

APPLICATION NO: 23/00327/FUL **CASE OFFICER:** John Fleming

WARD: Prescott Town **PARISH:** Prescott North
Council

LOCATION: Land to the rear 1 – 25 Hope Street, Prescott, Knowsley

PROPOSAL: DEMOLITION OF EXISTING INDUSTRIAL UNIT TOGETHER WITH THE ERECTION OF 6NO. DWELLINGS WITH ASSOCIATED LANDSCAPING, CAR PARKING AND BIN STORAGE

Site Description

The application site is an existing commercial unit and its curtilage used for vehicle repairs and car hire located at the rear of Hope Street, Prescott.

The existing commercial building is a substantial structure comprising predominantly steel corrugated cladding built atop of the brick wall which forms the alleyway to the residential properties located on Hope Street to the east of the application site and brick wall forming the entrance to the Public Right of Way (PROW) to the west. During the site visit it was noted that a small piece of the wall fronting the PROW may have some historic significance within the brick face and is discussed later in this report.

Mature vegetation is found along the PROW but falls outside of the applicants ownership. To the northern elevation there are a number of trees between the gable end of the commercial property and the residential properties located off Easton Road.

To the north of the application property is residential development beyond which is Prescott Park. To the south of the application site is a variety of uses associated with the High Street.

Proposal

The application proposals have been revised since their original submission and form the basis of consideration. The application proposals seek to demolish the existing commercial premises and erect 6no. 3 bedroom terrace dwellings.

The block of dwellings would measure occupy a footprint of 30.28m in width by 9.66m in depth and would accommodate a gable room measuring 4.92m at the eaves and 8.59 at the highest point. To the south of the proposed dwellings would be a communal car park bounded by brick built wall together with metal railing gate. The northern and eastern elevations would include timber fencing at 1.8m high whereas dwarf metal railing fence would front the properties at its western extent measuring 1.1m in height.

The residential properties would be accessed from Hope Street where a car parking court is proposed adjacent to the proposed dwellings.

Each residential property would include the same layout and consist of a living room, open plan kitchen and dining room and WC at ground floor level. On the first floor 3no. bedrooms and a family bathroom are proposed.

The existing PROW to the west would be retained.

Consultations

MEAS – No objection subject to condition

Neighbourhood Services – No response received.

United Utilities – No objection subject to pre-commencement condition.

CADENT Gas – No objection. Informative note required.

Conservation and Design Officer – No objection raised subject to condition.

Highways Authority – No objections subject to conditions.

The Coal Authority – No objection subject to condition.

Environmental Health – No objection in principle subject to conditions.

Street Lighting – No objection subject to condition.

Safer Communities – No objection. Advice provided concerning boundary treatment.

Local Plans – No objection to the principle of development. Consideration should be given towards the Prescott Town Centre Conservation Area.

Merseyside Fire and Rescue – Requests informative to be added to the decision notice.

Tree Officer – No objection subject to the loss of one category C tree subject to its replacement on a 2:1 basis.

Waste Management – No objection.

Representations

This application has been publicised by letters sent to 90 neighbours and advertised via site notice. Four neighbour representations were received of which 3no. were objections and 1no. indifferent.

The indifferent response stated preference towards boundary treatments using hedges/trees/bushes rather than boundary walls. Although the use of natural boundary treatments would have been supported, the proposed application would largely retain the brick face appearance currently in situ around the majority of the development. Notwithstanding this, details of landscape arrangements are to be agreed with the applicant.

Concerning the 3no. objections the issues raised were as follows:

- Concern over the wooden fence due to security adjacent to the alleyway together with repair and maintenance.
- Concerns over anti-social behaviour, security and litter.
- The PROW has a tree that cannot be cut down due to the bird nesting season.
- Concerns relating to increased vehicles associated with neighbouring uses

such as Tylor Mil, garage and Prescott Football Club.

- A signature and date 1937 should be retained as part of the brick wall.
- Application has been previously turned down as it infringes on pathway 6.
- Building has asbestos in it.
- Building would be good as a car park for surrounding uses.
- There are mines from Bolt Colliery.
- Access to these properties will be restricted for residential and visitor to businesses and surrounding pathways.
- Existing road is a dead end and would cause problems with access as the road is busy and Build up of traffic in the area created by the proposed properties in the surrounding area and access could be an issue if there was an emergency as this would increase traffic blocking entrance and exit in existing properties.
- Concerns regarding the height of the building may not be in keeping with the existing property which were built in 1909 and may overlook into existing buildings.
- Concerns regarding waste like bin storage will be placed on days of collection as there is not enough space if placed with existing buildings as it will block entry or access to the area of highway.

In light of the concerns raised above, the Local Planning Authority has worked positively with the applicant to address concerns relating to design and anti-social behaviour and the applicant has amended the designs to include brick wall to provide security in the built environment and amendments to increase natural surveillance.

An informative has been included in the decision notice to inform the applicant details concerning the bat breeding season.

The Highways Authority have been consulted regarding traffic concerns and do not object to the proposals.

The proposals will retain the original stone wall and include a plaque to preserve this aspect of Prescott's history.

The application proposals were not refused previously on account of Pathway 6 and the PROW will be retained.

The control of asbestos is covered by separate legislation and a condition is placed on this application relating to land contamination.

The use of the land for alternative use is not a planning reason for objection and the Local Planning Authority can only consider the application on its merits.

The Coal Authority has raised no objection to the principle of development subject to condition which has been agreed with the applicant.

The proposed development will replace the existing commercial premises which is much larger in scale than the proposed development.

Waste Services have been consulted and advised that the current operation concerning the properties off Hope Street would remain the same and an additional 6no properties is unlikely to significantly affect waste collection services.

Concerns are raised from a local business who use the rear of Hope Street to clean vehicles prior to the commencement of funerals. Their concern relates to the demolition

which would result in a vast amount of dust to be created which would cover the vehicles with a film of dust which is used for the parking of their vehicles and affect their business and potential for vehicle damage.

Concerning this response, whilst it is understood that there would be some disturbance in the built environment concerning the initial construction period this would be for a short period of time and not the lifespan of development. Damage to vehicles is not a relevant planning consideration and would constitute a civil matter should issues occur.

No concerns were raised by highways officers and the principle of development has already been established through the previous grant of planning permission and no objections have been received concerning the public highway. It is further noted that the parking of vehicles associated with this business is not a relevant planning matter as this area along Hope Street as this is restricted through the use of double yellow lines. The loss of commercial premises for car hire/repair would arguably reduce the levels of vehicles following construction with parking provision provided solely within the context of the site.

Planning History

Ref: 12/00459/OUT – Demolition of existing building and outline application for the erection of a three storey apartment block comprising 12no. apartments – approval sought for appearance, layout and scale at this stage (access and landscaping reserved for future approval). Refused 29th January 2013.

Ref: 14/00497/FUL – Demolition of existing industrial unit. Erection of 6no. 3bed terraced dwellings with associated landscaping, car parking and bin storage. Granted 17th October 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.

CS8 – Green Infrastructure
CS19 - Design Quality and Accessibility in New Development
CS21 – Greenspaces and Trees
DQ2 – Security in the Built Environment
ENV5 – Contaminated Land
H5 – Development within Primarily Residential Areas
DQ5 – Development in Conservation Areas

In addition, the Amended New Residential Development SPD (2018) is a material consideration for the purposes of this planning application and provides additional guidance in relation to new residential development within Knowsley Borough.

The site is located within a Primarily Residential Area and as such the conversion of a commercial unit to residential development is considered acceptable as it would not materially alter the employment land provision available in the Borough. As such, the development is considered acceptable in principle, subject to compliance with local planning policy and guidance.

The application proposals have regard to the aforementioned Development Plan policies referred to above and will be further considered through the assessment of development proposals below.

These policies and guidance require that new development demonstrates a high standard of design, which does not adversely affect the character of the property or street scene; maintains a good standard of amenity for all existing and future occupants; avoiding overlooking and overshadowing, as well as an unacceptable overbearing impact; and that adequate parking and garden space would remain for use by residents of the extended property.

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

Heritage

Policies CS19 and CS20 seek to preserve or enhance the Borough's historic and architectural assets and any archaeological remains. The application site is located adjacent to the Prescott Town Centre Conservation Area. No heritage statement was submitted as part of the application however the Design and Access statement identifies the adjacent conservation area. The impacts arising and therefore assessed are that of the 'setting' of the conservation area.

The NPPF (2023) makes clear, significance derives not only from a heritage asset's physical appearance but also from its setting and regard must be had as to whether the proposal will cause 'substantial harm', 'less than substantial harm' or no harm to the asset.

Paragraph 206 of the NPPF (2023) requires Local Planning Authorities to look for opportunities for new development (within the setting conservation areas) to enhance or better reveal their significance. Proposals that preserve those elements of the setting and make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Saved Policy DQ5 requires that new development within or close to a Conservation Area must preserve or enhance the character of the area.

Whilst a heritage statement has not been prepared to support the application, the application has been consulted with the Conservation and Design Officer and MEAS. During the course of the application representations were received from a local councillor concerning bricks at various locations around the site boundary and their perceived heritage significance.

Prescot Town Centre Conservation Area is of significance for its mix of commercial, civic, residential and religious buildings dating from the 18th Century overlaid on a medieval layout. The Town was important for commercial centre in the medieval and post medieval periods. Historically, the land subject to this application was 'moss land' an area of undeveloped wetland. The first development in this location was Moss Pottery and images of this time shows that the site formed part of the garden to 'Moss House' which has since been demolished and appears to have formed part of the pottery.

There is a short section of brick wall which includes courses of stone following the curvature of the brick wall on the west of the site that is likely to be built contemporaneously with Moss House. This small area of stonework therefore has some historical significance as it may be the only physical remnant of Moss House. The stonework is however very limited in scale and offers little sense of its historical appearance and the contribution according to the Conservation Officer is therefore considered very low.

The stone wall outside of the application site and within the conservation area to the west is identified in a local study which denotes that this boundary wall is probably the most significant survival from the early history of the town. However, the current building makes no contribution to the setting of the conservation area and the application proposals offer a design which sympathetically responds to the use of materials and design characteristics found locally within the conservation area..

The bricks located at the east of the site appear dated and stamped. This is assumed to be the brick stamp associated with when the brick was made and whilst requests were made for their retention, they are features of 20th century development and do not have any particular historical, archaeological or architectural merit and are considered to simply be manufacturers marks.

Notwithstanding this, the section of stone walling discussed above at the western extent of the site boundary is likely to be remnant of Moss House. This wall is to be retained as part of the boundary treatment fronting the PROW. The Conservation and Design Officer considers the partial loss of line has a limited harmful effect on the historical significance to the setting of the conservation area. In addition, the applicant is seeking to install a plaque denoting what has been discovered in order to better reveal its significance and should therefore be considered favourably in accordance with paragraph 206 of the NPPF referred to above.

The simple form of the terraced development is in keeping with the urban grain of Hope Street and the tight grain of the conservation area. The use of materials is also considered to offer an appropriate response to the site's context. As such, the proposed development would not adversely affect the character of the conservation area or its setting.

The harm to the designated heritage asset has been considered and would amount to a neutral effect on the conservation area and would cause no harm to the character or appearance of the conservation area. As such, the proposal is considered to comply with the requirements set out in the NPPF (2023), policies CS19 and CS20 of the Knowsley Local Plan (2016) Saved Policy DQ5 of the Unitary Development Plan (2006).

Design

Dwelling houses

The application proposals have been amended since their original submission concerning window and door arrangements together with external boundary treatment and windows located in the gable end of the property to increase natural surveillance and to avoid the creation of a blank gable wall in accordance with the Amended New Residential Development SPD.

The proposed development is in keeping with the urban grain of the surrounding area found locally at Hope Street and that of the wider conservation area which lies adjacent to the application site.

The development proposals use of red and brown brick, gable roof arrangement and repetitive elevation treatments offer an appropriate response to the character and appearance of the wider area.

The application proposals have been amended since their original submission. These alterations consist of changes to the window and door arrangement together with their alignment to ensure uniformity across the terrace properties and is akin to the design characteristics approved under application reference 14/00497/FUL. As such, the layout of the terraced block is considered appropriate and provides good urban design.

Boundary treatment and Anti-Social Behaviour

No details were provided concerning the boundary treatment of the proposed development as originally submitted. This resulted in concerns raised by local residents regarding the potential for anti-social behaviour and its effects on future residents. The applicant informed the Local Planning Authority that timber fencing would be used at the rear of the properties to its eastern boundary. In addition, Safer Communities recommended a 1.8m tall fence fronting the properties.

The Local Planning Authority has worked positively with the applicant to address these concerns. The previous timber fencing at the eastern extent of the application site is replaced with a brick built wall measuring 1.78m in height with access to the rear alley way provided by timber doors. Whilst the Local Planning Authority understood the concerns raised by Safer Communities the use of a 1.8m fence fronting the properties would have resulted in a poor outlook for future occupiers. As such, the application proposals now include a dwarf metal railing fence measuring 1.1m in height which offers some defensible boundary in an effort to reduce anti-social behaviour and softens the appearance of built form against the back drop of the dwelling houses as

a 1.8m fence would have resulted in an overbearing addition which is out of character with the surrounding area.

The Conservation and Design Officer requested consideration as towards a more pedestrian friendly option to the site entrance. Pedestrian access is provided at the side of the gable end of the terraced dwelling houses and offers a secure solution that to the parking area and avoids a 'step up' in an effort to reduce crime in the built environment. Whilst a more traditional paired gated appearance would have been preferred the proposals as submitted are similar to the arrangement approved under 14/00497/FUL and is therefore considered acceptable.

Accordingly, the boundary treatments offer a secure provision for future occupiers as well as responding to the built form of the existing site where much of the site is already dominated by manmade boundaries.

Waste

The proposed dwellings would need to access land at the rear of the proposed development for waste collection services and would need to present bins at the end of the collection point off Hope Street. This arrangement is considered acceptable as the properties at no. 1 – 25 Hope Street already present at the gated entry and therefore the addition of 6no. dwellings would not materially affect the existing waste collection service.

Street lighting

The development proposals would constitute a private development and as such there is no requirement to light the areas to British Standards. The lighting officer requested a condition be attached to the lighting of private communal areas which has been agreed with the applicant.

Conclusion

Overall, the development responds positively to the context of the site and its surrounds and would result in neutral harm to the designated heritage asset. The application proposals would result in the demolition of a commercial premises and offer design concepts which relate well to the character of the area and offer an improvement to the urban design of local vicinity and is therefore acceptable in terms of design.

Residential Amenity

The impact of the new dwellings needs to be assessed in terms of the amenity of occupiers to the surrounding properties located on Hope Street, Eaton Place and the existing residential home to the west of the application site.

Noise

During the course of this application Environmental Health were consulted and requested a Noise Impact Assessment to be undertaken. The Noise Impact Assessment submitted provides guidance on details of mitigation measures required within the report and Environmental Health confirms these are acceptable. However, condition is requested as to the specific mitigation measures are to be installed within the properties due to nearby commercial activities within close proximity of the application site. This condition is warranted and has been agreed with the applicant.

Subject to the inclusion of this condition there would be no adverse impact on nearby residents associated with noise disturbance.

1 – 25 Hope Street

The existing commercial premises measures 5.66m at the eaves and attains a maximum height of 10.29m. The east elevation is built into the boundary wall and provides an interface distance of 10.67m to the rear elevation of the first floor aspect of properties serving Hope Street at the rear as currently in situ.

The proposed development would introduce a change of land to residential development and would therefore reduce disturbance issues to a more acceptable degree given that it would be replacing commercial activities to residential which will presumably result in reduced disturbance in terms of noise.

The proposed residential block would increase the interface distance to around 20m with regards to the first floor rear elevation of properties situated along Hope Street. The increase in interface distance would therefore provide betterment to these properties and offer improved outlook of existing and future residents over what currently exists. As such, these properties will not be adversely affected by the proposed development in terms of residential amenity.

Eaton Place

The proposed developments would be sited approximately 4.5m further forward than the existing dwellings at Eaton Place which face the opposite orientation to the proposed dwellinghouses. Although the 45 degree rule would be slightly beached in relation to no.1 Eaton Place, this is already influenced by the existing commercial unit which has a significant negative outlook to this property and its neighbours. The proposals would therefore increase the levels of outlook in comparison to what already exists and is considered there would be no adverse effects to residential amenity in relation to these properties beyond what already exists.

Fazakerley House Care Home

To the west of the application site beyond the stone wall is a residential care home. The part of the residential care home closest to the boundary with the application site is single storey. According to the previous officer's report the rooms closest to the boundary wall serve a kitchen and communal dining area. Confirmation was provided by the care home which confirmed that the internal layout has not been amended since the previous grant of planning permission. Given the presence of existing high boundary stone wall the level of any overlooking would be minimal and not detrimental to the occupiers of the nursing home.

Ecology

A Preliminary Roost Assessment was conducted on site in May 2023. The report concludes that the on-site building offers negligible potential for roosting bats and that no further survey or mitigation is required and is accepted by MEAS. However, condition should be sought as to the consideration of landscaping details which may provide community habitat for bats and is secured via condition. A request was made to extend the need for a PRA to 18 months should demolition not occur within 12 months. Given the existing PRA assessment confirms negligible potential for roosting bats this is considered unnecessary. Notwithstanding this, bats are a protected species and covered by separate legislation and is strictly controlled.

The Preliminary Ecology Assessment considers that the sites present are unsuitable for terrestrial mammals. However, information provided by MEAS reveals multiple hedgehog records are present within a 1km radius. The adjacent land offers direct connectivity via the public footpath which is well vegetated and may provide suitable habitat for hedgehog. As such, a condition relating to Reasonable Avoidance Measures in the interest of hedgehog is warranted and secured via condition.

Trees

As originally submitted the Tree Survey accompanying the application was time expired. As such, an updated Arboricultural Impact Assessment (AIA) was submitted during the course of determining this planning application. The AIA undertaken by Indigo Surveys Ltd dated July 2023. It confirms that tree T1 is a self-seeded tree growing in close proximity to the existing building and is categorised as 'C-Low'. The report sets out the scope of works concerning trees which requires the removal of T1 and for replacement tree planting to be provided as part of the wider landscaping. The remaining trees will be protected by placement of fixed Heras panels around the crown/Root Protection Area extents.

Following consultation with Environmental Services, the Tree Officer raises no objection to the Arboricultural Report as T1 offers minimal amenity value to the surrounding area. Notwithstanding this, the loss should be mitigated on site and a condition is requested for replacement provision on a 2:1 basis to be planted on site at a minimum girth of 12-14cm girth.

Subject to this condition and making the AIA an approved document there would be no adverse impacts on natural assets located on site.

Highways

The application site is directly accessed off Hope Street. The pedestrian footpath stops at the extent of the rear entry serving properties along Hope Street.

Concerns have been raised by local residents and businesses concerning the impact on the proposals to the public highway. The application has been consulted with the Highways Authority who raise no objection to the proposed development subject to conditions. The proposed development is largely similar to the previously consent application under application reference 14/00497/FUL, to which the Highways Authority had no objection. The proposed conditions requested are line with those requested from the previous application and relate to the submission of further details on boundary treatment, implementation of parking provision, highway improvement works and a Construction Management Plan is submitted to and agreed.

Paragraph 111 of the NPPF 2023 states that development should only be prevented or reused 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. Whilst concerns have been raised by local residents there is no technical information to support these assertions on impact of the road network. In addition, the Highways Authority do not consider that the proposals will impact highway safety to an unacceptable degree and therefore it would be unreasonable to refuse the application on this basis.

Accordingly, there would be no adverse impact to highways 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 the following condition(s):-

- 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 and should be reflective of those within the surrounding area, unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed schedule of materials

Reason: To preserve the character and appearance of the Prescott Conservation Area. 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) No part of the development hereby permitted shall commence until a scheme for the protection of the dwellings from noise from Prescott Car Centre has been submitted to and approved in writing by the local planning authority. The scheme shall be based on the findings of an approved noise survey or noise modelling procedure. All works which form part of the scheme shall be completed before any of the relevant dwellings are occupied and retained at all times thereafter. Evidence of the agreed measures shall be submitted to the local planning authority prior to occupation of the properties.

The scheme shall ensure that noise exposure within living rooms and bedrooms and gardens does not exceed the relevant standards. Where windows are required to be kept closed to meet the indoor noise levels then an alternative means of ventilation shall be provided.

`All works which form part of the scheme shall be implemented in full in accordance with the scheme as agreed prior to first use.

Reason: To safeguard local residents from noise and disturbance, and to comply with Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 5) No part of the development hereby permitted shall be commenced until a Construction / Demolition 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:
- 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.
 - Methods for dust control and suppression.
 - Details of wheel washing facilities including location and type.
 - The areas for the storage of plant and materials.
 - Location of site compound.
 - Details of relevant pest control measures to be taken during both the construction and demolition phases.
 - 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.
 - A programme of works including phasing, management of deliveries and haul routes, measures for the control of traffic to and from the site, parking and temporary traffic management arrangements during construction.
 - Construction staff parking arrangements

If piling is required as part of the development, then prior to the commencement of any piling works, the applicant shall submit a method statement, to be approved by the Local Planning Authority. The piling work shall be undertaken in accordance with the approved method statement: The method statement shall include the following details:

- Details of the method of piling
- Days / hours of work
- Duration of the pile driving operations (expected start date and completion date)
- Vibration monitoring details, including the number of monitors and the monitoring location(s).

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 Policies

H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 6) 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.

The 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 (where 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 water environment and to comply with Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 7) 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.

Prior to the implementation of any landscaping or the removal of trees from the site a scheme for replacement tree planting shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include tree replacement for individual and groups of trees on a 2:1 basis. The scheme should include the location, size and species of the replacement trees. The tree planting shall be wholly implemented in its finally approved form in accordance with the

approved scheme within the first available planting season following the substantial completion of development.

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.

- 8) 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.

- 9) None of the approved dwellings shall not be occupied until a scheme for provision of lighting of private communal areas, such as shared private drives, 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

save Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 10) No development shall commence (excluding the demolition of existing structures and site clearance) until;
- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

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

Reason: In the interest of safety and amenity and to comply with Policies CS2 and CS19 OF THE Knowsley Local Plan Core Strategy, adopted January 2016.

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

Reason: In the interest of safety and amenity and to comply with Policies CS2 and CS19 OF THE Knowsley Local Plan Core Strategy, adopted January 2016.

- 12) No development shall take place until details of the proposed boundary treatments have been submitted and agreed in writing by the Council as Local Planning Authority.

Reason: In the interests of highway and pedestrian safety.

- 13) The parking provision shown on the approved plans shall be provided prior to first occupation of the dwelling to which it relates. The parking provision shall not be used for any other purpose other than the parking of vehicles.

Reason: In the interests of highway and pedestrian safety

- 14) No development shall take place until a scheme for the design and layout of highway improvement works has been submitted to and approved in writing by the Council as Local Planning Authority. For the avoidance of doubt, the works shall include but not be limited to:

- Footway between development site and Hope Street

The approved scheme shall be implemented before the development is brought into use.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of highway safety and amenity.

- 15) No development shall take place until a scheme for the design and layout of the site access has been submitted to and approved in writing by the Council as Local Planning Authority. The access shall be designed and implemented in accordance with the principles set out in the approved drawings and available prior to occupation. The access shall be kept available for use at all times.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of highway safety and amenity.

- 16) A dwelling that does not have a garage shall not be occupied until it has the provision of covered and secure space/s for cycles. For the avoidance of doubt this is not a space within the residential property. For two and three bedroomed dwellings there shall be two secure and covered cycle spaces and for a dwelling with four or more bedrooms four secure and covered spaces for cycles shall be provided.

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

- 17) Prior to commencement of development Reasonable Avoidance Measures shall be implemented on site to prevent harm to mammals (e.g. Hedgehogs) during the construction phase of the development hereby approved in accordance with the following measures:

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

The avoidance measures shall be implemented in accordance with the above details and shall remain in force as such for the full duration of the construction phase of the development:

Reason: To ensure that the development does not cause harm to any protected species in accordance with the National Planning Policy Framework (2021) and Policies CS2 and CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

- 18) No above ground works shall take place prior to details of the number and location of bird nesting boxes, bat boxes and hibernacular suitable for hedgehog to be incorporated into the scheme (minimum 1 per dwelling) being submitted to and approved in writing by the Local Planning Authority. The bird/bat boxes and hibernacular enclosure 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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
12.04.2023	LP		LOCATION PLAN
17.08.2023	11 REV D		PROPOSED SITE PLAN
17.08.2023	12 REV D		PROPOSED BOUNDARY TREATMENT
17.07.2023	10 REV B		PROPOSED PLANS AND ELEVATIONS
17.10.2023	30962/NIA1		NOISE IMPACT ASSESSMENT
30.05.2023			PRELIMINARY ECOLOGY APPROAL
25.05.2023			DESIGN & ACCESS STATEMENT
25.05.2023			PHASE 1 DESK STUDY REPORT
31.07.2023	231250/A1_AIA		TREE SURVEY, ARBORICULTURAL IMPACT ASSESSMENT & METHOD STATEMENT

Signed Case Officer¹: **John Fleming**

Signed Authorising Officer²: **K Foster**

Date: **20 November 2023**

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

CADENT

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

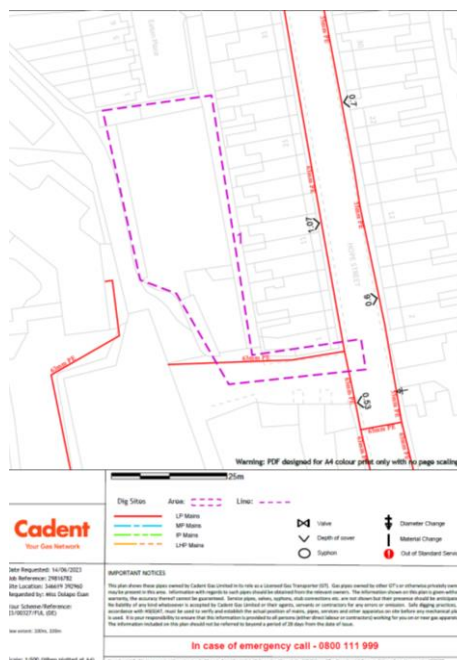
Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com or on 0800 688 588 quoting your reference at the top of this letter.



United Utilities

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. A water main crosses the site. It must not be built over, or our access to the pipeline compromised in any way. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website: <https://www.unitedutilities.com/builders-developers/your-development/planning/building-over-or-working-near-our-assets/working-near-our-pipes/>. The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period.

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

**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

Coal Authority

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

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

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

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

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

www.gov.uk/government/organisations/the-coal-authority

General Information for the Applicant

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

Breeding Birds

Breeding birds are protected under the general provision of Section 1 of the Wildlife and Countryside Act 1981 as amended. Whilst the nest is being built or is in use, the eggs, young and nest are protected against intentional and reckless taking, damage and destruction. No tree, scrub or hedgerow felling, management and/or cutting operations should take place during the period 1 March to 31 August inclusive to protect breeding birds.