

<u>APPLICATION NO:</u>	23/02819/FUL	<u>CASE OFFICER:</u>	Mark Quinn
<u>WARD:</u>	Northwood	<u>PARISH:</u>	
<u>LOCATION:</u>	Mersey Pallets Co , Kirkby Bank Road, Knowsley Industrial Park		
<u>PROPOSAL:</u>	ERECTION OF 4NO INDUSTRIAL UNITS (USE CLASS B8 - STORAGE AND DISTRIBUTION) AND ASSOCIATED WORKS (SITE ACCESS TO BE TAKEN FROM ACORNFIELED ROAD AND KIRKBY BANK ROAD)		

Site Description

The site is located at the junction of Acornfield Road and Kirkby Bank Road. The part of the site bounded by Acornfield Road is currently vacant and the part of the site bounded by Kirkby Bank Road is currently occupied by a timber pallet company. The surrounding area comprises predominantly existing industrial units.

Proposal

It is proposed to erect four industrial units to be used within Use Class B8 (storage & distribution), three of which would be accessed from Kirkby Bank Road, and one would be accessed from Acornfield Road. Each unit would be self-contained with its own car parking, turning area and cycle storage area. Soft landscaping is proposed within each unit. The application site and each unit would be enclosed by 2.4m high paladin fencing. The internal floor areas of the units would vary in size between 544sqm and 772sqm.

Consultations

United Utilities Water Ltd - No objections in principle
Public Health - Health Improvement And Health Protection - No objections to amended Health impact Assessment.
LLFA/Drainage - No objections subject to conditions securing the implementation of the drainage strategy and securing a management strategy.
James Towers - Landscape Architect - No objections to amended scheme.
Arboricultural Officer - No objections to amended scheme.
Highway Authority - No objections to amended layout subject to details of cycle storage and the layout of parking/manoeuvring space secured by planning condition.
Environmental Health - No objections subject to planning conditions covering, contaminated land, external lighting and Construction Management Plan
Merseyside Environmental Advisory Service - No objections subject to conditions covering RAMS, invasive species and waste management.
Merseyside Fire And Rescue Authority - No objections in principle.
FUSION 21 - Sarah Maguire - No objections subject to a commuted sum for the monitoring and implementation of a Social Value Strategy.

Representations

This application has been publicised by letters sent to 83 neighbours. It has also been advertised by Site Notice and a Press Notice. No representations have been received.

Planning History

K/8789 – Open storage of timber pallets and landscaping. Granted June 1985.

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 LOCAL PLAN: CORE STRATEGY

- CS2 - Development Principles
- CS4 - Economy and Employment
- CS7 - Transport Networks
- CS8 - Green Infrastructure
- CS11 - Principal Regeneration Area - Knowsley Industrial and Business Parks
- CS19 - Design Quality and Accessibility in New Development
- CS22 - Sustainable and Low Carbon Development
- CS24 - Managing Flood Risk
- CS27 - Planning and Paying for New Infrastructure

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

- EC3 - Primarily Industrial Areas
- DQ4 - Trees and Development
- ENV2 - Noise and Vibration
- ENV5 - Contaminated Land
- ENV3 - Light Pollution

National Planning Policy Framework

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 application site is allocated as a primary industrial area on the Local Plan policies map.

Saved UDP policy EC3 -Primarily Industrial Areas states :-

“Primarily industrial areas are identified on the Proposals Map and are appropriate locations for Business (Class B1); General Industry (Class B2); and Storage and Distribution (Class B8) uses.”

A proposal for the erection of industrial units falling within use class B8 would therefore be in accordance with Policy EC3 and would in principle be acceptable.

Highway Safety Considerations

The application is supported by a Transport Statement. This concludes that the site is served by appropriate infrastructure that can accommodate the traffic which would be generated by the proposed development. Peak hour traffic flows are not significant and will not have an impact on highway operation and proposed access arrangements are appropriate and will allow a HGV to enter and leave the site in forward gear.

KMBC highway engineers generally concur with the above however they initially raised concerns with the level of car parking provided and the HGV turning circles. Amended plans have subsequently been submitted to increase the amount of car parking. Highways ultimately considered that the likely frequency of articulated HGVs attending the units will be low and therefore the turning areas as shown will be sufficient for the vast majority of likely vehicles.

The proposal would be in compliance with Local Plan Policy CS7 in the Knowsley Local Plan Core Strategy.

Design & Layout Considerations

The proposed units would have a contemporary appearance similar to other recently constructed units on the business park. Four different cladding panels are proposed comprising of horizontal and vertical cladding. Aluminium framed glazing is proposed for the windows and doors with a dark grey colour finish. The units would have a shallow pitched roof with a maximum height of 9.5m and the front elevations would be set back into the site by approximately 21m from the Kirkby Bank Road boundary, the gable of unit D3 would be 2.5m from the Acornfield Road boundary and Unit E would be sited approximately 2-2.5m from the Acornfield Road boundary.

Whilst Units D3 and E would be sited in close proximity to the Acornfield Road site boundary there are recently constructed industrial units along Acornfield Road with a similar set back from the highway. Therefore, on balance the siting of the proposed units are considered to be acceptable in the street scene.

The design and appearance of the units are considered acceptable and would be in compliance with Local Plan policy CS19 and guidance on design in NPPF.

Environmental Considerations

The application is supported by an Air Quality assessment and Noise Assessment which are

both considered to be acceptable and can be made approved documents.

No external lighting assessment has been undertaken, whilst it is within the industrial estate the development needs to ensure there is no obtrusive lighting into surrounding businesses. This can be secured by way of planning condition.

A phase 1 and phase 2 Geoenvironmental Site investigation has been submitted with the application. To date limited intrusive works have been undertaken; therefore, it is advised that further investigation is required which can be secured by way of the standard contaminated land condition.

To mitigate the impacts of the construction process it is recommended that a Construction Management Plan is secured through a pre commencement planning condition.

Subject to the necessary planning conditions the proposal would be in compliance with saved UDP policies ENV2, ENV3 and ENV5 and Local Plan policy CS2.

Flood Risk/Drainage Considerations

The application has been accompanied by a Flood Risk Assessment and Drainage Strategy. This concluded that the area is considered to be at low risk from flooding from groundwater, reservoir, sewer and surface water sources.

The proposed development has the potential to increase flood risk due to the introduction of new roof and paved areas, however the management of surface water at the site through the application of sustainable drainage principles will provide mitigation. This involves the use of proprietary treatment systems, attenuation tanks and flow controls to provide water quality and quantity benefits.

United Utilities and the Lead Local Flood Authority have confirmed that the proposals are acceptable provided that they are carried out in accordance with the submitted drainage design drawing and surface water must be drained at the restricted rate of 7l/s. providing this is secured by way of planning condition and details of the management and maintenance of the drainage system is secured by planning condition the proposals would be in compliance with Local Plan policy CS24.

Tree, Landscaping and Ecology Considerations

There are currently 14 individual trees and 3 tree groups on the application site. As a result of the proposals all of the individual trees and the 3 tree groups are proposed to be removed. Of the individual trees 4 are category B, 10 are category C and 5 are category U. 1 of the tree groups is category B and 2 tree groups are category U.

To mitigate for the tree loss 25 replacement trees are proposed 13 of the trees would be 16-18cm girth and 12 trees would be 18cm-20cm girth.

In addition to the new tree planting 52 native shrubs, 127m of native mixed species hedgerow and 740 ornamental shrubs would be planted as part of the landscaping scheme.

The revised landscaping scheme and the proposed tree mitigation is considered to be acceptable and would be in compliance with Saved UDP policy CS5 and Local Plan policy CS19.

The application has been supported by a Preliminary Ecological Appraisal (PEA) report in line with Local Plan Core Strategy policy CS8. In summary, the site was found to comprise predominantly hardstanding of negligible ecological value, with areas of dense and scattered scrub, scattered trees and tree lines also present.

The potential presence of roosting bats on the site was discounted following an inspection of the on-site structures and trees.

The habitats on site are suitable for badger (a protected species) and hedgehog (a Priority Species) and Local Plan Core Strategy policy CS8 applies. Reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them. This can be secured by way of planning condition.

Rhododendron and Himalayan cotoneaster were recorded upon the application site during the extended phase 1 habitat survey. These species are listed on Schedule 9 of the Wildlife and Countryside Act and national Planning Policy Guidance applies. The applicant should therefore submit a method statement for the treatment and eradication of these invasive species. This requirement can be included within the Construction Environmental Management Plan.

The application is supported by a Biodiversity Metric report and Biodiversity Metric calculation. In summary, the on-site baseline value of the habitats present was found to equate to 0.49 habitat units and 0.31 hedgerow units.

Post-development, the habitat units are calculated to equate to 0.56 units (an increase of 0.7 units) and the hedgerow units are calculated to equate to 0.46 (an increase of 0.15 units).

The proposals will therefore result in a net gain of 14.19% habitat units and 46.98% hedgerow units which is welcome and in line with the NPPF. However, the trading rules of the metric have not been met due to the loss of -0.09 hectares of mixed scrub habitat on the site.

However, on this occasion, the trading rules not being satisfied is not considered to be a significant issue, as the loss of scrub is considered to be balanced out by the proposed additional hedgerow planting.

The biodiversity net gain is therefore considered to be acceptable.

The impact on trees, proposed landscaping and ecology impacts would be in compliance with Local Plan policies CS8, CS19 & saved UDP policy DQ4.

Planning Obligations.

A social value strategy has been submitted as part of this application. In accordance with the Adding Social Value to Development SPD a financial contribution (£3,339) would be required to ensure the implementation and monitoring of the strategy. This contribution can be secured through a S106 legal agreement.

Conclusion

The proposed development would be acceptable in terms of highway safety, design & appearance, flood risk, trees & landscaping and ecology and would be in compliance with the Local Plan and saved UDP policies listed above subject to the necessary planning conditions and completed S106 legal agreement securing the planning contribution referred to above.

Recommendation

That Planning Permission be granted subject to the following conditions:-

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

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

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

Reason: For the avoidance of doubt.

- 3) 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 buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials . The development shall be carried out only in accordance with the agreed schedule of materials.

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

- 4) All hard and soft landscape works shall be carried out and maintained in accordance with the approved details shown on Drg KL-570-001 P4 Landscape Strategy received 08.04.2024 , Drg KL 570 002 Tree Pit detail received on 08.04.2024 and RT 570.001 Landscape Management Plan received 08.04.2024. The works shall be carried out before any part of the development is occupied or within the first available planting season prior to the first occupation of the unit whichever is the sooner. Any trees / shrubs which are removed, die, become severely damaged or diseased within 10 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, and the National Planning Policy Framework.

- 5) 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 (where relevant):

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and
 - o service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o 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 water environment and to comply with Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 6) Prior to the installation of any external lighting a scheme detailing the lighting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the steps taken to minimise light pollution and shall include an isolux plot and luminosity details and manufactures specifications 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 first operation and shall be maintained thereafter in accordance with the agreed scheme.

Reason : To ensure that light pollution is minimised and that any lighting does not adversely impact on local amenity and to ensure compliance with Saved policy ENV3 in the Knowsley Replacement Unitary Development Plan

- 7) No part of the development hereby permitted shall be commenced until a 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. The Construction Management Plan shall include the following matters:
- a) 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.
 - b) 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).
 - c) Methods for dust control and suppression.
 - d) Details of wheel washing facilities including location and type.
 - e) The areas for the storage of plant and materials.
 - f) Location of site compound.
 - g) Details of relevant pest control measures that will be put in place during the construction phase.
 - h) Proposed hours of construction (the following is usually acceptable: 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday and not at all on Sundays/Public Holidays).
 - i) The following reasonable Avoidance Measures shall be put in place.
 - o A pre-commencement check for badger and hedgehog;
 - o All trenches and excavations should have a means of escape (e.g. a ramp);
 - o Any exposed open pipe systems should be capped to prevent mammals gaining access; and
 - o Appropriate storage of materials to ensure that mammals do not use them

- j) A method statement for the treatment of Rhododendron and Himalayan cotoneaster, prepared by a competent person, which includes the following information:
 - o A plan showing the extent of the plants;
 - o The methods that will be used to prevent the plant/s spreading further, including demarcation;
 - o The methods of control that will be used, including details of post-control monitoring; and
 - o How the plants will be disposed of after treatment/removal.
- k) Scheme for recycling/disposal of waste resulting from construction works

All site works shall then proceed only in accordance with the approved management 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 Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 8) No part of the proposed development shall be brought into use until precise scheme details of the proposed cycle storage facilities highlighted on Drawing F010 Rev C have 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

- 9) The development shall not be brought into use until the areas indicated on Drawing F010 Rev C 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 which have been previously submitted to and approved in writing by the Local Planning Authority. 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.

- 10) The proposed drainage strategy for the development hereby approved, shall be carried out based on the principles set out in the submitted Flood Risk Assessment & Drainage Strategy Report and Foul & Surface Water Drainage Design Drawing 021B42-PL1, Rev A dated Oct 2023 and prepared by CJE. For the avoidance of doubt, maximum surface water discharge from site should not exceed 7.1 l/s under any circumstances. The works shall be implemented in accordance with the approved scheme before the development is brought into use and retained thereafter for the lifetime of the development.

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).

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

This shall include:

- o The arrangements for adoption by an appropriate public body or statutory undertaker or details of provision for management and maintenance by a management company.
- o A schedule for on-going inspections relating to performance and condition.
- o Details for planned maintenance and a mechanism for remedial and urgent repair works.
- o Means of access for inspection and maintenance purposes.
- o The plan shall be implemented in accordance with the timeframes contained within it.

Reason: To ensure effectiveness of the flood risk measures during the lifetime of the development policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy (January 2016).

- 12) Prior to the erection of the 2.4m paladin fencing & gates precise details of the position of the fencing and gates shall be submitted to and approved in writing by the Local Planning Authority. The fencing and gates shall thereafter be erected in accordance with the approved details.

Reason : For the avoidance of doubt and in the interests of visual amenity and to ensure compliance with Policy CS19 in the Knowsley Local Plan Core Strategy (January 2016)

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
13/05/2024	PPC-XX-DR-A-F010 REV D	-	AMENDED PROPOSED LAYOUT
08/04/2024	KL-570-002	-	Tree Pit Detail 08.04.24
08/04/2024	KL-570-001 P4	-	AMENDED LANDSCAPING PLAN
05/01/2024	PPC-XX-DR-A-F023- REV A	-	Proposed Unit E Proposed Elevations
05/01/2024	PPC-XX-DR-A-F021- REV A	-	Proposed Unit E Proposed Ground First Floor Plans & Roof Plan
05/01/2024	PPC-XX-DR-A-F013 REV A	-	Proposed Elevations
05/01/2024	PPC-XX-DR-A-F012- REV A	-	Proposed Roof Plan
05/01/2024	PPC-XX-DR-A-F011 REV A	-	Proposed Ground & First Floor Plans
09/04/2024	81-377-R1-4	-	Revised Arboricultural Impact Assessment
08/04/2024	RT-570-001	-	Landscape Management Plan
08/04/2024	-	-	FENCING SPEC
12/02/2024	REV A	-	REVISED HEALTH IMPACT ASSESSMENT

19/01/2024	81-377-R2-1	-	PRELIMINARY ECOLOGICAL APPRAISAL REPORT
05/12/2023	6971R2	-	AIR QUALITY ASSESSMENT
05/12/2023	50-910-R1-2	-	NOISE IMPACT ASSESSMENT
05/12/2023	-	-	FLOOD RISK ASSESSMENT & DRAINAGE STRATEGY

Signed Case Officer¹: Mark Quinn

Signed Authorising Officer²: K Foster

Date: 13 May 2024

Informatives

1. In respect of Condition 5 Contaminated Land I can provide the following comments.
 1. The area covered by the Phase I and II report (3.47ha) is much larger than the proposed development site (0.6ha). Any comments will therefore only apply to the southern area which falls within the red line boundary of 23/02819/FUL.
 2. The operational nature of the site meant that intrusive works were restricted. As such only one trial pit (TP116), three window samples (WS114, WS115 and WS116) and one cable percussive borehole (CP104) were located in this area. No soil samples were analysed from these locations and the gas well installed in CP04 could not be accessed. MEAS advise that additional site investigation is required to establish any risks associated with the proposed development. An amended report needs to be provided based on the current area of interest and development proposals.
 3. If the activities on site have changed since the report's publication in 2019 the preliminary conceptual site model may also require updating.
 4. It is advisable to agree the scope of works in advance with the Local Planning Authority.
2. 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

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

contact the Site Development Team at SiteDevelopment@knowsley.gov.uk to discuss the matter further.

3. 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.
4. No tree felling, scrub clearance and / or vegetation management 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 trees, scrub 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.
5. With regards to Condition 7 , part K the following should be noted.

A waste audit or similar mechanism provides a mechanism for managing and monitoring construction, demolition and excavation waste. This is a requirement of WLP policy WM8 and the National Planning Policy for Waste (paragraph 8); and is advised for projects that are likely to produce significant volumes of waste (NPPG, paragraph 49). Implementation of such mechanisms may also deliver cost savings and efficiencies for the applicant.

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

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

Information to comply with policy WM8 could be integrated into a Construction Environment Management Plan (CEMP) if one is to be produced for the development. This would have the benefit of ensuring that the principles of sustainable waste management are integrated into the management of construction on-site to improve resource efficiency and minimise environmental impacts.

Guidance and templates are available at:

o <http://www.meas.org.uk/1090>

o <https://www.gov.uk/guidance/waste>

o <http://www.wrap.org.uk/>

o http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item_id=8983

6. See attached consultation responses from Merseyside Fire Authority and United Utilities.

