

Committee Agenda Update

Removal of Planning Condition – Highways England

Condition no.26 was required by Highways England. It read;

‘No development pursuant to this application shall commence until a detailed construction plan working method statement (including Risk Assessment Method Statement) relating to site development earthworks and drainage alongside the M62 has been submitted to and approved by Highways England and the Local Planning Authority’.

Highways England notified the Council on 20/10/2020 to explain that a suitable RAMS has been agreed for the development and therefore this condition no longer needs to be applied.

Removal, Variation and additional conditions – Environment Agency

Conditions 43-45 (on the full) and conditions 82-83 (on the outline) were suggested by the Environment Agency in their response dated 16/09/2020.

The Environment Agency (EA) has since reviewed the additional information and for the full element comments as follows;

‘Based on the proposed site layout plan ‘Proposed Site Layout Plan Unit 1 DWG 1 (date published 13 Aug)’, which shows an undeveloped 8m buffer from the top of the bank of Whittle Brook, we have no objection to the full aspect of the planning application based on that plan. However, the CEMP does not provide details demonstrating how the buffer zone will be protected during development and The LEMP (Unit 1) document does not include Whittle Brook (date published 13 Aug). Therefore we request that the following condition is implemented on the full aspect of the application’.

Based on EA’s comments the conditions have been amended accordingly.

Condition 43 is to be removed and replaced with the following condition.

No development shall take place within the 8 metre wide buffer zone alongside Whittle Brook watercourse until the Construction Environmental Management Plan and Landscape Environmental Management Plan are updated to include details of maintenance regimes and details of treatment of site boundaries and/or buffers around water bodies. Any subsequent variations shall be agreed in writing by the local planning authority. Only the approved details shall be implemented.

Condition 44 is to be removed and replaced with the following condition.

Within 6 months of works commencing on site a scheme providing details of management responsibilities for the undeveloped 8m buffer to Whittle Brook, has been submitted and approved in writing by the local planning authority. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme.

Condition 45 is to be removed as it is applicable to the outline site only.

Outline

The Environment Agency (EA) has commented on the outline element as follows;

'As part of the outline aspect of this development the diversion of Whittle Brook proposed as part of this development could have an unacceptable effect on the ecological value of the watercourse at this site. The North West river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote their recovery. Without a landscape management plan, the proposal's ecological impact may lead to deterioration of a water quality element to a lower status class. In light of the above, the proposed development will only be acceptable if a planning condition requiring a landscape management scheme is included'.

Condition 82 is to remain.

Condition 83 is similar, although the following line in red has been added.

No development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), has been submitted to, and approved in writing by, the local planning authority. **The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.** The scheme shall include the following elements:

- a) details of maintenance regimes
- b) details of any new habitat created on-site
- c) details of treatment of site boundaries and/or buffers around water bodies
- d) details of management responsibilities
- e) Whittle Brook channel long section showing existing and proposed bed levels. This should indicate change in channel length and associated gradient, any change should be assessed with regard to hydromorphology and biological quality elements in the WFD assessment.
- f) Indicative channel cross-sections to represent all design proposals (i.e. 2-stage channel, inset berms and any changes at proposed meanders).
- g) Geomorphology surveys to inform detailed design proposal to be provided to the Environment Agency, including data on the reference reach.

The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

An additional condition will be added which reads;

Notwithstanding the requirements of condition 80 and 81, the development shall be carried out in accordance with the submitted Flood Risk Assessment (ref: August 2020/70060349-FRA/WSP) and the following mitigation measures it details:

- Diversion of Whittle Brook design to include increased capacity within the watercourse to reduce the flood risk currently affecting the proposed development site.
- Surface water discharge from the site to be limited to 5.8 l/s/ha with 15,495 cubic metres of attenuation provided to cater up to the 100-year climate change rainfall event affecting the site.
- Raised finished floor levels - 0.3m above the 100-year climate change level for the on-site drainage system & 0.15m above proposed surrounding ground level.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development

Third party representations received

An email was received dated 26/10/2020 stating a neutral position to the proposal but asking questions relating to;

To reduce traffic to/from the site, request S106 funding for a bus from St Helens to the Omega site with funding then passed to Merseytravel to secure a contract.

Condition for the applicant or end client to communicate changes to shift times to local bus operators so that bus operators are able to amend the bus times to suit shifts.