

<u>APPLICATION NO:</u>	23/02015/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Shevington	<u>PARISH:</u>	
<u>LOCATION:</u>	Mundoxexpress Farmers Arms, Moorfield, Tower Hill, Kirkby, Knowsley, L33 1XD		
<u>PROPOSAL:</u>	DEMOLITION OF EXISTING PUBLIC HOUSE AND THE ERECTION OF 2NO. TWO STOREY APARTMENT BLOCKS CONSISTING OF 20NO. APARTMENTS INCLUDING ASSOCIATED PARKING, LANDSCAPING AND BOUNDARY TREATMENT		

Site Description

The application site is located within a Primarily Residential Area and encompasses a total floor area of .27ha and currently accommodates a former public house together with its car park and recreational ground. The former Farmer Arms Public House has ceased trading following a fire which occurred in 2022 and has now left the commercial property and the site in a poor state of disrepair.

The existing building occupies roughly half of the application site with the remaining area comprising of hardstanding that was used as an open unmarked car park. Due to ongoing anti-social behaviour a security mesh fence has been erected.

The application site is influenced by residential development towards its north and west elevations comprising a mix of 2 and 2.5 storey residential properties. A network of roads, footpath and public open space form the site's eastern and southern boundaries.

The application site is well located in terms of proximity to local services including local residential primary school as well as recent development associated with new build homes constructed by Countryside Properties and Kirkby Town Centre within close proximity.

The topography of the site is relatively flat.

Proposal

The application proposals have been revised since their original submission and form the basis of consideration within this report.

The proposals seek permission to demolish the existing public house together with the erection of 2no. apartment blocks. The apartment blocks will be 2 storeys in height and provide a mix of 16no. two-bedroom apartments and 4no. one-bedroom apartments. The proposals will provide a mirror approach concerning 2no L shape blocks measuring 25.19m in width and 26.58m at their widest points.

Located centrally between the site is a bin storage area which is sited in front of the double gated doors leading to the communal amenity space together with 10no car parking spaces and cycle storage. A further 20no. car park spaces are provided around

the perimeter of the site fronting the highway at Moorfield and Mossborough Drive respectively.

The site includes large amount amenity green space and is bounded by metal railing fence and landscaping treatment.

Consultations

Highways – No objection subject to condition. Informative to be added to decision notice.

Environmental Health – No objection subject to conditions.

United Utilities – No objection subject to pre-commencement condition. Request informative to be added to decision notice.

Strategic Housing – No objection. Scheme will provide 100% affordable housing and are supportive of the mix of units.

Merseyside Fire and Rescue – No objection. Request informative to be attached to decision notice.

Department of Neighbourhood Services – No response received.

Crime and Communities – No objections raised.

Street lighting – No objections raised. Comment on parking arrangement facing Moorfield and potential to interfere with lighting column.

Environmental Services – No objection raised. Support the scheme in principle but request the developer engages with this service to maximise the interaction of development with the parkland in its design. Further observations were submitted by WSP acting as consultant to Environmental Services offering design input.

MEAS – No objections. Observations were made concerning the ground gas monitoring report and the need for remediation strategy which is also reflected in the response provided by Environmental Health. An informative is added to this decision notice advising the applicant of what should be included in the supplementary investigation in order to discharge the condition. Request for additional bat survey.

Representations

This application has been publicised by letters sent to 27 neighbours. It has also been advertised by site and a press notice. A total of 4 representations were received of which 3no. were in support of the proposed development with 1no. opposed.

Those who support the proposed development consider that it would be a good use of land as the existing site is dangerous and brings anti-social behaviour, fly tipping and results in poor visual amenity to residents of the wider area and the development would resolve much of these issues. The plans would provide a secure car park resulting in no impact on residents. A recommendation for local school plans was put forward for parking provision however this falls outside the scope of planning.

The objection states that they are not against the demolition of the existing structure but considers that the new building will increase heavy traffic and concerns of

children's safety together with the loss of green space.

In considering the objection, the Highways Authority have been consulted and no objections have been raised concerning highway safety. The area is within private ownership and does not fall within the public open space and as such cannot be used for recreational purposes.

Planning History

21/00247/CLU – Certificate of lawfulness for the use of the building as a mixed use public house and hot food takeaway/delivery business (sui generis). Granted 18th June 2021.

15/00495/FUL- Erection of single storey extension to rear of existing premises. Granted 25th September 2015.

21/00759/FUL – Change of use from sui generis use class (public house & hot food takeaway) to use class e (retail convenience shop) together with the erection of 2.0m fencing and access gates and associated car parking. Refused 23rd December 2021 and the subsequent appeal was dismissed 7th October 2022.

20/00655/FUL – Change of use of public house (use class sui generis) to form part of convenience store and part hot food takeaway (use class e/sui generis) together with the erection of a single storey rear extension and the erection of a 2.1m high wall to the north and east boundary, installation of 2no. vehicular access gates and the construction of a new vehicular access to Mossborough Drive. Refused 4th February 2021.

13/00614/COU – Continuation of use of part of existing public house as a hot food takeaway resulting in a mixed use development of public house (use class A4) and hot food takeaway & delivery business (use class A5). Granted 26th February 2014.

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

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

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

Knowsley Replacement Unitary Development Plan (Saved Policies, 2006)

H5 – Primarily Residential Development
T5 – Location of Major Traffic Generating New Development.
T7 – New Development and Walking & Cycling Routes
DQ2 – Security in the Built Environment
ENV2 – Noise and Vibration
ENV 4 – Hazardous Substances
ENV5 – Contaminated Land

Knowsley Local Plan Core Strategy (2016)

SD1- Sustainable development
CS1 – Spatial Strategy for Knowsley
CS2 - Development Principles
CS3 – Housing, Supply, Delivery and Distribution
CS7 - Transport Networks
CS8 – Green Infrastructure
CS15 – Delivering Affordable Homes
CS17 – Housing Sizes and Design Standards
CS19 - Design Quality and Accessibility in New Development
CS21 – Green Spaces and Trees
CS22- Sustainable and Low Carbon Development
CS24 - Managing Flood Risk
CS26 – Waste management
CS27 – Planning for and Paying for New Infrastructure

Merseyside Waste Local Plan (2013)

WM8 – Waste Prevention and Resource Management
WM9 – Sustainable Waste Management Design and Layout for New Development

Supplementary Planning Documents

Ensuring a Choice of Travel SPD (2010)
Design Quality in New Development SPD (2016)
Developer Contributions SPD (2016)
Amended New Residential Development (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

The site is located within a Primarily Residential Area. Policy H5 of the Knowsley Unitary Development (Saved Policies) states new development within primarily residential areas (or proposals for the change of use or redevelopment of existing buildings) which is for uses appropriate to a residential area will be permitted provided that the development would not have an unacceptable impact on the amenity of neighbouring occupiers or adversely affect the character of the street scene or area.

The surrounding area has undergone a period of regeneration initiatives through the adjacent Countryside Properties scheme together with ongoing improvement works associated with Tower Hill Park. The development proposals would involve the replacement of the derelict public house building which is a blot on the existing character and appearance of the street scene and parkland setting. The development proposals would provide 20no. apartments which is consistent with Policy H5 and as such the principle of residential use on the site is therefore acceptable.

Layout, Scale and Design

The majority of neighbouring properties are of detached or semi-detached dwellings fronting the north and west elevations of the application site. However, the application site is the only built form on the edge of the parkland setting. Whilst the apartment blocks are different to the residential dwellings located nearby, they are considered more appropriate in terms of their immediate surroundings given the need to ensure natural surveillance at the rear in an effort to reduce anti-social behaviour and crime which would not be secured through a more traditional approach as found locally in properties nearby.

The Design and Access Statement considers the existing pub at 2.5m storey height is an appropriate scale. However, concerns were initially raised in preapplication discussions and instead a 2 storey apartment blocks of a cottage style design has been put forward.

The proposals include feature brick course at first floor level in an attempt split out two different bricks between each storey and reduce the bulk mass which would occur with the use of a single brick which overall improves the general design of the apartment blocks.

The front porches provide some relief and separation from flat entrances and accommodate incoming service metres. The proposals include a regular window pattern which has been lined up across levels and includes brick headers in a straight formation rather than arched to further elevate the design concept in a simple but effective manner. As originally submitted, the entrances included a number of flat roof porches which did not correspond to the overall character and appearance of the wider area. A mixture of pitched and gable porches are now included to assist in providing some relief and separation from flat entrances and will offer a more appropriate entrance to each apartment providing the buildings with some individuality.

The roof will accommodate a 34.97-degree pitch which closely matches nearby Countryside house types and will measure 5.15m at the eaves and 8.6m at their highest point. The only difference is that of the bin yard which will be contained via an open roof canopy.

The site is slightly distinguished by the use of dark coloured fascia's and soffits and black rainwater goods which provides a more modern appearance. Given the size of the apartment blocks it is considered acceptable and would not appear to dominate the form of either apartment block.

As originally submitted the landscaping treatment included significant amount of hard landscaping which has since been amended to include more informal natural landscaping features to provide a better sense of place in the context of the wider surroundings. At the rear of the apartments is a generous amount of communal and amenity provision together with internal car parking and cycle storage contained within a 1.8m metal railing fence along the eastern elevation which will be accompanied by natural landscaping to provide a degree of privacy whilst also allowing for natural surveillance at the rear in an effort to design out crime.

To the south elevation a 1.3m tall metal railing fence is proposed with landscaping provided within. Although this is close to the boundary of the park it offers some level of security and no concerns have been raised from the crime and prevention officer. Although Environmental Services requested that this fence to be increased to 1.8m in height this would have resulted in an overbearing affect to future residents and it was considered that a 1.3m high fence offered a suitable compromise between security in the built environment and design.

Vehicles will be secured via double gates located centrally between the two blocks where the communal parking area is located to the rear. A bin storage unit is located centrally between the two blocks providing a easy access to waste facilities to residents. Whilst it would have been preferred if this was attached to the unit, due to fire safety measures it would need to be detached for the end operator who will take on the site. On balance, it is therefore considered acceptable.

Apartments

The proposals will provide 100% affordable housing which will help assist the Borough in providing for a range of housing to meet its development needs. The apartments will provide a mix of 1no. and 2no. bedroom apartments and are compliance with M4(2) Accessible and Adaptable Dwellings in accordance with Building Regulations. In addition, the ground floor apartments are capable of being adapted to the higher M4(3) dwelling standard meaning that the individual apartments are capable of responding to ever changing housing needs of future occupants which is supported.

Lighting

The proposed development is private but lighting is already in place which serves the wider housing estate. Notwithstanding this, due to the communal car park and amenity space at the rear a lighting scheme should be installed which has been agreed via condition to reduce the potential for criminal activities along the site boundary.

Landscaping

The site does not include any natural assets on site currently. The proposals include a large amount of amenity green space together with hedgerow and tree planting to be provided on site. This is subject to a condition regarding landscaping treatments but overall the site will increase the biodiversity.

Conclusion on design

Overall, the development would reuse previously developed land and would offer a suitable use on land which is currently in a poor state of disrepair. The proposals have taken into consideration the local vernacular but have included elements into the

design to distinguish itself from the wider surroundings offering an appropriate and well thought out residential development.

Residential Amenity

Policy CS19 of the Knowsley Local Plan (adopted 2016) requires development maintains a good standard of amenity for existing and future occupants.

The existing building currently in situ is in a poor state of disrepair and has increased levels of anti-social behaviour following the events of the fire in 2022. As such, the principle of development would likely resolve much of the issues concerning anti-social behaviour.

The Amended New Residential Development SPD provides guidance on separation distances which would be maintained between residential properties to ensure that neighbouring properties are not adversely affected by overshadowing, loss or privacy or dominance.

The applicant was advised to restrict the height of the apartment to 2 storeys so it was in keeping with neighbouring properties to ensure that it does not have an overbearing nature of the surrounding area. The proposals would retain a separation distance in excess of 23m to the properties fronting Moorfield and Mossborough Drive which is in accordance with the guidance set out in the New Residential Development SPD. The apartment located closest to the bin storage area would have a reduced outlook however it includes windows across 3 elevations meaning that sufficient amenity space would be retained by the future occupier of this property.

The proposals would be largely contained by a more defensible natural and man made boundary which would reduce levels of anti-social behaviour and have also been designed with the principles of natural surveillance. The proposals would not be detrimental to amenity of occupiers and it is considered that it would largely improve many residents amenity and would also provide an appropriate level of amenity space for future occupiers of the site. As such, it is not considered that the proposal will result in adverse effects to amenity to residents located along Mossborough Drive and Moorfield.

Other issues

Ecology

The application is accompanied by a bat survey conducted during the survey period between May to September. The second survey was undertaken in good weather conditions with suitable temperature for the survey to be considered valid. The emergence survey results reveals no bats were seen to emerge from building and it was considered that bat and bat roosts were absent during the survey.

MEAS provided additional comments requesting further survey to be undertaken as the site is classified as having moderate suitability and surveys should be carried out between May and August to account for bat maternity period.

The Local Planning Authority has sought advice from the Council's ecology consultant who has advised that given no bats were observed within the building and good weather conditions recorded during the September survey period that the results of the report should be accepted and no further actions are required.

The Bat Emergence Report sets out a number of recommendations including providing

suitable ecological connection between the site and locality together with lighting to avoid disturbance to bats in line with the guidance recommended by the Bat Conservation Trust and Institute of Lighting Engineers in dealing with the landscape and lighting conditions attached to this decision.

Given the lack of bat species roosting on site and comments provided by the Council's ecology consultant there would be no adverse effects to bats as a result of the proposed development.

Open Space

The Developer Contributions SPD requires development of more than 10 dwellings to provide a contribution towards public open space. This has resulted in a total s106 off site contribution of £27,794.48 to be spent towards the Tower Hill Park for landscaping and infrastructure within the site.

Highways

The apartments provide a total of 30no. car parking spaces within the curtilage of the apartment blocks either from Mossborough Drive, Moorside or within the communal car parking.

Paragraph 115 of the NPPF (2023) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. One representation was received citing concerns over the impact to the highway network. The Highways Authority were consulted as part of the application and raise no concerns to the principle of development subject to conditions. Subject to these conditions, the development is acceptable and it is not considered that the addition of 30no. cars would result in an unacceptable impact on highway safety sufficient to warrant refusal given the high bar set by national policy.

Notwithstanding this, it was apparent that the parking layout would have interfered with the lighting column located on Moorfield and the layout was slightly revised to address this to ensure no issues would occur in terms of visibility.

As such, it is not considered that the development would result in adverse impact to highway safety.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways. The proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore recommended for approval subject to conditions.

Recommendation

That planning permission will be granted subject to

- a) the signing of a s106 agreement for the following;
 - i. 10% Affordable Housing contribution (2 units)
 - ii. A Parks & Garden Contribution of £19,075.28 payable prior to commencement of development.

- iii. A Children & Young People Contribution of £8,719.20 payable prior to commencement of development.
- iv. A s.106 monitoring fee of £1,716 (3 x £572) payable prior to commencement of development.

Prior to completion of the agreement, the applicant will be required to pay;

- i. A s.106 registration contribution of £286; and
- ii. The Council's legal fees associated with the preparation and negotiation of the agreement.

b) 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 building 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 with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 4) Notwithstanding the details submitted in the Phase 1 and 2 Geoenvironmental Report, 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.

a. 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.

b. 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.

c. Reporting of Unexpected Contamination

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

d. Importation of Soil/Material

No top 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.

e. Materials Management Plan

Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management plan, carried out in line with the CL: AIRE code of practice and 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 do not result in increased risk to the environment or human health.

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

- 5) No part of the development hereby permitted shall be commenced until a Demolition and Construction Management Plan has been submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction / demolition effects. This shall include but not be limited to the following: -
1. Layout of the site compound including identification of areas for the storage of plants and materials, locating/unloading and turning areas for delivery vehicles for each phase of development as necessary.
 2. Management of deliveries including prevention of waiting/layover construction areas 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.
 3. Details of construction staff parking arrangements.
 4. Control of transfer of mud out of the site – details of wheel washing facilities including location and type.
 5. Methods for dust control and suppression.
 6. Methods for the mitigation of noise and vibration from building works, including any piling works, and also from the operation of any temporary power generation or pumping plant which will operate overnight.
 7. Details of relevant pest control measures to be taken during both the construction and demolition phases.
 8. 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.
 9. Scheme for recycling/disposal of waste resulting from demolition and construction works

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 the National Planning Policy Framework; Policies CS2 and

CS19 of the Knowsley Local Plan Core Strategy adopted January 2016;
Policy WM9 of the Merseyside and Halton Joint Waste Local Plan 2013
and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary
Development Plan adopted June 2006.

- 6) Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

- 7) No part of the development consented hereby shall be occupied until the parking provision shown on Drawing 451-1-PLN-02 Rev E and the associated footway crossing modifications have been provided to the satisfaction of the Local Planning Authority and are usable. The parking provision shall be hard surfaced, and shall not drain onto the highway.

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

- 8) The proposed development shall not be brought into use until precise scheme detail of the proposed cycle storage highlighted on Drawing 451-1-PLN-02 Rev E has been submitted to and approved 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. 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.

- 9) None of the approved dwellings shall not be occupied until a scheme for provision of lighting of private communal areas, such as shared parking area, has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented in full accordance with the approved scheme details prior to first occupation of the development.”

Reason: In the interests of residential 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 saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 10) Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The details shall relate to all land surfaces not built upon and shall include:

- a) Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks
- b) hard surfaced areas and materials,
- c) planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.
- d) existing plants / trees to be retained
- e) A detailed regime for the ongoing and longer term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which it relates unless otherwise agreed in writing by the Local Planning Authority.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

Date Received	Ref. No	Version	Drawing/Document Title
08.11.2023	PP-12317955V1		AMENDED LOCATION PLAN
21.12.2023	451-1-PLN-03	REV B	PROPOSED GROUND FLOOR PLAN
01.08.2023	451-1-PLN-04	REV A	PROPOSED FIRST FLOOR PLAN
01.08.2023	451-1-PLN-06	REV A	BLOCK A ELEVATIONS
01.08.2023	451-1-PLN-07	REV A	BLOCK B ELEVATIONS
21.12.2023	451-PLN-02	REV E	PROPOSED SITE PLAN
06.12.2023	451-1-PLN-09	REV B	PROPOSED STREET SCENES
01.08.2023	451-1-PLN-05	REV A	PROPOSED ROOF PLAN
27.07.2023	451-1-PLN-010		3D RENDER – CORNER VIEW
27.07.2023	451-1-PLN-011		3D RENDER – VIEW FROM MOORFIELD
28.09.2023	--		BAT SURVEYS REPORT
28.09.2023	--		BAT ROOST ASSESSMENT
26.07.2023	CCG-C-23-13930		PHASE 1 GEOENVIRONMENTAL REPORT
27.07.2023	CCG-C-23-13931		PHASE 2 GEOENVIRONMENTAL REPORT

Signed Case Officer¹: **John Fleming**

Signed Authorising Officer²: **K Foster**

Date: **13 February 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.

INFORMATIVES

HIGHWAYS

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.

The applicant is reminded that it is an offence to allow material carried from the site to be deposited on or cause damage to the highway, as a result of dirty wheels or badly loaded vehicles. Should this occur, the Council as Local Highway Authority will seek to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and will prosecute offenders under Sections 131, 148 and 149 of the Highways Act 1980.

United Utilities

The applicant can discuss their drainage proposals with an **Engineer from our Developer Services team by email at SewerAdoptions@uuplc.co.uk**. Alternative ways to contact the team are detailed in the 'Contacts' section below.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

The importance of Sustainable Drainage Systems (SuDS)

We strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. We request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. We believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in any subsequent Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development. The following may be a useful example.

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local

planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and

b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company and we would not be involved in the discharge of the management and maintenance condition in these circumstances.

Adoption and construction of drainage systems

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewerage Sector Guidance Appendix C – Design and Construction Guidance v2-2' dated 29 June 2022 or any subsequent iteration. This is important as drainage design can be a key determining factor of site levels and layout.

Acceptance of a drainage strategy does not infer that a detailed drainage design will meet the requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE

Where United Utilities' assets cross the proposed red line boundary, developers must contact our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. Please see 'Contacts' section below.

Water pipelines

United Utilities will not allow building over or in close proximity to a water main.

Wastewater pipelines

United Utilities will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. This will only be reviewed in exceptional circumstances.

Nb. Proposals to extend domestic properties either above, or in close proximity to a public sewer will be reviewed on a case by case basis by either by a building control professional or following a direct application to United Utilities (see our website for further details).

Important information regarding water and wastewater pipelines and apparatus

It is the applicant's responsibility to investigate and demonstrate the exact relationship between United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service, including United Utilities (see 'Contacts' section below). The position of the underground apparatus shown on water and wastewater asset maps is approximate only and is given in accordance with the best information currently available. Therefore, we strongly recommend the applicant, or any future developer, does not rely solely on the asset maps to inform decisions relating to the detail of their site and instead investigates the precise location of any underground pipelines and apparatus. Where additional information is requested to enable an assessment of the proximity of proposed development features to United Utilities assets, the proven location of pipelines should be confirmed by site survey; an extract of asset maps will not suffice. The applicant should seek advice from our Developer Services team on this matter. See 'Contacts' Section below. United Utilities Water will not accept liability for any loss or damage caused by the actual position of our assets and infrastructure being different from those shown on asset maps.

Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme.

Any agreement to divert our underground assets will be subject to a diversion application, made directly to United Utilities. This is a separate matter to the determination of a planning application. We will not guarantee, or infer acceptance of, a proposed diversion through the planning process (where diversion is indicated on submitted plans). In the event that an application to divert or abandon underground assets is submitted to United Utilities and subsequently rejected (either before or after the determination of a planning application), applicants should be aware that they may need to amend their proposed layout to accommodate United Utilities' assets.

Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include sustainable drainage features, earth movement and the transport and position of construction equipment and vehicles.

Any construction activities in the vicinity of United Utilities' assets, including any assets or infrastructure that may be located outside the applicant's red line boundary, must comply with national building and construction standards and where applicable, our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which is available on our website. The applicant, and/or any subsequent developer should note that our 'Standard Conditions' guidance applies to any design and construction activities in close proximity to water pipelines and apparatus that are no longer in service, as well as pipelines and apparatus that are currently operational.

It is the applicant's responsibility to ensure that United Utilities' required access is provided within any proposed layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity.

WATER AND WASTEWATER SERVICES

If the applicant intends to receive water and/or wastewater services from United Utilities they should visit our website or contact the Developer Services team for advice at the earliest opportunity. This includes seeking confirmation of the required metering arrangements for the proposed development. See 'Contacts' Section below.

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the connection(s) will be suitable for the new proposal or that any existing metering arrangements will suffice. In addition, if reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for.

In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit <https://www.unitedutilities.com/my-account/your-bill/our-household-charges-20212022/> and go to section 7.7 for compulsory metering.

To promote sustainable development United Utilities offers a reduction in infrastructure charges for applicant's delivering water efficient homes and draining surface water sustainably (criteria applies). For further information, we strongly recommend the applicant visits our website when considering any water or wastewater design <https://www.unitedutilities.com/builders-developers/your-development/planning/building-sustainable-homes/>

Business customers can find additional information on our sustainable drainage incentive scheme at <https://www.unitedutilities.com/Business-services/retailers/incentive-schemes/>

To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' Section below.

CONTACTS

Website

For detailed guidance on water and wastewater services, including application forms and the opportunity to talk to the Developer Services team using the **'Live Chat'** function, please visit:

<http://www.unitedutilities.com/builders-developers.aspx>

Email

For advice on water and wastewater services or to discuss proposals near to pipelines, email the Developer Services team as follows:

Water mains and water supply, including metering -

DeveloperServicesWater@uuplc.co.uk

Public sewers and drainage - SewerAdoptions@uuplc.co.uk

Telephone - 0345 072 6067

Property Searches (for asset maps):

A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, please visit <https://www.unitedutilities.com/property-searches/>

Water and sewer records can be viewed for free at our Warrington Head Office by calling 0370 751 0101. Appointments must be made in advance. Public sewer records can be viewed at local authority offices. Arrangements should be made directly with the local authority.

We request that a copy of this letter is made available to the applicant.

Yours faithfully

The Planning, Landscape and Ecology Team

Environmental Health

As part of the further information requested, a supplementary investigation should be undertaken following the building demolition. In addition, six rounds of gas monitoring have been proposed with one set of results reported within the June 2023 report. It is advised that the completed dataset and updated ground gas risk assessment should be submitted once monitoring has been completed.

Merseyside Fire and Rescue

The Fire Authority requests that any decision notice includes the following information;

The plans relating to the above application have been examined and below are the Fire Authority's observations:

- ☐ Access for fire appliances should comply with the requirements of Section B5, Schedule 1 of the Building Regulations. Provisions for access will depend on the size and use of the building. The design of the access route, for example minimum road widths and maximum reversing distances, should also be considered (Appendix A, attached).
- ☐ In accordance with Section 55 of the County of Merseyside Act 1980, the position of the premises should not compromise or impede existing means of fire service access to a neighbouring building.
- ☐ Water supplies for firefighting purposes (Appendix B) should be risk assessed in accordance with the undermentioned guidance in liaison with the water undertakers (United Utilities - 0161 907 7351) with suitable and sufficient fire hydrants supplied.

□ Housing

Housing developments with units of detached or semidetached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant. Multi occupied housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development.

Further information regarding access requirements can be found in the current version of Approved Document B, which is available for free download via:
<https://www.gov.uk/government/publications/fire-safety-approved-document-b>
Should you require any further information in respect of this correspondence please contact the Officer named above

Yours faithfully

Alison Harrison

Authorised Fire Safety Inspecting Officer

And on behalf of Merseyside Fire and Rescue Authority