

Committee Report	
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Reference:	Area Team:	Case Officer:	Ward:
APP/22/01951	DM	Mr J Bellis	Bromborough

Location:	Electricity Sub Station, Sunlight Way, Bromborough, Wirral, CH62 4TG
Proposal:	Demolition of existing buildings and development of adjoining high-bay (up to 31.5m high) and low bay (up to 11m in height) warehouses, with conveyor link, on the existing Unilever site, to accommodate mechanical handling equipment, with associated offices, external HGV bays and access (B8 use)
Applicant:	Simon Peake (RPS Group)
Agent :	Simon Peake (RPS Group)

Qualifying Petition	Yes . A petition has been submitted in relation to this application (40 Signatures).
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Site Plan:



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Development Plan designation:	Primarily Industrial Area
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Planning History:	None relevant
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Summary Of Representations and Consultations Received:

1. Ward Member Comments	Councillor Jo Bird
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Unilever's industrial activities continue to cause unreasonable disturbance to residential neighbours who should be entitled to peaceful enjoyment of their homes. For example, heavy delivery lorries continue to enter Port Sunlight village. This new proposal is likely to exacerbate existing noise pollution and bring it closer to existing homes, at all times of day and night.

2. Summary of Representations

REPRESENTATIONS

A petition has been submitted in relation to this application (40 Signatures). This states the following:

Woodlands Grange was designed as a well-maintained, peaceful, characterful, residential area of over 150 homes bordering woodland and the Dibbin in Bromborough. It is not suitable to be too close to industrial warehousing and associated traffic noise.

We, the residents of Woodland Grange Estate, Bromborough (namely Hesketh Way, Hulme Close, Bryce Close and Bryce Drive) petition Wirral Council to REJECT application APP/22/01951 by Unilever on the following grounds:

- Increased, and significantly disruptive noise during non-working hours (especially between 1am and 6am). Excessive night time noise is already a major issue causing sleep disruption for residents. New Warehouse even closer to a residential area will make this significantly worse;
- Increased day-time noise will adversely affect a residential area;
- Proposed warehouses and buildings will be expanding and will be nearer our homes;

Increased traffic on the New Chester Road within earshot of our homes in a residential area.

At the time of writing, and in addition to the petitions referred to above, 9 representations have been received from interested parties, 9 of these are objections. To summarise these raise the following key issues:

- Impact on amenity of nearby occupiers (particularly increase in noise impacts (night and day) and impact from lighting;
- Increased litter
- Impact on herons and other wildlife
- Loss of trees

CONSULTATIONS

Wirral Highways - No objection, subject to conditions.

National Highways – No objection.

Environment Agency - No objection, subject to conditions.

LLFA – No objection, subject to conditions.

Environmental Health/Public Protection – No objection, subject to conditions

	<p>Natural England - After liaising with colleagues at Merseyside Environmental Advice Service (MEAS), Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.</p> <p>Building Conservation – No heritage concerns.</p> <p>MEAS – No objection, subject to conditions.</p>
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3.1 Site and Surroundings	
3.1.1	<p>The proposed red line application boundary is located within the eastern part of the wider Unilever blue line site ownership, with industrial buildings to both the north and the west. This location is a key area for Unilever’s operation, adjacent to the existing despatch area with good proximity to the existing site gatehouse minimising internal traffic movements. To the periphery of the wider blue line ownership boundary is located the historic Port Sunlight village to the North; a mix of residential and industrial to the East, with the Mersey Estuary beyond; residential to the South; and a mix of residential and industrial to the West. Access to the site is via the existing gatehouse to the east which connects to the A41. Within the proposed red line are two existing buildings and a lean to canopy building to be demolished and services to be diverted.</p>

3.2 Proposed Development	
3.2.1	<p>The proposal to which this application relates is for a new distribution building location within the wider Unilever industrial site. The building footprint indicated consists of a main warehouse automated high bay area of 54.135m x 92.839m 5,025m² plus a low bay element of 35.090m x 90.288m 3,168m² (34,100sq ft). The building will be of steel portal framed construction, with insulated metal wall and roof cladding. The building is proposed to be 28m clear internal in height to the high bay element and 6m clear internal to the low bay with a horizontal parapet eaves line. The external parapet height of the High Bay will be c.31.5m above surrounding ground level. The elevations of the proposal will consist of a mix of profiled and flat (microrib) cladding.</p>

3.3 Development Plan	<p>At the current time the statutory development plan for the area comprises saved policies of the The Wirral Unitary Development Plan (2000) (UDP) and the Merseyside and Halton Joint Waste Plan (2013)</p>
3.3.1	<p>The following Wirral Unitary Development Plan 2000 policies are relevant</p> <ul style="list-style-type: none"> • URN1 (Development and Urban Regeneration) • EMP1 (Provision of Employment Land) • NCO1 (Principles for Nature Conservation) • LAN1 (Principles for Landscape) • TRT1 (Provision for Public Transport) • TRT3 (Transport and the Environment) • WAT2 (Protection of the Water Environment) • POL1 (Restrictions for Polluting and Hazardous Uses)

	<ul style="list-style-type: none"> • EM6 (General Criteria for New Employment Development) • EM7 (Environmental Criteria for New Employment Development) • EM8 (Development within Primarily Industrial Areas) • CHO1 (The protection of heritage) • CH1 (Development affecting listed buildings and structures) • CH2 (Development affecting Conservation Areas) • NC7 (Species Protection) • TR9 (Requirements for off street parking) • TR11 (Provision for cyclists in highway and development schemes) • TR12 (Requirements for Cycle Parking) • TR13 (Requirements for disabled access) • WA1 (Development and Flood Risk) • WA2 (Protection of the Water Environment) • WAT2 (Protection of the Water Environment) • WA4 (Safeguarding Water Resources) • WA5 (Protecting surface waters) • PO1 (Potentially Polluting Development) • PO2 (Development near existing sources of pollution) • PO3 (Noise) • PO4 (Noise Sensitive Development) • PO5 (Criteria for Development of Contaminated Land) <p>The following Joint Waste Local Plan for Merseyside and Halton polifies are relevant</p> <ul style="list-style-type: none"> • WM8 Waste Prevention and Resource Management • WM9 Sustainable Waste Management Design and Layout for New Development
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3.4 Other Material Planning Considerations	
3.4.2	<p>The National Planning Policy Framework (2021)</p> <ul style="list-style-type: none"> • Introduction • Achieving sustainable development • Decision-making • Building a strong, competitive economy • Promoting healthy and safe communities • Promoting sustainable transport • Making effective use of land • Achieving well-designed places • Meeting the challenge of climate change, flooding and coastal change • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment <p>The National Planning Policy Framework Consultation Draft (2022)</p>

3.4.3	Supplementary Planning Document 4: Parking Standards
3.4.4	<p>Wirral Borough Council is in the process of submitting a new local plan for examination.</p> <p>On the 21 March 2022 full council approved publication of the Draft Local Plan Under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 before submission to the Secretary of State. The Local Plan was submitted to the Secretary of State on the 26th of October 2022. The local plan and supporting evidence base can be viewed online at www.wirral.gov.uk/lpexam</p> <p>As the Wirral Local Plan has been submitted for examination it (and the supporting evidence base) is a material consideration and can be afforded weight in the decision-making process. In attaching weight to individual policies, paragraph 48 of the NPPF is relevant as it states:</p> <p><i>“Local planning authorities may give weight to relevant policies in emerging plans according to:</i></p> <ul style="list-style-type: none"> • <i>the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);</i> • <i>the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and</i> • <i>the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”</i> <p>The following policies are considered to be relevant to this proposal: WS1, WS2, WS5, WS6, WS7, WS8, WS9, WP4, WD1, WD2, WD3, WD4, WD14, WD15, WD18, WM6.</p> <p>At the present time, the Wirral Local Plan is a Material Consideration and can be afforded weight in the decision making process.</p>
3.4.5	Wirral Tree, Hedgerow and Woodland Strategy 2020-2030 and National Design Guide (2021) are also material considerations.

3.5 Assessment	<p>Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Development Plan where the site is located, comprises the saved policies of the Wirral Unitary Development Plan (Adopted 2000) and the Joint Waste Local Plan for Merseyside and Halton (Adopted 2013)</p> <p>The NPPF is also a material consideration in the determination of planning applications. The development plan has been used as the starting point for the assessment of the proposal submitted for consideration and the following policies topics are considered to be particularly relevant to this application.</p>
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	<p>The emerging Wirral Local Plan, together with its up-to-date evidence, is considered to be a material consideration in the determination of planning applications. Paragraph 48 of the NPPF states <i>“Local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”</i></p>
	<p>The application has been assessed against development plan policies, national planning policy and guidance, and other material planning considerations and the advice of statutory consultees. The key planning issues raised by the proposal include:</p> <ul style="list-style-type: none"> • The Principle of the Development • Landscape/Townscape Impact; • Heritage Matters; • Amenity Impacts; • Design and impact on the local area; • Highway Safety, Sustainability and Transportation Matters; • Flood Risk and Drainage; • Ecology and Biodiversity Matters (on and off site); • Arboricultural Matters (trees); • Planning Obligations.

<p>3.6 EIA & HRA Matters</p>	
<p>3.6.1</p>	<p>The applicant has requested an EIA Screening Opinion from the LPA. The submitted planning documentation has been reviewed to form the basis of this memo. The proposal is likely as industrial estate development project to fall under Schedule 2 10(a) of the EIA Regulations 2017. The proposal exceeds 0.5 hectares of the EIA screening thresholds for this type of development so that screening is required. 4. Having considered the project against the provisions of the EIA Regulations (including screening criteria presented in Schedule 3) and the relevant National Planning Practice Guidance, I accordingly consider that the proposals are unlikely to give rise to significant environmental effects from an EIA perspective, and that EIA is therefore not required in this case.</p>
<p>3.6.2</p>	<p>In line with Regulation 63 of the Conservation of Habitats and Species Regulations (2017), it is the LPA’s responsibility as competent authority to ensure a Habitats Regulations Assessment (HRA) is undertaken if the proposal has the potential to impact nearby designated sites.</p> <p>The requirement for a full HRA has been considered in relation to surface water run-off on nearby watercourses in conjunction with MEAS and Natural England. It is apparent that an increase in hardstanding/built footprint will lead to an increase in surface water run-off. However, the Drainage Report states in para 2.5.1, “The survey and report detail surface water flows from external hardstanding and building roofs are collected via gullies and rainwater downpipes and are conveyed to an interceptor and treatment works located within the wider Unilever Manufacturing Centre site”. The proposed development is to connect to the</p>

	<p>existing drainage system and so there will be no significant increase in surface water flowing into the Mersey Estuary SPA. Dibbinsdale brook flows into the Mersey Estuary SPA but is located ~100 metres from the site of works and thus is very unlikely to have any run off impacts anyway. In any event, Section 4.4 of the Drainage Strategy also includes precautionary measures for pollution of watercourses during the construction phase. For these reasons, the requirement for a Habitats Regulations Assessment has been discounted by MEAS and Natural England.</p>
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3.7 Principle of Development	
3.7.1	<p>The development site is well within the urban areas and is a previously developed site within the Unilever Facility in Port Sunlight, which is allocated in the UDP as a Primarily Industrial Area. This means that the principle of the proposal is suitable for development in planning terms, and prioritised for development given that it is a previously developed site. Development of this site will comply with paragraph 119 of the NPPF and Policy URN1 of the UDP, by making more efficient use of previously developed land within an existing employment site and making effective use of land.</p>
3.7.2	<p>The proposed use would be classed as 'B8 – storage and distribution'. As an integral part of the company's wider operations on the Unilever site it could also be considered as being ancillary to the existing 'B2 – general industrial' use'. However, given that the application boundary includes the warehouse site only, not the whole Unilever complex, the proposed use is considered to be B8 distribution use. The proposals are also in line with the approach to development set in the NPPF in respect of existing businesses. Paragraph 81 states that <i>"planning decisions should help create the conditions in which businesses can invest, expand and adapt"</i>. Notably, significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs (in this case, Unilever and its supply chain) and wider opportunities for development (in this case, supporting the intensification of development within an existing business operation). More specifically, paragraph 83 requires LPAs to make provision for storage and distribution operations at a variety of scales and in suitably accessible locations. The application site is suitably accessible, being directly accessed from the A41 which then connects directly with the national motorway network at junction 5 of the M53. At the local level, the site is already allocated for the B8 use, lying with a 'Primarily Employment Area' on the UDP Policies Map. Policy EM6 permits employment development (including B8 use) on such sites providing that certain criteria are met. Further to this, policy EM8 specifically permits the <i>"reconstruction, extension or expansion of existing businesses"</i> in 'primarily industrial areas' which is directly applicable to the current proposals. Therefore, the proposed use is consistent with planning policy providing that the above considerations are met.</p>
3.7.3	<p>A range of representations have been received from nearby occupiers and interested parties querying the principle of development of the site, and particularly employment development in this location close to housing. As can be seen from the above, it is however considered that the principle of development of the site for residential development is acceptable in this instance.</p>

3.8 Design	
3.8.1	This section seeks to assess the design of the proposal, for which the key considerations are the impact the proposal would have on Local Character and Townscape. These are all intrinsically linked and, in this instance, it is deemed these should be considered together in this section. Other sections of this report also inform the design of the proposal and are interlinked. The applicant has provided plans which indicates the design scale and height of the proposed development.
3.8.2	Policy GR5 is relevant to this proposal. Development proposals should be of a scale that relates well to surrounding property with regard to existing densities and form of development. Proposals should not result in detrimental change in the character of the area.
3.8.3	Paragraph 130 of the NPPF states that planning decisions should ensure that <i>“developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit”</i> . Paragraph 134 of the NPPF states that <i>“development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.”</i>
3.8.4	The NPPF should be read alongside the National Design Guide (2021). Paragraph 21 of the Design Guide advises that <i>“a well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including: the layout (or masterplan); the form and scale of buildings; their appearance; landscape; materials; and their detailing”</i>
3.8.5	<p>The NPPF should be read alongside the National Design Guide (2021). Paragraph 21 of the Design Guide advises that a well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:</p> <ul style="list-style-type: none"> • the layout (or masterplan); • the form and scale of buildings; • their appearance; • landscape; • materials; and • their detailing
3.8.6	<p>Part 2 of the Design Guide sets out the ten characteristics of well-designed places. This includes (but is not limited to) the following:</p> <ul style="list-style-type: none"> • Contextual design which responds positively to the features of the site and the surrounding area beyond its boundary. Paragraph 43 advises well-designed development is integrated into its surroundings and designed around an understanding of the landscape character and existing patterns of built form and architectural styles which should inform the layout, grain, form and scale of development. • Design which responds to local identity and elements of a place that make it distinctive. This includes the height, scale, massing and

	<p>relationships between buildings, façade design and landscape setting; and</p> <ul style="list-style-type: none"> • Built form which relates well to the site and its context.
3.8.7	<p>In terms of townscape matters, the developer has prepared an assessment of the potential landscape/townscape and visual effects that would result from the Proposed Development of a new Class B8 high bay warehouse with associated servicing, access, parking and landscaping (the Proposed Development) at Unilever's Port Sunlight site on the Wirral in north-west England (the Application Site). Working factories, such as Unilever's Port Sunlight Facility need to keep updated with new technologies and accommodate demand, as such change within industrial settings like that at the Unilever Complex are expected within the urban fabric. Given its scale, the new building would be relatively enclosed within available local views due the topography, existing buildings and mature vegetation. Where there would be views available to the Proposed Development, and where it would be experienced within the local landscape/ townscape, existing industrial buildings already feature within views and are a characteristic of the local landscape/ townscape. The Port Sunlight Conservation Area and the Unilever Complex (former Lever Brothers Factory) share a historic connection to the local townscape, with the existence of the historically/culturally important housing development having been linked to the factory. As such, any limited inter-visibility between the two would continue this connection and would be in-line with the existing townscape character and influence. Further, where views to the Proposed Development would be available in Port Sunlight, there is already existing modern factory infrastructure featuring within the pre-development views. The scale and height of the proposal is acceptable in the context of the surrounding area. This would naturally reduce the likely significance of effect upon these views. Overall, it is concluded that the local landscape/townscape and views have the capacity to accommodate the proposed changes without significant harm to either.</p>
3.8.8	<p>On this basis the design of the proposal, is considered appropriate, it therefore is considered to be in accordance with relevant policies from the development plan, the relevant sections of the NPPF and the relevant policies from the emerging Local Plan, and other material considerations (e.g. National Design Guide), where these can be given weight.</p>
3.9 Heritage Matters	
3.9.1	<p>This section seeks to appraise the proposal against the impact this may have on nearby heritage and archaeological heritage assets, both designated and non-designated assets. The NPPF and the Wirral UDP seek to protect heritage assets and are relevant to this application. Policies CHO1, CH25 of the Wirral UDP are relevant to this section, as is section 16 of the NPPF. MEAS and the council's Building Conservation Team have provided comments to help compile this section of the report and provide advice on archaeological matters to the Council. The application site is located within the Unilever Facility at Port Sunlight. The nearest listed buildings are along wood street at the periphery of the wider Unilever site over 250m from the proposal. With the Port Sunlight Conservation Area approximately 250m away.</p>
3.9.2	<p>Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 advises that in considering whether to grant planning permission for development</p>

	<p>which affects a listed building or its setting. In addition to the above Sections 71 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the need to 'preserve or enhance' the character, appearance and setting of conservation areas.</p>
3.9.3	<p>Overall, it can be concluded that the changes to the setting of the character area are negligible and would not affect the way in which this part of the conservation area is appreciated and understood. The character area's special interest would be preserved. Potential Impacts on the Significance of Bromborough Pool Conservation Area, Bromborough Pool Conservation Area and the Site only share a limited level of intervisibility and its former historical connection is no longer legible. The site currently does not contribute to the character of the conservation area. The results of the Visual Impact Assessment show that the proposed development would be almost entirely screened by the existing vegetation. These negligible changes to the area's wider setting would be seen in the wider context of late 20th century development that lies between the Site and the conservation area. The proposed development would not impact on the way that Bromborough Pool Conservation Area is appreciated and would preserve its character. In terms of potential impacts on Lever House (National Heritage List for England - List Entry No: 1116133) The site is considered to make a neutral contribution to the significance of Lever House. The listed building gains its legibility as a gateway building from its main entrance on Greendale Road/Wood Street. The proposed development is not expected to be visible from this location and would therefore not result in a noticeable change to the listed building's setting when viewed from within the conservation area. There will be minimal intervisibility with the proposed development from the rear elevation of Lever House, however, the listed building has always been an integral part of the factory complex and its functional relationship with the Site would not change. The proposed development would not be overly dominant or prominent as to distract from the listed building's special interest. It is therefore considered that the proposed development would not harm the listed building's significance and would preserve its special interest. Taking the above into consideration, and the submitted visual assessment, there are no heritage concerns raised to the application.</p>
3.9.4	<p>To confirm, the Building Conservation Team have commented on this application, and do not raise any heritage concerns in relation to this application. MEAS have commented in terms of Archaeological Matters and have commented that there are no heritage assets recorded on the Merseyside Historic Environment Record within the proposed development. The proposed development site is considered to have negligible archaeological potential. MEAS advise that archaeology does not need to be considered further for this application.</p>
3.9.5	<p>On this basis the design of the proposal, is considered appropriate, it therefore is considered to be in accordance with relevant policies from the development plan, the relevant sections of the NPPF and the relevant policies from the emerging Local Plan, and other material considerations (e.g., National Design Guide), where these can be given weight.</p>
3.9.6	<p>A number of comments have been received in relation to the impact the proposal may have on nearby heritage assets. These comments have been considered and are noted, however it is considered that impacts on these have been assessed as appropriate in the context of a planning application.</p>

3.10 Residential Amenity	
3.10.1	NPPF Paragraph 127 requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Chapter 12 of the NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all development. The relevant local policy in relation to this is HS4 of the UDP, and accompanying Appendix A (design and layout of new dwellings).
3.10.2	In the context of the above, the proposals are not considered to be in conflict with paragraph 127 of the NPPF. The NPPF (Chapter 12) requires that planning should always seek to secure high quality design and seek to secure better places in which to live and work. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Paragraph 91 of the NPPF stresses the importance of aiming to achieve healthy, inclusive and safe places.
3.10.3	Based on the plans submitted and insofar as can be measured using the plans provided, the layout and scale of the development is deemed to be acceptable and demonstrates satisfactory separation distances can be achieved between existing dwellings and the proposed development, subject to conditions, which ensure that residential amenity is protected. In the context of the above, the proposals are not considered to be in conflict with Chapter 12 of the NPPF.
3.10.4	In terms of noise/acoustic impacts, the application is supported by an Acoustic Report prepared by RPS. The report confirms that with appropriate mitigation in place, the proposed development accords with Policy PO4. Specifically, the proposal has considered sources of noise (level, tone, duration, and regularity), background noise, and any mitigation required in the design of any proposed housing development.
3.10.5	To confirm, the Environmental Health Team have commented on the proposal and have confirmed they have no objection, subject to a condition requiring compliance with the mitigation measures as set out in the acoustic report. This is appended to this report and is recommended to be included on the decision notice.
3.10.5	It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Local Plan; where these can be given weight.
3.10.6	Representations have been received from interested parties in relation to amenity impacts on nearby occupiers, both post and during construction. It is however not considered that this is an appropriate reason for refusal of the application, and this application is considered in regard to amenity matters, to be compliant with relevant policy, subject to relevant conditions, insofar as this can be assessed as an outline planning application.

3.11 Highways	
3.11.1	This section seeks to appraise the impacts that the proposal may have on the surrounding Highways and Transport Network. Typically, the key issues around Highways and Transport matters in relation to employment developments, such as this, are Highway Safety, Access, Car Parking and Sustainable Transport Options. Policies TRT1, TRT3, TR9 and TR12 of the UDP are relevant in relation to this section. SPD4 is also relevant to this application, which sets out the Parking Standards. In addition to drawings, plans and elevations the applicant has submitted the following which have relevance to this section:

	<ul style="list-style-type: none"> • Design and Access Statement; and, • Transport Statement. <p>Consultation has been undertaken with the Wirral Highways Team and their comments are considered as part of the commentary below.</p>
3.11.1	The requirements for off-street vehicle and cycle parking are set out as maximums under Policies TR9 and TR12 of the UDP and the accompanying Supplementary Planning Document on Parking Standards.
3.11.2	Paragraph 110 of the NPPF states <i>“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; and c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”</i>
3.11.3	Paragraph 111 of the NPPF states that <i>“development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”</i>
3.11.4	Paragraph 112 of the NPPF adds to this and states <i>“Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and, e) be designed to enable charging of plug in and other ultra low emission vehicles in safe, accessible and convenient locations.”</i>
3.11.5	With the Proposed Development in place, 40% of Unilever Port Sunlight’s UK volumes will be delivered directly to customers and all export outside the UK will be consolidated in the new warehouse. The additional storage capacity created by the proposed development will be offset by the elimination of current logistics waste (near-by & overflow warehouses and stand-by trailers) and in net total capacity will be kept the same to ensure transformation and savings. The Transport Statement has been prepared in accordance with the pre-application advice obtained from the Council. Although the operational phase of the development would not result in any increases in vehicular movement at the site, it will change the internal site layout. These effects have been considered within the Transport Statement.
3.11.6	Specifically with regards to parking, there are currently 1,080 staff employed on the Unilever Port Sunlight site (FTE, including an element of hybrid working). There are currently 1,172 car parking spaces. The proposals will result in the loss of 42 parking spaces, and the addition of 5 new staff (FTE). There will therefore still remain adequate levels of parking on site. The proposals will also introduce 8 new cycle bays at the new distribution facility itself. In conclusion, the Proposed Development can achieve a safe and suitable means of access for the construction and operational period described, and the Proposed Development will not have a severe impact on the road network or an unacceptable impact of

	highway safety. Satisfactory parking and transportation solutions have been provided within the scheme, subject to conditions appended to this report.
3.11.7	The development is supported with a transport assessment, the results to which are accepted by Traffic and Transportation. They therefore confirm they have no objection, subject to conditions. National Highways have a remit in regard to impacts to the Strategic Road Network, with regards to this site this relates to the M53. National Highways have confirmed they have no objection to the proposal. Further to this, as a scheme within the urban fabric, with onward pedestrian and cycle links, in close proximity to public transport services the scheme can also be considered to comply with paragraphs 110 and 112 of the NPPF.
3.11.8	Subject to the imposition of the highway conditions on any grant of permission, it is considered that there would be no grounds to refuse the application in relation to highway safety and the proposal would accord with relevant UDP policies.
3.11.9	Representations from interested parties have been received objecting to the proposal, these have raised the following issues: Impact on physical infrastructure; local highway infrastructure/volume of traffic created by the proposal; highway access concerns; and potential highways safety concerns. These concerns are noted; however, it is considered that the proposal's impact on highway and transport matters (including highway safety) is not significant enough as to warrant the refusal of the application.

3.12 Drainage and Flood Risk Matters	
3.12.1	This section seeks to appraise the proposal in the context of flood risk and drainage matters. Chapter 14 of the NPPF forming the national planning policy context, Policies WA2, WA5, WAT2. The applicant has submitted the following: Flood Risk and Drainage Strategy; and a Design and Access Statement.
3.12.2	The National Design Guide (September 2019) is also relevant to this element of the report, particularly the section relating to 'resources'. In relation to 'resources' the National Design Guide states <i>"Well designed places: have a layout, form and mix of uses that reduces their resource requirement, including for land, energy and water; are fit for purpose and adaptable overtime, reducing the need for redevelopment and unnecessary waste; use materials adopt technologies to minimise their environmental impact"</i>
3.12.3	Consultation has taken place in relation to surface water drainage with the Lead Local Flood Authority (LLFA) and, as well as consultation with the Environment Agency (EA) and United Utilities (UU) who have differing remits with regards to Flood Risk, Drainage and Water related matters.
3.12.4	Initially the LLFA and EA raised some concerns over the proposed development from a flood risk and drainage perspective. However, following the submission of further information these concerns have been overcome, subject to the conditions appended to this report. There are no other objections from the relevant bodies in relation to this matter.
3.12.5	Concerns have been raised by representors; however, it is considered that the drainage impact of the proposal is not significant enough as to warrant the refusal of the application. Further to this, the proposal seeks to introduce a range of drainage solutions e.g., SUDs

3.12.6	Following consideration of the responses of consultees, it is considered that the application has demonstrated that appropriate flood risk, drainage and water related matters can be successfully achieved on site, insofar as expected with an outline planning application. It is considered that the proposed development would not increase the risk of flooding to the area. The proposals are therefore compliant with the NPPF.
3.12.7	The proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, where these can be apportioned weight in relation to surface water drainage matters.

3.13 Ecology	
3.13.1	This section seeks to appraise the proposal and protect and enhance the biodiversity and geodiversity of the district, particularly in relation to its impact on habitats and protected species and, especially those areas designated as of international, national and local importance. Policies NCO1, NC1, NC7 of the Wirral UDP are relevant to this section, as is Section 15 of the NPPF. Relevant ecological information has been submitted in support of the planning application including an Ecological Assessment Report.
3.13.2	NPPF, Chapter 15, Paragraph 170 requires the planning system to contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 175 requires Local Planning Authorities to encourage opportunities to incorporate biodiversity in and around developments.
3.13.5	An Ecological Assessment has been undertaken for the site. This includes a Phase 1 Habitat Survey and Phase 2 ecology surveys as recommended by the preliminary survey. These have included surveys for bats, badgers, otters, water voles and invasive species. A range of potential impacts are identified for which appropriate mitigation measures were identified and these have been embedded into the proposed development. A summary of embedded mitigation, includes the following: A root protection zone will be calculated and implemented for the woodland and trees outside of the construction area; Any new security fences will be raised 100mm off the ground to allow continued unrestricted small mammals access across the site; A sensitive lighting scheme will be installed at the site which limits disturbance to bats and other nocturnal animals following the guidance given by Bat Conservation Trust (2011 and 2014). Similarly, any CCTV installed will use infra-red technology which will prevent light disturbance issues; and A Sustainable Drainage Scheme (SuDS) is to be incorporated into the final design to prevent surface runoff or excessive discharge into Dibbinsdale Brook.
3.13.6	A Biodiversity Net Gain (BNG) Assessment has been undertaken for the site, with the aim of achieving 10% enhancement of BNG. The solution has involved significant new tree planting on the site, and enhancement of the adjacent area of woodland that lies to the immediate north of the site (see area in red on Figure 6.1 below). A habitat management plan can be prepared for this area following planning permission (and this could be the subject of an appropriate planning condition). The total units for habitats on site post-development is 19.78 habitat units and 0.03 hedgerow units. This provides a net change of +13.58% for habitats and +100% for hedgerows. However, given the loss of woodland habitat

	<p>on site, the Trading Rules are not satisfied through on-site enhancements. Trading rules which are applied by the BNG Metric require that any loss of habitat is replaced on a 'like for like' or 'like for better' principle. The trading rules applied for individual habitats are based on their distinctiveness. Therefore, off-site enhancement of the adjacent woodland habitat is proposed. At the time of the survey, the woodland was assessed as "Poor" condition, scoring 25 points in the condition criteria. It is proposed to enhance 1 ha of this woodland to "Moderate" condition, which would satisfy the Trading Rules in the metric. Proposed enhancements include removal of invasive species (buddleia) and addition of native scrub layer and native trees. 6.26 When on-site and off-site enhancements are considered together, the net change in biodiversity is +27.74% for habitats and +100% for hedgerows. In summary, it is considered that BNG is achievable for the proposed development with both onsite and off-site enhancements. A management plan should be created and adhered to, to ensure that the specified conditions are met.</p>
3.13.7	<p>An EIA Screening Report has been prepared to summarise all potential impacts and provide information to allow the LPA to consider whether EIA is required. The report concludes that RPS consider formal EIA is not required, based on the scale of impacts predicted. The report recommends a range of surveys, which has been used to scope the application and the supporting surveys provided.</p>
3.13.8	<p><i>Bats</i></p> <p>The report states that no evidence of bat use or presence was found. The Council does not need to consider the proposals against the three tests (Habitats Regulations). It is considered that habitats on site and adjacent to the site may provide roosting, foraging and commuting habitat for bats. Lighting for the development may affect the use of these areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the habitats in line with NPPF (paragraph 180). This can be secured by a suitably worded planning condition and a condition relating to this is appended to this report.</p>
3.13.9	<p><i>Bird Nesting</i></p> <p>The proposed development will result in the loss of bird breeding habitat and UDP policy NC7 applies. To mitigate for this loss, details of bird nesting boxes (e.g., number, type and location on an appropriately scaled plan) that will be erected on the site should be provided to the Local Planning Authority for agreement. A suitably worded planning condition is suggested, and this has been appended to this report.</p>
3.13.10	<p><i>Construction Management Plan</i></p> <p>It is considered that a Construction Environmental Management Plan (CEMP) document is required to manage and mitigate the main environmental effects during the construction phases of the proposed development. This is to be secured. The CEMP should address and propose measures to minimise the main construction effects of the development and, amongst other things, should include details of ecological mitigation. The CEMP would normally be expected to include the agreed method statements to mitigate or avoid adverse environmental impacts: Breeding birds - no tree or scrub removal between 1 March and 31 August inclusive, unless informed by a suitably qualified ecologist; Reasonable Avoidance Measures for protection of badger hedgehog; and, Methods for removal of the invasive species cotoneaster and buddleia which</p>

	could include methods such as digging out, turning upside down on tarpaulin and leaving for an extended period before burying after the plant is confirmed as dead. This is required to be undertaken outside of the fruiting period for cotoneaster to ensure no contamination.
3.13.11	<p><i>Biodiversity Net Gain</i></p> <p>The applicant has submitted a Biodiversity Net Gain Assessment report (Port Marula – Biodiversity Net Gain Assessment, RPS Group, 10/10/2022, ref: ECO02356) which is informed by a completed DEFRA Biodiversity Metric v3.1, provided as an Excel spreadsheet. The onsite habitats contribute a total of 19.78 units, 14.94 of those being made up of scattered trees, 1.87 from broadleaved woodland and 1.81 from amenity grassland. Scrub, introduced shrub and semi-improved grassland make up the remaining units. The proposed measures of Fine Lawn Grass Seed Mix (EG21), native mixed scrub, introduced shrubs, urban trees and a single native hedgerow will contribute 19.78 HU, thus providing a BNG of 13.58% and 100% gain in hedgerows. However, trading rules are not satisfied from loss of scrub and woodland, both of poor condition. As a result, off site removal of buddleia and native scrub and tree planting is proposed, giving an overall BNG of 27.74%. This is welcomed.</p> <p>The production of a full and detailed Landscape and Ecological Management Plan, which covers management of the site in perpetuity or for the duration of the development is required and can be secured by planning condition. A suitably worded condition is appended to this report. The Plan should include the following: Description and evaluation of the features to be managed; Ecological trends and constraints on site which may influence management; Aims and objectives of management; Appropriate management options for achieving aims and objectives; Prescriptions for management actions; Preparation of a work schedule (including an annual work plan and the means by which the plan will be rolled forward annually); Personnel responsible for implementation of the plan; Confirmation of funding and ownership and Details of a programme of monitoring and remedial measures triggered by monitoring.</p>
3.13.12	The proposal is, therefore, subject to conditions, considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the emerging Local Plan, where these can be apportioned weight.
3.13.13	Representations have been received from interested parties regarding Ecology and Biodiversity matters, including the impact of the proposal on wildlife, protected and non-protected species. These comments have been noted, however it is considered that protected species are not negatively impacted and relevant ecological considerations can be satisfactorily mitigated for through the proposal and the conditions appended to this report.

3.14 Contaminated Land Matters	
3.14.1	As a site that has a historic use for industrial development, the potential for contaminated land should be taken into account. The application has been submitted with Phase 1 Preliminary Geo-Environmental And Geotechnical Risk Assessment by RPS Ltd dated March 2022 and a Phase 2 Preliminary Geo-Environmental And Geotechnical Risk Assessment by RPS Ltd dated July 2022. The council's Public Protection/Environmental Health Team have been

	consulted, as have the Environment Agency and MEAS in relation to these matters. PolicyPOL1, PO1, PO2 PO5 of the UDP and Section 15 of the NPPF.
3.14.2	Paragraph 120 of the NPPF states that in order to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the landowner.
3.14.3	The previous use of the site for industrial activities is likely to have led to elevated concentrations of contamination being present that may pose a risk to controlled waters. It is noted from the intrusive investigation that has been undertaken to date that many of the intrusive locations were terminated prematurely owing to in ground obstructions and that in certain areas, where field-based observations identified contamination, no sampling was undertaken. The applicants' submissions demonstrate that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will, however, be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority. In light of the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy. This should be carried out in line with paragraph 178 of the National Planning Policy Framework. Without these conditions the Environment Agency would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. To confirm, MEAS and Environmental Health/Public Protection have been consulted in relation to this application, and they have no objection to the proposal, subject to suggested conditions.
3.14.4	The proposal is therefore, subject to conditions, considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, where these can be apportioned weight.

3.15 Waste Matters	
3.15.1	<p><u>Construction Waste Management</u></p> <p>The proposal is major development and involves excavation and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal.</p> <p>In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be</p>

	achieved must be submitted and can be secured by a suitably worded planning condition.
3.15.2	<p><u>Waste Storage and Collection</u></p> <p>The proposal is major development and involves excavation, demolition and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan, the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply.</p>
3.15.3	<p>These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal. In accordance with policy WM8, the requirement for a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved The Planning Statement (Strutt & Parker May 2022) indicates parts 1-3 of policy WM9 will be implemented within in the design. This is welcomed and should be secured by a suitably worded condition.</p>

Summary of Decision	<p>Having regards to the individual merits of this application the recommendation to approve Planning Permission, subject to conditions, has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:-</p>
	<p>CONCLUSION</p> <p>The redevelopment of this site would in summary, provide a modern distribution at the Unilever Port Sunlight site which will modernise and futureproof the site operations, helping Unilever to remain committed to Port Sunlight.</p> <p>The proposed development is sustainably located, allowing easy access to the rest of the factory and manufacturing base at the Unilever Port Sunlight facility and onward transport links. The proposals include a provision of native planting and landscaping to minimise the potential environmental impact of redeveloping the site.</p> <p>The proposed development is considered to be acceptable and will not have an unacceptable adverse impact on the amenities of neighbouring properties through overlooking, poor outlook or through the amount of traffic generated or highway safety issues. The proposals are of a significant scale and the application site is in a sustainable location close to good public transport links. The proposed facility will also significantly reduce HGV movements. In addition to this, concerns regarding flood risk, surface water drainage and environmental impacts of the proposal have been overcome. Further to this, the impact of the proposal on nearby heritage assets is deemed to be negligible.</p> <p>The proposal is therefore considered to comply with the Relevant Development Plan Policy, principally formed by the Wirral Unitary Development Plan Policy; and other material considerations, such as the National Planning Policy Framework.</p>

Recommended Decision:	Approval, Subject to Conditions
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Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

2. Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plan:

- Location Plan Dwg No. 20464-RPS-S1-XX-DR-0100 Rev P03 Dated 25/10/22
- Services to be diverted plan Dwg No. 20464-RPS-S1-XX-DR-A-0102 Rev P03 Dated 25/10/22
- Demolition Plan Dwg No. 20464-RPS-S1-XX-DR-A0103 Rev P03 Dated 25/10/22
- Proposed Site Plan Dwg No. 20464-RPS-S1-XX-DR-A-0104 Rev P03 Dated 26/10/22
- Proposed Floor Plan Dwg No. 20464-RPS-S1-XX-DR-A-0105 Rev P04 Dated 26/10/22
- Proposed Office Plan Dwg No. 20464-RPS-S1-XX-DR-A-0106 Rev P03 Dated 26/10/22
- Proposed Elevations Dwg No. 20464-RPS-S1-XX-DR-A-0107 Rev P03 Dated 26/10/22
- Proposed Building Sections Dwg No. 20464-RPS-S1-XX-DR-A-0108 Rev P02 Dated 15/09/22
- Proposed Site Sections Dwg No. 20464-RPS-S1-XX-DR-A-0109 Rev P02 Dated 28/10/22
- Conveyor Link Layout Dwg No. 20464-RPS-S1-XX-DR-A-0110 Rev P02 Dated 28/10/22
- Proposed Roof Plan Dwg No.20464-RPS-S1-XX-DR-A-0111 Rev P02 Dated 28/10/22
- Proposed Cycle Shelter Details Dwg No. 20464-RPS-S1-XX-DR-A-0112 Rev P01
- Proposed Bin Store Dwg No. 20464-RPS-S1-XX-DR-A-0113 Rev P02 Dated 31/10/22
- Proposed Fence Line Dwg No. 20464-RPS-S1-XX-DR-A-0114 Rev P02 Dated 31/10/22
- Landscape Design Strategy Dwg No. JSL3843-RPS-XX-EX-DR-L-9001 Rev P04 Dated 10/11/22.

Reason: To ensure the development is carried out in accordance with the approved plans, in the interests of proper planning.

3. Development shall not commence until a Demolition and Construction Method Statement, together with supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the demolition/ construction period. The Demolition and Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles (if any);
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials; and,
- v. storage of plant and materials used in constructing the development.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with TRT13 of the Wirral UDP and Section 12 the National Planning Policy Framework.

4. The development shall not be brought into use until the areas indicated on the submitted plans to be set aside for parking and servicing have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown in drawing number 20464-RPS-SI-XX-DR-A-0104 Rev P03 Proposed Site Plan. The parking and servicing areas shall be retained as such thereafter.

Reason: To ensure that adequate provision is made on the site for the traffic generated by the development, including allowance for safe circulation, manoeuvring, loading and unloading of vehicles as well as parking, and that hard-surfaced areas have a satisfactory appearance in accordance with TR9 of the Wirral UDP and Section 9 of the National Planning Policy Framework.

5. The development shall not be brought into use until the areas indicated on the submitted plans to be set aside for cycle parking have been provided in accordance with the details and specifications shown in drawing number 20464-RPS-SI-XX-DR-A-0104 Rev P03 Proposed Site Plan. The cycle parking shall be retained as such thereafter.

Reason: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport in accordance with Policy TR12 of the Wirral UDP and Section 9 of the National Planning Policy Framework.

6. The development shall not be brought into use until a Travel Plan has been submitted to and approved in writing by the Council as Local Planning Authority. The Plan shall include immediate, continuing and long-term measures to promote and encourage alternative modes of transport to the single-occupancy car. For the avoidance of doubt, the Travel Plan shall include, but not be limited to: a) Involvement of employees b) Information on existing transport policies, services and facilities, travel behaviour and attitudes c) Access for all modes of transport d) Targets for mode share e) Resource allocation including Travel Plan Co-ordinator and budget f) A parking management strategy g) A marketing and communications strategy h) Appropriate measures and actions to reduce car dependence and encourage sustainable travel i) An action plan including a timetable for the implementation of each such element of h above j) Mechanisms for monitoring, reviewing and implementing the travel plan

The Approved Travel Plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied and in use. An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for a period of 5 years. The annual report shall include a review of the Travel Plan measures, monitoring data and an updated action plan.

Reason: To maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable in accordance with TRT3 and Wirral UDP and Section 9 of the National Planning Policy Framework.

7. The development hereby permitted shall not be occupied until details of bird boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, has been provided for approval and implemented in accordance with those details.

Reason: To maintain the favourable conservation status of protected species and maintain bird nesting sites in accordance with Policy EC7 of the Wirral UDP and Section 15 of the National Planning Policy Framework.

8. Prior to commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall address and propose measures to minimise the main construction effects of the development and, amongst other things, shall include details of ecological mitigation. The CEMP shall include the agreed method statements to mitigate or avoid adverse environmental impacts:

- Breeding birds- no tree or scrub removal between 1 March and 31 August inclusive, unless informed by a suitably qualified ecologist;
- Reasonable Avoidance Measures for protection of badger hedgehog (Protected Species (NERC, 2006)); and
- Methods for removal of the invasive species cotoneaster (Schedule 9 of Wildlife and Countryside Act) and buddleia which could include methods such as digging out, turning upside down on tarpaulin and leaving for an extended period before burying after the plant is confirmed as dead. It is imperative this is done outside of the fruiting period for cotoneaster to ensure no contamination.

Reason: To maintain the favourable conservation status of protected species in accordance with Policy NC7 of the Wirral UDP and Section 15 of the National Planning Policy Framework.

9. Prior to the commencement of development the production of a full and detailed Landscape and Ecological Management Plans shall be submitted to and approved in writing by the Local Planning Authority, which covers management of the site in perpetuity or for the duration of the development is required. The Plan should include the following:

- Description and evaluation of the features to be managed;
- Ecological trends and constraints on site which may influence management;
- Aims and objectives of management;
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management actions;
- Preparation of a work schedule (including an annual work plan and the means by which the plan will be rolled forward annually);
- Personnel responsible for implementation of the plan;
- Confirmation of funding and ownership; and,
- Details of a programme of monitoring and remedial measures triggered by monitoring.

Reason: To maintain the landscape and biodiversity value of the site in accordance with Policy NC7 of the Wirral UDP and Section 15 of the National Planning Policy Framework.

10. Noise mitigation measures shall be undertaken in line with the noise mitigation measures outlined in paragraph 5.7 of the submitted Noise Impact Assessment.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Section 12 of the National Planning Policy Framework.

11. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the approved Drainage Design Report, Project Marula, Port Sunlight / Version P03 / dated 12 January 2023 / ref: 20464-RPS-SI-XX-RP-D-0030 / by RPS Group For the avoidance of doubt, the surface water discharge rate from the development shall be no more than 13.4 l/s. The approved scheme shall be fully constructed prior to occupation in accordance with the approved details, phasing and timetable embodied within the approved Sustainable Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Policies WA2 and WA5 of the Wirral UDP and Section 15 of the National Planning Policy Framework.

12. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the approved final Sustainable Drainage Strategy, including any phasing embodied within, and maintained in perpetuity in accordance with an agreed Operation and Maintenance Plan, to be submitted for each development phase, approved by the Local Planning Authority, in consultation with the Lead Local Flood Authority. The approved drainage scheme shall be fully constructed prior to occupation in accordance with the approved details, phasing and timetable embodied within the approved final Sustainable Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority. 'As built' drainage design/layout drawings and a final Operation and Maintenance Plan, confirming asset details and maintenance arrangements, shall be submitted to the Lead Local Flood Authority, in accordance with any approved phasing, prior to occupation.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site and that maintenance arrangements are in place to ensure an acceptable standard of operation for the lifetime of the development in accordance with Policies WA2 and WA5 of the Wirral UDP and Section 15 of the National Planning Policy Framework.

13. No development, except for site enabling works, shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. Additional site investigation scheme, based on the information already submitted, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in line with Policy WA2, WAT2, WA3 and WA5 of the Wirral UDP and Section 15 of the National Planning Policy Framework.

14. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed piling, does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework and Position Statement J of the 'The Environment Agency's approach to groundwater protection'.

15. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning

authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with Policy WA3 and WA4, and Section 15 of the National Planning Policy Framework.

16. Before the scheme is brought into use, the applicant shall submit a report to the local planning authority for its written approval. This report shall detail the lighting scheme to be used on site. The approved scheme shall be implemented in full.

Reason: To protect residential amenity and provide a commensurate level of protection against light in accordance with Section 12 of the National Planning Policy Framework.

Informatives

1. The plans relating to the above application have been examined and below are the Fire Authority's observations:

- Access for fire appliances should comply with the requirements of Section B5, Schedule 1 of the Building Regulations. Provisions for access will depend on the size and use of the building. The design of the access route, for example minimum road widths and maximum reversing distances, should also be considered (Appendix A, attached).
- In accordance with Section 55 of the County of Merseyside Act 1980, the position of the premises should not compromise or impede existing means of fire service access to a neighbouring building.
- Water supplies for firefighting purposes (Appendix B) should be risk assessed in accordance with the undermentioned guidance in liaison with the water undertakers (United Utilities - 0161 907 7351) with suitable and sufficient fire hydrants supplied.

Industry

The water supply infrastructure to any industrial estate should be as follows with the mains network on site being normally at least 150 mm nominal diameter:

- Up to one hectare 20 litres per second.
- One to two hectares 35 litres per second.
- Two to three hectares 50 litres per second.

Over three hectares 75 litres per second. Further information regarding access requirements can be found in the current version of Approved Document B, which is available for free download via:

<https://www.gov.uk/government/publications/fire-safety-approved-document-b>

2. The recommendation of the LLFA to accept a sustainable surface water drainage proposal, is always predicated on the fact that maintenance of the surface water drainage system is secured in perpetuity to manage flood risk for the lifetime of the development. The LPA should be satisfied that maintenance of the system is secured in perpetuity. If there are any material changes to the submitted information which impact on surface water drainage or the management of flood risk, the local planning authority is advised to consider re-consulting the LLFA.

3. A pre-site inspection is required prior to the development works commencing with the LA- any damage to the existing highway that occurs as a result of the development would require reinstatement, at the developer's expense, to the LA specifications and written approval. For further details contact Highways & Infrastructure, area manager via www.wirral.gov.uk

4. Model Procedures and good practice: Due to the former land use(s), soil and/or groundwater contamination may exist at the site and the associated risks to controlled waters should be addressed by:

- Following the risk management framework provided in Guidance on Land contamination risk management (LCRM) Land contamination risk management (LCRM) - GOV.UK (www.gov.uk), when dealing with land affected by contamination.
- Referring to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health.
- Considering using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.
- Referring to the contaminated land pages on gov.uk for more information.
- Referring to 'The Environment Agency's approach to groundwater protection'. All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites.

5. Piling and Penetrative ground improvement methods: Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater.

6. Dewatering: Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) in order to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface. Any dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests. This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site. More information is available on gov.uk: <https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-orimpoundment-licence#apply-for-a-licence-for-a-previously-exempt-abstraction>.

7. Regulatory position statements: If dewatering and discharging into surface water is required during development, the following Regulatory Position Statement will apply: 'Temporary dewatering from excavations to surface water.' <https://www.gov.uk/government/publications/temporary-dewatering-from-excavations-to-surface-water>.

Last Comments By:	
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