

APPLICATION NO: 25/00464/FUL

APPLICANT: Indurent Management Ltd

WARD AFFECTED: NORTHWOOD

DEVELOPMENT:

DEMOLITION OF EXISTING BUILDINGS/STRUCTURES AND ERECTION OF INDUSTRIAL & LOGISTICS WAREHOUSE UNITS (USE CLASS B2 AND/ OR B8 AND/ OR E(G)(III)), WITH ANCILLARY OFFICES, INCLUDING PROVISION OF REVISED ACCESS ARRANGEMENTS FROM ALCHEMY WAY AND ALL ASSOCIATED WORKS OF LANDSCAPING, CAR PARKING AND SERVICING ARRANGEMENTS.

LOCATION OF SITE:

Land to the East of Moorgate Point, Alchemy Way, Knowsley Industrial Park, Kirkby, Knowsley

DEVELOPMENT PLAN ALLOCATION:

Local Plan Core Strategy Policy CS11 Principal Regeneration Area – Knowsley Industrial and Business Parks

Local Plan Core Strategy CS8 – Local Wildlife Site

Saved UDP Policy - EC3 Primarily Industrial Areas

SITE AND SURROUNDINGS:

The site measures circa 4.5 hectares in area and is located within Knowsley Business Park, east of Indurent's existing site (Moorgate Point) and lying immediately north of Alchemy Way. The site is surrounded by industrial development with a vacant undeveloped plot lying immediately due south/southwest and another lying due east. The undeveloped plot due south/southwest benefits from planning permission for E(G) (i) (ii) and (iii), B2 and B8 uses (reference 23/00456/FUL). The site has pylons running to the south of the site as well as a drainage ditch. The site can be accessed from Alchemy Way.

The site topography is predominantly flat with a landscaping bund to the southern boundary. Most of the site to the east consists of grassland and scattered shrubland which is a designated Local Wildlife Site in the Local Plan Core Strategy (known as Otis Meadow). To the west of the site is an area of hardstanding and a building. This part of the site is currently used as a haulage yard.

PROPOSAL

The application seeks planning permission for the erection of two industrial and logistics units (within use classes B8, B2 and E(G) (iii) comprising a total of 18,384 square metres together with parking, servicing, dedicated access and servicing. Access is proposed from Alchemy Way to the southeast corner of the site.

RELEVANT SITE HISTORY

01/00708/OUT Erection of 10,442sqm warehouse unit for B8 use together with associated car parking and HGV parking – granted (not implemented)

05/00126/REM Reserved matters in connection with the 01/00708/OUT outline permission – granted but not implemented

04/01163/OUT Outline planning application for the erection of an employment unit (B2/B8) Circulation of heavy goods vehicle and car parking and landscaping/habitat mitigation – refused but allowed on appeal with planning conditions.

The 04 permission was refused by the Council but granted on appeal (ref APP/V4305/A/05/1172135)

09/00045/OUT Outline permission with all matters reserved for the erection of 8,746sqm of industrial buildings (B1/B2/B8) – granted but not implemented

09/00090/COU Retention of use of land for a vehicle storage depot, use of building for office and staff facilities together with car parking provision - granted

16/00442/FUL Construction of a reserve power generating facility comprising of 8 no. generation units housed within individual container units together with associated fencing, CCTV and lighting – granted (not implemented)

ARTICLE 35 STATEMENT

Officers have worked with the applicant in a positive and proactive manner in order to seek solutions to the issues relevant to the proposed development, consistent with the requirement in the National Planning Policy Framework (NPPF), paragraph 38.

EQUALITIES ACT 2010

In determining this application, the Local Planning Authority has considered the requirements under S149 of the Equalities Act 2010.

Section 149 of the Act sets out a general duty that requires the council to have due regard to the need to:

- eliminate discrimination, harassment and victimisation;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

REPRESENTATIONS

The application was advertised by the display of several site notices, a notice in the local press and through letters sent to neighbouring properties. The application was advertised as a departure for precautionary reasons. No objections have been received.

CONSULTATIONS

Local Highway Authority (Knowsley Council) – No objections subject to the following conditions: highways construction management plan; off site highway improvement works; provision of access road; and a travel plan condition. An informative is also recommended.

Environmental Health (Knowsley Council) – No objections subject to the following conditions: construction environmental management plan; fixed plant noise; and contaminated land.

Public Health – No objections raised although it is noted that the provision of greenspace away from large vehicle movements would be beneficial for staff.

Planning Policy – No objections raised. However, consultation with MEAS is advised to establish if the proposal complies with Policy CS8.

LLFA – No objections subject to a surface water drainage condition and a SUDS management and maintenance condition.

Environmental Sustainability Service (landscape) - No objections raised. Design comments received to state that the units dominate the site and consideration needs to be given to sustainable drainage measures such as rain gardens and permeable paving. Recommendations have also been made about planting species and the methodology for the tree planting.

Fusion 21 – No objections. A financial contribution of £18,533 has been requested equating to 112 social weeks. Fusion 21 has confirmed the Social Value Strategy is acceptable.

National Grid- No response received.

Cadent Gas- No response received.

Natural England – No objection.

Merseyside Fire and Rescue – No objection. An informative is recommended referring the applicant to the comments raised.

Environment Agency – No comments to make

National Highways – No objection

HSE – No objection

United Utilities – UU have raised no objections subject to a condition relating to surface water being imposed. An informative is also recommended relating to additional comments/requirements not covered by the planning system.

Scottish Power Energy Networks – No objection subject to an informative being imposed.

8. POLICY CONTEXT

Paragraph 11 and 12 of the National Planning Policy Framework (NPPF 2024), an extract from which is set-out below, states that:

“Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole....”

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 usually 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.”

In this regard the Knowsley Local Plan: Core Strategy was adopted in January 2016, although certain saved policies of Knowsley Replacement Unitary Development Plan (UDP) remain operational as part of the Statutory Development Plan and are still given weight in reaching a decision. The Joint Merseyside and Halton Waste Local Plan was adopted in 2013 and is also part of the development plan.

The relevant adopted policies for the assessment of the application are listed below.

Knowsley Replacement Unitary Development Plan (Saved Policies, 2006)

EC3 Primarily industrial areas

DQ2 Security in the Built Environment
DQ4 Trees and Development
ENV2 Noise and Vibration
ENV3 Light Pollution
ENV5 Contaminated land
T5 Location of Major Traffic Generating New Development
T7 New development and walking and cycling routes
T8 Transport Assessment
T9 Travel Plans

Knowsley Local Plan Core Strategy (2016)

SD1- Sustainable development
CS1 – Spatial Strategy for Knowsley
CS2 - Development Principles
CS4 – Economy and Employment
CS7 - Transport Networks
CS8 – Green Infrastructure
CS11 – Principal Regeneration Area – Knowsley Industrial and Business Parks
CS19 - Design Quality and Accessibility in New Development
CS21 – Design Quality and Accessing New Development
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

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

9. ISSUES AND ASSESSMENT

Principle of the Development

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the development plan,

unless material considerations indicate otherwise. This is the test that legislation prescribes should be employed on planning decision making. The 'presumption in favour of sustainable development' at paragraph 11 of the NPPF means: "approving development proposals that accord with an up-to-date development plan without delay"

Site Allocation

The site lies within an allocated Principal Regeneration Area – Knowsley Industrial and Business Parks under policy CS11 which sets out that:

'Regeneration of Knowsley Industrial and Business Parks will be supported, which encourages a mix of new high quality employment development with a particular focus on the development of:

- b) Class B2 'General Industrial' and B8 'Storage and Distribution' uses north of South Boundary Road;
- c) Class B1 and B8 uses south of Boundary Road.

Policy EC3 of the Knowsley UDP identifies areas that are appropriate locations for business (Class B1), General Industry (B2) and Storage and Distribution (Class B8) uses. As the proposal is for employment uses (E(G) (iii), B2 and B8), the development is considered to align with Policy EC3 and policy CS11 of the Local Plan Core Strategy. On this basis, the proposal is considered to be acceptable in principle.

The delivery of significant employment floorspace as proposed within this application will also make a valuable contribution to the realisation of the potential of the land's allocation for employment development.

Economic Impacts of the Development

Local Plan Policy CS4 supports the sustainable economic growth of the Borough and improving the accessibility to an appropriate range of jobs by encouraging proposals for new employment development.

The applicant has submitted an Economic Benefits Assessment with their application. The applicant has confirmed that the proposal will result in the creation of approximately 150 jobs across the one year construction timeframe and directly create around 340 jobs on site during the operational phase with a further 130 indirect jobs envisaged to be created.

As such the proposal is considered to offer significant economic benefits for the borough, through both the construction and operational phases of the development. It is reasonable to assume that a number of these employees will be local residents and the applicant has provided estimates for local employment during the construction phase stating that around 50 of the 150 construction jobs will be local.

In accordance with the Supplementary Planning Document “Adding Social Value to Development”, the applicant has agreed to pay the social value contribution of £18,533 which will be used to support the promotion and delivery of local skills and training and local employment opportunities. The applicant has submitted a Draft Social Value Strategy with their application. The social value contribution and Strategy will be delivered via the applicant entering into a s106 agreement.

Subject to the above, the proposal is considered to comply with the ‘Adding Social Value to Development SPD and Policies CS2 and CS4 of the Local Plan Core Strategy.

Design and Layout

The layout and design of the proposal is considered to comply with the relevant local plan policies, including policies CS2, CS11 (Principal Regeneration Area – Knowsley Industrial and Business Parks) and CS19 (Development Quality and Accessibility in New Development) as well as the Design Quality in New Developments SPD. The relevant UDP policies including saved Policy DQ2 (Security in the Built Environment) require developments to incorporate measures to minimise the potential for anti-social behaviour. The scheme includes well designed spaces that minimise opportunities for anti-social behaviour including avoidance of unlit dwell spaces, inclusion of adequate lighting and secure fencing.

The proposal utilises a dark grey cladding with some colour variation to break up the building and add interest. The cladding includes horizontal and vertical cladding with grey horizontal cladding graduating into a lighter grey colour at the roof apex. Use of glazing breaks up some elevations of the building. Discussions were had about introducing a lighter grey cladding to the colour palette. However, this would be difficult to achieve as the colours align with the Indurent brand. It is not considered that the darker grey would offer grounds for refusal based on the character of the surrounding industrial area.

The proposal is considered to comply with Local Plan policies, including Policy CS2 (Development Principles), Policy CS11 (PRA – Knowsley Industrial and Business Parks), Policy CS19 (Development Quality and Accessibility in New Development) and the Design Quality in New Development SPD.

Proximity to pylons

The application site lies in close proximity to an overhead electric power line and pylon. Scottish Power Energy Networks (SPEN) have been consulted to establish if the proximity of the building is acceptable. The applicant has submitted a series of ‘swing and sag’ drawings demonstrating that sufficient safety distances can be maintained. SPEN has stated that they still require further information but do not wish to raise an objection to the proposal subject to the imposition of the following informative:

The development hereby permitted shall respect the clearance distances to the existing overhead line conductors as set out in Technical Specification 43-8 Issue 5 2019 Overhead Line Clearances and construction of the development shall adhere to standards for working around overhead lines as set out in: <https://www.hse.gov.uk/pubns/gs6.pdf>.

This informative approach is considered to be acceptable given the buildings are set approximately 20metres from the pylon's outer most conductor and SPEN are broadly happy in principle. The informative will ensure that the developer is made aware of SPEN's standards whilst also ensuring that planning does not try to protect private interests.

Noise and Amenity

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

It is noted that the site lies within an existing industrial estate. On this basis, an operational noise assessment was not required due to the location, siting of existing residents and having regard to the existing background noise levels prevalent in the industrial estate. Environmental Health has been consulted on the application and agrees with this approach. No objections have been received from Environmental Health subject to a number of planning conditions to protect amenity.

In relation to noise impacts during the construction/demolition period, it is inevitable that some limited disturbance will occur. To mitigate for these noise impacts during construction, a construction environmental management plan condition is recommended. The CEMP will require the developer to submit details relating to the location of any compound, details of any storage areas for plant and materials, methods for the mitigation of noise and vibration from building works including piling works and from the operation of any temporary power generation or pumping plant which will operate overnight and a limitation on the hours of site working during construction.

Other mitigation measures recommended by Environmental Health to mitigate the construction/demolition effects include details of any wheel washing facilities to control/prevent mud deposits on the highway, methods for dust control and suppression and details of any relevant pest control measures. Subject to these measures delivered through the CEMP, impacts during construction can be adequately mitigated to protect local amenity. Environmental Health has also recommended a fixed plant noise condition to protect the existing noise environment and the amenity of other businesses in the area.

In conclusion, the proposal would not be significantly detrimental to the amenity of the occupiers of local businesses or residents subject to the conditions referenced above. The proposal, subject to appropriate planning conditions, complies with the NPPF and Core Strategy policies SD1, CS2 and CS19 of the Knowsley Local Plan: Core Strategy.

Trees, landscaping and ESS comments

Saved Policy DQ4 of the Knowsley UDP seeks to ensure that new developments include adequate tree and landscape provisions, whilst also seeking the protection or replacement of trees affected by development. Policy CS21 of the Local Plan Core Strategy has the same aims and sets out the principles for mitigation where tree loss is unavoidable. This approach is supported by the Trees and Development SPD.

The applicant has submitted a Tree Survey and Arboricultural Impact Assessment in support of their application alongside various BNG documents, landscaping plans, tree pit details, a management and maintenance plan and a Biodiversity Impact Assessment. The Environmental Sustainability Service has reviewed the documents and raised no objections subject to conditions.

The Tree Survey identifies 1 category B tree (mature Oak), 2 category C trees (goat willow and sycamore) and a group of C trees (100+ group of young willow and silver birch) that are proposed for removal. Further tree works to 2 category C trees and one category C group of trees that require tree works to facilitate the development. Two groups of trees adjacent to the development boundary (within category U) have also been identified for works such as coppicing where they lean into the site and have been identified as having structural defects. The average stem size for the group of trees proposed for removal is 80mm which is 5mm above the usual key measurement for triggering inclusion in an arboricultural survey.

ESS has stated that the proposal has been designed to maximise the unit size and this results in the restriction of the size of the existing wildlife corridors between the units. The SUDS also need to be considered beyond the inclusion of attenuation basins to include rain gardens and permeable paving. However, given the clay soil content, use of rain gardens and permeable paving is not something that the LPA will insist on for this site, having regard to the infiltration testing information.

Tree planting within the scheme is still limited, although the tree planting has been increased from the pre-application proposal. However, the scheme does include adequate replacement tree planting (trees) and the landscaping scheme is considered to be acceptable subject to a condition securing the completion of the landscaping. In coming to this view regard has been given to the replacement tree planting sizes with extra heavy standard trees of 18-20cm girth also having been incorporated into the scheme.

ESS has raised concern that the tree pit detail will result in trees being planted in a nutrient poor environment. The tree pit should contain a tree backfilling

material that consists of a previously prepared mixture of free draining topsoil and an ameliorant/conditioner such as peat free compost at 7litres per pit and a mycorrhizal fungi including bio-additives. A 75mm bark mulch should also be spread over the tree pit at 1m diameter. This is recommended to be included as a condition with an informative offering further details relating to what the ameliorant/condition should contain.

The proposal is considered acceptable subject to the following conditions: a condition to secure the landscaping including a timetable for implementation; a condition to ensure tree pits include appropriate backfill materials and a 75mm layer of bark mulch over the tree pit area at 1m diameter; a condition to ensure 5 days notice is given prior to tree protection fencing being erected; a condition to ensure significant enhancement landscaping is maintained and managed for 30 years and a separate condition to cover the non-significant enhancement landscaping, that latter shall be in accordance within the submitted landscape management details; and a condition to ensure the tree protection fencing / working methods are carried out in accordance with the submitted Arboricultural Survey, Impact Assessment and Tree Protection Report. These conditions will ensure adequate protection of the trees is achieved alongside appropriate landscaping that has regard to securing longevity.

The details provided to date are sufficient for the proposal to comply with Saved Policy DQ4 of the Knowsley UDP and Policy CS21 of the Local Plan Core Strategy.

Highways

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

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, 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 applicant has submitted a Transport Assessment and additional supporting information. Both the Local Highway Authority (LHA) and National Highways (NH) were consulted with both raising no objections. The LHA have made comments which are addressed under the headings below:

Traffic Impact and Trip Generation

The TA demonstrates that the development is not expected to generate significant traffic volumes that would materially affect local junction performance or capacity. The trip generation methodology, based on a worst case B2 scenario is considered robust for local assessment purpose. The impacts of the development on surrounding road network in terms of capacity is considered acceptable.

Parking

Two layouts have been provided in connection with the proposal, one which aligns with the standards for a B8 use and one that incorporates higher levels of car parking which aligns with the proposed B2 use. The LHA has considered the parking layout and has confirmed that this is acceptable. In coming to this view regard has been given to the parking levels for a potential light industrial use E(G)(iii) and noting that the Ensuring a Choice of Travel SPD separates out B1 uses such as call centres, offices and research and development type uses. The applicant is only applying for the light industrial element of the use class order to offer flexibility for future occupiers and this excludes higher parking demand associated uses such as call centres. As such it is considered acceptable to apply the B2 parking standards here.

The proposal includes acceptable levels of parking in relation to parking space numbers, disabled parking spaces, motorcycle parking and the scheme includes a cycle store which can accommodate up to 48 cycles. It is recommended that a condition is imposed to secure the relevant parking layout dependent on the use class that is implemented for each building on the site.

In terms of EV charging points, the scheme includes these although the Ensuring a Choice Of Travel SPD does not require these. However, in the interests of reducing emissions, a condition to secure the provision of EVCP in line with the layout is recommended.

Access to Public Transport

There are several bus stops on the East Lancashire Road and the A5207 Moorgate Road. Services include the 14A, 19, 97, 217, 898 and 17A/X. Frequencies range from every 15 to 45 minutes with destinations including Kirkby, Huyton, Prescot, Liverpool and St Helens. It is considered that the site is within a sustainable accessible location and off-site highway works securing a safe accessible route to these bus stops from the development is secured by condition. The section below considers this in more detail.

RSA and Off site Highway Works

The applicant has submitted the Stage 1 RSA and the designer's response to the LHA. The RSA identifies an absence of dropped kerbs and tactile paving on Alchemy Way, deteriorated surfacing, vegetation obstruction of footway, a significantly wide bell mouth and significant risks with uncontrolled on street parking. The applicant has provided indicative plans showing proposed footway works and the extents of the TRO to be introduced at Alchemy Way.

The footway works facilitate safe pedestrian/cycle access to and from the site. The LHA has confirmed that the proposals shown in both drawings are acceptable in principle. Detailed design and delivery will be subject to technical approval under a future s278 Agreement.

The LHA has recommended that a TRO is implemented on Alchemy Way to prevent uncontrolled on street parking in the interests of highway safety. The LPA cannot condition the delivery of the TRO as the applicant has no control over delivery so it is recommended that the administrative costs of the TRO application are secured via a s106 agreement. The cost is £6,500. Any cost of works required by the developer would be dealt with via the s278 process.

An offsite highway works condition is recommended to secure the footway improvements in the interests of promoting safe and sustainable access to and from the site. The offsite highway works should incorporate details of any resurfacing or vegetation clearance, provision of tactile paving/dropped kerbs and any lighting or signage deemed necessary.

Subject to the developer committing to carry out the minor offsite highway works including crossing provisions, the development is considered to be acceptable in relation to highway safety and in terms of promoting walking and cycling. An off-site highway works condition along these principles is therefore advised to secure these improvements.

Travel Plan

The Interim Travel Plan submitted with the application is not considered to provide sufficient certainty around modal shift measurements, cycle parking strategy or how the development will support non car travel. As such a full travel plan condition is recommended. A travel plan monitoring contribution is also required in accordance with the Ensuring a Choice of Travel SPD and therefore a sum of £15,000 is required to be secured via a s106 agreement.

Safeguarding of Eastern Access

An internal arrangement plan has been submitted indicating a notional access point along the eastern corridor to serve a potential eastern development site. The LHA has considered that the access corridor is capable in principle of securing a future connection to the adjoining land but would be subject to further assessment.

The LHA has confirmed that the proposal does not appear to prejudice the option of a future access being provided to the east. Whilst the eastern access is indicatively shown, a planning application would need to consider this in more detail if required. Given there is no masterplan for the area, the eastern access may not be required as there are alternative options for accessing the potential development site to the east (including Faraday Road). As such the LPA considers that it cannot impose a condition to secure the eastern access road.

The plan show a gated access across the access road beyond the turning head. It is recommended that a condition is imposed to secure the turning head prior to first occupation and requiring no gates are installed to the south of / or preventing access to, the turning head. This will allow vehicles to be able to turn around if they need to without entering the gated access into the development, in the interests of highway safety.

Highway impacts during construction

The LHA has recommended a Highways construction management plan to mitigate impacts during construction and in the interests of highways safety.

Impact on the Strategic Road Network

National Highways reviewed the TA and the draft Travel Plan submitted with the application as well as the further requested information provide by Sweco. NH concluded that the potential impacts of the proposal on the Strategic Road Network at junction 4 of the M57 were acceptable. NH also offered standing advice in relation to the commitment to achieve net zero carbon status by 2050 advising that opportunities should be taken to promote walking, cycling and public transport in accordance with paragraphs 109 and 115 of the NPPF.

Conditions recommended by the LHA relating to submission of a Travel Plan, provision of cycle parking within the site, off site highway improvement works to promote safe walking and cycling routes between the site and the nearest bus stops and provision of EVCPs within the site all seek to promote alternative modes of transport other than the private car whilst contributing towards reducing greenhouse gas emissions.

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

Air Quality

Policy CS2 of the Local Plan Core Strategy seeks to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with the NPPF and the Government's Air Quality Strategy.

An Air Quality Assessment report has been submitted with the application and assessed by the Council's Environmental Health team. The Environmental Health Department has reviewed the applicant's Air Quality Assessment and confirmed agreement with the report findings.

The proposal will not have a significant impact on air quality in the area and subject to a number of conditions the proposal is capable of complying with policy CS2 of the Local Plan Core Strategy. It is recommended that a Travel

Plan condition is imposed to promote use of alternative modes of transport other than the private car. A construction environmental management plan condition is recommended to mitigate for dust pollution during construction and a condition to ensure the development includes EVCPs in line with the submitted layout is also recommended to reduce emissions and reduce air quality impacts.

Ecology

Policy CS8 of the Local Plan Core Strategy, at various points, aims to ensure that new development protects, maintains and enhances biodiversity, including the protection of designated sites, priority habitats and protected and endangered species in accordance with importance and contribution to ecological networks. The policy seeks to maintain and enhance Knowsley's existing green infrastructure and promote effective movement of wildlife through a network of green links. Policy CS8 states that new development involving the loss of green infrastructure should provide adequate mitigation and/or 'as a last resort', compensate for any loss, in circumstances where harm resulting from development is otherwise unavoidable. This is fully consistent with the aims of the NPPF.

The application is accompanied by a comprehensive ecological information including a biodiversity impact assessment, BNG metric, a PEA and soft landscaping plans. Natural England and Merseyside Environmental Advisory Service (MEAS) have been consulted in the determination of this planning application. Natural England has raised no objections to the proposal.

The application site contains Otis Meadow which was a former Site of Biological Importance which was designated for mosaic grassland habitat and scrub and included priority BAP habitat and 3 regionally important habitats supporting 109 rare plant species. The site is now a designated Local Wildlife Site (LWS).

The proposal would result in the complete loss of the LWS known as Otis Meadow. Local Plan Core Strategy policy CS8 seeks to protect, maintain and enhance biodiversity and only where any loss is unavoidable and adequately compensated for (as a last resort) would any development be considered acceptable.

The history of the site is a material planning consideration in this case. The Council refused a planning application which involved the loss of Otis Meadow back in 2004 (reference 04/01163/OUT). The reasons for refusal were that the 04 proposal would result in an adverse impact on a locally, ecologically important habitat and the compensatory mitigation measures were considered to be inadequate.

However, this decision was granted at appeal following the applicant entering into a cross party agreement and offering an adequate compensatory planting strategy which involved translocation of plant species off site. The inspector, within the appeal document, stated that the agreed mitigation works involving 'the translocation of plant species of significance to a receptor site within the

Borough, have been completed by an agreed specialist contractor.' The appellant funded the works at the time and financed the cost of the future maintenance. All parties agreed that the works amounted to adequate compensatory mitigation measures. As such, it is considered that the principal of the full loss of the LWS has been accepted, mitigated for and adequately funded and carried out in connection with the appeal decision.

MEAS has accepted that the mitigation was adequately dealt with and it is not considered that planning should be duplicating policy requirements as this would not meet the tests of reasonableness.

The applicant's BNG metric demonstrates that the development is unable to achieve a 10% net gain requirement on site. The metric confirms a loss of 11.26 habitat units and 0.94 watercourse units. Therefore mandatory 10% BNG is not currently achieved. There is a gain of 2.99 hedgerow units within the development. The applicant has submitted a landscape concept drawing and it is considered that together with the onsite landscaping, the BNG condition can be met through offsite options or statutory biodiversity credits (as a last resort). MEAS has confirmed that they accept the BNG information.

With the additional offsite compensation, it is considered that the development is therefore capable of delivering the required minimum 10% net gain in biodiversity post development. To satisfy the mandatory BNG condition, the applicant will need to provide the gain site reference number along with their Biodiversity Gain Plan, which shows that habitat units have been allocated to the development on the Natural England biodiversity gain sites register.

The development is subject to the mandatory pre-commencement biodiversity gain condition meaning the development cannot be begun until a biodiversity gain plan and associated documents (including landscaping plans, metrics, pre and post development landscaping details including baselines and the Habitat Management and Maintenance Plans) have been submitted to and approved in writing by the Local Planning Authority.

The applicant submitted landscape concept proposals with their application which indicated that the scheme will incorporate significant enhancements (more than 2 hectares of medium distinctiveness habitat). A Habitat Management and Maintenance Plan will be required to be submitted prior to commencement of development to cover a 30-year period to cover the significant enhancement habitat. This can be secured via condition, and it is recommended that the Natural England template is followed for the HMMP submission.

A monitoring contribution is also required to be delivered via s106 to fund the monitoring of the BNG provisions. For major schemes, monitoring of significant habitat enhancements requires a contribution of £10,926 which the applicant has agreed to.

A simple landscape management condition can secure management of the lower distinctiveness habitats, and the applicant has submitted a management

plan which is satisfactory for the management of the lower order habitat units (i.e. the non-significant elements of the landscaping). A condition is recommended to secure this which includes mitigation to cover any planting failures.

MEAS has also recommended that a condition is included that requires the applicant to inform the LPA once all habitat provision on site is completed as this triggers the start of the management and monitoring requirements in relation to the HMMP.

Subject to the above conditions and the applicant entering into a s106 to secure the BNG monitoring fee, the proposal is considered to accord with policies CS2 and CS8 of the Local Plan Core Strategy and the NPPF. The proposal is also considered capable of achieving 10% biodiversity net gain and the statutory condition applies as recommended above. As such the proposal is also capable of complying with the Environment Act 2021 subject to the net gain and HMMP conditions.

Flood Risk and Drainage

Policies CS2 and CS24 of the Local Plan Core Strategy combine to ensure that development will not cause an unacceptable risk of flooding and that surface water is drained in a safe and sustainable manner. The applicant has submitted a Flood Risk Assessment which states that the site lies within flood zone 1 and the site is not identified as being at risk of flooding from rivers, the sea, fluvial or tidal flooding. The site is also unlikely to suffer with groundwater flooding.

The FRA identifies that the surface water flood map shows small concentrated areas of flooding to the north of the site (1 in 30 year event) and the 1 in 100 surface water flood map identifies small concentrated areas of flooding to the north and southeast of the site as well as a linear patch running along the western boundary.

The 1 in 1000 surface water flood map shows extensive flooding along the south of the site continuing into the southeast. Scattered patches are also present in the northeast and the area beyond the western boundary. The site also lies in a Critical Drainage Area as identified within the SFRA Level 2. This means that stricter surface water control measures are required to ensure runoff is appropriately managed.

The applicant's FRA states that given the limited infiltration potential and absence of nearby appropriate watercourses, the most viable option for surface water disposal is to discharge into the existing surface water sewer network within the site. The drainage scheme includes a SUDS pond and discharge rates of 10.8 l/s have been agreed with the LLFA and UU. UU have raised no objections subject to a surface water condition which requires the applicant to implement the drainage strategy in accordance with the principles set out in their submission. Approval from UU will be required to discharge into their sewer although this is agreed in principle. The LLFA has asked for further detail

relating to the design, capacity and mitigation measures relating to the drainage design and the SUDS. Attenuation in the form of cellular storage crates is proposed to manage surface water flow with a 45% allowance for climate change.

UU, the EA and the LLFA have been consulted. The EA did not wish to comment on the application. The LLFA has raised no objections subject to a surface water drainage condition and a management and maintenance condition. UU have requested a surface water drainage condition as well and the combined LLFA and UU surface water drainage condition wording has been agreed by both parties.

The inclusion of SUDS ponds and permeable paving (with an impermeable liner within the parking areas) will help manage water quality and reduce flow rates in line with requirements for Critical Drainage Areas and for developments in flood zone 1. The plan below shows surface water flooding for 1 in 30 year events.



As the site has some small, concentrated areas of surface water flooding, regard has been given as to whether the sequential test is necessary. Given the location of the site and its allocation for industrial and logistics/storage uses within the Local Plan Core Strategy and having regard to the very limited areas identified as being at risk of surface water flooding, with areas of flooding lying predominantly within landscaped areas, it is considered that the sequential test is not necessary. In coming to this view, the FRA has been considered and the LLFA are satisfied that the development and its associated drainage strategy will not create flooding elsewhere, there have been no significant changes to known levels of flood risk to the site now and in the future and

the FRA demonstrates that the development can be built and occupied safely. A condition is recommended to ensure the site is developed in accordance with the recommendations in the FRA. It is noted that the exception test is not invoked.

Subject to the above conditions, it is considered that the proposal will not result in increased flooding within the site or its vicinity and the development is considered to comply with Policies CS2 and CS24 of the Knowsley Local Plan Core Strategy and the NPPF.

Ground Conditions/Contaminated Land

Saved Policy ENV5 of the Knowsley UDP seeks to ensure that development does not occur on contaminated sites that could place future occupiers at risk from contaminants within the ground. The applicant has submitted Phase 1 Geo-Environmental Assessment report desk study and a Phase 2 Geo-Environmental Assessment report and desk study. To avoid a pre-commencement condition, further reports and sampling has been submitted to the LPA and Environmental Health has confirmed that they are prepared to accept a contaminated land condition that avoids a pre-commencement trigger to apply to the whole site, whilst allowing further information to be submitted relating to the fuel tank area. This is to allow the developer to commence works on the site as soon as possible.

Environmental Health has raised no objections to the proposal subject to a contaminated land condition being imposed which will require submission of a risk assessment and remediation scheme relating to the fuel tank area (prior to commencement in this area of the site), implementation of the approved remediation scheme and submission of a verification report, reporting of unexpected contamination, submission of a materials management plan and the submission of a testing methodology for the importation of soil/materials. The Environment Agency has also been consulted and raised no comments on the application.

The submitted information is acceptable subject to conditions and, therefore, the proposed development complies with the NPPF, UDP policy ENV5 and core strategy policies SD1, CS1, CS2 and CS19.

Impacts on Heritage Assets

The NPPF and Policy CS20 of the Local Plan Core Strategy seeks to preserve or enhance the borough's historic and architectural assets including listed buildings, Conservation areas, non-designated heritage assets, historic parks and gardens and archaeological remains.

There are no heritage assets recorded on the Merseyside Historic Environment Record in or within the vicinity of the proposed development. On this basis, the proposal is considered to have negligible archaeological potential, and archaeology does not need to be considered further. Additionally, the proposal is considered to have no impact on designated or non-designated heritage

assets and as such, the proposal complies with policies CS2 and CS20 of the Local Plan Core Strategy and the NPPF.

Sustainability and Waste

The proposal is a major development likely to involve excavation, demolition and construction activities that are likely to generate moderate to significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal.

In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved should be submitted for approval by the local planning authority. This can be secured as part of the Construction Environmental Management Plan condition.

The applicant has provided sufficient information in The Ancillary Building Details relating to the waste management facilities for both units to comply with policy WM9 (Sustainable Waste Management Design and Layout for New Development) of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8). A condition is recommended to secure sustainable waste management facilities within the proposed development to comply with policy WM9 of the Waste Local Plan.

Low Carbon Development

The applicant has submitted an Energy and Sustainability Strategy which details the measures that have been considered and subsequently chosen to minimise the proposed buildings energy demand. This is to be based on the energy hierarchy seeking a fabric first approach along with the use of LZC including Air Source Heat Pumps and PV Panels. The aim is to achieve a BREEAM rating of 'Excellent'.

The Proposed Roof Layouts (Drawing Refs: 2250-UMC-K072-RF-DR-A-1003 and 2250-UMC-K135-RF-DR-A-1003 both show the indicative location of the proposed PV arrays. The information submitted is deemed sufficient to meet the requirements of Local Plan policies including Policy CS22 (Sustainable and Low Carbon Developments). The Energy and Sustainability Strategy is recommended to be included as an approved document in the approved plans condition.

Developer Contributions and Viability

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is necessary for planning applications with legal agreements to consider whether the requirements within the S106 are:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fair and reasonably related in scale and kind to the development.

It is considered that the contributions required as part of this application are justified and meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development.

As set out previously in the report the TRO contribution, BNG monitoring fee, the social value contribution and the Travel Plan monitoring contribution are all considered to be fully compliant with the NPPF, the CIL Regulations, Policy CS27 of the Local Plan Core Strategy and the Developer Contributions SPD.

ADDITIONAL

Based on the forward planning mapping system, a line search was conducted which did not flag the presence of any gas pipelines within the site. The developer was also asked to confirm if the site was affected by gas pipelines. As planning should not seek to protect private property rights and the developer will need to carry out due diligence before developing the site, it is considered that no further investigation is required in this regard.

CONCLUSION & PLANNING BALANCE

The proposal would secure a high-quality employment development on one of the Council's allocated employment sites and make a valuable contribution towards meeting the borough's development needs.

The proposal is considered to be policy compliant and adequate compensatory/mitigatory measures can be achieved to offset the loss of the Local Wildlife site. It is considered that the associated harm resulting from the development, on ecology, is unavoidable. The scheme is therefore capable of complying with policy CS8. In coming to this view regard is had to the fact that the scheme complies with policy CS11 and the site's allocation.

The environmental and social impacts of the scheme can be appropriately mitigated via planning conditions and s106 contributions and the scheme demonstrates strong economic benefits in relation to employment provision and employment land supply. The proposal is considered to have acceptable impacts on highway safety, amenity impacts, environmental impacts, impacts on ecology and trees, flood risk and the design of the proposal is considered to be in keeping with the character of the area.

The proposed development complies with the development plan, so is in accordance with Paragraph 11 of the NPPF, and it should be approved without

delay. There are no material considerations which would require a determination other than in accordance with the development plan. Rather, the material considerations further support the grant of permission, subject to conditions and a Section 106 agreement.

11. RECOMMENDATION

Grant subject to the conditions set out below and the applicant entering into a s106 agreement to secure the contributions described above.

SCHEDULE OF CONDITIONS

- 1) The development granted full planning permission 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) Contaminated Land

A. Investigation and Remediation of the Fuel Tank Area

Following the removal of the fuel tank and prior to development commencing in this specific area, an assessment of the risks posed by any contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with authoritative guidance (CLR 11), and shall assess any contamination on the site, whether or not it originates on the site. Should contamination be identified then no development (excluding demolition and site clearance) 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.

B. Implementation of Approved Remediation Scheme for the Fuel Tank Area

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 - applicable to the whole site

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 - applicable to the whole site

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. Soil/Material - applicable to the whole site

No soil is to be imported/reused on 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 reused. 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 (where relevant). The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: To ensure contamination is appropriately identified and a strategy is in place before works commence on the site, to prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers and the general public.

- 4) Noise from fixed building services plant 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, with reference to BS 4142:2014+A1:2019, Methods for rating and assessing industrial and commercial sound. Any tonal, impulsive and/or irregular noise shall 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 residential property, or similar noise sensitive property.

Reason: To safeguard the amenity of nearby occupiers from noise and disturbance.

5) No part of the development hereby permitted shall be commenced until a Construction / Demolition Environmental Management Plan has been submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction / demolition effects. This shall include but not be limited to the following:

- (i) The site working hours (standard hours are 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority);**
- (ii) Methods for the mitigation of noise and vibration from building works, including but not limited to piling works, and from the operation of any temporary power generation or pumping plant which will operate overnight;**
- (iii) Methods for dust control and suppression;**
- (iv) Details of wheel washing facilities including location and type to avoid mud/debris or other materials on the highway;**
- (v) Traffic management measures and delivery time restrictions to avoid peak hours;**
- (vi) Location and layout of site compound including areas for loading and unloading of materials, areas for planting and materials storage and contractor parking areas;**
- (vii) Details of relevant pest control measures that will be in place, or will be put in place, should evidence of pests become apparent during the construction / demolition works;**
- (viii) Construction vehicle access arrangements and routing strategy;**
- (ix) Phasing and programme of works;**
- (x) Waste audit/waste management plan.**

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

Reason: To ensure satisfactory development of the site, to minimise the main environmental effects during the construction phase of the development, to ensure that appropriate measures are put in place in the interests of the amenity of neighbouring occupiers, to prevent pollution of the environment, to protect and promote biodiversity, to minimise disruption during construction and in the interests of highway safety.

- 6) Prior to first occupation, full details of the off-site pedestrian and cycle access improvements shall be submitted to and approved in writing by the Local Planning Authority.**

The submission shall include:

- O Detailed layouts of the footway / shared pedestrian-cycle route on Alchemy Way, north of Platinum Court.**
- O Dropped kerbs and tactile paving at all identified desire lines.**
- O Safe and inclusive crossing arrangements at the existing bellmouth to the north-west of Alchemy Way.**
- O Measures to remove or mitigate vegetation encroachment affecting the usable width of the footway.**
- O An assessment of existing carriageway and footway surfacing within the extents of the works, including confirmation of whether resurfacing is required to ensure safe and durable tie-in with new works.**
- O Details confirming that existing street lighting levels have been assessed and are compliant with current standards, or identifying any mitigation required.**
- O Drainage details demonstrating that surface water will be appropriately managed and will not result in standing water or trip hazards, having regard to the Stage 1 Road Safety Audit; and**
- O Wayfinding signage where appropriate, in accordance with the recommendations of RSA1.**

Where it is proposed to retain existing infrastructure, the submission shall demonstrate that it is fit for purpose and compliant with current standards.

The approved works shall be implemented in full prior to first occupation of the development.

Reason: To ensure that safe, inclusive and well-designed pedestrian and cycle facilities are delivered, that identified road safety issues are appropriately addressed, and that the development provides safe and suitable access for all users.

- 7) The turning head to the east part of the site shall be constructed, made fully accessible for vehicles and made available for use in perpetuity prior to first occupation and there shall be no gates erected on the access road to the south of, or in front of, any part of the turning head and its access.**

No unit shall be occupied until the access road is completed to final surface course level, including associated footways, drainage, lighting and signage.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of highway safety and amenity.

- 8) Prior to first occupation of the development, a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be prepared in accordance with current national guidance and the Knowsley Council Travel Plan Supplementary Planning Document, and shall be tailored to the final use and operational characteristics of the site, whether occupied for B2, E(G) (iii) or B8 purposes.

The Travel Plan shall include, as a minimum:

- O A baseline travel survey of staff travel patterns following occupation.
- O SMART and time-bound modal shift targets appropriate to the scale and nature of the use.
- O Details of cycle parking provision and electric vehicle infrastructure, including management and promotion measures.
- O A package of measures to reduce reliance on single-occupancy car journeys, proportionate to the operation of the site.
- O Identification of a named Travel Plan Coordinator responsible for implementation and monitoring; and
- O A monitoring and reporting programme to the Local Planning Authority for a minimum period of five years from first occupation.

Where monitoring demonstrates that agreed targets are not being met, the Travel Plan shall be reviewed and updated to include additional or amended measures, which shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details.

Reason: To promote sustainable travel choices, reduce reliance on private car travel, and ensure the development provides safe, efficient and accessible transport options.

- 9) The development shall not be brought into the specified use until the approved parking and vehicular manoeuvring layout for the intended use class have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown. The Electric Vehicle Charging Points for each unit to which they relate shall be provided prior to that unit being brought into first use. For the avoidance of doubt, a unit falling within use class B2 or E(G) (iii) shall incorporate the respective parking layout for that unit in accordance with drawing 22520-UMC-ZZZ-SI-DR-A-0611 REV P08 entitled 'Proposed Site Plan - Alternative Layout for B2 Parking Standards'. For any unit falling within use class B8, the parking shall be laid out in accordance with plan reference 22520-UMC-ZZZ-SI-DR-A-0601 REV P13 entitled 'Proposed Site Plan' for that respective unit. The hard surfacing of the development shall be carried out in accordance with plan reference 22520-UMC-ZZZ-SI-DR-A-0701 REV P06 entitled 'External Finishes' prior to the development hereby permitted being brought into first use.

Reason: In the interests of highway and pedestrian safety and to promote low carbon developments.

10) Prior to each respective unit being brought into use, the cycle parking shown on plan references for that unit 22520-UMC-K135-SI-DR-A-0704 REV P04 entitled 'Cycle Storage Details Unit K135' and 22520-UMC-K072-SI-DR-A-0704 REV P03 entitled 'Cycle Storage Details Unit K72' shall be constructed and made available for use.

Reason: To ensure that adequate provision is made for parking cycles securely.

11) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the premises to which this permission relates shall only be used for either Use Classes B2, B8 or E(g) (iii) with ancillary offices and for no other purpose, including any other use falling within Class E of 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, in the interests of highway safety and to protect and promote the vitality and viability of town centres.

12) Subject to the use class of each building hereby permitted, the approved tree planting, shown on the approved plan references XXX-BCA-ELS-00-DR-L-2465-25-01 S5 REV 07 for B8 uses and plan reference XXX-BCA-ELS-00-DR-L-2465-25-08 S5 REV 03 for B2/E(G) (iii) uses (or such other plan that has been submitted to and approved in writing prior to above ground works) shall be implemented and completed in accordance with the approved details and in accordance with a timetable for implementation that has been submitted to and approved in writing by the Local Planning Authority in accordance with the requirement set out in condition 16.

The trees shall be planted in tree pit details as shown on plan references XXX-BCA-ELS-XX-DR-L-2465-25-04-D2 REV 03 (Typical Tree Pit construction within soft landscape); XXX-BCA-ELS-XX-DR-L-2465-25-06-D2 REV 03 (Tree Pit Detail - single staking to heavy standard trees); and XXX-BCA-ELS-XX-DR-L-2465-25-05-D2 REV 03), unless such alternative details are submitted to and approved in writing by the Local Planning Authority prior to any tree planting. Where the plan refers to the '450mm depth free draining subsoil (not clay)', and notwithstanding the tree pit plan, this zone shall consist of a previously prepared mixture of free draining topsoil and an Ameliorant / Conditioner, such as a Peat free compost at 7 Ltrs / pit and a UK origin mycorrhizal fungi including bio-additives, where the Mycorrhizal fungi component contains spores, mycelium, dried plant root containing mycelium and attapulgitic clay,

colonised by mycelium. For the avoidance of doubt, the product should not contain fertilisers and the additives should be proven to enhance mycorrhizal colonisation. A 75mm bark mulch shall be spread over the tree pit at 1m diameter. If any variation to the tree pit details is approved in writing by the LPA prior to the tree planting, then any tree planting shall be carried out in accordance with the updated approved details.

Any trees or shrubs planted or retained in accordance with the approved landscaping 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.

The non-significant enhancement landscaped areas shall be managed and maintained in accordance with the Soft Landscape Works Maintenance and Management Proposals (reference 2465/25/RP02E) dated 4.08.25 by BCA Design.

Reason: In the interests of biodiversity and to ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and to ensure the longevity of the trees being planted within the site.

13) A least five working days written notice, prior to the commencement of development, shall be given to the Local Planning Authority of the intention to commence development.

The development shall be carried out in accordance with the recommendations and tree protection measures set out in the Arboricultural Survey, Impact Assessment and Tree Protection Report dated 9.7.25 and revised on 29.7.25.

Reason: To promote biodiversity and protect existing trees.

14) The drainage for the development hereby approved shall be carried out in accordance with the principles set out in the submitted Foul and Surface Water Drainage Design drawing 22520-HSP-00-XX-DR-C-2000 REV P09 dated 15.1.26 which was prepared by HSP Consulting. For the avoidance of doubt, water must drain at the restricted rate of 10.8 l/s. Prior to any above ground works (and excluding any demolition / site clearance, full technical details of all SUDS features, hydraulic devices, outfalls and attenuation storage (including longitudinal and cross sectional profiles) shall be submitted to and approved in writing by the Local Planning Authority. Prior to any above ground works (excluding demolition / site clearance) evidence that exceedance flows and runoff in excess of design criteria, calculations and associated plans shall be submitted to the Local Planning Authority to show where above ground flooding might occur and where this would pool and flow. Where there is possibility of water ponding, the maximum extent and depth of flooded

water shall be required to ensure that there would be sufficient resilience flood mitigation measures in place. If the design criterion is an event with the 1 in 100 years likelihood including 45% as the impact of climate change, then exceedance flows and runoff in excess of such an event must be considered. Full details of these mitigation measures and design criterion relating to climate change shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works (excluding demolition and site clearance).

Prior to occupation of the proposed development, the drainage scheme (and the associated mitigation measures identified) shall then be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Note: The SUDS scheme shall be based on the principles of the SUDS Manual (C753) (June 2025) and the criteria as set out within Knowsley Strategic Flood Risk Assessment (SFRA, Level 2)

Reason: To ensure the site can be sustainably drained without increasing flooding on or adjacent to the site, to ensure a satisfactory form of development and to prevent an undue increase in surface water run-off reducing the risk of flooding.

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

This shall include:

- (i) The arrangements for adoption by an appropriate public body or statutory undertaker or details of provision for management and maintenance by a management company;**
- (ii) A schedule for on-going inspections relating to performance and condition;**
- (iii) Details for planned maintenance and a mechanism for remedial and urgent repair works; and**
- (iv) Means of access for inspection and maintenance purposes;**

The Management and Maintenance Plan shall be implemented in accordance with the approved details and within the timeframes contained within it.

Reason: To ensure effectiveness of the flood risk measures during the lifetime of the development.

16) No development approved by this permission shall commence until a Biodiversity Gain Plan for delivery and monitoring of Biodiversity Net

Gain, completed statutory Biodiversity Metric, baseline habitat map, landscape plan and Habitat Management and Maintenance Plan have been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Gain Plan shall be prepared in accordance with the BNG Metric (received 22.12.25) or such updated metric that has been submitted to and approved in writing by the LPA prior to commencement of development, and any relevant national guidance in place. The Biodiversity Gain Plan and Metric shall be implemented broadly in accordance with the Landscape Concept Proposal Plan (reference XXX-BCA-ELS-00-DR-L-2465-25-01-S5 REV 09) and the Landscape Concept Proposal - B2/E(G) (III) Parking Layout (reference XXX-BCA-ELS-00-DR-L-2465-25-08-S5 REV04) (or such updated iteration that has been submitted to and approved in writing by the LPA prior to commencement of development) and all medium distinctiveness significant enhancement habitats and measures shall be retained and maintained thereafter for a period of 30 years. Provision of the gain site reference number and demonstration that the habitat units have been allocated to the development on the Natural England biodiversity sites register, or proof of purchase of any statutory credits (that are used to achieve mandatory 10% BNG) shall also be submitted to the Local Planning Authority prior to commencement of the development hereby permitted. Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved Habitat Management and Monitoring Plan.

A timetable for the implementation of all soft landscaping shall be submitted to the Local Planning Authority prior to first occupation and the soft landscaping shall then be delivered in accordance with the approved implementation timetable.

Reason: To protect and enhance biodiversity and to comply with the Environment Act 2021.

17) (i) Prior to commencement of development, a Habitat Management and Monitoring Plan (the HMMP) shall be prepared in accordance with the approved BNG metric and the finalised Biodiversity Gain Plan (and submitted alongside the Biodiversity Gain Plan). These documents shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The submission must include:

- o A non-technical summary;
- o Overview of legal agreement, funding and project;
- o Roles and responsibilities for implementation of the HMMP (habitat works, management, monitoring);
- o Description and evaluation of features to be managed (including protection of those being retained);
- o The aims and objectives of management including target condition criteria and details of the relevant habitats, in line with the approved BNG metric and Biodiversity Gain Plan;

- o Appropriate management prescriptions for achieving aims and objectives, including over the period of 30 years, in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of habitat works;
- o Preparation of a work schedule (including any adaptive management);
- o The monitoring methodology and frequency in respect of the created or enhanced medium distinctiveness habitat to be submitted to the Local Planning Authority.

These monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

(ii) The applicant must inform the Local Planning Authority when the initial habitat works have been completed. This is the beginning of the monitoring period (30 years) and is essential information for the Local Planning Authority. For the avoidance of doubt, this shall align with the soft landscaping timetable for implementation.

Reason: To protect and enhance biodiversity and to comply with the Environment Act 2021.

18) The development shall be constructed in accordance with the levels shown on the 'General Arrangement' Plan drawing no. 22520-HSP-00-XX-DR-C-2000 Rev P08 unless such alternative plan is submitted to and approved in writing prior to the commencement of any above ground works (excluding demolition). The development shall be carried out in accordance with the approved levels details.

Reason: In the interests of visual amenity.

19) The waste management facilities shall be provided and made available for use prior to first occupation as set out in drawings 22520-UMC-SI-DR-A-0703 REV P03 (Ancillary Building Details Unit K135) and 22520-UMC-K072-SI-DR-A-0703 REV P02 (Ancillary Building Details Unit K72).

Reason: To ensure appropriate waste management facilities are incorporated into the layout to promote sustainable development.

20) Prior to the erection of the gatehouse , full elevation details shall be submitted to and approved in writing by the local planning authority. The gatehouse shall then be constructed in accordance with the approved details.

Reason: In the interests of visual amenity.

21) The development shall be carried out in accordance with the recommendations within the Flood Risk Assessment (reference HSP2025-C4884-C&S-FRAS1-3331) dated August 2025 and any mitigation measures shall be in place prior to each unit being brought into first use.

Reason: To ensure appropriate flood mitigation measures are in place.

22) Prior to any open storage of materials, goods, equipment or machinery, full details of the areas for storage, heights of any storage and any screening of the storage area, shall be submitted to and approved in writing by the Local Planning Authority. Open storage of materials, goods, equipment or machinery within the site shall then only take place in strict accordance with the approved open storage details.

Reason: In the interests of visual amenity.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
24/11/2025	22520-UMC-K135-SI-DR-A-0704	REV P04	CYCLE STORAGE DETAILS UNIT K135
23/07/2025	22520-UMC-K072-SI-DR-A-0704	REV P03	CYCLE STORAGE DETAILS UNIT K72
30/07/2025	22520-UMC-K072-EL-DR-A-1301	REV P02	UNIT K72 BUILDING ELEVATIONS
19/06/2025	22520-UMC-K072-ZZ-DR-A-1101	REV P01	UNIT K72 BUILDING SECTION
19/06/2025	22520-UMC-K072-ZZ-DR-A-1002	REV P01	UNIT K072 OFFICE LAYOUT
23/07/2025	22520-UMC-K072-SI-DR-A-0703	REV P02	ANCILLARY BUILDING DETAILS UNIT K72
24/07/2025	22520-UMC-K072-RF-	REV P03	UNIT K72 ROOF LAYOUT

	DR-A-1003		
19/06/2025	225 20-UMC-K072-00-DR-A-1001	REV P01	UNIT K72 BUILDING LAYOUT
07/08/2025	25078-MBA-K72-ZZ-M3-EN-1700; 25078-MBA-K135-ZZ-M3-EN-1700	P1	Energy and Sustainability Strategy undertaken by MBA
24/11/2025	22520-UMC-K135-SI-DR-A-0702	REV P03	EXTERNAL FENCING AND PROTECTION UNIT K135
24/11/2025	22520-UMC-K135-SI-DR-A-0704	REV P04	CYCLE STORAGE DETAILS UNIT K135
22/12/2025	22520-UMC-ZZZZ-SI-DR-A-0702	REV P06	EXTERNAL FENCING AND PROTECTION SITE LAYOUT
24/11/2025	22520-UMC-K135-SI-DR-A-0703	REV P03	ANCILLARY BUILDING DETAILS UNIT K135
22/12/2025	XX X-BCA-ELS-00-DR-L-2465-25-08 S5	REV 04	LANDSCAPE CONCEPT PROPOSAL - B2 PARKING LAYOUT (ALSO INC E(G) (iii) USES)
22/12/2025	XXX-BCA-ELS-00-DR-L-2465-25-01 S5	REV 09	LANDSCAPE CONCEPT PROPOSAL (B8 USES)

22/12/2025	2465-25-RP02G	-	Soft Landscape Works Maintenance and Management Proposals - 10 years - dated 4.8.25
22/12/2025	22520-UMC-ZZZZ-SI-DR-A-0701	REV P08	EXTERNAL FINISHES
22/12/2025	2465-25-RP01G	-	Landscape Design Statement dated 4.8.25 (Note - this is applicable to the updated landscape concept drawings listed in this schedule)
20/08/2025	22520-HSP-00-XX-DR-C-2001	REV P03	Surfacing and Kerbing Layout
24/07/2025	22520-UMC-ZZZZ-SI-DR-A-0503	REV P03	SITE LOCATION PLAN
27/02/2025	22520-HSP-00-DR-C-2000	REV P08	GENERAL ARRANGEMENT
22/12/2025	22520-UMC-ZZZZ-SI-DR-A-0601	REV P13	PROPOSED SITE PLAN (PARKING LAYOUT FOR B8 USES)
01/08/2025	P2	-	External Lighting Assessment Report
09/07/2025	22520-UMC-ZZZZ-SI-DR-A-0602	REV P01	PROPOSED DEMOLITION PLAN
30/07/2025	22520-UMC-K135-EL-DR-A-1301	REV P02	UNIT K135 - BUILDING ELEVATIONS
30/07/2025	22520-UMC-K135-00-DR-A-1001	REV P03	UNIT K135 BUILDING LAYOUT
26/06/2025	22520-UMC-K135-ZZ-	REV P02	UNIT K135 OFFICE LAYOUT

	DR-A-1002		
24/07/2025	22520-UMC-K135-RF-DR-A-1003	REV P03	UNIT K135 ROOF LAYOUT
26/11/2025	XXX-BCA-ELS-XX-DR-L-2465-25-04-D2	REV P03	TYPICAL TREE PIT CONSTRUCTION WITHIN SOFT LANDSCAPE
29/07/2025	-	-	BS5837 ARBORICULTURAL SURVEY, IMPACT ASSESSMENT AND TREE PROTECTION BY LOWTHER
22/12/2025	22520-UMC-ZZZZ-SI-DR-A-0611	P08	PROPOSED SITE PLAN - ALTERNATIVE LAYOUT FOR B2 PARKING STANDARDS (ALSO INCLUDES E(G)(III) USES)
24/11/2025	22520-UMC-K135-SI-DR-A-0702	REV 03	EXTERNAL FENCING AND PROTECTION UNIT K135
23/07/2025	22520-UMC-K072-SI-DR-A-0702	REV P02	EXTERNAL FENCING AND PROTECTION
26/11/2025	XXX-BCA-ELS-XX-DR-L-2465-25-06-D2	REV 03	TREE PIT DETAIL - SINGLE STAKING TO HEAVY STANDARD TREES
26/11/2025	XXX-BCA-ELS-XX-DR-L-2465-25-05-D2	REV 03	TREE PIT DETAIL - DOUBLE STAKING TO EXTRA HEAVY STANDARD TREES
05/01/2025	22520-HSP-00-XX-DR-C-2000	REV P09	GENERAL ARRANGEMENT (DRAINAGE)
07/08/2025	HSP2025-C4884-C&S-	REV B	FLOOD RISK ASSESSMENT (AUGUST 2025)

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Informatives

1 BIODIVERSITY NET GAIN (BNG) APPLICATION SUBJECT TO GAIN CONDITION:

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in the appendix to this notice.

Based on the information available, this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan would be Knowsley Metropolitan Borough Council.

BNG Appendix

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1.The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990; and

- (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
- (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to

use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;**
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and**
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).**

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

*** "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.**

NOTE: The HMMP submitted to discharge condition 17 and the Landscape Plans submitted with conditions 12 and 16 shall be provided alongside the Gain Plan to discharge the Biodiversity Gain Plan condition.

2 HIGHWAYS INFORMATIVES

Works within the Highway

Any works within the publicly adopted highway require separate consent under the Highways Act 1980. This includes any works associated with access construction, drainage connections, street lighting, signage, lining or other modifications. Consent must be obtained prior to commencement. Early engagement with the Highway Authority is strongly recommended to avoid delays.

**Contact: Knowsley's Highways Team -
HighwaysEnquiries@knowsley.gov.uk**

Section 278 / 38 Agreements

Approval of this planning application does not grant consent for works under Sections 38 or 278 of the Highways Act. A technical submission will be required, followed by a legal agreement. The developer is responsible for all design, inspection, legal and administration costs

associated with the agreement. The extent of any locally required resurfacing or tie-in works will be established through the Section 278 technical approval process.

Contact: Knowsley's Highways Site Development Team -
SiteDevelopment@knowsley.gov.uk

Traffic Regulation Orders (TROs)

The implementation of waiting restrictions or other Traffic Regulation Orders is subject to a separate statutory process. TROs cannot be guaranteed and may be subject to objection. The developer must submit an indicative plan showing extents and signage/lining requirements, fund the full cost of the TRO via Section 106, and formally request that the Highway Authority commence the TRO process. The Highway Authority will determine the timing and progression of the TRO.

Contact: Knowsley's Highways Network Management Team -
Network.Management@knowsley.gov.uk

Travel Plan Monitoring Fee

A Travel Plan Monitoring Fee is payable to cover the Council's costs associated with annual monitoring and review. This will be secured via the Section 106 Agreement.

Streetworks Permits and Coordination

All works affecting or adjoining the public highway—including utilities connections, excavations, or temporary traffic management—must be coordinated with the Council's Streetworks (NRSWA) Team. The developer must obtain all necessary permits and approvals to ensure highway safety and avoid clashes with planned maintenance or utility programmes.

Contact: Knowsley's NRSWA Team -
NRSWA.TeamDRES@knowsley.gov.uk

Highway Condition Survey

A pre commencement and post completion highway condition survey of Alchemy Way (from the site access to the A580) will be required. Any deterioration attributable to construction traffic must be repaired by the developer at their cost. This includes carriageway, footways, verges, drainage features, ironwork, markings, and signage.

Contact: Knowsley's Highways Site Development Team -
SiteDevelopment@knowsley.gov.uk

Site Cleanliness and Highway Protection

The developer is reminded of their obligations under Sections 131, 148 and 149 of the Highways Act 1980. It is an offence to deposit mud, debris, materials, or other substances on the highway, or to damage the road surface. Adequate wheel washing, containment and housekeeping measures must be in place throughout construction. The Council reserves the right to recover costs for cleansing or repairs.

Future Eastern Access

The indicative eastern access corridor shown on the submitted information does not form part of this permission. Any future connection to the adjoining site will require a separate planning application, transport assessment, and full technical review under the Highways Act. Nothing in this decision obligates the Highway Authority to adopt any additional highway or to approve any future access arrangement.

Street Lighting, Traffic Signs and Traffic Signals Maintenance

Any new street lighting, traffic signals, or traffic signs required as part of works on the existing public highway or any highway proposed for adoption will be subject to commuted sums to cover long-term maintenance as part of the Council's Street Lighting and Signing PFI contract. All such infrastructure must be agreed in advance with the relevant PFI service provider and approved in writing by the Highway Authority.

Contact: Knowsley's Highways Team -
HighwaysEnquiries@knowsley.gov.uk

3 TREE PLANTING - The '450mm depth free draining subsoil' layer within the tree pit details, best referred to as 'Tree backfilling material', should consist of previously prepared mixture of free draining topsoil and an Ameliorant / Conditioner, such as a peat free compost at 7 Ltrs / pit and a UK origin mycorrhizal fungi including bio-additives, where the Mycorrhizal fungi component contains spores, mycelium, dried plant root containing mycelium and attapulgitic clay, colonised by mycelium. The product should not contain fertilisers and the additives should be proven to enhance mycorrhizal colonisation.

4 For the reasons of maintaining safety standards, the following SPEN informative is relevant to this development:
The development hereby permitted shall respect the clearance distances to the existing overhead line conductors as set out in Technical Specification 43-8 Issue 5 2019 Overhead Line Clearances and construction of the development shall adhere to standards for working around overhead lines as set out in:
<https://www.hse.gov.uk/pubns/gs6.pdf>

5 In order for the drainage conditions to be discharged, the following points should be considered in the preparation of the surface water drainage strategy and detailed design:

Knowsley Council Lead Local Flood Authority (LLFA) adheres to standards of the recently published SUDS Manual (June 2025) where water quality, amenity, biodiversity, climate resilience and whole-lifecycle governance into the core design framework are emphasised. In terms of the surface water discharge hierarchy, although it is acceptable to use the public sewer systems as the main surface water discharge destination, the feasibility of rainwater harvesting as the top priority of the hierarchy should be assessed as part of the drainage design.

In line with the new version of the SUDS Manual (2025) a SUDS aims to minimise the impacts from a proposed development on water quantity and quality and maximise amenity and biodiversity. In designing an appropriate set of SUDS techniques for a development site, the LLFA expects source control features being integrated with green/blue corridors and above ground green attenuation storage features to be prioritised to promote water quality, amenity and biodiversity. In the current design, we advocate the proposal of permeable areas as source control SUDS features whereas no green/blue corridors have been considered, despite potential spaces for linear green/blue features on site. Consideration of green/blue corridors will have a positive impact on the reduction of attenuation storage required at the outlet (as well as attenuation storage underground) and take off the reliance of the site against flood risk from one single feature at the outlet, to a number of features across the site.

The maximum discharge rate from the development site is acceptable to be restricted to QBAR greenfield runoff rate for all rainfall events. Sticking to a QBAR greenfield runoff rate (10.8l/s) requires a fixed control feature at the outlet. Should the applicant apply a complex control device, then variable discharge rates can be explored considering the sufficient capacity in the receiving public sewers system.

Should the surface water discharge to the public sewers system be retained in the final design, the adopted discharge rate and connection point should also be agreed with United Utilities.

Consideration of climate change impact on rainfall intensity as 45% is acceptable.

The LLFA do not expect that an additional allowance for urban creep for industrial sites should be considered.

The 1 in 100 years rainfall event including 45% for the impact of climate change as the design criteria is acceptable.

The LLFA advocates the application of the FEH method for estimation of the attenuation storage required on site.

SUDS mitigation indices for discharges to surface water have been presented while similar indices for discharges to ground water were not provided (26.4 of the SUDS Manual).

A detailed Drainage Scheme Plan, complying with the above comments, should show the layout of the proposed drainage network, post development impermeable area, SUDS features, the location of the attenuation storage within the proposed development and how these relate to the submitted calculations, including any chamber, pipe numbers, direction of flow, invert and cover levels, gradients, diameters and dimensions. The methods of flow control must be detailed as should non-conventional elements such as ponds and permeable paving.

Technical and design details of all SUDS features, hydraulic devices and outfalls and attenuation storage (including longitudinal and cross sectional profiles) shall be required.

The mechanism for securing long term maintenance will need to be considered and agreed between the applicant and the Local Planning Authority. This may involve discussions with those adopting and/or maintaining the proposed systems, which could include the Highway Authority, LPA, Parish Councils, Water Companies and private management companies.

Evidence that exceedance flows and runoff in excess of design criteria shall be considered - calculations and plans shall be provided to show where above ground flooding might occur and where this would pool and flow. Where there is possibility of water ponding, the maximum extent and depth of flooded water shall be required to ensure that there would be sufficient resilience flood mitigation measures in place. If the design criterion is an event with the 1 in 100 years likelihood including 45% as the impact of climate change, then exceedance flows and runoff in excess of such an event must be considered.

A management and maintenance plan for the proposed drainage system, arrangements for adoption and means of access for inspection and maintenance purposes shall be considered.

6 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.

7 The applicant's attention is drawn to comments received from UU, LLFA, Merseyside Fire and Rescue and the Local Highways Authority. Note there is a Gas pipeline within the site/site vicinity and engagement with the operator of the gas pipeline should be undertaken.

Signed Case Officer¹: **C Appleyard**

Signed Authorising Officer²: **Jo Sheridan**

Date: **03.03.2026**

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