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Sent: 07 December 2023 17:12:05 UTC+00:00
To: "appleyard, clare" <Clare.Appleyard@knowsley.gov.uk>
Subject: FW: External Mail: MEAS - 23/02378/REM & 20/00399/OUT Land South Of Lickers Lane, Windy Arbor Road, Halsnead Garden Village, Whiston

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Dear Clare,

Thank you for forwarding on the comments from MEAS. Our initial response to the points raised is set out below.

I'd would be grateful if you could provide an initial response on these matters at your earliest convenience.

Enabling Works

Paragraph 5 and 6 of MEAS response refers to enabling works that have taken place at the site prior to condition 4 (construction management plan) being discharged. For the avoidance of doubt, these works relate to the grouting (drilling and filling of holes with concrete) that took place earlier this year. Vehicles were required to access the site to undertake these works which why there is evidence of tracks and a compound. As per the email exchange between Dan and Kevin, it was agreed that these works do not constitute development and therefore, did not require planning permission. For this reason, our Client has not breached condition 4.

Construction Management Plan (CMP) (Condition 4)

The reference to the bat activity survey was made in error. This will be deleted in the revised CMP.

The CMP will be updated to add reference to the appointment of an Ecological Clerk of Works in line with the advice provided by MEAS in paragraph 12 and to include the requested information in relation to waste at paragraph 57.

Condition 6 (Habitat Management Plan (HMP)) and Condition 30 (Woodland Management Plan (WMP))

A revised HMP and WMP will be prepared to address the points raised by MEAS in paragraph's 15-20 of their response.

Please see comments made in relation to conditions 32 and 33 in relation to habitat mitigation.

Condition 31 (Arboricultural Impact Assessment)

Noted that MEAS has deferred to the tree officer to respond on the acceptability of the report. I understand that you are chasing their comments.

Condition 32 (Ecology Surveys) and Condition 33 (Local Wildlife Sites)

Paragraph 39 of MEAS response requests that the updated ecological surveys and mitigation are based on the baseline established by CES Ecology in their report CES Ecology, Extended Phase 1 Habitat Survey, May 2020 (Appendix 10.11).

Condition 32 requires any subsequent reserved matters application to be accompanied by updated ecology surveys of the site to identify the presence of any protected species and identify any appropriate mitigation required.

Condition 33 requires any subsequent reserved matters application to be accompanied by an up-to-date environmental statement which demonstrates that the proposal will not have an adverse impact on Local Wildlife Sites or that any adverse impacts will be adequately mitigated. If the Environmental Statement (and Phase 1 Habitat Survey) identifies that mitigation is required, the agreed mitigation shall be installed in accordance with a timescale which has been agreed in writing with the local planning authority before any dwellings are occupied and maintained.

There is little point in undertaking new surveys (as required by the condition) if the mitigation is to be based on the baseline survey. If this was what was intended reference to the baseline survey undertaken by the outline consent should have been referenced in the conditions. We propose that the mitigation is based on the most up to date survey as required by the wording of Conditions 32 and 33. Please could you confirm that you are agreeable to this approach?

Whilst the PEA has been undertaken at a sub optimal period it was possible to identify the broad habitat types from the vegetation identified during the survey and reproduced in the vascular plant list and therefore fulfil the purpose of the PEA by identifying these broad habitat types. I can also confirm that a bat roost assessment has been undertaken.

In terms of the recommendation for a biodiversity metric calculation, there is no requirement for this as part of the outline planning permission and the proposed development will include the enhancements recommended in the ecological reports. For these reasons, we do not consider this to be required.

Condition 36 (Tree Planting)

In response to comments set out in paragraph's 26-29 of MEAS response, the hedgerow mix comment is not relevant as we do not have any native hedges on the scheme as the Distinctiveness Guide sets out on pages 58 and 59 the species of hedges to be used in the North Halsnead – Urban Fringe on the four road types which is what has been included as part of the landscape proposals. We think perhaps there may be some confusion with the native planting mix for the woodland edge. This is shown as S1 – Native Shrub Mix on our drawings and accords with page 55 of the guide.

Kind Regards