

Report to: PLANNING COMMITTEE

Date of Meeting: 19th October 2022

Subject: [DC/2021/02497](#)

[Wadacre Farm Chapel Lane Melling L31 1ED](#)

Proposal: Erection of 146 dwellings, to include demolition of existing buildings, construction of new vehicular access, landscaping and associated infrastructure works

Applicant: Jon & Jeanette Catherine
Gould & Matthews-Griffiths
Rowland Homes Ltd &
Wadacre Limited

Agent: Mrs Joanne McGrath
SATPLAN

Ward: Molyneux Ward

Type: Full application - major

Reason for Committee Determination: Petitioned item

Summary

The proposal is for the erection of 146 dwellings, including the demolition of the existing buildings, the construction of a new vehicular access, landscaping and associated infrastructure works on Wadacre Farm, Chapel Lane in Melling.

The site is allocated as a housing site in the Sefton Local Plan. The main issues to consider in respect of this application are the principle of development, matters relating to highway safety & transportation, flooding and drainage, design and amenity matters, nature conservation requirements, heritage & archaeological issues, air quality, affordable housing and developer contributions.

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

Recommendation: Approve with conditions subject to the completion of a Section 106 legal agreement to secure financial contributions towards education provision and to mitigate the impact of recreational pressure on the Sefton Coast and to agree the detail of the affordable housing.

Case Officer

Liz Beard

Email

planning.department@sefton.gov.uk

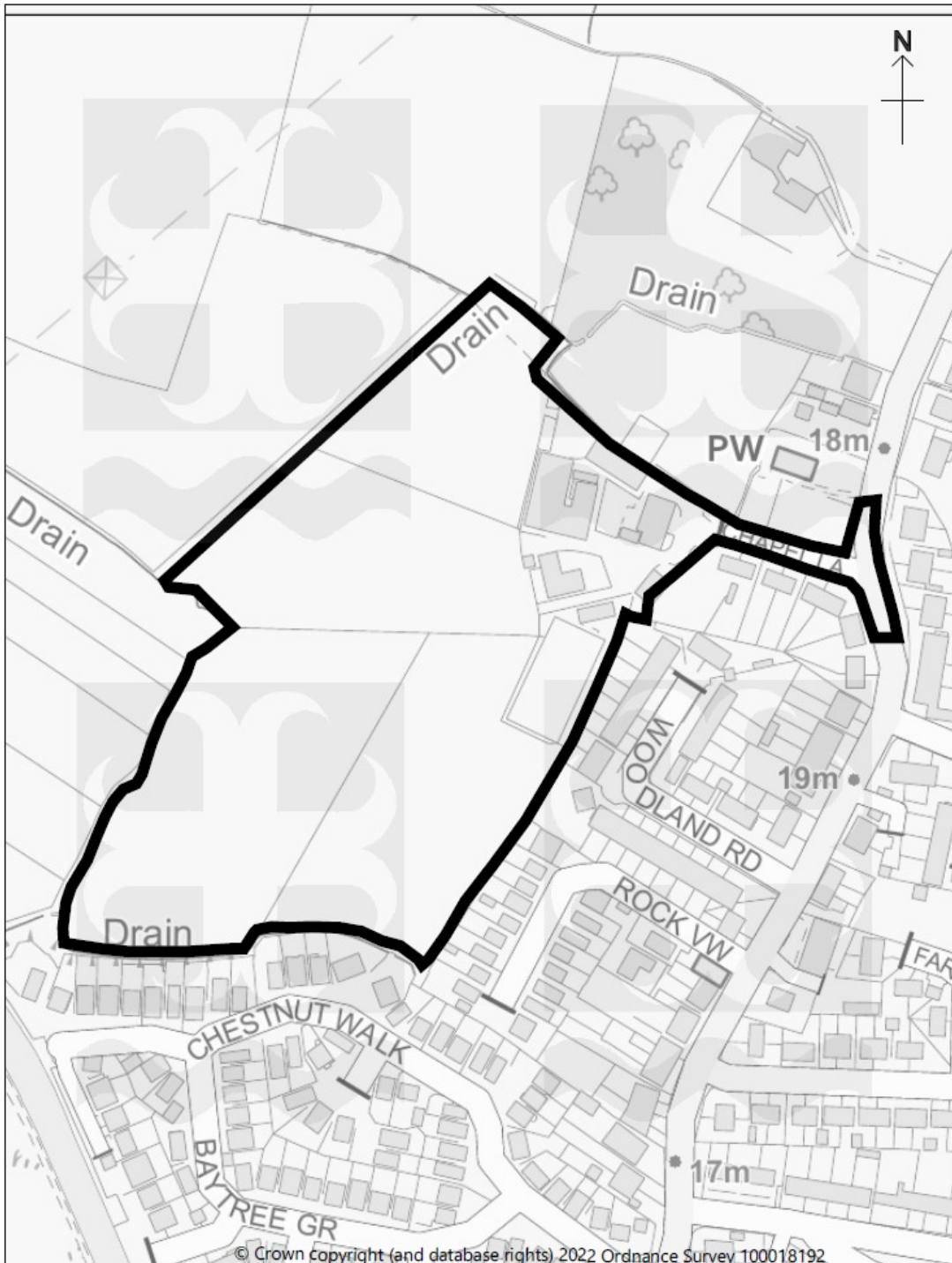
Telephone

0345 140 0845

Application documents and plans are available at:

<http://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R1C1T5NWMR500>

Site Location Plan



Sefton Council



Reference: Map reference

Date: 10/10/2022

Scale: Scale: 1:2500

Created by: Initials

The Site

The site is 4.74 ha in area and includes the Wadacre Farm Day Nursery, Sands School Horse Riding, boarding kennels and a number of farm buildings and a farmhouse. The site is bound to the north and west by open fields and to the south and east by residential development. A public right of way runs along the northern boundary and crosses the site.

History

An Environmental Impact Assessment (EIA) Screening Opinion for residential development was submitted in August 2021 to determine whether the proposal constitutes EIA development (Ref: DC/2021/02120). The Council concluded that the proposal was not EIA development on 14th September 2021.

Consultations

Canals And Rivers Trust

No objection

Community Fire Officer

No objection

Conservation

The building should be ideally retained and sensitively adapted with an appropriate landscaping scheme. If it was determined that public benefits outweigh the total loss of this asset, then a thorough analysis and recording of the asset should be undertaken prior to demolition.

Environment Agency

No comments

Environmental Health Manager

Air Quality

No objection subject to conditions

Contaminated Land

No objection subject to conditions

Noise

No objection subject to conditions

Flooding & Drainage

No objection subject to conditions

Highways Manager

No objection subject to conditions

Historic Buildings & Places (working name of Ancient Monuments Society)

Comments that the amended plans have given no further consideration to the former barn at Wadacre Farm, which is identified as a non-designated heritage asset. They maintain their objection.

Local Plan Manager

No objection

Merseyside Environmental Advisory Service

No objections subject to conditions

Merseyside Police Architectural Liaison Officer

No objection

Natural England

No objections subject to conditions

The Georgian Group

Comment that the proposed demolition will result in the complete loss of a non-designated heritage asset and is such in direct contravention of Sefton's Local Plan policies NH9 and NH15

Tree Officer

No objection

United Utilities

No objection subject to conditions

Neighbour Representations

The application has been called in by Councillor Atkinson on 15th December 2021 and the application has also been called in by Councillor Murphy on 28th December 2021

There was a petition submitted dated 3rd December 2021, which has been endorsed by now former Councillor Carr, who is no longer a councillor.

There was a petition submitted dated 8th December 2021, which has been endorsed by Councillor Murphy.

A petition to speak at planning committee was submitted, dated 8th September 2022, which has been endorsed by Councillor Atkinson.

In addition to the above objections have been received, along with photographs and video footage from over 130 individual addresses within the local area, Bill Esterson MP, Melling Parish Council and MPD Built Environment Consultants Ltd provided an objection on behalf of residents at Chestnut Walk; on the following grounds:-

Planning Policy

- This is the last bit of Greenbelt left for Melling residents to enjoy because already have two other housing developments under construction.
- Building on Green land means that even more of the countryside will disappear.
- The land is Green Belt and should be preserved for arable purposes.
- Sefton Local Plan states that 60% of the site comprises best and most versatile agricultural land-grade 3A-this will be lost.
- The whole area has changed, and I'd suggest the Local Plan was now in need of review, based on traffic alone.
- Site is overcrowded with 14 more houses than Local Plan.
- Brownfield sites and empty properties within the area of Sefton Council must be seriously considered first. For example, there is suitable land between Irlam Road and Peter Mahon Way in Bootle, near the current development on Capricorn Way.

Nature Conservation and Trees

- This development will affect the wildlife on the canal and the surrounding fields.
- No suggestions on how this will affect the surrounding environment and now it will be managed.
- There has been no environmental survey, we all know there are Bats and other wildlife in this area, how will this help save the protected species and our environment.
- To build on a greenfield site is extremely detrimental to the landscape, the habitats and the ecological value of the area, which can never be replaced.
- We need more green space for wildlife.
- The proposal to leave tree G13 on the plan and enclose it by fencing off isolating it from the rest of the estate would create problems for myself and the surrounding properties.
- There are Pink Footed Geese on the surrounding fields less than 0.5 km away.
- There at least two species of bats observed flying at the site.
- There is concern that the development presents a potential risk to the fish population in the adjacent canal.
- An impact on wildlife, infrastructure and the loss of further arable/green belt in this area.

Transportation and Highways

- Traffic through village at its highest, with lorries and cars speeding.
- An already exceptionally large amount of traffic on Waddicar Lane.
- The road infrastructure in Melling is already too busy to support such an increase in traffic load that the erection of so many dwellings will bring.
- The village frequently gets blocked due to cars parked at the shops and too much volume for the size of road.
- Melling is a small road (lane) for traffic and this already has a high volume of traffic travelling through, often exceeding the speed limit.
- The entrance for the estate is on a very dangerous bend.
- One bus goes to Liverpool via Aintree and one to Maghull. There are no bus links to any other areas including Kirkby where new supermarket has been built.
- Uncontrolled parking.
- The road through the Waddicar part of Melling is a rat run now, and people do not drive carefully.
- Increased traffic will cause chaos.
- The amount of traffic coming through from Kirkby seems to also be increasing.
- Will there be a traffic study undertaken using recent data (not 2011 census) incorporating actual use figures on Waddicar Lane that this development will add in terms of noise, pollution and risk to injury of pedestrians due to increases in volume?
- Will Sefton be consulting with local public travel providers to ensure there is suitable public transport options?
- The infrastructure is not suitable to support a mass influx.
- Allowing this proposal to go ahead could cause increased road accidents.
- The public footpath that is at the north east side of the site is heavily used and access will be limited during development of the site.
- Traffic will be made worse by hundreds of houses to be built in Maghull (off Poverty Lane) and Kirkby that use Melling to avoid Switch Island.
- There needs to be serious investment in the transport links in and out of the village, so we aren't going to see such a big increase in cars on the road.
- Rock View, which has a local shop on its junction, makes navigation of the junction extremely difficult, Sefton Council are well aware of this.
- The traffic plan contained in this application was taken from outdated data obtained in 2011. We believe that this data should be updated and taken at peak travelling times.
- Only one bus and none to Kirkby. Hospital bus only runs approx. 2 hourly and finishes early. 345 finishes early evening.
- Drivers already ignore zebra crossings on Waddicar Lane.

Design and Amenity

- The proposed site will ruin our amazing views.
- No detailed plans and existing properties built on higher levels than proposal site this will be a major issue into privacy.

- More land covered, more traffic, more noise, more risk of flooding, Waddicar Lane is the lowest lying area in Melling.
- Don't want constant noise in our house/back for any amount of time.
- Even more houses being added to Melling contributing to increased congestion and air pollution.
- There is no green space allocated within the new housing development, unlike other developments within Melling.
- People have brought houses in this area for the lovely greenery, which is being taken away.
- My property backs onto this development and due to the construction of these homes I will barely be able to see in my property due to the amount of natural light that will be blocked.
- New residents will be able to see directly into my home and me into theirs, surely we have a right to a private life and you as a public authority must ensure this.
- When can we expect to see the Contractors Traffic Management and Welfare Plans for the development to confirm that neighbours will not be inconvenienced?
- Nearby listed buildings will be lost.
- This potential mix of pedestrians, narrow lane and large construction vehicles presents a very real dangerous risk to life and property.
- Detrimental impact on mental health and well-being linked to loss of open green space/building work etc.
- Noise pollution during construction.
- There is a gap between the fencing of the proposed development and fencing on Rock View.
- Loss of heritage asset and archaeological significance of existing site.
- 13% of the low-cost housing is overlooking my property. There are 6 low-cost houses, which will obstruct my view, creating noise and pollution and will mean that I am surrounded by 9 houses.
- The overwhelming noise, fumes and serious traffic problems this development will cause is too much for residents to endure.

Flooding and Drainage

- Roads constantly flooding.
- Proposals drains will be on part of our land.
- Flooding issues from the canal bursting to water table being higher than construction site to general flooding.
- Already drainage issues in Melling.
- New housing must increase the risk of flooding.
- There have been issues with drains since we moved here in 2002 and United Utilities have only recently corrected the problem.
- These properties will be elevated to protect them, but this will just ensure residents lower down will flood, that's me.
- Our roads mainly Waddicar Lane is already struggling to disperse water when it rains.
- Can your proposed SUDs tank accommodate surface water from two developments plus surrounding areas?

- The watercourses are not maintained and therefore have blockages and create a flood risk for existing properties.
- How will you inform any potential property owners bordering the watercourse their responsibilities as a riparian owner?
- What determined the location of the SUDs basin?
- Confirmation that Waddicar Lane can cope with capacity increase.
- SUDs ponds will not be sufficient to deal with the drainage of the site.
- Object to using the drainage brook at south side as I own 50% of it.
- The proposed attenuation pond could be a potential safety hazard for young children.
- Pumping station near to existing properties.
- Melling is reclaimed bog land and concreting it will soon lead to water drainage issues.
- The culvert running under the canal that services the water in our drainage channel is not suitable to take on additional capacity and doing so would cause the culvert to collapse and flood the whole farm again.
- I object to the position of their holding pond as we currently have a lake in the same area for up to 9 months of the year as it is the lowest point in all the land around us and it's where the standing water collects.
- The developer is proposing to use existing drainage in the village but United Utilities had to put in a holding tank in the village last year at a cost of £4m just to handle the existing housing not new developments as the system couldn't handle anymore.
- The canal trust has also raised objection/concern due to the proposed site being at risk of flooding.
- Assume a SUDs is proposed as this is cheaper to build than conventional drainage.
- I do not give Rowland Homes permission to use this brook as per their plan.
- Sefton are more than aware of the history of flooding in this part of Melling.
- There are not considered to be sufficient provisions for run off drainage to avoid the risk of flooding within the development itself and existing housing nearby.
- Pressure on the sewer system-there is already flooding on Chestnut Walk and residents fear adding more homes on the sewerage network would make it worse.

Development Pressures and Other Matters

- The village is not set up to deal with the volume of people and homes that already here, adding another 149 homes is only going to do more damage.
- Plans not to scale.
- No suggestion how you (Rowland) are going to support and manage this proposal.
- No school for extra children.
- Don't have Drs surgery, hasn't opened since before Covid.
- Facilities and services already struggling with overpopulation of Melling.
- Disappointed with Rowland leaflet as only a few people got them.
- Where's the investment into services and facilities?
- Melling has only two local shops, one small school and a part time GP surgery that would be incapable of accommodating more families.
- Thank you for the opportunity to comment.

- No info has been posted through our letterbox re this development.
- No nursery in the village if Wadacre is demolished, school already at capacity, Drs only open on certain days.
- Our village is expanding too quickly. When does a village stop becoming a village?
- Why do we need additional housing here?
- Look at the plans in the bigger picture, at least wait and see the effects of the development already undertaken in the area.
- Confirmation area can accommodate local schooling needs.
- Have local Dr surgery and health requirements capacity been taken into account.
- Have Sefton carried out an assessment on the viability financially of the developer to be able to deliver a scheme of this nature (such as Dunne and Bradstreet checks) in the current inflationary market pressures?
- Why are these houses needed when there are hundreds being built 2 miles away in Maghull?
- I understand that new housing is needed but feel that Melling has undergone sufficient increases in housing over the years.
- No public consultation. Developers leaflet was delivered to some neighbouring properties and not the area they indicate in their planning statement.
- No consultation with riparian owners of the water course being used for drainage.
- Rowland Homes are seeking to deliver a substandard development, which will negatively impact the village and surrounding areas.
- The infrastructure just can't cope with anymore.
- Our village values its community and green space, this promotes well being and mental health something we need to look after.
- I feel if the housing development goes ahead, we'll have to sell up and move due to Melling already being over occupied, I mean how many people can you fit into a tiny village that has only one road in and out.
- When was the last census to show all of the above and the impact within the local area.
- Residents were not consulted when it was allocated for housing.
- Loss of identity as a rural village.
- No plans for elderly residential housing.
- Some errors in the documents FRA mentions Widnes and Interim Travel Plan mentions Radcliffe Road. There is no Radcliffe Road in Melling.
- Development would irreversibly alter Melling's character.
- I would like to know why this site was not removed from the Local Plan when the culvert failed a few years ago.
- I cannot help feel that the time spent writing this comment is time completely wasted, because at the end of the day, the powers that be do not care about the local residents.
- Personally, I feel the negatives outweigh the positives in this matter.
- If these go ahead, then the views and mental health of residents of Waddicar have not been considered.
- Despite S106 money being given by the Developer, as with the S106 money from Morris Homes, Persimmon and recently Bellway, this money goes to Sefton and not to Melling for improved infrastructure.

- Demolition of historical buildings should be avoided and other 'brownfield sites' be considered before we lose our natural heritage forever.
- Should a new housing scheme of such scale not have adequate local greenspace provision.
- The affordable housing contribution is inadequate.
- I'm concerned regarding the power supply to our property.
- The public consultation was inadequate as the member of staff that was there to answer questions was unable to answer many of the queries the residents had.
- A soil composition survey should be carried out and further tests should be carried out.
- Haven't we had enough development in the last 20 years.

Consultation Process

Pre-application consultation was carried out by Rowland Homes, and they also state that they attended the Melling Parish Council Meeting, the details of which are set out in the Planning Statement, which accompanies the planning application.

The local planning authority carried out initial consultation, when the application was received, and further consultation was carried out when amended plans and further information was received. The proposal has recently been amended, which includes the removal of one of the units, therefore reducing the proposal to 146 dwellings. There was no additional technical information required, the amendment was sought for detailed layout reasons and was not significant enough or materially different to warrant a re-consultation, therefore the original consultation is still sufficient.

Sefton Council publish all comments received on the public access application file unless it has been expressed that the comments should not be made public.

All statutory duties were fulfilled in terms of the consultation process.

Policy Context

The application site lies within an area allocated for housing MN2.32 Wadacre Farm, Chapel Lane, Melling in the Sefton Local Plan which was adopted by the Council in April 2017.

Assessment of the Proposal

The main issues to consider in respect of this application are the principle of development, matters relating to highway safety & transportation, flooding and drainage, design and amenity matters, nature conservation requirements, heritage & archaeological issues, air quality, affordable housing and developer contributions.

Principle of Development

The application site is allocated for housing within the Sefton Local Plan, which establishes the principle of development. The site allocation is ref MN2.32 'Wadacre Farm, Chapel Lane, Melling', where the Inspector's report, into the Local Plan states (page 70):

'The Plan's objectives of meeting the borough's housing need close as possible to where they arise necessitates some provision in the Melling/Aintree area, but (as demonstrated below) suitable land is difficult to find. Waddicar Lane and Wadacre Farm would make a substantial contribution to meeting those needs in a sustainable location and with relatively few adverse impacts. In these circumstances, and having regard to the moderate harm (at worst) to the Green Belt, the allocations are sound.'

Local Plan Policy HC3 'Residential Development' states that new residential development must achieve a density of 30 dwellings per hectare of the net developable area, this proposal achieves this.

There are site specific requirements as set out in Appendix 1 of the Sefton Local Plan which include:

'Development of this site must:

- ensure that sufficient information is provided with the planning application to enable the Council to make a Habitats Regulations Assessment; and*
- identify opportunities to reduce flood risk elsewhere through a Flood Risk Assessment and implement any appropriate solutions. This should include improvements to the capacity of the existing watercourse that forms the northern and western site boundaries.'*

These are discussed in the report under the appropriate headings.

There have been some comments provided that this housing allocation should be removed from the Local Plan. This is not something that can be carried out without a review of the whole of the Local Plan.

The principle of residential development has been established.

Highway Safety & Transportation

There were no specific requirements put forward by the Planning Inspector during the Local Plan Inquiry and the conclusion in the Inspector's Report was (page 70):

'Accessibility to the local services and facilities in Melling would be excellent from both sides. Despite local residents' concerns, studies show that the cumulative impact of the traffic generated by both sites would not be significant, with all local roads to continue to operate within their design capacity. Furthermore, provision of the M58 slip roads in conjunction with the Land East of Maghull

development is predicted to reduce flows along Waddicar Lane, so the studies may represent, a worst case scenario. All other constraints are minor and capable of mitigation.'

A Transport Assessment (TA) and supporting technical notes (TNs) have been submitted and assessed by the Council's Highways Manager, in relation to this application. This information considered the impact that the proposed development is likely to have on the existing highway network and the accessibility for sustainable modes of transport.

Trip Generation and Impact on the Highway Network

The applicant carried out traffic surveys in September 2021 to help review the level of traffic and gain turning counts. As a consequence of the Covid-19 pandemic, volumes and patterns of traffic have changed and it is difficult to understand what the 'new normal' is or will be for traffic. In order to provide an acceptable base from which the impacts are taken, the 2021 surveys were compared to the traffic flows from a 2015 assessment associated with the on-going development off Waddicar Lane to the north of this site. The 2015 values, with added growth from 2015-2021, detailed higher volumes of traffic when compared with the 2021 surveys and therefore the 2021 survey data was not used.

Included within the future years' assessment are traffic growth figures. TEMPRO, the industry standard, calculated with the National Transport dataset has been used to generate the traffic growth factors specific to the sites for the 2021 base year, 2023 opening year and 2026 future year.

The TRICS database has been used to obtain the estimated trip rates for the proposed development, which is the industry standard and accepted method. The estimated trip rates have been carried out based on 149 dwellings during the AM peak (08.00-09.00) and the PM peak (17.00-18.00). The review shows that the site is forecast to generate 76 two way vehicle trips in the AM peak and 77 two way trips in the PM peak hour. This equates to slightly more than one additional trip per minute in the peak hours.

The performance of junctions is a major factor in determining the way the whole network in the area functions with the addition of trips associated with the proposed development. Therefore, as part of assessing the impact of the development on the network, the impacts on a number of junctions were assessed in detail. These include the junctions at Chapel Lane/Waddicar Lane (priority), Waddicar Lane/Prescot Road (B1592) (mini roundabout) and Waddicar Lane/Spencer's Lane (roundabout).

The applicant suggested that these assessments demonstrated that all the junctions reviewed would operate within theoretical capacity in the AM, PM peak periods in both the base and future years. They concluded that all opening and future year within development scenarios are expected to operate below capacity with minimal levels of queuing and delay. The highest Ratio of flow to capacity (RFC) forecast is 0.69, which occurs on Prescot Road (South) in the AM 2026 Future Year + Development Scenario and increase of 0.02 when compared to the corresponding without

development scenario for the 2026 future year.

Values of 0.85 RFC and below, for unsignalised junctions, are generally considered to be acceptable when the resultant queues lengths do not significantly increase. For each junction reviewed there will be a slight increase in delay and queuing, with Chapel Lane showing the highest increase. The RFC values and the queue and delay increases are not considered to be significant, and the applicant has satisfactorily demonstrated that the level of traffic generated from the development is not expected to have a severe impact on the highway network.

Accident Analysis

Accident data has been submitted by the applicant for the study area for the five year period up to the end of 2019. This showed that there were three recorded injury accidents on Waddicar Lane, all of which are classed as slight. One occurred approximately 200 metres north of Chapel Lane and the other two approximately 200 metres south of Chapel Lane.

The applicant has suggested that there are no existing notable accident patterns to indicate any specific safety issues and taking into account the likely impact of the additional traffic due to the development, there are no concerns about the potential for additional accidents.

The Highways Manager accepts that the details provided and information associated with accidents, do not indicate a particular highway safety issue in the area that would be exacerbated by the proposed development.

Site Access & Layout

The site layout plan shows that the access into the site will be via a vehicular and pedestrian access, via a continuation of Chapel Lane. Chapel Lane currently consists of a single carriageway approximately 4.8 metres wide with a 1.5 metre wide footway to the south and a 2 metre verge/public footpath to the north. As part of the proposals Chapel Lane will be realigned in order to provide a 5.5 metre wide carriageway with a 2 metre wide footway along the south side. The priority junction with Waddicar Lane will be built out with new radii to enable suitable visibility splays and reduce speeds of vehicles at the junction.

The applicant has provided details within the Transport Assessment (TA) to demonstrate that the proposed junction improvements at Waddicar Lane will achieve visibility splays of at least 2.4m x 43 m.

The proposed layout of the site and the details provided in the TA and Technical Notes show that all the roads meet the standards expected, which is a 5.5m wide road with a 2 m wide footway on either side. In order to safely accommodate pedestrian movement, there will need to be a flat-topped speed table with tactile paving provided, adjacent to 11 Chapel Lane. This can be included as part of a condition for the provision of off-site highways works.

Following an assessment, it is considered that the site has some short comings in terms of its accessibility. In order to enhance the level of accessibility by sustainable modes of travel and to provide a development which would be acceptable in terms of Local Plan Policy EQ3 'Accessibility', a package of highways improvements for pedestrians/cyclists will be required.

The applicant reviewed this and has proposed upgrades to the two nearest existing bus stops on Waddicar Lane, that will include new raised access kerbs. The provision of a new pedestrian crossing facility on Waddicar Lane, north of the junction with Chapel Lane has also been proposed. This will be located outside 128 Waddicar Lane and consist of dropped kerbs and tactile paving. The applicant has also proposed the introduction of dropped kerbs and tactile paving at the following junctions to enhance pedestrian facilities and accessibility at Woodland Road/Waddicar Lane, Liddell Road/Waddicar Lane and Station Road/Waddicar Lane.

There is an existing Public Right of Way, Melling Footpath No. 4, running along the northern side of Chapel Lane and the development site. This footpath will also be surfaced with crushed stone to a width of 2m to enhance the accessibility of the footpath. There will also be a 2 metre wide bitmac path provided from the site to the footpath, which will run adjacent to plot 140.

It is considered that the proposed enhancements, with the addition of improvements to the bus stop outside 121 Waddicar Lane, consisting of the installation of access kerbs, will comply with the requirements of Local Plan Policy EQ3 'Accessibility'. The off-site highway improvements, as set out above can be included as a condition.

Parking

All of the proposed dwellings will have the benefit of off-street parking facilities, which includes at least two off street parking spaces. This meets the standard as set out in the Council's Sustainable Travel and Development Supplementary Planning Document (SPD) and part g. of Local Plan Policy EQ3 'Accessibility'.

Cycle parking for all the properties will be required in accordance with the Sustainable Travel and Development SPD.

Accessibility

A Minimum Accessibility Standards Assessment (MASA) has been completed and submitted as part of the initial Transport Assessments (TA) review of the accessibility of the site. The applicant suggested that the review within the TA demonstrated that the proposed development can be accessed by a variety of travel modes, and that it would accord with the national and local planning policy guidance. It concluded that the site is accessible by non-car modes, which would assist in promoting a choice of travel modes other than the private car. However, the scores achieved fell short of that expected for such a development for pedestrians and access to public transport.

A further detailed consideration of the site's accessibility was included within the TNs. The applicant initially suggested that the proposed improvements to Chapel Lane will enhance the accessibility of the site and that no further enhancements are necessary.

As mentioned above a package of highways improvements for pedestrians and cyclists will be required to enhance the level of accessibility by sustainable modes of travel.

Other Highways Requirements

The applicant will be required to introduce a scheme of street lighting on all roads within the development site. This can be secured by a condition.

A Framework Travel Plan (FTP) has been submitted, which is generally acceptable. The requirement for a travel plan can be secured by a condition.

Given the size of the proposed development a Construction Traffic Management Plan (CTMP) will be required. There will need to be details of the routes that the construction traffic will take when accessing and leaving the site and this traffic must be along routes that have the least impact on the residential areas of Maghull and Kenyon's Lane area. A CTMP has been submitted as part of the application and indicates that construction traffic will utilise Chapel Lane as the site access, the site operational hours included and measures to tackle vehicle speeds and dust. This information will need to be fully detailed in the CTMP.

All delivery vehicles and parking associated with the construction of the development, must be accommodated within the site. There must be no parking on Chapel Lane, Waddicar Lane or within the adjacent residential streets in the area and there must be no delivery vehicles parked up waiting to access the site at any times.

Therefore, taking all of the above into account there are no highway safety concerns associated with the development and no objections subject to the following conditions; off-site highways improvements, vehicle parking, cycle parking, visibility splays for vehicles and pedestrians, a travel plan, mud on carriageway (which can be included as part of a Construction Environmental Management Plan) and the access road shall be completed to base course level prior to occupation. The proposal complies with Local Plan Policy EQ3 'Accessibility'.

Flooding and Drainage

The Planning Inspector's report into the Local Plan considered both of the sites at Waddicar Lane and this site at Wadacre Farm and the flooding issues, which were presented to the Local Plan Examination. The conclusion on page 70 of the Inspector's report was that both sites were wholly in Flood Zone 1, so have a low risk from fluvial flooding, but a sizeable area of Wadacre Farm is at significant risk from surface water flooding, exacerbated by limited capacity in both the perimeter stream and culvert under the Leeds and Liverpool Canal. In accordance with the Sequential Test carried out, as part of the Local Plan Review, all dwellings will be sited on higher ground away from

the stream. It was acknowledged that because flooding occurs to some nearby properties, which drain onto the site, then it is appropriate for a site specific requirement to be included as part of the Local Plan allocation. This includes on page 186 of the Local Plan:

'MN2.32 Wadacre Farm, Chapel Lane, Melling

Development of this site must:

...Identify opportunities to reduce flood risk elsewhere through a site Flood Risk Assessment and implement any appropriate solutions. This should include improvements to the capacity of the existing watercourse that forms the northern and western site boundaries.'

There have been a number of objections received from the neighbouring residents in relation to flooding issues. There have also been photographs provided to highlight the concerns. The Lead Local Flood Authority (LLFA) carried out an initial review of the Flood Risk Management proposals and identified some points of clarification and additional information, which was required. The LLFA requires an 8m buffer strip provided along open watercourses and works affecting ordinary watercourses will require Land Drainage Consent from the LLFA. As the developer becomes the riparian owner of the watercourses bordering the site, maintenance of these watercourses should form part of the development's lifetime management and maintenance plan submitted.

There was additional clarification sought from the LLFA and information was provided in relation to the possible waterlogging of gardens. The groundwater monitoring undertaken demonstrates the existing groundwater to generally be 1m below existing ground level with the shallowest level being 0.5m below ground level. The levels on the layout will be raised above existing ground levels, in particular the gardens along the existing watercourse will fall away from the houses towards the watercourse. It is likely that land drainage will also be installed in garden areas with outfalls to the existing watercourses long the western and southern boundaries. The LLFA are satisfied with the information provided but have recommended that a condition is provided to ensure that the land drains are provided to mitigate any possible waterlogging of garden areas.

The Canal and River Trust were also consulted and raised concerns in relation to the drainage layout plans. An attenuation pond is shown closest to the canal corridor, as part of the SuDS arrangements on the site, and an outfall shown into the existing land drains, which then passes under the canal via a culvert. The Canal and River Trust noted that this culvert, which is located under the canal, did collapse, and cause the canal to breach approximately 6 years ago, which flooded the surrounding area. The culvert was fully replaced and renewed following the collapse. Therefore, provided that the flow rate to the culvert would not be increased as a result of this development, then this would be acceptable.

Notwithstanding this, the Design and Access Statement shows an existing watercourse/ditch going around the site towards the existing built-up area and away from the canal and suggests that surface water might be discharged into this watercourse/ditch instead. However according to the Canal and River Trust records this watercourse also joins to the ditch, which passes through their

culvert. It would be important that the ongoing operation and maintenance of the SuDS system within the site is secured in perpetuity/for the lifetime of the development.

United Utilities were consulted and reviewed the Drainage Strategy, which was submitted with the planning application. They confirmed that the proposals are acceptable in principle and should planning permission be granted then they requested that a condition is included that the development is carried out in accordance with the principles set out in the Foul & Surface Water Drainage Design Drawing and that the surface water must be restricted to a rate of 22.2 l/s and no surface water will be permitted to drain directly or indirectly into the public sewer.

United Utilities also recommend that a condition is included to require foul and surface water shall be drained on separate systems, together with a condition regarding a management and maintenance regime for any sustainable drainage system which forms part of the development.

MEAS assessed the flood risk information and recommended that the conditions relating to water vole inspections prior to any works being carried out impacting on the banks of the drainage channels on site should be adhered to.

Following the submission of additional details from the applicant in terms of how the flows to the culvert under the canal would be restricted, the Canal and River Trust are satisfied that the development would not impact on their culvert.

The LLFA also reviewed the additional information including the Flood Risk Assessment, SuDS Strategy Report, Technical Note and Flood Modelling Report and SuDS Pro-forma. The layout of the proposal was also amended in line with the previous comments received. Calculations to support this rate were provided. The calculations demonstrate the flow from the development in all events up to and including the 100 year flood event plus 40% climate change allowance will be restricted to 22.2 l/s.

The SuDS Strategy report indicates that the volume of run-off through the system in the 100-year, 360-minute event has been calculated as 787.8m³, which is less than the 830.2m³ for the existing site. Both the discharge rate and the 100-year 360min run-off volume are in accordance with Local Plan Policy EQ8 'Flood Risk and Surface Water' and is acceptable to the LLFA.

Therefore based on review of the revised FRA by Rowland Homes, ref:30500/SRG September 2021, the SuDS Strategy report by Ironside Farrar Limited, dated November 2021, the completed SuDS Pro-forma, the proposed measures to mitigate future waterlogging of the gardens and the 5.5m easement provided between the top of the bank of watercourses and any permanent construction as indicated on the Planning Layout, the LLFA are satisfied. They have no objection to the proposal subject to the conditions and informative for the developer to obtain the necessary Land Drainage Consents from the Council for works near or that may affect the ordinary watercourses. The proposal therefore complies with Local Plan Policy EQ8 'Flood Risk and Surface Water.'

Design and Amenity Matters

The planning application is for a residential development of 146 homes including the demolition of the existing buildings, construction of a new vehicular access, landscaping and associated infrastructure works.

Layout & Built Form

Local Plan Policy EQ2 'Design' requires that new development responds positively to the character, local distinctiveness and form of its surroundings. While the site is currently an open area, with a few buildings located within the site, the Planning Inspector stated that the overall harm to the Green Belt would be moderate and the impact on the local landscape would be minor, which was a key factor in taking the site out of the Green Belt.

In terms of build form, the surrounding area is characterised by detached, semi detached and terrace properties, which include cul-de-sacs and organic road layouts. The proposed development will be accessed from a single point as a continuation of Chapel Lane and the layout is organic in nature, as opposed to having a strong grid type layout, which fits in with the surrounding area. The density and grain are consistent with what would be expected of a suburban development.

The dwellings proposed are a mix of detached, semi-detached and terraced, all of which are two storeys in height. The properties are of a traditional style and complement the dwellings in the surrounding area. Facing materials include red brickwork and interchanging red and grey roof tiles. There is some detailing provided to different house types including decorative porches, bay windows and black mock-Tudor boarding and render to the pediment (triangular upper part on the frontage of a property) on some of the house types.

Overall, it is considered that the proposal responds positively to the character and form of its surroundings in terms of layout, density, style, height and form of dwellings. The proposal therefore complies with Local Plan Policy EQ2 'Design'.

Housing Mix

Local Plan Policy HC2 'Housing Type, Mix and Choice' requires that a minimum of 40% of the market homes should be 3-bedroom and a minimum of 25% should be 1 or 2 bedroom. The scheme shows that this has not quite been met for the market homes as 24.5% two bedroom (25 out of the 102 market dwellings) but it has been met for three bedroom dwellings with 43.1% three bedroom (44 out of 102) and the remainder are four and five bedroom.

The proposals comply with the requirement that at least 20% of the market properties are designed to meet Building Regulations M4(2) 'accessible and adaptable' dwellings. The M4(2) properties include the Tatton, Aroncroft and Ordsall house types.

Living Conditions of Future Occupiers

The application is subject to Local Plan Policy HC3 'Residential Development and Primarily Residential Areas and the accompanying guidance within the 'New Housing' Supplementary Planning Document, which provides standards and recommendations for suitable living conditions for future occupiers. The Council's guidance recommends a distance of 21m between windows serving habitable rooms and 12m between non-habitable rooms or habitable rooms and blank elevations.

The proposed development is well laid out so as to achieve the distance between dwellings overall. The majority of the 'rear to rear' separation distances exceed 21m with all exceeding 19m, which is acceptable. There are a couple of pinch points, where the front of the house measures just over 18m. However, given that this is across a public highway, this would not affect privacy to any significant extent. The recommended garden depths is 10.5m. The majority of gardens meet or exceed this requirement, with all exceeding 9m in depth. On balance, this is deemed to be acceptable.

In relation to the proposed garden sizes, the Council's guidance recommends that 50 sqm is provided for two-bedroom properties and 60 sqm is provided for homes with three bedrooms or more. Following amendments to the layout it is considered that an acceptable standard of living has been provided to all of the proposed dwellings. Overall, it is considered that the proposal provides a good standard of living space for future occupiers in terms of levels of light, outlook, privacy and outdoor private amenity space.

Noise

In relation to the desirable noise levels for outdoor amenity spaces, it is recommended that the proposed acoustic boundary elements should be increased to 2 metres in height to mitigate any noise. Further noise modelling will be required to identify any properties which may require acoustic mitigation measures to the building envelope to deliver internal noise level requirements of Table 4 of BS8233:2014, including the glazing and possible acoustic trickle glazing.

It is also recommended that the proposed close boarded fence must have a minimum surface density of 10 kg/m² and have no gaps. This may cause conflict with the nature conservation requirements in relation to the provision of gaps in the fencing to allow hedgehogs to move across the site. It is therefore recommended that a condition is included requesting further details of the boundary treatment and where acoustic fencing is not required then a gap of 13cm x 13cm shall be shown in order to maintain pathways for hedgehogs.

Air Quality

An air quality assessment (AQA) has been submitted in support of the application. The AQA has considered the air quality impacts during the construction phase and operational phase.

The AQA specifically considered the impact of future additional traffic associated with the development on air quality locally. AQ monitoring has predicted the future levels of pollution due to this additional traffic at a number of sensitive receptors in key locations.

The results of this modelling predict that future traffic resulting from development will not impact unduly on air quality at any sensitive receptor in the locality and levels of air quality at all modelled receptors will be well within national air quality standards.

The Environmental Health Manager is satisfied that the air quality impacts have been assessed accurately as far as able to be determined and taking the above into account and a scheme of control of dust emissions throughout the groundwork and construction phase, which can be included in a Construction Environmental Management Plan (CEMP), there are no objections on air quality grounds. The proposal therefore complies with Local Plan Policy EQ5 'Air Quality'.

A revised Construction Management Plan was submitted (Revision C), which includes details on how to control dust emissions, which will be included in the conditions as part of the approved plans and documents.

Impact on Existing Residents

There have been a number of objections received from local residents in relation to the proposed housing being located close to the existing houses. The layout was amended to ensure that there is a minimum of 21 metres interface distance provided between the proposed housing and the existing houses. This complies with the minimum recommended in the New Housing Supplementary Planning Document and part 2a. of Local Plan Policy HC3 'Residential Development and Primarily Residential Areas'.

There have been some objections received in relation to the proposed pumping station, which is to be located adjacent to the SuDS pond and is required as part of the drainage strategy. There have not been any details provided, therefore it is recommended that a condition is included to request that the details are submitted and approved.

There have also been concerns raised in relation to the construction works and potential traffic. The CEMP will ensure that the development will be carried out within the appropriate guidelines and appropriate mitigation. The CEMP states that neighbouring residents will be informed by letter drop, with contact details, prior to the commencement of each phase of work, namely demolition, construction of roads and sewers and house building works. It also states that once the compound has been set and a phone line is available, then Rowland Homes will pass on the contact details to the neighbouring residents, to enable them to contact the site manager if they have any concerns. A condition will also be included to ensure that a Highways Construction Management Plan is provided prior to the commencement of development.

Trees & Landscaping Requirements

The Council's Trees and Woodland Officer reviewed the information provided and stated that the tree report identifies 14 trees, 18 groups and 4 hedges as being relevant in relation to this application. The proposed scheme would require the loss of 7 trees, 3 groups and one of the hedges.

Due to the low quality of the trees and hedges to be lost, there is no objection to the scheme as the submitted landscaping scheme would mitigate this loss. Therefore, taking this into account there are no objections to this proposal, and it is recommended that the tree reports form part of the approved documents covered by condition.

In line with Local Plan Policy NH2 'Nature' and paragraph 175 of the National Planning Policy Framework (NPPF) biodiversity and mitigation measures should be incorporated into the proposals. As set out above the majority of the existing trees on the site boundaries are to be retained and a new attenuation pond is to be created, which includes associated species of wet grassland. Merseyside Environmental Advisory Service (MEAS) welcome this and these habitats will contribute towards the wildlife corridor along the adjacent canal. The landscaping proposals include new native tree planting and as set out above the landscaping proposals, along with the tree reports and plans will be included as part of the approved documents and plans.

Contaminated Land

The Environmental Health Manager has reviewed the reports and correspondence provided in relation to contaminated land and has advised that the preliminary risk assessment undertaken by E3P has identified the site has primarily been used as agricultural farmland. The north-eastern area of the site has a long history of being occupied with agricultural buildings and a residential property and the historical mapping shows the remainder of the site has remained predominantly undeveloped.

Due to the age of some of the structures and buildings on the site, E3P has identified that there is the potential for an asbestos containing material (ACM) being present with the building fabric and the surrounding topsoil and Made Ground underlying them. A pre-demolition asbestos survey may be required for all existing buildings within the site boundary. A condition can be included, which will request a scheme that details all the information and procedures to be adopted during the proposed demolition works, prior to the commencement of any development.

From a review of the historical mapping E3P has identified a former off-site saw mill works and depot adjacent to the southern boundary, a former depot now recorded as housing adjacent to the south-eastern boundary, and the possibility that mobile contaminants may have migrated into the southern area of the site.

The historical mapping also identifies ponds in the north-eastern area of the site and along the central eastern boundary, that have been filled in. E3P identify that Made Ground may be present in the infilled ponds and in the locality of field boundaries.

E3P has recommended an intrusive investigation across the site and within the vicinity of the buildings, to include the collection of soil, groundwater and surface water samples for chemical analysis, and ground gas monitoring.

The Environmental Health Manager agrees with the recommendation for a site investigation and recommends conditions in relation to a preliminary investigation, the submission of a remediation strategy, a verification report and the reporting of any unexpected contamination. The proposal, with the inclusion of these conditions, would comply with Local Plan Policy EQ6 'Contaminated Land'.

Minerals

The site partially falls within a Minerals Safeguarding Area. The applicant has submitted a Minerals Safeguarding Statement, which indicates that mineral deposits are thin, and extraction would not be viable. The Merseyside Environmental Advisory Service (MEAS) agree with the conclusion and there is sufficient information to comply with Local Plan Policy NH8 'Minerals'.

Nature Conservation & Habitats Regulations Assessment

There has been a Preliminary Ecological Assessment (PEA), a bat survey and shadow Habitats Regulations Assessment (HRA) provided in support of this application. The PEA was considered acceptable, but additional information was required in relation to the bat survey and HRA.

The Merseyside & West Lancashire Bat Group (MWLBG) object to the application as they consider that the bat emergence survey is not acceptable, fit for purpose and does not provide sufficient information where bats may be affected by the application, for which consent is sought.

Further information was submitted, MWLBG accepted the results of the dusk survey being to a reasonable standard of survey effort. However, with regards to the transect surveys MWLBG do not accept that the additional information is sufficient to withdraw their objection.

Habitats Regulations Assessment (HRA)

The site is located close to land, which could be functionally linked to the following European designated sites Sefton Coast SAC, Ribble and Alt Estuaries Ramsar site, Ribble and Alt Estuaries SPA, Liverpool Bay SPA, Mersey Narrows and North Wirral Foreshore Ramsar site and Mersey Narrows and North Wirral Foreshore Special Protection Area (SPA).

The habitats within the development area comprise predominantly horse-grazed improved grassland, which will have a limited value to qualifying bird species of the above European

designated sites. Arable land to the north and west of the development area could however represent Functionally Linked Land for qualifying bird species.

Records of qualifying bird species including Pink-footed geese exist within 1km of the application site, including records of several hundred flying over the application site. Non-breeding bird surveys of land 200m east of the application site did not identify qualifying species on the land under survey, however significant number of qualifying species including pink-footed geese were recorded flying across the site.

The applicant submitted a shadow HRA. The assessment of likely significant effects undertaken as part of the shadow HRA concludes that given the distance from the European sites (7.5km) direct impacts on these sites is unlikely and MEAS have accepted this.

The shadow HRA further states that there are no areas of land adjacent to the site, which are likely to constitute functionally linked land for birds associated with European Sites. MEAS accept that the land immediately adjacent to the site is primarily residential and horse-grazed pasture with limited suitability for qualifying species, however there are arable fields located less than 70m from the western site boundary. These fields have potential to be functionally linked to the European sites and given their proximity to the site and the lack of visual or acoustic barriers between the site and the arable land, MEAS believe that there is a risk of noise and visual disturbance to qualifying bird species during construction and a likely significant effect can therefore not be ruled out.

Additional information was requested to determine whether an appropriate assessment is required. Based on that, MEAS concluded that, without mitigation/preventative measures, that there will be likely significant effects on the sites listed above.

An Appropriate Assessment is required in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017. This concluded that, with mitigation/preventative measures, there will be no adverse effect on the integrity of the international and national sites, listed above. In order to ensure that the outcomes of the Appropriate Assessment are implemented on site, the following mitigation measures are required:

- Erection of noise/visual screening on fencing along the north-western boundary of the site.
- Pollution control measures.
- Timing restrictions on any piling works avoiding the period October to March.

The above mitigation measures have been incorporated into the revised Construction Environmental Management Plan (CEMP) (revision C), which can be accepted as an approved document; the information in relation to the CEMP is discussed below.

Recreational Pressure

The proposal will result in increased visits (recreational pressure) to the sites listed above. This may result in significant effects on habitats and species, for which these sites are designated.

The Sefton Local Plan HRA and the Nature Conservation Supplementary Planning Document (SPD) identifies recreational pressure from residential development is a Likely Significant Effect alone and in-combination. Further consideration is required of recreational pressure impacts on the adjacent potential functionally linked land. A network of footpaths is located through the arable fields to the north and west of this application. These footpaths are accessible immediately adjacent to the development area, and it is likely that they will be used by new residents for activities such as dog walking. This could impact on non-breeding birds during the winter months.

The shadow HRA concludes that recreational pressure is a likely significant effect and has recommended the provision of a resident's information pack. The conclusion of a likely significant effect is accepted by MEAS, however further analysis was requested, as to whether a resident's information pack is adequate mitigation, particularly when the proposals are considered in combination with the amount of new residential development in the area. It was requested that the revised HRA considered further the recreation impacts, however alternatively the applicant could 'opt in' to the approved recreation pressure Sefton Interim Approach.

The site lies within the Outer Zone (more than 5km from the coast), which would require a contribution of £63 per dwelling to contribute towards management of the Sefton Coast and enhancing visitor facilities at alternative sites away from the coast. The applicant has agreed to this approach and a commuted sum of £9,198 will be provided and secured via a Section 106 Legal Agreement.

Protected/Priority Species

There were a number of surveys carried out, which included a bat survey, an amphibian and reptile survey, and surveys for badger, hedgehog, water voles, otter & breeding birds.

Bats

The six buildings at Wadacre Farm were the subject of a bat survey in 2021. The bat survey includes the results of a daytime assessment of the buildings on site, as well as dusk emergence surveys. MEAS pointed out a number of limitations to the survey.

Buildings 3, 4 and 5 were classed as having negligible potential for roosting bats and MEAS accepted the conclusion. However, additional dusk/dawn surveys of the remaining buildings were requested along with additional transects surveys to allow a full assessment of the impacts. The additional reports were requested to determine whether bats were present.

There was further information submitted and MEAS do not believe that additional transect surveys are required. Whilst the survey was not complete following best practice guidelines, in this instance additional survey information is unlikely to significantly impact the proposed mitigation measures on site. Existing boundary features will be retained and enhanced as part of the proposals, which will allow bats to continue to commute across the site into the wider landscape. In combination with a sensitive lighting scheme, where impacts on bats should be minimised (secured by condition), new landscaping will provide additional foraging habitat and the introduction of bat boxes, which can also be secured by a condition, will provide suitable mitigation.

Habitats on and adjacent to the site may provide foraging and commuting habitat for bats. These include ditches at the site boundaries, the woodland area to the north and the Leeds and Liverpool Canal to the south. Lighting for the development may affect these areas, therefore a lighting scheme that is designed to protect ecology and does not result in light spill onto important habitats should be considered. This can be secured by a condition.

Amphibians and Reptiles

The habitats on the site have some limited suitability for common reptile and amphibian species. MEAS advised that there should be Reasonable Avoidance Measures (RAMs) during the construction phase included as part of a Construction Environmental Management Plan (CEMP).

Badgers and Hedgehog

The habitats on the site are suitable for badger and hedgehog, which are protected/Priority Species. As with the amphibian and reptile species MEAS advise that there should be Reasonable Avoidance Measures (RAMs) during the construction phase included as part of a CEMP.

To ensure that hedgehog can continue to move within the site, it is recommended that gaps are retained in the bases of fences, where appropriate. This can be secured by a condition.

Water Voles and Otters

The ditch network located adjacent to the site may provide habitat for water vole, which is a protected species. No evidence of this species was identified during an assessment of the ditches undertaken as part of the preliminary ecological appraisal, however records of this species exist along the nearby Leeds and Liverpool Canal and local residents have also seen water voles in the area. MEAS therefore advise that avoidance and mitigation measures are included as part of the CEMP.

Breeding Birds

The buildings and vegetation on site may provide nesting opportunities for breeding birds, which are protected species. There should be no tree felling, scrub clearance, hedgerow removal,

vegetation management or demolition is to take place during 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. This can be secured by a planning condition.

MEAS also recommend that a condition is included requesting details of bird boxes to be provided through-out the development to mitigate the loss of bird breeding habitat.

Construction Environmental Management Plan (CEMP)

MEAS advised that the applicant prepared a CEMP to manage and mitigate the main potential environmental effects during the construction phase of the proposed development. If this was not provided at the application stage, then it could be secured by a suitably worded condition.

The developer submitted a series of CEMPs, with the latest CEMP (Revision C) being acceptable. A ditch network is located adjacent to the western and southern site boundary of the proposed construction area. The ditch connects a wider ditch network outside of the site boundary. There is a risk of pollution of the ditch network in the area as a result of works on site, which could lead to pollution of watercourses. In response to previous comments the application has submitted a revised CEMP (Rowland, August 2022 Revision C). The CEMP includes the following measures:

- Protection measures for retained and adjacent habitats including trees, woodland, ditches and the nearby canal corridor.
- Precautionary measures in respect of breeding birds.
- Pollution control measures, including dust and runoff.
- Avoidance measures for badger and hedgehog.
- Avoidance measures for amphibians and common reptiles.
- Avoidance measure and precautionary working measures for water vole and otter.
- Timing restrictions in respect of piling works.
- Screening to minimise noise and visual disturbance to non-breeding birds.

The revised updated CEMP 'Construction Management Plan-Wadacre Farm', Rowland 22nd August 2022; Revision C is acceptable, and MEAS advise that it can be accepted as an approved document.

Natural England

Natural England were consulted following the completion of the Appropriate Assessment as the proposed development falls within the 'zone of influence' for one or more European designated sites. Natural England have considered the Appropriate Assessment carried out by MEAS and advise that they concur with the overall assessment conclusion, provided that all the mitigation measures are appropriately secured in any planning permission given. The following measures should be secured by suitably worded planning conditions.

- The production of a CEMP including measures to reduce disturbance impacts on nearby functionally linked land. The CEMP is to be produced and agreed prior to the commencement of any works on site and is to include:
 - The installation of visual/noise screening panels along the north-western site boundary prior to commencement of works.
 - Piling works to take place between April to September only, outside non-breeding bird season.
- Payment of a commuted sum, £66 per new dwelling in the zone of influence, to be secured through a S106 planning obligation to mitigate against increased recreational pressures in line with the Council's Interim Approach.
- Advisory leaflets to be provided for each new dwelling. These should explain the sensitivities of the nearby designated sites, promote the use of Suitable Alternative Natural Greenspaces (SANGs) and include a 'responder user code' to mitigate against disturbance to the designated sites as a result of increased recreational pressures.

Natural England's concerns regarding the potential impacts on the Mersey Narrows Site of Special Scientific Interest (SSSI) and the Sefton Coast SSSI coincide with concerns regarding the potential impacts upon the above international designated sites, therefore Natural England contend that providing the application is undertaken in strict accordance with the details submitted and providing the above conditions are secured, the development is not likely to damage the interest features for which the site has been notified.

The CEMP has been revised accordingly and is accepted as an approved document and the commuted sum of £66 per dwelling will be secured by a planning obligation as part of the Section 106 legal agreement and the condition in relation to the provision of an advisory leaflet to each new home will be secured by a condition. Therefore, taking the above into account the proposal complies with Local Plan Policy NH2 'Nature'.

Heritage & Archaeology

The proposal affects a non-designated heritage asset (NDHA), which is Wadacre Farm Day Nursery, Chapel Lane, Melling (Ref: MME14164). This is a former barn, which was originally a threshing barn, but had been converted into stables and shippon by 1981. A new slate roof was added in the mid-20th century, the brickwork is cement rendered and the roof trusses are original.

A Heritage Statement has been submitted, which outlines the history and significance of the site. It concludes (page 27); *'The Building is of low significance with component values of varying, but moderated strengths. In terms of ranking, the evidential historic, aesthetic and communal values all contribute to something to the significance, reflected in the identification as a non-designated heritage asset'*.

Local Plan Policy NH9 'Heritage Assets' states that *'Sefton's heritage assets together with its historic landscape character should continue to contribute to the Borough's sense of place, local*

distinctiveness and quality of life and development proposals should contribute positively towards achieving this’.

The policy then goes on to say, in part 5; that *‘Proposals affecting Sefton’s heritage assets and their settings should ensure that features, which contribute to their significance are protected from losses and harmful changes. Development should therefore (a) secure the long-term benefit of the heritage asset; (b), be designed to avoid harm; (c), incorporate proposals for proper repair and reinstatement of historic features and/or involve work, which better reveals the significance of Sefton’s heritage assets and their settings’.* Part 5 e. of the policy states *‘Where losses are unavoidable, a thorough analysis and recording of the asset should be undertaken.’*

Local Plan Policy NH15 ‘Non-Designated Heritage Assets’, states:

‘Development affecting a locally listed asset or its setting, or a non-designated heritage asset or its setting, will be permitted where the aspects of the asset; which contribute to its significance are conserved or enhanced.’

This proposal includes the complete loss of the NDHA, which is contrary to both Local Plan Policy NH9 and NH15, as set out above, as both policies seek to retain the Borough’s heritage assets and seek the opportunity for enhancement, where losses can be avoided.

The advice provided by the Conservation Team is that the building should ideally be retained and sensitively adapted into a residential dwelling/s to complement the proposed scheme and create a viable use and retain the heritage values embodied within the structure. This would comply with the aims of Local Plan Policy NH9.

Local Plan Policy NH15 explicitly states that development, which causes harm to the setting on a NDHA will not be permitted unless the aspects of the asset, which contribute to its significance are conserved or enhanced. The complete demolition of this heritage asset would mean that it is irretrievably harmed. If retained, there would also be a strong degree of harm due to the loss of the surrounding agricultural setting and historic context of the heritage asset. However, with an appropriate spatial landscaping scheme, this harm has the potential to be mitigated.

Although the Conservation Team do state that ideally the Wadacre Farm building should be retained and sensitively adapted with an appropriate landscaping scheme, if it was determined that the public benefits outweigh the total loss of this asset, then a condition recommending the thorough analysis and recording of the asset should be undertaken prior to demolition.

Historic Buildings & Places (HB&P), previously known as the Ancient Monuments Society, state that while the heritage value of Wadacre Farm is mainly of local value, its complete demolition does equate to substantial harm to a heritage asset. They state that there are options to retain and adapt the barn and re-route the proposed access road to the new estate either side, and this has not been considered in the application. This would retain and enhance the historic value of the building and its former agricultural use of the site. In their view the demolition of the barn also

fails to meet the environmental sustainability objectives of the Local Plan and the National Planning Policy Framework.

The Georgian Group echoes the comments made by HB&P and those made by the Conservation Team. The group advise that the proposed demolition will result in the complete loss of a non-designated heritage asset and is a direct contravention of Sefton Local Plan policies NH9 'Heritage Assets' and NH15 'Non-designated Heritage Assets'. The Georgian Group recommend that the Wadacre Farm Day Nursery should be retained and preserved in situ as a non-designated heritage asset. They recommend that the applicant withdraws this application and revises it and if the applicant is unwilling to do so then planning permission should be refused.

The Merseyside Environmental Advisory Service (MEAS) have not raised any objections to the loss of the heritage asset but advise that a programme of archaeological work is undertaken prior to the commencement of any development. This can be secured by a condition.

Paragraph 202 of the National Planning Policy Framework (NPPF) states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against public benefits of the proposal including, where appropriate, securing its optimum viable use. The bringing forward of this site to meet the Borough's housing needs, as set out in the Sefton Local Plan is considered to be a public benefit. The Planning Inspector did not require that the heritage asset was retained and there were no site-specific requirements included as part of the allocation of the site for housing.

Paragraph 203 of the NPPF goes on to state that;

'In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

Therefore, on balance, while Wadacre Farm would be lost in its entirety, its significance is limited and is deemed to be outweighed by the benefits as set out in this report. The inclusion of a condition to ensure that the building is recorded and to make this evidence publicly accessible, is in line with paragraph 205 of the NPPF. A condition will be included for a report on a programme of archaeological and historic building investigation to be submitted for approval prior to the commencement of development and demolition of any buildings.

Affordable Housing

The proposal shows 44 out of 146 homes being affordable, this is 30.1% in total. The affordable housing is split by 67% social/affordable rent and 33% as affordable homes ownership homes. 15 out of the 45 affordable homes are to be affordable home ownership. This is just over 10% of the scheme and is 33% of the affordable housing. This complies with Local Plan Policy HC1 'Affordable and Special Needs Housing'. The detail of the affordable housing will also be included as part of the Section 106 legal agreement.

The affordable units are indistinguishable from the market housing in terms of their location, external appearance, design, standards and build quality to ensure that the communities are mixed. The spread of affordable housing throughout the site is considered to be acceptable.

Education

Due to the level of local housing growth, the proposal will be required to contribute to additional primary education in the local area. This is set at £2,344 per new dwelling (at 2022-23 rates). For 146 homes this is £342,224 at 2022-23 rates. The applicant has agreed to pay this as a commuted sum, which will be included as part of a Section 106 Legal Agreement.

Development Contributions & Section 106 Legal Agreement

As set out above the applicant has agreed to a commuted sum of £342,224 to contribute to primary education in the local area.

The applicant has agreed with the opt-in approach in relation to the mitigation of the impact of recreation pressure on the Sefton Coast, which is a commuted sum of £66 per home, which is a total of £9,636.

The detail of the affordable housing will also be included as part of the Section 106 legal agreement. The proposal shows 44 out of 146 homes being affordable, which is 30.1%. The affordable housing split will be 67% social or affordable rent and 33% as affordable home ownership homes.

Planning Balance and Conclusion

The proposed development of the site for residential development is acceptable in principle given the site's allocation for housing in the Local Plan. The density, design and general layout are acceptable with regard to the character of the local area. However, the loss of the non-designated heritage asset of Wadacre Farm causes harm in planning terms.

In terms of amenity, future occupiers will be afforded a good standard of living and the proposal will provide 44 affordable homes, while the remaining market homes are 'accessible and adaptable under the Building Regulations. The applicant is also required to provide a contribution towards primary education in the local area.

The site is considered to be accessible from non-car based transport and the off-site highways requirements will ensure that the site is integrated with the surrounding area, in transport terms. The Highways Manager is satisfied that the highways and transport requirements are met.

The Lead Local Flood Authority are satisfied that that the site can be drained satisfactorily without increasing the risk of existing flooding.

The mitigation requirements as set out in the Construction Environmental Management Plan satisfy both MEAS and Natural England.

Therefore, taking all of the above into account there are clear benefits to the proposal contributing to the Council's housing supply, including affordable housing along with developer contributions towards primary school education. The main area of harm identified is in relation to the loss of the designated heritage asset, however this loss is not deemed so harmful to outweigh the benefits of developing the site for housing. Overall and on balance the proposal complies with the National Planning Policy Framework, adopted Local Plan and guidance, and is therefore recommended for approval subject to conditions and the completion of a Section 106 legal agreement.

Recommendation - Approve with conditions subject to the completion of a Section 106 Legal Agreement to secure financial contributions towards education provision and to mitigate the impact of recreational pressure on the Sefton Coast, and to agree the detail of the affordable housing.

The 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 three 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 reports:

- Site Location Plan Drawing no. R110/1000
- Planning Layout Drawing no. R110/1 Rev H
- Illustrative Site Layout Drawing no. R110/1 Rev H
- Fencing Layout Drawing no. R110/2 Rev D
- Materials Layout Drawing no. R110/3 Rev D
- External Surfaces Hard & Soft Landscaping Drawing no. R110/4 Rev D
- Affordable Housing Layout Drawing no. R110/7 Rev D
- Street Scenes Drawing no. R110/1001 Rev A

- 1.8 m High Close Boarded Timber Fence Drawing no. SD.1A
- 900 mm Post & Rail Fence Drawing no. SD.21
- Knee Rail Fence Details Drawing no. SD.23B
- 1.8 m High Screen Wall Drawing no. SD.46A
- Preliminary Drainage Layout Drawing no. 30500_100
- Tree Constraints Plan Drawing no. 4182-01 Rev A
- Tree Protection Plan 4182-02 Rev C
- Construction Management Plan 22nd August 2022 Revision C
- Flood Risk Assessment 30500 SRG September 2021
- Foul & Surface Water Drainage Design Drawing no. 30500/100 Rev B
- E3P (January 2022) Phase 1 Geoenvironmental Site Assessment ref: 14-664-R1-3

House Types

- Waddington Drawing no. HT117(A) P/117
- Hatton Drawing no. HT139/P/115
- Regency Drawing no. HT142/P/01
- Bonington rear aspect no bay -Floor Plans Drawing no. HT147/P/113
- Bonington rear aspect no bay- Elevations Drawing no. HT147/P/114-2
- Bonington side aspect with bay- Floor Plans Drawing no. HT147/P/112-12
- Bonington side aspect with bay – Elevations Drawing no. HT147/P/110-11
- Lowry- Floor Plans Drawing no. HT164/P/2/V4-2
- Lowry- Elevations Drawing no. HT164/P/2/V1-1
- Gladstone Floor Plans & Elevations Drawing no. HT165(H)/P/3
- Charleston II Drawing no. HT166/P/119
- Brantwood II Drawing no. HT167/P/5
- Aroncroft Drawing no. HT169/P/205
- Kingswood-Floor Plans Drawing no. HT174/P/1
- Kingswood- Elevations Drawing no. HT174/P/2
- Bridewell Drawing no. HT181/P/1
- Bridewell-Bressingham-Floor Plans Drawing no. HT181-182/P/1
- Bridewell-Bressingham-Elevations Drawing no. HT181-182/P/2
- Arley Drawing no. HT186/P/1
- Tatton-Floor Plans Drawing no. 188/P/01
- Tatton-Elevations Drawing no.188/P/02
- Duxbury Drawing no. HT189/P/01
- Ashbury Drawing no. HT190/P/01
- Elworth Drawing no. HT191/P/01
- Rivington Drawing no. HT192/P/01
- Ordsall M4(2) Drawing no. HT194/P/01
- Garage-Single Detached Garage Drawing no. P/SG/1

Reason: For the avoidance of doubt.

Before the Development is Commenced

3) No development shall commence, including any demolition works, 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.

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.

4) Prior to commencement of development a preliminary investigation must be prepared in accordance with best practice and current guidance. The report must include:

- Desk study
- Site reconnaissance
- Data assessment and reporting
- Formulation of initial conceptual model
- Preliminary risk assessment

If the Preliminary Risk Assessment identifies there are potentially unacceptable risks a detailed scope of works for an intrusive investigation, including details of the risk assessment methodologies, must be prepared by a competent person (as defined in the DLUHC National Planning Policy Framework, July 2021). The contents of the scheme and scope of works are subject to the approval in writing of the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Land contamination risk management, April 2021.'

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.

5) Prior to commencement of development the approved scope of works for the investigation and assessment must be undertaken by competent persons and a written report of the findings must be produced. The report should include an appraisal of remedial options and identification of the most appropriate remediation option(s) for each relevant pollutant linkage. The report is subject to the written approval of 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.

6) Prior to commencement of development a detailed 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, must be prepared and is subject to the approval in writing of the Local Planning Authority.

a) 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 and commencement of its use.

b) In the event that the proposed remediation scheme involves the provision of a ground cover system a plan indicating the existing and proposed external ground levels on the application site shall be submitted for approval to the Local Planning Authority.

c) The development shall proceed in accordance with the external ground levels approved under (b) unless the Local Planning Authority gives its prior written approval to any variation.

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.

7 a) The approved remediation strategy must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation.

b) Following completion of the remedial works identified in the approved remediation strategy, a verification report that demonstrates compliance with the agreed remediation objectives and criteria must be produced, and is subject to the approval in writing of the Local Planning Authority, prior to commencement of use of the development.

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.

8) No development or demolition should take place until a report on a programme of archaeological works and historic building investigation has been submitted and approved in writing by the Local Planning Authority. The programme of historic building investigation works should be undertaken in accordance with a Written Scheme of Investigation (WSI), which must include the following:

- A programme and methodology of site investigation and recording.

- A programme for post-investigation reporting to include production of a final report of the significance of the historic building.
- Provision for appropriate publication and dissemination of the archaeology and history of the historic building.
- Provision for archive deposition of the report and records of the site investigation.
- Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: To provide a record of the remaining historic building on the site.

9) No development shall commence, including any works of demolition, until a scheme including full information on procedures to be adopted during the proposed demolition works has been submitted to and approved in writing by the local planning authority. The approved scheme shall be adhered to throughout the demolition period.

Reason: To safeguard the living conditions of neighbouring/adjacent occupiers and land users during the demolition phase of the development.

During Building Works

10) No development shall commence above slab level until a detailed scheme of off-site 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 alterations to the existing priority junction and Waddicar Lane and Chapel Lane, including dropped kerbs and tactile paving either side and alterations to Chapel Lane to provide a 2m wide footway along the south side of the carriageway for its full length and a 5.5m wide carriageway. 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 to ensure that acceptable access to the development is achieved and to ensure the safety of highway users.

11) No development shall commence above slab level until a Noise Impact Assessment has been submitted to and approved in writing by the local planning authority to identify any properties which may require acoustic mitigation measures to the building envelope to deliver the internal noise level requirements of Table 4 of BS8233:2014, including the glazing and possible acoustic trickle ventilation.

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

12) No dwelling shall be constructed until full details of the existing and proposed ground levels (referred to against Ordnance Datum) within the site and on land and buildings around the site by means of spot heights and cross sections, proposed finished floor levels of all buildings and

structures, have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved level details.

Reason: To safeguard the living conditions of the existing and future occupiers.

Before the Development is Occupied

13) No dwelling shall be occupied until the access road shown on plan R110/1 Revision H has been constructed to the base course level to enable access to the dwellings

Reason: To ensure that acceptable access is achieved to the development and to safeguard other highway users at all times.

14) The development shall not be occupied until a detailed scheme of off-site 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:

- Bus stop improvements to the stops on both sides of Waddicar Lane including access kerbs and new posts and signs outside no.s 121, 130 and 151 Waddicar Lane.
- The provision of dropped kerbs and tactile paving on both sides of existing junctions at Woodland Road/Waddicar Lane, Liddell Road/Waddicar Lane and Station Road/Waddicar Lane.
- Provision of a pedestrian crossing on Waddicar Lane opposite no.128 Waddicar Lane, including dropped kerbs and tactile paving.
- 2 m wide stone surfacing to Melling Footpath No.4 from a point adjacent to the proposed speed table on the site access road by no.11 Chapel Lane to the existing timber footbridge at the rear of plot no 139.

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: To ensure that acceptable access is achieved to the development and to safeguard other highway users at all times.

15) The development shall not be occupied until a Traffic Regulation Order (TRO) to introduce waiting restrictions on both sides of the junction at Waddicar Lane and Chapel Lane to prohibit parking at all times has been implemented in full.

Reason: To ensure that acceptable access is achieved to the development and to safeguard other highway users at all times.

16) The development shall not be occupied until a Traffic Regulation Order (TRO) to introduce waiting restrictions on the north side of Chapel Lane to prohibit parking at all times has been implemented in full.

Reason: To ensure that acceptable access is achieved to the development and to safeguard other highway users at all times.

17) The development shall not be occupied until a detailed scheme of traffic calming designed to maintain vehicle speeds at 20 mph or less on the proposed access roads within the development site has been submitted and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

18) The development shall not be occupied or brought into use until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets.

Reason: In order to meet sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

19) No dwelling shall be occupied until space has been laid out within the curtilage of all dwellings for car(s) to be parked and that space shall thereafter be kept available for the parking of vehicles in perpetuity.

Reason: To ensure that enough car parking is provided for the development and to ensure the safety of highway users.

20) The development shall not be occupied until facilities for the secure storage of cycles have been provided in accordance with details to be submitted to and approved in writing by the local planning authority 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.

21) Prior to the occupation of the development the details of any proposed external lighting scheme shall include measures to reduce light spillage onto foraging habitats for bats. The scheme shall be submitted to and approved in writing by the local planning authority and the agreed scheme shall be implemented in full and retained throughout the lifetime of the proposal.

Reason: To safeguard conservation of bats.

22) Prior to the occupation of the development a detailed scheme of the street lighting on the proposed access road, internal footpaths and public footpath no.4, shall be submitted to and approved in writing by the local planning authority and the agreed scheme shall be implemented in full prior to the development being brought into use.

Reason: For the safety of pedestrians and vehicle users.

23) No dwelling hereby approved shall be occupied until details of the full fibre broadband connections to all proposed dwellings within the development has been submitted 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.

24) No part of the dwelling shall be occupied until a scheme and appropriate scaled plan identifying suitable locations on the site for the erection of bat and bird nesting boxes together with a timetable for implementation have been submitted to and approved in writing by the local planning authority. The approved scheme of nesting and bat boxes shall be installed in accordance with the approved details and timetable.

Reason: To safeguard conservation of bats and birds in the area.

25) No development shall commence above slab level until the details of the electricity sub-station as shown on plan R110/1 Revision H has been submitted and approved in writing by the local planning authority. The infrastructure shall be installed prior to occupation.

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

26) No development shall commence above slab level until the details of the pumping as shown on plan R110/1 Revision H has been submitted and approved in writing by the local planning authority. The infrastructure shall be installed prior to occupation.

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

27) Prior to the first occupation of any dwellings within a particular phase, a plan indicating the positions, height, design and material and type of boundary treatment to be erected, including acoustic barriers to be provided within the site, shall be submitted to and approved in writing by the local planning authority. Where acoustic fencing is not required, a gap of 13 cm x 13 cm shall be shown within the base of each length of boundary fencing serving the respective plot in order to maintain connectivity for hedgehog. 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 to the site, to ensure that the privacy of neighbouring occupiers/land user is retained at all times and to secure biodiversity enhancement.

28) Prior to the occupation of the first dwelling full details of an information pack to be provided informing residents of the presence and importance of the designated nature sites, and how residents can help protect them, shall be submitted to and approved in writing by the local planning authority. The agreed information must be provided on first occupation of each dwelling.

Reason: In order to comply with the Habitats Regulations Assessment Regulations and mitigate increased recreational pressure on European sites.

29) Prior to the occupation of the development a sustainable drainage management plan and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the local planning authority. 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.

c. A full management plan for the watercourse corridors will be prepared and submitted.

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

Reason: To ensure that the 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.

30) No development shall commence above slab level until the details of the land drainage system to serve the properties facing onto or backing onto a watercourse are submitted and approved in writing. The approved scheme shall be installed prior to occupation.

Reason: To safeguard the living conditions of residents and mitigate the waterlogging of any garden areas.

Ongoing Conditions

31) The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted updated Flood Risk Assessment, Updated Drainage Strategy Plan & Foul & Surface Water Drainage Design Drawing 30500/SRG – Dated 19/01/21, which was prepared by Ironside Farrar. For the avoidance of doubt the surface water must drain at the restricted rate 22.2 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

32) Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

33 a) 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 is subject to the approval in writing of the Local Planning Authority.

b) 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 7.

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.

34) 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 1.0 metre 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.

35) No tree felling is to take place between the period of 1st March to 31st August inclusive. If it is necessary to undertake any works during the bird breeding season then all trees are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted to and approved in writing by the local planning authority.

Reason: To safeguard conservation of protected species.

36) The proposed close boarded fence, as shown on plan R110/1 Revision H must have a minimum surface density of 10 kg/m² and have no gaps.

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

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 4569 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) No development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 6 & 7 above have 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 9 has been complied with in relation to that contamination. Contaminated land planning conditions must be implemented and completed in the order shown on the decision notice above.

4) A Traffic Regulation Order (TRO) to introduce a 20 mph zone is required and a programme for its implementation shall be proposed. Please contact the Highways Development and Design Team on HDD.Enquiries@sefton.gov.uk for further information and to progress this process.

5) There is a requirement for the applicant to enter into a S278 Highways Act 1980 Legal Agreement to facilitate works to the adopted public highway. Please contact the Highways Development and Design Team on HDD.Enquiries@sefton.gov.uk for further information.

6) Land Drainage Consents from the Lead Local Flood Authority (LLFA) shall be obtained for works near or that may affect the ordinary watercourses. Please contact the LLFA on flooding@sefton.gov.uk.