

To Inform Habitats Regulations Assessment of Knowsley Council's Supplementary Planning Document: Knowsley Lane Sustainable Urban Extension, Consultation Draft Version January 2016.

January 2016

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Contents

1	Introduction	1
1.1	Scope of the Project	1
1.2	Legislation	1
2	Methodology	3
2.1	Introduction.....	3
2.2	Likely Significant Effects (LSE).....	3
2.3	Confirming other plans and projects that may act 'in combination'	4
2.4	Summary of Background Information	4
3	Likely Significant Effects Screening	6
3.1	Introduction.....	6
3.2	Chapter 2: Vision and Development Objectives	6
3.3	Chapter 4: Spatial Development Framework.....	6
3.4	Chapter 5: Development and Design Principles	8
3.5	Chapter 6: Delivery.....	9
4	Conclusion	10
	Appendix A. Figure A1: Internationally Designated Sites	A-1

List of Tables

Table 1: Physical Scope of Knowsley's Core Strategy HRA	4
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List of Figures

Figure 1: Four-Stage Approach to Habitats Regulations Assessment (Source: CLG, 2006).....	3
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1 Introduction

1.1 Scope of the Project

- 1.1.1 AECOM has been appointed by Knowsley Council to assist the Council in undertaking a Habitats Regulations Assessment (HRA) of the Council's Supplementary Planning Document (SPD) Knowsley Lane Sustainable Urban Extension (SUE), Consultation Draft Version January 2016 in support of the Council's Core Strategy¹. The objective of the assessment is to identify any policies within the SPD that have potential to cause an adverse effect on Natura 2000 or European designated sites (Special Areas of Conservation, SACs, Special Protection Areas, SPAs, and Ramsar sites designated under the Ramsar convention), either in isolation or in combination with other plans and projects, and to devise appropriate mitigation strategies where such effects were identified.
- 1.1.2 A Habitats Regulations Assessment screening assessment was undertaken of Knowsley Council's Core Strategy in 2012² and of the Main Modifications document in 2014³. These HRA documents concluded that the Core Strategy would not result in likely significant effects upon internationally designated sites alone or in-combination with other projects or plans.

1.2 Legislation

- 1.2.1 The need for HRA is set out within Article 6 of the EC Habitats Directive 1992, and interpreted into British law by the Conservation of Habitats & Species Regulations 2010. The ultimate aim of the Habitats Directive is to "*maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest*" (Habitats Directive, Article 2(2)). This aim relates to habitats and species, not the European sites themselves, although the sites have a significant role in delivering favourable conservation status. European sites (also called Natura 2000 sites) can be defined as actual or proposed/candidate Special Areas of Conservation (SAC) or Special Protection Areas (SPA). It is also Government policy for sites designated under the Convention on Wetlands of International Importance (Ramsar sites) to be treated as having equivalent status to Natura 2000 sites.
- 1.2.2 The Habitats Directive applies the precautionary principle to protected areas. Plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the site(s) in question. This is in contrast to the Strategic Environmental Assessment Directive (SEA Directive) which does not prescribe how plan or programme proponents should respond to the findings of an environmental assessment; merely that the assessment findings (as documented in the 'environmental report') should be 'taken into account' during preparation of the plan or programme. In the case of the Habitats Directive, plans and projects may still be permitted if there are no alternatives to them and there are Imperative Reasons of Overriding Public Interest (IROPI) as to why they should go ahead. In such cases, compensation would be necessary to ensure the overall integrity of the site network.
- 1.2.3 All the European sites mentioned in this document are shown in **Appendix A, Figure A1**. In order to ascertain whether or not site integrity will be affected, a HRA should be undertaken of the plan or project in question.

¹ For ease, the Knowsley Local Plan Core Strategy and modifications documents are referred to as the 'Plan' throughout this document.

² URS (October 2012). Knowsley Borough Council Core Strategy Habitats Regulations Assessment. http://www.knowsley.gov.uk/pdf/SD11_CoreStrategyHabitatsRegulationsAssessment.pdf [accessed 16/12/15]

³ URS (June 2014). HRA of Changes to the Knowsley Local Plan Core Strategy following Examination in Public http://www.knowsley.gov.uk/pdf/SD29_KLPCS_ProposedModifications_HRA.pdf [accessed 16/12/15]

Box 1. The legislative basis for HRA**Habitats Directive 1992**

Article 6 (3) states that:

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives.”

Conservation of Habitats & Species Regulations 2010 (as amended)

The Regulations state that:

“A competent authority, before deciding to ... give any consent for a plan or project which is likely to have a significant effect on a European site ... shall make an appropriate assessment of the implications for the site in view of that sites conservation objectives... The authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site”.

2 Methodology

2.1 Introduction

- 2.1.1 The HRA is being carried out in the absence of formal Government guidance. The Department for Communities and Local Government (was Communities and Local Government) released a consultation paper on Appropriate Assessment of Plans in 2006⁴. As yet, no further formal guidance has emerged.
- 2.1.2 **Figure 1** below outlines the stages of HRA according to current draft CLG guidance. The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations and any relevant changes to the plan until no significant adverse effects remain.

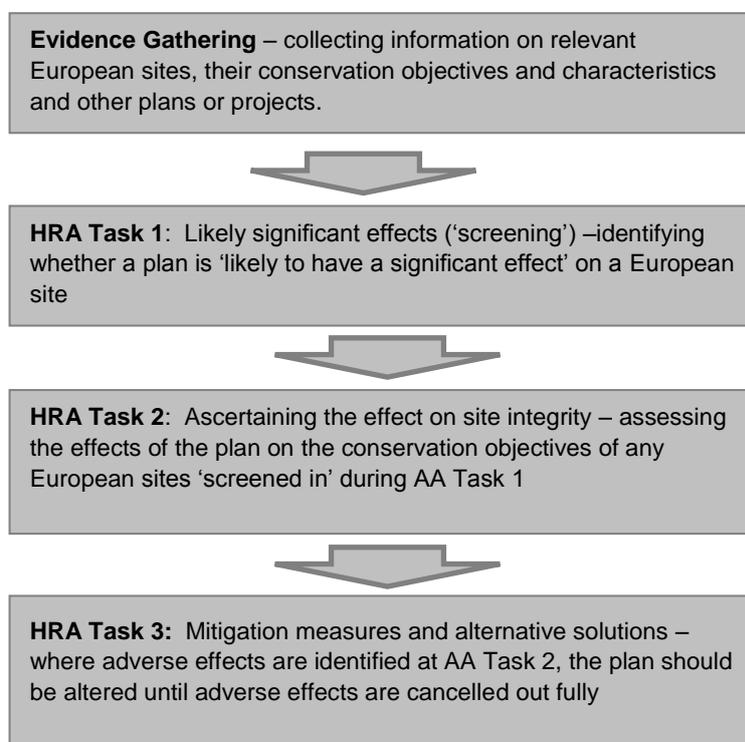


Figure 1: Four-Stage Approach to Habitats Regulations Assessment (Source: CLG, 2006)

2.2 Likely Significant Effects (LSE)

- 2.2.1 The first stage of any Habitats Regulations Assessment (HRA Task 1) is a likely significant effect (LSE) test - essentially a risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:
- "Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?"*
- 2.2.2 The objective is to 'screen out' those plans and projects that can, without any detailed appraisal, be said to be unlikely to result in significant adverse effects upon European sites, usually because there is no mechanism for an adverse interaction with European sites. The likely significant effect test is the purpose of this HRA report.

⁴ CLG (2006). Planning for the Protection of European Sites, Consultation Paper

2.3 Confirming other plans and projects that may act 'in combination'

2.3.1 The Conservation of Habitats and Species Regulations (2010) require that plans are not considered purely in isolation but 'in combination' with other projects and plans. That analysis has already been undertaken as part of the strategic HRA undertaken for the Knowsley Core Strategy⁵. Since this SPD does not seek to deviate from development already identified and thus assessed within the Knowsley Core Strategy HRA documents (e.g. at a higher tier assessment stage), it is not necessary to repeat the analysis for this document.

2.4 Summary of Background Information

2.4.1 As a brief summary of background information, the HRA documents for the Knowsley Core Strategy identified that there could be likely significant effects upon the following internationally designated sites resulting from the Knowsley Local Plan Core Strategy. Locations of these sites are identified within **Appendix A, Figure A1**.

Table 1: Physical Scope of Knowsley's Core Strategy HRA

European site	Reason for inclusion
Mersey Estuary SPA & Ramsar sites	Located approximately 1.6km to the south of the Knowsley Borough Core Strategy Area and with hydrological connections to it.
Manchester Mosses SAC	Located adjacent to the M62, which is one of the principal routes between Knowsley and Manchester.
River Dee & Bala Lake SAC	Identified as a source of drinkable water for Merseyside.
Sefton Coast SAC	Located within Merseyside, currently subject to recreational pressures.
Dee Estuary SAC, SPA & Ramsar site	Downstream of the River Dee which is identified as a source of drinkable water for Merseyside.
Mersey Narrows & North Wirral Foreshore SPA and Ramsar site	Located within Merseyside, with hydraulic connections to the Mersey and currently subject to recreational pressures.
Ribble & Alt Estuaries SPA and Ramsar sites	Located within Merseyside with hydraulic connections to the Mersey and currently subject to recreational pressures. Also potential water quality pathway through wastewater discharge from River Alt and via the River Mersey.
Liverpool Bay SPA	Located immediately adjacent to Merseyside and is therefore a potential water quality pathway through wastewater effluent discharges as well as recreational disturbance.
River Eden SAC	Haweswater Lake (to which the River is hydrologically connected) is likely to form part of the future water supply for Merseyside.
Martin Mere SPA & Ramsar sites	Whilst this is located approximately 12.7km north of Knowsley, any renewable energy policies (e.g. wind turbines), alone or in combination have the potential to affect flight paths of qualifying bird species.

2.4.2 As this report is to be read in conjunction with the Knowsley Core Strategy HRA, background to these sites is not repeated within this document. To find this please refer to the Core Strategy HRA⁶.

2.4.3 The Knowsley Council Core Strategy HRA undertook a strategic assessment 'in-combination' of all housing and other development planned for Knowsley Council regarding the following impact pathways:

- Disturbance;
- Mechanical/abrasive damage and nutrient enrichment;
- Loss of functionally-linked land;

⁵ URS (October 2012). Knowsley Borough Council Core Strategy Habitats Regulations Assessment. http://www.knowsley.gov.uk/pdf/SD11_CoreStrategyHabitatsRegulationsAssessment.pdf [accessed 16/12/15]

URS (June 2014). HRA of Changes to the Knowsley Local Plan Core Strategy following Examination in Public http://www.knowsley.gov.uk/pdf/SD29_KLPCS_ProposedModifications_HRA.pdf [accessed 16/12/15]

⁶ Ibid

- Atmospheric pollution;
 - Water quality; and,
 - Water resources.
- 2.4.4 The HRA of the Knowsley Lane SUE Core Strategy site allocation concluded⁷ that *'no mechanism has been identified for this site to operate in combination with other sites or projects/plans in raising a likely significant effect that has not already been considered in the submission HRA.'*
- 2.4.5 The Core strategy HRA screened out impacts from proposed development within the Knowsley Lane SUE⁸, stating:
- 'Knowsley Lane, Huyton SUE is located 11km north of the nearest European site: Mersey Estuary SPA/Ramsar site. It is also 6.4km south of the major pink-footed goose roost at Simonswood Moss...*
- Considering the nature of the development proposed (residential development) the site is not situated in such a way that it would cause disturbance to qualifying bird species through interference with flightlines between a coastal SPA and an inland SPA (e.g. Martin Mere which is 22km to the north of Knowsley Lane, Huyton).*
- From scrutiny of photography vegetation on site appears to be primarily pasture and as such would be suitable for SPA birds, although proximity to the M57 and dense urban development to the south may reduce that value through blocking of clear lines of sight and general openness. However, the site is not located in an area identified based on desk-study analysis as being of particular importance for pink-footed goose, whooper swan or Bewick's swan and therefore its development would not result in a loss of supporting habitat...'*
- 2.4.6 The SPD Knowsley Lane SUE is a supporting document to the Core Strategy, to be read in conjunction with the Core Strategy. It does not go beyond the level of development outlined within the Core Strategy. The SPD:
- 'sets out Knowsley Council's development, design and infrastructure requirements for the Knowsley Lane Sustainable Urban Extension site. This is to help landowners and developers comply with the Core Strategy's policy requirements in preparing a master plan and subsequent planning applications for the site.*
- As set out in Core Strategy Policy SUE2, proposals for development will only be granted planning permission where they are consistent with a single detailed Council-approved master plan for the whole of the Sustainable Urban Extension site.'*
- 2.4.7 The purpose of this HRA is therefore very specific. It does not re-examine strategic in-combination issues that were examined in the HRA of the Core Strategy. Rather it examines impacts of the policies within this SPD to determine whether they would present any potential for policy-specific impacts that could not have been identified during the strategic HRA.
- 2.4.8 Impact pathways listed in paragraph 2.4.3 will be screened during this assessment. Background to these impact pathways is detailed within Knowsley's Core Strategy HRA documents and is not repeated here.

⁷ Ibid

⁸ URS (June 2014). HRA of Changes to the Knowsley Local Plan Core Strategy following Examination in Public http://www.knowsley.gov.uk/pdf/SD29_KLPCS_ProposedModifications_HRA.pdf [accessed 16/12/15]

3 Likely Significant Effects Screening

SPD policies have been renumbered since the screening was prepared - this is explained in comments boxes below. Some policies have been edited, although changes do not affect the overall policy impacts assessed below.

3.1 Introduction

3.1.1 SPD Policies are screened in the following section.

3.2 Chapter 2: Vision and Development Objectives

Policy	Policy Description
 KL1: Vision Statement	The Knowsley Lane SUE will support the Council in delivering a new high quality business park and sustainable, high quality family housing which contributes to the Liverpool City Region and the Borough's economic and housing growth needs.

3.2.1 There are no HRA implications. Whilst this policy provides for development within the Knowsley Lane SUE, no development location, type or quantum are defined. There are no impact pathways present; this policy can be screened out.

Policy	Policy Description
 KL2: Development Objectives	Proposals for new development should demonstrate how they address each of the following objectives: 1) Deliver a high quality B1 employment location or other appropriate employment uses in line with the Liverpool City Region key economic sectors. 2) Create and support jobs for local residents of North Huyton and Stockbridge Village (e.g. small units for local trades). 3) Provide high quality family housing which diversifies the local offer and extends the residential investment secured through the North Huyton Revive Partnership.

3.2.2 There are no HRA implications. This policy outlines objectives for development within the Knowsley Lane SUE. This policy does mention the provision of employment and residential development; however, it does not identify any location for new employment. It is assumed that any provision for employment will be in line with the Core Strategy. There are no impact pathways present; this policy can be screened out.

3.3 Chapter 4: Spatial Development Framework

Policy	Policy Description
 KL3: Employment Development Key Expectations	1) Development Mix: A balanced approach that recognises the prominence of the site alongside the M57 corridor as well as its relationship to King's Business Park to comprise: a. B1 Use Classes (office, R&D and light industrial uses); and/or b. Premises suitable for the identified LCR economic growth sectors. 2) Layout: should typically comprise individual buildings in separate plots and create a gateway environment with appropriate scale and massing. It is expected that: a. The M57/A57 (Liverpool Road) corridor and junction, and entrance to the employment area will be defined by prominent buildings (up to 4 storeys), formal landscape treatment and high quality public realm. b. Lower scale development (2–3 storeys) will be located towards the western edge, recognising proximity to the existing and proposed residential areas. c. Other significant locations within the employment area will be highlighted through changes of layout, massing and detail of design. d. Buildings will be set back from Knowsley Lane in order to protect existing residential amenity.

3.3.1 There are no HRA implications. Whilst the provision of tall buildings has potential to impact upon flightlines for designated bird features, the SUE is not in an area used by significant numbers of bird species for which European sites have been designated⁹. This policy outlines key expectations for

⁹ See Knowsley Core Strategy HRA for full details.

employment development within the Knowsley Lane SUE. This includes development mix, and layout. There are no impact pathways present; this policy can be screened out.

Policy	Policy Description
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KL4: Residential Development Key Expectations

1) Housing mix: the residential mix and typologies will be determined through market conditions, however this should:

- a. Introduce a range of housing types, sizes and tenures, providing 'traditional' high quality predominantly two storey family housing including detached dwellings, which diversifies the local housing offer.
- b. Provide 25% affordable housing on-site in line with Local Plan Policy CS15.

2) Layout: The residential layout should include variations in house type/size graduated throughout the site, retaining key green infrastructure. It is expected that:

- a. A traditional urban grain which responds to adjacent residential areas.
- b. A new frontage is provided to Knowsley Lane which integrates with existing housing.
- c. A more informal layout is introduced behind Knowsley Lane and the M57 buffer, giving a higher degree of variation and visual interest.
- d. Amenity space is integrated into the development to enclose and buffer residential development.

3.3.2 There are no HRA implications. This policy outlines key expectations for residential development within the Knowsley Lane SUE. This includes housing mix, and layout. There are no impact pathways present; this policy can be screened out.

Policy	Policy Description
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KL5: Public Open Space Key Expectations

1) Public Open Space provision: In order to establish a range of facilities which meet the recreational needs of Knowsley's residents, the Council requires developments to contribute to the following forms of open space (see Policies CS21 and CS27 of the adopted Core Strategy):

- a. Public open space typologies (i.e. park and garden, amenity greenspace, provision for young children and allotments).
- b. Outdoor sports provision (i.e. playing fields and/or equipped outdoor courts) – Developers will also be expected to support and enhance existing recreational facilities to account for additional pressure placed on these assets by new development .

2) Specific Open Space uses and characteristics: In addition the following is expected:

- a. Natural and semi natural sites should have their quality and accessibility improved.
- b. Site boundaries: appropriate treatments should be carefully considered along site boundaries to create active road frontages, such as applying lower building density, or providing landscaped buffer.
- c. Landscape buffer between the SUE site and the M57, and between the residential and employment uses within the site, is planted with semi-mature native trees, which would provide sufficient space for light pollution mitigation, appropriate landscape edge condition and visual separation between the two uses.

3.3.3 There are no HRA implications. This policy outlines key expectations relating to public open space within the Knowsley Lane SUE. This includes provision, type, sports provision, uses and characteristics, site boundaries and buffers. There are no impact pathways present; this policy can be screened out.

Policy	Policy Description
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KL6: Services and Facilities Expectations

1) Engagement with providers: Landowners/developers will be expected to engage with utility providers whilst preparing their proposals for the site. Detailed investigations to determine the existing capacity of services and their ability to accommodate new development will need to be determined.

2) Surface water drainage provision: There is an expectation that integrated and proactive surface water drainage networks will be established to provide a sustainable drainage system.

3) Electricity infrastructure: An overhead power line runs through the site in a north-south direction along the eastern edge of the proposed residential area; the area has been shown as developed but further detailed work may impact on the location of proposed buildings as the master plan develops.

4) Utilities plan: The master plan should be accompanied by a utilities plan which sets out the strategy for the maintenance, installation and delivery of services including electricity, gas, water supply, waste and foul water removal, and broadband.

3.3.4 There are no HRA implications. This policy outlines expectations relating to services and facilities within the Knowsley Lane SUE. This includes provider engagement, surface water drainage provision, electricity infrastructure, and utilities plan. There are no impact pathways present; this policy can be screened out.

Policy	Policy Description
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 <p>KL7: Access and Key Expectations</p>	<p>1) Principal vehicular access points: All principal access will be from Knowsley Lane and include:</p> <ul style="list-style-type: none"> a. Employment – east from the existing Patten's Farm entrance and opposite Lyme Close junction. b. Residential – to the west of Patten's Farm access. c. Lord Derby Memorial Playing Fields – three existing formal access points. <p>2) Secondary access: to the employment area off the east–west access road.</p> <p>3) Pedestrian/cycle routes: A pedestrian/cycle way 'green infrastructure link' will provide direct access between the Lord Derby Memorial Playing Fields and the residential development via the School Plantation and George Hale Avenue/Knowsley Hall;</p> <p>4) Circulation, parking and servicing will be internal to the layout, allowing the main frontage to be clear of any service roads</p>
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3.3.5 There are no HRA implications. This policy outlines key expectations relating to access and movement within the Knowsley Lane SUE. This includes principal and secondary access, pedestrian and cycle routes, and circulation, parking and servicing. There are no impact pathways present; this policy can be screened out.

3.4 Chapter 5: Development and Design Principles

Policy	Policy Description
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 <p>KL8: Overarching Design Principles</p>	<p>1) Stitching the patchwork together: A consistent, 'bigger picture' vision of development is crucial to demonstrate that design helps to phase comprehensive development in a way that dovetails with different land uses.</p> <p>2) Bringing the best of urban and rural environments: There is great design potential in responding to both adjacent urban and semi-rural environments – an opportunity to describe a transition from one environment to the other. This approach will complement both the urban and rural context, and help create a place that is responsive to its context but distinctive in its own right.</p> <p>3) Creating the right edge conditions: The design approach to edge conditions will be key to successful integration of this development. Bespoke responses to each boundary will be required according to specific boundary characteristics and restrictions – from the need to mitigate the hard edge of the M57, to the need for permeability towards Knowsley Lane.</p> <p>4) Distinctive development zones: The relatively small size of the Knowsley Lane site allows for clear and distinct zones of development relating to the existing context, functional connections and the creation of a gateway.</p>
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3.4.1 There are no HRA implications. This policy outlines principles for overarching design principles for development within the Knowsley Lane SUE. There are no impact pathways present; this policy can be screened out.

Policy	Policy Description
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 <p>KL9: Access, Movement and Transport Expectations</p>	<p>1) Careful consideration must be given to how new development can maximise linkages to existing amenities and into existing transport services.</p> <p>2) A balanced sequence of movement routes that integrate with and bind together green space and development parcels.</p> <p>3) Green infrastructure networks should be integrated with the network of movement routes.</p>
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3.4.2 There are no HRA implications. This policy outlines expectations for access, movement and transportation within the Knowsley Lane SUE. There are no impact pathways present; this policy can be screened out.

Policy	Policy Description
 KL10: Landscape and Ecology Expectations	1) The master plan and planning applications should: <ol style="list-style-type: none"> Retain existing field boundaries as a framework for new development; Retain and enhance hedgerows and hedgerow trees; Conserve the network of drainage ditches and bank-side habitats and woodlands as semi-natural habitats; Include programmes of tree planting using native species in particular, with small-scale planting which helps development integrate with the landscape at the same time as framing characteristic long views across and out of the site. Formal tree planting could help to mitigate impacts of and on development, for example along the employment road corridor and the site's boundary with the M57. Retain field ponds and promote their conservation as landscape features; Restrict the rate of surface water run-off.

3.4.3 There are no HRA implications. This policy outlines expectations for landscape and ecology within the Knowsley Lane SUE. There are no impact pathways present; this policy can be screened out.

Policy	Policy Description
 KL11: Development Sustainability Expectations	1) Energy efficiency through passive design and construction techniques – the principle of securing energy efficiency through site layout and building design is fundamental. 2) Renewable energy through microgeneration – through sustainable design and construction. 3) Efficient use of resources – through reuse of materials and effective use of land.

3.4.4 There are no HRA implications. This policy outlines expectations for sustainable development within the Knowsley Lane SUE. There are no impact pathways present; this policy can be screened out.

3.5 Chapter 6: Delivery

Policy	Policy Description
 KL12: Master Plan and Planning Application Requirements	<ul style="list-style-type: none"> A comprehensive site-wide and detailed master plan must be provided in advance or at the same time as the first planning application. This master plan must be approved by the Council. The specific requirements of an individual planning application will be provided via the pre-application process. Applicants will need to demonstrate how phasing and sequencing of development will be facilitated across the entire SUE.

3.5.1 There are no HRA implications. This policy outlines requirements relating to the master plan and planning application for development within the SUE. There are no impact pathways present; this policy can be screened out.

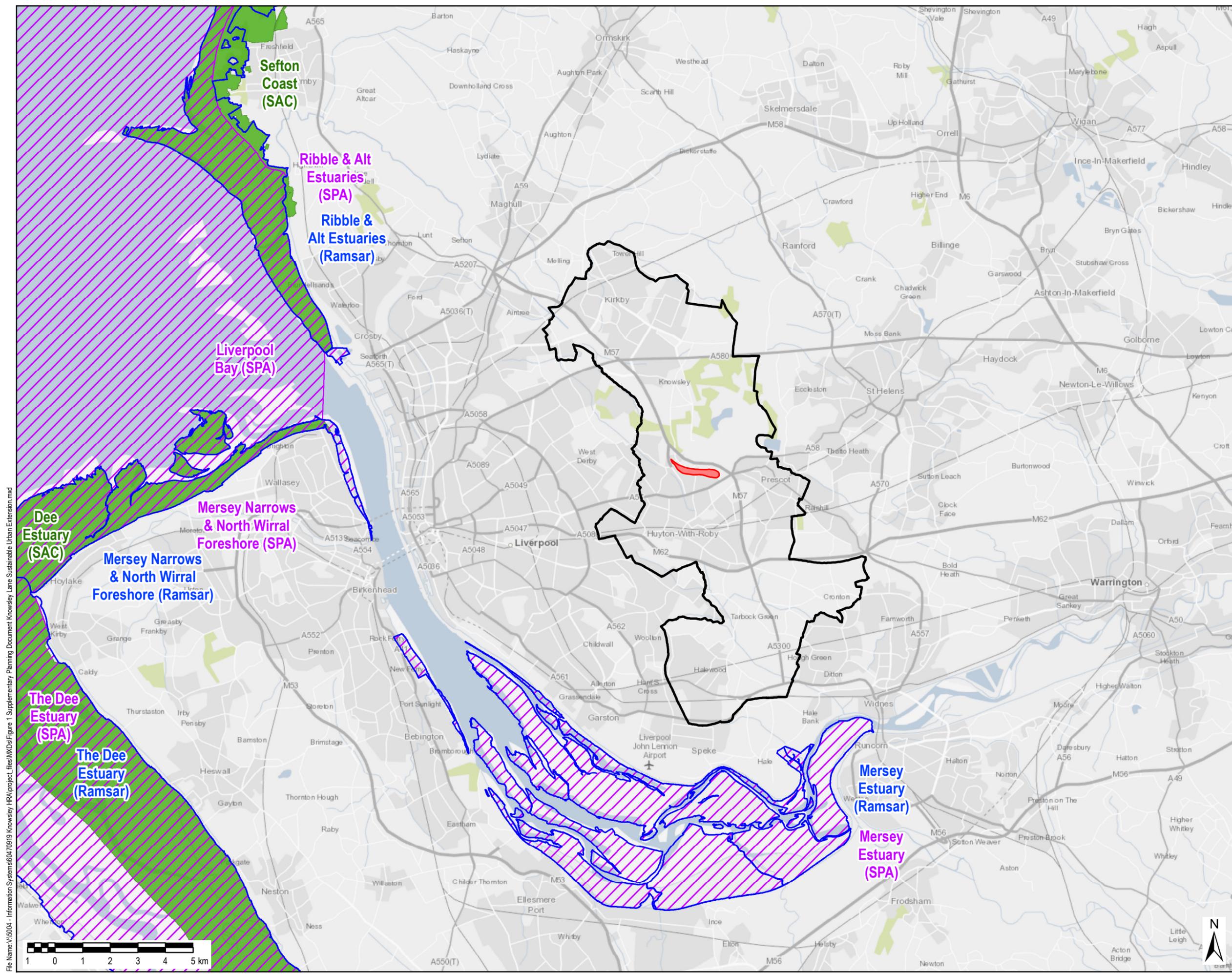
Policy	Policy Description
 KL13: Infrastructure Requirements	<ol style="list-style-type: none"> Appropriate contributions to infrastructure that are considered fundamental to facilitating early development of the SUE will only be considered within the context of the specific delivery of that land parcel rather than the whole of SUE. Essential highways work: Further technical work will be required by the developers prior to submitting a planning application to determine potential improvements to junctions on the surrounding distributor roads. Enabling works to achieve a satisfactory form of development – such as principal points of vehicular access from Knowsley Lane and a central internal distributor loop. Local infrastructure requirements caused/exacerbated by the proposed development: For example, a 'green infrastructure link' to provide direct pedestrian/cycle access between the Lord Derby Memorial Playing Fields and the residential development via the School Plantation and George Hale Avenue/Knowsley Hall. Any remaining and viable development requirements including provision of 25% on-site affordable housing.

3.5.2 There are no HRA implications. This policy outlines requirements of infrastructure for development within the SUE. There are no impact pathways present; this policy can be screened out.

4 Conclusion

- 4.1.1 In conclusion, the SPD for Knowsley Lane SUE sets out Knowsley's requirements for development within the SUE, essentially offering detail of development control and management policies specific to development within this strategic site. This SPD does not provide for any development beyond that defined within the Core Strategy.
- 4.1.2 No impact pathways have been identified which link the development described in this SPD to internationally designated sites. It is concluded that the policies in the SPA do not present any potential for project-specific impacts that were not identified during the HRA of the Core Strategy. Policies within the Knowsley Lane SUE SPD Consultation Draft Version January 2016 can be screened out from further consideration both alone and in-combination with other projects or plans.

Appendix A. Figure A1: Internationally Designated Sites



THIS DRAWING IS TO BE USED ONLY FOR THE PURPOSE OF ISSUE THAT IT WAS ISSUED FOR AND IS SUBJECT TO AMENDMENT

LEGEND

- Knowsley Lane Urban Extension
- Ramsar
- Special Protection Area (SPA)
- Special Area of Conservation (SAC)
- Knowsley District

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Purpose of Issue **DRAFT**

Client **KNOWSLEY DISTRICT COUNCIL**

Project Title **KNOWSLEY HRA**

Drawing Title **SUPPLEMENTARY PLANNING DOCUMENT: KNOWSLEY LANE SUSTAINABLE URBAN EXTENSION**

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