

<u>APPLICATION NO:</u>	22/00537/FUL	<u>CASE OFFICER:</u>	Jo Sheridan
<u>WARD:</u>	Whiston & Cronton	<u>PARISH:</u>	Whiston Town Council
<u>LOCATION:</u>	Ellison Travel Services , Fallows Way, Whiston		
<u>PROPOSAL:</u>	ERECTION OF 4 NO. INDUSTRIAL BUILDINGS (BLOCKS B, C AND D) COMPRISING OF 9 NO. UNITS (USE CLASS E(g) (ii) and (iii) AND 1 NO. UNIT (BLOCK E) (USE CLASS B2) TOGETHER WITH OTHER ASSOCIATED WORKS		

Site Description

The site subject of this application is a piece of land located to the north west of Fallows Way. To the north of the site is Stadt Moers Park, and to the south is Fallows Way with an industrial unit beyond. Fallows Way is accessed from Windy Arbor Road. The site forms part of Whiston Enterprise Park. The site is approximately 1.45ha and lies within Flood Zone 1.

The site is within a Primarily Industrial Area and is allocated as 'Land for employment/ development' within Knowsley's Local Plan Core Strategy.

Proposal

The application seeks planning permission for the erection of 4 no. industrial buildings comprising of 9no. units (Use Class E(g)(ii) and (iii) and 1 no. unit (Use Class B2) together with other associated works.

Use Class E(g) is a use which can be carried out in a residential area without detriment to its amenity:

- (ii) Research and development of products or processes
- (iii) Industrial processes

Use Class B2 is 'General Industrial' use for the carrying out of an industrial process other than one falling within the uses described in Class E.

Block B would be the most western sited block and would be 36.7m long by 13.4m deep. The depth reduced on the building to 8.4m to avoid a mine shaft. The eaves of the building would be 6.7m and 8m high to the ridge. This building would comprise of 3 units use class E(g)(ii) or (iii).

Block C would be sited to the east of the vehicular entrance and would be 60.4m long, 13.2m deep, 6.7m high to the eaves and 8m high to the ridge. This building would comprise of 5 units use class E(g)(ii) or (iii).

Block D would be sited to the northern boundary of the site and would be 20.6m long, 13.4m deep, 6.7m high to the eaves and 8m high to the ridge. This building would comprise of 1 unit use class E(g)(ii) or (iii).

Block E would be sited to the south of the site and would be 94m long by 34.0m, 10m high to the eaves and 13.2m high to the ridge. This building would comprise of 1 units use class B2.

Consultations

Highways: No objections subject to five conditions requiring the permanent closure of the existing vehicular access at Fallows Way; a condition requiring the parking area to be adequately surfaced and marked out; details of cycle parking; the submission of a travel plan and the submission of a construction management plan.

Environmental Health: No objections subject to six conditions; one condition for contaminated land; one for the implementation of the mitigation measures within the noise survey; one to control the noise from fixed plant; one for the submission of a lighting scheme; one for the submission of a construction management plan and one to control the hours of construction.

Merseyside Environmental Advisory Service: No objections, subject to conditions.

Arboricultural Officer: No objections.

LLFA/Drainage: No objection subject to a condition requiring a SUDS based drainage system.

FUSION 21: No objections subject to a commuted sum to secure a Social Value Strategy and Social Value Monitoring (£5,692).

The Coal Authority: No objections subject to a condition requiring a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe.

Whiston Town Council: No Comments Received

Merseyside Fire and Rescue Authority: No objections.

United Utilities: No objections subject to three conditions, one requiring details of a sustainable surface water drainage scheme and a foul water drainage scheme; one requiring a management and maintenance plan for the SUDS and one advising on the waste water asset on site.

Representations

This application has been publicised by letters sent to 20 neighbours. It has also been advertised by the erection of site notices and a notice in the local press. One representation was received as a result of the publicity given to the application. The representation raises the following issues:

Adding to traffic onto Windy Arbor Road will exacerbate the existing issue were residents of Windy Arbor Brow now struggle to exit the

Brow at peak times due to traffic queuing from Tarbock Island. This issue will become extreme when the 40 odd dwellings are constructed on Windy Arbor Brow adding at least another 80 vehicles into the mix. A traffic box was mentioned in planning but nothing has happened. Surely a safe traffic management system needs to be in place before anymore traffic is added.

This development will also force some of the workforce from FWDC (Liverpool FC depot) to find alternative parking which could end up on Windy Arbor Brow. At some times of year, particular Christmas, Fallows Way has parked cars on both sides of the road and on the double yellows. No one can park on the Village carpark as this is now a charging carpark. The number of parked vehicles has been an issue on Fallows Way for years with no action being taken.

A second round of public consultation was undertaken in the form of letters sent to neighbours. No representations have been received as a result of the publicity given to the application.

An objection was received quite some months after the second round of consultation which raised the following issues:

- Currently there is a new logistics hub being developed on the Old Cronton Colliery and a vast array of new business developments taking place on Wilson Road;
- Given the extensive business development in this area already, do we really need to encroach on existing domestic housing communities, creating further disturbance and noise (traffic noise from the motorway network and industrial noise from Wison road is already very audible.
- Did the traffic survey make consideration for these new extensive business developments at Cronton and Huyton and also Halsnead "village" development?
- Bigger benefits could be realised if these units were placed amongst other existing industrial units.

Planning History

Application number: 17/00786/FUL

Proposal: Construction of coach depot comprising 1 no. building with repair workshop, associated office accommodation, driver sleeping areas and staff facilities; 57 space coach parking area, 97 no. car parking spaces; vehicle refuelling, washing, servicing and waste disposal areas, together with vehicular entrance/egress, security fencing and lighting; and other associated works

Decision: Granted 14th May 2018.

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development

plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

Saved Policies - Knowsley Replacement Unitary Development Plan (adopted June 2006)

EC2 – Site Allocated for Employment Development
EC3 - Primarily Industrial Areas
T5 – Location of Major Traffic Generating New Development
T7 – New Development and Walking & Cycling Routes
T8 - Transport Assessments
T9 - Travel Plans
DQ2 - Security in the Built Environment
DQ4 - Trees and Development
ENV2 - Noise and Vibration
ENV3 – Light and Pollution
ENV5 - Contaminated Land

Knowsley Local Plan Core Strategy (January 2016)

SD1- Sustainable development
CS1 – Spatial Strategy for Knowsley
CS2 - Development Principles
CS4 – Economy and Employment
CS7 - Transport Networks
CS8 – Green Infrastructure
CS19 - Design Quality and Accessibility in New Development
CS20 – Managing the Borough's Historical Environment
CS21 – Greenspace and Trees
CS22 – Sustainable and Local Carbon Development
CS24 - Managing Flood Risk
CS26 – Waste management
CS27 - Planning 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)

Article 35 Statement

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

Assessment

Principle of development:

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”.

The site is within a Primarily Industrial Area and is allocated as ‘land for employment/ development within Knowsley’s Local Plan Core Strategy. Policies EC2 and EC3 within the Replacement Unitary Development Plan are applicable. Policy EC2 specifically allocates the land for employment development. Policy EC3 states that proposals for development for other uses in these areas will only be permitted if they would:

- a) Be complimentary to and compatible with the surrounding employment uses;
- b) Be consistent with any approved regeneration strategy for the area;
- c) Preserve or enhance the image of the industrial area; and
- d) Avoid causing an unacceptable loss of land available for industrial development.

It is considered that the proposed development complies with Policy EC3 as it would be complimentary to the surrounding employment uses and would preserve the image of the industrial area for the reasons to follow.

Design & Layout

The proposed development has gone through several iterations during its consideration. The first amendment was a reduction in the footprint to Block B to avoid the location of a mine shaft and to provide a 3m buffer. The second amendment was the removal of Block A in its entirety. The removal of this block ensures the retention of trees and landscaping to the northwestern end of the site which is welcomed.

The design of the proposed buildings would be typical of many similar buildings on the business park. Consideration has been given to the Fallows Way frontage. Windows are proposed at ground and first floor levels to Block E which front Fallows Way, however a large expanse of the rear elevation of Block C along Fallows Way would remain blank. This is not uncommon for building of this size and scale as that is the requirement of the industrial building. It is considered that the elevations are acceptable and would be in character with the overall setting within the business park. All the buildings would have a shallow pitched roof.

The building would comprise of contemporary materials using a metal cladding. Colours have not been noted on the elevational drawing and will therefore be conditioned.

The proposed boundary treatment has been replaced from palisade to paladin fencing.

The design and layout of the proposal is acceptable and complies with Policy DQ2 of the Replacement UDP, Policies CS2 and CS19 of the Local Plan Core Strategy and the Design Quality in New Development SPD. All these policies and SPD share the same aim: to ensure that an acceptable level of quality in the development is achieved.

Residential 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 residents. 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.

The site is located to the far west of Fallows Way and the nearest residential property would be approximately 77m away (34 Halsnead Avenue) that would be affected by this development.

With that said, Environmental Health requested six conditions to safeguard the amenity of the area, namely, one condition for contaminated land; one for the implementation of the mitigation measures within the noise survey; one to

control the noise from fixed plant; one for the submission of a lighting scheme; one for the submission of a construction management plan and one to control the hours of construction. The hours of construction condition will be added into the construction management plan condition.

The proposal would be acceptable and would not cause harm to the amenity of local neighbours. The proposal would comply with ENV2, CS2 and CS19.

Noise:

Information submitted as part of the application stated that a noise report is not required as there are no immediate receptors with the nearest residences beyond neighbouring industrial units. Environmental Health disagreed with this statement, as there is a large residential area to the east of the development, with the nearest house approximately 80m from a proposed class B2 use building. No information has been provided in relation to the use of the B2, including hours of operation. A class B2 can have a variety of uses which could impact on the surrounding area.

Environmental Health have reviewed the noise report in relation to the proposed planning application and agree with the proposals used within the noise impact assessment and the mitigation measures associated with them. The mitigation measures include:

- External doors or windows to workshop saes to be closed;
- Reversing alarms should not be used during the night time;
- Ad up to two HGV movements accessing the site perm 15 minute period.

The noise report states that based on a speculative noise impact assessment for operational noise form Building E, the rated noise is calculated to not exceed the representable background noise level during the daytime indicating the likelihood o a low impact.

The Noise Impact Assessment is to be made an approved document.

An E(g) use class can be carried out in a residential area without detriment to its amenity use. No information has been provided in relation to the uses of the 4 units or hours of use of the development. A fix plant noise condition is to be included for these units.

The proposal would be acceptable and would not cause unacceptable harm to the amenity of local neighbours. The proposal would comply with ENV2, CS2 and CS19.

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 proposed development description has been modified to exclude office (E(g)(i)) use, and improvements have been made to the proposed layout in accordance with previous Highway comments. On this basis the layout is considered acceptable, and the conclusions of the TA are broadly agreed. The development is not considered to constitute a significant highway impact in terms of safety or highway capacity. The Tarbock Island junction has been shown to be approaching capacity, however, this is within the jurisdiction of National Highways, and is imminently due to be upgraded to increase its capacity.

The Highways Officer has requested five conditions requiring the permanent closure of the existing vehicular access at Fallows Way; a condition requiring the parking area to be adequately surfaced and marked out; details of cycle parking; the submission of a travel plan and the submission of a construction management plan. The construction management plan will be combined with the plan requested by Environmental Health.

In summary the proposal would have no adverse impact on highway safety and would accord with Local plan policy CS7.

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 paragraph 186 of the NPPF and the Government's Air Quality Strategy.

The Environmental Health Team monitor local air quality in the borough and one area of concern is at the junction of Cronton Road and Whitefield Lane which is less than 1 km from the site. The annual nitrogen dioxide levels in this area are very close to the Air Quality Objective (AQO). Environmental Health seek to ensure an avoidance of any increase in nitrogen dioxide. At the request of Environmental Health, the applicant submitted an Air Quality Assessment. Environmental Health raised no issues with the air quality assessment submitted with the planning application. No conditions were advised.

The proposal would comply with Local Plan Core Strategy CS2 which seeks to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality

Trees and Landscaping:

Policy CS21 of the Local Plan Core Strategy seeks to enhance and protect existing trees, woodland, vegetation and other habitat features that offer a positive contribution to the local environment whilst seeking tree planting and other soft landscaping. Where tree loss cannot be avoided, policy CS21 seeks replacement tree planting on a two for one or one for one basis having regard to appropriate tree species and size. Saved policy DQ4 of the Knowsley UDP seeks to retain and protect those trees that contribute positively to amenity, incorporate integral planting within new developments and make adequate provision for replacement planting either on or off site. This is reiterated in the Trees and Development SPD.

The Arboricultural Impact Assessment (AIA) was submitted with the planning application.

G1 requires the removal of 9 category B/C trees to facilitate a turning circle; 4 of these trees could potentially be retained with a suitable no dig methodology.

G2,3,4 and 6 require overhanging secondary branches to be cut back to clear proposed access road and unit.

Within G5, there are 12 trees remaining from previous site clearance, these require removal to facilitate new unit.

This leaves a total of 21 trees to be removed ranging from cat B-C. Twenty-seven trees are proposed to be planted within the site, with a girth of 20-25cm which is heavy standard.

Whilst this is below the Council's guidance of 2 for 1 replacement, the replacement specimens are larger than what is usually proposed on a scheme of this nature. Given that the replacement planting will have an immediate positive impact due to their size, the replacement trees are considered acceptable in this instance.

In terms of landscape impacts, Local Plan Core Strategy Policy CS8 seeks to preserve landscape character. Whilst the development would result in permanent changes to the landscape through the introduction of buildings and infrastructure and the loss of some trees, the development does incorporate significant additional planting in mitigation which is considered to be acceptable. A condition will also be added to ensure that if any trees are damaged or dies within 5 years, then they will be replaced (condition 17).

It is considered that the proposal would comply with Saved policy DQ4 of the Knowsley UDP, and policies CS2 and CS21. In coming to this view regard has been given to the Trees and Development SPD.

Contamination:

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.

Environmental Health have requested a full standard contaminated land condition. Subject to the condition the proposal would be in compliance with saved UDP policy ENV5 and Local Plan policy CS21.

Ecology:

Policy CS8 of the Core Strategy aims to ensure that new development protects and enhances biodiversity, including the protection of designated sites, priority habitats and protected and endangered species. This is consistent with the aims of the NPPF. The application is accompanied by a Preliminary Ecological Appraisal, a Bat Survey Report and a Biodiversity Net Gain Assessment.

Bats:

The applicant highlighted 9 trees from group G1 (those that are along the service easement) and the entirety of group G5), were surveyed in detail to more accurately assess Potential Roosting Features (PRFs), their suitability for bats and any evidence of bat use.

The applicant found that the majority of trees were deemed to present “Negligible” roost suitability *i.e.* with reference to Collins (2023) “*a tree with negligible bat roost potential features*” with no further survey or mitigation required for roosting bats. Six of the trees were deemed to be PRF-I *i.e.* a tree that is small, lacking in suitable surrounding habitats and only viable for individual bats or a small number of bats. The PRFs are limited to small inclusion, branch and trunk cavities, knot holes and sparse ivy. As such, these trees were deemed to have “Low” roost suitability.

The applicant also stated that ‘Unknown standing deadwood, the top of the stem has started to rot and appears from ground level that there are small cavities at the top of the stem. Features couldn’t be fully inspected due to health and safety. Emergence surveys or MEWP access should be considered for this tree’.

Merseyside Environmental Advisory Service stated that the above assessment indicated that the surveyor cannot be confident of the level of roosting potential this tree provides and that further survey is required to confidently categorise the tree as PRF-I and in accordance with best practice

guidelines (Collins 2023)¹ it is considered this tree should be categorised as FAR (Further Survey Required) prior to the determination of the planning application.

A balanced approach is to be taken. The applicant has undertaken the requested surveys thus far which found low roosting potential, albeit the trees could not be fully cavities at the top of the stem. It could be stated that it is likely that any further surveys would find that the trees do have roosting potential. In this instance it would seem reasonable and appropriate to assume that this is the case, and it would be reasonable and appropriate to condition that prior to the removal of the trees, a further bat survey should be undertaken prior to any works to remove the trees to ensure that no roosts are present (condition 23). An additional condition can be attached to ensure that bat boxes/bricks are provided on site (condition 24).

Biodiversity Net Gain:

The application was submitted in September 2022, some time before the implementation of the Government's mandatory "Biodiversity Net Gain" regulations in February 2024 so there is no requirement to deliver a net gain on the site.

The applicant has submitted an updated BNG assessment which now includes post-development habitats. The submitted metric does not provide details of who has undertaken the metric or the date of completion and these are required. The applicant has not submitted an updated Biodiversity report to accompany the Metric.

There would be a net loss of approximately 14.05 habitat units.

MEAS requested that discrepancies within the BNG assessment be addressed prior to the determination of the planning application.

As previously stated, mandatory biodiversity net gain has only been commenced for planning permission granted in response to an application made on or after 12th February 2024. Permission granted for applications made before this date are not subject to mandatory biodiversity net gain. On this basis biodiversity net gain is not to be considered.

Flora:

Dune Helleborine is present within the site and is classified as a rare and endangered species and has protection under the Wildlife and Countryside Act 1981.

The applicant has discussed the protection of this species with Knowsley Council's Ecological Consultant. Discussions have resulted in plans being amended by reducing car park spaces to maximise the retained area of Dune

Helleborine. However, as some of the area of orchids will still be lost, alternative areas for translocation have been identified. Translocation will follow the procedure set out by research conducted by Edge hill University. The 'Protected Species Report' submitted with the planning application refers to discussions between the ecologist and Knowsley Council's Ecological Consultant being recorded and presented at Appendix G. However, Appendix G is missing. MEAS requested a copy of Appendix G to be submitted prior to determination of the planning application and before the proposed translocation of this species can be accepted.

On balance, the translocation of the species is accepted in principle. A condition will be applied to the planning permission (condition 25) should planning permission be granted to ensure the translocation of the dune helleborine.

Protected and Priority Habitats:

MEAS stated that the entire site is noted as Priority Deciduous Woodland (cleared by 2019) and therefore Local Plan policy CS8 applies. MEAS advised that compensation for the loss of this habitat and the remaining trees is required and advised that a mitigation and compensation strategy is required prior to determination of the application.

The habitat was cleared prior to the submission of this application, the issue of habitat compensation and replacement trees has already been addressed within this report. The application was submitted prior to the requirement to provide biodiversity net gain, and the level of tree replacement is acceptable. No further measures are considered necessary to comply with policy CS8.

Archaeology:

The former route of the Willis Branch of Liverpool and Manchester Railway, to Halsnead Colliery, Whiston, built in 1832-3 and recorded on the Merseyside Historic Environment Record as MME10027, runs along the northern extend of the site. The former site of Whiston Colliery (MME16871) lies to the south of the proposed scheme. The potential for the archaeological remains of such historic workings should be investigated and MEAS advised that a condition be attached for archaeological works.

This matter is fundamentally to safeguard archaeological features during construction and in the interests of archaeological investigation or recording and to comply with Policy CS20 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

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 site is within Flood Zone 1 and consequently is considered low risk from flooding.

The LLFA requested a condition be attached requiring the submission of information relating to sustainable urban drainage. United Utilities requested a similar condition and a condition of the management and maintenance of the Suds. These three conditions have been combined into one. United Utilities also requested a third condition regarding their own wastewater asset on site.

Subject to these conditions the proposal would be in compliance with Local Plan policy CS24.

Social Value:

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 proposal will result in significant economic benefits for the borough, through both the construction of the building on site and then continuing through the operational phase of the development. The applicant's Economic Impact Assessment has stated that between 50-120 full time equivalent jobs will be created/supported.

Given that the floorspace of the proposed development exceeds 1,000 sqm a social value strategy would be required to be submitted in addition to a financial contribution of £5,692 to ensure the implementation and monitoring of the strategy. This is to be secured by way of a S106 legal agreement which the applicant has agreed to.

This is to be secured through a S106 Agreement.

Low Carbon Development:

The Applicant has submitted an Energy and Sustainability (Edward Architecture, undated). The report commits to complying with Approved Document L of the Building Regs. Renewable energy sources will be considered including solar walls to the southern elevations along with solar panels to the roofs as part of the detailing design process.

Electric Vehicle Charge points have been illustrated on the 'Proposed Site Layout.'

Overall, it is considered that the proposal is compliant with Knowsley Core Strategy Policy CS22 (Sustainable and Low Carbon Development).

Site waste:

The proposal is major development and involves excavation, demolition and construction activities which are likely to generate 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 must be submitted and will be secured by a suitably worded planning condition.

The applicant has provided sufficient information in the planning application form 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).

Conclusion:

The proposals are acceptable in terms of design, layout, highway safety, drainage, trees and ecology. To grant planning permission would secure a high-quality employment development on one of Knowsley allocated employment sites. The proposal would make a valuable contribution towards meeting the Borough's employment land needs. The development has significant benefits to which significant weight can be attached. These include the economic benefits set out in the report such as the contribution the development will have to the local economy through the jobs and investment and the benefits derived from the Social Value Strategy.

The proposals would be in compliance with the Local Plan policies and Saved UDP policies listed above.

Recommendation

To grant planning permission under delegated powers subject to:

(i) the conditions

(ii) The applicant entering into a Section 106 legal agreement to secure:

(a) £5,692 to monitor implementation of the Social Value Contribution and Monitoring

Grant planning permission subject to the following conditions:

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

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

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

Reason: For the avoidance of doubt.

3. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and should be reflective of those within the surrounding area. The development shall be carried out only in accordance with the agreed schedule of materials.

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

4. Contaminated Land

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.

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

The assessment must also be undertaken by a suitably qualified contaminated land practitioner, in accordance with authoritative guidance (CLR 11), and shall assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include (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 to by the Local Planning Authority.

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

5. No development shall take place until a scheme to permanently close off the existing vehicular access on to Fallows Way has been submitted to and agreed in writing by the Council as Local Planning Authority. The scheme

shall be implemented as agreed before any part of the development has been brought into use.

Reason: To limit the number of access points to, and maintain proper construction of the highway, in the interests of road safety and to comply with Policy CS19 of the Core Strategy, adopted January 2016

6. The development shall not be brought into use until the areas indicated on Site Plan Drawing PL03 Rev D, be set aside for parking, servicing, vehicular manoeuvring (including provision for pedestrians/cyclists) have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown. These areas shall be retained as such thereafter.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

7. The proposed development shall not be brought into use until a precise scheme detailing the proposed cycle storage highlighted on Drawing PL03 Rev D has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as agreed before any part of the development has been brought into use. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles.

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

8. No part of the development hereby permitted shall be occupied prior to implementation of the Interim Travel Plan listed within the approved documents pertaining to this application. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority as part of the annual review.

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

9. Prior to commencement of development a Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction effects. This shall include but not be limited to the following:

a. Layout of the site compound including identification of areas for the storage of plant and materials, loading/unloading and turning areas for delivery vehicles

- b. 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)
- c. Construction staff parking arrangements
- d. Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
- e. Methods for dust control and suppression.
- f. Methods for the mitigation of noise and vibration from building works, including any piling works, and from the operation of any temporary power generation or pumping plant which will operate overnight.
- g. Methods that can be put in place quickly, should odour control be required. (There is potential for odour from the historic use of the site, particularly when ground excavations take place).
- h. Details of relevant pest control measures that will be put in place during the construction / demolition phase.
- i. Adequate provision for addressing any abnormal wear and tear to the highway, if applicable.
- j. Scheme for recycling/disposal of waste resulting from demolition and construction works
- k. No construction / demolition work shall take place outside the hours of 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.

All site works shall then be carried out in accordance with the approved Plan unless otherwise agreed in writing beforehand with the Local Planning Authority

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with saved Policies H5, and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy CS2 of the Core Strategy, adopted January 2016.

10. 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 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 completion of the mitigation works (identified within Section 11 of the Phase 2 Geo-Environmental Report (C3304/23/E/5028, 07/08/23) prepared by Rogers Geotechnical Services Limited) to address the risks posed by past coal mining activity (on-site mine shaft: 346390-016). The remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: These details are needed prior to the commencement of development to ensure that adequate information pertaining to ground

conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 189 and 190 of the National Planning Policy Framework.

11. A. Development shall not commence until 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), has been submitted and approved in writing by the Local Planning Authority (LPA). The applicant should provide suitable drainage drawings, summary calculations and results of all investigations detailing the surface water drainage works as set out below. The maximum rate of discharge, off-site, shall not exceed 7.9l/s for the whole site and be in line with the drainage strategy as set out within the FRA dated August 2019 as well as the points raised as part of this condition unless otherwise agreed in writing with the LPA. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

The surface water and drainage strategy, detailed design drawings, calculations and supporting information shall be expected to consider the following points:

- a. No information of the watercourse configuration and topography was provided and that whether or not there is any connection between the watercourse and the lake in vicinity. What is the function of the watercourse at the north of the site (acting as land drainage ditch or acting as a conveyance channel)? No information as to how the watercourse will drain after development? Is there any chance that the watercourse imposes a flood risk to the site?
- b. No details of groundwater levels and fluctuations have been provided.
- c. Despite the fact the photos of boggy land from site have been provided as an evidence of the site impermeability, 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.
- d. Should the proposed discharge destination to the public sewer system is retained in the final design, the Untitled Utilities' agreement on the connection point(s) will be required.
- e. No evidence of water quality assessment has been submitted. Water quality should be taken into account as part of the proposed drainage design. It will be required to demonstrate that adequate water quality of the off-site surface water flows (draining into a sewer, watercourse and ground) in accordance with the Simplified Index Approach as set out within Section 26 of the SUDS Manual (C753) can be achieved. From the development description it is not clear that whether or the proposed development include an individual yard or a parking area with heavy vehicles traffics. If this is the case, water quality risk to groundwater should be assessed (screening risk) and mitigation measures to be adopted to ensure that risk to groundwater are

effectively managed (see Table 26.1 and Sections 26.7.1 and 26.7.2 of the SUDS Manual).

f. Exceedance routes of surface water should be provided for the post development situation. It is recommended that based on the exceedance routes and flow depth produced, finished floor levels for proposed building, access roads and car parking to be set. A 1 in 200 years plus 40% event would normally be considered as the exceedance event. It is expected that manholes surcharged during such an event to be identified, and volume and maximum depth of flood water and where the flood water pools or flows to be determined.

g. Construction details of the proposed drainage features (e.g. attenuation tanks, manholes and oil separator) will be required. A demonstration of construction integrity of the proposed SUDS features (e.g. attenuation tank and oil separator) given heavy vehicles traffics and manoeuvring will also be required.

h. Foul and surface water shall drain on separate systems

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 an approved in writing by the Local Planning Authority. The plan will include:

- a. 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
- b. A schedule for ongoing inspections relating to performance and condition
- c. Details for planning maintenance and a mechanism for remedial and urgent repair works
- d. Means of access for inspection and maintenance purposes

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

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

12. Prior to the commencement of development, details of the means of ensuring the wastewater asset that is laid within the site boundary is protected from damage as a result of the development has been submitted to and approved by the local planning authority in writing. The details shall outline the potential impacts from construction activities and the impacts post completion of the development on the wastewater asset that crosses the site and identify mitigation measures to protect and prevent any damage to the pipeline both during construction and post completion of the development. Any mitigation measures shall be implemented in full accordance with the approved details.

Reason: In the interest of public health and safety and to ensure protection of essential services.

13. Prior to the occupation of any building hereby permitted, the recommendations as per the noise report included with the application 'Apex Acoustics, Proposed Units, Fallows Way, Prescott, Noise Impact Assessment, 10457.2, 17th February 2023 Revision A' shall be implemented. Documentary evidence of the works shall be submitted to and approved in writing by the local planning authority prior to occupation.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2 and H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

14. Fixed plant and machinery associated with the development shall be designed to a level that is at least 5dB(A) below the existing L_{A90} 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 at 34 Cronton Avenue.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2 and H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

15. Prior to the commencement of construction, a lighting scheme which includes the steps necessary to minimise light intrusion to local dwellings shall be submitted for the written approval of the local planning authority. The scheme shall include an isolux plot to demonstrate that the obtrusive light limitations suggested in the Institution of Lighting Engineers Guidance Notes for Light Pollution are met. All works which form part of the scheme shall be completed prior to operation and shall be maintained thereafter in accordance with the agreed scheme.

Reason: In the interests of the local environment, amenity, security and ecology and to comply with the National Planning Policy Framework; Policies CS2, CS8 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and save Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

16. No development or demolition shall take place until the applicant has secured the implementation and submission of a report on a programme of archaeological works. That programme of archaeological works should be undertaken in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority prior to works taking place. The WSI must include:

- a) A phased programme and methodology of site investigation and recording;

- b) A programme for post-investigation reporting to include production of a final report of the significance of the below-ground archaeological interest;
- c) Provision for appropriate publication and dissemination of the archaeology and history of the site;
- d) Provision for archive deposition of the report, finds and records of the site investigation; and
- e) Nomination of a competent person or persons / organisation to undertake the works set out within the approved WSI.

Reason: This matter is fundamental to safeguard archaeological features during construction and in the interests of archaeological investigation or recording and to comply with Policy CS20 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

17. All hard and soft landscape works shall be carried out in accordance with the approved details shown on Drawing No. P.1519.21.04 Rev B Sheet 1 and 2 'Planting Plan.' The works shall be carried out before any part of the development is occupied or in accordance with a timetable to be agreed in writing with the Local Planning Authority prior to any development commencing. Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and to comply with, Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the National Planning Policy Framework.

18. Prior to the commencement of development, full details of the tree protection fencing shall be submitted. Details must include:

- a) A plan showing the location of protective fencing has been submitted to and agreed in writing by the local planning authority.
- b) All existing trees/hedges to be retained on site, including the four trees to be retained in G1 in condition 19 will be protected by fencing in accordance with BS5837:2012, of a minimum height of 2.3 metres;
- c) At least five days written notice has been given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in parts (a) and (b) shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall be retained in place until the development is complete.

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

The protective fencing must be implemented in accordance with the approved scheme prior to the commencement any works on site.

Reason: To ensure that the proper protection of trees in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

19. Prior to the commencement of development, in order to retain a maximum number of trees within G1, a scheme shall be submitted to the local planning authority which illustrates how this will be achieved. For the avoidance of doubt, at least 4 trees identified for removal can be retained with a suitable no dig methodology. Suitable methods such as no dig/cell web systems and porous surfacing construction can take place in this area. The submitted methodology should include that the work shall be overseen by the project arboriculturist and in line with BS 5837 recommendations.

Reason: To ensure that the proper protection of trees in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

20. Prior to the commencement of development, an Arboricultural Method Statement shall be submitted to the local planning authority. The approved statement shall be adhered to in full for the duration of construction works.

Reason: To ensure that the proper protection of trees in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

21. No part of the proposed development hereby permitted shall be commenced until details of the proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a number of sections across the site, which shall indicate existing and proposed ground levels, together with the floor levels of any proposed dwellings/buildings through which the sections run and shall extend beyond the site boundaries to include any surrounding adjacent properties. The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with Policy DQ1 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

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

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

23. Prior to the commencement of any development on site, a survey identifying the roosting potential of bats within the trees to be removed within group G1 shall be submitted to and approved in writing by the local planning authority. Any mitigation proposals advised within the report shall be implemented in full and in accordance with the stated timescales.

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

24. No above ground works shall take place prior to details of the number and location of bird nesting boxes and bat boxes/bricks to be incorporated into the scheme being submitted to and approved in writing by the local planning authority. The bird and bat boxes/bricks shall be installed in accordance with the approved details prior to the first occupation of the dwellings and shall be retained at all times thereafter.

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

25. Prior to the commencement of development, a scheme detailing the nature and method of the translocation within the site of dune helleborine will be submitted to the local planning authority. The agreed translocation process will be undertaken in accordance with the agreed method to a timescale agreed alongside the methodology.

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

26. Prior to the commencement of development, a Construction Environmental Management Plan must be submitted to and approved in writing by the local planning authority. The CEMP must include the following reasonable avoidance measures to ensure that there are no adverse effects on protected species:

the following:

- a) Measures to protect amphibians and reptiles by:
 - i) Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians / reptiles present to move away from the affected areas;
 - ii) 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 / reptiles from seeking shelter or protection within them; and
 - iii) 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 / reptiles 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, so as to remove any hazard to amphibians / reptiles.

- b) Measures to protect terrestrial mammals by:
 - i) A pre-commencement check for hedgehog;
 - ii) All trenches and excavations should have a means of escape (e.g. a ramp);
 - iii) Any exposed open pipe systems should be capped to prevent mammals gaining access; and
 - iv) Appropriate storage of materials to ensure that mammals do not use them.
 - v) Provision of hedgehog highways (13cm x 13cm gaps) should be installed into any boundaries on site.

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

Informatives

1. It is an offence to carry out any works within the public highway without the permission of the Highway Authority. The grant of planning permission will require the developer to enter into an agreement under s278 of the Highways Act 1980 with the Council. The applicant is advised to contact the Site Development Team at SiteDevelopment@knowsley.gov.uk to discuss the matter further.
2. See letter from Merseyside Fire & Rescue Service dated 9th February 2023.
3. See letter from United Utilities dated 22nd November 2022.
4. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

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

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
30/08/2022	PL01	Rev A	Site Location Plan
30/08/2022	PL02	Rev A	Existing Site layout
18/03/2024	PL03	Rev D	Proposed Site Layout
27/01/2023	PL07	Rev B	Unit B Elevations & Section
27/01/2023	PL09	Rev B	Unit C Elevations & Section
27/01/2023	PL11	Rev B	Unit D Elevations & Section
27/01/2023	PL13	Rev B	Unit E Elevations
15/03/2023	PL06	Rev C	Unit B Plans (floor plans)
15/03/2023	PL08	Rev C	Unit C Plans (floor plans)
15/03/2023	PL10	Rev C	Unit D Plans (floor plans)
15/03/2023	PL12	Rev C	Unit E Plans (floor plans)
18/03/2024	PL14	Rev C	Proposed Boundary Treatment
18/03/2024	PL15	Rev B	Proposed Renewables Layout
30/05/2024	P.1519.21	Rev C	Arboricultural Impact Assessment
20/02/2023	10457.2	Rev A	Apex Acoustics, Proposed Units, Fallows Way, Prescott, Noise Impact Assessment
18/03/2024	P.1519.21	Rev B	Landscape Management Plan
18/03/2024	P.1519.21.04	Rev B	Planting Plan Sheet (Sheet 1 of 2)
18/03/2024	P.1519.21.04	Rev B	Planting Plan Sheet (Sheet 2 of 2)
30/08/2022	0924.HI.08.09.2022		Health Impact Assessment
30/08/2022	0924-DAS01		Design and Access Statement
30/08/2022	0924.ESS1.16.08.20 22		Energy & Sustainability Report
30/08/2022	0924.3ES1.16.08.20 22		Economic Statement
30/08/2022	21686-FRDS-001		Flood Risk and Drainage Summary
26/03/2024	XX-HML-XX-ZZ-RP-U-880001	P01	Protected Species Report
30/08/2023			Planning Statement

Signed Case Officer: Jo Sheridan

Signed Authorising Officer: Alan Kilroe

Date: 22 April 2025

