

Report to: PLANNING COMMITTEE **Date of Meeting:** 30th June 2021

Subject: **DC/2020/01853**
Former Z Block Sites Buckley Hill Lane Sefton L30 OAD

Proposal: Erection of 69 No. dwellings and associated infrastructure

Applicant: Sefton Council **Agent:** Miss Ann Daniels
Pegasus Group

Ward: St Oswald Ward **Type:** Full application - Major

Reason for Committee Determination: Major planning application with five or more representations

Summary

This application is for a residential development of 69 homes on a site allocated for housing within the Local Plan.

The main issues to consider include the principle of the development, affordable and other housing requirements, visual impacts, impacts on living conditions and highway safety as well as ecological, landscaping and drainage considerations.

The proposal complies with adopted local plan policy and, in the absence of any other material considerations, the application is recommended for approval subject to conditions.

Recommendation: Approve with conditions

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Application documents and plans are available at:

<http://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QGR2D5NW06900>

Site Location Plan



Sefton Council



Reference: Map reference

Date: 18/06/2021

Scale: Scale: 1:1250

Created by: Initials

The Site

The application site is one of the three sites known as the former Z Blocks sites. It is bounded by Northern Perimeter Road to the north, Higher End Park to the east, Acton Rake to the south and Buckley Hill Lane, Maypole Court, Muttocks Rake and Tarbrock Court to the west.

History

S/2007/0664 Prior Notification Procedure for the demolition of Buckley Hill House, Buckley Hill Lane, flats at: 1-30 Almonds Turn, 31-44 and 45-58 Little Barn Hey, 1-14, 15-28 and 29-42 Buckley Hill Lane, 15-28, 29-42, 43-56, 57-70 Pinfold Lane and associated garages. Approved 31 August 2007.

S/2002/1146 Demolition of the existing flats and associated walls and fencing. Approved 23 January 2003.

Consultations

Local Plans Manager

The site is part of the allocated housing site MN2.36 Former Z Block Sites, Buckley Hill Lane, Netherton and so the housing development is acceptable in principle, subject to other Local Plan policies. The amended proposal complies with policy HC1 on affordable housing and policy HC1 on housing type, mix and choice.

As this is major development, proposals must comply with policy EQ7 Energy efficient and low carbon design. Electric vehicle charging points must be provided for all homes with dedicated parking spaces, and at a rate of 1 per every 10 communal parking spaces, in line with the Travel SPD. Full-fibre broadband infrastructure should be provided to all proposed dwellings. No education contributions are applicable to sites in Bootle/Netherton.

Individually and in combination with the other parts of site MN2.36, the number of dwellings is below the 150 new homes threshold for provision of new public open space. While the current application takes the site as a whole over the threshold for consideration of the cumulative impacts of recreation pressure on the Sefton Coast, it is considered that as the planning permissions for the other parts of the site were granted before the adoption of the 2018 Nature Conservation SPD or 2018 Recreation pressure on the Sefton Coast Information Note, it is not reasonable or proportionate to apply these provisions.

It is considered that the structural planting at the urban edge is in line with policies EQ9 part 7 trees and landscaping, EQ2 Design and NH7 Rural Landscape Character.

Highways Manager

There are no objections in principle, subject to conditions, as there would be no adverse highway safety impacts.

The area of land to be developed will need to be officially closed as public highway.

The applicant's Transport Assessment provides a detailed forecast and analysis of the amount of traffic by all modes that will be generated by the proposal and how this will impact on the highway network. The Transport Assessment considers the impact of the proposed development on the following junctions:

- *Proposed new access/Higher End Park
- *Higher End Park/Northern Perimeter Road
- *Northern Perimeter Road/Buckley Hill Lane

The development is forecast to generate 36 two-way trips in the morning weekday peak hour (07:45-08:45), and 36 two-way trips in the afternoon weekday peak hour (16:45-17:45). The operational capacity assessments demonstrate that the development proposals will not have an impact on the operational performance of the junction at Buckley Hill Lane, which will continue to operate within its practical capacity. The increase in traffic will be 1.2% in the AM and 1.1% in the PM.

There will be a new vehicular and pedestrian access to the site off Higher End Park. This new carriageway will need to be 5.5m wide with a 2.0m footway on either side into the site. This will require extensive tie in works from the existing highway to the proposed new accesses. Pedestrian dropped crossings with tactile paving will also need to be installed at the new junctions and at various locations within the development. Visibility splays at the new junctions must be 2m x 25m and maintained indefinitely for vehicles leaving the new development onto Higher End Park. The footway fronting the site will need to be fully reconstructed for the entire length of the development as part of the access works. There will also be the need to provide for the installation of pedestrian tactile paving on either side of the junction at Higher End Park and Northern Perimeter Road.

All properties will have car parking spaces which are suitable for this type of development and in line with the Sefton SPD 'Sustainable travel and development'. All parking spaces must be 5.0m x 2.5m in size. There should also be the provision of disabled car parking spaces for the apartments.

In line with SPD 'Sustainable Travel and Development' each new dwelling should have an electric vehicle charging point. There should also be the provision of a minimum of 2 electrical vehicle charging points in the communal parking areas.

Secure cycle parking spaces and a visitor cycle stand at the apartments will be required for the flats in accordance with Sefton's SPD Sustainable Travel and Development.

The indicative layout of the access road(s) and footways within the development site are generally acceptable.

The site is located within 6.0km of the north of Bootle town centre where there is a large range of facilities. There are 2.0m wide footways around the vast majority of the area with dropped pedestrian crossings already installed.

The nearest bus stops are within easy walking distance and may require upgrading via Merseytravel and serve the immediate area as well as connecting to further afield.

A Minimum Accessibility Standard Assessment (MASA) has also been included in the submission which shows that the proposed development is acceptable with some mitigation measures, including bus stop enhancements.

In terms of construction traffic, this can be addressed through a construction traffic management plan which restricts movements of HGVs and the size of vehicles to hours that would not cause undue disturbance in the local area.

Street Lighting Manager

The proposals for street lighting are acceptable subject to the lighting columns being aluminium.

Environmental Health Manager

Noise

The noise assessment demonstrates that the site is suitable for use in respect of residential amenity. Recommend conditions to secure schemes of acoustic glazing and ventilation and acoustic barriers. Also, conditions recommended for any piling works and a Construction Environmental Management Plan to control issues such as noise, vibration and dust during construction.

Air Quality

An air quality screening assessment has been carried out which provides evidence to show air quality in the immediate area is well within national limits. It is not anticipated that additional emissions from traffic associated with the proposed development will have any significant impact on existing receptors. As such I have no objection on air quality grounds.

I would advise however that EV charging points are installed in line with current council policy and a condition applied to secure a scheme to control dust emissions during the construction phase.

Contaminated Land

The proposed remediation strategy is acceptable in principle although some further information is required. Recommend standard contaminated land conditions.

Tree Officer

The development will require the loss of all the existing trees and I have no objection to this loss. It is my view that due to the moderate quality of the existing trees the submitted landscaping scheme successfully mitigates the loss.

Taking the above into account I have no objections to the proposal but would advise on the approval of the proposed replacement tree proposals.

Merseyside Environmental Advisory Service

The applicant has submitted a Preliminary Ecological Assessment report in accordance with Local Plan policy NH2 which meets BS 42020:2013. The report states that no evidence of bats use, or presence was found. The Council does not need to consider the proposals against the three tests (Habitats Regulations).

No objections on ecological grounds subject to conditions relating to bats, hedgehog and breeding birds.

There are two non-designated heritage assets recorded on the Merseyside Historic Environment Record within the proposed development site. The applicant previously submitted a Written Scheme of Investigation (WSI) for approval therefore I advise that a programme of archaeological investigation work is required in accordance with the approved WSI and that such works be secured by condition.

The proposal is major development and involves excavation and construction activities which are likely to generate significant volumes of waste. A condition to secure the minimisation of waste production and efficient use of resources is recommended in accordance with policy WM8 of the Merseyside and Halton Waste Joint Local Plan.

Flooding and Drainage

No objection subject to conditions.

United Utilities

Following our review of the submitted Drainage Strategy, we confirm the proposals are acceptable in principle and recommend a condition is attached to any decision notice.

Cadent Gas

There are low or medium pressure gas pipes and associated equipment in the vicinity of the proposed works.

SP Energy Networks

No objection.

Building Control

Information provided in respect of access for fire appliances and requirement for level access.

Fire and Rescue Service

Advice provided on access and water supplies for fire-fighting purposes.

Neighbour Representations

One written objection has been received from a resident of Higher End Park in response to the initial planning proposal for 70 homes. The main points of this objection are summarised below:

- agree in principle to some redevelopment on the site but feel that 70 dwellings is too many and were initially advised that 40 dwellings would be constructed
- extremely concerned of the impact of these extra dwellings to the current residents of the local area
- currently have a view from my bedroom window of open space and mature trees but once this development is built I will have the view of a gable end of new houses instead
- Local wildlife will also be devastated by the removal of the mature trees and shrubs that provide their habitat. We have bats (a protected species) owls, foxes and rabbits as well as many varieties of birds in the immediate vicinity
- extremely concerned about the added traffic to the already very busy junction of The Northern Perimeter Road, Buckley Hill Lane and Lydiate lane. These roads see huge volumes of traffic throughout the day and there will be added impact to the environment with extra cars in the immediate locality. I feel that this junction is an accident waiting to happen, particularly during local football matches when cars are abandoned at random

Following re-notification on the amended proposal for 69 homes, five individual written objections have been received from residents in Higher End Park, Acton Rake and Muttocks Rake. In addition, comments and concerns from 40 residents in Higher End Park, Acton Rake and Maypole Court have been submitted. The main points of the correspondence are summarised below:

- Increased number of housing units from 40 in July 2019 public consultation to 70 in June 2020 consultation
- Increased traffic generation and pollution close to a busy junction
- How will parking spaces be allocated and concerned they will be used in connection with football at Buckley Hill

- Will existing residents have allocated parking spaces?
- Will the highway at Higher End Park and area in front of Maypole Court be upgraded?
- Acton Rake residents oppose the fence proposed opposite their front doors
- Overlooking to properties in Higher End Park
- Request information on Section 278 works
- Existing trees should be maintained
- Concern over dust and damage caused during construction as well as the hours of working
- Plans do not allow for ambulance or fire engine access at Muttons Rake
- Loss of greenery where children play, people walk their dogs and cats roam
- Loss of pleasant view replaced by a fence
- Demolition of flats was a waste of money
- Increased pressure on local services such as doctors' surgeries
- Concerned about loss of mature trees which are a habitat for protected species

Policy Context

The application site lies within an area allocated for housing in the Sefton Local Plan which was adopted by the Council in April 2017.

Assessment of the Proposal

The main issues to consider include the principle of the development, affordable and other housing requirements, visual impacts, impacts on living conditions and highway safety as well as ecological, landscaping and drainage considerations.

Principle

The site is part of the 'Former Z Block Sites' listed as a housing allocation (MN2.36) in Local Plan policy MN2 'Housing, Employment and Mixed Use Allocations'. The proposed housing development is therefore acceptable in principle.

Policy MN2 gives an indicative capacity of 100 dwellings for the three combined Z Block sites. A total of 57 dwellings have already been approved and built on the other two sites and 69 dwellings are now proposed giving an overall number of 126 dwellings. The Local Plan figure is indicative and doesn't preclude a higher figure providing the proposal satisfies other relevant local plan policies and these are discussed below.

In terms of density, Local Plan policy HC3 'Residential development and primarily residential areas' states at point 4 that new residential development must achieve a minimum density of 30 dwellings per hectare unless constraints on the site or the character of the area justify a lower

figure. The proposal for 69 dwellings on a site of approximately 1.5 hectares gives a density of around 46 units per hectare which complies with policy HC3.

Affordable and other Housing Requirements

Local Plan policy HC1 'Affordable and Special Needs Housing' requires 15% of the homes in this area to be affordable comprising 33% social/affordable rented and 67% affordable home ownership housing.

The proposal, as amended, includes for 11 affordable homes (15.9%) which accords with Policy HC1. The affordable homes are well distributed through the scheme in accordance with Policy HC1 part 8. Of the affordable homes, 4 are affordable rent (36%) and 7 are to be shared ownership (64%). This accords with the tenure mix set out in Policy HC1, as amended by the application of paragraph 64 of the NPPF.

A detailed scheme of affordable housing can be secured by condition which is considered to meet the tests of paragraph 55 of the National Planning Policy Framework (*'necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects'*). This will secure additional details to those shown on the plans including the timing of their construction, means of transfer to a registered provider and occupancy criteria.

Policy HC2 'Housing Type, Mix and Choice' requires at least of 25% of market dwellings to be 1 or 2 bedroom properties and at least 40% of market dwellings to be 3 bedroom properties. It also requires at least 20% of new market properties to be designed to meet Building Regulation Requirement M4(2) accessible and adaptable dwellings.

Of the 58 market homes, the proposal includes for 25 (43%) one or two bedroom properties, and 23 (39.7%) are 3 bedroom. Whilst the % of 3 bedroom is marginally below the requirement of 40%, as set out in Policy HC2 part 1, this is more than offset by a greater supply of one or two bedroom market homes - 25% being the requirement for these. It is considered the housing mix is acceptable.

Of the 58 market homes, 13 (22%) are to be designed to meet Building Regulations M4(2) 'accessible and adaptable dwellings'. This accords with Policy HC2 part 2 of the Local Plan.

Visual Impact

The proposed residential development comprises 2 three storey apartment blocks consisting of 9 one bed and 9 two bed apartments and 51 two storey homes consisting of 18 two bed, 23 three bed and 10 four bed houses.

The new homes will be built in brick with some contrasting brickwork and pitched tiled roofs. The flats will be built along the Buckley Hill Lane frontage with the rows of houses fronting the

Northern Perimeter Road, Higher End Park and other properties within the development site. There is some variety to the house types, mainly in their size and the style of the roofs.

Artists' impressions and street scene elevations have been provided and the visual impact of the scheme, including the three storey apartments, is considered acceptable and in accordance with Local Plan policy EQ2 'Design'.

Living Conditions

The effects on living conditions for existing residents surrounding the site and for future occupiers of the development both need to be assessed.

Existing Residents

Guideline distances between houses are set out in the 'New Housing' Supplementary Planning Document (SPD) to prevent negative impacts such as overlooking and loss of privacy. A distance of 21 metres should be provided between a habitable room window (such as a living room, kitchen or bedroom) in one house and a habitable room window in another property. Where the habitable room window faces a blank wall or non-habitable room window (such as a bathroom) the distance is 12 metres.

Distances between the new houses and existing properties surrounding the development site all either meet or exceed the SPD standards. The distance between habitable room windows on new houses and those in existing properties on Higher End Park is more than 25 metres and there is a distance of at least 21 metres between habitable room windows in new properties and in those fronting Acton Rake.

The gable wall of the new house on Plot 19 will be approximately 12 metres from the front elevation of 13 Tarbrock Court. The new house will have a secondary bedroom window in this gable elevation at first floor level and a condition is recommended to ensure this is obscurely glazed (as shown on the drawings) to prevent unacceptable levels of overlooking.

Residents in Acton Rake have raised concerns about the proximity of the new boundary fence to the front of their properties. A new 1.8 metre fence is proposed to the north and approximately 7 metres from the front elevation of the properties in Acton Rake. This relationship is considered acceptable and not dissimilar to other properties on the wider estate.

The Environmental Health Manager has advised that conditions should be imposed for any piling works and a Construction Environmental Management Plan to control issues such as noise, vibration and dust during construction.

Future Occupiers

The proposed layout, as amended, provides separation distances between the new homes in line with the standards set out in the 'New Housing' SPD.

First floor windows, comprising either a secondary bedroom window or serving a landing, are provided in the gable elevations of end terraced properties. Some of these windows could result in unacceptable levels of overlooking unless they are obscurely glazed as specified on the drawings due to the substandard distance between the windows and nearby homes. In this respect, it is recommended that a condition for obscure glazing is imposed for Plots 5, 6, 15,16, 19, 20, 23, 24, 27, 28, 32, 33, 38, 39, 41 and 42.

Garden sizes for the houses also accord with the guidelines set out in the SPD which are 50 square metres minimum for the 2 bed homes and 60 square metres minimum for the 3 and 4 bed houses.

The floor areas for the proposed flats meet or exceed the guideline figures set out in the 'Flats and Houses in Multiple Occupation' SPD. The minimum requirement for a one bed flat is 37 square metres and for a two bed flat it is 61 square metres. The communal areas of outdoor amenity space provided for the flats both meet the SPD standard of 20 square metres per flat.

The Environmental Health Manager has reviewed the applicant's noise assessment reports and recommends conditions are attached to any planning approval to secure acoustic glazing and acoustic ventilation for the new properties as well as 1.8 metre high acoustic fencing to all garden areas in accordance with the recommendations set out in the noise reports.

Highway Safety

The application is accompanied by a Transport Assessment which has been reviewed by Sefton Council's Highways Manager. The proposal is considered to have an acceptable impact on nearby junctions and makes appropriate provision for car parking. Whilst the layout of the proposed roads and footways is generally acceptable, full details can be secured by condition as can off-site highway improvements, a travel plan and a construction traffic management plan.

The layout has been amended so that each new house will have its own dedicated in-curtilage car parking spaces, in line with the 'Sustainable Travel and Development' SPD. This will enable individual electric vehicle charging points to be provided for each new house which can be secured by condition.

Car and cycle parking and electric vehicle charging points for the flats will also be provided in accordance with the SPD and can be secured by condition.

There are no objections on highway safety grounds subject to conditions.

Ecology

The applicant's Preliminary Ecological Appraisal has been reviewed by Merseyside Environmental Advisory Service (MEAS). The report finds no evidence of bats use or presence therefore the Council does not need to consider the proposals against the three tests (Habitats Regulations).

A series of planning conditions are recommended by MEAS to provide ecological enhancements in respect of protected species such as bats, hedgehogs and breeding birds in line with Local Plan policy NH2.

Landscaping

The development will require the loss of all the existing trees. However, the Council's Tree Officer raises no objections on the basis that the proposed landscaping scheme will mitigate the loss of the trees which have moderate quality.

The proposed detailed landscaping scheme includes for 78 new trees across the site along with shrubs, grassed areas and ornamental hedges. The landscaping scheme accords with Local Plan policies EQ9 part 7 trees and landscaping, EQ2 Design and NH7 Rural Landscape Character and can be secured by condition.

Drainage

Sefton Council's Flooding and Drainage team and United Utilities raise no objections to the proposal subject to conditions.

Other Considerations

Broadband

A condition to secure full fibre broadband is recommended in accordance with advice contained in the National Planning Policy Framework paragraph 112.

Archaeology

A condition is recommended to secure a programme of archaeological investigation work as there are two non-designated heritage assets within the proposed development site.

Waste

In accordance with advice from Merseyside Environmental Advisory Service, a condition is recommended to secure the minimisation of waste production and efficient use of resources.

Contaminated Land

The Environmental Health Manager has reviewed the submitted ground investigation reports and advises that the proposed remediation strategy is acceptable in principle and recommends standard contaminated land conditions are attached to any planning approval.

Planning Balance and Conclusion

The proposal will provide 69 new homes, comprising a mix of one and two bed apartments and two, three and four bed houses, on a site allocated for residential development in the adopted Sefton Local Plan. These will include 11 affordable homes.

The visual impact of the scheme as well as its impacts on living conditions and highway safety are considered acceptable subject to conditions.

Overall, the proposal is considered to comply with policies in the Local Plan and the requirements of the National Planning Policy Framework and approval is therefore recommended subject to the conditions listed below.

Recommendation - Approve with conditions

This application has been recommended for approval subject to the following conditions and associated reasons:

Time Limit for Commencement

1) The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

2) The development shall be carried out in accordance with the following approved plans and documents:

Drawing No. 01-001 rev P01 Site Location Plan and Existing Site Plan

Drawing No. 02-001 rev P08 Proposed Site Layout

Drawing No. 02-002 rev P04 Proposed Site Layout Parking Provision

Drawing No. 02-003 rev P03 Proposed Site Layout Refuse Storage and Collection

Drawing No. 03-001 rev P04 Apartment Block A Block Plans and Elevations

Drawing No. 03-002 rev P04 Apartment Block B Block Plans and Elevations

Drawing No. 03-201 rev P02 HT-2A House Type Plans and Elevations

Drawing No. 03-202 rev P02 HT-2B House Type Plans and Elevations

Drawing No. 03-301 rev P02 HT-3A House Type Plans and Elevations

Drawing No. 03-302 rev P02 HT-3B House Type Plans and Elevations

Drawing No. 03-401 rev P02 HT-4A House Type Plans and Elevations

Drawing No. 03-402 rev P02 HT-4B House Type Plans and Elevations

Drawing No. 90-001 rev P05 Proposed Private Amenity Boundary Treatment Plan Bird and Bat Box Locations

Drawing No. P19-2967_002 rev C Detailed Landscape Proposals

Drawing No. GM11200-006 rev A Tree Removal Plan

Reason: For the avoidance of doubt.

Before the Development is Commenced

3) No development shall commence, including any demolition, site clearance or ground works, until a full phasing plan has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved phasing plan.

Reason: These details are required prior to the commencement of development in order to ensure that the phases of development are managed properly and in order to safeguard the living conditions of the surrounding occupiers.

4) No development shall commence, including any works of demolition, until a Highways Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include the following:

- a programme of works;
- days and hours of working;
- a site layout during the construction phase;
- relevant contact details;
- routes to be taken by delivery vehicles;
- methods for traffic management;
- full details of the proposed measures to ensure that mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site; and
- measures to minimise dust nuisance.

Reason: This is required prior to the commencement of development in order to ensure the safety of highway users during both the demolition and construction phase of the development. If the details are not approved prior to commencement it will prejudice the safety of highway users.

5) No development shall commence, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include the following:

- confirmation that the measures to control dust, noise and vibration set out in the Outline Construction and Environmental Management Plan March 2021 report no. 007 v2 will be adhered to in full throughout the construction and demolition phase;
- details of how breeding birds will be protected should it be necessary to undertake works to trees during the period 1 March to 31 August inclusive;
- details of how hedgehogs will be protected during the construction and demolition phase; and
- details of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal throughout construction.

Reason: To safeguard the living conditions of neighbouring/adjacent occupiers and land users, to protect the ecological interest of the area and to minimise waste during both the demolition and construction phase of the development.

6) Prior to construction works commencing should piling be necessary a methodology, which provides justification for the method of piling chosen and details of noise and vibration suppression methods proposed, must be submitted to and approved in writing by the local planning authority. The agreed scheme shall be implemented throughout the course of development.

Reason: In order to safeguard the living conditions of neighbouring residents during the course of construction.

7) No development shall take place within any phase or sub-phase (other than demolition, site clearance or remediation) until detailed schemes (including ground and finished floor levels above ordnance datum) for the disposal of foul and surface water for that phase or sub-phase have been submitted to and approved in writing by the Local Planning Authority. The schemes shall be in accordance with the Flood Risk Assessment and Surface Water Drainage Strategy by Marston & Grundy LLP, Consulting Engineers, dated 11th September 2020 and the non-statutory technical standards for sustainable drainage systems (or any subsequent replacement). Discharge from site shall be limited to 9.3l/s.

Foul and surface water shall drain on separate systems.

The schemes shall include a construction phase drainage management plan to show how surface water and pollution prevention will be managed during the construction period.

The development shall be carried out in accordance with the approved schemes for the disposal of foul and surface water.

Reason: To ensure satisfactory drainage of the site.

8) No construction work shall take place until a programme of archaeological investigation work has been undertaken in accordance with the approved written scheme of investigation for archaeological work (Pegasus Group, September 2020). The work shall be carried out strictly in accordance with the approved scheme.

Reason: The details are required prior to development or site clearance commencing to ensure that recording takes place at an appropriate period during the development process.

9) No development shall commence until a remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks and the relevant pollutant linkages identified in the approved investigation and risk assessment, has been submitted to and approved in writing by the Local Planning Authority. The strategy must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and roles and responsibilities. The strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 on completion of the

development. The remediation strategy must be carried out in accordance with the approved details at all times.

Reason: The details are required prior to development or site clearance commencing to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

During Building Works

10) In the event that previously unidentified contamination is found at any time when carrying out the approved development immediate contact must be made with the Local Planning Authority and works must cease in that area. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the remedial works identified in the approved remediation strategy, verification of the works must be included in the verification report required by condition 17.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

11) No development shall commence above slab level until a detailed scheme of highway works together with a programme for their completion has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Upgrading and improvement of existing bus stops on Buckley Hill Lane if required via Merseytravel;
- Full reconstruction of footway fronting the site; and
- Provision of new tactile pedestrian crossing at Higher End Park junction of Northern Perimeter Road.

No part of the development shall be brought into use until the required highway works have been constructed in accordance with the approved details.

Reason: These details are required prior to commencement above slab level to ensure that acceptable access to the development is achieved and to ensure the safety of highway users.

12) No development shall commence above slab level within a particular phase until a detailed scheme of street lighting on the proposed access roads within that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall comply with the

requirements of BS5489 and shall be implemented in full before the development on that phase is brought into use.

Reason: These details are required prior to commencement above slab level to ensure that acceptable lighting to the development is achieved and to ensure the safety of highway users.

13) No development shall commence above slab level within a particular phase until details of the materials to be used in the construction of the external surfaces of the dwellings within that phase are submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: These details are required prior to external construction to ensure an acceptable visual appearance to the development.

14) A minimum of 20% of new market properties shall meet Building Regulation Requirement M4(2) for accessible and adaptable dwellings.

Reason: To ensure an appropriate mix of homes on the site.

Before the Development is Occupied

15) Prior to the first occupation of dwellings within a particular phase a detailed scheme of external lighting designed to minimise impacts on bat habitat shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the development within that phase being first brought into use.

Reason: To safeguard conservation of species/habitats.

16) Prior to the first occupation of dwellings within a particular phase details of bird boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with those details.

Reason: To safeguard conservation of species/habitats.

17) Prior to the first occupation of any dwelling a verification report that demonstrates compliance with the agreed remediation objectives and criteria shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

18) Prior to the first occupation of any dwellings within a particular phase a validation report demonstrating that the drainage scheme has been carried out in accordance with the approved Flood Risk Assessment and Surface water Drainage Strategy by Marston & Grundy LLP, Consulting Engineers, dated 11th September 2020 for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be retained as such thereafter.

Reason: To ensure adequate provision is made for the management of surface water and sewage disposal.

19) Prior to the first occupation of plots 5, 6, 15,16, 19, 20, 23, 24, 27, 28, 32, 33, 38, 39, 41 and 42, the gable elevation windows to each of these plots shall be fitted with obscured glazing, and any part of the window[s] that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason: To ensure that the privacy of neighbouring occupiers/land users is retained at all times.

20) Prior to the first occupation of any dwelling a scheme for the provision of affordable housing on site shall be submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the requirements of Local Plan policy HC1 parts 3 and 4 (as amended by the application of paragraph 64 of the National Planning Policy Framework). The scheme shall include:

- i) the type and tenure of the affordable housing provision which shall accord with the identified units on the approved Site Layout Plan (Drawing No. 02-001 rev P08);
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider;
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

The development shall not be occupied until the approved scheme has been carried out and it shall thereafter be retained.

Reason: In order to accord with Local Plan policy HC1 in contributing to the supply of affordable housing in Netherton.

21) The acoustic glazing and ventilation units must meet as a minimum the performance standard shown in Appendix E: Glazing and Ventilation Sound Reduction Performance Data and the locations identified in section 6.3 and Drawing Nos. GM11200-007, 008 and 009 of Wardell Armstrong (March 2021) Noise Assessment Report. Job Number: GM11200. Report Number: 003. Version: V2.0. Status: Final.

The approved glazing and ventilation units must be installed in each dwelling as identified prior to it first becoming occupied and retained thereafter.

Reason: To safeguard the living conditions of occupiers of the site.

22) Prior to the first occupation of any dwellings within a particular phase, a plan indicating the positions, height, design, materials and type of boundary treatment to be erected, including an acoustic barrier with a minimum height of 1.8 metres to be provided to all garden areas, shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the dwellings become occupied and retained thereafter.

Reason: To ensure an acceptable visual appearance to the development, to protect the living conditions of future occupiers of the site and to ensure that the privacy of neighbouring occupiers/land users is retained at all times.

23) No dwelling shall be occupied until the electric vehicle charging point(s) for that part of the development have been installed and are operational in accordance with the approved details shown on the Proposed Site Layout Drawing No. 02-002 rev P04. The approved infrastructure shall be permanently retained thereafter.

Reason: To facilitate the use of electric vehicles and to reduce air pollution and carbon emissions.

24) Prior to the first occupation of any dwellings within a particular phase, details of full fibre broadband connections to all proposed dwellings within that phase shall be submitted to and approved in writing by the local planning authority. The infrastructure shall be installed prior to occupation and made available for use immediately on occupation of any dwelling in accordance with the approved details.

Reason: To ensure adequate broadband infrastructure for new dwellings and to facilitate economic growth.

25) Within the first planting/seeding season following completion of the development within a particular phase, all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out for that phase of the development; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure an acceptable visual appearance to the development.

26) a) A scheme of works for the closure and reinstatement of the existing vehicular and/or pedestrian access on to Higher End Park shall be submitted to and approved in writing by the local planning authority.

b) No part of the development shall be brought into use until the existing vehicular and/or pedestrian access on to Higher End Park has been permanently closed off and the footway reinstated. These works shall be in accordance with the scheme approved under (a) above.

Reason: In the interests of highway safety.

27) a) A scheme of works for the proposed vehicular and/or pedestrian access shall be submitted to and approved in writing by the local planning authority.

b) No part of the development shall be brought into use until a means of vehicular and/or pedestrian access to the site/development has been constructed. These works shall be in accordance with the scheme approved under (a) above.

Reason: In the interests of highway safety.

28) Prior to the first occupation of any dwelling visibility splays of 2 metres by 25 metres at the new junctions shall be provided clear of obstruction to visibility at or above a height of 0.9 metres above the carriageway level of the new development. Once created, these visibility splays shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety.

29) Prior to the first occupation of any dwelling visibility splays of 2.0 metres x 2.0 metres measured down each side of the access and the back edge of the footway have been provided clear of obstruction to visibility at or above a height of 0.9 metres above the footway level of the new development. Once created, these visibility splays shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety.

30) Prior to the first occupation of any dwelling all areas required for vehicle parking, turning and manoeuvring for that dwelling shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and these areas shall be retained thereafter for that specific use.

Reason: In the interests of highway safety.

31) Prior to the first occupation of any apartment facilities for the secure storage of cycles shall be provided in accordance with details shown on the Proposed Site Layout Drawing No. 02-002 rev P04 and they shall be retained in perpetuity thereafter.

Reason: To ensure that enough cycle parking is provided for the development in the interest of promoting non-car based modes of travel.

32) Prior to first occupation of any dwelling a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

b) The provisions of the Travel Plan approved under (a) above shall be implemented and operated in accordance with the timetable contained therein.

Reason: In the interests of highway safety.

Informatives

1) The applicant is advised that the proposal will require the formal allocation of addresses. Contact the Development and Support team on 0151 934 4195 or E-Mail snn@sefton.gov.uk to apply for a street name/property number.

2) The applicant is advised that all works to the adopted highway must be carried out by a Council approved contractor at the applicant's expense. Please contact the Highways Development and Design Team at HDD.Enquiries@sefton.gov.uk for further information.

3) The applicant is advised of the requirement for a "stopping up order" to the development site which forms part of the public highway. For further information please email the Highways Development and Design Team at HDD.Enquiries@sefton.gov.uk.

4) The developer is advised that agreements under Section 38 for internal works and Section 278 of the Highways Act 1980 will be required to ensure the implementation of the off-site highway improvements, and the requirement for a Traffic Regulation Order, and to contact the Highways Development and Design Team hdd.enquiries@sefton.gov.uk in this regard.

5) Bats may be present in your building. Bats are protected species. If you discover bats you must cease work immediately.

6) Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until condition 9 above has been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing, until condition 17 has been complied with in relation to that contamination.

7) The applicant is advised to contact SP Energy Networks in connection with the electricity network at <https://www.spenergynetworks.co.uk/pages/diversion.aspx> before works start on site.