces being required, 17 more than the proposed 144 spaces. However,

the required parking provision should be determined in consideration of the 'Other Area' requirement. This requires one parking space per 45 square metres. This leads to a required parking provision of a maximum 172 spaces, 28 more than the proposed 144. It is acknowledged however, that 19 van spaces are to also be provided as well as 19 disabled parking spaces. The proposed parking levels are therefore considered acceptable.

The number of disabled, motorcycle or cycle spaces are deemed acceptable by KMBC. It should be ensured that all cycle spaces are covered and secure to KMBC standards. The precise detail of the cycle storage units can be determined by way of planning condition.

As previously mentioned, the 24 units have a mixed usage. 18 B2 units, 4 B8 and 2 E (g) (iii) have been proposed. For this development, E (g) (iii) units will be treated as B2 units. It will need to be ensured that the layout of the units highlighted in 'Uses Type Plan' (Drawing no. 11049 Rev E) is formally approved. This is to limit the likelihood of HGVs needing to access certain areas of the site (i.e. attempting to utilise the eastern access where all B2 units are proposed to be located).

Subject to the above-mentioned conditions and a condition requiring a construction management plan the proposal would be in compliance with Local Plan Policy CS7 and guidance in NPPF.

Design Considerations

Policy CS2 'Development Principles' in the Local Plan Core Strategy states that new development in Knowsley will be expected to enhance local character and promote quality of place by promoting good design and ensuring that development respects its setting considering relevant design requirements and best practice.

Policy CS19 'Design Quality and Accessibility in New Development' in the Local Plan Core Strategy sets out several criteria that developments will be expected to conform to so that they enhance local distinctiveness and the identity and accessibility of new places.

The proposed buildings would have a clean modern appearance, the facing materials comprise microcrib cladding in silver, vertical profiled cladding in silver to gable elevations goosewing grey profiled roof cladding, grey brickwork, graphite grey rooflights and doors.

Subject to the approval of samples of the materials (which can be secured by condition) the design, scale and appearance of the buildings is considered to be acceptable and would be a significant improvement upon the condition and appearance of the existing buildings.

The proposed buildings would be in compliance with Local Plan policies CS2 and CS19.

Tree Considerations

Saved Policy DQ4 in the Knowsley Replacement Unitary Development Plan (UDP) states that where tree loss is unavoidable the applicant will be required to make adequate provision for their replacement, normally two trees for each tree lost.

The application is supported by a tree survey, arboricultural impact assessment and arboricultural method statement. There are currently two lines of trees adjacent to the Wilson Road frontage the second line of trees back from Wilson Road is proposed to be removed as a result of the development. Trees to the rear of the site are proposed to be retained but pruned on both the development and residential side.

It is proposed to replace the trees to be removed with mitigation planting at the rear of the site, further details with regards to species and tree sizes would be required (to be secured by planning condition) the arboriculture officer has advised that tree mitigation on a 1 to 1 basis at 20-25cm girth would be required.

In order to ensure the protection of existing trees during development 5 days' notice would be required to ensure the protective fencing is correctly installed. This can be secured by planning condition.

Subject to compliance with the above-mentioned planning conditions the proposal would be in compliance with saved policy DQ4.

Environmental Considerations (inc Air Quality)

Local Plan Policy CS2 states that new development should reduce carbon emissions and adapt to the effect of climate change by ensuring an ability to adapt to future changes to national targets for carbon dioxide and other greenhouse gas emissions. It also states that new developments should mitigate potential negative impacts of traffic growth and road traffic on air quality.

Paragraph 186 in NPPF states that "Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement."

The Planning Practice guidance relating to Air Quality (November 2019) states that "Whether air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to have an adverse effect on air quality in areas where it is already known to be poor, particularly if it could affect the implementation of air quality strategies and action plans and/or breach legal obligations (including those relating to the conservation of habitats and species). Air quality may also be a material consideration if the proposed development would be particularly sensitive to poor air quality in its vicinity."

An Air Quality Assessment has been submitted in support of the application. The Assessment identifies that the application site is not in an Air Quality Management Area and concludes that the development would have a negligible impact on air quality with concentrations of Nitrogen

Dioxide (NO_x) and Particulate Matter (PM_{xx}) increasing by less than 0.1µg/m³. Environmental Health have reviewed the document and do not dispute the predicted effects of the development on air quality.

Nevertheless, Environmental Health are concerned that the proposed development would introduce additional vehicular movements into an area where there are instances of poor air quality – in particular around Cronton Road / Whitefield Lane which will be made worse by other planned development around Junction 6 of the M62 Motorway.

Because the application site is very close to other major developments such as Halsnead Garden Village and Beacon 62 development Environmental Health believe that it cannot be considered in isolation. They have raised concerns to the development because they believe that any further impacts that could worsen the pollution levels, no matter how small, needs to be avoided.

Air quality impacts from a development are a material planning consideration and therefore need to be given appropriate weight and considered in the planning balance among all other material considerations and benefits of the proposal. It must be considered that the site was previously used as a distillery with a significant amount of vehicle movements to and from the site each day. It is very likely that if this proposal did not go ahead and the previous use of the site re-commenced then the nitrogen dioxide levels would still be in excess in the Cronton Road/Whitefield Lane area.

Taking this into account with the modelling which shows that there will only be negligible increases in nitrogen dioxide and particulate matter the Local Planning Authority do not consider that there is sufficient justification to refuse permission for this proposal because of its effects on air quality and it is not considered that the LPA would be able to robustly defend any such refusal at a planning appeal.

The applicant has offered mitigation in the form of the submission of a Construction Management Plan for the construction phase and securing Electric Vehicle Charging infrastructure and a Travel Plan for the operational phase and whilst these measures are welcomed – Environmental Health have advised that this would not be sufficient to overcome their concerns.

The impacts of the construction on residential amenity and the amenity of adjacent occupiers and on highway safety can be mitigated through a construction management plan which can be secured by planning condition.

Saved Policy ENV5 'Contaminated Land' in the Knowsley Replacement Unitary Development Plan states that where a site may be affected by contamination proposals shall be accompanied by a site investigation report and remedial measures.

A phase 1 desk study and a Geo- Environmental Investigation & Assessment have been supported to support the application. Additional intrusive works are required to complete the land contamination assessment of the site which can be secured through a planning condition to ensure compliance with saved policy ENV5.

Local Plan policy CS2 states that proposals for new development shall address any issues of unstable land resulting from Knowsley's legacy of mineral extraction.

The Coal Authority has recommended that given the presence of mineshafts and their extent of influence a scheme of intrusive site investigations to establish the risks posed by the development by past coal mining activity. A statement is also required by a suitably qualified person confirming that the site has been made safe and stable for the proposed development.

Subject to the above conditions the proposal would be in accordance with Policy CS2

In accordance with Policy WM8 in the Merseyside & Halton Waste Local Plan a scheme demonstrating how waste generated for the development would be minimised would be required which can be included with the CEMP and secured by planning condition.

Ecology Considerations

Paragraph 180 in the NPPF states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or compensated for, then planning permission should be refused. It also states that opportunities to improve biodiversity in and around developments should be integrated as part of their design.

Policy CS8 in the Local Plan, relating to Green Infrastructure, states that Knowsley's green infrastructure will be protected managed or enhanced primarily to sustain and promote biodiversity, mitigate the effects of flood risk, mitigate air, water and noise pollution and provide sustainable transport linkages between neighbourhoods and easy access to employment and services. The policy goes on to state that the above will be achieved by maintaining and improving water courses and biodiversity assets, protect enhance or introduce biodiversity into areas of green infrastructure and protect and improve green paths and cycleways linking residential areas of greenspace and local community services.

An ecological appraisal has been submitted to support the application. This includes a nocturnal bat survey. This report states that no evidence of bat use or presence was found and the buildings due for demolition have low suitability for roosting bats. To mitigate against any loss of potential bat features a scheme for details of bat boxes should be submitted which can be secured by planning condition.

The habitats on site are suitable for hedgehog which is a Priority Species and Local Plan policy CS8 would be applicable. Therefore, reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them which can be secured by planning condition.

Cotoneaster which is an invasive species is present on site a method statement for removing this can be included within a Construction Environmental Management Plan which can be secured by planning condition.

Subject to the above mentioned planning conditions the proposal would be in compliance with Local Plan policy CS8 and NPPF.

Drainage Considerations

Paragraph 167 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

Policy CS24 in the Local Plan states that :

- *New development that may cause an unacceptable risk of flooding on the site or elsewhere will not be permitted.*
- *New development should preferably be located in areas of low probability of flooding.*
- *New development shall include flood mitigation measures, where necessary, to manage flood risk associated with or caused by the development.*
- *The drainage of new development shall be designed to reduce surface water run-off rates to those associated with a green-field site by treating it at its source.*

The application is supported by a flood risk assessment and a site drainage plan. The LLFA have raised no objections to the proposal based on these submissions providing a detailed drainage strategy and management and maintenance plan are submitted which can be secured by planning conditions.

United Utilities have also been consulted on the application and have no objections subject to a detailed drainage scheme which can be secured by planning condition.

Subject to the approval of these details the proposal would be in compliance with Local Plan policy CS24.

Planning Obligations

Local Plan Policy CS4 states that planning would be used to “ address skills and educational barriers to employment”

Policy CS27 states that new development will be expected to demonstrate compliance with Local Plan policies which specifically require developer contributions.

The Adding Social Value to Developments SPD states that “A section 106 agreement or unilateral undertaking will be used to secure provision of social value projects either directly by a developer or by way of a commuted sum contribution towards specified social value projects provided by the Council’s approved partner(s). In either case, a commuted sum may also be sought towards the costs of preparing and monitoring the Social Value Strategies required by this SPD.”

A social value strategy to provide training programmes and delivering social value during construction and end use phases of the development has been submitted and is considered to be acceptable.

In accordance with the adding social value to development SPD a social value contribution is required which is used towards supporting the provision of social value delivery and towards the costs of monitoring the implementation of the Social Value Strategy. The contribution would

comprise £7,740 for the implementation and monitoring of the strategy and can be secured by a S106 legal agreement.

Conclusion

This application is located in an area allocated as primarily industrial area on the Local Plan policies map. Therefore in principle new development falling within use classes E(g) , B2 or B8 would be acceptable. The proposal is considered acceptable with regard to impacts on residential amenity, highway safety, trees and ground conditions subject to the planning conditions set out above and would be in compliance with the relevant Local Plan, saved UDP policies listed above and the relevant paragraphs in NPPF.

Recommendation

That Planning permission be granted subject to the following conditions.

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

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

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

Reason: For the avoidance of doubt.

- 3) Prior to the occupation of any unit hereby permitted the recommendations set out in Noise Impact Assessment (e3p, Report Ref 50-613-R1-1, Version 3 dated 27th February 2023), of the site management controls and acoustic barrier shall be implemented. Documentary evidence of the works shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation.

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.

- 4) 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.

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, including any works of demolition, shall be commenced until a Construction Management Plan that details the means of mitigation of construction effects has been submitted and agreed in writing by the Local Planning Authority. This shall include the following:

- a) Methods for the mitigation of noise and vibration from building works, including any piling works, and also from the operation of any temporary power generation or pumping plant which will operate overnight.
- b) Methods for dust control and suppression.
- c) Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
- d) The areas for the storage of plant and materials.
- e) A programme of works, including phasing
- f) Location of site compound, including any loading/unloading areas, turning areas for delivery vehicles and construction staff parking arrangements.
- g) Scheme for recycling/disposal of waste resulting from demolition and construction works
- h) The following Reasonable Avoidance Measures for protection of 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.
- i) Proposed hours of construction (the following is usually acceptable: 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday and not at all on Sundays/Public Holidays).
- j) A Method Statement to prevent invasive species (Contoneaster) being spread on and off site
- k) Methods that can be put in place quickly, should odour control be required. (There is potential for odour from the historic use of the site, particularly when ground excavations take place).
- l) Details of relevant pest control measures that will be put in place during the construction / demolition phase.

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 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. Risk Assessment

No development or phase of development (excluding demolition) 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.

Prior to any further ground investigations taking place, the scope of works for these investigations must be agreed, in writing, with the local planning authority.

The assessment must also 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 or phase of development (excluding demolition) 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 is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.

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

- 7) No development or phase of development (excluding demolition) shall commence until;

a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. This should include the submission of the approved site layout plan which illustrates the exact location (and grid co-ordinates) of the recorded mine entries, if found present within the site, and the calculated zone of influence (no build exclusion zone) of any recorded mine entry within influencing distance of the site.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

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

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

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

- 9) The proposed development shall not be brought into use until precise scheme detail of the proposed cycle storage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as agreed before any part of the development has been brought into use. 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 on the site and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

- 10) Within 3 months of the development being brought into use a Travel Plan will be submitted to and approved in writing by the Council as Local Planning Authority. The Plan shall include immediate, continuing and long-term measures to promote and encourage alternative modes of transport to the single-occupancy car. For the avoidance of doubt, the Travel Plan shall include, but not be limited to:

Involvement of employees.

Information on existing transport policies, services and facilities, travel behaviours and attitudes.

Access for all modes of transport.

Targets for mode share.

Resource allocation including Travel Plan Co-ordinator and budget.

A parking and management strategy.

A marketing and communications strategy.

Appropriate measures and actions to reduce car dependence and encourage sustainable travel.

An action plan, including a timetable for the implementation of each of the above.

Mechanisms for monitoring, reviewing and implementing the Travel Plan.

The approved Travel Plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied and in use.

An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for a period of 5 years. The report shall include a review of the Travel Plan measures, monitoring data and updated action plan.

Reason: To maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable, having regard to Policies T6 and T9 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 11) No development (excluding demolition) shall commence until a detailed SUDS based surface water and foul water drainage scheme based on the principles of the SUDS Manual (C753) and the criteria as set out within Knowsley Strategic Flood Risk Assessment (SFRA, Levels 2), has been submitted and approved in writing by the Local Planning Authority (LPA). The applicant should provide suitable drainage drawings, summary calculations and results of all investigations detailing the proposed surface water drainage based on site characteristics. The drainage works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in any approved phasing details.

Reason : To ensure a satisfactory drainage system is provided to serve the site in accordance with Paragraph 163 of the National Planning Policy Framework, House of Commons Written Statement 161 for Sustainable Drainage Systems, Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) and Policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy (January 2016).

- 12) No part of the development hereby permitted shall be occupied until details of the number and location of bat boxes to be incorporated into the scheme have been submitted to and approved in writing by the Local Planning Authority. The bat boxes shall be installed in accordance with the approved details prior to the first occupation of the building and shall be retained at all times thereafter.

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

- 13) The Electric Vehicle Charging points indicated on the approved layout plan shall be fully installed prior to the occupation of the first unit.

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.

- 14) 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.
- f) to include mitigation tree planting across the site at a minimum of 14 replacement trees at 20-25cm girth.

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.

- 15) No part of the development hereby permitted shall be commenced until:-

At least five days written notice has been given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in Arboricultural impact assessment 1675.22.C shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall be retained in place until the development is complete.

No storage of plant or material (including soil), works (including movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing thereby defined for the duration of the development works.

Reason: To protect existing trees within the site 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.

- 16) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987(as amended) the premises to which this permission relates shall be used only for a uses falling within Class E(g)(iii) – in Units A1 & A2 only Class B2 – in Units A3 - A11 (inclusive) & in Units B1 -B5 (inclusive) and Class B8 (in units B6-B9 inclusive) and for no other use in the Schedule to that Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, except with the prior grant of a further planning permission.

Reason: To enable the Local Planning Authority to assess any proposal for a further change of use, whether or not it falls within the same Use Class and to comply with CS7 & CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 .

- 17) 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(s) 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 . The development shall be carried out only in accordance with the agreed schedule of materials.

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

- 18) No raw materials, finished or unfinished products or parts, crates, materials, waste, refuse or any other item shall be stacked or stored outside any building on the site without the prior approval in writing of the Local Planning Authority (other than in those areas expressly shown for those purposes on the approved plans).

Reason: In the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
20/01/2023	11049 PL X L03	REV E	PROPOSED USE TYPES PLAN
20/01/2023	24.05.22	-	PHASING PLAN
22/03/2023	JSW 23 ISSUE 03	-	PALADIN FENCING BLACK
10/03/2023	P.1675.22C	-	ARB IMPACT ASSESSMENT
10/03/2023	P.1675.22.01C TS-02C	-	METHOD STATEMENT
10/03/2023	P.1675.22A	-	TREE DATA TABLES
23/02/2023	TECHNICAL NOTE FEB 2023	-	HIGHWAYS TECHNICAL; NOTE
20/02/2023	P.1675.22REV A	-	NOCTURNAL BAT SURVEY
20/01/2023	GB01T20E53.2PRO J.11020624	-	
26/10/2022	P.1675.22	-	ECOLOGICAL APPRIASAL
27/02/2023	50-613-R1-3	-	NOISE IMPACT ASSESSMENT
26/10/2022	11049-PL-A-E01	REV C	BLOCK A PROPOSED BUILDING ELEVATIONS
26/10/2022	11049-PL-A-P01	REV C	BLOCK A PROPOSED GROUND FLOOR PLAN
26/10/2022	11049-PL-A-P02	REV A	BLOCK A PROPOSED ROOF PLAN
26/10/2022	11049-PL-A-S01	REV B	BLOCK A PROPOSED BUILDING SECTIONS
26/10/2022	11049-PL-B-E01	REV B	BLOCK B PROPOSED BUILDING ELEVATIONS
26/10/2022	11049-PL-B-P01	REV B	BLOCK B PROPOSED GROUND FLOOR PLAN
26/10/2022	11049-PL-B-P02	-	BLOCK B PROPOSED ROOF PLAN
26/10/2022	11049-PL-B-S01	REV A	BLOCK B PROPOSED BUILDING SECTIONS
26/10/2022	11049-PL-X-L01	REV A	LOCATION PLAN
22/03/2023	11049-PL-X-L03	REV K	PROPOSED SITE PLAN
11/04/2023	28052-DWG-XX-00001	REV 04	HUYTON INDUSTRIAL ESTATE LIGHTING LAYOUT
26/10/2022	M5198-DSSR-XX-XX-DR-E-63002	REV P2	HUYTON INDUSTRIAL ESTATE LUX LEVEL LAYOUT

Signed Case Officer¹:

Mark Quinn

**Signed Authorising
Officer²:**

K Foster

Date:

25 April 2023

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

Informatives

1. It is an offence to carry out any works within the public highway without the permission of the Highway Authority. Should this be required the applicant is advised to contact the site development team, email: SiteDevelopment@knowsley.gov.uk to discuss the matter further. The highway fees applicable for a S278 highway agreement are available on the Knowsley Council website here: <https://www.knowsley.gov.uk/residents/roads/highway-fees-and-charges>

2 Pursuant to Condition 12 the proposed surface water and drainage strategy, detailed design drawings, calculations and supporting information shall be expected to consider the following elements:

(i) Currently, the proposed drainage design is based on an assumption which infiltrating-based features will not be feasible. Final destination of surface water runoff should be determined based on site characteristics by following the surface water drainage discharge hierarchy. As requested by National Planning Practice Guidance applications should aim to discharge surface water runoff as high up the following hierarchy of drainage options as reasonably practicable:

- o into the ground (infiltration)
- o to a surface water body
- o to a surface water sewer, highway drain, or another drainage system, and
- o to a combined sewer.

For infiltrating-based methods, the soakaway test should be completed according to the BRE 365 method and their results should be submitted with the full application. Should the infiltration rate on site would be sufficient for infiltration-based features, the proposed drainage design should be redesigned.

(ii) A SuDS aims to minimise the impacts from a proposed development on water quality and maximise amenity and biodiversity. In designing an appropriate set of SuDS techniques for a development site, the LLFA will therefore be expecting above ground, green SuDS to be prioritised to promote water quality, amenity and biodiversity.

(iii) If the exiting proposals are retained in the final design, the survey of those sections of the existing pipes remained on site as part of the drainage proposal/connection should be surveyed. This is vital as the performance of the proposed system depends on the quality of these pipes.

(iv) A 50% betterment rate has been applied on the existing maximum discharge rate in order to calculate the maximum discharge rate at post development situation.

Although the betterment rate used would be acceptable, it should be applied on flow calculations on each catchment area contributing to each proposed connection point. In addition, using impermeable areas in each catchment area the LLFA requires the existing and proposed discharge rate for a range of rainfall events from 1 in 2 to 1 in 100 + 40%CC to be calculated and the results to be provided.

- (v) With respect to the controlling system adopted and attenuation volume required, developers have the option to limit discharge for all events to the QBAR flow rate; or install a complex discharge control which reflects the original discharge or run-off rates from the site across the range of storm events. e.g. QBAR, 3.3% (1in30), 1% (1in100), 1% (1in100) plus climate change and provide Long Term Storage for all runoff volume greater than the greenfield volume. Using complex controls is more expensive but reduces the amount of attenuation storage required on the site and is probably worth doing on larger sites.
- (vi) Water quality should be taken into account as part of the proposed drainage design. It will be required to demonstrate that 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. In this case that an industrial yard is proposed, water quality risk to surface water bodies and groundwater should be assessed (screening risk or detailed risk assessment) and mitigation measures to be adopted to ensure that risk to both surface water bodies, and groundwater are effectively managed (see Table 26.1 of the SUDS Manual).
- (vii) Given the topography of the site and surface water flood risk along Wilson Road the risk of surface water runoff entering the site from off-site should be assessed and, if required, protection / interception measures to be proposed.
- (viii) A drawing showing the proposed impermeable and permeable areas, suitably annotated.
- (ix) It is understood that the proposed network should be able to cope with the flow rate during the 1 in 30 + 40%CC and site may be flooded for events greater than that but a detailed assessment will be required to demonstrate that the level of flood risk (volume of flood water, flood depth and flood velocity) resulting from surcharging pits/manholes.
- (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. Flow routes need to be considered when all on site drainage systems have been overwhelmed by an event of greater intensity than the design scenario. The impact of exceedance flows from and on adjacent land should also be considered. The duration of flooding, maximum depth and the route of flood flows shall be established and managed so as to mitigate the flood impact to people and property.
- (xi) 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;
- (xii) 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);
- (xiii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (xiv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (xv) Foul and surface water shall drain on separate systems.

For the assessment of an exceedance event impact, it would be expected to consider the 1 in 200 rainfall event plus climate change.

- (a) The risk assessment should include for blockage of pipes, blockage of outlet structures and risk of impediments across planned flood routing paths. The application should be supported by a designer's risk assessment that identifies key points of failure of the system and what means have been engaged to limit risk of

failure. This will also inform the maintenance plan with regards to corrective actions needed should a failure occurs.

(b) Drainage Plan showing drainage layout, manholes including cover and invert levels, proposed finished floor levels, pipe sizes and gradients, all on -line controls, on and off line storage structures and outfall details. 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.

(c) Summary Drainage Report setting out the Drainage Strategy and results of the calculations demonstrating compliance with the above.

(d) Where third party agreements to connect to public sewers and to discharge flows are required, then written evidence of the agreements shall be provided (e.g. UU).

- 4 No tree felling or scrub clearance is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then, scrub and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

- 5 Pursuant to part J of condition 6 - Invasive Species

Cotoneaster is present on site within ornamental planting. Cotoneaster is listed on Schedule 9 of the Wildlife and Countryside Act and national Planning Policy Guidance applies. The applicant should submit details for eradication of the plant, prepared by a competent person, which includes the following information:

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

In this instance, due to the nature of cotoneaster, I advise a full Method Statement is not required. Instead, the above details can be provided within a CEMP and could include methods such as digging out, turning upside down on tarpaulin and leaving for an extended period before burying after the plant is confirmed as dead. It is imperative this is done outside of the fruiting period to ensure no contamination.

- 6 Please find attached consultation responses from Cadent Gas, United Utilities, The Coal Authority and Merseyside Fire Authority.

Appendix 1 – Site Photographs



































