

Public Document Pack



Development Control Committee

Monday, 16 May 2016 6.30 p.m.
Civic Suite, Town Hall, Runcorn

A handwritten signature in blue ink that reads 'David W R'.

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Paul Nolan (Chairman)
Councillor Keith Morley (Vice-Chairman)
Councillor John Bradshaw
Councillor Arthur Cole
Councillor Ron Hignett
Councillor Stan Hill
Councillor Carol Plumpton Walsh
Councillor June Roberts
Councillor John Stockton
Councillor Dave Thompson
Councillor Kevan Wainwright
Councillor Bill Woolfall
Councillor Geoff Zygadlo

*Please contact Ann Jones on 0151 511 8276 Ext. 16 8276 or
ann.jones@halton.gov.uk for further information.
The next meeting of the Committee is on Monday, 6 June 2016*

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.	Page No.
1. MINUTES	
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(B) 12 APRIL 2016	10 - 15
2. DECLARATIONS OF INTEREST	
<p>Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting prior to discussion and voting on the item.</p>	
3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	16 - 152

In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 7 March 2016 at Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Morley (Vice-Chairman), Cole, R. Hignett, S. Hill, June Roberts, J. Stockton, Thompson and Woolfall

Apologies for Absence: Councillors J. Bradshaw, C. Plumpton Walsh, Wainwright and Zygadlo

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, A. Plant, J. Eaton, J. Farmer and G. Henry

Also in attendance: Councillor N. Plumpton Walsh and 7 Members of the public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

Action

DEV36 MINUTES

The Minutes of the meeting held on 8 February 2016, having been circulated, were taken as read and signed as a correct record.

DEV37 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE

The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.

DEV38 - 15/00430/FUL - PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 116 DWELLINGS, ROADS, OPEN SPACE, SUBSTATION AND ALL ASSOCIATED WORKS AT FORMER MARLEY ETERNITY SITE, DERBY ROAD, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

The Committee was advised that two further letters of representation had been received supporting the application but requesting adequate parking provision; a children's play

area; that the works are closely monitored and traffic congestion is considered.

Officers also advised that the Council's Contaminated Land Officers were satisfied that the site could be appropriately and safely remedied since they had received an updated report and appropriate planning conditions could now be applied. Further the applicant had confirmed that in order to avoid delay in commencing the site remediation they were willing to accept planning conditions to demonstrate that risks from contamination to Bowers Brook were minimised by a detailed risk assessment and including any necessary mitigation measures. It was noted that there would be additional conditions required to those contained in the recommendation and that these would be timed to allow the remediation to commence prior to the start of the housing development.

RESOLVED: That the application be approved subject to the addition of the above conditions and conditions below:

- a) A Legal or other appropriate Agreement relating to financial contributions towards off site highway improvements.
- b) Conditions relating to the following:
 - 1) Specifying amended/approved plans;
 - 2) Conditions relating to ground investigation and mitigation (PR14);
 - 3) Environment Agency conditions relating to preliminary risk assessment, site investigation, remediation and verification (PR14);
 - 4) Environment Agency condition relating to discovery of unidentified contamination;
 - 5) Environment Agency condition restricting infiltration of surface water drainage of contaminated land;
 - 6) Materials condition, requiring development be carried out as approved (BE2);
 - 7) Landscaping condition, requiring development be carried out as approved (BE2);
 - 8) Requiring submission and agreement of hard surfacing materials (BE2);
 - 9) Boundary treatments requiring development be carried out as approved (BE2);
 - 10) Requiring detail relating to sound attenuation fencing, trickle ventilation and other means of ventilation in accordance with the submitted noise

- report and implementation prior to occupation (BE1);
- 11) Wheel cleansing facilities to be submitted and approved in writing (BE1);
 - 12) Construction and delivery hours to be adhered to throughout the course of the development (BE1);
 - 13) Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/commencement of use (BE1);
 - 14) Finished floor and site levels condition requiring development be carried out as approved (BE1);
 - 15) Conditions relating to tree protection during construction (BE1);
 - 16) Requiring development be carried out in accordance with the approved RA and mitigation measures (PR16);
 - 17) Submission and agreement of ecology / habitat enhancement features including bird/bat boxes (BE21); and
 - 18) A risk assessment that demonstrates that risks from contamination to Bowers Brook were minimised and includes mitigation measures.
- c) That if the S106 Agreement or alternative arrangement was not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.

The following three applications related to the overall redevelopment of the former Fairfield High School Site located on Peel House Lane, Widnes, so were considered together by the Committee.

DEV39 - 15/00551/FUL - PROPOSED DEVELOPMENT COMPRISING 162 NO. DWELLINGS WITH ASSOCIATED ACCESS ROADS, LANDSCAPING AND INFRASTRUCTURE AT FORMER FAIRFIELD HIGH SCHOOL SITE, PEEL HOUSE LANE, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

It was noted that the former Fairfield High School site was granted a release for non-education use by the Secretary of State under Section 77 of the Academies Act 2010. In relation to the protection of outdoor playing space

for formal sport and recreation, Sport England raised no objection as they were satisfied that the School playing field was surplus to requirements in the light of the Playing Pitch Strategy.

It was reported that Local Ward Councillor Philbin had raised some concerns regarding surface water run-off from the site. In response it was commented that a further drainage strategy had been provided and implementation of an appropriate drainage strategy was recommended at condition number 18 below.

The Committee agreed the approval of the application subject to the conditions listed below.

RESOLVED: That the application be approved subject to the following conditions:

- 1) Time limit – full permission;
- 2) Approved plans;
- 3) Submission of proposed site levels (BE1);
- 4) Facing materials to be agreed (BE1 and BE2);
- 5) Submission of detailed soft landscaping scheme, implementation and subsequent maintenance (BE1);
- 6) Implementation of submitted hard landscape and boundaries layout and subsequent maintenance (BE1);
- 7) Breeding birds protection (GE21);
- 8) Hours of construction (BE1);
- 9) Removal of permitted development – all dwellings (BE1);
- 10) Submission of a construction environmental management plan (BE1);
- 11) Implementation of remediation method statement and submission of a completion report (PR14);
- 12) Provision and retention of parking for residential development (curtilage) (BE1);
- 13) Retention of garages (BE1);
- 14) Implementation of site access from Peel House Lane (linked to application 15/00552/FUL) (BE1);
- 15) Implementation of access and servicing provision (BE1);
- 16) Traffic calming scheme (BE1);
- 17) Off-site highway works scheme (BE1);
- 18) Submission of drainage strategy for approval and subsequent implementation (PR16);
- 19) Scheme for electrical vehicle charging points (CS23);
- 20) Noise mitigation measures scheme (PR8);
- 21) Scheme for bird nesting boxes (GE21);
- 22) Ecological mitigation strategy (GE21); and

23) Submission of a waste audit (WM8).

DEV40 - 15/00552/FUL - PROPOSED CONSTRUCTION OF ACCESS ROAD PROVIDING ACCESS TO CEMETERY AND HOUSING DEVELOPMENT INCLUDING LANDSCAPING AT FORMER FAIRFIELD HIGH SCHOOL SITE, PEEL HOUSE LANE, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

The Committee approved the application subject to the conditions listed below.

RESOLVED: That the application is approved subject to the following conditions:

- 1) Time limit – full permission;
- 2) Approved plans;
- 3) Submission of proposed site levels (BE1);
- 4) Implementation of detailed soft landscaping scheme and subsequent maintenance (BE1);
- 5) Implementation of submitted hard landscape and boundaries layout and subsequent maintenance (BE1);
- 6) Breeding birds protection (GE21);
- 7) Hours of construction (BE1);
- 8) Submission of a construction environmental management plan (BE1);
- 9) Implementation of access and servicing provision (BE1);
- 10) Submission of drainage strategy for approval and subsequent implementation (PR16); and
- 11) Submission of a waste audit (WM8).

DEV41 - 15/00553/HBCFUL - PROPOSED CONSTRUCTION OF A NEW CEMETERY, ACCESS ROAD AND MAINTENANCE DEPOT WITH ASSOCIATED INFRASTRUCTURE AT FORMER FAIRFIELD HIGH SCHOOL SITE, PEEL HOUSE LANE, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

The Committee was advised that an updated drainage proposal had been received and observations from the Environment Agency were still awaited.

The Committee agreed to approve the application subject to the following conditions.

RESOLVED: That

- a) Delegated authority is given to the Operational Director – Policy, Planning and Transportation, in consultation with the Chairman or Vice Chairman of the Development Control Committee, to make the decision once the drainage design has been amended to the satisfaction of the Environment Agency and the Lead Local Flood Authority; and
- b) The application be approved subject to the following suggested conditions and any additional conditions required following the submission of further information and subsequent consultation:
 - 1) Time limit – full permission;
 - 2) Approved plans;
 - 3) Implementation of proposed site levels (BE1);
 - 4) Implementation of landscaping and boundary treatments scheme (BE1);
 - 5) Breeding birds protection (GE21);
 - 6) Protection of woodland habitat (GE21);
 - 7) Construction management plan (Highways) (BE1);
 - 8) Implementation of access road under application 15/00552/FUL (BE1);
 - 9) Provision of parking and servicing with cemetery (BE1); and
 - 10) Implementation of drainage strategy 9 PR16).

In order to avoid any allegation of bias Councillor R Hignett took no part in the following item as he had been involved with the scheme.

DEV42 - 15/00584/OUT - PROPOSED HYBRID APPLICATION SEEKING FULL PLANNING PERMISSION FOR DEVELOPMENT COMPRISING: TOWN CENTRE CAR PARK, PUBLIC HOUSE/RESTAURANT (USE CLASS A4) WITH ANCILLARY MANAGER'S ACCOMMODATION, ACCESS ROADS, PARKING AND SERVICING AREAS AND LANDSCAPING AND OUTLINE PERMISSION (WITH ALL MATTERS RESERVED) FOR A COMMERCIAL UNIT OF UP TO 195 SQUARE METRES (USE CLASS A1, A3, A5) ON LAND BOUNDED BY BRIDGEWATER CANAL, DARESURY EXPRESSWAY AND GREENWAY ROAD, RUNCORN, CHESHIRE

The consultation procedure undertaken was outlined

in the report together with background information in respect of the site.

The Committee was advised that the Ecological Consultant had advised that the trees on site were category 2 as detailed in the update list. It was noted that the Merseyside Environmental Advisory Service advised that the sensitive working methods outlined in the Preliminary Ecological Appraisal be followed and secured by a condition. They were also satisfied that checks for water vole activity were appropriate. Now that these ecological issues had been addressed it was noted that delegated authority was no longer requested.

The Chairman requested that the case officer contact the archaeologist to see if a condition needed to be attached to any permission.

The Committee agreed to approve the application subject to the additional condition mentioned above and the following listed conditions.

RESOLVED: That the application be approved subject to the following:

Conditions applicable to all parts of the proposal:

- 1) Remediation strategy (PR14);
- 2) Verification report (PR14);
- 3) Unidentified contamination (PR14);
- 4) No piling or other foundation design using penetrative methods (PR14);
- 5) Detailed drainage strategy (PR16 and CS23);
- 6) Implementation of pedestrian crossing phase (BE1);
- 7) Breeding bird protection (GE21);
- 8) Lighting scheme to protect ecology (GE21);
- 9) Water vole protection (GE21);
- 10) Japanese knotweed eradication (GE21); and
- 11) Bridge works over Bridgewater Canal (BE1).

Conditions – Tenant Phase 1 – Public House

- 1) Time Limit – full permission;
- 2) Approved plans;
- 3) Facing material (BE1);
- 4) Hard landscaping and boundary treatments (BE1);
- 5) Soft landscaping (BE1);
- 6) Construction management plan (BE1);
- 7) Implementation of parking and servicing (BE1);
- 8) Implementation of cycle parking (BE1);

- 9) Implementation of Bridgewater access phase (BE1); and
- 10) Site levels (BE1).

Conditions – Tenant Phase 2 – Outline application for Commercial Unit

- 1) Time Limit – outline permission;
- 2) Submission of reserved matters; and
- 3) Implementation of Bridgewater Access Phase and Western Access Phase (BE1).

Conditions – Town Centre Car Park and Western Access Phase

- 1) Time limit – full permission;
- 2) Approved plans;
- 3) Hard landscaping and boundary treatments (BE1);
- 4) Soft landscaping (BE1);
- 5) Site levels (BE1);
- 6) Construction management plan (BE1); and
- 7) Implementation of Bridgewater access phase and Western access phase before first use of Town Centre Car Park (BE1).

DEV43 - 15/00027/FUL - PROPOSED TWO STOREY ANNEXE EXTENSION TO EXISTING HOTEL TO CREATE AN ADDITIONAL 27 LETTING ROOMS INCLUDING ANCILLARY SERVICES, CAR PARK ALTERATIONS, CYCLE PARKING AND INTERNAL ALTERATIONS TO THE MAIN HOTEL TO CREATE TWO NEW FULLY ACCESSIBLE ROOMS AT PREMIER INN, CHESTER ROAD, PRESTON BROOK, RUNCORN, CHESHIRE, WA7 3BA

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

Members were referred to the update list where it was confirmed that the access/exit could remain where it was as the internal alterations to the car park did not affect the highway network. Further, the addition of 27 bedrooms and loss of 2 parking spaces had been demonstrated not to have a negative impact on the operation of the site, and that the level of parking required could be accommodated within the site. It was also reported that a further planning condition was recommended for a scheme to provide an electric vehicle charging point.

RESEOLVED: That the application be approved subject to the following conditions:

- 1) Standard condition relating to timescale and duration of the permission;
- 2) Condition listing approved plans (BE1 and BE2);
- 3) Submission of materials (BE2);
- 4) Details and provision of secure cycle parking (TP6);
- 5) Access and parking/layout, cycle parking provision to be implemented as approved (BE1);
- 6) Details of final drainage scheme (BE1);
- 7) Conditions specifying construction hours and hours of deliveries for building materials (BE1);
- 8) Construction traffic management plan and wheel wash facilities (BE1);
- 9) Details of existing final site levels (BE1);
- 10) Submission of a green travel plan (TP16).

Meeting ended at 6.55 p.m.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Tuesday, 12 April 2016 at The Board Room - Municipal Building, Widnes

Present: Councillors Morley (Vice-Chair, in the Chair), J. Bradshaw, R. Hignett, S. Hill, C. Plumpton Walsh, J. Stockton, Thompson, Woolfall and Zygadlo

Apologies for Absence: Councillors Nolan, Cole, June Roberts and Wainwright

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, A. Plant, J. Farmer and G. Henry

Also in attendance: Sandymoor Parish Councillor David Felix and two members of the public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

	<i>Action</i>
<p>DEV44 MINUTES</p> <p>Officers reported that there was one Condition omitted from Minute number DEV 38 as follows:</p> <p><i>'A risk assessment that demonstrates that risks from contamination to Bowers Brook were minimised and including any necessary mitigation measures'</i></p> <p>The Minutes would be amended and presented for agreement at the next meeting of the Committee.</p> <p>RESOLVED: That</p> <ol style="list-style-type: none"> 1) the minutes from the meeting held on 7 March 2016 be amended to include the additional condition above; and 2) the revised minutes be agreed at the May Committee meeting. 	
<p>DEV45 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE</p> <p>The Committee considered the following applications for planning permission and, in accordance with its powers</p>	

and duties, made the decisions described below.

DEV46 - 15/00453/FUL - PROPOSED DEVELOPMENT OF 205 DWELLING HOUSES TOGETHER WITH ASSOCIATED INFRASTRUCTURE ON LAND TO THE REAR OF SANDYMOOR FREE SCHOOL, WHARFORD LANE, SANDYMOOR

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

Since the report was published officers advised the Committee that an additional letter had been received raising similar issues already discussed in the report relating to increased traffic and highway safety. It was noted that the amended noise report with updated mitigation measures had been received and the Environment Agency had confirmed that they raised no objections based on the updated Flood Risk Assessment subject to condition. With regards to the highways, surface water drainage and land contamination queries; these were still to be resolved. Members were advised that the applicant intended to programme the bridge and access works during school holidays; hence the early reporting of the application to Committee with a request for delegated authority to minimise delay that could be apportioned to the planning system.

One correction to the report was made; the final paragraph on page 16 point a) of the recommendation to be deleted and replaced with '*the entering into a legal or other agreement for the provision of a financial contribution per dwelling*', similar to the existing overarching Sandymoor Legal Agreement and towards *inter alia* highway improvements.

The Committee was addressed by Sandymoor Parish Councillor David Felix, who spoke regarding the requirement for an easement of drainage agreement which would need to be entered into between Sandymoor Parish Council (SPC) the owners of the land, and the developer, and that currently this had not been finalised. Reverend Felix produced a draft plan of the area detailing the drainage requirements. He further stated that the public open space areas were not finalised and that SPC needed more information regarding the financial contributions towards this. Reverend Felix also raised concerns over the volumes of traffic in the area, in particular the junction at Wharford Lane and Pitts Heath Lane, and Newmore Lane junction. He also raised concerns of the access to Sandymoor itself in

the event of a road accident, as had recently happened. He requested the Committee to note that the easement agreement had not yet been reached when making their decision on the application.

In response to the Speaker the Committee was advised that the outstanding drain easement agreement was a private land matter and therefore not a material consideration. Drainage considerations would normally be dealt with by conditions; similarly third party payment for maintenance of the public open spaces was not a material consideration whereas a maintenance schedule could be covered by a landscaping condition. With regards to concerns over the traffic and junctions, this was a material condition and the Highways Officer responded. It was reported that some allowance in the overall masterplan had been made for transport growth in Sandymoor up to 2018. He stated that the performance of the junctions and chicane at Newmore Lane and Wharford Lane would be monitored over the next two years; but there were no alterations proposed as a result of the current proposals or in the immediate future. It was noted however that within the terms of the recommendation this included scope to use Section 106 monies for adaptations if deemed necessary in the future.

With regards to the drainage and land ownership issues, Officers advised that these would be resolved during the course of the determination and prior to any planning permission being issued under delegated powers.

Councillor Bradshaw raised concerns over the problems that already existed on Newmore Lane and Wharford Lane junctions and commented that this would worsen well before 2018 due to the increase in the volume of traffic expected. He suggested plans be put in place to cope with the increase in traffic in these areas in the near future.

After taking the Officer's report and updates and the Speaker's representation into consideration, the Committee agreed to approve the application, subject to the required test outcomes upon expiration of the consultation period; the resolution of the outstanding issues mentioned above; and the conditions listed in the report.

RESOLVED: That the application be delegated, on expiration of all relevant consultation periods, to the Operational Director – Policy, Planning and Transportation, in consultation with the Chairman or Vice Chairman of the

Development Control committee subject to:

- a) The entering into of a Legal Agreement or other agreement for the provision of a financial contribution analogous to the existing overarching Sandymoor Legal Agreement, with added provision to include use of such financial contribution for alterations to Pitts Heath / Wharford Lane junction, should the junction become overcapacity with the proposed development (plus committed development) in place.
- b) Conditions relating to the following:
 - 1) Standard 3 year permission (BE1);
 - 2) Specifying approved and amended plans (BE1);
 - 3) Requiring submission and agreement of a detailed Construction Environmental Management Plan, including wheel cleansing facilities and construction vehicles access routes, construction parking and management plans and timing and management of deliveries to avoid peak school drop off / pick up times, to be submitted and approved in writing (B1);
 - 4) Materials condition, requiring the submission and approval of the materials to be used (BE2);
 - 5) Landscaping condition, requiring submission and approval of both hard and soft landscaping, including replacement tree planting (BE2);
 - 6) Submission and agreement of boundary treatment, including retaining walls (BE2);
 - 7) Construction and delivery hours to be adhered to throughout the course of the development (BE1);
 - 8) Vehicle access, parking and servicing to be constructed prior to occupation of properties / commencement of use (BE1);
 - 9) Condition restricting permitted development rights relating to frontage boundary fences etc (BE1);
 - 10) Requiring submission and agreement of a scheme of confirmatory soil testing strategy / remediation strategy and verification report upon completion of the remedial works as required (PR14);
 - 11) Submission and agreement of details of on-site biodiversity action plan for measures to be incorporated in the scheme to encourage wildlife including dwellings to be fitted with bird boxes (GE21);
 - 12) Conditions relating to tree protection during construction (BE1);
 - 13) Submission and agreement of detailed surface water / highway drainage (BE1/PR5);

- 14) Requiring submission and agreement of site and finished floor levels (BE1);
- 15) Submission and agreement of Himalayan Balsam method statement (PR14);
- 16) Securing Water Vole displacement in accordance with the relevant Class Licence and best proactive protocol (GE21);
- 17) Submission and agreement of a detailed habitat management plan (GE21);
- 18) Submission and agreement of detailed bankside habitat mitigation scheme (GE21);
- 19) Submission and agreement of scheme of protective fencing to Keckwick Brook to secure 10m buffer zone (GE21);
- 20) Conditions securing compliance with Ecological Assessment / addendum recommendations / mitigation measures (GE21);
- 21) Conditions requested by the Environment Agency relating to the revised Floor Risk Assessment and mitigation measures (PR16);
- 22) Submission and agreement of update noise mitigation measures to be implemented (PR2);
and
- 23) Requiring submission and agreement of bridge parapet / materials details (BE1).

- c) That if the S106 Agreement or alternative arrangement was not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.

DEV47 MISCELLANEOUS ITEMS

The following applications had been withdrawn:

15/00592/FUL

Proposed two storey side extension at Jamar, Halton Station Road, Runcorn, Cheshire, WA7 3EL.

13/00379/OUT

Outline application (with all matters reserved) for residential development of up to 131 dwellings on Land East of Dans Road and North and West of Bennetts Lane, Gorsey Lane, Widnes, Cheshire.

The following Appeals had been received / were in progress:

15/00108/S73

Proposed removal of condition number one from Planning Permission APP/D0650/C/10/2126943, to allow the permanent retention of a mixed use for the keeping of horses and a residential gypsy caravan site and the variation of condition 5 to allow the stationing of 12 caravans at any time (of which no more than one shall be static caravan or mobile home) at land to the South West of Junction between Newton Lane and Chester Road, Daresbury, Cheshire.

Appeal to be heard a Public Inquiry for four days commencing on 4 October 2016 at Runcorn Town Hall.

15/00005/REFUSE – 15/00115/COU

Proposed change of use to residential caravan site for up to 8 caravans including the laying of hardstanding and erection of three amenity blocks at former Ivy House, Marsh Lane off Brindley Road, Runcorn, Cheshire, WA7 1NS.

To be dealt with by way of a Public Inquiry (date to be confirmed).

15/00006/REFUSE – 14/00656/FUL

Proposed construction of single storey convenience store with associated car parking, landscaping and ATM machine at Wellington Hotel Car Park 23, Town Lane, Hale, Liverpool L24 4AG.

The Appeal was dismissed.

Mr Plant advised Members of the appeal decision regarding the application at the Wellington Hotel and the issues involved.

Meeting ended at 7.00 p.m.

REPORT TO: Development Control Committee

DATE: 16 May 2016

REPORTING OFFICER: Strategic Director - Community and Resources

SUBJECT: Planning Applications to be determined by the Committee

WARD(S): Boroughwide

Application No	Proposal	Location
15/00549/ FULEIA	Proposed construction of a purpose built transport and technology facility (Use Class B2) in three phases. Phase 1 to include a 27,938 sq.m facility with associated access, car parking, HGV parking, service yards, rail sidings, landscaping, substation and associated engineering operations. Phase 2A to include a 7,425 sq.m extension to the facility with a connection to the rail sidings constructed under Phase 1, an additional service yard, additional car parking and associated development. Phase 2B to include a further 15,925 sq.m extension to the facility with additional HGV parking and associated development.	HBC Field, Halebank, Widnes.
16/00024/FUL	Proposed development of 34 no. dwellings comprising mews, semi-detached and detached properties with associated access, parking, garages and construction of acoustic bund.	Land to the North East of Abbots Park and bounded by the M56 and Chester Road, Preston Brook, Runcorn, Cheshire.
16/00069/FUL	Proposed development of 22 no. apartments and 6 no. houses including change of use of existing building, selective demolition and associated landscaping.	Victoria House, Holloway, Runcorn, Cheshire.
16/00120/FUL	Proposed construction of new workshop and office facilities (2,255 square metres) together with additional car parking and associated development.	YKK (UK) Aston Lane South, Preston Brook, Runcorn.

APPLICATION NO:	15/00549/FULEIA
LOCATION:	HBC Field, Halebank, Widnes
PROPOSAL:	Proposed construction of a purpose built transport and technology facility (Use Class B2) in three phases. Phase 1 to include a 27,938 sq. m facility with associated access, car parking, HGV parking, service yards, rail sidings, landscaping, substation and associated engineering operations. Phase 2A to include a 7,425 sq. m extension to the facility with a connection to the rail sidings constructed under Phase 1, an additional service yard, additional car parking and associated development. Phase 2B to include a further 15,925 sq. m extension to the facility with additional HGV parking and associated development
WARD:	Ditton
PARISH:	Halebank Parish Council
AGENT(S) / APPLICANT(S):	Alstom UK Ltd
DEVELOPMENT PLAN ALLOCATION: Halton Unitary Development Plan (2005) Core Strategy (2013)	Employment Land Allocations (E1), Green Belt (GE1), Proposed Green Space (GE7), Core Strategy Key Area of Change: 3MG (CS8)
DEPARTURE	Yes
REPRESENTATIONS:	Six received as follows: 1 letter 1 telephone call 2 letters of objection from Halebank Parish Council 2 letters from Derek Twigg MP Detailed in the body of this report.
RECOMMENDATION:	Approve subject to conditions.
SITE MAP	

1.0 **BACKGROUND**

1.1 **The Site and Surroundings**

This application relates to a site area of approximately 31.92 hectares / 78.9 acres known as HBC Field. Part of the site accounting for approximately 6.08ha is excluded from the development and is identified within the site boundary as 'area for future development'. That 'area for future development' is allocated as part of the wider 3MG area of change, and within Policy CS8 of the adopted Core Strategy for rail served warehousing uses (B8). The

development of this part of the site is expected to be detailed through future planning applications.

- 1.2 HBC Field is identified as site 253 in the Halton Unitary Development Plan and, together with surrounding land, is defined by the Halton UDP as within the Potential Extent of the Ditton Strategic Rail Freight Park now known as Mersey MultiModal Gateway (3MG). The site is now included in the adopted Core Strategy (2013) in PolicyCS8 for over 18ha of rail served warehousing use development. The site is in the western area of the designated wider 3MG area with the A562 Speke Road and West Coast Main Line to the north, Halebank Road to the south, Halebank residential areas to the east and wider agricultural land and Green Belt to the west.
- 1.3 Planning History
Permission has previously been granted for related development in the form of advance structural landscape works (ref. 05/00948/FUL and 07/00336/HBCFUL), for associated rail sidings (07/00362/FUL) which was renewed in 2010 (10/00411/S73) and for a proposed new link road, with associated landscaping, linking the site to the A5300/ A562 Speke Road/ Knowsley Expressway roundabout via Newstead Road and crossing the West Coast Mainline to the north (ref 08/00031/HBCFUL).
- 1.4 Planning permission for a rail served storage and distribution unit of approximately 1 million sq. ft was submitted to the Council in July 2011 (ref. 11/00269/FULEIA). The application was approved by the Council in September 2011 but that decision was quashed by the High Court in July 2012. The application was subsequently returned to the Council for determination with permission granted on 9th September 2014.
- 1.5 Planning permission was subsequently granted for the proposed construction of a single rail-served building for storage and distribution purposes (total gross internal area 109,660sqm/use class B8) together with associated infrastructure, parking, open space, landscaping and ancillary development. That planning permission was granted on 9th September 2014 with a 5 year time limit and is considered extant. The Local Planning Authority is currently considering a separate application (14/00382/FUL) seeking revision to the previous permitted sidings scheme.

2.0 THE APPLICATION

2.1 Proposal Description

The proposed development site forms the western area of the Mersey Multimodal Gateway/ Ditton Strategic Rail Freight Park (DSRFP) as formerly defined by the Halton Unitary Development Plan (UDP), but now by current Core Strategy Policy CS8. The proposals include the proposed construction of a purpose built transport and technology facility (Use Class B2). The proposed facility would be developed in three phases comprising a total GIA of 51,288 m², together with associated access, car parking, HGV parking, service yards, rail sidings, landscaping, substation and associated engineering operations. The facility would include space for the assembly,

maintenance and repair of trains that would access the site via the West Coast Main Line link to the north. The facility will also include a training academy.

2.2 A breakdown of the detail of the proposed development is described below:

Phase 1

Facility:

- Production (including reception @114 m2): 8,000 m2;
- Warehouse: 8,983 m2;
- Modernisation Bay and Bogie & Raking (Roads 1, 2 & 3): 8,240 m2;
- Offices and training academy area (first floor): 2,830 m2;

External development:

- Extension to the new Lovel's Way Link Road providing an access road into the site with associated infrastructure which would include two roundabouts plus a third turning roundabout;
- Dedicated rail siding which would split into four main lines – three for the modernisation bay and bogie and raking roads (1, 2 and 3) and then a fourth for the external static test facility (which then splits into four separate lines);
- Construction of a northern yard with access/egress controlled via a remote security barrier;
- 225 car parking spaces (including 24 accessible spaces) to the west and south of the facility;
- 42 HGV parking spaces (including docking stations);
- 97 cycle parking spaces;
- 6 motorcycle parking spaces;
- Construction of a fire track;
- An emergency link/potential bus route will be provided from Halebank Road into the development site with security barriers to control access/egress;
- Bus stop on the connecting bus only link to Halebank Road;
- Two sprinkler tanks and a pump house;
- A Waste Management area;
- Two sub-stations, a Ring Main Unit and Gas Governor to be installed;
- A Lighting scheme;
- Security fencing proposed around the development area of the site (2.4m paladin fencing);
- Landscaping to the parking areas, access road, along the west, south and eastern perimeters, around Pond A and to the north-eastern corner around Ponds B and C;
- Creation of Ponds B, C and D which would also feed the creation of additional ecological habitats.

Phase 2A

Facility:

- Extension to Phase 1 facility (including gantry crane canopy), total (GIA): 7,425 m2;

External development:

- Creation of a southern yard to the south of Phase 2A with access/egress controlled via a remote security barrier;
- A connection to the rail sidings (constructed under Phase 1) to create an additional line leading to the Phase 2A extension;
- An extension to the southern car parking area to create an additional 210 spaces (including 10 accessible spaces);
- Landscaping to the additional parking areas;
- Lighting Scheme

Phase 2B

Facility:

- Further ground floor extension to Phase 1 and Phase 2A facility (including gantry crane canopy): 14,175 m²;
- Expansion of the offices and training academy area (first floor): 1,750 m²

External:

- Extension to the southern yard to create 11 HGV parking spaces;
- 3 additional parking spaces to the southern yard;
- Lighting scheme;
- Landscaping to additional HGV parking areas and internal perimeters;
- Primary sub-station to be installed near the entrance to the southern yard.

Total Floor Areas (GIA):

- Phase 1 – 28,053 m²;
- Phase 2A – 35,478 m²;
- Phase 2B – 51,403 m².

Note: These have been updated on the basis of the scheme refinements see 2.11

2.3 The end user of the facility is proposed to be Alstom UK Limited who are a global provider of 'power generation, power transmission and rail infrastructure', and are presently involved in high profile projects such as HS2 and Crossrail. They also develop and maintain the Pendolino model for Virgin Trains and approximately half of the metro trains running on the London Underground.

2.4 The reason for the phased approach is to allow Alstom to appropriately respond to demand and growth of business which is dependent on them securing future contracts. As detailed in Alstom's Supporting Statement, the first phase of the facility would involve essential maintenance and modernisation of existing trains. Phases 2A and 2B would come forward as and when required. Alstom's submission document indicates that, subject to securing planning permission, construction on Phase 1 would begin in spring 2016 to be completed summer 2017 with the training academy open autumn 2017. Phase 2 works would then be expected to begin in 2018 subject to securing those additional contracts.

2.5 The facility would operate 24 hours a day on a shift rotation basis, with production and testing operations during the morning and afternoon, and

internal replenishment of products/preparation activities during the night shift only. The submitted planning statement states that delivery of trains and components would be restricted to the hours of 06:00 to 22:00. The Council's Environmental Health Officer has however confirmed that the submitted noise assessment is however based on movement of trains and materials by road or rail only between 07:00 and 23:00.

- 2.6 The internal height of the building is proposed to be 9.5m to enable the building to accommodate the necessary production area, suitable test facilities and storage space. The finished floor levels of the building as are set at 8.5m AOD based on predicted connection levels from the sidings and on to the WCML.
- 2.7 Construction and operational access to the site would be restricted to Lovel's Way via the A562/ A5300 Knowsley Expressway, with only bus services and emergency vehicles using the Halebank Road link. It is considered that this can be secured by suitably worded planning condition.
- 2.8 Upon completion of all phases the transport and technology facility is predicted to employ between 400 and 600 people, depending on future contracts, across a range of skills and experience. This would potentially include between 150 and 400 new jobs, again depending on future contracts.
- 2.9 The applicant has submitted an interim BREEAM Assessment which states that the proposed development will potentially achieve an interim score of 57.15% against the BREEAM Environmental and Sustainability Standard. This translates into an interim BREEAM rating of 'Very Good'. It acknowledges that the credits listed within the document are subject to change as detailed design progresses. However, it will be ensured that a minimum score of 55% (which equates to a 'Very Good' rating) will be achieved at post construction. From 2013 Core Strategy Policy CS19 encourages BREEAM standard "Excellent". The emphasis on "encouraged" must also be noted within Policy CS19 along with the wider environmental features proposed within the building design over and above current legal requirements. It is not considered that any refusal of planning permission could be justified on this basis. Failure to achieve a BREEAM standard excellent rating is not considered to represent policy non-compliance but must be considered and weighted accordingly in the overall balance of material planning considerations.
- 2.10 In accordance with the Site Waste Management Regulations 2008 a Site Waste Management Plan will seek to reduce waste, promote recycling and minimise the proportion of waste sent to landfill. The Site Waste Management Plan will be secured by appropriately worded planning condition. An Operational Waste Management Plan will also be required by appropriate planning condition. Both documents will be reviewed by the Council's retained adviser with respect to demonstrating compliance with Policies WM8 of the Joint Waste Local Plan prior to discharge of these conditions. Based on the submitted detail with respect to provision of on-site waste storage and

management the Councils retained adviser has confirmed that sufficient information has been submitted to demonstrate compliance with WM9.

2.11 Scheme Refinements

Since the original submission and preparation of the Environmental Statement there have been a number of changes to the design.

- Increase in total floor area (GIA) by 115 m² to 51,403 m²;
- Removal of gatehouse to the rear yard in favour of controlled security barriers;
- Reduction in car parking spaces from 440 to 438
- Reduction in HGV parking spaces from 54 to 51 (including 4 level access);
- Reduction in motor cycle parking spaces from 18 to 6;
- Slight realignment of the footpath from Halebank Road;
- Clarification to the extent of Pond B (reduced as per the submitted detailed Pond B plan);
- Minor updates to the landscaping scheme to reflect the above changes including additional landscaping to Pond A.

These changes are considered to be minor in the context of the overall scheme and are not considered to effect the conclusions to the Environmental Statement.

2.12 Documentation

A detailed assessment of the anticipated effects of the proposal through the construction and operational phases of the development has been submitted in the form of an Environmental Statement. The application is also supported by a Design and Access Statement, Planning Statement, Statement of Community Involvement, Alstom Statement, Rail Report, Health Impact Assessment and Supplementary Health Impact Assessment in accordance with Core Strategy Policy CS22, Construction Environmental Management Plan, Alstom Waste Management Plan, Materials Management Plan, Landscape and Environmental Management Plan.

3.0 POLICY CONTEXT

- 3.1 The development plan for Halton consists of the Halton Core Strategy and the remaining saved policies from the Halton Unitary Development Plan (UDP) together with the Joint Merseyside and Halton Waste Local Plan.
- 3.2 The application site is identified as lying within a Key Area of Change within the Core Strategy (Policy CS8) and the UDP Proposals Map has not been superseded in this location save for removal of reference to deleted policies.
- 3.3 The application site includes land designated for employment uses (UDP Policy E1), proposed greenspace / green space system (UDP policy GE7) and Green Belt (UDP Policies GE1 and Core Strategy Policy CS6). The site adjoins a Conservation Area to the south-western corner (Policy CS20) and

there is a Scheduled Ancient Monument (Policies CS20 and BE4) located in the triangle of Green Belt to the north across the railway line.

3.4 The following Core Strategy and Unitary Development Plan policies and other policy documents are of particular relevance: -

3.5 Halton Core Strategy (2013)

- CS1 Halton's Spatial Strategy
- CS2 Presumption in Favour of Sustainable Development
- CS4 Employment Land and Locational Priorities
- CS6 Green Belt
- CS7 Infrastructure Provision
- CS8 3MG
- CS15 Sustainable Transport
- CS18 High Quality Design
- CS19 Sustainable Development and Climate Change
- CS20 Natural and Historic Environment
- CS21 Green Infrastructure
- CS22 Health and Well-being
- CS23 Managing Pollution and Risk

3.6 Joint Waste Local Plan 2013

- WM8 Waste Prevention and Resource Management
- WM9 Sustainable Waste Management Design and Layout for New Development

3.7 Halton Unitary Development Plan (UDP) (2005)

- BE1 General Requirements for Development
- BE2 Quality of Design
- BE4 Scheduled Ancient Monuments
- BE6 Archaeological Evaluations
- BE12 General Development Criteria – Conservation Areas
- BE22 Boundary Walls and Fences
- GE1 Control of Development in the Green Belt
- GE6 & GE7 Proposed Greenspace Designations & protection
- GE18, 19, 20 and 21 Protection of sites of nature conservation interests
- GE25 Protection of ponds
- GE26 Protection of hedgerows
- GE27 Protection of trees and woodlands
- GE28 The Mersey Forest
- PR1 Air Quality
- PR2 Noise Nuisance
- PR4 Light Pollution and Nuisance
- PR5 Water Quality
- PR6 Land Quality
- PR12 Development and land surrounding COMAH sites
- PR14 Contaminated Land
- PR15 Groundwater

PR16 Development and Flood Risk

TP policies where they relate to new development and the assessment of effects, in particular:

TP3 Disused Public Transport Facilities,
TP6 Cycling Provision as Part of New Development,
TP13 Freight,
TP14 Transport Assessments, and
TP15 Accessibility to new developments

E1 Local and Regional Employment Land Allocations
E5 New Industrial and Commercial Development

3.8 Supplementary Planning Documents

A number of adopted Supplementary Planning Documents relate to application site;

- 3MG Mersey Multimodal Gateway (August 2009), and
- Design of New Commercial and Industrial Development (February 2006).
- Designing for Community Safety (September 2005)

3.9 Other Documents

Statement of Community Involvement (September 2013)

4.0 CONSULTATIONS

- 4.1 According to the Council's Statement of Community Involvement (September 2013), whilst it is encouraged for major schemes, there is no legal obligation for developers to carry out pre-application consultation. Notwithstanding the absence of pre-application consultation by the applicant, the submission states that throughout the development of the proposed transport and technology facility, the previous concerns raised by the public with respect to previous planning applications and public exhibition/ consultation have been taken into consideration and have influenced the final layout and design. A public exhibition event was also held post submission (on 25th November 2016 at the Halebank Youth Centre) to give local residents and interested parties the opportunity to view plans for the scheme and discuss issues and concerns with representatives from the applicant's team.
- 4.2 Surrounding premises/ properties have been consulted along with ward councillors. The application was also advertised as a departure by means of site and press notices. An extensive process of consultation was also undertaken with a wide range of internal and external, statutory and non-statutory consultees.
- 4.3 Relevant bodies and individuals have been allowed an extended period (42 days) for comment beyond that required by legislation and the Council's current protocol on consultation.

4.4 Consultation was undertaken with statutory consultees, stakeholders and the public. Responses to the consultation were as follows:

- The HSE - through Padhi+, does not advise, on safety grounds, against the granting of planning permission in this case.
- Highways England – No Objection
- The Coal Authority – No Objection
- Historic England – No Objection
- United Utilities – No Objection
- Environment agency – No Objection
- Network Rail – No Comments Received
- Liverpool John Lennon Airport – No Comments Received
- Natural England – No objection
- Knowsley Borough Council – No Objection subject to Travel Plan Condition to include measures to avoid cycling trips onto the A5300 and A562
- CWACC Archaeology – No Objection
- CWACC Conservation and Design – No Objection
- Merseyside Environmental Advisory Service – The methods used to conduct the EIA appear to be appropriate and the submitted environmental statement is sufficiently comprehensive. Many of the predicted environmental impacts identified are capable of being managed and mitigated and the ES contains a range of appropriate proposals to do so. Advising that a CEMP and SWMP and Ecological Landscape Management Plan are required by suitably worded planning condition. That the changes to the proposals do not alter the conclusion of the current HRA (*Screening Report for Planning Application 11/00269/FULEIA, Halton Council, July 2013*) of **no likely significant effect**. That a great crested newt survey is required **prior to determination**. This is dealt with later in the report.
- Halton Borough Council:
 - Open Spaces – No Objection
 - Risk and Emergency Planning – N Objection
 - Environmental Health – No Objection
 - Contaminated Land – No Objection
 - Highways – No Objection
- Halebank Parish Council – Object (see following summary under Representations section below)

5.0 **REPRESENTATIONS**

5.1 A total of 6 submissions of objection have been received. These are outlined below.

5.2 One letter has been received in relation to the application. The submitted letter includes the following points:

1. It is a complete Departure from the Council's own UDP that was subject of a Public Inquiry in 2003.

2. It breaks all the conditions that the Council agreed to with the Independent Planning Inspector at that Public Inquiry. These conditions where to be met before this land would be allowed to be taken out of the Green Belt? Land that the Council argued and lost wasn't In fact Green Belt?
3. In closing I would like to add that this is a Panic Decision taken by a Council who tried with Hype to make this some kind of Blue Ribbon Site that has been on Sale since 2006.This after Spending in excess of some £20 million pounds of Public Money to make it more Appealing to a Developer. In truth this is a decision by a Council who are Faced with the Prospect of having to Pay some of that Badly spent Public Money Back?

5.2 One objection has been received by telephone call in relation to the application. The caller raised the following points:

1. The soil is contaminated
2. The water on site, ponds etc, is contaminated
3. There will be more HGV traffic in the area
4. There is wildlife and ecology present on the site – 2 swans, GCN, lapwings, frogs, hedgehogs and rabbits
5. The loss of amenity and habitat
6. Objects to works currently being undertaken on the site – drilling / boreholes, fencing has been erected in the park area, 4x4 are churning up the park area. None of this should go ahead without planning permission
7. The jobs provided go to foreign labour rather than Widnes people.

5.3 Two letters have also been received from Derek Twigg MP on behalf of the same objector who has submitted comments by telephone. These letters raise a number of issues.

In the first letter:

1. That the objector is unhappy with the plans as he believes the roads in the area cannot cope with the amount of traffic that the development will generate
2. That there is protected wildlife on HBC Field and that people walk their dogs in the area
3. That adequate infrastructure exists less than 30 miles away at Crewe and that the proposed works could also be undertaken at Crewe
4. That if any development were permitted it should be housing
5. That his and other residents' concerns are not being taken seriously

In the second letter:

1. Answers have not been provided with regards to Comments that Crewe would be a better siting for the development
2. That the land is contaminated

3. That, notwithstanding an earlier Council response that traffic accessing the site would be via Lovel's Way, the objector has seen two entrances are shown on the plan
4. That the objector is concerned that EU funding given to the Council for leisure purposes should not be used for this development.

5.4 A letter of objection has also been received from an agent acting on behalf of Hale Bank Parish Council stating that they object to the planning application for the following reasons:

Principle of Development

1. Core Strategy Local Plan Policy CS8 states that a key element of the future 3MG proposal will be the "development of the Halton Borough Council (HBC) Field site at the western end of the site for over 18 ha of B8, rail served warehousing uses".
2. The justification for Policy CS8 confirms the importance of 3MG to Halton's economy and "its wider influence as a location for inter-modal freight transfer within Merseyside and the Northwest". The logistics and distribution sectors are described as "core elements of Halton's economy and much of this is centred on the multi-modal freight transfer facility at 3MG". HBC Field is thus part of a much wider economic strategy that goes well beyond the Policy CS8 allocation of the site itself.
3. The application proposal for a Class B2 use thus flies in the face of a fundamental strategy for Halton Borough's economic future which has only recently been adopted. Yet paragraph 3.3.7 of the applicant's supporting Environmental Statement, together with their Planning Statement generally, claim that the current proposal will contribute to the over-arching principles of Policy CS8. In reality, they do no such thing. The elements of this proposed development that are claimed to support these over-arching principles are those general benefits, such as sustainability, job creation, connection to the rail network, etc., all of which would apply in some degree to any commercial development on this site, no matter what its Use Class. They are not unique to a Class B2 Use.
4. Nowhere can we see any evidence of how this proposal will fit in with the Core Strategy proposal for 3MG as a regional inter-modal freight transfer facility. So, no matter how the applicant dresses it up, this proposal does not comply with the relevant development plan policy.
5. The Parish Council will have no need to remind the Council that all applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, as paragraph 11 of the NPPF confirms.
6. In addition to the general benefits referred to above, paragraph 6.17 of the applicant's Planning Statement seeks to justify this departure from planning policy by explaining that there are no alternative sites for the Alstom UK Ltd proposal. Whilst developing this site may benefit Alstom's business, the applicants do not appear to have made any effort to demonstrate how it will complement the Core Strategy aims for this site as a key part of a major, multi-modal freight transfer facility serving the wider Northwest region.

7. Whilst in the short term, job opportunities are bound to be created, Halebank Parish Council is concerned that this proposal will not support the development plan strategy for the longer term future of 3MG and thus prove on balance to be more harmful than beneficial to the Halton economy.

Comparison With Previously Approved Scheme

8. The applicants are being disingenuous when they seek to compare their proposal with the previously approved Prologis scheme, because they are not comparing like with like. The current application includes only about two thirds of the HBC Field with a building half the size, so it is bound to have less impact.
9. What remains unknown is the cumulative impact of any development on the 'area for future development' which is not part of the current application. Only when proposals come forward for this area can any meaningful comparison be made with the Prologis scheme. In the meantime, the applicant's attempt to show that their development will have less impact should be given little weight.

Landscape / Visual Mitigation proposals

10. We note that additional landscape/visual mitigation measures are planned, but we cannot see any reference to account being taken of whatever development will be carried out on the land reserved for future development. It would be very short sighted if the mitigation measures for the current scheme have to be 'undone' because they prove to be inadequate in the future.

Statement of Community Involvement

11. The applicant's involvement of the local community prior to the submission of their application did not actually involve the community. All they have done is to try to respond to previous consultation comments. These appear to relate to the Prologis scheme and thus have no direct relevance to the current application.
12. As stated above, the applicant's response to community involvement appears to rely solely on the fact that their smaller scale proposal on only part of the HBC Field site will have less impact than the previously approved scheme which covered the whole site. The applicant shows no concern for the cumulative impact of their proposal together with whatever is proposed on remainder of the HBC Field, which is reserved for future development.
13. The Statement of Community Involvement is therefore largely meaningless, because at the time of its submission, there had been no community involvement on this application.

- 5.5 A subsequent letter has been received directly from Halebank Parish Council setting out additional issues and objections as follows:

That a previous planning application for this site was overturned on Judicial Review due to the inadequate and ultimately unlawful approach to public consultation. We would therefore have hoped that the approach this time

round would have been exemplary and thoroughly inclusive, but alas, this has not been the case. With respect to the post-submission consultation carried out by Halton Council we were disappointed that notice of the public exhibition sent to residents gave the wrong address for the venue, Hale Bank Youth Club. The advertised venue was in fact the home address of a former Parish Councillor who died in June 2012. This was not only deeply insensitive but clearly confused people who would have been interested in attending the exhibition.

More “substantive concerns” relating to:

1. The complete absence of any pre-submission consultation for a project of very considerable size involving major new building and supporting infrastructure. We believe that the scale of this application should have required pre-planning consultation and the submission of a supporting Statement of Community Engagement.
2. It strikes us as deeply perverse that the Statement of Community Engagement that was submitted relates to the application quashed by The High Court in July 2012. This is a completely different application for an entirely different development submitted against a different planning policy context, and that is not even with compliant with the site’s current planning designation. In short it has no relevance to this application and only underscores the remarkable fact that no pre-application consultation whatsoever has occurred. This not only fails to meet best practice guidelines but could be unlawful given the scale and nature of this planning application.
3. It seems especially inconsistent for the Planning Authority to assert that objections submitted for the earlier development proposals on this site are not relevant and need to be resubmitted, whilst accepting so-called consultation activity and data relating to these same applications.
4. We view this approach to be illogical and flawed. This is a massive application, that conflicts with existing planning policy, and that is being considered in complete isolation from the accumulative impact of any other development on the remainder of the site. The post-submission consultation is in the Parish Council’s view, a perfunctory tick box exercise, evidencing Halton’s desperation to see development of this site irrespective of whether it fulfils the strategic locational potential of “HBC Fields” - the only reason a Planning Inspector was prepared to consider its exclusion from the Green Belt - or the massive potential impact on nearby residents.
5. This pressure is self-evidently a result of the urgent requirement for HBC to repay grant funding for the construction of the access road to “HBC Fields”.

Summary Responses to Issues Raised by Halebank Parish Council and their agent

- 5.6 The principal objector to the development has been Halebank Parish Council (HBPC). The Parish Council also instructed a planning consultant. It is considered appropriate to deal with the points raised by the Parish Council

separately in this part of the report. More detail on these issues can be found in the 'Assessment' Section of this report. The table below serves as a summary of responses to the HBPC objections.

TABLE	
Issue Raised by HBPC	Response
<p>1. Core Strategy Local Plan Policy CS8 states that a key element of the future 3MG proposal will be the “development of the Halton Borough Council (HBC) Field site at the western end of the site for over 18 ha of B8, rail served warehousing uses”.</p> <p>2. The justification for Policy CS8 confirms the importance of 3MG to Halton’s economy and “its wider influence as a location for inter-modal freight transfer within Merseyside and the Northwest”. The logistics and distribution sectors are described as “core elements (my underlining) of Halton’s economy and much of this is centred on the multi-modal freight transfer facility at 3MG”. HBC Field is thus part of a much wider economic strategy that goes well beyond the Policy CS8 allocation of the site itself.</p> <p>3. The application proposal for a Class B2 use thus flies in the face of a fundamental strategy for Halton Borough’s economic future which has only recently been adopted. Yet paragraph 3.3.7 of the applicant’s supporting Environmental Statement, together with their Planning Statement generally, claim that the current proposal will contribute to the over-arching principles of Policy CS8. In reality, they do no such thing. The elements of this proposed development that are claimed to support these over-arching principles are those general benefits, such as sustainability, job creation, connection to the rail network, etc., all of which would apply in some degree to any commercial development on this site, no matter what its Use Class. They are not unique to a Class B2 Use.</p>	<p>The Local Planning authority agrees the content of CS8 and that the application is a departure from the development plan in relation to the proposed use.</p>
<p>4. Nowhere can we see any evidence of how this proposal will fit in</p>	<p>The proposal is considered a departure from the development plan. It is for the</p>

<p>with the Core Strategy proposal for 3MG as a regional inter-modal freight transfer facility. So, no matter how the applicant dresses it up, this proposal does not comply with the relevant development plan policy.</p>	<p>Local Planning Authority to then consider what material considerations need to be taken into account and the weight to be given to them</p>
<p>5The parish council will have no need to remind the Council that all applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, as paragraph 11 of the NPPF confirms.</p>	<p>Agreed</p>
<p>6. In addition to the general benefits referred to above, paragraph 6.17 of the applicant's Planning Statement seeks to justify this departure from planning policy by explaining that there are no alternative sites for the Alstom UK Ltd proposal. Whilst developing this site may benefit Alstom's business, the applicants do not appear to have made any effort to demonstrate how it will complement the Core Strategy aims for this site as a key part of a major, multi-modal freight transfer facility serving the wider Northwest region.</p>	<p>The proposal is considered a departure from the development plan. It is for the Local Planning Authority to then consider what Material considerations need to be taken into account and the weight to be given to them.</p>
<p>7. Whilst in the short term, job opportunities are bound to be created, Halebank Parish Council is concerned that this proposal will not support the development plan strategy for the longer term future of 3MG and thus prove on balance to be more harmful than beneficial to the Halton economy.</p>	<p>The proposal is considered a departure from the development plan. It is for the Local Planning Authority to then consider what Material considerations need to be taken into account and the weight to be given to them. It is agreed that job creation and impact on the economy is a material consideration. The Council do not agree that the proposal for investment in the borough will have a negative impact on the local economy.</p>
<p>8. The applicants are being disingenuous when they seek to compare their proposal with the previously approved Prologis scheme, because they are not comparing like with like. The current application includes only about two thirds of the HBC Field with a building half the size, so it is bound to have less impact. 9. What remains unknown is the cumulative impact of any development</p>	<p>The applicants are correct to state what impacts this proposal will have and to consider this against the permitted scheme for the site. It is not possible to do a full cumulative impact assessment of the current with future schemes which is unknown. There is no way to consider the potential combined effects, for example, of noise, visual impact of a potential scheme. It</p>

<p>on the 'area for future development' which is not part of the current application. Only when proposals come forward for this area can any meaningful comparison be made with the Prologis scheme. In the meantime, the applicant's attempt to show that their development will have less impact should be given little weight.</p>	<p>would be for the future applications to consider cumulative impact when they are brought forward. However, where it is possible to do a comparison this report sets this out.</p>
<p>10. We note that additional landscape/visual mitigation measures are planned, but we cannot see any reference to account being taken of whatever development will be carried out on the land reserved for future development. It would be very short sighted if the mitigation measures for the current scheme have to be 'undone' because they prove to be inadequate in the future.</p>	<p>It is not possible to consider the visual impact as part of this developed for proposals that are not known of at this time.</p>
<p>11. The applicant's involvement of the local community prior to the submission of their application did not actually involve the community. All they have done is to try to respond to previous consultation comments. These appear to relate to the Prologis scheme and thus have no direct relevance to the current application.</p> <p>12. As stated above, the applicant's response to community involvement appears to rely solely on the fact that their smaller scale proposal on only part of the HBC Field site will have less impact than the previously approved scheme which covered the whole site. The applicant shows no concern for the cumulative impact of their proposal together with whatever is proposed on remainder of the HBC Field, which is reserved for future development.</p> <p>13. The Statement of Community Involvement [i.e. the submission] is therefore largely meaningless, because at the time of its submission, there had been no community involvement on this application.</p>	<p>This is a matter for the applicant as there is no legal requirement in relation to pre-application consultation. As such a refusal could not be sustained on this ground.</p> <p>The applicant is correct to state its opinion as to the impacts this proposal will have and to consider this against the permitted scheme for the site.</p> <p>It is not possible to do a full cumulative impact assessment of the proposal with regard to future proposals that do not exist. There is no way to consider the potential combined effects, for example, of noise, visual impact of a potential scheme. It would be for the proposed applications to consider when they are brought forward. However, where it is possible to do a comparison this report sets this out.</p>
<p>The following comments relate to the second letter received directly from the parish Council</p>	

<p>That a previous planning application for this site was overturned on Judicial Review due to the inadequate and ultimately unlawful approach to public consultation. We would therefore have hoped that the approach this time round would have been exemplary and thoroughly inclusive, but alas, this has not been the case. With respect to the post-submission consultation carried out by Halton Council we were disappointed that notice of the public exhibition sent to residents gave the wrong address for the venue, Hale Bank Youth Club. The advertised venue was in fact the home address of a former Parish Councillor who died in June 2012. This was not only deeply insensitive but clearly confused people who would have been interested in attending the exhibition.</p>	<p>This is not a matter for the Local Planning Authority. The consultation referred to was carried out jointly by Halton Borough Council Major Projects team and the applicant. It was not a Local Planning Authority Consultation.</p>
<p>1. The complete absence of any pre-submission consultation for a project of very considerable size involving major new building and supporting infrastructure. We believe that the scale of this application should have required pre-planning consultation and the submission of a supporting Statement of Community Engagement.</p> <p>2. It strikes us as deeply perverse that the Statement of Community Engagement that was submitted relates to the application quashed by The High Court in July 2012. This is a completely different application for an entirely different development submitted against a different planning policy context, and that is not even with compliant with the site's current planning designation. In short it has no relevance to this application and only underscores the remarkable fact that no pre-application consultation whatsoever has occurred. This not only fails to meet best practice guidelines but could be unlawful given the scale and nature of this planning application.</p>	<p>This is a matter for the applicant as there is no legal requirement in relation to pre-application consultation. As such a refusal could not be sustained on this ground. The Parish Council appear to be confusing "statement of community involvement" issued by the applicant and the Council's statutory Statement of Community Involvement. The Parish Council also appears to be confusing the Council's current Statement of Community Involvement with the version that existed in 2012.</p> <p>No issues arise in relation to the Council's current Statement of Community Involvement.</p>
<p>3. It seems especially inconsistent for the Planning Authority to assert that</p>	<p>This application needs to be determined in its merits. It must be determined in</p>

<p>objections submitted for the earlier development proposals on this site are not relevant and need to be resubmitted, whilst accepting so-called consultation activity and data relating to these same applications</p> <p>4. We view this approach to be illogical and flawed. This is a massive application, that conflicts with existing planning policy, and that is being considered in complete isolation from the accumulative impact of any other development on the remainder of the site. The post-submission consultation is in the Parish Council's view, a perfunctory tick box exercise, evidencing Halton's desperation to see development of this site irrespective of whether it fulfils the strategic locational potential of "HBC Fields" - the only reason a Planning Inspector was prepared to consider its exclusion from the Green Belt - or the massive potential impact on nearby residents.</p>	<p>accordance with the development plan and any material considerations.</p>
<p>5. This pressure is self-evidently a result of the urgent requirement for HBC to repay grant funding for the construction of the access road to "HBC Fields".</p>	<p>The Government funding referred to is dealt with later in this report</p>

5.7 Issues raised through other objections considered to be made on planning grounds are addressed later within the report.

6.0 **ASSESSMENT**

6.1 The following provides an overview of the key relevant general policies together with the specific Core Strategy Policy CS8. Detailed policy issues are addressed later through the relevant section of the report.

6.2 Planning Policy Appraisal

6.3 National Policy

The current Government has expressed a clear commitment to ensuring that the barriers to economic recovery and growth are removed, not least by changes to the planning system.

6.4 Government has published a number of documents regarding its approach to the economy, economic development and planning that are of relevance to this application. 'The Plan for Growth' (March 2011) contained proposals for

further reform of the planning system, and identified the priority to secure sustainable economic growth and job creation. It reiterated that in determining planning applications, local planning authorities are obliged to have regard to all relevant considerations including that they give appropriate weight to the need to support economic recovery, and applications that secure sustainable growth are treated favourably.

6.5 These principles were crystallised with the adoption of the National Planning Policy Framework (NPPF) in March 2012 and National Planning Practice Guidance (NPPG) that effectively replaced much of the previous national planning guidance and policy found in the earlier Planning Policy Statements (PPSs) and Planning Policy Guidance notes (PPGs).

6.6 National Planning Policy Framework (NPPF)

Paragraph 196 (NPPF) states that *“the planning system is plan led. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise”*, as per the requirements of legislation, but that the NPPF is a material consideration in planning decisions. Paragraph 197 states that *“in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development”*.

6.7 The presumption in favour of sustainable development is the ‘golden thread’ that underpins the NPPF. NPPF recognises three mutually dependent dimensions to ‘sustainable development’ being “economic”, “social”, and “environmental” (paras 7 – 9).

6.8 Paragraph 6 states: *“The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system”*.

6.9 The NPPF advises that the government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Also, that planning should operate to encourage and not act as an impediment to sustainable growth (Paragraph 19), and therefore:

“significant weight should be placed on the need to support economic growth through the planning system”.

6.10 Paragraph 21 reiterates the need to support economic growth by stating:

“investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment”.

6.11 In the context of policy guidance relating to ‘decision-taking’, paragraphs 186 and 187 of the NPPF reinforce the Government’s desire for the presumption in favour of development to be applied positively. It states that:

“local planning authorities should approach decision-taking in a positive way” and “look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible”.

- 6.12 The Core Strategy was adopted post NPPF (the examination considering its consistency), and the Council has endorsed an assessment of the consistency of the remaining saved UDP policies. The appraisal of the proposal against the detailed development management policies of the Development Plan follows later in this report. Notwithstanding that the proposals are a departure from the development plan based on the nature of the use, the principal of the development, securing economic growth and employment on a site allocated for employment uses in an adopted and up-to-date development plan is considered consistent with NPPF in this regard.
- 6.13 The proposed development clearly contributes to the ‘*economic role*’ both by directly creating jobs growth but also by contributing infrastructure for the wider local and sub-regional economy in a priority sector identified by the Liverpool City Region Local Enterprise Partnership (LEP) and echoed as a Strategic Objective of the Halton Core Strategy.
- 6.14 The development has the potential to contribute to the ‘*social role*’ of sustainable development by creating job opportunities for the local populous. According to the Core Strategy worklessness and economic deprivation are a key contributing factor in the Borough’s poor health record and limits the growth in the social and cultural well-being of the Borough.
- 6.15 The development is on a previously undeveloped site close to existing residential areas, the green belt, a conservation area and a scheduled monument. These do not in themselves preclude the proposed development from fulfilling an ‘*environmental role*’. The appraisal of the development against the detailed development management policies of the Development Plan is set out below.
- 6.16 Indeed, NPPF (para. 8) states “*these roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.*”
- 6.17 Section 4 of the NPPF sets out the Government’s approach to promoting sustainable transport, including encouraging solutions which support reductions in greenhouse gas emissions and reduce congestion (para 30). It should be noted that NPPF does not state that freight should not be transported by road, nor does it set any levels or targets of freight for any particular mode of transport. Instead, it seeks to protect and promote non-

road modes of freight transport, and that developments be located where the use of sustainable transport modes can be used.

6.18 The development is located adjacent to a railway line with direct access proposed for movement of trains and materials by rail. Lovel's Way is now substantially complete allowing the efficient movement of freight and staff by road with minimal impact on residential areas. The proposed development accords with both the concept of sustainable development and the principles of promoting sustainable transport and is consistent with NPPF in these regards.

6.19 The Development Plan

6.20 The Core Strategy, Joint Waste Local Plan and the extant UDP contain a number of policies of relevance to this application. The Core Strategy sets the overarching vision for the Borough to 2028 and beyond. It replaces certain of the UDP policies though does not allocate land for specific uses with the exception of the Daresbury Strategic Site. In accordance with paragraph 215 of the NPPF due weight can be given to relevant policies in the existing plans depending on the degree of consistency with the NPPF. The Halton Unitary Development Plan(UDP) has been assessed as part of the adoption of the Core Strategy and the remaining policies are consistent with the NPPF. The approach to compliance with the Joint Waste Local Plan is set out at 2.10 above.

6.21 Core Strategy

6.22 Policy CS1 – Halton's Spatial Strategy identifies the quantum and broad location of development across the borough including the identification of four Key Areas of Change (KAoC) of which the application site forms one.

6.23 Policy CS2 – 'Presumption in Favour of Sustainable Development' repeats NPPF (discussed above and see in particular paragraph 6.18)

6.24 Policy CS4 – 'Employment Land and Locational Priorities', seeks to identify criteria for the retention of outstanding (UDP) allocations to allow a full review of deliverability and suitability towards meeting the borough's employment development requirements to 2028. The application site is within the employment land supply referred to in this policy.

6.25 Core Strategy Policy CS8

6.26 Policy CS8 3MG sets out the *key elements of the future of 3MG as;*

The availability of approximately 103 ha. Of land for B8 employment development within the 3MG site to deliver regionally important logistics and distribution development and the provision of jobs for the people of Halton.

The proposals are capable of providing jobs for the people of Halton and are consistent with this point. The proposed use is within use class B2 and is not

considered consistent with this point insofar as it is not within use class B8 and therefore this makes it a departure application on this point.

- 6.27 *Improving the ability to move freight by sustainable modes, most notably rail including the provision of sustainable connections to other freight facilities in the sub-region.*

The submitted Rail Report states that the site will be used for a transport & technology facility (B2), which has the necessity to be directly rail linked to receive and dispatch long trains operating on electrified routes and is expected to benefit from receiving material by intermodal containers. Such trains and traffic all constitute forms of rail freight. The proposals include dedicated rail sidings, track and connectivity to the WCML. The application is consistent with this point

- 6.28 *The provision of a western link road to connect the site with the regional and national road network, also discouraging the movement of freight across the site on the local road network.*

The link road has been dealt with by previous planning applications and is now substantially complete via Lovel's Way with the exception of extension to provide necessary connectivity to and within the development. The application is consistent with this point.

- 6.29 *The development of the Halton Borough Council (HBC) Field site at the western end of the site for over 18ha of B8, rail served warehousing uses.*

This relates specifically to the development of the application site and seeks the development for "over 18ha of B8, rail served warehousing uses". The proposed use is not considered consistent with this point and therefore this makes it a departure application on this point.

- 6.30 Meaning of Rail Served

- 6.31 There is reference within Core Strategy Policy CS8 to development of HBC Field being rail served. The following considers the meaning of rail served in the context of this development.

- 6.32 The same expression has been used since the consideration and adoption of the UDP. The inspector's report on the UDP states:

If Site 253 were included in DSRFP, what safeguards should be incorporated into the policy to ensure that the land is developed only to meet the legitimate requirements for rail served development.

Safeguards are needed to ensure that Site 253 is only developed to meet a requirement which cannot at the relevant time be met elsewhere within the DSRFP Indicative Map area. The latest form of words does not go this far. Although para 1(a) indicates that "it is primarily for use by businesses that will utilise the railway for the transportation of freight", and this would apply, 2(d)

would only require a proposal to be “capable of being used for rail freight”. In view of the reasons for accepting the allocation of Site 253 this is not enough. Road served storage and distribution buildings can in practice predominantly make use of road as the transport mode without effective means of control. This would be less likely if rail use was integral to layout and design. The phrase in 2(d) should therefore form the basis of a separate sub-clause on development being rail-served, including a provision for the development coming forward having dedicated rail sidings adjacent to it. The justification should be augmented by an indication that the provision of sidings will be the subject of conditions of planning permission.

6.33 Although the inspector’s report must be treated with great caution because of the radical changes in policy since the adoption of the UDP, the above quote is relevant because it shows a consistency of view that rail served means rail use being integral to layout and design, including a provision for the development coming forward having dedicated rail sidings adjacent to it. In other words there was never any suggestion that the use of the rail facilities provided to the site would be compulsory or even that any particular specified level of rail use would be compulsory. It should also be noted that Core Strategy Policy CS8 was not challenged and the meaning of rail served was therefore given no further discussion by that inspector. It should also be noted that Policy CS8 does not require rail connectivity to be in place prior to the grant of planning permission. Nevertheless, the requirement for the development to be rail served is considered an important element of the justification put forward by the applicant and therefore needs to be considered in some detail. Whether such connection needs to be secured also warrants consideration. This is dealt with below in the section dealing with proposed conditions.

6.34 Requirements for the Development to be Rail Served

6.35 The application is supported by a Rail Report which outlines the necessity for the proposed use to be directly rail linked to receive and dispatch long trains operating on electrified routes. The use is also expected to benefit from receiving material by intermodal containers. The report confirms that such trains and traffic all constitute forms of rail freight.

6.36 The proposals include dedicated track and sidings within the site and within the building to serve the operation. These will be pathed in the normal way as freight trains and pass through a proposed new switch fitted on siding one of Ditton sidings. This switch will also serve the parallel sidings on adjoining Halton Borough Council owned land. These sidings are considered to have the benefit of planning permission (10/00411/S73) .This planning permission is considered to remain extant with development having commenced following discharge of conditions as required. The Local Planning Authority is however currently considering a separate application (14/00382/FUL) seeking revision to that scheme. Both applications, whilst undoubtedly linked, are not considered dependant on each other with each seeking approval for the elements which will provide the shared connection to the rail network.

6.37 Whilst Network Rail have been consulted on the application and provided no comments, Halton Borough Council has confirmed that this element is currently at Grip Stage 3/4 of Network Rail's approval process. They have confirmed that at the end of GRIP stage 4 Network Rail will grant Approve n Principal (AIP) which is scheduled for 17 May 2016.

6.38 The applicant has provided a Rail Connectivity Plan to show what sections of siding will be installed prior to commencement of the use. It is proposed that a Grampian style condition be attached that requires operational connectivity to the rail network in accordance with that plan prior to commencement of the use, in order to ensure that the development is rail served in accordance with Core Strategy Policy CS8.

6.39 The submitted Rail report states that:

“any significant train production and engineering company operating at the site would expect to receive components and partly built equipment from potentially global sources via deep-sea ports or the Channel Tunnel. The existing terminals at 3MG already offer such services. By the nature of its work it must be located on a rail connected site which is ideally also adjacent to intermodal facilities.”

6.40 The Planning Statement includes the following list of requirements specific to the nature of the proposed use which has lead the proposed user to determine the site as suitable for its requirements. These are listed as follows:

- Rail connection to the West Coast Main Line
- Wider transport links to regional and national ports, rail hubs, highways and airports;
- A site which can accommodate the movement of trains required by Alstom – with consideration given to topography, length, environmental factors;
- Proximity and connectivity to local communities for workforce;
- Proximity to other Alstom sites;
- Potential of the local and regional economy to foster further growth.

6.41 The submitted Rail Report includes an analysis of the nature of the use, its contribution in terms of improving the ability to move freight rail in accordance with Policy CS8, and impact on loss of warehouse space both within the 3MG Park and the North West.

6.42 The site was removed from the greenbelt through the adoption of the Unitary Development Plan in 2005 based upon its physical and locational characteristics that rendered it suitable to develop as a rail linked distribution park. In particular the Rail Report identifies its road and rail infrastructure and the embryonic terminal facilities which have since been much improved. The weakness that the Ditton Strategic Rail Freight Park faced (now 3MG) was the shortage of development land for rail linked activities, particularly for large units in excess of 25,000m² that could feed off the terminal. The application site (HBC Field) addressed this shortfall, offering capacity of an extra 100,000m² of buildings.

- 6.43 The report acknowledges the importance of sites such as 3MG in meeting the demand for growth in rail freight in line with Government Policy and “promoting modal shift to achieve environmental benefits”.
- 6.44 The proposed use can be considered by its very nature to be rail served. It will receive and dispatch long trains via a purpose built rail connection and can reasonably be expected to receive material by intermodal containers. Most importantly that such trains and traffic all constitute forms of rail freight.
- 6.45 The Rail Report identifies that the wider 3MG area, which is taken to be defined by the Key Area of Change within Core Strategy Policy CS8, includes an area of approximately 103Ha. of land for development. The development of approximately 31.92Ha of that wider site for B2 use would retain an area well in excess of the 60 ha threshold identified within the Report as the threshold for a Strategic Rail Freight Interchange (SRFI). It has also been confirmed that the interchange already receives 6 – 7 freight trains per day as compared with the number 4 proposed as the minimum appropriate for an SRFI.
- 6.46 The proposed development does not preclude further B8 development on the remainder of 3MG and land is identified within the application site for future development. This could be B8 use. On that basis it is considered that the development of the site for B2 use could not be argued to undermine the critical mass and wider development of 3MG for Rail Served B8 uses. In fact it could be argued that the proposed development of the site could act as a catalyst to future development of such uses by attracting associated businesses and suppliers.
- 6.47 The report identifies that other proposed Intermodal sites include Knowsley and Parkside in Merseyside, as well as the intermodal terminals already available at Seaforth and Garston. A major new facility is planned for Port Salford and smaller rail linked developments at ‘Port Cheshire’ and ‘Port Warrington’. On that basis it is considered that the redevelopment of such an area for non B8 use will not undermine critical mass and further growth in rail linked distribution within 3MG or at a regional level.
- 6.48 Principles of Development
The second part of policy CS8, ‘Principles of development’, states that ‘Development across 3MG will be expected to:
- Protect the amenity of residents in the adjoining areas of Ditton and Halebank.
 - Conserve local features of visual, environmental and historic importance, notably Lovell’s Hall Scheduled Monument, the surrounding Green Belt and avoid adverse effects on the integrity of the Mersey Estuary SPA and Ramsar site thereby ensuring that there will be no net loss in supporting habitat for SPA/Ramsar waterfowl.

To avoid repetition in the report, these issues are dealt with in other sections of this report.

6.49 Development Plan Departure and the Loss of B8 Land

The proposed use as a transport & technology facility is acknowledged to fall within Use Class B2 (General Industrial). This conflicts with the site's allocation for Use Class B8 (Storage and Distribution) in the Development Plan. The application is therefore considered to be a departure from the development plan.

6.50 Unitary Development Plan Policies E1 and GE28

6.51 UDP Policy E1

Local and Regional Employment Land Allocations identifies a significant portion of the site as Site 253 which, together with adjoining site 256 which will include development to provide rail connectivity, is allocated for use as a "Strategic Rail Freight Park" (now 3MG). This allocation combined together with site 255 to form the DSRFP site envisaged in the UDP where policies S20 and E7 (now deleted) also applied. Policy E1 allocates the site as a Strategic Rail Freight Park but does not include reference to specific use class in respect of site 253.

6.52 UDP Policy GE28

This policy makes provision for the on-going investigation of opportunities for creating new woodland planting through development as part of the Mersey Forest. The supporting map (Map 7) indicates target planting densities across sites allocated for development elsewhere in the UDP. For the application site GE28 indicates provision for potential woodland cover of 20%+ for the application site and surrounding area with targeted planting for transport routes "where appropriate". The policy also acknowledges that such figures are for guidance purposes only and not intended to be prescriptive for any unit of land. As such, it is considered that provision is made for a balance between the Mersey Forest aspirations and the site allocation for development. Potential for woodland planting within the development site and land up to the West Coast Main Line is restricted by the operational requirements of such a facility and the need to secure access up to the rail line through dedicated rail sidings. It is considered that provision has been made for substantial woodland planting to surrounding landscaped mounds implemented as advance structural planting. Efforts have been made, as far as practical, to include woodland and complimentary planting through the scheme and it is therefore considered that, given the allocation of the site for such development, the requirements of Policy GE28 have been adequately met. To the extent that the proposal falls short of indications in policy GE28 this could not constitute a departure.

6.53 3MG Supplementary Planning Document

6.54 The Council developed a 3MG Supplementary Planning Document (SPD), which was adopted in August 2009. The principal policies in the UDP that the 3MG Mersey Multimodal Gateway SPD was intended to 'supplement', namely E7 and S20, have subsequently been deleted with the adoption of the Core

Strategy. Whilst the Council have not formally withdrawn the SPD, the weight that can be afforded to the SPD is therefore considered limited. Nonetheless the SPD does list a number of remaining 'saved' UDP policies as being relevant to the application site, namely E1, RG5, GE28, PR14, BE1, BE2, BE3, BE4, TP1, TP13, which are considered to be dealt with elsewhere within this report. The SPD also sets out a total of 17 Development Principals to guide the development of the site. These are considered to be adequately addressed elsewhere in the report.

6.55 Assessment of the anticipated effects of the proposal

A detailed assessment of the anticipated effects of the proposal through the construction and operational phases of the development has been submitted in the form of an Environmental Statement. The application is also supported by a Design and Access Statement, Planning Statement, Statement of Community Involvement, Alstom Statement, Rail Report, Health Impact Assessment and Supplementary Health Impact Assessment in accordance with Core Strategy Policy CS22, Construction Environmental Management Plan, Materials Management Plan, Landscape and Environmental Management Plan. The following is intended to provide a summary of the submission and update with respect to the relevant issues and comments from relevant consultees and advisors.

6.56 Green Belt (UDP Policy GE1 and Core Strategy Policy CS6)

The westernmost portion of the application site is allocated as Green Belt in the UDP, where policies GE1 – Control of Development in the Green Belt and CS6 – Green Belt apply. The latter is mainly concerned with the need for a future Green Belt review so the former provides the main policy requirements.

6.57 GE1 lists a number of circumstances in which development in the Green Belt may be considered appropriate, and requirements for developments conspicuous from the Green Belt. The aspects of the development outside of Site 253 are within Green Belt and covered by Policy GE6 & GE7 – Proposed Greenspace Designations & protection. The encroachment relates only to areas of landscaping, a balancing pond and pedestrian access paths which it is considered are fully consistent with policy GE6 & GE7 which seeks “a *landscape buffer surrounding employment site 253*”. This is capable of being appropriate development in the Green Belt and areas of Green Space. All Green Belt development would take place on intervening land between the elevated access road link and the development site only which is considered to significantly reduce any visual, openness or character impacts on the wider open Green Belt which lies beyond the elevated link road. Additional mounding and landscaping proposed within the Green Space are considered wholly compliant with the purposes of that designation. Given their design and character, these proposed elements are not considered to conflict with the tests of Policy GE1 complying with Clause 2 (visual amenity) and Clause 3f (other development that does not conflict with Green Belt purposes), as such the GE1, GE6 and GE7 are satisfied. Specifically UDP policy GE1 Para 2 states: “Planning permission will not be given to proposals for development conspicuous from the Green belt that would harm its visual amenity by reason of their siting, materials, design.” This element of UDP Policy GE1 relates to

development which is not in the Green Belt but which is conspicuous from the Green Belt and would harm its visual amenity. The principal of development of this kind was endorsed by the Inspector at the UDP inquiry had there been a problem with UDP policy GE1 in this context it would have negated the accepted principal that this type of development was acceptable. The degree that the development is conspicuous from the Green Belt is dealt with within this report and it is not considered that it would cause harm to the visual amenity of the Green Belt.

6.58 UDP policy GE1 (3) f) states: “that development within the Green Belt unless it is for any ... other uses of land which preserves the openness of the Green Belt and which do not conflict with the purposes of including land within it” this part of policy GE1 is concerned solely with development within the Green Belt. The only development within the Green belt which forms part of the application comprises substantial landscaping and the creation of paths and ponds. These types of development can be appropriate development within the Greenbelt and are often found in the Green Belt. Furthermore the area of Green belt within the application site is substantially shielded from the Wider Green Belt to the West by a new road and associated landscape embankments which connects the site to the A5300. It is unnecessary to go into the question of whether the above mentioned policies are fully up-to-date in terms of the requirements of the NPPF. This is because the proposal complies with NPPF paragraph 90 as being appropriate development within the greenbelt.

6.59 Socio-Economic Issues

6.60 The socio-economic effects of the application have been assessed. The work concludes that the proposed development will help to support the local economy and will bring a wide range of socio and economic benefits. It will bring about a major capital injection and through the construction process help to secure and create construction jobs. The facility itself will create between 400 to 600 new jobs depending on future contracts, with between 150 to 400 new jobs for local residents, which will provide a broad range of employment opportunities.

6.61 The proposal includes a training academy within the facility, which would contribute towards addressing the identified skill shortage in the UK rail industry. The academy would support rail and associated industries in the area, and would be used by students on Alstom’s apprenticeship and graduate programme. The academy would also develop connections with local education and further education providers, as well as partnerships with Small and Medium Enterprise’s (SME). These factors in combination will provide a direct injection of money into the local economy but will also have other indirect economic benefits as well as social benefits through reduced unemployment, health and education.

6.62 According to the Environmental Statement the key benefits are:

- The facility would create up to 600 jobs, with up to 400 jobs for local

residents;

- 2,000 jobs created in the local supply chain;
- Construction job opportunities in developing the site;
- 30 apprentices annually;
- 10 graduate opportunities;
- Upskill opportunities for current engineers;
- Support for school level children and young employed;
- Innovative partnerships to support SME development;
- The scheme would invest £70m of the envisaged £250m investment in the development of the 3MG allocation; and,
- Contribution towards addressing the productivity problem for the Northern Powerhouse by closing the skills gap.

6.63 The Environmental Statement concludes that the proposed development would help support the local economy and bring about a wide range of socio-economic benefits. It would bring about a capital injection and through the construction process help to secure and create construction jobs. The site itself would create up to 600 new jobs, which would provide a broad range of employment opportunities for residents of the surrounding areas. The proposal would help to secure local services and facilities through increased demand. On this basis the Environmental Statement concludes that the development would result in a major positive socio-economic impact.

6.64 The above socio economic benefits are considered to make the proposal consistent with Core Strategy Policies CS1, CS2 and CS7.

6.65 Landscape and Appearance

6.66 The Environmental Statement includes an assessment of the anticipated effects on the landscape character and on views of the proposed development. A number of photomontages have been provided to provide illustrative views of the scheme from the surrounding areas.

6.67 The Environmental Statement assesses the impact with respect to public and private receptors. The appraisal with regards to public receptors includes views towards the site comprising Public Rights of Way, a footpath implemented as part of advance landscape works within the eastern and southern parts of the site, public open amenity and recreation space east of the site, and roads in the local area. Private receptors refer to residential properties adjacent and close to the site anticipated to have views towards the site and proposed development.

6.68 It acknowledges that the proposals would introduce a new industrial building, hardstanding and increased human/ commercial activity to an area of open agricultural land albeit on the urban fringe. Views of the proposed transport and technology facility and the different parts of the 3MG proposals to the east, would however be limited due to intervening built development, mature vegetation and mounds. Views from slightly elevated ground south-east of the site for example from the PRoW north of Carr Lane, may comprise the top of

future industrial development within the eastern part of 3MG in combination with the top of the proposed transport and technology facility and B8 development on the eastern part of the HBC field site. Visibility of the wider 3MG development would be limited in these views due to intervening built development and mature vegetation. Proposed and future development would also be seen in the distance within the context of existing industrial and urban development within Widnes. This wide panoramic view also comprises industrial development across the River Mersey at Runcorn.

- 6.69 Measures have however been incorporated into development proposals to mitigate effects of the proposed development on the character of the local landscape and on receptors identified as having views towards the site and the proposed development. Advance landscape mitigation works implemented in 2008/2009 within the southern and eastern parts of the site will be retained, mounding within the eastern part of the site would be reinforced and enhanced and landscape proposals would help reduce the influence of the new building in the surrounding area and would filter and or screen the proposed building as existing and proposed planting matures over time.
- 6.70 The assessment indicates that the greatest residual visual effects on public receptors are anticipated in views from the footpath through the public open space within the southern part of the site and from the industrial estate area of Newstead Road north of the site. It would be difficult to screen the proposed transport and technology facility within views from these receptors. It is however acknowledged that the footpath within the southern part of the site was implemented (providing local residents with an additional amenity and recreational resource and pedestrian and cyclist route) as part of advance landscape works, which anticipated development (of the type proposed) on the site in question. Existing and proposed planting on the boundary between the HBC Field site and the public open space in the south would also provide some screening of the proposed development over time as planting matures. With regards to visual effects experienced on Newstead Road, these effects would be experienced from a short section of this road by persons travelling to work at an industrial site.
- 6.71 The assessment concludes that the greatest residual visual effects on private receptors are anticipated in some views from 50-68 Halebank Road, 149-157 Halebank Road, Middlefield Farm, Linner Farm and Linner Farm Cottage, the grounds of Smithy House, the grounds of Burnt Mill Farm on Carr Lane, and from a number of properties on Baguley Avenue and on Clap Gate Crescent. Visual effects would however be minimised as mitigation planting and intervening vegetation matures filtering and screening views of the proposed transport and technology facility over time.
- 6.72 The proposed development would affect the Halebank Conservation Area and consequently UDP Policy BE12 needs to be considered. The immediate setting of Halebank Road Conservation Area are considered to remain largely remain unaltered as a consequence of the proposed manufacturing facility. The residual effect of the proposed development on the setting of the Conservation Area is predicted to reduce from minor adverse to negligible as

woodland proposed on the northern boundary of the Conservation Area integrates and matures. The Council's retained advisor in relation to Conservation has confirmed that, whilst the proposals will inevitably impact on the character and significance of the Conservation Area, the level of potential harm is considered to be less than substantial as required by NPPF. As such no policy objection is raised in respect of the Conservation Area. In any event the existence of the conservation area was known when the original designation of the site was made in the UDP. It follows that issues relating to the conservation area were considered and that a development of the scale and character proposed was considered appropriate. The development plan must be read as a whole and it is clear that the impact on UDP policy BE12 was taken into account as part of the designation of site 253.

6.73 The scheme is considered to offer a well-designed, high quality development. It is considered that significant efforts have been made to minimise and mitigate likely impacts having particular regard to its visual appearance, screen mounding and landscaping, the environment and the amenity of adjoining residents and communities. The scale, general design and form of the building are not considered unusual or out of character for a development of this type. It is considered to be of a scale and quality of design suited to the designated use of the site and in keeping with the wider development aspirations of 3MG. It is considered that the proposals accord with the development plan having particular regard to UDP Policies relating to The Built Environment (BE1, BE2 and BE22), GE1 Green Belt and E5 of New Industrial and Commercial Development, Core Strategy Policy CS18, CS21 Green Infrastructure and CS20 Natural and Historic Environment and Design of New Commercial and Industrial Development and Designing for Community Safety Supplementary Planning Documents.

6.74 Ecology and Nature Conservation

6.75 The ecological assessment has utilized historical information collected over a period 2005 to 2014, and additionally the site was visited in October 2015 to check whether site conditions have changed significantly since the 2014 surveys were completed. The main difference was that the majority of the bare ground present in 2014 has now vegetated with species-poor grassland, whilst the previously recorded species-poor grassland appears to have increased diversity in 2015 as it becomes more established.

6.76 The proposed development site lies approximately 1.2km from the Mersey Estuary which is designated as a Ramsar Site, a Special Protection Area and a Site of Special Scientific Interest. Additionally there are three local nature reserves within 2km of the proposed development. These sites will not be affected by the proposed development.

The main habitats on-site are species-poor grassland, although the eastern and southern edges comprise broadleaved plantation woodlands, hedgerows and wildflower grassland, planted and sown during the landscape works undertaken in 2008 to construct the bunds and Halebank Park. There are eight open waterbodies present on the site including a fishing pond, a storage/

balancing lagoon established in Halebank Park, and a number of small ponds and drainage pits.

A Compensation Area has already been created to the west of the A5300 Link Road, to compensate for the loss of habitat on the site, and the loss of a pond to the Link Road route.

The majority of the habitat that will be lost to the development (species-poor grassland) is of moderate nature conservation value. The eight open waterbodies on site, plus that in the Compensation Area, comprise a mix of established and newer waterbodies, the latter created by work on the A5300 Link Road. As a result the waterbodies are at varying stages of development and of varying quality for aquatic invertebrates. Three of the eight will be retained, including that supporting the greatest nature conservation interest and it is considered that three more are required to mitigate the loss of the remainder.

Surveys for great crested newts in the ponds on site have, until 2014, demonstrated absence of the species. However, in 2015, survey data by eDNA sampling methods supplied in support of an unrelated planning application in the area had indicated that great crested newts (GCN) began to colonise the large balancing pond (Pond A) to the south of the site. This pond is currently proposed to be reprofiled to increase storage capacity to accommodate surface water drainage from the proposed development. As a result of the 2015 positive eDNA result, additional Great Crested Newt Surveys have been undertaken as advised by the Council's retained advisers on ecology issues. Four GCN survey visits have been undertaken in accordance with Natural England Best Practice guidance with respect to all ponds and further sample taken for eDNA from Pond A. Those surveys have confirmed no evidence of GCN at site. The eDNA result has also returned a negative result. GCN are therefore no longer considered an impediment to development and a GCN licence from Natural England to facilitate mitigation will not be required.

The terrestrial invertebrate fauna of the site was assessed and it was found that the majority of the species of greatest nature conservation interest were recorded from the areas that have already been landscaped and will be retained during the development.

Bat surveys recorded few species and only low bat numbers reflecting the generally low quality of the habitat present across most of the site. Bat foraging activity was generally related to the peripheral areas of the site, mainly in those areas that will be retained within the development.

A variety of breeding birds were identified on the site and other species were recorded foraging on it. Some of these species have been identified as being of conservation concern due to population reduction but are generally widespread in the local area. The site development will result in a significant reduction in the availability of habitat for ground nesting species however this will be, in part, mitigated by the enhancement of existing habitats in the

Compensation Area and landscape area, and also the creation of new habitats and the installation of nest boxes on site which will provide nesting habitat for a range of species. However there is predicted to be a shift in the mix of species present with a reduction in the numbers of ground-nesting species present and an increase in those of woodland and wetland.

The proposed development has been designed to secure ecological gain through the use of appropriate native species for tree and shrub planting and habitat creation and diversification. The established landscape areas on the southern and eastern boundary of the development site maintain areas of plantation woodland/scrub, wildflower grassland and open water habitats. A Compensation Area to the west of the A5300 Link Road has been provided and comprises an area of c. 5ha and will be managed for the benefit of barn owl and skylark and for its inherent botanical interest. An additional area of c. 3.5ha in the north western area of the development site will be created comprising a balancing pond and associated reedbed, emergent vegetation, wildflower grassland and woodland. These areas, although occupying a smaller area, will provide new and more diverse habitats which over time will develop to provide greater intrinsic biodiversity value at a local level.

The proposed development required the loss of a number of trees and two sections of hedgerow. The application is supported by an Arboricultural Impact Assessment. In order to avoid conflict with the bird nesting season, those trees and the section of hedgerow have now been removed. None of the trees removed were protected by Tree Preservation Order. Neither section of hedgerow is considered to fall within any category within the Hedgerow Regulations 1997. As such there were no planning restrictions preventing their advance removal.

Environmental Statement concludes that with the adoption of the proposed mitigation there will be no significant ecological effects.

Whilst consulted, no representations have been received from Liverpool John Lennon Airport with respect to this planning application. With respect to the consented scheme they did raise concerns regarding the potential for water features within the development to attract bird species and risk potential bird strike. An appropriately worded planning condition was agreed by Liverpool John Lennon Airport requiring submission and agreement of an Environmental Management Plan (EMP) including detailed habitat creation and planting schedules to render Balancing Pond B unattractive to birds potentially moving from the estuary (gulls, waders and waterfowl). The applicant has confirmed that they will translate these principles into the Environmental Landscape Management Plan which can be secured by appropriately worded planning condition.

- 6.77 The Council's retained adviser has reviewed the application along with all supporting information. They have confirmed that the nature of the habitats on the site and the new proposals are similar to those under the consented scheme (11/00269/FULEIA). Subject to consultation with Natural England and implementation of an appropriate Construction Environmental Management

Plan (CEMP) they confirm that the changes to the proposals do not alter the conclusion of the current HRA (Screening Report for Planning Application 11/00269/FULEIA, Halton Council, July 2013) of no likely significant effect. Natural England Have confirmed that they raise no objections. Submission and agreement of a CEMP can be secured by appropriately worded planning condition.

According to the Council's retained adviser the displacement of skylark and lapwing due to the loss of habitat can be justified in this case on the basis that there is a large extent of alternative habitat in the immediate area. Notwithstanding that, financial contributions are identified through the ES and land disposal to enable adjoining land currently managed under the control of Halton Borough Council for barn owls to also be managed for skylark. The site also provides breeding habitat for Reed Bunting and foraging habitat for barn owl but retained advisers confirm that the development is considered unlikely to harm these species as the proposed landscaping will continue to provide suitable habitat for these species. An Ecological Landscape Management Plan can be secured by appropriately worded planning condition. A condition relating to protection of breeding birds is recommended however this is considered to be adequately controlled through alternative legislation and best dealt with by means of informative.

The Lighting section of the ES confirms that the external lighting design and specification has been designed to minimise spill to adjoining wildlife habitats. Planning conditions can ensure that the lighting design is so installed and maintained. On that basis it is considered that the proposals accord with the development plan having particular regard to UDP Policies relating to The Green Environment (GE18, GE19, GE20, GE21, GE25, GE26, GE27 and GE28 and Core Strategy Policy CS20 and CS21.

6.78 Contaminated Land, Land Use and Soils

6.79 The assessment of potential land contamination impacts was initially undertaken using a desk study (including assessment of relevant reports available for the site and surrounding areas) and site investigation. The desk study indicated that the site has a very limited likely history of contaminative land use as it has mainly been in agricultural use. A number of potentially contaminative historical land uses have been identified in the surrounding areas including railway land, a scrap yard, timber yard and tar and manure works but it is concluded that limited potential sources of land and groundwater contamination were expected to exist on the site and that risk to humans and the environment was low.

6.80 The intrusive site investigation comprised the excavation of a series of exploratory holes across the area of the site to establish the baseline ground conditions and contamination status. Soil contamination testing results confirm the desk study in that the concentrations of contaminants noted on the site are generally very low and commensurate with a Greenfield site. A programme of gas and groundwater quality and level monitoring was also conducted at the site.

- 6.81 The assessment has identified occasionally isolated and localised areas of soil contamination which may pose a slight potential risk to human receptors and the built environment (on and off site) during the construction phase but these risks will be controlled by a combination of personal protective equipment and standard environmental control measures in accordance with health and safety legislation and procedures within the Construction and Environmental Management Plan (CEMP).

Based on the ground conditions and ground gas monitoring data, there are negligible concentrations of potentially asphyxiating, explosive and / or flammable gases. Therefore, gas protection measures are not considered necessary in the development to mitigate the potential risk of gas ingress.

Groundwater monitoring data and assessment has confirmed that the site's groundwater has not been significantly impacted by leachable soil contaminants. The groundwater risk assessment confirms that no plausible pollutant linkages are active from the potentially leachable concentration of contaminants or from potential agricultural land use.

Any additional currently unknown areas of unacceptable land contamination or unsuitable materials that may be identified during the earthworks works, will be dealt with during the earthworks by the removal and disposal of unsuitable materials off site.

The impact assessment has concluded that the potential impacts to human health and other receptors during the construction and / or operational phase are negligible to minor at worst. No mitigation other than standard good construction and operational environmental practice is required.

The Agricultural Land Classification survey showed that the land was mainly Grade 3b, as a result of soil wetness, while the areas which are now constructed bunds, would be classed as Grade 4, due to their steep slopes. There is no best and most valued land (BMVL) within the application site.

The assessment of impacts on soils and land use as a result of the proposed development indicated that the main adverse impact during the construction of the site is the potential to damage former agricultural soil which is considered to be a valuable national resource. Since soil should be conserved in a manner which will protect its value for future re-use, the impact on soil during the construction phase is assessed as being of major significance without mitigation.

Since both Japanese knotweed and animal carcasses have previously been found on site, other adverse impacts include the potential to spread invasive and noxious weeds both within the site and offsite to adjacent land and the potential to spread animal diseases should any infected animal carcasses be found during the construction phase excavation works. The Japanese Knotweed was originally identified within an area of the site now forming the landscape mounds to the south of the site constructed under planning

permissions 05/00948/FUL and 07/00336/HBCFUL. That area is outside any land identified for redevelopment under this submission and Halton Borough Council has advised that its treatment was carried out by contractor's working for United Utilities under their previous scheme for sludge main re-routing. The applicant has confirmed by update report that a subsequent walkover survey in February 2015 identified no stands or individual signs of knotweed. There was assessed to be no impacts on soils or land use during the operation of the development.

An assessment of potential cumulative impacts on soils and land use as a result of the HBC Field development is included within the ES. This includes – which is possible within this particular context - an in combination assessment with two other sites which includes the rail sidings north of the site (with planning permission), and the allocated 'future area for development' (B8 use) within the site. The assessment indicated that there is a potential for there to be a cumulative, additive impact on soils, since a larger area of land would be soil stripped and hence a larger quantity of soil would potentially be damaged during the earthworks of the three developments than for the HBC Field development alone. The significance of the impact was assessed, as for the HBC Field development alone, as being of major significance without mitigation.

A series of mitigation measures are proposed to reduce the construction impacts and cumulative impacts on both soils and land use receptors. The main measure will be to include a package of soil management measures as part of the CEMP for the development, which will follow the guidance set out by the Department of Environment and Rural Affairs (Defra). This will involve specified methods for topsoil and subsoil stripping, stockpiling and re-use. If soils are to be taken off site, their careful stockpiling for conservation of soil structure and viability will still be required to ensure that their value for re-use is preserved.

A number of measures are proposed to ensure that if invasive weeds or buried animal carcasses are discovered during the construction works, the correct procedures will be implemented to handle, control and dispose of the materials so that there would be no significant impacts to any land use receptors such as bare soil offsite (in the case of invasive weeds) or livestock or domestic pets (in the case of animal diseases).

With implementation of these mitigation measures it is assessed that the potentially adverse impacts on soil and land use receptors would be reduced to a level of minor significance which is assessed to be acceptable for the development. Accordingly, after mitigation, there would be no significant residual impacts on soils or land use as a result of the proposed development.

- 6.82 The application and detailed submission have been reviewed by the Council's Contaminated Land Officer. In summary, given that the site is largely undeveloped with former usage as agricultural land and that the proposed development is industrial in nature, the development is considered to have limited potentially adverse impacts from a land contamination perspective.

The principle issue of significance is considered to relate to dealing with the area of known animal carcass burial and general agricultural waste disposal within the site, and the possibility of previously unidentified contamination. The outline construction and environmental management plan (CEMP) also submitted provides protocols for managing these issues.

On this basis the Council's Contaminated Land Officer has confirmed that no objections are raised to the proposals, but would recommend that any approval is conditioned to require the submission of the detailed CEMP and a verification report submitted that details the treatment and/or disposal of the animal remains and any contamination identified during the course of the development, including the animal remains. Halton Borough Council has indicated its intention to have these remains removed prior to determination by the Committee. Members will be updated accordingly.

- 6.83 On that basis the proposals are considered to demonstrate compliance with the development plan having particular regard to UDP Policy PR6, PR14 and PR15 and Core Strategy Policy CS23. The Environment Agency has confirmed that it raises no objection.

6.84 Flood Risk/ Water Resources and Drainage

- 6.85 The Environmental Statement and the submitted Flood Risk Assessment (FRA) outline the existing flood risk to the site and surrounding area and provides an assessment of the potential effects on flood risk at the site and elsewhere caused by both the construction and operation of the development.

Although the site is located some distance from the Ditton Brook, there are potential flowpaths (routes for water to flow) from the Brook and culverted (covered / underground) watercourses that link the site and the Brook. As there is a potential flood risk to the site, data from the Environment Agency's studies for the Ditton Brook under both fluvial (flooding from rivers) and tidal (flooding from the sea) flood conditions were reviewed in the context of topographical data and observations regarding potential flowpaths for the site and surrounding area. For the Ditton Brook, fluvial flooding would result from storms across the catchment causing high flows in and high water levels in the Brook, whilst tidal flooding would be as a result of high tides in the Mersey causing backing up of water within inland watercourses. This data has confirmed the extents of different 'Flood Zones' within the site indicating the likelihood of flooding.

The potential effects of the proposed development on the flood risk to the site and surrounding areas has then been assessed through considerations of impacts of the scheme on the flow and storage of water during a flood.

EA data and topographical survey (which shows local ground levels) confirms that the north eastern corner of the site is in an area that could be affected by flooding from the Ditton Brook during fluvial events with a greater than 1 %

chance of occurring in a given year and tidal flood events with a greater than 0.5% chance of occurring in a given year. As such, this part of the site is classified as being in Flood Zone 3.

However, there are flood defences along the Ditton Brook and these provide a high level of protection to the local area including the site. With these defences in place, the north eastern corner of the site may be at risk of flooding during the most extreme events, when defences are overtopped. In summary, the likelihood of flooding for the site is very low.

There are two culverted watercourses between the site and the Brook although these are fitted with structures to prevent water flowing back up towards the site from the Ditton Brook.

In respect of drainage, the Environmental Statement and Flood Risk Assessment considers the current regime for surface water from the site and outlines the proposed drainage strategy for surface water runoff from the development to be discharged ultimately into the Ditton Brook.

During the construction phase there is the potential for the increase in run-off rates as a result of the increase in impermeable surface and blockages from sediment and waste.

The strategy for the site during operation would employ the use of Sustainable Urban Drainage Systems (SUDS) to manage surface water run-off from the site. With infiltration stated as not an option for the site, the SUDS measures proposed include a mix of rainwater harvesting, permeable surfacing and swales. Pond A would also serve as a balancing pond to account for the additional surface water run-off generated by the site, and prevent increased discharge for extreme events. Silt would be prevented from entering the drainage system through trapped gullies, silt traps and SUDS.

As a result of the above measures, surface water run-off from the site would be managed to existing greenfield rates for extreme climate change events. Even though the residual risk of flooding at the site is low due to the flood defences and the scheme is deemed to be 'Less Vulnerable' to the effects of flooding, various mitigation measures have been incorporated into the scheme.

These include:

- Setting finished floor levels to 8.50m AOD which is above the flood level (predicted) by the EA flood model) for the extreme event.
- Providing an access/egress route from the site at a level above the flood level (predicted by the EA flood model) for the extreme event.

The cumulative impact of the scheme with other committed developments will change the local hydrological regime and potentially affect the nature of flow and storage of floodwater in the most extreme flood events. However, this will not lead to a significant impact either at the site or elsewhere subject to appropriate mitigation and management of surface water runoff.

The potential impacts of the proposed development on surface water and groundwater are also considered within the Environmental Statement. It reports that the existing sites conditions have been reviewed, the potential impacts caused by the construction and operation of the proposed development have been assessed, and mitigation measures have been proposed where appropriate.

The main watercourses in the vicinity of the proposed development site are Ditton Brook and the Mersey Estuary. Potential impacts on surface water and groundwater during construction have been considered in detail, however, best practice through a CEMP including appropriate storage of materials on site and spillage prevention, will be implemented so the residual effects are not considered to be significant for Ditton Brook and of only minor significance for the Mersey Estuary. In the unlikely event that a spillage did occur during construction, the magnitude of the impact would be substantial locally; however the probability of this occurring is low.

A suitable drainage system will be designed, installed and maintained throughout operation, and this together with appropriate storage and spillage prevention, will reduce residual effect to negligible significance for Ditton Brook and minor adverse for the Mersey Estuary. In the unlikely event that during operation a spillage of potential pollutant did occur into the Mersey Estuary, the magnitude of the impact would be moderate adverse locally; however the potential of this occurring is very low.

The FRA submitted for the proposal includes detail for a drainage strategy. The Environment Agency has confirmed that, based on the submitted Flood Risk Assessment and Surface Water Drainage Strategy no objections are raised subject to conditions requiring that the development be carried out in accordance with the approved FRA and specified mitigation measures contained therein. The Council's Highways Engineer acting as Lead Local Flood Authority (LLFA) has also raised no objection in principle based on the submitted Surface Water Drainage Strategy. Whilst technical queries have been raised regarding micro drainage calculations to demonstrate sufficient capacity within the system detailed drainage design will be secured by suitably worded planning condition. Members will be updated accordingly. It is however considered that the proposals accord with the development plan having particular regard to UDP Policy PR5, 15 and 16 and Core Strategy Policy CS23.

6.86 Noise and vibration

6.87 The noise and vibration assessment has considered the potential impact of the proposed development on receptors in close proximity to the site.

Given the separation distance and the likely low levels of vibration generated by site activities (primarily due to on-site vehicle movements), it is considered that operational vibration will not be significant at neighbouring sensitive receptors. Therefore, further assessment of vibration once the site is

operational has been scoped out and no further assessment work has been undertaken.

Typical construction and demolition working routines are unlikely to generate levels of vibration at local receptors above which cosmetic damage would be expected to be sustained. Due to the distance to the nearest sensitive receptor and the very low level of vibration likely to be caused, the magnitude of any impact is assessed as very low, for receptors of medium importance and sensitivity. Hence the significance of the impact is predicted to be minor adverse.

Existing noise levels in the area are dominated by road traffic, primarily from the A562, during both day-time and night-time periods. The potential impact of noise from the new access road to the proposed development has been assessed at residential properties to the south of the new road.

The new link road will be used to access the proposed site. The car and HGV movements are envisaged to be low, especially in comparison to the previously permitted distribution centre. The noise levels due to off-site traffic has been deemed to increase by less than 3 dB, using the Highways Agency guidance on assessing noise impacts from new roads (DMRB 213/11), this level of increase is not considered significant. No additional mitigation measures are required to reduce the noise from road traffic. The predicted noise levels are well below (approximately 10dB) the standard applied by the Noise Insulation (Amendment) Regulations 1988.

The noise impact due to the early morning shift change was undertaken using guidance methodology in BS 4142, Methods for rating and assessing industrial and commercial sound. It was concluded that the sound would be of minor significance.

An assessment of the proposed fixed plant, internal refurbishment works, bogie and raking road train movements and static test facility was undertaken in accordance with BS 4142. It was demonstrated that the impact is of minor significance. No further mitigation measures are recommended, with the exception of an alternative silent warning device to a klaxon during the train movements. This can be dealt with by appropriately worded planning condition.

During daytime hours it is to be expected that some construction activities may be audible at residential dwellings at times. It is however advised that the control of hours of operation together with good working methods as indicated within the ES should adequately minimise the exposure of residents to noise at the most sensitive times. A construction environmental management plan has also been submitted identifying the construction methods to be undertaken, the equipment used on site and any mitigation methods to be undertaken. The equipment used on site and any mitigation methods to be undertaken will further seek to minimise such impacts.

The Councils Environmental Health Officer has advised that the methodologies they have employed in compiling the report are all accepted

standards and have been applied correctly. The report looks at the predicted noise levels with various stages of the proposed development in relation to construction and operational activities on the site. This includes assessment of noise related to HGV and rail movements within the site. The report indicates that during construction noise levels will comply with the standards set out in BS8223. The report also demonstrates that in all residential areas noise levels will meet the low impact standard outlined in BS4142. This indicates that the noise levels from the site with all phases of the development completed and the associated traffic coming to the site there will be no increase in background noise levels.

As stated above the facility would operate 24 hours a day on a shift rotation basis, with production and testing operations during the morning and afternoon, and internal replenishment of products/preparation activities during the night shift only. The submitted planning statement states that delivery of trains and components would be restricted to the hours of 06:00 to 22:00. The Council's Environmental Health Officer has however confirmed that the submitted noise assessment is however based on movement of trains and materials by road or rail only between 07:00 and 23:00. It follows that a further assessment and application would be required to extend the time of train movements. A suitable planning condition limiting the hours of and train movements within the site and all deliveries to between the hours 07:00 and 23:00 is considered appropriate.

6.88 A CEMP will be secured by suitably worded planning condition. Hours of construction and hours of train movements and delivery/ dispatch of materials and trains are also proposed to be controlled by suitably worded planning condition. On the basis of the above, it is considered that the proposals are compliant with UDP Policy PR2, Core Strategy Policy CS23 and NPPF and refusal of planning permission on grounds relating to noise and/ or vibration could not be sustained.

6.89 Air Quality

The ES acknowledges the location of two Air Quality Management Areas (AQMAs) in the Borough but predicts that the proposed development is not expected to cause significant additional vehicle movements through the designated AQMAs and so will not have a detrimental effect on the air quality in those.

The proposed development will aim to minimise as far as possible additional air quality effects due to traffic by providing for a free flowing network for staff movements, deliveries and exports. This aims to reduce the amount of congestion and potential for vehicle idling at locations near to receptors. The locations where vehicles are loaded and unloaded are in the centre of the development site and so emissions are unlikely to have an effect at receptors, which are located closer to the site boundary. Even at this distance, it is stated that lorries will be required to turn off engines when they are not in use and will be subject to on site speed limits. These simple measures should further reduce the risk of air pollutant and dust emission, and save fuel. These

are however considered private management issues and not subject to formal control by the Planning Authority.

The ES states that best practice dust suppression measures will be implemented during construction to minimise the potential for dust to become a nuisance to off-site, or on-site receptors. With the adoption of the proposed mitigation it predicts that there will be no significant air quality or dust impacts.

- 6.90 The Council's Environmental Health Officer has advised that the standards for air quality are set out in the Air Quality Standards Regulations 2010. The air quality report identifies current levels of pollution in the area based on data inventories and in relation to nitrogen dioxide and fine particulate matter. It also predicts the future levels of these pollutants both with the proposed development and without it, and identifies the likely impact of the development on levels of these pollutants. The report states that the site is designed to facilitate the free flow of traffic onto the site, thus avoiding any pollution that would be associated with congestion and that the impact of the site once operational will be negligible and will remain well below the national objective levels for both nitrogen dioxide and fine particulate matter.

It is recognised within the report that the construction of the site will result in emissions of fugitive dust and outlines the measures to minimise impacts in this regard. A CEMP, including measures for the control of dust, can be secured by appropriately worded planning condition.

The proposals are considered to comply with the development plan having particular regard to UDP Policy PR1 and Core Strategy Policy CS23.

6.91 Archaeology and the Historic Environment

- 6.92 In terms of the Historic Environment there is recognised potential in the wider area for Prehistoric, Roman and medieval remains. A number of possible assets have also been identified through historic map regression analysis (mainly place name evidence) that feature within the proposed development site boundary, and date to the medieval and Post-medieval periods. However, following previous desk-based assessment, geophysical survey and a programme of targeted trial trenching no evidence to suggest the presence of significant archaeological remains was found.

With respect to designated off-site assets, the Scheduled Monument of Lovel's Hall moated site and fishpond and Halebank Conservation Area are both in the immediate vicinity of the proposed development site and have been subject to consideration from a 'settings' perspective. The Scheduled Monument is located north of the West Coast Mainline Railway and as such no specific mitigation is recommended with respect to outlined proposals.

Halebank Conservation Area lies along the south-west boundary of the proposed development site, landscaping areas and bunds to the north side of the Conservation Area should be planned and developed in consultation with the project landscape team, and be designed in such a way that minimises

visual and noise impacts on the Conservation Area through the provision of additional, sensitive and appropriate screening.

- 6.93 The proposals include landscaping areas adjoining the north side of the Conservation Area, as well as further landscape bunds towards the south-west corner of the site. These landscaping areas and bunds which lie to the north side of the Conservation Area are predicted to adequately reduce visual and noise impacts on the Conservation Area. There are no individually listed buildings within the Conservation Area and an impact of no greater than minor adverse is therefore predicted.
- 6.94 The Council's retained adviser on archaeology has raised no objection subject to the submission and agreement of a written scheme of investigation. It is considered that this can be secured by appropriately worded planning condition.

The Council's retained adviser on Conservation has confirmed that, whilst the development will inevitably impact upon the character and significance of the Conservation area, the proposed planting and landscaping will minimise and mitigate those impacts. As such it is advised that the level of potential harm is considered to be less than substantial as defined by NPPF. Historic England raises no objection.

The proposals are considered to comply with the development plan having particular regard to UDP Policy BE4, BE6 and BE12 and Core Strategy Policy CS20.

6.95 Lighting

- 6.96 The Environmental Statement includes a chapter to assess the effects of artificial lighting caused by both the construction and operation of the development based on a detailed lighting design submitted as part of the application. The nearest sensitive receptors (NSR) are reported to include a mixture of residential dwellings, road and rail users, public rights of way and the Lovel's Hall heritage site. Impact on wildlife within the surrounding landscape has also been considered.

During construction lighting may be required after dusk during winter months and overnight for security. It is advised that mitigation measures such as careful selection of lighting fittings and illumination levels in accordance with the relevant Regulations will be employed. Post construction of the development lighting would be required on site 24 hours a day for operational and security purposes. The lighting scheme proposes LED Luminaires mounted on the building and columns at heights 8 and 10m high which it is advised would result in the following benefits:

- Minimised glare;
- Highly reduced upward light (due to reflection)
- Flexibility in control (dimming);
- Reduced maintenance; and

- Highly reduced CO2 emissions.

It suggest that further mitigation to reduce light pollution would be provided through the landscaping scheme which acts as buffer for sensitive receptors, reflective signage instead of illuminated, angle of light installations and use of only necessary lighting equipment. As a result of the proposed mitigation measures the ES concludes that the impact from the proposed development would be reduced from major to minor adverse, to minor adverse to not significant.

6.97 On this basis it is considered that the proposals comply with the development plan having particular regard to UDP Policy PR4 and GE21 and Core Strategy Policy CS23.

6.98 Highways and Transportation

6.99 The site is proposed to have direct rail access to the West Coast Main Line. Planning permission has been granted for new road access to the HBC Field site directly from the roundabout of the A562 with the A5300 Knowsley Expressway over the West Coast Main Line (WCML). Construction of this road is substantially complete. It is proposed that there will be no motor vehicle access from either Hale Road or Halebank Road other than for emergency access and with provision made for potential use by works and/or public bus services.

Financial contributions have been paid to Knowsley Borough Council in connection with the earlier planning permission for the link road based on the capacity of the link road. Those contributions were towards problems associated with the A562 / A5300 Knowsley Expressway roundabout. It is understood that those works have now been implemented, in part at least. On that basis the ES reports that there are no capacity issues outstanding at the site. Notwithstanding that it is considered that issues of highway capacity at that junction and relevant contribution payments have been paid in full accordance with the earlier agreement and are not therefore required to be reconsidered at this stage. Knowsley Borough Council has confirmed that it raises no objection subject to appropriate travel plans condition with “the particular aim of avoiding cycling trips onto the A5300/ A562. Whilst such a plan could seek to discourage such journeys it is not considered that any lawful basis currently exists to avoid such trips though planning legislation and it is considered that any planning condition must be worded accordingly.

The site benefits from planning consent for 109,660m² B8 warehouse development (reference: 11/00269/FULEIA). The TA makes a comparison of the proposed B2 use with the consented scheme for a B8 unit of approximately 1 million sq. ft, which included proposals for 800 car parking spaces, up to 1000 employees and significant levels of distribution vehicles. The comparative assessment details that during the morning peak and the afternoon peak, the Alstom facility would result in fewer trips respectively, than the consented scheme. The fewer number of calculated trips is helped by the proposed shift rotation pattern which works to avoid peak hour arrivals

and departures in order to avoid unsustainable increases in traffic on the local and regional networks. It also concludes that the trip generation associated with freight movements on the surrounding highway network will also be comparatively low.

The ES chapter also assesses the cumulative impact – which is possible in this particular context - from the allocated B8 'area for future development', and details that due to the slight increase in AM and PM peak compared with the consented scheme, the impact would be negligible on the surrounding highway network.

The site is considered to be accessible by bus with bus stops located on Hale Road with access via the shared-use footpaths/ cycle routes that will link the site with the adjoining Halebank area. The proposal also includes a bus stop which could be utilised by local service providers to increase accessibility to the site through public transport.

Cycling and walking can also be promoted including provision of showers and staff facilities. This will be required through a Travel Plan produced in consultation with the Council's Highways Officers and secured by appropriate planning condition. In accordance with NPPF the applicant has agreed to the phased implementation of a scheme of electric vehicle charging points with 4 to be installed on Phase 1 occupation and numbers to be reviewed as part of the Travel Plan Process.

- 6.100 The former Ditton railway station is located within walking distance of the site on the London-Liverpool line. This station is currently disused but the potential for it to re-open has been identified through the Unitary Development Plan (Policy TP3). The proposals are not considered to prejudice the potential re-opening and the justification to Policy TP3 acknowledges that such a major development could contribute to the potential for re-opening "with the possible increase in patronage".
- 6.101 Construction traffic is an inevitable consequence of any development. Control over the signing, routing and management of such traffic can be secured through a Construction Environmental Management Plan. Access and egress for all construction and operational motorised traffic can be restricted via Lovel's Way (except in emergency) by appropriate planning condition. It is considered that this will minimise impacts on local roads and surrounding residents.
- 6.102 Highways England has confirmed that they raise no objection with regards to the impacts on the trunk road network and link junctions. The Council's Highways Engineer has confirmed that they have reviewed the Transport Assessment, Environmental Statement and application on behalf of the Highway Authority. Whilst relatively minor clarifications have been sought and provided they confirm that they raise no objection on highways or traffic grounds. On this basis it is considered that the proposals are in accordance with the development plan having particular regard to relevant Built Environment and Transport policies of the Halton UDP TP3, TP6, TP13, TP14

and TP15 and policies CS8 and CS15 of the Core Strategy.

6.103 Health Impact Assessment

- 6.104 Core Strategy Policy CS22 requires that applications for large scale major development such as this should be supported by a Health Impact Assessment to enhance potential positive impacts of development and mitigate against any negative impacts.

A Health Impact Assessment (HIA) was originally carried out in 2013 with a supplementary statement produced in 2014 in relation to the previously permitted development for the site. This identified that the HBC Field development, like any major building and regeneration development has the potential to impact on health and wellbeing in a number of ways. These include the potential negative effects of noise, air pollution and road traffic accidents. On the positive side, the borough and surrounding Liverpool City Region, has high rates of unemployment. The positive effects of work on physical and mental health and social networking can be substantial. The introduction, as part of the development, of access to new open green space can facilitate increased levels of physical activity, promote community participation and satisfaction and improve mental health.

- 6.105 Overall, the HIA revealed that the potential negative impacts had been sufficiently dealt with as mitigation has either already been actioned or plans were in place to implement mitigating action at the appropriate time. There were a number of actions suggested to build on the positive elements of the development, to explore further what could be done to maximise positive impacts e.g. use of open green space, workplace health promotion once the site is occupied.

The new use of the site and plan has been considered by the Public Health Officer for Health Impact Assessment and a Supplementary Statement has been prepared. Since 2014 it is acknowledged that there have been shifts in the background data which underpinned the original HIA. It is suggested that there is generally a mixed pattern but on the whole changes in Ditton ward mirror those within the borough as a whole. However, as with the April 2014 Supplementary Statement, these shifts do not in themselves constitute grounds for a new HIA to be conducted.

The 2015 supplementary statement confirms that the shift in the type, the 'quality,' of the jobs is welcome. The site will be making more use of the rail freight lines and less via roads. It will not be heavy industry so whilst there is a shift in the category of use this is not a significant enough shift to pose any additional community health issues. It therefore concludes that given these factors the original HIA Health Management Plan will remain relevant to the new end user.

- 6.106 The requirements of Core Strategy Policy CS22 are considered to have been fulfilled.

6.107 Cumulative Effects

6.108 Once the proposed development is complete, the overall residual impact on the local residents, taking account of the potential for cumulative interaction of impacts, is considered to be minor negative. The main cumulative effects will result from the effects of noise, light and visual effects. These effects will be mitigated by the range of measures incorporated into the scheme and it is not anticipated that the interaction of the effects will increase the magnitude of the impacts.

It is important to note that the major positive benefits of the proposal through investment, job creation, health and well-being (the socio-economic benefits), will balance the negative effects of the proposal on some residents. This might be a direct benefit through new jobs, or indirectly through the wider economic benefits of the proposal to the local area.

6.109 In any event the potential for both positive and negative impacts whether cumulative or not of major development of a significant employment use with likely 24 hour operation was known when the original designation of the site was made in the UDP in 2005. Despite the proposed change in use class, given the specific nature of the proposed use it is considered that the likely effects are not dissimilar and, in a number of ways are much reduced, such as predicted noise and road traffic for example, when compared to the consented B8 use which does accord with the allocated use.

6.110 Financial Contributions

6.111 Core Strategy Policy CS7 provides that *“where new development creates or exacerbates deficiencies in infrastructure it will be required to ensure those deficiencies or losses are compensated for, adequately mitigated or substituted before development is begun or occupied”*.

6.112 In accordance with Core Strategy Policy CS7 and UDP Policy GE21 works would normally be required with respect to the identified deficiencies and mitigation to make the development acceptable in planning terms. These contributions would normally be secured by means of S.106 legal agreement. The position of the Council as land owner is considered to afford a significant degree of control in this regard. The Council confirms that the disposal of the land shall be subject to the obligations set out in the Table below.

6.113 The identified deficiencies are summarised in the following table together with the associated financial contribution and payment schedule.

TABLE		
Works	Contribution	Timescale for Payment and Phasing
Halebank Road White Lining	£15,000	Prior to Commencement of use of any phase on an acreage
Off Site Road Signage	£125,000	

Cycle and bus route improvements	£160,000	pro-rata basis as follows: Phase 1 - 19.6 acres = 184,148.86 Phase 2A/B - 10.1 acres = 94,893.04 Future Development Land - 13.3 acres = 124,958.10
Skylark field commuted sum	£4,000	
Emergency access & barrier commuted sum	£100,000	

6.114 Regulation 122 of the Community Infrastructure Levy Regulations 2010 provides that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

6.135 The identified deficiencies and associated contributions are considered to fulfil the requirements of Policies CS7 and GE21 and meet the relevant tests as set out under the Community and Infrastructure Levy 2010. It follows that the above requirements could legitimately be required under a planning obligation. These contributions will be secured through the terms of the land sale as agreed between the applicant and Halton Borough Council.

7.0 MATERIAL CONSIDERATIONS

7.1 Members are reminded that local planning authorities must determine planning applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise. If the Development Plan contains material policies or proposals and there are no other material considerations, the application should be determined in accordance with the Development Plan. Where there are other material considerations, the Development Plan should be the starting point, and other material considerations should be taken into account in reaching a decision.

7.2 With regard to other material considerations

"In principle...any consideration which relates to the use and development of land is capable of being a planning consideration.

Whether a particular consideration falling within that broad class is material in any given case will depend on the circumstances" (Stringer v MHLG 1971). Material considerations must be genuine planning considerations, i.e. they must be related to the development and use of land in the public interest. The considerations must also fairly and reasonably relate to the application concerned (R v Westminster CC ex parte Monahan 1989).

Local planning authorities may sometimes decide to grant planning permission for development which departs from a Development Plan if other material considerations indicate that it should proceed.

7.3 Material considerations are many and extraordinarily varied. They include all the fundamental factors involved in land-use planning, such as:

- the number, size, layout, siting, density, design and external appearance of buildings,
- the proposed means of access,
- landscaping,
- impact on the neighbourhood, and
- the availability of infrastructure.

Examples of factors to be taken into account as material considerations in the decision making process include:-

- National policy
- Planning history of the site
- Overshadowing
- Overlooking and loss of privacy
- Adequate parking and servicing
- Overbearing nature of proposal
- Loss of trees
- Impact on green belt
- Loss of ecological habitats
- Archaeology
- Contamination by a previous use
- Effect on Listed Building(s) and Conservation Areas
- Access and highways safety
- Traffic generation
- Noise and disturbance from the scheme
- Disturbance from smells
- Public visual amenity
- Flood risk
- Planning gain
- Local finance considerations
- Cumulative impact of the development

Examples of factors that cannot normally be considered as material planning considerations are:-

- Loss of value to an individual property
- Loss of a private individual's view
- Boundary disputes including encroachment of foundations or gutters
- Private covenants or agreements
- The applicant's personal conduct or history
- The applicant's motives
- Potential profit for the applicant or from the application
- Private rights to light
- Private rights of way

- Damage to property
- Loss of trade to individual competitors
- Age, health, status, background and work patterns of the objector
- Time taken to do the work
- Building and structural techniques
- Matters covered by other statute
- Alcohol or gaming licence

7.4 In this case the material considerations have been set out throughout this report.

7.5 Paragraph 196 of NPPF states that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 197 states that “in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development”. Sustainable development is recognised to include “economic”, “social”, and “environmental” dimensions (paras 7 – 9).

7.6 The NPPF advises that the government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Also, that planning should operate to encourage and not act as an impediment to sustainable growth (Paragraph 19), and therefore “significant weight should be placed on the need to support economic growth through the planning system”.

8. SUMMARY AND CONCLUSION

8.1 As can be seen from the report the proposed development complies with national policy. The proposed development complies with the development plan in all regards except for aspects of Policy CS8 of the Core Strategy. As such the application is a departure from the development plan. Applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The Local Planning Authority must undertake a balancing exercise under which the potential harm caused by the non-compliance with the development plan is weighed against the material considerations that have been identified. The following matters together with other matters listed in the report are put in the scales in favour of the proposed development:

- The creation of 150 jobs associated with phase 1 with up to 400- 600 total potential jobs that would be created on completion of the project,
- The skilled nature of many of those jobs when compared to the warehouse jobs that would be likely created as a result of the B8 allocation
- The training offer provided as part of the application
- The economic investment
- The reduced impact predicted with respect to such factors as traffic and noise when compared with the allocated and permitted B8 use
- local finance consideration.
- Sustainability of the development

Significant weight should be given to the economic investment, job creation and the types of jobs and training that are proposed.

Any development of such a scale and use undoubtedly has the potential for significant impact on the environment, the landscape and character of the area and the lives of adjoining residents especially during the construction phase. The application has been assessed with regard to the appropriate policy criteria and the impact of the development has been thoroughly assessed through the Environmental Impact Assessment. The Environmental Statement concludes that the proposal will not have a significant detrimental impact on the environment, the character of the area, highways, amenity of surrounding residents or on any other grounds. In a number of areas, most notably traffic and noise issues, the predicted impacts are less than the permitted B8 use. In other areas, including jobs and wider socio-economic benefits, the proposals are predicted to make a positive contribution over and above the permitted B8 use. Significant weight should also be given to the impacts of the development and that the impacts will not adversely affect the surrounding area.

Halton Borough Council has advised that the development has been subject to a number of European and Government grants. Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration, including grant or other financial assistance, as far as it is material. Whether or not such a finance consideration is material to the decision will however depend on whether it could help to make the development acceptable in planning terms.

Weight should be given to the local finance consideration as the monies provided have been given to make the development site accessible and acceptable in planning terms. The repayment of this money is not a material consideration.

As the development is sustainable development significant weight should be given to the sustainability of the development in accordance Paragraph 19 of the NPPF.

The scheme is considered to offer a well-designed, high quality development. It is considered that significant efforts have been made to minimise and mitigate likely impacts having particular regard to its visual appearance, screen mounding and landscaping. The application connects directly with the new link road which is substantially complete and which will therefore connect the application site to Speke Road and Knowsley Expressway and not utilise local roads. This approach to access will ensure that all motorised traffic, except for buses and emergency vehicles will only access the site via the link road and have the added potential to encourage access to the site, by employees, by modes other than the private car.

The scale, general design and form of the building are considered to be acceptable for this type of development. It is considered to be of a scale and quality of design suited to the designated use of the site and in keeping with the wider development aspirations of 3MG. The Environmental Statement demonstrates how development impacts will be satisfactorily addressed. On this basis it is considered that the relevant built environment and protection policies within the Halton UDP and the

Core Strategy are satisfied.

As detailed within the report it is not considered that the redevelopment such an area of the allocated sited for non B8 use will undermine the critical mass and future rail linked distribution within 3MG or at a regional level.

The scheme promises a development of regional significance attracting considerable inward investment and creating significant numbers of high quality jobs. It is also considered to offer a significant contribution to the sustainable growth and regeneration of the local area

In the scale representing the reasons against the proposal can be put the following:

- non-compliance of aspects of policy CS8
- when considered against the provisions of Policy CS19, the proposed development is predicted to achieve a BREEAM rating of Very Good. Whilst this is not a legal requirement this is below the Excellent rating which is encouraged by that policy. Whilst this is not considered to represent a non-compliance with the policy, this deficiency must also be balanced in the overall consideration of all material considerations.

There are no particular issues associated with the nature of the development proposal which need to be but into the scale representing reasons against the proposal.

Significant weight should be given to the departure from elements of policy CS8

Little weight should be given to the policy CS19 issue.

In recommending that the application is approved subject to conditions officers consider that the material considerations listed significantly outweigh the noncompliance with policy CS8.

9.0 RECOMMENDATION:

- A) The Committee is satisfied that the payments referred to in the Financial Contributions section of this report will be secured as part of the sale of land.
- B) That the application be approved subject to the following conditions:

CONDITIONS

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

Reason:- In order to comply with Section 91 of the Town and Country Planning Act 1990.

- (2) The development hereby approved shall be carried out in accordance with the application and all approved plans and associated supporting information, the Environmental Statement (Reference RG/eab/CHHB15 dated 3rd may 2015) and recommendations and mitigation measures contained therein.

Reason:- To define the permission, to ensure that the development is carried out in accordance with the approved details, in order to minimise risk to the environment and impact on nearby residents and to comply with inter alia Policy BE1 of the Halton Unitary Development Plan.

- (3) The development hereby approved shall be carried out in accordance with the approved phasing plans, hereinafter called Phase 1, Phase 2A and Phase 2B. ("Phase")

Reason:- To define the permission and to ensure that the nature of the phasing hereby approved is understood.

- (4) Prior to the commencement of any development hereby approved the following shall be submitted and agreed in writing by the Local Planning Authority:

1. A Construction Environmental Management Plan to include pollution and silt pollution control measures and specific measures to minimise and mitigate impacts including noise, light, odour and dust.

2. A plan for the control of routeing, access/ egress to/ from the site, parking, and waiting for all construction traffic including plant and deliveries. For the avoidance of doubt the routeing, access/ egress to/ from the site, other than in the case of emergency or unavoidable road closure, shall take place via the dedicated link road to A5300/ A562 only and not Halebank Road.

3. Wheel cleansing facilities for heavy commercial and site vehicles to be used by all heavy commercial and site vehicles with an operating weight greater than 3 tonnes before leaving the site throughout the construction period of the development.

The development shall be carried out in accordance with the approved details.

Reason:- To allow the Local Planning Authority to ensure that sufficient regard is given to minimising potential impacts on neighbours and the environment. It would not be good practice to deal with the matters referred to in this condition on a Phased bases. This is a prior to commencement style condition in the interests of good planning.

- (5) Prior to the commencement of any development hereby approved, a programme of archaeological work in accordance with a written scheme of investigation and recommendations, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason:- To ensure the proper investigation of the site due to its historic importance. It would not be good practice to deal with the matters referred to in this condition on a Phased bases. This is a prior to commencement style condition in the interests of good planning.

- (6) Prior to the commencement of any development hereby approved a Site Wide Waste Management Plan and a Materials Management Plan to cover the ground and earth works and construction phases of the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and such details as are agreed shall be implemented in full throughout the course of the development.

Reason:- To allow the Local Planning Authority to ensure that sufficient regard is given to the consideration for minimising and re-use of waste materials It would not be good practice to deal with the matters referred to in this condition on a Phased bases. This is a prior to commencement style condition in the interests of good planning.

- (7) Prior to the commencement of any development hereby approved an Environmental Landscape Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. That plan shall include:
- A landscape management and maintenance plan, including long term design objectives and maintenance schedules for all landscaped areas
 - a detailed method statement for the translocation of vegetation/ aquatic fauna from the existing ponds within the site to the newly created replacement ponds required by condition of this planning permission.

The development shall be carried out in accordance with the approved details and such details as are agreed shall be implemented in full throughout the course of the development.

Reason:- To ensure that pond mitigation is carried out as approved and that sufficient regard is given to the long term maintenance and management of the site in the interests of biodiversity. It would not be good practice to deal with the matters referred to in this condition on a Phased bases. This is a prior to commencement style condition in the interests of good planning.

- (8) Prior to commencement of any drainage work hereby approved and required for any phase a detailed drainage scheme for the phase shall be submitted to, and approved in writing by, the Local Planning Authority. The drainage scheme for the phase shall include full details of the re-profiling of Pond A as defined on the approved plans. The scheme as approved shall be fully implemented prior to commencement of the use of the development comprised in the phase, hereby approved and shall than thereafter be maintained.

Reason:- To ensure that satisfactory provision is made for drainage, to prevent the increased risk of flooding

- (9) Notwithstanding any description of materials in the application prior to the implementation or installation of any hard surfacing works in any phase, full details of the materials to be used in the finished surfaces of that phase shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- To ensure the appropriate use of quality materials in the interests of visual amenity

- (10) Prior to the commencement of construction of any pond an Environmental Management Plan (EMP) shall have been submitted to and agreed in writing by the Local Planning Authority to include detailed habitat creation and planting schedules to render the pond unattractive to birds potentially moving from the estuary (gulls, waders and waterfowl). Such designs may include the establishment of reeds, proximity of trees and managing potential flightlines and sightlines through appropriate location and design of landscaping bunds etc. Such details shall include details of a scheme for monitoring of the use of the site by gulls, waders and waterfowl to be undertaken through the vegetation establishment period and methods of reporting results to the Local Planning Authority and agreeing additional measures deployed as required. These could include netting of the waterbodies.

Reason:- In the interests of aerodrome safeguarding, to minimise potential for birdstrike.

- (11) Notwithstanding any description of materials in the application no above ground construction works shall take place in respect of any building in any phase hereby approved until samples and/ or full specification of materials to be used externally on the buildings have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out as approved.

Reason:- To ensure the use of appropriate external finishing materials in the interests of visual; amenity.

- (12) Prior to the implementation or installation of any sprinkler tanks, pump houses, Ring Main Unit, Gas Governor, Primary Substation Station, bus stops or security barriers as detailed on the approved plans full specification details, including colour coating, of that feature shall be submitted to and agreed in writing by the Local Planning Authority. Any such feature shall be installed in full accordance with those approved details and the approved plans and so maintained.

Reason:- The application is deficient with regards this detail, to ensure the appropriate design and quality of those ancillary features in the interests of visual amenity.

- (13) Unless such works do not cause existing ambient noise levels to be exceeded there shall be no construction work associated with the development on the site at any time on any Sunday, Bank Holiday or other Public Holiday or on any other day except between the following hours:

07:30 - 19.00 Monday to Friday
07:30 - 13.00 Saturdays

Reason:- To ensure that the development is carried out as submitted and approved, to minimise nuisance caused to nearby residents.

- (14) No Heavy Commercial Vehicle or any other vehicle which has an operating weight greater than 3 tonnes associated with the construction of the development shall enter or leave the site at any time on any Sunday, Bank or Public Holiday or on any other day except between the following hours:

07:30 - 19.00 Monday to Friday
07:30 - 13.00 Saturdays

Reason:- To ensure that the development is carried out as submitted and approved, to minimise nuisance caused to nearby residents.

- (15) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment and Surface Water Drainage Strategy (FRA) November 2015/R.151667.F001/Hydrock Consultants Limited and the following mitigation measures detailed within the FRA:

1. Limiting the developed area to Flood Zone1(low risk of fluvial and tidal flooding).
2. Construction of finished ground floor levels of buildings at a minimum level of 8.5m AOD.
3. Surface water discharge rates from the site to be restricted to current 'greenfield' levels.
4. On-site surface water attenuation to be provided up to 100-year (20% return period) event.
5. Site contouring and topography to ensure overland exceedance flow routing to be retained on site but away from building locations.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

Reason:- To reduce flood risk, both on the site and elsewhere to an acceptable level.

- (16) No trees or hedgerows shown to be retained shall be felled, pruned, lopped, topped, uprooted or damaged in any way as a result of carrying out the development hereby approved without the prior written consent of the Local Planning Authority.

Reason:- In order to avoid damage to the trees and hedgerows on and adjoining the site, in accordance with the provisions of Section 197 of the Town and Country Planning Act 1990, in the interests of visual amenity.

- (17) If at any time during the course of carrying out the development hereby approved contamination not previously identified in the contamination report is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this unanticipated contamination shall be dealt with has been submitted to and agreed in writing by the local planning authority. The remediation strategy shall thereafter be implemented as approved.

Reason:- To ensure a safe form of development which poses no unacceptable risk of pollution.

- (18) The soft landscaping works associated with any phase shall be carried out prior to the occupation of that phase or in accordance with a timetable to be agreed in writing by the Local Planning Authority.

Reason:- In the interests of visual amenity.

- (19) Prior to the commencement of use of any part of the building hereby approved a detailed travel plan including timescale for implementation shall be submitted to and agreed in writing by the Local Planning Authority. The details submitted shall include measures to discourage cycle journeys to the A562 and A5300. Such details as are agreed shall be implemented in full and in accordance with the submitted timescale.

Reason:- To ensure provision for a range of transport options in the interest of sustainable development.

- (20) No part of the development hereby approved shall be occupied until space has been laid out within the site for the safe and secure parking of bicycles in accordance with the approved plans.

Reason:- To ensure the satisfactory provision for cycle parking to encourage alternatives and sustainable means of travel and to comply with Policy TP6 of the Halton Unitary Development Plan and Core Strategy Policy CS15.

- (21) Prior to the occupation of any premises hereby approved in any phase the vehicle access, service and parking area related to that phase shall be laid out and surfaced in accordance with the approved plans, and shall be retained at all times thereafter within the curtilage of the site for use exclusively in connection with the development hereby approved.

Reason:- To ensure the satisfactory development of the site in the interests of highway safety.

- (22) No part of the development hereby approved shall be brought into use until details of a silent warning device and/ or methodology to be used during the movement of trains has been submitted to and agreed in writing. Any train movements within the site shall be carried out using the agreed silent warning device and/ or methodology. At no time shall audible warning devices be used in connection with train movements within the site.

Reason:- To minimise potential noise disturbance to surrounding residents in accordance with the submitted noise report.

- (23) Prior to the commencement of use of the development hereby approved, a Remediation Verification Plan shall be submitted to and approved, in writing, by the Local Planning Authority. The plan shall provide detailed verification methodology and data in order to identify all material unsuitable for use as fill or re-use on site, to demonstrate that works for the excavation and removal of all such material and pollutant linkages have been completed in accordance the Environmental Statement and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason:- To allow the Local Planning Authority to ensure the development is carried out as agreed in a safe form that poses no unacceptable risk of pollution.

- (24) Prior to the commencement of use of the development hereby approved, upon completion of the site remedial works a verification report containing the data collected in accordance with the verification plan required by Condition of this planning permission shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:- To allow the Local Planning Authority to ensure the development is carried out as agreed in a safe form that poses no unacceptable risk of pollution.

- (25) No part of the development hereby approved shall be brought into use until rail sidings have been provided within the application site to a standard providing operational connectivity to the rail network in accordance with the approved plans and Rail Connectivity Plan. Such sidings shall be retained for the lifetime of the development.

Reason:- To ensure adequate provision is made to secure rail access to the site, to encourage movement of freight by rail.

- (26) Prior to the commencement of the use of any phase a detailed Operational Waste Management Plan including details of facilities to collect and store bulk wastes generated as a result of the use of that phase shall be submitted to and agreed in writing by the Local Planning Authority. Such a Plan shall be implemented in accordance with the approved details.

Reason:- To allow the Local Planning Authority to ensure that sufficient regard is given to the consideration for minimising and re-use of waste materials.

- (27) No part of the development hereby approved shall be brought into use until a scheme of pond replacement to provide 3 no. ponds within the site has been implemented in full and in accordance with a detailed scheme submitted to and agreed in writing by the Local Planning Authority. Such details as are submitted shall include detailed design and pond profiles and a detailed maintenance and management plan. The ponds shall be so managed and maintained for the lifetime of the permission.

Reason:- To ensure that satisfactory mitigation is provided for the ponds to be lost as a result of the development.

- (28) The development hereby approved shall be used for the purposes of a transport and technology facility as described and any other purpose including any purpose within use class B2.

Reason:- For the avoidance of doubt as to the extent of this permission.

- (29) There shall be no outdoor storage or display of equipment, plant, goods or material within the site other than as detailed in the approved plans.

Reason:- In the interests of visual amenity.

- (30) Except to provide access/ egress for emergency vehicles and public transport vehicles, no motorised traffic shall at any time be permitted to gain access to or egress from Halebank Road using the section of roadway identified as Emergency Access on the approved plan.

Reason:- In order to prevent traffic using the local highway network in the interests of highway safety and to minimise impacts on local residents.

- (31) There shall be no deliveries or dispatch of materials or trains to or from the site whether by road or by rail or movement of trains within the site during the hours 23:00 and 07:00.

Reason:- To minimise potential noise disturbance to surrounding residents in accordance with the submitted noise report. To be consistent with the period of noise assessment within the noise report.

The environmental information submitted in accordance with the planning application has been taken into consideration by the Local Planning Authority.

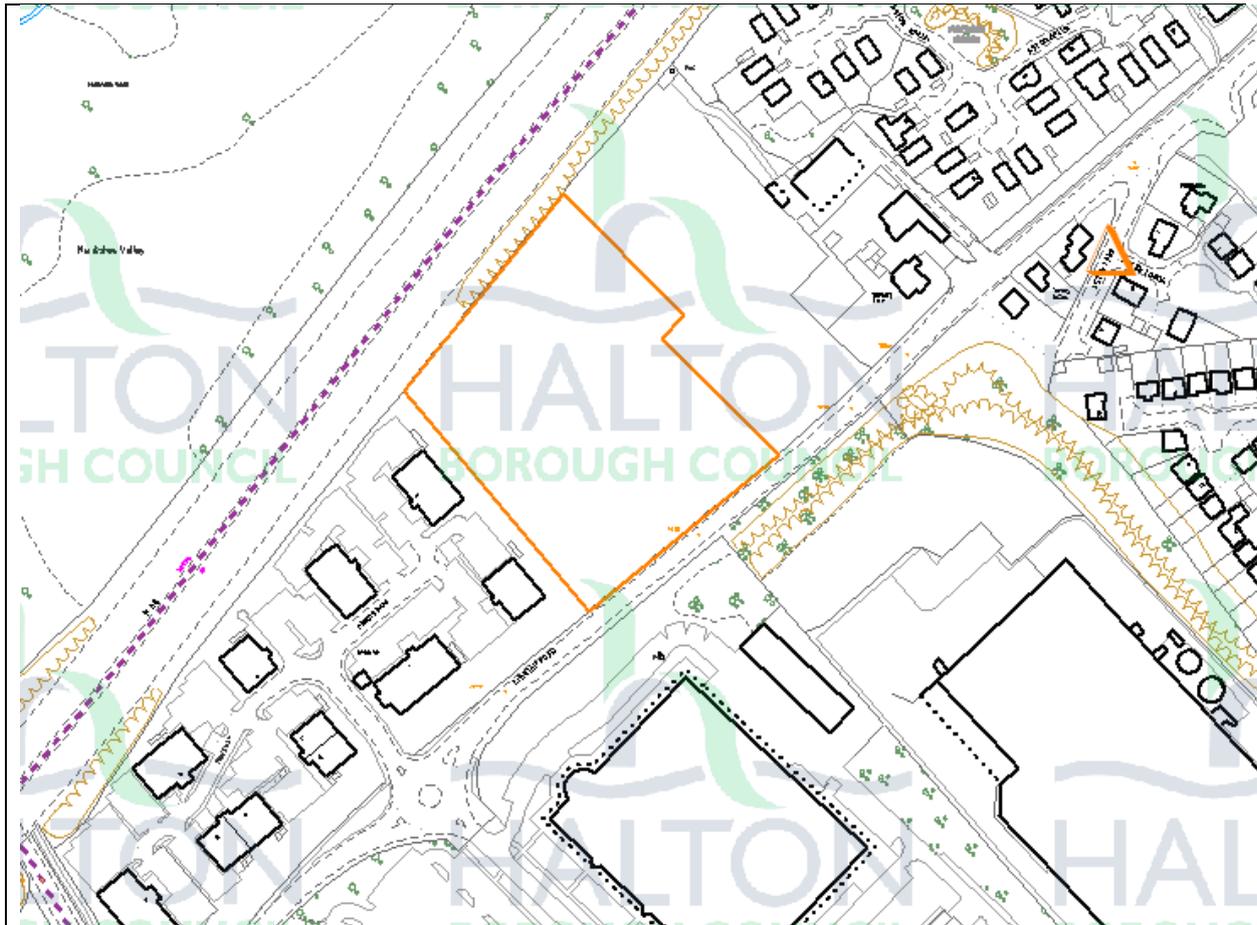
SUSTAINABILITY STATEMENT

As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.

APPLICATION NO:	16/00024/FUL
LOCATION:	Land to the North East of Abbots Park and bounded by the M56 and Chester Road, Preston Brook, Runcorn, Cheshire.
PROPOSAL:	Proposed development of 34 no. dwellings comprising mews, semi-detached and detached properties with associated access, parking, garages and construction of acoustic bund.
WARD:	Daresbury
PARISH:	Preston Brook
AGENT(S) / APPLICANT(S):	Morris Homes
DEVELOPMENT PLAN ALLOCATION:	Greenspace.
National Planning Policy Framework (2012)	
Halton Unitary Development Plan (2005)	
Halton Core Strategy (2013)	
Joint Merseyside and Halton Waste Local Plan (2013)	
DEPARTURE	Yes
REPRESENTATIONS:	No representations received from the publicity given to the application.
KEY ISSUES:	Principle of Residential Development, Development on a designated greenspace, Design, Amenity, Affordable Housing, Open Space, Access.
RECOMMENDATION:	Grant planning permission subject to conditions and an up-front payment in lieu of on-site open space provision.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site subject of the application is part of an agricultural field which is located adjacent to the M56 and Chester Road (A56) in Preston Brook, Runcorn.

Located south west of the application site is Abbots Park which a relatively recent office development. Located to the north east of the application site is the remainder of the agricultural field which is connected to Tannery Farm.

The site is 1.23 ha in area.

The entire site is washed over with a Greenspace designation in the Halton Unitary Development Plan.

2. THE APPLICATION

2.1 The Proposal

Proposed development of 34no. dwellings comprising mews, semi-detached and detached properties with associated access, parking, garages and construction of acoustic bund.

2.2 Documentation

The planning application is supported the following documents/plans:

- Planning Statement
- Topographical Survey
- Landscape Structure Plan
- Boundary Details
- Extended Phase 1 Habitat Survey Report
- Tree Survey
- Arboricultural Method Statement
- Hedgerow Survey
- Phase I Site Investigation Report (Desk Study)
- Flood Risk Assessment & Drainage Strategy
- Transport Statement
- Tracking for refuse vehicles.
- Acoustic Report
- Viability Appraisal

3. POLICY CONTEXT

3.1 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 to set out the Government's planning policies for England and how these should be applied.

Paragraph 196 states that the planning system is plan led. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise, as per the requirements of legislation, but that the NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

3.2 Halton Unitary Development Plan (UDP) (2005)

The site is designated as a Greenspace in the Halton Unitary Development Plan. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- BE22 Boundary Walls and Fences;
- GE6 Protection of Designated Greenspace;
- GE8 Development within Designated Greenspace;

- GE21 Species Protection;
- GE27 Protection of Trees and Woodlands;
- PR4 Light Pollution and Nuisance;
- PR8 Noise Sensitive Developments;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;
- TP14 Transport Assessments;
- TP15 Accessibility to New Development;
- H3 Provision of Recreational Greenspace;

3.3 Halton Core Strategy (2013)

The following policies, contained within the Core Strategy are of particular relevance:

- CS2 Presumption in Favour of Sustainable Development;
- CS3 Housing Supply and Locational Priorities;
- CS12 Housing Mix;
- CS13 Affordable Housing;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS23 Managing Pollution and Risk.

3.4 Joint Merseyside and Halton Waste Local Plan (2013)

The following policies, contained within the Joint Merseyside and Halton Waste Local Plan are of relevance:

- WM8 Waste Prevention and Resource Management;
- WM9 Sustainable Waste Management Design and Layout for New Development.

4. CONSULTATIONS

4.1 Highways and Transportation Development Control

No objection to the proposed development is raised subject to the attachment of a number of conditions and informatives.

4.2 Lead Local Flood Authority

The submitted FRA does not fully consider the SUDS hierarchy set out in NPPF which states:

Generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

It is noted that the proposal is in Flood Zone 1 and therefore at low risk of fluvial flooding. Minor surface water flooding is identified but this appears to be outside of the current developable area. It should be confirmed by the developer and that no part of the development is expected to flood in the 1 in 100 year (plus 30% climate change scenario). It is also noted that there is negligible risk from groundwater.

The developer has bypassed items 1 & 2 in the hierarchy above and proposes a strategy whereby surface water is discharged to existing surface water sewer, but discharge rate be attenuated to greenfield run off rate (6l/s). Crate tanks are recommended for attenuation. It should be pointed out that such a feature would not be acceptable within an adopted highway boundary and in any event a sustainable management arrangement would need to be put in place, for the maintenance of such measures, preferably secured by S106 agreement. The Highway Authority is also aware of flooding incidents downstream of the proposed site. There is no confirmation from United Utilities that it accepts the proposed strategy. The strategy also does not address surface water quality issues.

Given that the report suggests that the site may be suitable for infiltration and recommends further investigation, but this has not been carried out, and the feasibility of incorporating a surface water body into the development has not been addressed, the LLFA would object to the application as it stands, particularly as the development layout and/or number of dwellings may need to be adjusted to accommodate such measures.

Should the application be approved it is recommended that a condition which secures the submission of a Surface Water Regulatory Scheme should be applied.

4.3 Open Spaces – Trees

There are no trees afforded Statutory Protection at this location, although several trees from TPO 017 are situated on the adjacent Tannery Farm. The site is not situated within a Conservation Area.

The proposal will potentially require the loss of a significant amount of trees, most of which will be associated with the construction of the acoustic bund that is to surround the northern edge of the site. There is a replanting plan associated with the proposal, and the selection of trees chosen is acceptable however it will take some time to establish these new trees and mitigate the loss of what is already on site.

The section of tree group G2 (Drawing Title Tree Protection Plan of Arboricultural Method Statement by We Know Trees We Know Ecology) that

lies south of the proposed acoustic bund will receive significant tree removal and pruning works and it is difficult to visualise exactly how much of the current vegetation will be retained and the condition that it will be in following such work. Also, the tree protective fencing does not seem to be offset from the actual edge of those trees to be retained in both this location and on group G3? The property at plot 1 will still be very close to the retained vegetation and it is questionable whether this can actually be built without encroachment into the Root Protection Area. Severing roots to trees this close to a property is never a good idea.

The Hedgerow Survey by We Know Trees We Know Ecology states that the hedgerows on site are not subject to hedgerow regulations and the loss of the section to create access into the site will be mitigated for by additional planting adjacent to the entrance.

The 1 in 2 banks that will form the acoustic bund will require specialist bank mowing equipment to maintain the grassed areas.

4.4 Environmental Health

The acoustic report assesses the internal noise environment of the proposed houses in line with BS8233:2014 to identify whether the noise levels contained within the standard (extrapolated from WHO guidance) can be met. It also looks at the predicted noise levels in the gardens.

The report demonstrates that without boundary treatment the noise levels in the garden and inside the houses will exceed the levels in BS8233. Therefore a 4m high bund together with a 2.3m acoustic fence is proposed along the boundary closest to the M56. This reduces the levels in the gardens to an acceptable level. The report further identifies a number of the properties where the internal levels will still fail to meet the BS8233:2014 standards. In these properties further noise mitigation is required. The report therefore recommends that air tight standard double glazing should be installed in those facades where BS8233:2014 will not be met.

Therefore based on the above information provided by the acoustic report Environmental Health would have no objection in principle to the application subject to the bund and acoustic fence being provided to the specifications outlined in the report and the glazing and mechanical ventilation in the properties as identified within the report. This can be secured by condition.

4.5 Contaminated Land

I have reviewed the following report submitted in support of the application;

- Phase 1 Site Investigation Report (Desk Study), Land at Chester Road, Preston Brook, August 2015

Having reviewed the report I feel it provides a good initial assessment of the potential pollutant linkages. As the site has remained undeveloped agricultural

land there are unlikely to be any significant contamination constraints. The phase 1 report has identified a number of localised potential contamination sources however including a number of off-site historical ponds and the potential for made ground on site. Outline recommendations for phase 2 investigation have therefore been made however I do have a number of minor comments which are outlined below;

- The historical review makes reference to a field boundary running NW to SE throughout the site. However there is a further field boundary running broadly SW to NE along the northern boundary that hasn't been referenced.
- The aerial imagery held by the Council indicates what appears to be a possible pond on site on the 1945 photograph. This isn't identified in the historical map review as the mapping doesn't cover this period. The feature is at the approximate position where the two field boundaries meet. A copy of the photograph can be forwarded to the environmental consultants if this would be of assistance.
- It is possible that the field boundaries will have been drainage ditches and are therefore potential sources of filled ground. I would therefore suggest that the potential contaminant sources listed in section 5.2.2 should include heavy metals, PAH's etc. associated with any fill materials that may be present.
- The proposals for further investigation seem sensible however I would welcome the opportunity to comment on a more detailed scope of works in due course. It has been suggested that window sampling will suffice but that trial pitting may be required if the window sample holes indicate any requirement for further investigation. Given the potential for filled ground within the possible field drains however I would suggest that trial pitting/ trenching perpendicular to the line of the historical field boundaries would be worth considering as part of the first phase of investigation as it may be difficult to successfully target these features via window sampling alone.

The phase 1 study has not identified any significant contamination constraints therefore I am happy for the phase 2 investigation to be undertaken post determination and can be secured by condition.

4.6 Ecological Advisor

Ecology

The applicant has submitted an ecological survey report in accordance with Local Plan policy CS20 (Extended Phase 1 Habitat Survey Report, Ecology Services Ltd, July 2015, version 1). I advise the survey is acceptable and will be forwarded to Cheshire Record via Merseyside BioBank.

The proposed development will result in the loss of an area of semi-mature broadleaved woodland plantation and a length of hedgerow habitat. The applicant has submitted a hedgerow survey report (We Know Trees We Know Ecology, 16 June 2015, 15/00054) which is acceptable and will also be

forwarded to Cheshire Record via Merseyside BioBank. The survey report demonstrates that the hedgerow on the site does not qualify as 'important' under the Hedgerow Regulations 1997. However, the affected hedgerow and woodland habitat are still of local value and mitigation will be required for their loss in line with Local Plan policy CS20.

The submitted Landscape Structure Plan (Barnes Walker, July 2015, M2590.01A) illustrates that mitigation for habitat loss will be achieved through native hedgerow and tree planting upon the proposed acoustic bund. I advise that the proposed mitigation is acceptable and that the Landscape Structure Plan is secured by a suitably worded planning condition.

A habitat management and maintenance plan, which has a duration of at least 5 years, is required for the proposed development which includes management and maintenance prescriptions. The management plan must be comprehensive, integrated and incorporate ecological principles, landscape and other objectives. The plan should be secured by a suitably worded planning condition.

In order to protect the retained trees and hedgerow upon the site, I advise that the recommendations set out in the submitted Arboricultural Method Statement (We Know Trees We Know Ecology, 16 June 2015 (updated 11 August 2015), 15/00054) are secured by a suitably worded planning condition.

Vegetation on site may provide nesting opportunities for breeding birds, which are protected and Local Plan policy CS20 applies. No tree felling, scrub clearance, hedgerow removal, vegetation management and/or ground clearance is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub and hedgerows are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected would be required. This can be secured by a suitably worded planning condition.

Waste

The proposal involves construction activities and policy WM8 of the Joint Merseyside and Halton Waste Local Plan (WLP) applies. This policy requires the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition. The details required within the waste audit or similar mechanism is provided in Part Two.

The applicant has not provided sufficient information to demonstrate compliance with policy WM9 of the Joint Merseyside and Halton Waste Local Plan. I advise that the information set out in policy WM9 of the Waste Local Plan is required and can be secured by a suitably worded condition.

4.7 National Grid

No objection to the proposed development. Their observations in relation to the pipelines in the area should be attached as an informative.

4.8 Health and Safety Executive

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Halton.

HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

4.9 Preston Brook Parish Council

Our observations/comments are as follows:

- We need to ensure that the management company put in place to manage the estate is robust and sustainable for those residents for the future. The parish council will not accept any liability or responsibility for maintaining the area or dealing with any fallout that may arise in respect of this development. We wish to be kept informed of the progress of this, who the company are and key contacts
- The commuted sum: we would like this to be reserved and passed to the parish council to assist in introducing features that will improve the amenities for local residents.
- We need reassurance that hedging/fencing as described by Gary (Morris Homes) on access into the site is as described and does not affect those accessing the highway from the development
- The parish council will not undertake any responsibility for management/maintenance of the 'bund', this has to form part of the estates responsibility
- Morris homes advised of their support in the extension of the bund (with potential use of commuted sum) for affected residents near this development. We would like to have written confirmation of that support (if approved) when the development is in progress
- There was concern raised following the highways report, that a proposed right turn into the estate be considered. Whilst this is not mandatory, would like written assurance that this won't create any future highway issues

Overall, following lengthy discussions and as a result of the vote undertaken by residents, coupled with comments from those residents present, the application is principally supported and welcomed.

5. REPRESENTATIONS

5.1 The application has been advertised by a press advert in the Widnes & Runcorn Weekly News on 28/01/2016, two site notices posted on 25/01/2016 on Chester Road and 15 neighbour notification letters sent on 21/01/2016.

5.2 Following the receipt of amended plans, 15 neighbour notification letters were sent on 07/04/2016.

5.3 No representations have been received from the publicity given to the application.

6. ASSESSMENT

6.1 Development on a Designated Greenspace

The site is designated as Greenspace on the proposals map of the Halton Unitary Development Plan.

This development proposal needs to be tested against Policy GE6 which relates to the protection of designated greenspace.

The proposal would inevitably result in the loss of an area of Greenspace. There are exceptions where the loss of amenity value which led to the designation of the site as Greenspace is adequately compensated for set out in the policy.

Criterion c states that “No proposal should result in a loss of amenity for local residents by forcing them to travel to a less convenient location” and the applicant has sought to demonstrate that this is not the case.

In respect of this policy, one of the first points made is that the site is low value as a Greenspace due to its current and active use as agricultural land, that it is disconnected from any other greenspace or greenways and the lack of public access.

The applicant argues that this site is isolated from any Greenspace system. They also allude to the fact that the site is used for agriculture and is private land, making it both unavailable and inaccessible for a recreational use.

The Extended Phase 1 Habitat Survey Report submitted with the application concludes that the site contains habitats of varying ecological value. Habitats considered to be of low ecological value include arable and semi-improved grassland. Habitats of greater ecological value included scattered trees, plantation woodland and hedgerows. The report concludes that the submitted landscape proposals would ensure that there is no net loss of habitats of ecological value and recommendations to ensure biodiversity gain are set out.

The only amenity value which the applicant acknowledges that this site benefits from is the visual break which the site currently provides, however views of the site are screened by trees and hedgerow limiting its ability to enhance the attractiveness of the area.

In conclusion, the development would result in the loss of a site which is of a low amenity value, however would provide much needed housing in the Borough. Based on this, it considered that the proposal meets exception criterion c within Policy GE6 and is acceptable.

6.2 Housing Supply and Locational Priorities

Policy CS3 of the Halton Core Strategy Local Plan states that a minimum of 9,930 new additional homes should be provided between 2010 and 2018 to ensure an adequate supply of suitable housing for the Borough's existing communities and to accommodate projected growth in the Borough's population.

The proposal for much needed housing would contribute to the Borough's housing requirements.

The proposal would be in compliance with Policy CS3 of the Halton Core Strategy Local Plan.

6.3 Principle of Residential Development

Based on the above considerations, the development would result in the loss of a Greenspace which has limited amenity value, however would provide much needed housing.

The land uses within Preston Brook are a mix between residential and employment uses with those being to the north-east and east being predominantly residential with those to the south-west and south being predominantly employment uses (office, industrial and warehousing uses) . It is considered that the proposed development would form some relationship with existing residential properties in Preston Brook and would also be compatible with the adjacent office development.

The proposal seeks to develop part of the Greenspace allocation and questions have been asked of the applicant in terms of comprehensive development. The application site is defined by the option that Morris Homes currently have on the land and no further land (i.e. the remaining agricultural land) is not available at this current time. The proposed layout makes provision for access to the adjacent parcel of land should the site come forward for residential development at a later date.

The proposal would make a contribution towards attempting to ensure that there is an adequate supply of suitable housing for the Borough's existing communities and to accommodate projected growth in the Borough's population.

The principle of residential development on this site is considered to be acceptable.

6.4 Highway Considerations

The application site is located within the urban area with the surrounding area having a wide range of facilities and attractions to serve residents needs with walk and cycle distance. It is inevitable that the development would have some impact on traffic levels in the locality, however the Transport Statement which accompanies the application demonstrates that the highway impact of the development would not be severe.

The observations from Preston Brook Parish Council raise the issue that a right turn lane into the proposed development from Chester Road should be considered. The applicant has demonstrated that the junction on Chester Road would cater for the volume of traffic which would likely result from the proposed development and that a right turn lane cannot be insisted on in this case.

Based on there being no right turn lane provision into the site, Preston Brook Parish Council were of the view that a vehicle waiting to turn right into the development would cause problems back to Preston Brook and suggested that a right turn could be prohibited. It is not considered that the impact of vehicles turning right would be significant and it would not be practical to design the access to prohibit vehicles from being able to turn right into site, any signage could only be advisory and may well lead to confusion and problems. If a regular problem was to occur then it could be reviewed by the Highway Authority in the future.

It is considered appropriate to attach a condition ensuring that the required visibility splay as shown on the submitted plans is implemented and subsequently maintained.

The internal road network within the site has demonstrated that there is sufficient space for the Council refuse vehicle to enter and exit the site in forward gear.

In terms of car parking, there is sufficient provision across the scheme. The proposed dwellinghouses have at least two in curtilage car parking spaces (some of which are located within garages which are 6m in length and 3m in width). Amendments have been secured during the processing of the application to ensure that all parking provision within the scheme is of a usable dimension.

No cycle parking is proposed for the houses, however there is sufficient space within the curtilage of each property to provide such provision if the occupier of the dwelling requires this with a number of the properties also having garaging provision which is of a dimension to accommodate some domestic storage as well as the storage of private car.

To ensure the development is carried out in an appropriate manner, it is considered reasonable to attach a condition which secures the submission of a construction management plan and its subsequent implementation.

Based on all the above, the proposal is considered to be acceptable from a highway perspective compliant with Policies BE1, TP6, TP7, TP12 & TP 14 of the Halton Unitary Development Plan.

6.5 Noise

Noise is a constraint to development at this site given the site's relationship with the M56 which is a significant noise source. The report assesses the internal noise environment of the proposed houses in line with BS8233:2014 to identify whether the noise levels contained within the standard (extrapolated from WHO guidance) can be met. It also looks at the predicted noise levels in the gardens.

The report demonstrates that without boundary treatment the noise levels in the garden and inside the houses will exceed the levels in BS8233. Therefore a 4m high bund together with a 2.3m acoustic fence is proposed along the boundary closest to the M56. This reduces the levels in the gardens to an acceptable level. The report further identifies a number of the properties where the internal levels will still fail to meet the BS8233:2014 standards. In these properties further noise mitigation is required. The report therefore recommends that air tight standard double glazing should be installed in those facades where BS8233:2014 will not be met.

Therefore based on conditions which secure the implementation and maintenance / management of the bund and acoustic fence and the glazing and mechanical ventilation in the properties as identified within the report, no objection is raised from a noise perspective.

This would ensure that the proposed development is compliant with Policy BE1 and PR8 of the Halton Unitary Development Plan.

6.6 Layout

The site layout has been designed having regard for the key site constraints which in this case are noise which has resulted in the provision of the bund and acoustic fence referred to above and the National Grid Gas Main which runs through the site frontage which has a Building Proximity Distance of 3m on each side of the Gas Main resulting in the houses being setback further in the site. This setback allows for an attractive soft frontage to the development to be created.

The scheme has generally been designed having regard for the privacy distances for residential development set out in the Design of Residential Development Supplementary Planning Document. There are a few points within the scheme where privacy distances are below this guidance, however

the applicant has looked for innovative solutions to design out any associated privacy issue and the resultant relationships are considered to be acceptable in terms of both light and privacy.

With regard to private outdoor space, the Design of Residential Development Supplementary Planning Document states that houses having 3 bedrooms shall have a minimum private outdoor space of 70sqm per unit with 4 bedroom houses having a minimum private outdoor space of 90sqm per unit. The scheme has been designed so that it generally accords with this standard and would ensure that each house has a usable private outdoor space.

The scheme generally provided dual aspect properties on corner plots to provide interest in the respective streetscenes and create active frontages, however further work has been done during the processing of the application to further enhance the appearance of the scheme through its layout.

In terms of Housing Mix, the proposal seeks to deliver a range of property sizes including 3 and 4 bedroom houses with there being a mix between mews, semi-detached and detached properties. In terms of tenure, all the properties would be market housing and the requirement for affordable housing is to be considered at paragraph 6.10.

The layout of the proposed development is considered to be acceptable and compliant with Policies BE 1 & BE 2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan. In terms of Housing Mix, the proposal is considered to be compliant with Policy CS12 of the Halton Core Strategy Local Plan.

6.7 Scale

The scheme comprises of two storey buildings which is characteristic of other residential developments in Preston Brook and is considered to be acceptable.

The proposal is considered to be acceptable in terms of scale and compliant with Policy BE 1 of the Halton Unitary Development Plan.

6.8 Appearance

The proposed elevations show that buildings would be of an appropriate appearance with some variety in materials to add interest to the overall external appearance. Details of the precise external facing materials to be used are shown on the submitted plans and their implementation should be secured by condition.

This would ensure compliance with Policies BE 1 & BE 2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

6.9 Landscaping & Trees

There are no trees afforded Statutory Protection at this location, although several trees from TPO 017 are situated on the adjacent Tannery Farm. The site is not situated within a Conservation Area.

The proposal will potentially require the loss of a significant amount of trees, most of which will be associated with the construction of the acoustic bund that is to surround the northern edge of the site. There is a replanting plan associated with the proposal, and the selection of trees chosen is acceptable however it will take some time to establish these new trees and mitigate the loss of what is already on site. The implementation of the submitted soft landscaping scheme should be secured by condition.

Further clarification has been sought on the retention of vegetation on the boundary with the office development at Abbots Park. The retention of some vegetation to act as a buffer between the proposed residential development and the existing office development is logical, however the suitability of this in relation to one of the proposed dwellinghouses is being considered by the applicant.

The Hedgerow Survey by We Know Trees We Know Ecology states that the hedgerows on site are not subject to hedgerow regulations and the loss of the section to create access into the site will be mitigated for by additional planting adjacent to the entrance.

Details of hard landscaping and boundary treatments have been submitted. This includes a number of different boundary types according to the location within the site and is considered to ensure that satisfactory levels of privacy and appearance. A condition securing the implementation of the approved scheme and implementation thereafter is considered reasonable.

This would ensure compliance with Policies BE 1 and GE 27 of the Halton Unitary Development Plan.

6.10 Site Levels

The application is accompanied by a topographical survey of the site and a plan showing finished floor levels for the buildings. There is not a significant land level difference across this site with levels increasing as you move in a south-westerly direction with the difference being a maximum of 1.5m over a distance of in excess of 100m. The conclusion is that the resultant relationships would be acceptable (both within the scheme and also in relation to the adjacent agricultural land and office development) and it is considered reasonable to attach a condition which secures the submission of full proposed site levels for approval and their subsequent implementation.

This would ensure compliance with Policy BE 1 of the Halton Unitary Development Plan.

6.11 Affordable Housing

Policy CS13 of the Halton Core Strategy Local Plan states that affordable housing units will be provided , in perpetuity, on schemes including 10 or more dwellings (net gain) or 0.33 hectares or greater for residential purposes. It also states that affordable housing provision will be sought at 25% of the total residential units proposed.

The applicant is not proposing that any of the units would be affordable and has submitted information to demonstrate that the inclusion of affordable housing provision would make the development unviable in line with the policy wording.

The assessment submitted has been reviewed by the Council's Surveyor and the conclusion is that it is reasonable and it would not appear to be viable for affordable housing provision to be included within the scheme.

This would ensure compliance with Policy CS 13 of the Halton Core Strategy Local Plan and the Affordable Housing Supplementary Planning Document.

6.12 Open Space

The requirements for the provision of recreational greenspace within new residential developments are set out in Policy H3 of the Halton Unitary Development Plan.

The Open Space Requirement Calculator has identified that there is a deficit of Parks & Gardens and Formal Playing Pitches in this particular neighbourhood.

As the open space requirements for the proposed residential development in relation to Parks & Gardens are not being proposed to be met on site, the policy indicates that a commuted sum in lieu of on-site provision is required. The applicant has agreed to make this payment upfront in advance of any subsequent grant of planning permission. This would be used for the enhancement of an existing greenspace in the locality which would ensure compliance with Policy H3 of the Halton Unitary Development Plan.

6.13 Ground Contamination

The application is accompanied by a Phase 1 Site Investigation Report (Desk Study).

The report provides a good initial assessment of the potential pollutant linkages. As the site has remained undeveloped agricultural land there are unlikely to be any significant contamination constraints. The phase 1 report has identified a number of localised potential contamination sources however

including a number of off-site historical ponds and the potential for made ground on site. Outline recommendations for phase 2 investigation have therefore been made in the report. The phase 2 investigation to be undertaken can be done post determination of this application and can be secured by condition.

This would ensure that the proposal is compliant with Policy PR14 of the Halton Unitary Development Plan.

6.14 Flood Risk and Drainage

The application site is located in Flood Zone 1 and is at low risk from flooding. The application is accompanied by a joint Flood Risk Assessment & Drainage Strategy. This document has been reviewed by the Lead Local Flood Authority and their initial comment was that it does not fully consider the SUDS hierarchy set out in NPPF. A further submission has been made in this regard which is currently being reviewed.

Should the application be approved a condition which secures the submission of a Surface Water Regulatory Scheme and its subsequent implementation should be applied.

This would ensure compliance with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

6.15 Biodiversity

The application is accompanied by an Extended Phase 1 Habitat Survey Report.

The proposed development would result in the loss of an area of semi-mature broadleaved woodland plantation and a length of hedgerow habitat. The applicant has submitted a hedgerow survey report which is acceptable. The survey report demonstrates that the hedgerow on the site does not qualify as 'important' under the Hedgerow Regulations 1997. However, the affected hedgerow and woodland habitat are still of local value and mitigation will be required for their loss.

The submitted Landscape Structure Plan illustrates that mitigation for habitat loss will be achieved through native hedgerow and tree planting upon the proposed acoustic bund. The proposed mitigation is acceptable and that the implementation of the Landscape Structure Plan and its subsequent maintenance should be secured by condition.

A habitat management and maintenance plan, which has a duration of at least 5 years, is required for the proposed development which includes management and maintenance prescriptions. The management plan must be comprehensive, integrated and incorporate ecological principles, landscape and other objectives. The plan should be secured by condition.

In order to protect the retained trees and hedgerow upon the site, the recommendations set out in the submitted Arboricultural Method Statement should be secured by condition.

Vegetation on site may provide nesting opportunities for breeding birds, which are protected. No tree felling, scrub clearance, hedgerow removal, vegetation management and/or ground clearance is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub and hedgerows are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected would be required. This can be secured by condition.

Based on the above, it is considered that the proposal is compliant with Policy GE21 of the Halton Unitary Development Plan.

6.16 Sustainable Development and Climate Change

Policy CS19 of the Halton Core Strategy Local Plan outlines some principles which will be used to guide future development.

One of these principles is Code for Sustainable Homes. It would be desirable for all properties to be built to the standard set out in the policy; however this is something which is encouraged rather than a requirement.

Paragraph 35 of the NPPF states that developments should be located and designed as to incorporate facilities for charging plug-in and other ultra-low emission vehicles. To further enhance the opportunities for sustainable development, the applicant has confirmed that all integral garages will be provided with a double socket power supply up to 32A. This provision should be secured by condition.

The proposal is compliant with Policy CS19 of the Halton Core Strategy Local Plan.

6.17 Waste Prevention/Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, a construction management plan will deal with issues of this nature and based on the development cost, the developer would be required to produce a Site Waste Management Plan. The submission of this can be secured by condition. In terms of waste management, there is sufficient space for the storage of waste including separated recyclable materials for each property as well as access to enable collection and a condition securing the submission of a detailed scheme is suggested.

7. CONCLUSIONS

In conclusion, the development would result in the loss of a Greenspace which has limited amenity value, however would provide much needed

housing as well as securing an upfront payment which would be used for Greenspace enhancements in the locality. On this basis, the development on this designated greenspace is considered to be acceptable.

The Transport Statement which accompanies the application demonstrates that the highway impact of the development would not be severe. The internal road network within the site has demonstrated that there is sufficient space for the Council refuse vehicle to enter and exit the site in forward gear. In terms of car parking, there is sufficient provision across the scheme.

The residential layout is considered to be appropriate in terms of separation for both light and privacy and each property would have an appropriate amount of private amenity space.

The proposal is considered to be of an appropriate design with active frontages and the elevations indicate a mix of materials to add interest and result in well designed properties.

The application is recommended for approval subject to conditions and the upfront payment to be used for Greenspace enhancements in the locality.

8. RECOMMENDATIONS

Grant planning permission subject to conditions and the upfront payment for Greenspace enhancements in the locality.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Submission of Proposed Site Levels (Policy BE1)
4. Implementation of Facing Materials Detailed (Policies BE1 and BE2)
5. Implementation of Landscape Structure Plan - (Policy BE1)
6. Habitat Management and Maintenance Plan – (Policy BE1)
7. Implementation of Recommendations in the Arboricultural Method Statement – (Policy BE1)
8. Implementation of Submitted Hard Landscape and Boundaries Layout and subsequent maintenance - (Policy BE1)
9. Breeding Birds Protection – (Policy GE21)
10. Hours of Construction – (Policy BE1)
11. Removal of Permitted Development – All Dwellings – (Policy BE1)
12. Implementation of the noise bund and acoustic fence and subsequent maintenance – (Policies BE1 and PR8)
13. Implementation of the glazing and mechanical ventilation as identified in the acoustic report – (Policies BE1 and PR8)
14. Submission of a Construction Management Plan - (Policy BE1)

15. Provision & Retention of Parking for Residential Development (Curtilage) – (Policy BE1)
16. Provision & Retention of Parking for Residential Development (Not in Curtilage) – (Policy BE1)
17. Retention of Garages to Dwellings – (Policy BE1)
18. Implementation of Access and Servicing Provision – (Policy BE1)
19. Implementation of Off Site Highway Works (Site Access Point from Chester Road, Dropped Crossing at the Tannery Farm Access Point, Closure of Existing Farm Access, Bus Stop Alterations) – (Policy BE1)
20. Visibility Splay (2.4m x 55m at Site Access with Chester Road) – (Policy BE1)
21. Submission of Electric Vehicle Charging Point Scheme, subsequent implementation and maintenance – (Policy CS19)
22. Submission of a Surface Water Regulatory Scheme for approval and subsequent implementation – (Policy PR16)
23. Ground Contamination – Site Investigation, Remediation Strategy and Site Completion Report – (Policy PR14)
24. Submission of a Waste Audit– (Policy WM8)
25. Submission of a Sustainable Waste Management Design – (Policy WM9)

Informatives

1. Highway Informative – S38 / S278/184 – Above Ground Apparatus Requirements.
2. National Grid Response
3. Ecology Informative
4. Waste Informative

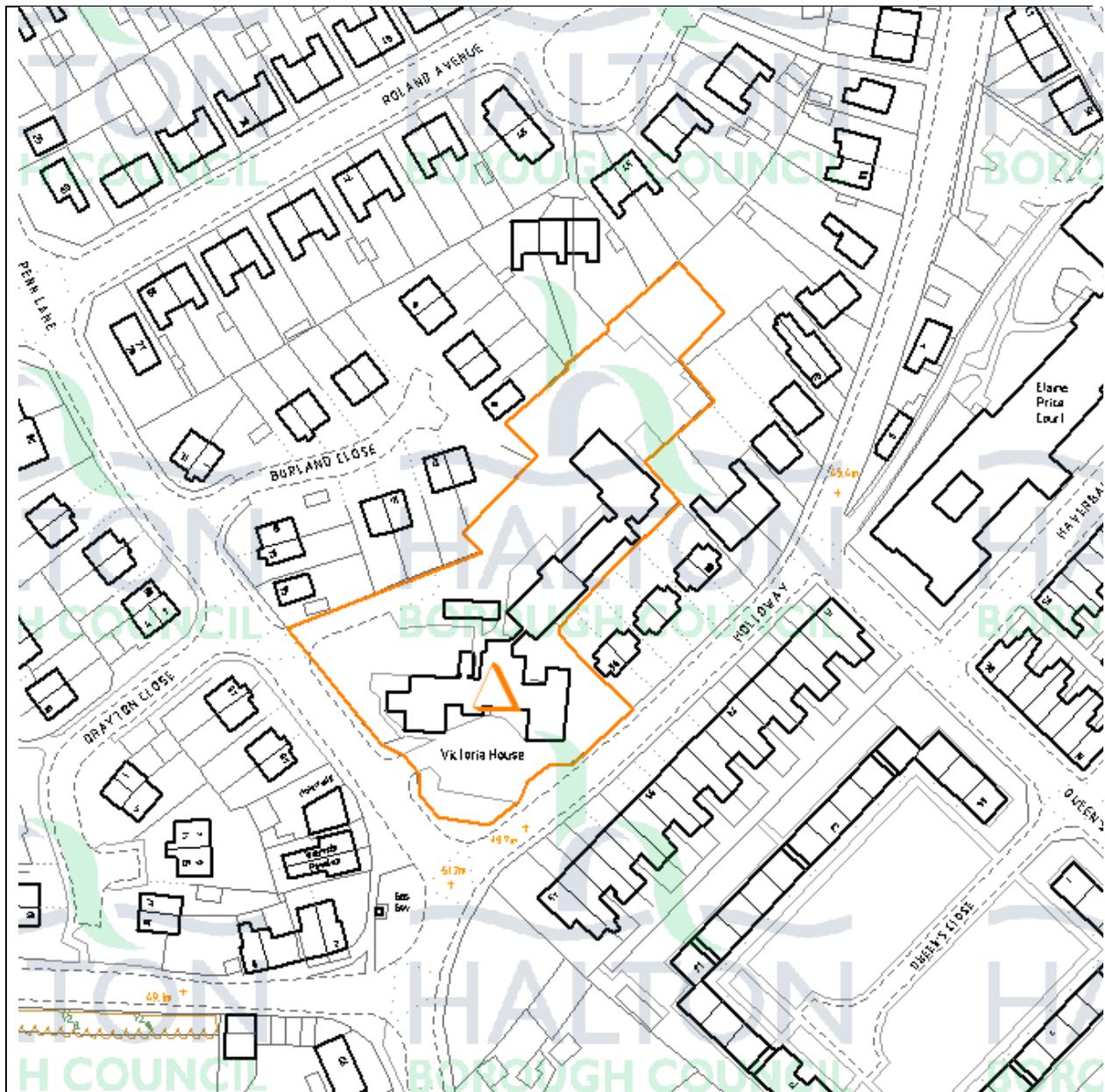
10. SUSTAINABILITY STATEMENT

As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.

APPLICATION NO:	16/00069/FUL
LOCATION:	Victoria House, Holloway, Runcorn, Cheshire.
PROPOSAL:	Proposed development of 22 no. apartments and 6no. houses including change of use of existing building, selective demolition and associated landscaping.
WARD:	Mersey
PARISH:	None
AGENT(S) / APPLICANT(S):	Halton Housing Trust.
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Primarily Residential Area
DEPARTURE	No
REPRESENTATIONS:	75 representations were received from the publicity given to the application.
KEY ISSUES:	Principle of Residential Development, Impact on the Character of the Area, Design, Amenity, Affordable Housing, Open Space, Access.
RECOMMENDATION:	Grant planning permission subject to conditions.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site subject of the application is located at the junction of Penn Lane and Holloway in Runcorn. The site comprises of the former Victoria Memorial Cottage Hospital and attached office buildings. The site is 0.47 ha in area.

The surrounding area is predominantly residential in nature with there being properties of a variety of ages and styles.

The entire site is within a Primarily Residential Area designation in the Halton Unitary Development Plan.

2. THE APPLICATION

2.1 The Proposal

The application proposes the development of 22no. apartments and 6no. houses including change of use of existing building, selective demolition and associated landscaping.

2.2 Documentation

The planning application is supported the following documents/plans:

- Design and Access Statement;
- Drainage Statement for Planning;
- Local Community Consultation Statement;
- Phase I Desk Study Report;
- Phase II Site Appraisal Report;
- Bat and Bird Report;
- Arboricultural Impact Assessment;
- Demolition Asbestos Report.

3. POLICY CONTEXT

3.1 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 to set out the Government's planning policies for England and how these should be applied.

Paragraph 196 states that the planning system is plan led. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise, as per the requirements of legislation, but that the NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

3.2 Halton Unitary Development Plan (UDP) (2005)

The site is designated as a Greenspace in the Halton Unitary Development Plan. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;
- BE2 Quality of Design;

- BE15 Local List of Buildings and Structures of Architectural and Historic Interest;
- BE22 Boundary Walls and Fences;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodlands;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;
- H3 Provision of Recreational Greenspace;

3.3 Halton Core Strategy (2013)

The following policies, contained within the Core Strategy are of particular relevance:

- CS2 Presumption in Favour of Sustainable Development;
- CS3 Housing Supply and Locational Priorities;
- CS12 Housing Mix;
- CS13 Affordable Housing;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS23 Managing Pollution and Risk.

3.4 Joint Merseyside and Halton Waste Local Plan (2013)

The following policies, contained within the Joint Merseyside and Halton Waste Local Plan are of relevance:

- WM8 Waste Prevention and Resource Management;
- WM9 Sustainable Waste Management Design and Layout for New Development.

4. CONSULTATIONS

4.1 Highways and Transportation Development Control

No objection to the proposed development is raised subject to the attachment of a number of conditions and informatives.

4.2 Lead Local Flood Authority

It is understood that the access and road within the site has not been designed to adoptable standard, contrary to the claims made in the drainage information, and this needs to be made clear. It is noted that United Utilities (UU) are willing to accept connections to existing combined sewers with the maximum discharge rate limited to 42 l/s, split between the Holloway sewer (30 l/s) and the Penn Lane sewer (12 l/s) and that drainage will be pumped to

allow connection. It is not clear whether UU are willing to accept maintenance responsibility for the rising main and pumping station, and this would need to be clarified. Flows in excess of the maximums suggested would need to be dealt with on site, and it is noted that UU have recommended further investigation into the use of soakaways.

Whilst the supporting information suggests that the site may be suitable for infiltration, and soakaways have been used to drain the site in the past, the report recommends that the existing soakaways would not be suitable as they have been connected to positive drainage in the past, due to fears over flooding of the adjoining houses. Infiltration testing has been carried out but at the rates shown it is envisaged that soakaways would need to be too large and would not meet the appropriate requirements for distance from buildings and roads. In line with NPPF the developer should demonstrate why SUDS attenuation has not been put forward, and whilst it is apparent that there is limited suitable space available within the site, techniques such as permeable paving do not appear to have been investigated.

Whilst it is claimed in the supporting information that adequate underground storage (oversize pipes) and flow control can be used to achieve the required discharge rates in the design storm event (1 in 100 year plus climate change), no calculations have been submitted, and it is noted that there will still be above ground flooding in this event. Further information is required to indicate extent of flooding/overland flow, together with supporting calculations. This (and the points above) may be dealt with via condition.

4.3 Open Spaces – Trees

There are no trees within the boundary of the property that are afforded statutory protection and the site sits just outside of a designated Conservation Area. Tree T1 oak is a significant tree and would in my opinion be worthy of Statutory Protection if under threat of removal.

A number of trees have already been removed and pruned at this site, the work appearing to be in conjunction with this application.

The submitted Design and Access Statement states:

“There are a number of trees within the site boundary. To facilitate this development a number of these are to be lost, which is regrettable as they add to the character of the site. However their proximity to the existing building and retaining structure adjacent to the public highway is such that they need to be removed to ensure they cause no further damage to the structures. The applicant intends to replace the lost trees at a rate of 2:1.”

It is not clear how many replacement trees are to be planted and there does not appear to be a landscape proposal plan to reference.

The proposed Geoweb construction system proposed for sections of pathway that encroach into the RPA's of retained trees is an accepted method.

4.4 Contaminated Land

The following reports submitted in support of the application;

- Phase 1 Site Appraisal (Desk Study), GRM Development Solutions, July 2015, Ref. GRM/P7060/DS.1
- Phase 2 Site Appraisal Investigation, GRM Development Solutions, 21st August 2015, Ref. P7060
- Revised Phase 2 Site Appraisal Investigation, GRM Development Solutions, 30th March 2016, Ref. P7060

Remediation will be required due to pervasive elevated concentrations of lead within the made ground. The remedial proposals are for a cover layer of 600mm of clean imported subsoil and topsoil in private garden areas. Removal of a large proportion of the made ground will be required in order to allow for the placement of the imported soils. The report also refers to a requirement for clean capping layer of subsoil and topsoil in the existing soft landscaped areas surrounding Victoria House although the proposed depth of this is not stated. I am now happy with the level of site investigation and the refined conceptual site model and with the outline remedial proposals.

In accordance with the requirements of the planning condition we will however require a more detailed standalone remediation strategy setting out the remedial objectives in more detail along with the means of verification. Once this has been received the pre-commencement elements of the relevant planning condition will have been addressed and the final requirement will be the validation report to be submitted upon completion of remediation.

4.5 Conservation Advisor

It is noted that Historic England decided this building was not of sufficient special architectural or historic interest to add it to the List. The building is located outside but adjacent to the boundary of Higher Runcorn Conservation Area. The building is not locally listed. However, as demonstrated within the applicants Design & Access Statement, the building does have local interest and is therefore an undesignated heritage asset. As such, paragraphs.131 and 135 of NPPF apply.

Given that the former Victoria Memorial Cottage Hospital is not subject to special protection, it is refreshing that the developer has submitted proposals which incorporate and convert the historic building. However, since pre-application stage, two canted wings have been added which replace modest, flat-roofed extensions. In terms of scale and height, these wings are large and do compete with the front elevation.

At the rear, the proposed additional new build apartment block appears to have added another floor since pre-application stage. This makes the new build element overly dominant on the original building. Currently the proposed new-build element has taken the same ridge line as the existing building, which does not provide a legible distinction between new and original

buildings. The scheme would benefit significantly by even a slight reduction in height of the ridge line, and the lowering the gable which presents to the rear elevation. The use of a more sympathetic facing material (eg render or timber, as found on the original building) would also help to reduce the impact of the new-build element and harmonise it with the original.

The proposed use of a considerable area of fibrous cement tile hanging is not consistent with the quality of materials normally found in conjunction with a heritage asset and is inappropriate in this location. Careful use of render, for example, would have been more appropriate. (This comment also applies to the 'cottage style apartments'). However, issues of materials can be covered by condition. It is a pity that the hierarchy of windows (double for living rooms / single for bedrooms) hasn't been adopted within this central bay, as it would offer relief to regularity of the appearance.

Whilst the proposed scheme has shortcomings which could definitely be improved upon, the existing building is not subject to special protection, being neither listed, locally-listed nor in a conservation area. In this context, of key importance is the applicants desire to retain the existing building at all, which is definitely to be welcomed as is the restriction of alterations to the building's key elevation. The weight which the design flaws can be given in the context of the buildings undesignated status is, therefore, limited as outlined by NPPF para.135. For the main elevation, the character of the building has been maintained and therefore accords with Policy BE15.

4.6 Ecological and Waste Advisor

Ecology

The applicant has submitted a Bat & Bird survey report in accordance with Local Plan policy CS20 (*Victoria House: Bat & Bird Report, Kingdom Ecology, September 2015*). The survey is acceptable and will be forwarded to Cheshire rECOrd via Merseyside BioBank.

The report has limitations because:

- a data search with Cheshire rECOrd was not undertaken;
- the report only covers birds and bats, no other species were considered; and
- Non-native species are not covered.

However, on this occasion, the report is acceptable because there is little habitat on site that is suitable for use by other protected species and the site is well maintained and recently vacated, therefore making the presence of invasive species unlikely.

As the proposed development falls within the qualifying category '*All planning applications*' Natural England must be consulted on the planning application **prior to determination**. However, in my view there would be no impact on the Mersey Estuary SSSI as a result of the proposed development.

Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected. No ground clearance or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings and trees are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected would be required. This can be secured by a suitably worded planning condition.

As mitigation for the loss of breeding bird habitat for swifts, swift nesting boxes should be provided as a mitigation measure. This can be secured by a suitably worded planning condition.

As the mature trees on site provide significant habitat on site for breeding birds and a range of other species, they should be retained as part of the final scheme. This can be secured by a suitably worded planning application.

The report states that no evidence of bats use or presence was found within the buildings or trees on site. The Council **does not** need to consider the proposals against the three tests (Habitats Regulations) or consult Natural England.

Habitats on site or adjacent to the site may provide 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 areas in line with NPPF (paragraph 125). This can be secured by a suitably worded planning condition. It would be helpful for the applicant to refer to the document *Bats and Lighting in the UK, Bats and the Built Environment Series, Bat Conservation Trust and Institute for Lighting Engineers*.

The applicant, their advisers and contractors should be made aware that if any European protected species are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.

Waste

The proposal involves demolition and construction activities and policy WM8 of the Joint Merseyside and Halton Waste Local Plan (WLP) applies. This policy requires the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

The applicant has provided sufficient information (*Design & Access Statement, John McCall Architects, January 2016* and *Victoria House, Runcorn: Proposed Site Plan, John McCall Architects, January 2016, Drawing No. L.03A*) to demonstrate compliance with policy WM9 of the Joint Merseyside and Halton Waste Local Plan.

4.7 Natural England

Natural England has no comments to make on this application.

4.8 Health & Safety Executive

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Halton.

HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

4.9 United Utilities

No objection to the proposed development subject to the attachment of conditions relating to drainage. Their other observations can be attached as an informative.

5. REPRESENTATIONS

5.1 The application has been advertised by a press advert in the Widnes & Runcorn World on 25/02/2016, two site notices posted on 19/02/2016 (Penn Lane) and 48 neighbour notification letters sent on 18/02/2016.

5.2 Seventy-five representations were received from the publicity given to the application. The observations raised are summarised below:

- The access in and out of the site is too narrow.
- The proposal would add to the existing parking problems in the area.
- Where will visitors to the development park?
- The proposal would be detrimental to highway safety – especially for pedestrian accessing schools etc.
- Parking for residents on Holloway should be incorporated into the development.
- Holloway should be one-way.
- It would have a negative impact on the character of the neighbourhood.
- The historic building should be kept and enhanced and not extended in an unsympathetic manner.
- An application to list the building has been made to Historic England.
- The proposal would not integrate with the surrounding area.
- Victoria House is within a Conservation Area.
- The overbearing visual impact from rear by virtue of the height and massing of the proposed extension.

- Overdevelopment of the site.
- Overlooking and loss of light for existing properties especially given level differences.
- The material choice is inappropriate.
- The building is of great sentiment
- Not social housing.
- Lack of amenities or play areas in the vicinity.
- Where will children who reside in the proposed development go to school?
- Noise and disturbance during construction.
- Noise levels could be detrimental to neighbouring houses.
- The proposal would compromise the extension of an existing property adjacent to the site.
- Why have the sycamore and pear trees been cut down contrary to the tree survey?
- Access across the site to existing properties would be lost.
- Why can't the building have another community use?
- The issue of drainage and flooding has been sidestepped.
- What noise and pollution would result from the proposed pumping station?
- Toxic and medical waste was buried at the site.
- The proposal would have a negative impact on the value of surrounding properties.

6. **ASSESSMENT**

6.1 Principle of Residential Development

The site is designated as a Primarily Residential Area on the proposals map of the Halton Unitary Development Plan. This clearly acknowledges that the predominant land use in this area is residential and as such the principle of residential development is acceptable.

6.2 Housing Supply and Locational Priorities

Policy CS3 of the Halton Core Strategy Local Plan states that a minimum of 9,930 new additional homes should be provided between 2010 and 2018 to ensure an adequate supply of suitable housing for the Borough's existing communities and to accommodate projected growth in the Borough's population.

The proposal for much needed affordable housing would contribute to the Borough's housing requirements.

The proposal would be in compliance with Policy CS3 of the Halton Core Strategy Local Plan.

6.3 Impact on the Character of the Area

The building is located outside but adjacent to the boundary of Higher Runcorn Conservation Area. The building is not locally listed, however is of local interest.

It is noted that during the processing of this application, an application has been made to Historic England to include both the Victoria Memorial Cottage Hospital and the adjacent Almshouses (which are outside the application site) to be added to the List of Buildings of Special Architectural or Historic Interest. It is acknowledged that the building is of great sentiment for local people.

The result of this is that they have not been recommended for listing for the following reasons:

- Design; the design does not display the high level of quality and interest expected for a site of this relatively date, where greater selectivity is required;
- Alteration: the buildings have undergone a degree of alteration which has eroded their architectural interest in a national context;
- Association: there is no evidence that the design of the hospital was nationally influential. The associations with James Wilding, Sir Fredrick Norman and William Shaw are considered to be of local rather than national significance.

Given that the former Victoria Memorial Cottage Hospital is not subject to special protection and the proposal to incorporate and convert the historic building is welcomed.

Whilst the proposed scheme to extend the building has some shortcomings in design terms which could be improved upon as set out in the Conservation and Design Advisor's observations, the weight which the design flaws can be given in the context of the buildings undesignated status is, therefore, limited as outlined by paragraph 135 of NPPF.

The main elevation of the building would be maintained which would ensure that the character of this building of local interest is also maintained in accordance with Policy BE15.

The area is characterised by a variety of different property types (terraced, semi-detached and detached properties) built at different times which include the application building and properties on Holloway which are in excess of 100 years old to the more recent developments on Burland Close and Drayton Close.

As stated above, the retention of the Victoria Memorial Cottage Hospital is welcomed. In terms of extending the building, this is in principle acceptable in residential location such as this and matters such as appearance and amenity will be considered below. The proposed cottage style apartments and two

storey semi-detached dwellings would not be dissimilar to those more recently constructed dwellings in the locality and the view taken is that the proposed development would not appear out of character with the locality.

6.4 Layout

A number of the representations have been received which raise issues regarding the proposal being overbearing, loss of light and privacy. These comments are mainly focused on the proposed extension to the rear of Victoria House.

It is acknowledged that the proposed development would have an impact on the existing dwellings adjacent to the site, however is this impact acceptable or is it significantly detrimental to residential amenity which would warrant the refusal of the application. The privacy distances for residential development set out in the Design of Residential Development Supplementary Planning Document provide guidance on relationships which are considered to be acceptable in terms of both light and privacy.

Relationship of the proposed extension with properties on Burland Close.

Considering the positioning of the proposed extension to the rear of Victoria House, the nearest residential property would be no.14 Burland Close. By virtue of the positioning of habitable room windows, these would not be directly facing each other. The distance between the habitable room windows which would be at an angle to each other is approximately 24m (three storey part of extension to existing two storey dwellinghouse). The proposed extension would have a more direct relationship with no.12 Burland Close by virtue of the angles involved with the separation distance in this case being approximately 30m (three storey part of the extension to existing two storey dwellinghouse).

The extension proposed is predominantly three storeys in height except for one apartment which would be located on the fourth floor which would be located with a gable feature / roofspace. This fourth floor element only has one habitable room facing towards the existing properties on Burland Close albeit at an angle with no.11 Burland Close being the closest property to this particular habitable room window. The separation distance in this case is approximately 32m (fourth storey part of the extension to existing two storey dwellinghouse).

Considering the suitability of the proposed extension in terms of its relationship with the rear of properties on Burland Close, the typical privacy distance between habitable room windows is 21m where the properties in question are both two storey in height. This increases to 24m where the relationship is between a three storey property and a two storey property which is predominantly the case here. The guidance doesn't consider cover the relationship between four storey properties and two storey properties in

the same way as the other examples referred to, however adding an additional 3m (as is done for the increase from two storey to three storey) seems reasonable. Where there is a difference in levels, an additional 2m separation for each 1m difference in levels between properties.

Having considered the proposed levels shown on the proposed site layout plan which show that the finished floor level of the extension would be approximately 1m above the level at the site boundary with properties on Burland Close with the levels dropping approximately a further 1m to the level of the properties on Burland Close themselves. A difference in levels of 2m requires a further 4m in separation between properties.

Considering the relationship with no.14 Burland Close, as stated previously, habitable room windows would be at angle to each other with the property in question facing the corner of the proposed extension with separation increasing as you move in either direction. This relationship is considered acceptable in terms of light and privacy.

The 30m separation between the proposed extension and the nearest habitable room window in the rear elevation of no.12 Burland Close is considered appropriate having regard for the guidance set out (24m + additional 4m for site level differences).

The 32m separation between the proposed extension and the nearest habitable room window in the rear elevation of no.11 Burland Close is considered appropriate having regard for the guidance set out (24m + additional 4m for site level differences + 3m for the additional storey).

Other resultant relationships.

The semi-detached dwellinghouses proposed (plots 5-8) would not provide the 21m separation distance to the existing properties on Holloway (no's 80-90), with a separation distance of 18m provided. The redevelopment of this part of the site would remove a two storey building which is much closer to the residential properties on Holloway and by virtue of the innovative internal layout proposed to design out this reduction in separation distances (only bathroom, landing and secondary bedroom window on rear elevation at first floor level), this relationship is considered to be acceptable and would enhance the situation in respect of light.

The distance between the front elevation of plots 5-6 and the cottage style apartment block (plots 3-4) is marginally below the 13m required between a habitable room window and a gable wall (only containing secondary window openings), however given the site constraints (size and shape), it is not considered that this relationship would be seriously detrimental to residential amenity.

The other resultant relationships within the scheme are considered to accord with the guidance contained with the Council's Design of Residential

Development Supplementary Planning Document and would ensure sufficient separation for light, privacy and flexible living.

With regard to private outdoor space, the Design of Residential Development Supplementary Planning Document states that houses having 2 bedrooms shall have a minimum private outdoor space of 50sqm per unit. The scheme has been designed so that it accords with this standard and would ensure that each house has a usable private outdoor space.

The Design of Residential Development Supplementary Planning Document indicates that a usable private outdoor space for apartments of 50sqm per unit should be provided as a guide. This scheme falls below this standard, however space for cycle storage, bin storage and some amenity space would be provided and this shortfall is considered to be appropriate in this instance and would not be unduly detrimental to residential amenity.

In terms of Housing Mix, the proposal seeks to deliver a range of property sizes including 1 and 2 bedroom properties with the property types including houses and apartments. In terms of tenure, all the properties would be affordable rented units for which there is a significant demand. There is considered to be properties to meet a variety of needs on site.

The layout of the proposed development is considered to be acceptable and compliant with Policies BE 1 & BE 2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan. In terms of Housing Mix, the proposal is considered to be compliant with Policy CS12 of the Halton Core Strategy Local Plan.

6.5 Scale

In respect of scale, a number of the representations received have stated that the proposed extension would be overbearing and out of character with the surrounding area.

It is noted that Victoria House is a large building which is three storey in height and the extension proposed would also be large. The extension has been designed so that it is no taller than the existing building with the ridge level being the same. The relationship with neighbouring properties has been considered above and are acceptable. Whilst the proposed extension is large, it has regard for the scale of the building on which it would be located as well as forming an acceptable relationship with the surrounding buildings. On this basis, the scale of the proposed extension is considered to be acceptable.

The two storey buildings (semi-detached dwellinghouses and cottage style apartment block) are considered to reflect the character of the area and appropriate in terms of scale.

The proposal is considered to be acceptable in terms of scale and compliant with Policy BE 1 of the Halton Unitary Development Plan.

6.6 Appearance

Some of the representations received make reference to the overbearing visual appearance and that inappropriate materials are proposed.

The Conservation and Design Advisor has made observations in relation to the external appearance of this undesignated heritage asset as set out below.

Two canted wings have been added which replace modest, flat-roofed extensions. In terms of scale and height, these wings are large and do compete with the front elevation.

The new build element at the rear is overly dominant on the original building. Currently the proposed new-build element has taken the same ridge line as the existing building, which does not provide a legible distinction between new and original buildings. The scheme would benefit significantly by even a slight reduction in height of the ridge line, and the lowering the gable which presents to the rear elevation. The use of a more sympathetic facing material (eg render or timber, as found on the original building) would also help to reduce the impact of the new-build element and harmonise it with the original.

The proposed use of a considerable area of fibrous cement tile hanging is not consistent with the quality of materials normally found in conjunction with a heritage asset and is inappropriate in this location. Careful use of render, for example, would have been more appropriate. (This comment also applies to the 'cottage style apartments'). However, issues of materials can be covered by condition. It is a pity that the hierarchy of windows (double for living rooms / single for bedrooms) hasn't been adopted within this central bay, as it would offer relief to regularity of the appearance.

It is acknowledged that the appearance of the extension could definitely be improved upon and these observations have been put to the applicant. Some changes have now been made to the opening designs on the rear elevation of the proposed extension and also to the proposed materials. This has resulted in the some design related improvements to the scheme.

The weight which the other design issues can be given in the context of the buildings undesignated status is limited. The proposal does ensure that the main elevation of the building is maintained which is welcomed in terms of appearance as viewed from both Holloway and Penn Lane.

In conclusion, the overall appearance of the scheme is acceptable and it is considered that a refusal on the basis of the design issues raised could not be sustained for the reasons outlined. The proposed elevations show that buildings would have some variety in materials to add interest to the overall external appearance. The submission of precise external facing materials for approval should be secured by condition.

This would ensure compliance with Policies BE 1 & BE 2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

6.7 Landscaping & Trees

The application is accompanied by an Arboricultural Impact Assessment. There are no Tree Preservation Orders in force at this site and the site does not fall within a designated Conservation Area.

Tree T1 (oak) is a significant tree which contributes to the character of the area and its retention within the scheme is welcomed. A condition which secures the retention of the retaining trees within the site is suggested.

A number of trees have already been removed and pruned at this site with the work appearing to be in conjunction with this application.

The Design and Access Statement acknowledges that there are a number of trees within the site boundary which would be lost as a result of the proposed development due to proximity to the existing building and retaining structure adjacent to the public highway, however the applicant intends to replace the lost trees at a rate of 2:1. This needs to be followed through to a detailed landscaping plan which should be secured by condition.

Details of hard landscaping and boundary treatments have been submitted. This includes a number of different boundary types according to the location within the site and is considered to ensure that satisfactory levels of privacy and appearance are achieved. A condition securing the implementation of the approved scheme and implementation thereafter is considered reasonable.

This would ensure compliance with Policies BE 1 and GE 27 of the Halton Unitary Development Plan.

6.8 Site Levels

The application is accompanied by a topographical survey of the site (within the Arboricultural Impact Assessment) and a plan showing proposed site levels. The layout has been considered in paragraph 6.4 which acknowledges the varying site levels and discusses the resultant relationships within the scheme. The conclusion is that the resultant relationships would be acceptable and it is considered reasonable to attach a condition which secures the implementation of the proposed site levels and their subsequent implementation.

This would ensure compliance with Policy BE 1 of the Halton Unitary Development Plan.

6.9 Highway Considerations

The application site is located within the urban area with the surrounding area having a wide range of facilities (including schools) and attractions to serve

residents needs with walk and cycle distance. It is inevitable that the development would have some impact on traffic levels in the locality, however given the scale of the development (less than 50 dwellings), the applicant is not required to demonstrate the suitability of the proposal through the undertaking of a Transport Statement or a Transport Assessment and the highway impact of the development would not be severe.

It is noted that the site has previous history as a medical and office site. If the site were to be brought back into use within the permitted use class, the vehicle movements would be higher and sustained over longer time periods than that of residential development which although would have peak time movements similar to previous use would not have the continued movements during the day. The demand for parking provision for the permitted use would also be greater with the surrounding highway likely having to cater for the turnover of movements.

In terms of car parking, there is sufficient provision across the scheme (both for dwellinghouses and apartments) to accord with UDP requirements. It should be noted that the scheme actually provides for in excess of the UDP requirement which would accommodate for some additional visitor parking which is desirable in this case given the parking issues which have been raised in the representations. In terms of parking, the proposal offers betterment compared to the permitted use and it not considered that this would exacerbate existing parking issues in the locality. As the site would remain within the control of Halton Housing Trust, it would benefit from a parking management plan which clearly shows how the parking within the scheme (especially the communal parking provision) would be managed. This can be secured by condition.

No cycle parking is proposed for the houses, however there is sufficient space within the curtilage of each property to provide such provision if the occupier of the dwelling requires this. There is provision within the curtilage of the apartment block for cycle parking which increases sustainable transport options for residents.

Some of the representations received state that the access in and out of the site is too narrow. The internal road network within the site has demonstrated that there is sufficient space for vehicles (including a refuse vehicle) to enter and exit the site in forward gear. It is noted that due to design constraints that this road would not be subject to Highway Authority adoption. No widening to the site access is proposed in order to ensure that the existing oak tree which contributes to the character of the area is retained.

Appropriate pedestrian links from the proposed development would be available.

It is acknowledged that a number of the properties on Holloway do not benefit from off-road parking with the situation being historic and it would not be reasonable to expect this development to make such provision. This

development would provide sufficient parking provision for the amount of development proposed which is the key consideration with this application.

In respect of the issue raised in the representations stating that Holloway should be one-way, this issue is an issue for the Highway Authority to consider and not material to the determination of this application.

To ensure the development is carried out in an appropriate manner, it is considered reasonable to attach a condition which secures the submission of a construction management plan and its subsequent implementation.

Based on all the above, the proposal is considered to be acceptable from a highway perspective compliant with Policies BE1, TP6, TP7, TP12 & TP 14 of the Halton Unitary Development Plan.

6.10 Affordable Housing

Policy CS13 of the Halton Core Strategy Local Plan states that affordable housing units will be provided , in perpetuity, on schemes including 10 or more dwellings (net gain) or 0.33 hectares or greater for residential purposes.

All 28 of the proposed dwellings would be affordable which would be in excess of the 25% of units sought by the policy.

This would ensure compliance with Policy CS 13 of the Halton Core Strategy Local Plan and the Affordable Housing Supplementary Planning Document.

6.11 Open Space

The requirements for the provision of recreational greenspace within new residential developments are set out in Policy H3 of the Halton Unitary Development Plan.

The Open Space Requirement Calculator has identified that there is a deficit of Parks & Gardens, Amenity Greenspace and Provision for Children and Young Persons and Formal Playing Fields in this particular neighbourhood.

As the open space requirements are not being proposed to be met on site, the policy indicates that a commuted sum in lieu of on-site provision is required. This has been sought from the applicant.

Paragraph 173 of the NPPF relating to ensuring viability and deliverability states that “to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable”.

The applicant has submitted viability information which demonstrates that the payment of this commuted sum would compromise the deliverability of the scheme and it is on this basis that this development is acceptable without the payment of a commuted sum in lieu of on-site open space provision in order to facilitate the development of this now vacant site including the retention of the undesignated heritage asset with much needed housing to meet the needs of local people. It is also noted that the site is located in close proximity to Runcorn Hill which provides a variety of recreational uses.

6.12 Ground Contamination

The application is accompanied by a Phase 1 Site Appraisal (Desk Study) and a Phase 2 Site Appraisal Investigation. Remediation will be required due to pervasive elevated concentrations of lead within the made ground. A more detailed standalone remediation strategy setting out the remedial objectives along with the means of verification is required. The submission of this for approval along with the subsequent submission of a validation report should be secured by condition.

One of the representations makes reference to toxic and medical waste being buried at the site. As set out above, remediation of the site will deal with any such issues to ensure that the site is suitable for a sensitive end use such as residential.

This would ensure that the proposal is compliant with Policy PR14 of the Halton Unitary Development Plan.

6.13 Flood Risk and Drainage

The application site is located in Flood Zone 1 and is at low risk from flooding. The application is accompanied by a letter relating to drainage matters and email response from United Utilities. This document has been reviewed by the Lead Local Flood Authority. The provision and implementation of a surface water regulation system can be secured by condition.

A submersed pumping station forms part of the drainage solution for this site. This is predominantly underground and is not an uncommon feature nor should it be significantly detrimental in terms of noise and pollution.

This would ensure compliance with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

6.14 Biodiversity

The application is accompanied by a Bat & Bird survey report. Our Ecological Advisor has confirmed that this report is acceptable. Conditions which secure breeding bird protection, swift nesting boxes and the retention of the mature trees on site have been suggested.

Based on the above, it is considered that the proposal is compliant with Policy GE21 of the Halton Unitary Development Plan.

6.15 Sustainable Development and Climate Change

Policy CS19 of the Halton Core Strategy Local Plan outlines some principles which will be used to guide future development.

One of these principles is Code for Sustainable Homes. It would be desirable for all properties to be built to the standard set out in the policy; however this is something which is encouraged rather than a requirement. The proposal is compliant with Policy CS19 of the Halton Core Strategy Local Plan.

6.16 Waste Prevention/Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, a construction management plan will deal with issues of this nature and based on the development cost, the developer would be required to produce a Site Waste Management Plan. The submission of a Site Waste Management Plan / Waste Audit should be secured by condition. In terms of waste management, there is sufficient space for the storage of waste including separated recyclable materials for each property as well as access to enable collection.

6.17 Issues raised in representations not addressed above

In respect of the proposal resulting in an over development of the site, the proposal would deliver an acceptable site layout in respect of relationships between buildings, amenity space provision, access and car parking provision etc. as well as being an efficient use of land within the urban area.

Some of the representations received have stated that the scheme should not be social housing. As set out earlier in the report, there is a requirement for affordable housing and who may reside in a property (owner, tenant etc.) is not material to the determination of the application.

As with most development proposals, some form of noise and disturbance during construction is inevitable. The purpose of the construction management plan condition referred to earlier in the report is to ensure that any disruption is kept to a minimum.

With regard to the proposal development compromising the extension of an existing property adjacent to the site, this application has to be considered on its merits based on the situation which currently exists and cannot pre-empt future development proposals adjacent to the application site.

It is noted that some of the existing properties adjacent to the site have been accessing their properties using the application site. Unless they have a legal right of access across the site, the applicant is not duty bound to make access provision for them.

Planning applications need to be dealt with based on the proposal submitted. This site has been purchased by Halton Housing Trust and their proposal to develop the site for residential purposes has to be considered on its merits. In relation to site being used for another community use, the site has no protection as a community facility in planning terms and the reason that Halton Clinical Commissioning Group disposed of the site was due to it being surplus to requirements.

The planning system does not exist to protect the private interests of one individual against another and the issue of property values is not material to the determination of the application.

7. CONCLUSIONS

In conclusion, the development would result in the development of a vacant site which was surplus to requirements for Halton Clinical Commissioning Group come forward for residential use in an area which is predominantly residential in nature.

The retention of the Victoria Memorial Cottage Hospital and its conversion to residential is welcomed as it is a building of local interest. It considered that the overall proposal would not have a detrimental impact on the character of the area.

In respect of residential amenity, both the conversion of the existing building, the extension proposed and the new build elements of the scheme are considered to be appropriate in terms of separation for both light and privacy and appropriate levels of private amenity space would be provided within the scheme.

The highway impact of the development would not be severe. Both vehicle movement to and from the site and demand for parking provision would be greater with the permitted use than with the residential development proposed. There would be sufficient parking provision for both for dwellinghouses and apartments to accord with UDP requirements and it not considered that this proposal would exacerbate existing parking issues in the locality.

In respect of design and external appearance, the overall scheme is acceptable. The design observations of the Conservation and Design Advisor have been considered by the applicant and some improvements to the scheme have been made. There may still be scope for some improvement; however it is not considered that a refusal on this basis could be sustained.

The application is recommended for approval subject to conditions.

8. RECOMMENDATIONS

Grant planning permission subject to conditions.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Implementation of Proposed Site Levels (Policy BE1)
4. Facing Materials to be Agreed (Policies BE1 and BE2)
5. Submission of Detailed Soft Landscaping Scheme, implementation and subsequent maintenance - (Policy BE1)
6. Implementation of Submitted Hard Landscape and Boundaries Layout and subsequent maintenance - (Policy BE1)
7. Breeding Birds Protection – (Policy GE21)
8. Submission of a Swift Nesting Boxes Scheme, implementation and subsequent maintenance – (Policy GE21)
9. Retention of Trees – (Policy GE21)
10. Submission of a Lighting Scheme designed to protect ecology – (Policy GE21)
11. Hours of Construction – (Policy BE1)
12. Removal of Permitted Development – All Dwellings – (Policy BE1)
13. Submission of a Construction Management Plan - (Policy BE1)
14. Provision & Retention of Parking for Residential Development (Curtilage) – (Policy BE1)
15. Provision & Retention of Parking for Residential Development (Not in Curtilage) – (Policy BE1)
16. Submission of Cycle Parking Scheme for Apartments and Subsequent Implementation – (Policy BE1)
17. Implementation of Access and Servicing Provision – (Policy BE1)
18. Implementation of Off Site Highway Works (Site Access Points from Penn Lane) – (Policy BE1)
19. Submission of a Parking Management Plan and subsequent implementation – (Policy BE1)
20. Submission of a Surface Water Regulatory System for approval and subsequent implementation – (Policy PR16)
21. Foul and Surface Water on Separate Systems – (Policy PR16)
22. Ground Contamination – Remediation Strategy and Site Completion Report – (Policy PR14)
23. Submission of a Waste Audit – (Policy WM8)

Informatives

1. Highway Informative – S38 / S278/184 – Above Ground Apparatus Requirements.
2. United Utilities Informative.
3. Ecology Informative.
4. Waste Informative.

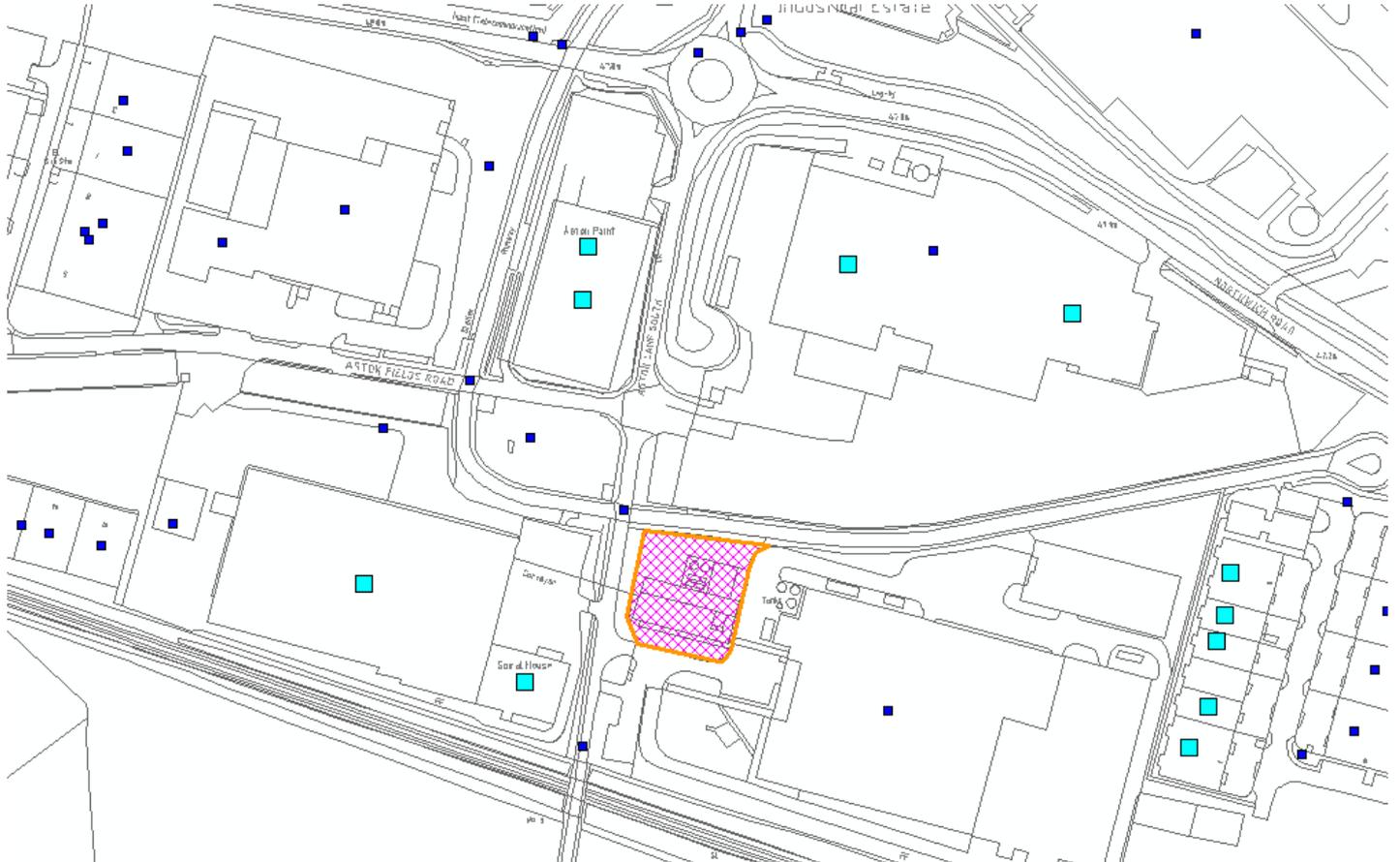
10. SUSTAINABILITY STATEMENT

As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.

APPLICATION NO:	16/00120/FUL
LOCATION:	YKK (UK) Aston Lane South
PROPOSAL:	Proposed construction of new workshop and office facilities (2,255 square metres) together with additional car parking and associated development
WARD:	Daresbury
PARISH:	Preston Brook
AGENT(S) APPLICANT(S):	Mr Stuart Evans Barrie Newcombe Associates Ltd Winnington Hall Winnington Lane Winnington Northwich Cheshire, CW8 4DU
DEVELOPMENT PLAN ALLOCATION:	Halton Unitary Development Plan (2005)
DEPARTURE REPRESENTATIONS:	No
KEY ISSUES:	12 neighbours consultations – no objections Design Contaminated Land Parking, Access and Highway Safety
RECOMMENDATION:	Approve

SITE MAP

1. APPLICATION SITE

1.1 The Site

The application site relates to YKK site on Aston Lane South in the Preston Brook area of Runcorn. The property is located towards the end of a stretch of industrial units between the railway line that borders the site to the south, and the Busway to the north.

2. THE APPLICATION

2.1 The Proposal

Proposed construction of new workshop and office facilities, providing a new floor space of 2255 square metres, together with additional car parking and ancillary development. The development aims to expand YKK's Research and Development Department at the Runcorn site, to improve methods of production, and is set to increase the number of jobs at the site will from 154 to 168.

2.2 Documentation

The application has been submitted with the requisite planning application form and location plan, including associated plans and supplementary information/reports.

2.3 History

No recent relevant planning history.

3. POLICY CONTEXT

3.1 Halton Core Strategy (2012)

- Policy CS2 - Presumption in Favour of Sustainable Development
- Policy CS18 - High Quality of Design
- Policy CS23 – Managing Pollution and Risk

3.2 Halton Unitary Development Plan (UDP) (2005)

- Policy BE1 - General Principles of Development
- Policy BE2 – Quality of Design
- Policy E3 – Primarily Employment Areas
- Policy E5 – New Industrial and Commercial Development
- Policy TP12 – Car Parking
- Policy PR14 – Contaminated Land
- Policy PR16 – Development and Flood Risk
- Policy TP17 – Safe Travel for All

The primary planning policy for the determination of this planning application is policy E3 and BE1 'General Principles of Development' of the Halton UDP. Joint Waste Local Plan 2013

WM8 Waste Prevention and Resource Management

WM9 Sustainable Waste Management Design and Layout for New Development

The Design of New Industrial and Commercial Development Supplementary Planning Document is also of relevance.

4. CONSULTATIONS AND REPRESENTATIONS

The application has been advertised by means of a site notice, press notice and neighbouring properties have been consulted via letter.

Consultation has been undertaken internally with the Council's Highways Engineer, the Lead Local Flood Authority, the Contaminated Land Officer and the Open Spaces Officer.

Externally the Health and Safety Executive, Network Rail and Preston Brook Parish Council have been consulted. The comments have been summarised below:

4.1 Highways and Local Lead Flood Authority

The Council's Highways section was consulted as part of the applications consultation process. They have not raised any objection to the regarding vehicle circulation within the site, whilst maintaining safe access, which does not alter as part of the proposal. It was considered that the parking provided is sufficient, despite the proposed being below the UDP requirements. The Highway Officers' comments on parking are as follows:

The UDP required a maximum of 50 new parking spaces be provided in line with this proposal and 19 additional are proposed. Whilst 50 is advised as the maximum it is considered that the increase in spaces of 19, in this instance, would be appropriate given the facility within the site to increase parking if necessary and the ample provision of cycle parking within the site.

4.2 Open Spaces

There were no objections to the proposed development.

4.3 Contaminated Land

No objections subject to the standard contaminated land condition being attached.

4.4 The Health and Safety Executive

Do not advise against the development

4.5 National Rail

National have no objection.

4.6 British Pipeline Association

The British Pipeline Association has been consulted, and a response has yet to be received. The response will be reported at committee.

4.7 Cheshire West and Chester

Do not have any objections to the proposal or comments to make in relation to the proposal and would simply advise that the scheme is considered in line with relevant Local and National planning policies.

No representations have been received from local residents or businesses.

5. **ASSESSMENT**

Planning Policy

The proposed development of the workshop and office falls within a B2/B1 use class, and is sited with a designated primarily employment area, as identified in the Unitary Development Plan. In this respect the proposed use is considered to comply with policy E3, which encourages development for B1, B2 and B8 planning use classes, and is considered to be acceptable in principle.

Design and Appearance

The proposal seeks to use an area of the existing YKK site that is currently redundant. The area previously sited sub stations that are to be relocated within the site.

The new building would be 8 metres in height, this is quite typical of the surrounding building within the Industrial Estate, and the design replicates that of the area. The attention paid to the materials will provide a good quality of design, one that is an improvement on this particular area of the site. As the proposal is at street level and adjacent to both the Busway and Aston Lane South, it will create an attractive frontage whilst respecting the scale of buildings in the area.

The proposed development is deemed acceptable and complies with policies BE1, BE2 and E5 of the Halton Unitary Development Plan and CS18 of the Halton Core Strategy. The design and appearance of the new building is also considered to comply with the Design of New Commercial and Industrial Development Supplementary Planning Document.

Parking and highway safety

The Highways Engineer has been consulted and has raised no objections to the proposed development. The intensification will not have a detrimental impact on the existing highway or parking provision. As a result, there is adequate parking to meet the requirements within the site if necessary, and the proposed development is considered to comply with policy TP12 of the Unitary Development Plan.

It is recommended that conditions are attached for boundary treatment details and a travel plan, and these are to be submitted and to be agreed prior to the developments completion.

Drainage

The Local Lead Flood Authority has been consulted and there are no issues regarding surface water drainage and an informative will be attached to the permission to state all water should be constructed in a way to prevent run off to the adopted highway.

The proposal is considered to be compliant with Policy PR16 of the Halton Unitary Development Plan and Policies and CS23 of the Halton Core Strategy Local Plan.

Open Spaces

There are a number of trees around the boundary of the site that will be affected and will need to be removed to accommodate the development. The Open Spaces Officer has been consulted, and has no objections to the proposed development. It is recommended that the following informative regarding the removal of trees will be attached to the decision notice.

'The applicant is reminded that under the Wildlife and Countryside Act 1981 (Section 1) it is an offence to take damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act'.

Amenity and Impact on Surrounding Area

By virtue of its location within an existing industrial area and being separated by the busway, and adjacent road there would be no loss of amenity to neighbouring properties as a result of the proposed development. The nature of the offices and warehouse is ancillary to the existing site, and the new facility will have little additional impact to the operation of the existing use.

There are no residential properties within the vicinity of the site that would be affected by the development. Any potential disturbance created by the development, such as noise, is deemed to be acceptable due to the nature of the use and the location within an established industrial estate. The proposed

development would not have an impact on amenity and is considered to comply with policy BE1 of the Unitary Development Plan.

Planning for Risk

The Health and Safety Executive were consulted as part of the process. Their response stated that they do not advise against the proposal. There is a functioning pipeline to the north of the proposed development, which is operated by the British Pipeline Association (BPA). At the time of the writing of this report, the BPA have yet to respond to the consultation. Members will be updated when the response is received. Officers are therefore seeking delegated authority to determine the application once the response has been received.

Summary and Conclusion

In conclusion the proposed development will bring an unused area of the site into operation without compromising the surrounding uses or the users of the adjacent highway. Furthermore the proposed development will bring an additional 14 jobs to the site.

As a result, the new development at YKK is deemed acceptable the Local Planning Authority. The proposed development is considered to comply with Policies BE1, BE2, E3 and E5 of the Halton Unitary Development Plan.

6. RECOMMENDATIONS

It is recommended that the delegated powers are given to the Operational Director – Policy, Planning & Transportation in consultation with the Chair or Vice Chair of the Development Control Committee to make a final determination once the application has received a response from consultation sent to the British Pipeline Association (BPA).

7. CONDITIONS

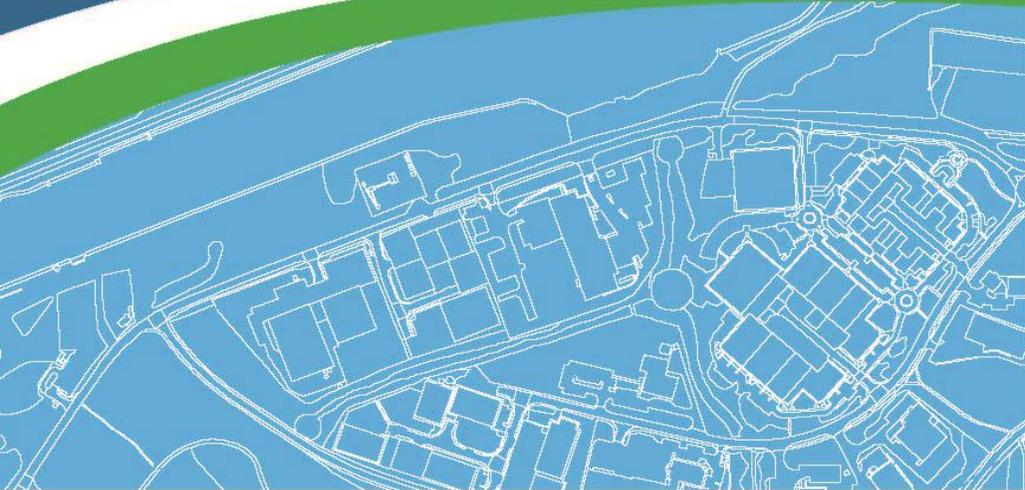
1. Standard 3 year expiry
2. Materials condition
3. Position, design, materials and type of boundary treatment.
4. Travel Plan shall be submitted to and approved in writing by the Local Planning Authority
5. Prior to the occupation of the premises hereby approved the vehicle access, service and parking areas shall be laid out and surfaced to the satisfaction of the Local Planning Authority.
6. Submission and approval of contaminated land report
7. Traffic Management Plan

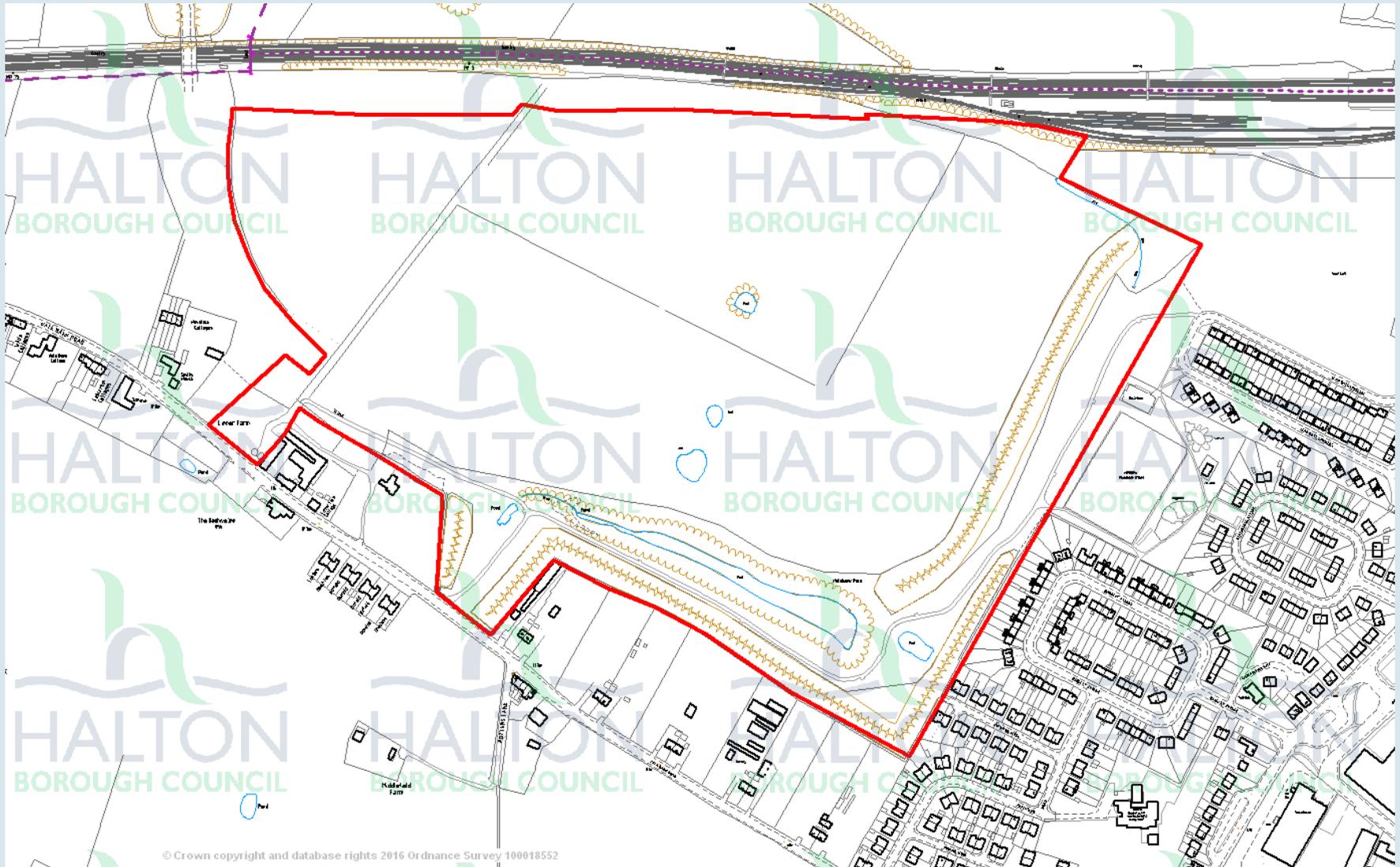
8. SUSTAINABILITY STATEMENT

As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) (Amendment No.3) Order 2015; and

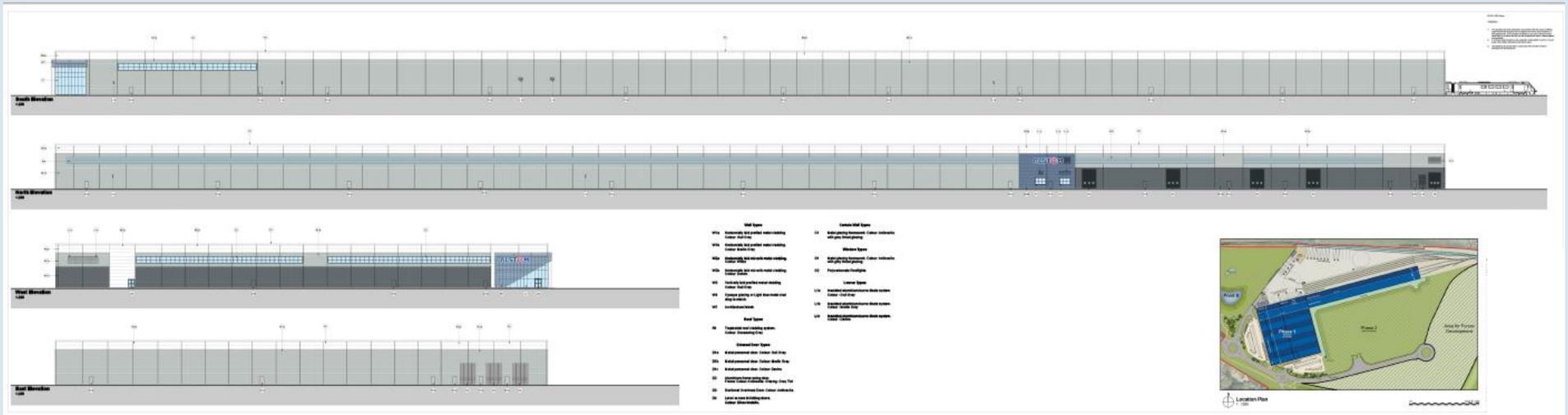
This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.

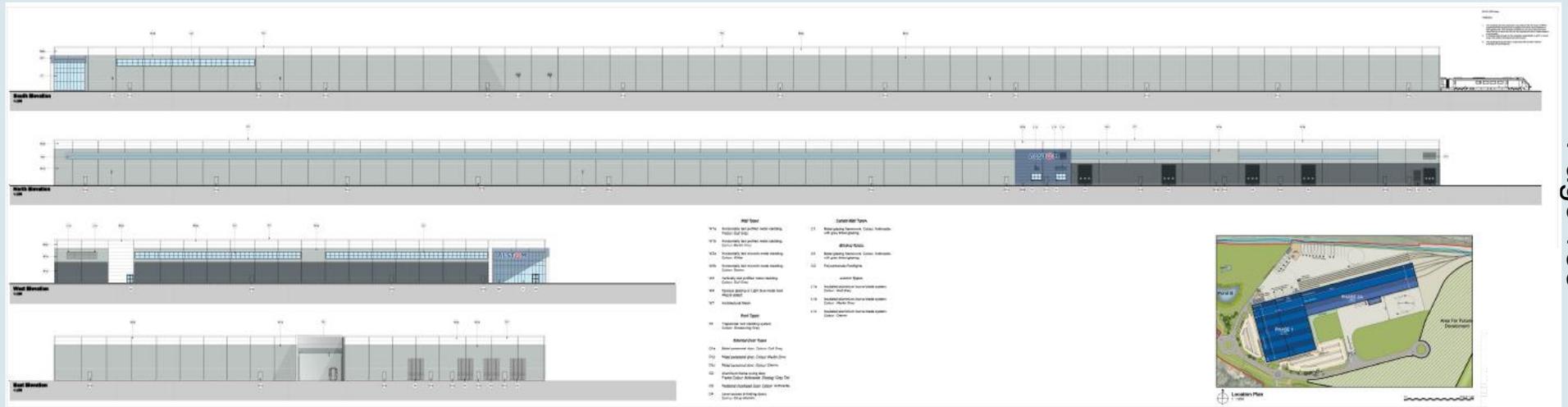
















Existing view
Existing view looking south to the development site from the footpath through Halesworth Park.



Anticipated view on completion of Phase 1
Anticipated view on completion of Phase 1 of the development, including proposed tree planting.



Existing view
Existing view looking south to the development site from the footpath through Halesworth Park.



Anticipated view on completion of Phase 2B
Anticipated view on completion of Phase 2B of the development, including proposed tree planting associated with all phases of development.





Existing view
Existing view looking northwest to the development site from Halstank Recreation Ground.



Anticipated view on completion of Phase 1
Anticipated view on completion of Phase 1 of the development, including proposed tree planting.



Existing view
Existing view looking northwest to the development site from Halstank Recreation Ground.



Anticipated view on completion of Phase 2B
Anticipated view on completion of Phase 2B of the development, including proposed tree planting associated with all phases of development.





Existing view
Existing view looking west to the development site from Claggate Crescent, Halebank.



Anticipated view on completion of Phase 1
Anticipated view on completion of Phase 1 of the development, including proposed tree planting.



Existing view
Existing view looking west to the development site from Claggate Crescent, Halebank.



Anticipated view on completion of Phase 2B
Anticipated view on completion of Phase 2B of the development, including proposed tree planting associated with all phases of development.



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Existing view
Existing view looking northeast to the development site from the Public Right of Way off Carr Lane.



Anticipated view on completion of Phase 1
Anticipated view on completion of Phase 1 of the development, including proposed tree planting.



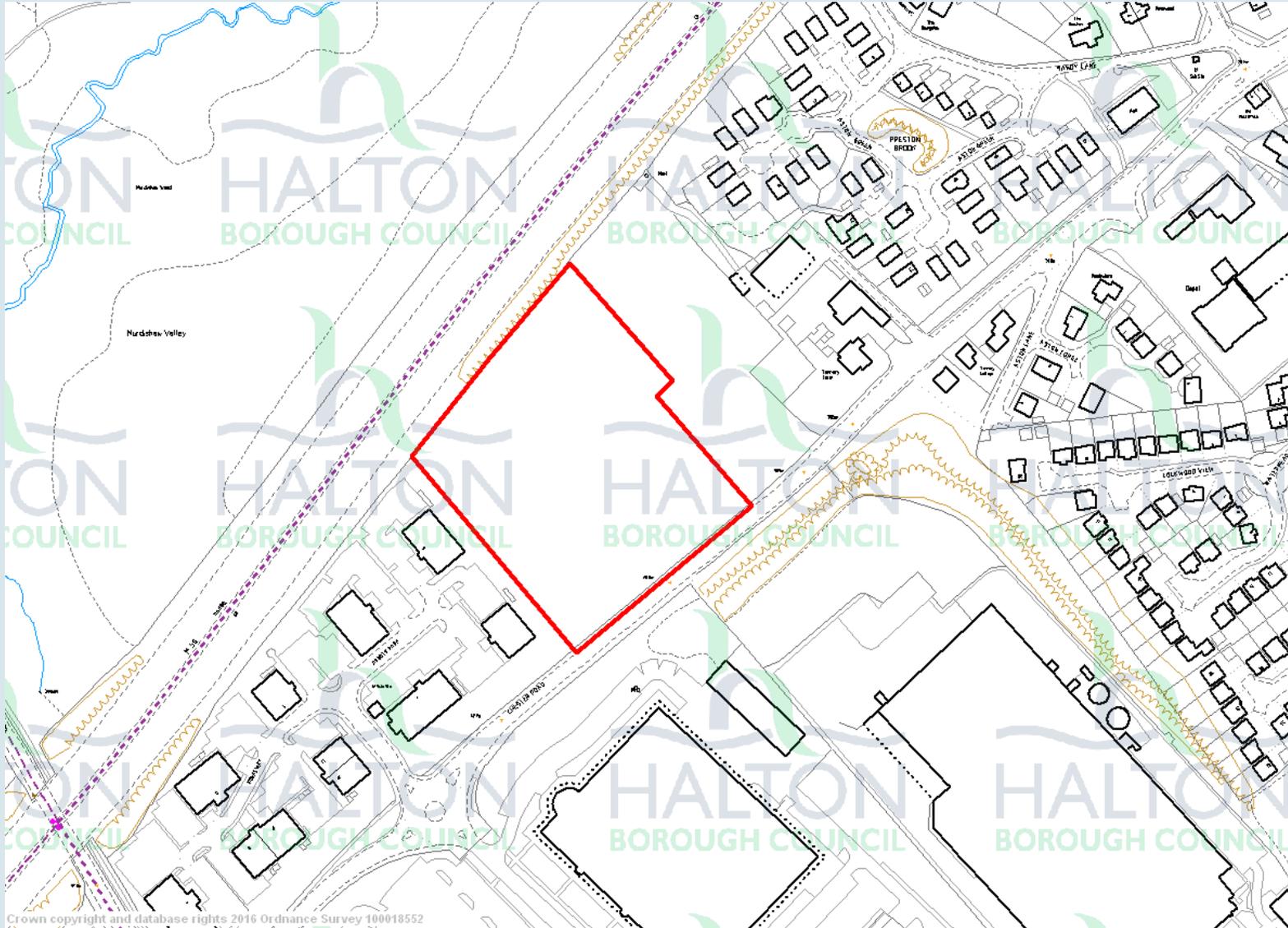
Existing view
Existing view looking northeast to the development site from the PROW off Carr Lane.



Anticipated view on completion of Phase 20
Anticipated view on completion of Phase 20 of the development, including proposed tree planting associated with all phases of development.







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Front Elevation



FRONT ELEVATION

SIDE ELEVATION



Side/Rear Elevation



REAR ELEVATION

SIDE ELEVATION







View of New Apartment Building



View Looking into the Scheme from the Site Entrance



View South Along Access Road



View of House Type 1



View of House Type 2



Aerial View of Proposals - Looking North



Aerial View of Proposals - Looking South





