

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

APPLICATION NO: 23/02351/FUL **CASE OFFICER:** Maxine Wishart

WARD: Whiston & Cronton **PARISH:** Prescot Town Council

LOCATION: Dogs Trust , Whiston Lane, Huyton

PROPOSAL: REDEVELOPMENT (AND PART RETENTION) OF EXISTING DOG'S TRUST REHOMING CENTRE TO DELIVER NEW FACILITIES INCLUDING NEW REHOMING BUILDING, VETS AND PUPPY SUITE, AN INTAKE AND BOOKING BUILDING AND TRAINING BARN, WORKS TO VEHICULAR AND PEDESTRIAN ACCESSES, LANDSCAPING AND LAYOUT INCLUDING OUTDOOR FURNITURE AND ASSOCIATED WORKS.

KNOWSLEY LOCAL PLAN ALLOCATION –

As set out in the report to Planning Committee 6 June 2024.

Site and Surroundings

As set out in the report to Planning Committee 6 June 2024.

Proposal

As set out above and in the report to Planning Committee 6 June 2024.

Consultations

As set out in the report to Planning Committee 6 June 2024.

Representations

As set out in the report to Planning Committee 6 June 2024.

Relevant Policies

As set out in the report to Planning Committee 6 June 2024.

Article 35 Statement

As set out in the report to Planning Committee 6 June 2024.

Assessment

Principle of Development

As set out in the report to Planning Committee 6 June 2024

Post Committee

The proposal is as considered by Planning Committee on 6 June 2024.

Following Planning Committee the Department of Levelling Up, Housing & Communities, now Ministry of Housing, Communities and Local Government, has confirmed by letter that The Secretary of State has decided not to call in this application and that it should be determined by the local planning authority.

Conclusion

The application was not called in by the Department of Levelling Up, Housing & Communities (now Ministry of Housing, Communities and Local Government). In accordance with the committee resolution, planning permission can now be granted.

In respect of the Schedule of Conditions attached as a table to the Planning Committee Report of 6 June 2024, these are now provided in full below.

Recommendation

That planning permission be granted subject to the following conditions:

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

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

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

Reason: For the avoidance of doubt.

- 3) A. Risk Assessment

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

Moreover, it must include (were relevant):

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and
 - service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments.

B. Submission of Remediation Scheme

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

C. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.

D. Reporting of Unexpected Contamination

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

E. Materials Management Plan

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

F. Importation of Soil/Material

No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of safety, to prevent pollution of the water environment and to comply with the National Planning Policy Framework (2023), Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy CS2 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 4) Notwithstanding the approved document Desk Study Report & Coal Mining Risk Assessment (AG3533-23-AQ88) prepared by Applied Geology, Issue 1

dated September 2023, no part of the development hereby permitted shall commence until:

- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity has been submitted to and agreed in writing by the Local Planning Authority; and
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full, prior to first occupation of the development, in order to ensure that the site is made safe and stable for the development proposed.

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

Reason: To prevent any risk to the public and general pollution of the environment in accordance with the National Planning Policy Framework (2023), Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy CS2 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

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

Reason: To ensure the ground is suitable for the proposed development in the interests of safety and to comply with the National Planning Policy Framework (2023) and Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 6) Prior to commencement of development, full details of excavations and earthworks to be carried out within 10m of the railway boundary with Network Rail land and shall ensure that there is no detrimental impact upon the support zone of National Rail land and infrastructure shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include the level of detail identified in Network Rail's email dated 3 November 2023 attached as an informative to this decision.

The development shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard rail infrastructure and to ensure compliance with the National Planning Policy Framework (2023) and Policy CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 7) Notwithstanding the submitted details, no part of the development hereby permitted shall commence until details of the existing and proposed site

Commented [AK1]: Can Max amend the year in Uniform so this isn't in the future!

Commented [MW2R1]: Done

levels and the adjacent land have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include sections across the site. The development shall only be implemented in accordance with the agreed details.

Reason: To ensure a satisfactory development in the interests of amenity and to comply with the National Planning Policy Framework (2023) and Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 8) No part of the development, including any works of demolition hereby permitted shall commence until a Demolition / Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority that details the means of mitigation of construction effects. The Plan shall include but not be limited to the following:
- a) Methods for the mitigation of noise and vibration from demolition and building works, including any piling works, and also for the operation of any temporary power generation or pumping plant which will operate overnight.
 - b) Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
 - c) Methods for dust control and suppression.
 - d) Details of methods for pest control to be taken during both the demolition and construction phases.
 - e) Location and layout of any site compound(s) including identification of areas for the storage of plant and materials, loading/unloading and turning areas for delivery vehicles (for each phase as necessary); and the methods of loading and unloading of plant and materials.
 - f) Management of deliveries including prevention of waiting / layover of construction related traffic on the highway, measures for the control of traffic to and from the site and consideration of any temporary traffic management arrangements which may be necessary during periods of construction. Note reversing on the highway is not permitted without a trained Banksman (RoSPA or equivalent).
 - g) Identification of permanent on-site contact and/or traffic manager as main point of enquiries or issues arising from construction activities.
 - h) An implementation programme of works including phasing if applicable.
 - i) The parking of vehicles of site operatives / staff and visitors.
 - j) Adequate provision for addressing any abnormal wear and tear to the highway.
 - k) Proposed hours of construction which unless otherwise agreed with the Local Planning Authority shall be limited to 0800 to 1800 Monday

to Friday, 0800 to 1300 Saturday and not at all on Sundays/Public Holidays.

- l) The details of the design, siting and maintenance of any security hoardings.
- m) There shall be no burning of materials on-site during construction work without the prior written approval of the Local Planning Authority.
- n) No scrub clearance, hedgerow removal, vegetation management or ground clearance is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.
- o) A scheme identifying Reasonable Avoidance Measures (RAMs) for hedgehog and amphibians:

Hedgehog

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

Amphibians

- Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians present to move away from the affected areas;
- The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them; and
- Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, to remove any hazard to amphibians.

- p) Invasive Species - Rhododendron within Site Boundary
A method statement, prepared by a competent person, which includes the following information:

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

- q) The development shall have regard to the requirements of Network Rail as detailed in their email dated 3 November 2023 attached to this decision.

The above details shall be compiled in a coherent and integrated document and should be made accessible to site managers, all contractors and sub-contractors working on site as a simple point of reference for site environmental management systems and procedures. The approved measures shall be implemented prior to the demolition and construction of the development. The development shall thereafter be carried out in accordance with the measures described within the approved Plan.

Reason: To ensure a satisfactory development of the site and that appropriate measures are put in place in the interests of the amenity of neighbouring occupiers / areas; adjacent Priority Woodland habitat and in the interest of highway safety and to comply with the National Planning Policy Framework (2023), Policies CS2, CS8 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies ENV2 and ENV3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 9) Prior to the commencement of the development hereby permitted, a Site Waste Management Plan or similar mechanism detailing the minimisation of waste production shall be submitted to and approved in writing by the Local Planning Authority. The plan should also include details of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal.

The approved details shall be implemented in full.

The following information should be included within the audit (or similar mechanism) as stated in the Planning Practice Guidance:

- the anticipated nature and volumes of waste that the development will generate;
- where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development;
- the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities; and
- any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete.

Reason: To reduce and manage waste generated from the development in accordance with the National Planning Policy Framework (2023), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Policy WM9 of the Merseyside and Halton Joint Waste Local Plan (2013).

- 10) Notwithstanding the submitted Flood Risk Assessment and Drainage Strategy Rev. 1 dated June 2023 prepared by Nolan Associates:

A) Prior to the commencement of development, a detailed SUDS based drainage scheme based on the principles of the SUDS Manual (C753) and the criteria as set out within Knowsley Strategic Flood Risk Assessment (SFRA, Levels 2), shall be submitted to and approved in writing by the Local Planning Authority.

The applicant should provide suitable drainage drawings, summary calculations and results of all investigations detailing the surface water drainage works as set out below (Informatives). The maximum rate of discharge, off-site, shall not exceed 3.83l/s and be in line with the drainage strategy prepared by KP, Ref: 100 P1 Dated 22 June 2023. The works shall be implemented in accordance with the approved scheme before the development is brought into use.

For the avoidance of doubt, the surface water and drainage strategy, detailed design drawings, calculations and supporting information shall be expected to consider the elements set out below (informative). The developer should also have regard to their obligation to ensure that the proposed drainage scheme complies with the requirements of Network Rail as set out below (informatives).

The agreed scheme shall be implemented in full prior to first occupation of the development and maintained thereafter.

B) Prior to the first occupation of the development, 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:

- The arrangements for adoption by an appropriate public body or statutory undertaker or details of provision for management and maintenance by a resident's management company.
- A schedule for on-going inspections relating to performance and condition.
- Details for planned maintenance and a mechanism for remedial and urgent repair works.
- Means of access for inspection and maintenance purposes.

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

Reason: To ensure a satisfactory drainage system is provided to serve the development and to ensure the effectiveness of flood risk in accordance with the National Planning Policy Framework (2023), House of Commons Written Statement 161 for Sustainable Drainage Systems (2014), Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) and Policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 11) Notwithstanding the submitted "Waste Management" statement received 15 August 2023 prior to the first occupation of any part of the development hereby permitted, precise scheme details of dedicated refuse and recycling enclosures / facilities shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details and maintained as such thereafter.

Reason: To secure a suitable provision of waste storage and suitable enclosures to support the development and to ensure suitable waste management practices and adequate waste storage / facilitation of waste collection in order to comply with the National Planning Policy Framework (2023), Policies CS2, CS5, CS19 and CS26 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Policy WM9 of the Joint Waste Local Plan (2013).

- 12) Notwithstanding the submitted drawings, except for any site clearance works no development hereby permitted shall commence until a scheme for the design and layout of highway improvement works has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the works shall include but not be limited to:

- i) the introduction of a footway to the north of the site access to meet the existing footway provision; and
- ii) provision of a pedestrian crossing point over Whiston Lane to the south of the proposed site access.

The approved scheme shall be implemented prior to the development first being brought into use and retained thereafter.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of highway safety and amenity and to comply with the National Planning Policy Framework (2023), Saved Policy T7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS7 and CS19 of the Core Strategy, adopted January 2016.

- 13) Notwithstanding the draft Workplace Travel Plan prepared by David Tucker Associates referenced TM/SC/25081-02 Travel Plan dated 26 July 2023, no part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of how measures to promote and encourage alternative modes of transport to the single-occupancy car would be communicated to employees. For the avoidance of doubt, the Travel Plan shall include, but not be limited to, the following:

- a) Production and distribution of an information pack for employees detailing travel.
- b) Options and information on all modes of transport.
- c) Information on existing transport policies, services and facilities, travel behaviour and attitudes.
- d) Access for all modes of transport.
- e) Advice on appropriate measures and actions to reduce car dependency and encourage sustainable travel.

The approved Travel Plan shall be issued to employees on initial occupation of the development.

Reason: To maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable, having regard to the National Planning Policy Framework (2023), Saved Policy T9 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policies CS2 and CS7 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Ensuring a Choice of Travel SPD (2010).

- 14) Notwithstanding the approved details no part of the development hereby permitted shall take place until a scheme identifying areas of parking (including disabled spaces), servicing, vehicular manoeuvring (including provision for pedestrians/cyclists) in accordance with the Council's current standards, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the areas identified have been hard surfaced, drained within the site and permanently marked out or demarcated in accordance with the agreed details. These areas shall be retained as such thereafter.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of highway safety and amenity and to comply with the National Planning Policy Framework (2023), Saved Policy T7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS7 and CS19 of the Core Strategy, adopted January 2016, the Ensuring a Choice of Travel SPD (2010) and Design Quality in New Development SPD (2016).

- 15) Notwithstanding the details indicated on Drawing (90) 9000 Rev L received 5 March 2024, the development hereby permitted shall not be brought into use until precise scheme details of the proposed cycle storage indicated on the plan has been submitted to and agreed in writing by the Local Planning Authority.

The scheme shall be implemented in accordance with the agreed details before any part of the development has been brought into use. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles.

Reason: In the interests of ensuring the provision and availability of adequate cycle storage and promoting sustainable travel opportunities and to comply with the National Planning Policy Framework (2023), Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Ensuring a Choice of Travel SPD (2010).

- 16) Prior to the first occupation of the development hereby permitted precise scheme details of the Electric Vehicle Charging points indicated on approved Site Plan (Proposed) drawing referenced (90) 9000 Rev. M received 5 May 2024, shall be submitted to and agreed in writing by the Local Planning Authority.

The scheme shall ensure that it provides for weatherproof electric vehicle charging points readily accessible from a dedicated parking space. All EV charging points shall be clearly marked as such.

The agreed scheme shall be carried out in full retained for use thereafter.

Reason: In the interests of air quality, promoting sustainable travel opportunities and to comply with the National Planning Policy Framework (2023) and Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 17) Notwithstanding the submitted details and any description of materials forming part of the submission, prior to the first occupation of any part of the development, the following details shall be submitted to and agreed in writing by the Local Planning Authority:

a) Hard Landscaping:

A full specification and samples, where appropriate, of materials to be used for the construction of hard surfacing throughout the site.

b) Soft Landscaping:

A detailed landscaping scheme, the details of which shall relate to all land surfaces not built upon and shall include, but not limited to:

- i. Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks;
- ii. The exact location and species of all existing trees and other planting to be retained;
- iii. All proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities per sqm of all new planting;
- iv. An outline specification for ground preparation;
- v. The proposed arrangements and specifications for initial establishment;
- vi. Maintenance and longer-term maintenance of all planted and / or turfed areas.
- vii. The scheme shall take into account the observations of Network Rail in their email dated 3 November 2023 as below (informatives).

c) Landscaping, Enhancements and Biodiversity Net Gain

The submitted ecological mitigation scheme shall deliver an enhancement in biodiversity units to the receptor site equal to or greater than the loss of biodiversity units on the development site, such that there is no net loss of biodiversity units as a result of the development.

The approved details shall be wholly implemented in their finally approved form within the first available planting season following the substantial completion of development. Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage. The development shall be fully constructed in accordance with the approved scheme in accordance with timescales contained therein.

Reason: In the interests of visual amenity and biodiversity and to comply with the National Planning Policy Framework (2023), Policies CS2, CS8, CS19 and CS21 of the Knowsley Local Plan: Core Strategy, adopted January 2016, saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Trees and Development SPD (2016) and Design Quality in New Development SPD (2016).

- 18) Prior to the commencement of the development hereby approved, a detailed Landscape and Habitat Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Habitat Management Plan shall address the following:

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

The agreed details shall be implemented in full and maintained thereafter if required.

Reason: To ensure the protection of trees and habitat during the construction works and to ensure there are no impacts on local ecology, having regard to the National Planning Policy Framework (2023), Policies CS2, CS8 and CS21 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Trees and Development SPD (2016).

- 19) The development shall be carried out strictly in accordance with the Tree Hazard Evaluation Survey prepared by Brewood Landscapes Limited dated August 2022 and Tree Survey Report (Pre Development) prepared by Dunnkirk Consultancy Limited referenced DT/5837/Huyton dated 6 August 2023

Reason: In order to protect trees that contribute positively to the visual amenity of the area and to comply with the National Planning Policy Framework (2023), Policies CS2, CS8, CS19 and CS21 of the Knowsley Local Plan: Core Strategy, adopted January 2016, saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Trees and Development SPD (2016).

- 20) Prior to commencement of any part of the development hereby permitted, at least five working days written notice shall be given to the Local Planning Authority of the intention to commence development.

The protective fencing referred to in the approved Tree Survey Report (Pre-Development) prepared by Dunnkirk Consultancy Ltd referenced

DT/5837/Huyton dated 6 August 2023 shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall be retained in place until the development is complete.

Reason: To ensure that the proper protection of trees has been carried out and to ensure that the tree protection fencing is in place prior to works commencing, in the interests of visual amenity and to comply with the National Planning Policy Framework (2023), Policies CS2, CS8, CS19 and CS21 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Trees and Development SPD (2026).

- 21) Notwithstanding the details of the boundary treatments as indicated on the submitted drawings, prior to any above ground works, precise scheme details of all walls (including existing to be retained and retaining walls / structures), fences, gates or other means of enclosure to be erected / retained within the development shall have been submitted to and approved in writing by the Local Planning Authority.

Any boundary treatments forming part of the scheme shall take into account the requirements and recommendations of Network Rail as detailed in their email dated 3 November 2023 and included as an informative to the permission hereby approved.

The development shall be carried out only in accordance with the approved details and maintained as such thereafter.

Reason: In the interests of visual amenity and railway safety, to comply with the National Planning Policy Framework (2023), Policies CS2, CS5 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, and saved Policy DQ2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Design Quality in New Development SPD (2016).

- 22) Notwithstanding the submitted details contained with the External Lighting Design Report (Kendalls) dated 24 April 2023, prior to the first installation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority.

The details of the scheme shall include, but not be limited to:

- Positioning details;
- A detailed description and precise scheme and manufacturer's specifications / details of the type of lighting;
- Isolux plot and details of luminosity;
- Steps taken to minimise excessive light spill;
- Demonstrate no overspill of light onto Network Rail land to ensure the ongoing safety of the operational railway;
- Demonstrate that the obtrusive light limitations suggested in the Institution of Lighting Engineers Guidance Notes for Light Pollution are met;
- Make reference to the 'Bats and Artificial Lighting at Night' guidance which has been produced by the Institute of Lighting Professionals in conjunction with the Bat Conservation Trust.
- Should the development be brought forward in phases, the scheme shall include a lighting strategy for each particular phase.

The lighting shall be installed in accordance with the details as approved and shall be maintained as such thereafter.

Reason: To ensure that light pollution is minimised and that any lighting does not adversely impact on visual and local amenity; protected species; the safe operation of rail infrastructure and to comply with the National Planning Policy Framework (2023), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, saved Policy ENV3 in the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Design Quality in New Development SPD (2016).

- 23) Notwithstanding any details or description of materials in the application, no above ground construction works shall be commenced until samples and / or full specification of materials to be used externally on the buildings, have been submitted to and approved in writing by the Local Planning Authority.

Such details shall include the type, colour and texture of the materials. The development shall be carried out only in accordance with the agreed schedule of materials.

Reason: In the interests of visual amenity and to ensure that the development complies with the National Planning Policy Framework (2023), the National Design Guide (2021), Policies CS2, CS5 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Design Quality in New Development SPD (2016).

- 24) Notwithstanding any detail indicated on the approved Ground Floor Plan (Rehoming Building) Dwg. No. (06) 1000 Revision G received 2 May 2024 prior to the commencement of any part of works associated with this building, precise scheme detail of the proposed external platform lift shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details and retained as such thereafter.

Reason: In the interests of accessibility and visual amenity and to comply with the National Planning Policy Framework (2023), the National Design Guide (2021), Policies CS2, CS5 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Design Quality in New Development SPD (2016).

- 25) Prior to the installation, precise scheme details of the proposed Photovoltaic Panels and Air Source Heat Pump(s) shall be submitted to and approved in writing by the Local Planning Authority.

These details shall be in accordance with the recommendations of the approved Sustainability Statement and Energy Audit prepared by KGA (UK) Ltd referenced 6008-KGA-00-XX-RP-M-0001 dated April 2023.

The measures as approved shall be carried prior to the first occupation of the building to which the measures relate and retained as such thereafter.

Reason: In the interest of securing a sustainable development, in the interests of visual amenity and to comply with the National Planning Policy

Framework (2023) and Policies CS2 and CS22 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 26) The development hereby permitted shall be carried out in accordance with:

a) The submitted Social Value Strategy referenced PP-12342641v1JTX dated 23 August 2023; or

b) Any subsequent updated Strategy that shall have first been submitted to and approved in writing by the Local Planning Authority prior to first occupation of any part of the development.

Monitoring of the Social Value Strategy outputs shall be reported to the Local Planning Authority prior to the first occupation of any part of the development hereby permitted.

Reason: To ensure that the development contributes towards developing skills and in work competitiveness in the Borough and to comply with the National Planning Policy Framework (2023) Policies CS2 and CS4 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 27) Fixed plant and machinery associated with the development shall be designed to a level that is at least 5dB(A) below the existing LA90 background noise level as measured during the relevant time period. Any tonal, impulsive and/or irregular noise would be addressed by imposing a penalty as per the methodology set out in BS 4142:2014+A1:2019, Methods for rating and assessing industrial and commercial sound. Noise limits for fixed plant are to apply at a position 1 metre from the closest affected window of the nearest noise sensitive property.

Reason: In the interests of the amenity of neighbouring sites and to comply with the National Planning Policy Framework (2023), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 28) The Training Barn building hereby approved shall not be occupied until the first-floor windows within the southwest elevation which serve the office space / staircase have been glazed with obscure glass to a level equivalent to Pilkington Level 3 or above or an alternative arrangement has been made in accordance with details that have first been submitted to and agreed by the Local Planning Authority. The agreed details shall thereafter be maintained and retained in accordance with these details.

Reason: To prevent overlooking and loss of privacy to neighbouring property and to comply with the National Planning Policy Framework (2023) and Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and the Design Quality in New Development SPD (January 2016).

- 29) The development hereby permitted shall not be occupied until details of bird and bat boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, has been submitted to and agreed in writing by the Local Planning Authority.

Evidence of implementation (i.e. photographs) shall be submitted to the Local Planning Authority before first occupation of any part of the proposed development to enable discharge of the condition and the approved boxes retained thereafter.

Reason: In the interests of biodiversity conservation and to comply with the National Planning Policy Framework (2023) and Policy CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 30) Notwithstanding the details on the approved layout plan, prior to the first occupation of development hereby permitted a revised site layout plan that removes the 2 no. parking spaces to the north of the proposed access shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed details.

Reason: In the interests of visual amenity and to ensure that the development complies with the National Planning Policy Framework (2023), Policies CS2, CS5 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Design Quality in New Development SPD (2016).

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
10/10/2023	PDA - E.RB - 00 - DR - A - (05) 1000	Rev C	EXISTING RECEPTION BUILDING PROPOSED GROUND FLOOR GA
29/05/2024	-	Issue 1	REPORT ON GROUND INVESTIGATION - APPLIED GEOLOGY APRIL 2024
28/05/2024	-	-	BIODIVERSITY NET GAIN ASSESSMENT METRIC CALC
28/05/2024	-	Rev B	BIODIVERSITY NET GAIN REPORT (MAY 2024)
24/05/2024	-	-	PROPOSED DEVELOPMENT AND TREE PROTECTION PLAN
24/05/2024	-	-	TREES TO BE REMOVED EXPANDED PLAN
16/05/2024	ADL386_RPZ	Rev A	ROOT PROTECTION ZONE PLAN
02/05/2024	PDA - INT- XX - PL- A - (05) 1101	Rev D	ELEVATIONS (SHEET 2 OF 2) INTAKE BUILDING
02/05/2024	PDA - MS - 00 - PL- A - (05) 1000	Rev E	GROUND FLOOR GA (MAINTENANCE STORE)
02/05/2024	PDA - MS - XX - PL- A - (05) 1100	Rev C	ELEVATIONS (MAINTENANCE STORE)
02/05/2024	PDA - REH - XX - PL- A - (05) 1100	Rev E	ELEVATIONS (SHEET 2 OF 2) (REHOMING BUILDING)
02/05/2024	PDA - TB - 00 - PL- A - (05) 1000	Rev F	GROUND FLOOR GA (TRAINING BARN)
02/05/2024	PDA - TBA - 00 - PL- A - (05) 1000	Rev E	GROUND FLOOR GA (TBA BUILDING)
02/05/2024	PDA - TBA - XX - PL- A - (05) 1100	Rev C	ELEVATIONS (TBA BUILDING)
02/05/2024	PDA - TB - XX - PL- A - (05) 1100	Rev F	ELEVATIONS (TRAINING BARN)
02/05/2024	PDA - EX - 00 - PL - A - (90) 9000	Rev M	SITE PLAN (PROPOSED)

02/05/2024	PDA - TB - 01 - PL - A - (05) 1001	Rev A	FIRST FLOOR GA (TRAINING BARN)
02/05/2024	PDA - INT- XX - PL- A - (05) 1100	Rev C	ELEVATIONS (SHEET 1 OF 2) (INTAKE BUILDING)
02/05/2024	PDA - INT- 00 - PL- A - (05) 1000	Rev E	GROUND FLOOR GA (INTAKE BUILDING)
02/05/2024	PDA - REH - 00 - PL- A - (05) 1000	Rev G	GROUND FLOOR GA (REHOMING BUILDING)
02/05/2024	PDA - REH - XX - PL- A - (05) 1100	Rev E	ELEVATIONS (SHEET 1 OF 2) (REHOMING BUILDING)
02/05/2024	PDA - BO - XX - PL - A - (05) 1100	Rev F	ELEVATIONS (BOOKED BUILDING)
02/05/2024	PDA - BO - 00 - PL - A - (05) 1000	Rev F	GROUND FLOOR GA (BOOKED BUILDING)
14/03/2024	PDA - SI - XX - DR - A - (90) 1002	-	PHASING PLAN
30/11/2023	TM/SC/25081-01a (30 November 2023)	-	TRANSPORT STATEMENT
10/10/2023	PDA - EX - 00 - DR - A - (90) 9200	Rev A	SITE DEMOLITION PLAN
10/10/2023	PDA - E.RB - 01 - DR - A - (05) 1001	Rev C	EXISTING RECEPTION BUILDING - PROPOSED FIRST FLOOR GA
10/10/2023	-	-	AREA SCHEDULE (FLOOR AREA)
14/09/2023	PDA - E.RB - XX - DR - A - (05) 1101	Rev A	EXISTING RECEPTION BUILDING PROPOSED ELEVATIONS (SHEET 2 OF 2)
14/09/2023	PDA - E.RB - XX-SK - A - (05) 1100	Rev A	EXISTING RECEPTION BUILDING PROPOSED ELEVATIONS (SHEET 1 OF 2)
14/09/2023	PDA - EX - XX - DR - A - (05) 9001	Rev C	SITE LOCATION PLAN
14/09/2023	PDA - E.RB - XX-SK - A - (05) 1100	Rev A	EXISTING RECEPTION BUILDING PROPOSED ELEVATIONS (SHEET 1 OF 2)
14/09/2023	AG3533-23-AQ88	(Issue 1)	DESK STUDY REPORT & COAL MINING RISK ASSESSMENT (SEPT 2023)
14/09/2023	-	-	SOCIAL VALUE STRATEGY
14/09/2023	DT/5837/Huyton	-	TREE SURVEY REPORT (PRE-DEVELOPMENT)(DUNNKIRK CONSULTANCY LTD)
15/08/2023	SK101	P2	SITE ENTRANCE VISIBILITY AND TRACKING
15/08/2023	-	Rev .B	ECOLOGICAL APPRAISAL (AUGUST 2023)
15/08/2023	P23-111-R01	v1	NOISE IMPACT ASSESSMENT
15/08/2023	6008-KGA-00-XX-RP-M-0001- April 2023	-	SUSTAINABILITY STATEMENT AND ENERGY AUDIT
15/08/2023	-	-	TREE HAZARD EVALUATION SURVEY (AUGUST 2022)
15/08/2023	PA17541-00	-	PRELIMINARY UXO RISK ASSESSMENT
15/08/2023	-	-	WASTE MANAGEMENT

Signed Case Officer¹: M Wishart

Signed Authorising Officer²: Alan Kilroe

Date: 9 September 2024

Informatives

- 1 NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments:
- 2 The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2023 until 31st December 2024

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

3 **Coal Authority**

The comments of the Coal Authority in their attached letter dated 23 November 2023 as attached to this decision.

1 - Ground Investigations

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

2 - Shallow coal seams

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

4 **Surface Water Drainage Strategy**

In relation to Condition 10 the detailed surface water and drainage strategy, detailed design drawings, calculations and supporting information shall be expected to consider the following elements:

(i) Evidence and justification that in selecting drainage features for post-development situation the surface water drainage discharge hierarchy has been followed. Any drainage strategy proposal should clearly demonstrate how the movement down the hierarchy has been considered and that the selection of the most appropriate set of SuDS techniques has taken into account the site geological, topographical and surrounding area characteristics. To assess the feasibility of infiltration techniques as part of the proposed drainage strategy, evidence must be provided to show that a suitable number of soakaway tests have been completed across the whole site within different geology and to a suitable depth (i.e. a similar depth to the proposed infiltration devices). The tests should be completed according to the BRE 365 method and their results should be submitted with the full application. In this application so far, it appears that these tests have not been undertaken.

(ii) 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 will therefore be expecting above ground, green SuDS to be prioritised to promote water quality, amenity and biodiversity. This becomes more crucial for this development given the recent flooding incidents in Whiston Lane. Given the existence of the railway at the north of the site, these features shall be expected to be placed towards southern boundary of the site.

(iii) Should the surface water from the proposed site is to connect to the culverted main river on Whiston Lane, provision of evidence that the site has an existing discharge point and an environmental permit from the EA for such a connection for post development situation will be required.

(iv) The applicant must provide the full details of survey undertaken on the existing pipe system on the site. The current CCTV survey provided does not show the grade of pipes at some location and neither explain why the survey at some point

has been abandoned. The applicant is also required to undertake another survey after the maintenance/repair/replacement undertaken on the pipe sections which are to be remained on site after development.

- (v) A drawing showing the proposed impermeable and permeable areas, suitably annotated. In all drainage-related drawings, the site and railway boundary should be highlighted.
- (vi) The concept of rainwater harvesting is advocated.
- (vii) The applicant will require to provide the approval from the UU, EA and Railway.
- (viii) The impact of climate change should be considered as 40% not 30%.
- (ix) The proposed drainage pipe design should be based on 1 in 30 years plus 40% climate change with no flooding on site. In terms of the 1 in 100 years plus 40% climate change scenario, the design should be able to demonstrate that which parts of the sites will be flooded, the extent and depth of flood water should be determined. Under the 1 in 100 plus 40% CC rainfall scenarios, the applicant should be to demonstrate that the flood water will not leave the site.
- (x) Model Information (Micro Drainage or similar approved) to include a plan showing pipework model numbering and network details. Results showing all the modelling criteria and summary network results for critical 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% CC storm events showing maximum water level, flow and velocity and details of any surface flooding anticipated are required.
- (xi) Drainage Plan showing drainage layout, manholes including cover and invert levels, proposed levels, pipe sizes and gradients, all on -line controls, on and off line storage structures and outfall details, considering the railway requirements.
- (xii) Plan showing overland exceedance routes and flood depth in the event of a failure of the drainage system. The failure of the proposed system should include for blockage of pipes, blockage of outlet structures and risk of impediments across planned flood routing paths. This could be supported by a designer's risk assessment that identifies key points of failure of the system and what means/mitigations have been adopted to limit risk of failure. This will also inform the maintenance plan with regards to corrective actions needed should a failure occur.
- (xiii) Plan showing overland exceedance routes and flood depth, and extreme event exceedance management in the event of a storm event in excess of the 1 in 100 + 40%CC storm event to demonstrate the safety of people and assets It would be expected to consider a 1 in 200 years rainfall event plus 40% climate change as the exceedance event.
- (xiv) Demonstrating that adequate water quality of the off-site surface water flows in accordance with the Simplified Index Approach as set out within Section 26 of the SUDS Manual (C753) can be achieved during all phases of the development.
- (xv) Summary Drainage Report setting out the Drainage Strategy and results of the calculations demonstrating compliance with the above.
- (xvi) A timetable for implementation of the drainage works including an assessment of any phasing of the development.

- 5 **Cadent Gas Ltd**
The comments of Cadent Gas Ltd in their email (and attachment) dated 7 November 2023 as attached to this decision.
- 6 **Environment Agency**
The comments of the Environment Agency in their letter dated 6 December 2023 as attached to this decision.
- 7 **United Utilities**
The comments of United Utilities in their email and letter dated 13 March 2024 as attached to this decision.
- 8 **Protected Species**
The applicant, their advisers and contractors should be made aware that if any European protected species are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.
- 9 **Construction Environmental Management Plan**
Key sources of CEMP guidance/standards are:

http://www.bre.co.uk/filelibrary/rpts/sustainable_construction_simpleways_to_make_it_happen.pdf

- NHBC Foundation Research Documents - range of documents on sustainable Construction
<http://www.nhbcfoundation.org/researchpublications>

- CIRIA - Environmental Good Practice Site Guide (3rd Edition) (C692)
<http://www.ciria.org/ItemDetail?iProductCode=C692&Category=BOOK>
- 10 **Waste Audit (Waste Local Plan Policy WM8 - Waste Prevention and Resource Management)**
The following information could be included within the waste audit (or similar mechanism) as stated in the Planning Practice Guidance:

- the anticipated nature and volumes of waste that the development will generate;
- where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development;
- the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, - storage, recovery and recycling facilities; and
- any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete.

Guidance and templates are available at:

<http://www.meas.org.uk/1090>
<https://www.gov.uk/guidance/waste>
<http://www.wrap.org.uk/>
http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item_id=8983
- 10 **Network Rail**

The comments of Network Rail in their email dated 3 November 2023 as attached to this decision.

11 Merseyside Fire and Rescue Authority

The comments of Merseyside Fire and Rescue Authority in their letter dated 7 November 2023 attached to this decision.

12 Advertisements / Signage

The planning permission hereby granted does not confer approval for any advertisement(s) indicated on the submitted plan(s) which may require a separate Express Consent to Display Advertisements. Please contact the Council's Development Management Section (Tel: 0151 443 2381) for further advice).

13 Relocation of Street Lighting column

Street lighting apparatus may be affected by this proposal. The relocation of existing lighting columns would need to be funded by the developer.

Any relocation of existing street lighting columns will need to be undertaken / agreed by the Street Lighting and Signing PFI Contract Service Provider. The applicant is advised contact SiteDevelopment@knowsley.gov.uk or eddie.daley2@knowsley.gov.uk