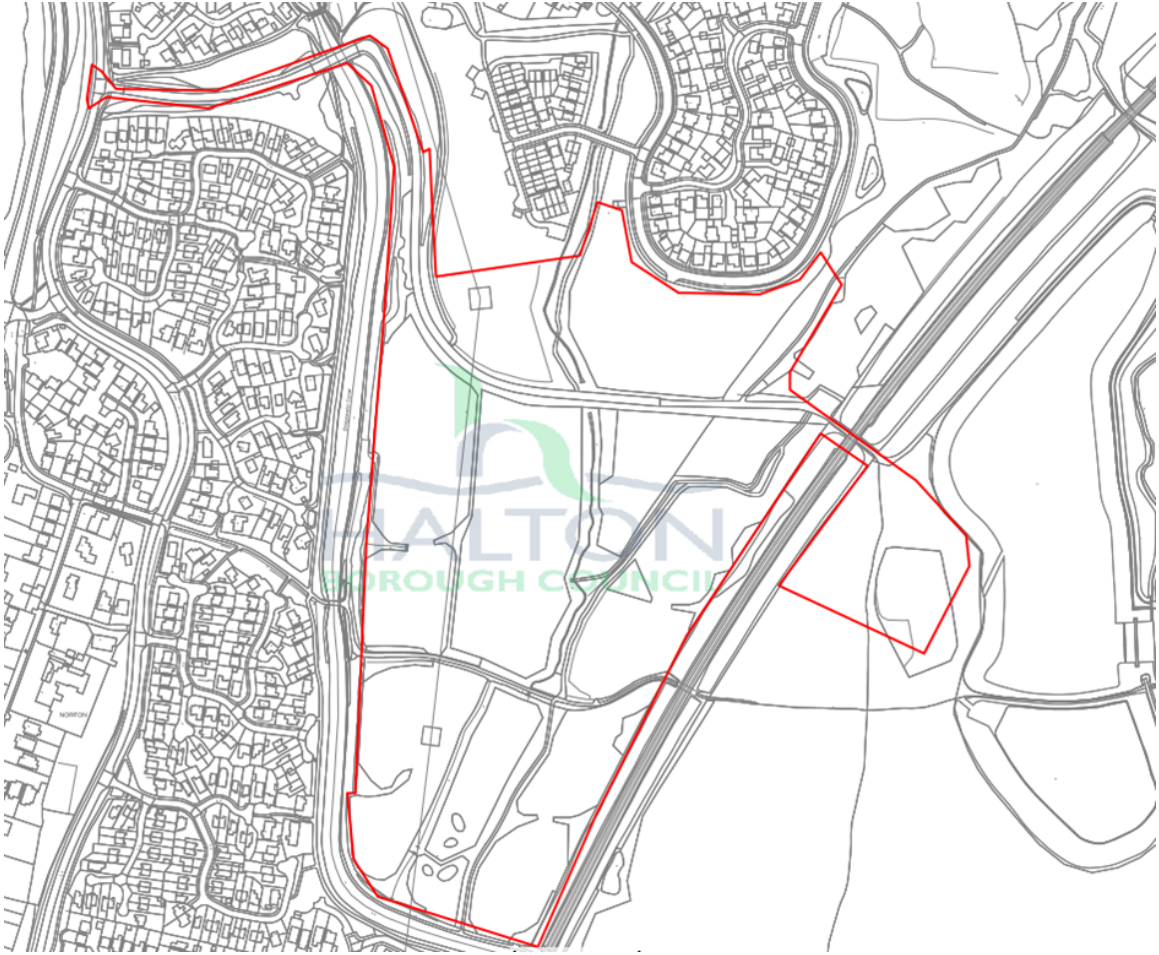


APPLICATION NO:	22/00543/OUTEIA
LOCATION:	Sandymoor South Phase 2 Windmill Hill Avenue East Runcorn Cheshire
PROPOSAL:	Application for outline planning permission with all matters reserved (except means of access) for residential development comprising up to 250 dwellings, electricity sub stations, along with recreational open space, landscape and other related infrastructure
WARD:	Daresbury, Moore & Sandymoor
PARISH:	Sandymoor
APPLICANT:	Homes England
AGENT:	Hive Land & Planning
DEVELOPMENT PLAN:	ALLOCATIONS:
Halton Delivery and Allocations Local Plan (2022)	Strategic Housing Location Residential Allocation – R29 & R67 Greenspace Greenway Core Biodiversity Area
Joint Merseyside and Halton Waste Local Plan (2013)	
DEPARTURE	No
REPRESENTATIONS:	160 objections were received from members of the public and representations from Ward Councillors and an MP.
KEY ISSUES:	Principle of Residential Development Access and Highways Flood Risk and Drainage Ecology
RECOMMENDATION:	Approval subject to conditions and legal agreement.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The application site at Sandymoor South Phase 2 covers some 17.37ha of greenfield land that is allocated for residential development in the Halton Delivery and Allocations Local Plan (DALP). The site is located in the ward of Daresbury, Moore & Sandymoor and within the Parish of Sandymoor.

The application site forms part of the wider Sandymoor Residential Area which is the final phase of the Runcorn New Town and has been allocated for development for many years. The history to this site is such that previous planning permissions have been granted, and a section 106 agreement was previously entered into between the applicant (English Partnerships as it was known then) and the Council in connection with the grant of the first permissions for development of the Sandymoor Residential Area. The wider Sandymoor Residential Area has since been substantially developed out pursuant to a series of planning permissions, with those covering the application site being summarised in section 1.2. It is likely that this application will be the last application for substantive residential development within the wider Sandymoor Residential Area.

The site is bounded to the east by the Warrington to Chester Railway Line, whilst the Bridgewater Canal runs along the west and southern edges of the site. A Public Right of Way crosses the site from west to east.

The site is well connected via Windmill Hill Avenue to the A558 (Daresbury Expressway), which provides onward connections to the M56 via the A56.

Runcorn East Station lies approximately 0.7km to the south of the site, providing a link with rail services to Warrington, Manchester, Chester, The Wirral and North Wales. The Runcorn Busway is located to the west of the site and is accessible via Windmill Hill Avenue.

1.2 Planning History

07/00111/OUT- (PER) -Outline application (with all matters reserved) for development of up to 320 No. residential dwellings

08/00296/FUL- (PER) -Proposed comprehensive earthworks, drainage works and ground level changes to land at Sandymoor South and the creation of a newt reserve area at the southern end of Sandymoor South

09/00129/OUT- (PER) –Outline application (with all matters reserved) for residential development of up to 469no. dwellings.

10/00483/FUL- (PER) -Construction of proposed temporary footpath and bridleway.

2. THE APPLICATION

2.1 The Proposal

The application seeks outline planning permission with all matters reserved (except means of access) for residential development comprising up to 250 dwellings, electricity sub stations, along with recreational open space, landscape and other related infrastructure at Sandymoor South Phase 2, Windmill Hill Avenue East, Runcorn.

The application site is owned by Homes England, the Government's Housing and Regeneration Agency. Homes England's involvement follows its predecessor organisations, including English Partnerships, and the Commission for New Towns, owning former New Town land in East Runcorn.

Homes England has a proven track record of housing and infrastructure delivery in Sandymoor, and in accordance with its Strategic Plan and stated objectives for place-making and delivery of affordable homes, is proposing up to 250 new homes within the application site.

2.2 Documentation

Submitted Plans

Item	Prepared by	Document Reference
Site Location Plan	Barton Willmore	31035-DWG07F
Land Use and Access Parameter Plan	Barton Willmore	31035-DWG12N
Green Infrastructure Parameter Plan	Barton Willmore	31035- DWG13JL
Scale Parameter Plan	Barton Willmore	31035- DWG14G

Standalone Reports

Item	Prepared by	Document Reference
Application forms & certificates	Hive Land & Planning	N/A
Covering letter	Hive Land & Planning	N/A
Planning Statement	Hive Land & Planning	N/A
Statement of Community Involvement	Hive Land & Planning	N/A
Design and Access Statement	Barton Willmore	Rev R

Phase 1 Geo-Environmental Desk Study	Buro Happold	044732-BHE-XX-XX-RP-GE-SM0001 Rev 03
Utilities Assessment	Buro Happold	044732 Rev 10
Arboricultural Impact Assessment	Thomson Environmental Consultants	VBHE112/002/002/P03
Detailed Unexploded Ordnance (UXO) Risk Assessment	1 st Line Defence	DA11368a-00
Topographical Survey	Turner & Townsend	GM10966-001-Rev B
Biodiversity Net Gain Assessment	TEP	5810.91.002
Health Impact Assessment	Buro Happold	Rev P03

Environmental Statement Chapters and Associated Appendices

Item	Prepared by	Document Reference
ES Chapters		
1. Introduction	Buro Happold	N/A
2. Development Description	Buro Happold	
3. Enabling Works and Construction	Buro Happold	
4. Alternatives & Design Evolution	Buro Happold	
5. Methodology	Buro Happold	
6. Traffic and Transport	Buro Happold	
7. Noise and Vibration	Buro Happold	
8. Air Quality	Buro Happold	
9. Water Resources and Flood Risk	Buro Happold	
10. Ecology	TEP	
11. Socio Economics	Buro Happold	
12. Built Heritage and Archaeology	Hawk Heritage	
13. Greenhouse Gas Emissions	Buro Happold	
14. Landscape and Visual Impact	Barton Willmore	
15. Cumulative and Iterative Effects	Buro Happold	
16. Summary	Buro Happold	
ES Appendices		

4-A Climate Change Resilience Risk Assessment	Buro Happold	Rev 00
5-A EIA Scoping Report	Buro Happold	004732 Rev 05
5-B EIA Scoping Opinion	Halton Borough Council	20/07081/PREAPP
6-A Transport Assessment	Buro Happold	0044732-TP-REP-001 Rev P07
6-B Outline Travel Plan	Buro Happold	0044732-TP-REP-002 Rev P04
7-A Baseline Noise Monitoring	Buro Happold	N/A
7-B Technical	Buro Happold	N/A
7-C Legislation and Policy	Buro Happold	N/A
7-D Construction Noise and Vibration	Buro Happold	N/A
7-E Construction Noise Mitigation	Buro Happold	N/A
7-F Mechanical Plant Equipment	Buro Happold	N/A
7-G Operational Traffic Noise	Buro Happold	N/A
7-H Noise Break In	Buro Happold	N/A
7-I Correspondence with Environmental Health Officer	Buro Happold	N/A
8-A Construction Methodology	Buro Happold	Rev 00
8-B Model Verification	Buro Happold	Rev 00
8-C Operational Traffic Dispersion Modelling Results (Human Receptors)	Buro Happold	Rev 00
8-D Operational Traffic Dispersion Modelling Results (Ecological Receptors)	Buro Happold	Rev 00
9-A Sandymoor South Phase 2 Flood Risk Assessment	Buro Happold	044732-BHE-XX-XX-RP-CW-0002 Rev 01
9-B Wharford Farm Flood Risk Assessment	Buro Happold	044732-BHE-XX-XX-RP-CW-0001 Rev 01
9-C Sandymoor South Phase 2 & Wharford Farm Surface Water Drainage Strategy	Buro Happold	044732 Rev11
10-A Sandymoor South Phase 2 Desktop Study (2022)	TEP	5810.91.004 v1

10-B Wharford Farm Desktop Study (2022)	TEP	5810.91.005 v1
10-C Sandymoor South Phase 2 Extended Phase 1 Habitat Survey (2019)	TEP	7507.10.002
10-D Wharford Farm Extended Phase 1 Habitat Survey (2019)	TEP	7507.11.002
10-E Sandymoor South Phase 2 GCN survey (2018)	TEP	5060.Eco.SandyPonds.004
10-F Sandymoor South Phase 2 and Wharford Farm GCN eDNA surveys (2019)	TEP	7500.Eco.SandyManPlan.002
10-G Sandymoor South Phase 2 and Wharford Farm Great Crested Newt Surveys (2020)	TEP	7500.Eco.SandySPhase2.004
10-H Sandymoor South Phase 2 Breeding Bird Survey (2019)	TEP	7507.10.004
10-I Wharford Farm Breeding Bird Survey (2019)	TEP	7507.11.003
10-J Sandymoor South Phase 2 Bat Survey (2020)	TEP	7500.SandySPhase2.009
10-K Wharford Farm Bat Survey (2020)	TEP	7500.Eco.WharfordFarm.001
10-L Sandymoor South Phase 2 Bat Activity Surveys (2019)	TEP	7507.10.005
10-M Wharford Farm Bat Activity Surveys (2019)	TEP	7507.11.005
10-N Sandymoor South Phase 2 Water Vole surveys (2020)	TEP	7500.Eco.SandySPhase2.007
10-O Wharford Farm Water Vole surveys (2020)	TEP	7500.Eco.WharfordFarm.002
10-P Bryophyte survey undertaken by Bryophyte Surveys Ltd (2020)	TEP	N/A
10-Q Sandymoor South Phase 2 Landscape and Habitat Management Plan	TEP	7500.Eco.SandyManPlan.001
10-R Wharford Farm Landscape and Habitat Management Plan	TEP	7500.Eco.WharfordFarm.005

10-S Sandymoor South Phase 2 and Wharford Farm Habitat Regulations Assessment	TEP	7500.Eco.SandySPhase 2.012
10-T Sandymoor South Phase 2 Extended Phase 1 Habitat Survey (2021)	TEP	7500.Eco.SandySPhase 2.014
10-U Wharford Farm Extended Phase 1 Habitat Survey (2021)	TEP	7500.Eco.WharfordFarm.006
10-V Great Crested Newt Appendix (2022)	TEP	5810.91.001
10-W Sandymoor South Phase 2 and Wharford Farm Bat Surveys (2022)	TEP	5810.91.006
12-A Sandymoor South Phase 2 Archaeology and Built Heritage Assessment	Hawk Heritage	Issue 9
12-B Wharford Farm Archaeology and Built Heritage Assessment	Hawk Heritage	Issue 10
13-A Green House Gas assessment appendix	Buro Happold	Rev 00
14-A: Site context plan	Barton Willmore	Figure 14.1
14-B: Policy plan	Barton Willmore	Figure 14.2
14-C: Topography plan	Barton Willmore	Figure 14.3
14-D: Landscape character plan	Barton Willmore	Figure 14.4
14-E: Site appraisal plan	Barton Willmore	Figure 14.5
14-F: Zone of theoretical visibility (ZTV) plan	Barton Willmore	Figure 14.6
14-G: Site appraisal photographs – summer	Barton Willmore	N/A
14-H: Site appraisal photographs - winter	Barton Willmore	N/A
14-I: Site context photographs - summer	Barton Willmore	N/A
14-J: Site context photographs – winter	Barton Willmore	N/A
14-K: Extracts from relevant published evidence base document	Barton Willmore	N/A
14-L: Correspondence with HBC regarding viewpoints	Barton Willmore	N/A

14-M: Methodology for computer generated ZTV	Barton Willmore	N/A
14-N: Photomontage Methodology and Supporting Evidence	Barton Willmore	N/A
ES Non-Technical Summary	Buro Happold	N/A

The ES Addendum comprised the following information:

Item	Prepared by	Document Ref
A summary of any amendments to the proposed development (section 3)	Buro Happold	N/A
A summary of the approach taken to the ES Addendum (section 4)	Buro Happold	N/A
An assessment of effects relating to the following topics (section 5): Traffic and transport; <ul style="list-style-type: none"> o Water resource and flood risk; o Ecology; and o Cumulative and interactive effects. <ul style="list-style-type: none"> • A non technical summary; • Appendices, including: <ul style="list-style-type: none"> o Transport Assessment Addendum o Revised Flood Risk Assessment o Revised Drainage Strategy o Habitats Regulation Assessment Addendum o Great Crested Newt District Level Licensing Impact Assessment & Conservation Payment Certificate. 	Buro Happold	N/A

In addition (and separate) to the ES Addendum document, an updated Arboricultural Impact Assessment (ref: VBHE112/002/002/P03) was submitted to combine and supersede both the previously submitted Tree Survey and Arboricultural Impact Assessment.

An updated Land Use and Access Parameter Plan (Revision N) was also submitted to supersede the previously submitted version. The Design and Access Statement has been updated to reflect amendments to the Land Use and Access Parameter Plan. The earlier table has been updated to reflect this.

2.3 Environmental Impact Assessment and relationship with Wharford Farm

The application is accompanied by an Environmental Statement (ES) comprising the chapters and appendices listed in section 2.2 of this report.

The ES submitted with the application assesses Sandymoor South Phase 2 in combination with the adjacent Wharford Farm site. The approach to the

environmental impact assessment (EIA) undertaken by the applicant is as follows:

The ES assesses the parameter plans submitted with the application and those that are likely to be submitted with the Wharford Farm planning application when this comes forward in the future. For the purpose of ensuring a robust assessment, the ES also considers the implications of Sandymoor South Phase 2 coming forward in isolation (i.e. to account for a scenario in which a planning application for Wharford Farm does not come forward).

For clarity, there is a limited and non-material overlap between the red line boundary of the application site and the Wharford Farm site; this is to reflect the potential location of electricity infrastructure within Wharford Farm; no residential development is proposed within Wharford Farm as a result of this application.

An ES Addendum was submitted to the Council on 19 April 2023 and the associated 30 day consultation period for this other environmental information ended on 19 May 2023. The ES Addendum provided additional information on traffic and transport, water resource and flood risk, ecology and the cumulative effects, responding to statutory consultation comments received during the original consultation period on the application.

A comprehensive assessment of the potential effects of construction and operational phases of the proposed development have been considered as part of the EIA undertaken by the applicant.

3. POLICY CONTEXT

Planning law requires for planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

THE DEVELOPMENT PLAN

3.1 Halton Delivery and Allocations Local Plan (2022)

The following policies contained within the Halton DALP are of relevance to the determination of this planning application:

- CS(R)1 Halton's Spatial Strategy;
- CS(R)3 Housing Supply and Locational Priorities;
- CS(R)7 Infrastructure Provision;
- CS(R)12 Housing Mix and Specialist Housing;
- CS(R)13 Affordable Homes;
- CS(R)15 Sustainable Transport;
- CS(R)18 High Quality Design;

- CS(R)19 Sustainable Development and Climate Change;
- CS(R)20 Natural and Historic Environment;
- CS(R)21 Green Infrastructure;
- CS(R)22 Health and Wellbeing;
- CS23 Managing Pollution and Risk;
- CS24 Waste;
- RD1 Residential Development Allocations;
- RD4 Greenspace Provision for Residential Development;
- C1 Transport Network and Accessibility;
- HE1 Natural Environment and Nature Conservation;
- HE2 Heritage Assets and Historic Environment;
- HE3 Waterways and Waterfronts
- HE4 Greenspace and Green Infrastructure;
- HE5 Trees and Landscaping;
- HE6 Outdoor and Indoor Sports Provision;
- HE7 Pollution and Nuisance;
- HE8 Land Contamination;
- HE9 Water Management and Flood Risk;
- GR1 Design of Development;
- GR2 Amenity

The following provides an overview of the above policies where relevant to the outline planning application:

Policy CS(R) 1: Halton's Spatial Strategy states that the Vision for Halton to 2037 will achieve at least 8,050 (net) additional dwellings over the plan period (2014-2037). The policy also includes a sub section on key urban regeneration areas, with criterion (d) (East Runcorn) seeking to deliver greenfield expansion including the completion of the proposals for Runcorn New Town and further extension to the east of Runcorn.

Policy CS(R)3: : Housing Supply and Locational Priorities reiterates that the Vision for Halton over the period 2014 to 2037 is to provide 8,050 dwellings for the Borough. It is also clear that residential development will be provided on Strategic Residential Allocations, Residential Allocations and land within the Primarily Residential Area.

Policy CS(R) 7: Infrastructure Provision states that development should be located to maximise the benefit of existing infrastructure and to minimise the need for new provision.

Policy CS(R)12: Housing Mix and Specialist Housing addresses the mix of new property types, the encouragement of housing for the elderly, and the provision of affordable housing, contributing to addressing identified needs in the most up to date Strategic Housing Market Assessment (SHMA), unless precluded

by site specific constraints, economic viability or prevailing neighbourhood characteristics

Policy CS(R)13: Affordable Homes and Starter Homes states that any residential schemes need to provide affordable housing at the following rates:

- Strategic Housing Sites: Those identified on the Policies Map as Strategic Housing Locations, are required to deliver a 20% affordable housing requirement; and
- Greenfield Development: Will be required to deliver a 25% affordable housing requirement.

The policy outlines that affordable housing should be provided as approximately 74% affordable or social rent and 26% intermediate where practicable and unless evidence justifies a departure from the requirement. Policy also requires that affordable housing is fully integrated into the development site.

Policy CS(R) 15: Sustainable Transport states that the Council will support a reduction in the need to travel by car, encourage a choice of sustainable transport modes and ensure new developments are accessible by sustainable modes.

Policy CS(R) 18: High Quality Design states that achieving and raising the quality of design is a priority for all development in Halton.

Policy CS(R) 19: Sustainable Development and Climate Change states that all new development should be sustainable and be designed to have regard to the predicted effects of climate change including reducing carbon dioxide (CO₂) emissions and adapting to climatic conditions.

Policy CS(R) 20: Natural and Historic Environment sets out Halton's strategic approach regarding natural and heritage assets, and notes that landscape character contributes to the Borough's sense of place and local distinctiveness.

Policy CS(R) 21: Green Infrastructure states that Halton's green infrastructure network will be protected, enhanced and expanded, where appropriate.

Policy CS(R) 22: Health and Well-Being states that healthy environments will be supported and healthy lifestyles encouraged across the Borough by ensuring:

- a) proposals for new and relocated health and community services and facilities are located in accessible locations with adequate access by walking, cycling and public transport;

- b) applications for large scale major developments are supported by a Health Impact Assessment to enhance potential positive impacts of development and mitigate against any negative impacts
- c) the proliferation of Hot Food Take-Away outlets is managed; and,
- d) opportunities to widen the Borough's cultural, sport, recreation and leisure offer are supported.

Policy CS23: Managing Pollution and Risk sets out the Council's policy:

- To control development which may give rise to pollution;
- Prevent and minimise the risk from potential accidents at hazardous installations and facilities; and
- Development should not exacerbate existing levels of flood risk nor place residents or property at risk from inundation from flood waters.

Policy CS24: Waste is a strategic policy in respect of the Council promoting sustainable waste management in accordance with the waste hierarchy.

Policy RD1: Residential Development allocations lists the strategic housing locations and includes R29 (Land to the South of Walsingham Drive – 250 units).

Policy RD4: Greenspace Provision for Residential Development sets out the requirements for new development that creates or exacerbates a projected quantitative shortfall of greenspace or are not served by existing accessible greenspace, to make appropriate provision for the needs arising from the development, having regard to the standards set out in table RD4.1. In addition to the quantum the policy requires that developers provide a long-term management scheme, as well as providing further guidance around locational requirements and off-site financial contributions.

Policy C1: Transport Network and Accessibility is a comprehensive and detailed policy, of which relevant elements relating to the Site are as follows:

- Walking and cycling – states that development will only be permitted where it doesn't prejudice the walking and cycling network and does not affect the enjoyment of it (which includes the Greenway Network) and supports work to improve canal towpaths and Public Rights of Way where they can provide key linkages from developments to local facilities. The policy also sets out a number of criteria against which development will be assessed, with the overriding requirement that development is accessible to all.
- Waterways – development should seek to encourage physical waterborne leisure activities and enhance watercourses where appropriate.

- Transport Assessments and travel plans – development proposals generating a significant amount of traffic will have to be supported by a transport assessment and a travel plan

Policy HE1: Natural Environment and Nature Conservation states that any development which may affect a designated natural asset will be considered in line with a mitigation hierarchy, and that development which may adversely affect the integrity of internationally important sites will only be permitted where there are no alternative solutions and there are imperative reasons of overriding public interest.

Policy HE2: Heritage Assets and the Historic Environment outlines that development proposals affecting designated heritage assets should conserve, and where possible, enhance, the significance of the asset and its setting. All proposals affecting heritage assets should be accompanied by a Heritage Statement, which should include an analysis of the asset's significance, including the impact of proposals upon that significance.

Policy HE3: Waterways and Waterfronts states that the natural habitat and setting of the waterways and associated banks will be protected and enhanced, and the policy makes specific reference to green infrastructure links and towpaths. The policy also stipulates requirements for waterside developments, including improving public access and the protection of habitat.

Policy HE4: Green Infrastructure states that all development is expected to incorporate green infrastructure, and provides further detail on what is required for development within a green infrastructure asset (which includes the Greenway Network). The policy states that development should not compromise the integrity or result in the loss of assets, the network of linkages and recreational benefits. The policy also supports opportunities to add to the green infrastructure network, particularly through partnership and cross boundary working.

Policy HE5: Trees and Landscaping – requires that tree survey information must be submitted with all planning applications, and that the survey should include information in relation to protection, mitigation and management. The policy includes a presumption in favour of retention and enhancement of existing tree, woodland and hedgerow cover of arboricultural, landscape and/or visual amenity value on site, or if losses are unavoidable appropriate mitigation, compensation or offsetting. On landscaping the policy requires that development should conserve and where appropriate enhance the character and quality of the local landscape, providing guidance on design and management.

Policy HE6: Outdoor and Indoor Sports Provision states that developer contributions will be required to enhance existing provision of playing pitches,

based on additional demand generated by the new residential development and the sufficiency of provision to meet current and projected need and new development, in accordance with policy RD4.

Policy HE7: Pollution and Nuisance states that applications for development that may negatively impact on the quality of environment (e.g. air pollution, noise nuisance) must be accompanied by an appropriate impact assessment and, where necessary demonstrate that mitigation measures have been incorporated through a mitigation scheme

Policy HE8: Land Contamination requires an applicant proposing development on or near a site where contamination may potentially exist to carry out sufficient investigation to as to establish the nature, extent and significance of the contamination.

Policy HE9: Water Management and Flood Risk states that development will only be permitted where it would not be subject to unacceptable risk of flooding and would not exacerbate flood risk elsewhere and where practicable, existing flood risk should be reduced.

Policy GR1 Design of Development requires the design of all development to be of a high quality and to demonstrate a clear understanding of a sites characteristics, efficient and effective use of the site, and the creation of visually attractive places that are well integrated with their surroundings.

Policy GR2 Amenity states that all new development must be sited, designed, and laid out to avoid detriment to the living environment and to ensure high standards of amenity for existing and future users. New residential must consider the orientation and design of buildings and ensure the provision of adequate amenity space, whilst development must not prejudice the planned development of a larger site or area for which comprehensive proposals have been approved or are in preparation.

3.2 Joint Merseyside and Halton Waste Local Plan (2013)

The following policies, contained within the Joint Merseyside and Halton Waste Local Plan are of relevance to the determination of this planning application:

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

MATERIAL CONSIDERATIONS

The following policy and guidance documents are material considerations relevant to the determination of this planning application.

3.3 Supplementary Planning Documents

The following adopted Supplementary Planning Documents are of relevance:

- Design of Residential Development SPD
- Sandymoor SPD

The Sandymoor SPD contains the original Sandymoor Masterplan. The Sandymoor South Phase 2 site represents the final phase of residential development in the original Sandymoor masterplan.

3.4 National Planning Policy Framework

The National Planning Policy Framework (NPPF) (as amended) was published in July 2021 to set out the Government's planning policies for England and how these should be applied.

Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8 states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 9 states that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in the NPPF; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

Paragraph 10 states so that sustainable development is pursued in a positive way, at the heart of the NPPF is a presumption in favour of sustainable development.

Paragraph 11 and paragraph 38 state that plans and decisions should apply a presumption in favour of sustainable development and that local planning authorities should work in a positive and creative way, working pro-actively with applicants to secure developments that will improve economic, social and environmental conditions of their areas.”

Paragraph 47 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 59 states that “to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”

Paragraph 65 states that planning decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area or significantly prejudice the ability to meet the identified affordable needs of specific groups.

Paragraphs 80-82 states the need for planning policies and decisions to be made to create conditions in which business can invest, expand and adapt. Significant weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It encourages an adaptive approach to support local and inward investment to meet the strategic economic and regenerative requirements of the area.

Paragraph 105 states that the planning system should actively manage patterns of growth in support of the sustainable transport objectives. Significant

development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 174 states that planning policies and decisions should contribute to an enhance the natural and local environment, through protecting and enhancing valued landscapes, recognising the value of the countryside, minimising impacts on and providing net gains for biodiversity, and through preventing new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by soil, air, water and noise pollution or land instability.

3.5 National Planning Practice Guidance

The Planning Practice Guidance provides guidance to Local Authorities to assist in the application of the NPPF. The following sections of the Guidance are of most relevance to the determination of this planning application:

- Effective Use of Land
- Determining a planning application
- Environmental Impact Assessment
- Flood Risk and Coastal Change
- First Homes
- Housing
- Natural Environment
- Noise
- Open Space, sports and recreation facilities, public rights of way and local green space
- Planning Obligations
- Travel Plans, Transport Assessments and Statements

3.6 First Homes

Government has provided Ministerial Statements and Planning Practice Guidance in relation to First Homes. This sets out that a minimum of 25% of all affordable housing units secured through developer contributions should be for First Homes. First Homes are a discounted market sale housing product, which should be considered to meet the NPPF definition of 'affordable housing' and should account for at least 25% of all affordable housing units delivered by developers through planning obligations. First Homes are required to fulfil set criteria, including: being discounted at a minimum of 30% against market

value, with a maximum overall price threshold, and must be prioritised for eligible first time buyers with a combined household income cap.

3.7 Relevant Planning Legislation

The primary legislation for decision making is s70(2) of the Town and Country Planning Act 1990 and s38(6) of the Planning and Compulsory Purchase Act 2004.

3.8 Equality Duty

Section 149 of the Equality Act 2010 created the public sector equality duty.

Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development that justify the refusal of planning permission.

3.9 Other Considerations

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

4. CONSULTATIONS AND PUBLICITY SUMMARY

Pre application consultation was undertaken by the applicant in 2021. The results of this exercise and the applicant's responses to issues raised are

reported in the Statement of Community Involvement submitted with the application.

A pre application enquiry was also made to the Council in January 2022. A summary of the main issues raised in this process and the applicant's response has been provided in the applicant's Planning Statement (see Table 1 of that document).

On formal submission and validation of the planning application in October 2022, the Council commenced consultation on the application, notifying statutory and non-statutory consultees, as well as neighbours to the site.

4.1 Consultee Responses Summary (Full responses at Appendix 1)

Consultee	Original Consultation Response	ES Addendum Consultation Response
Local Highways Authority (Statutory Consultee)	<p>No formal response, informal comments included:</p> <ul style="list-style-type: none"> Request for updated tracking on drawings Crossing points of bridleway across spine road Request for sections Detail regarding structure amendments of New Norton Bridge 	<p>No Objection, subject to conditions on:</p> <ul style="list-style-type: none"> Structural work of New Norton Bridge and embankment, to accommodate highway widening – including AiPs/adoption. Bridleway provision. Access, gating etc. Bus infrastructure provision, through all phases of development. Phasing, Construction Traffic Routing and Management. Travel Plan
British Horse Society	<p>Objection, based on the following reasons:</p> <ul style="list-style-type: none"> Existing amenity routes are unrecorded & no definitive bridleway routes are proposed. Suggest that S106/S278 funding is used to create routes within the site suitable for equestrians. 	No response
National Highways (Statutory Consultee)	No Objection	No Objection
Network Rail (Statutory Consultee)	<p>Objection, based on the following reasons:</p> <ul style="list-style-type: none"> Public footpath which crosses operational railway at Norton Level Crossing will be 	No response

	<p>impacted by development proposals once new dwellings are occupied;</p> <ul style="list-style-type: none"> Grampian condition requested which would require the developer to a) permanently stop up the public footpath over Norton Level Crossing and b) close the level crossing and any necessary diversionary route must be completed prior to new dwellings being occupied. 	
Environmental Health	<p>No Objection subject to conditions on:</p> <ul style="list-style-type: none"> Construction and Environmental Management Plan being submitted prior to development Construction hours Noise mitigation scheme 	No response
Environment Agency (Statutory Consultee)	No Objection	No Objection
Lead Local Flood Authority (Statutory Consultee)	<p>Objection, based on: the following reasons:</p> <ul style="list-style-type: none"> The Flood Risk Assessment for Sandymoor South is not considered to be NPPF compliant as it does not adequately assess the impact of fluvial, surface water and artificial sources of flood risk both currently and in the future to the proposed development and the proposed development's impact of flood risk from the proposed development. The ES needs to focus on Sandymoor South and be updated based on the FRA update and above comments. 	<p>No Objection, subject to conditions on:</p> <p>Detailed modelling of Sandymoor Brook, detailed culvert and crossing designs, site and finished floor levels, blockage scenarios, submission and agreement of a detailed sustainable drainage scheme, SuDS implementation, maintenance, management and construction validation.</p>

	<ul style="list-style-type: none"> The Surface Water Drainage Strategy appendices need to be updated in line with above comments. 	
Canal and River Trust	No Objection	No Objection
Bridgewater Canal Company	No response	No response
United Utilities (UU) (Statutory Consultee)	<p>Request for further information on the exact location of the existing water main prior to determination.</p> <p>No Objection, subject to conditions on:</p> <ul style="list-style-type: none"> Protection of United Utilities Water Main Sustainable surface water drainage scheme and a foul water drainage scheme Sustainable drainage management and maintenance plan 	No response
Merseyside Environmental Advisory Service (MEAS)	<p>Requested additional information on:</p> <ul style="list-style-type: none"> Reedbed provision Biodiversity net gain metric <p>No Objection, subject to conditions on:</p> <ul style="list-style-type: none"> Mitigating impacts to Local Wildlife Sites (including Priority Habitats) Mitigating the impacts upon Great Crested Newt Lighting Scheme Construction Environmental Management Plan Homeowner's information pack Landscaping proposals & Landscape and Habitat Management Plan 7m standoff from Sandymoor Brook Re-instatement of sandstone edging 	<p>No Objection, subject to conditions outlined previously in addition to:</p> <ul style="list-style-type: none"> GCN licencing

	blocks after work to bridges	
Natural England (Statutory Consultee)	Further information required to determine impacts on designated sites. A Habitats Regulation Assessment was requested which should include a “consideration of habitat suitability for overwintering and passage bird species” associated with designated sites.	No Objection, subject to conditions on: <ul style="list-style-type: none"> • The provision of Homeowner information packs • The inclusion of green infrastructure as proposed in the application and the Habitat Regulations Assessment Addendum • The inclusion of on-site cycle routes and footpaths as proposed in the application and the Habitat Regulations Assessment Addendum
Forestry Commission	No Objection	No Objection
Historic England	No Objection	No response
Cheshire West and Chester Archaeology	No Objection, subject to condition on: <ul style="list-style-type: none"> • A developer funded watching brief within the area of the former houses east of Town Bridge 	No response
Cheshire West and Chester Conservation and Design	No Objection, subject to condition on: <ul style="list-style-type: none"> • Future design with consideration of the local building vernacular with planted buffer areas to the north east of the site to soften any impact of the surrounding heritage assets. 	No response
Halton Borough Council Environmental Services	No Objection, subject to conditions on: <ul style="list-style-type: none"> • Tree loss mitigation • Retaining and improving hedgerows wherever possible • Landscape design proposals • Establishment and maintenance of retained landscape features and 	No response

	proposed new green infrastructure	
Halton Borough Council Landscape Services	No Objection, subject to conditions: <ul style="list-style-type: none"> • Landscape design proposals • Establishment and maintenance of retained landscape features and proposed new green infrastructure 	No response
Sport England	Objection, request for : <ul style="list-style-type: none"> • Sports Strategy for the development • Active Environment Strategy • S106 contribution to indoor and outdoor sports provision 	Objection, request for : <ul style="list-style-type: none"> • Sports Strategy for the development • Active Environment Strategy • S106 contribution to indoor and outdoor sports provision
Halton Borough Council Local Education Authority	No Objection. No request for education contributions due to surplus Primary and Secondary provision.	No response
SABIC	No Objection	No response
Health and Safety Executive (HSE)	Do not advise against.	No further response required.
Halton Borough Council Contaminated Land	No Objection, subject to condition on: <ul style="list-style-type: none"> • Site Investigation Scheme & Remediation strategy 	No response
Coal Authority	No Objection	No Objection
Warrington Borough Council	No Objection	No Objection
NHS (Integrated Care Board – ICB)	No response	Request for: <ul style="list-style-type: none"> • Mitigation for the site-specific impacts of the proposed development, in the form of a capital costs contribution would likely be necessary to the sum of £180,438.
Cheshire Police (Design)	No Objection	No Objection
Cheshire Police (Infrastructure)	Request for: <ul style="list-style-type: none"> • £75,828.03 is sought from this development to mitigate impacts on Cheshire Constabulary infrastructure. 	No response

Sandymoor Parish Council (Statutory Consultee)	Concerns cited over: <ul style="list-style-type: none"> • Location of proposed development • Reduced pedestrian and cycle accessibility and lack of new routes, lack of public transport provision • Lack of provision for young people • Recommend adoption of SUDs • Traffic survey reliability • Lack of local services 	No response
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4.2 Representations from Elected Representatives

Political representatives including the local MP and Ward Councillors made representations on the planning application as summarised below. Full representations are included at Appendix 1.

MP

Mike Amesbury, MP for Weaver Vale has raised several concerns in relation to this particular development with regards to the following:

- Housing tenure and type of affordable housing provision;
- Infrastructure provision including:
 - Primary school;
 - Health care
- Flood risk; and
- Need to mitigate against closure of Norton Level Crossing.

Halton Borough Council Ward Councillors

Cllr Geoff Logan (Norton North) raised concerns regarding the crossover of the application boundary with the Wharford Farm site, and concerns regarding the capacity of the electricity substation required to serve the application site. The Councillor requested that planning permission is not granted until a smaller substation is proposed, to be located within the Sandymoor South site, and that this substation be wholly funded by the developer rather than the public sector

Cllr Peter Lloyd-Jones (Norton North) raised questions over the estimated traffic increases, and the capacity of nearby highways to cope with further traffic during construction and occupation of the proposed development. The Councillor also noted concerns over build out rates, requesting a limit on 50 completions a year be imposed by condition. Concerns were also noted regarding flood risk, climate change impacts and ground conditions.

Cllr Ellen Cargill (now former ward Councillor for Halton Castle) objected to the planning application on highways grounds and raised concerns over access from Windmill Hill Avenue, citing particular concerns about access to existing developments and to St Berterline's school.

4.3 Neighbour Representations

The application was advertised via the following methods: site notices posted near to the site, press notice and Council website. 750 nearby properties were notified by letter. Following the receipt of the addendum to the ES further publicity was undertaken – a press notice was published as required by Regulations.

A total of 160 objections were received from members of the public. The comments received are summarised below:

- Over development of the site and in wider Sandymoor
- Loss of greenbelt for potential livestock
- Impact on openness
- Loss of green space
- Contrary to brownfield land first approach
- Impact on the highway network and highway safety issues
- Windmill Hill Bridge not adequate for traffic
- Closure of Norton Level Crossing impacting on recreational routes
- Concerns over traffic data
- Impact on the environment through increase in CO2/pollution from extra cars
- Lack of public transport
- Lack of infrastructure
- Lack of school provision
- Lack of GP/Dentist Provision
- Impact on listed Borrow's Bridge
- Lack of affordable housing provision
- Green Infrastructure and recreation spaces
- Impact on ecology, biodiversity and habitat
- Flooding and drainage issues
- Size and location of the proposed electricity sub station

5. ASSESSMENT

S38 (6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be

made in accordance with the Development Plan unless material considerations indicate otherwise. S70 (2) of the Town and Country Planning Act 1990 states that in dealing with an application for planning permission the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

This section of the report sets out the assessment of the proposed development against the Development Plan, the NPPF and national guidance, and other material considerations, including relevant issues raised in representations.

5.1 Principle of Residential Development

Residential Use

As set out in the development description, the proposed use of the site is for residential use. The application site is covered by Strategic Residential allocation R29 ('Land to the south of Walsingham Drive) and a small part of R67 ('Wharford Farm') within the Development Plan, whilst policy RD1 identifies R29 as being capable of accommodating 250 dwellings. In this regard, the proposal makes an important contribution to delivery of new homes within the Development Plan period, in accordance with Policy CS(R)3.

Representations from members of the public objected to the proposed use of the site for residential development. A preference for a "brownfield first" strategy was cited, suggesting that alternative sites should be prioritised prior to Sandymoor South Phase 2. However, as noted, the site is an existing residential site allocation within the adopted Local Plan. The site is therefore considered by the Council as being suitable for this use in principle.

Representations from members of the public also referred to the site as green belt and raised concerns regarding the impact of the development upon the openness of the site. Representations also refer to the site as green space and therefore object to its loss. Whilst the site is greenfield, it is not greenbelt, it is a site that is predominantly allocated for development during the DALP Plan period. It is also noted that the development retains a significant portion of the site undeveloped as green infrastructure. No residential development is proposed within Wharford Farm (designated Greenspace and Residential Allocation R67) as a result of this application.

Residential Density

The proposed maximum capacity of 250 dwellings represents a net capacity of 40 dwellings per hectare. This is above the minimum density requirements of 30 dwellings per hectare as set out in Policy CSR3, and hence the proposal represents an efficient use of land.

The Design and Access Statement submitted with the application evidences how the 250 dwellings can be delivered within an appropriately laid out illustrative masterplan, responding to site constraints and opportunities. The land use parameter plan indicates the likely extent of developable areas within the site. The scale parameter plan shows how likely heights of buildings can be accommodated within the site, including the provision of apartment blocks of up to 3 storeys in height to the west, in accordance with the Sandymoor SPD and the remainder of the site is to comprise 2 – 2.5 storeys.

Representations contend that the proposals represent overdevelopment of the site and of the wider Sandymoor neighbourhood; however as an allocated site with an appropriate residential capacity and proposed density of new dwellings, officers consider there is no evidence to support this. A representation from an elected representative requested that residential completions be limited to 50 dwellings per annum; however officers consider that this is no policy justification for such a limit to be set.

Greenspace and Green Infrastructure

Green Infrastructure is a network of multi-functional greenspaces, urban and rural, which are capable of delivering a wide range of environmental, economic and quality of life benefits for local communities. Therefore Green Infrastructure is considered a key part of our infrastructure. Policy HE4 of the DALP is relevant in this regard.

Part of the proposed access road from Windmill Hill Avenue East is designated as and part directly adjoins designated Greenspace. Part of the road has been substantially constructed but will require upgrading including footways. Whilst this will result in the loss of Greenspace, such loss will be relatively minor especially in the context of the existing and proposed Green Infrastructure provision on the wider Sandymoor development in compliance with Policy HE4 of the DALP.

Part of the application site to the East of the Warrington to Chester railway line is designated Greenspace. The applicant has amended the Land Use and Access Parameter Plan Sandymoor South, Green Infrastructure Plan Sandymoor South and Windmill Hill Avenue to Network Rail Arch Crossing Route Plan to ensure no development is shown in the Greenspace to ensure compliance with Policy HE4 of the DALP.

Noting the Greenspace implications above, it is considered that the proposed development would not detract from the Borough's ability to divert recreational pressure away from sensitive European designated sites and would not result in an effective increase in recreational pressure within the European designated sites in compliance with Policy HE4 of the DALP.

The Policies Map identifies a number of greenway designations running through the application site including from north to south and from west to east. The relevant policy considerations in respect of the site's Greenway designation are set out in Policies C1 and HE4 of the DALP. Policy C1 states that development will only be permitted where:

- a) It does not prejudice the access on to or through the walking and cycling network or it provides a suitable alternative link of equal quality and convenience; and
- b) It does not affect the enjoyment of the walking and cycling network.

The policy defines the Greenway Network as forming part of the walking and cycling network.

The proposed access parameter plan demonstrates that sufficient scope exists for the provision of Greenways and the existing Public Right of Way through the application site. Subject to the broad principles shown on the parameter plan being detailed in a development parameters condition and it being suitably detailed at the Reserved Matters stage, it is not considered that the proposed development would prejudice access on, to or through the walking and cycling network, and would in fact formalise, preserve and enhance these connections, linking on onward routes within the wider area.

Policy HE4 of the DALP states that all development where appropriate will be expected to incorporate high quality green infrastructure that creates and/or enhances green infrastructure networks and provides links to green infrastructure assets and improves access for pedestrians, cyclists and horse-riders.

High quality green infrastructure in this locality has been introduced by the implementation of the wider Sandymoor Supplementary Planning Document. This has not only improved access for pedestrians and cyclists in the locality but has improved access by sustainable modes to this Strategic Residential Allocation – R29. The proposed development further enhances the provision of green infrastructure in the neighbourhood by proposing over eight hectares of open space within the application site, accommodating active travel routes.

Representations have been received over the adoption of the Greenway Network, and potential linking into existing bridleways for all users. The applicant has provided an updated drawing DWG12 Rev Q (Land Use and Access Parameters Plan Sandymoor South) to demonstrate the connections to the existing sustainable routes identified through the previous Sandymoor Schemes, this is in compliance with Policies C1 and HE4 of the DALP.

Policy HE1 of the DALP seeks to protect high quality agricultural land, except where absolutely necessary to deliver development allocated in the Local Plan. Representations have been raised regarding the loss of farmland arising from the proposed development. As noted, the application site has been long allocated for residential development including within the recently adopted DALP, where it is identified as one of several housing allocations required to deliver the necessary new homes within the Borough.

Substation

The description of development includes for the provision of electricity substations to serve the residential development. The applicant's utilities strategy indicates that a primary substation is likely to be needed to provide network reinforcement to facilitate the development of the site. The location for the primary substation has not yet been fixed and will be confirmed at a later stage. Secondary substations will also be required to serve the development; again, the location of these facilities is not proposed to be set at this outline stage.

The applicant's parameter plan shows a potential location within the Wharford Farm site for the primary substation, where an existing 33kv cable is located. However, this does not pre-determine the location of the primary substation which, if proposed to be located within the application boundary, will be considered under a separate reserved matters application.

Representations from members of the public and elected representatives raised concerns about the need for a primary substation, and questioned whether the facility should be of a capacity to serve only the Sandymoor South Phase 2 development. It is not considered that the refusal of planning permission on this basis can be sustained.

Principle of Development Conclusion

In respect of the following site designations of which all have been considered above, the proposed development is considered to accord with the relevant policy considerations and is acceptable in principle.

- Residential Allocations – R29 and R67 (small part);
- Strategic Residential Allocations
- Greenspace; and
- Greenway

5.2 Sustainability of the Proposed Site

The application proposes residential development on an allocated site. In relation to promoting sustainable transport, Paragraph 105 of NPPF states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine

choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.

Sandymoor South Phase 2 will integrate into the existing wider highway network and will link to existing active travel routes including the Mersey Valley Trail and the Bridgewater Way. The proposals demonstrate how accessibility within the area can be provided through new cycleways, public bridleways and footpaths. The site can also accommodate a bus route through the development.

The site is well connected, including by sustainable and active modes, to local facilities, including those within Sandymoor and surrounding neighbourhoods, and more widely in Runcorn. The site is also well located for a range of employment centres, including Sci-Tech Daresbury and Daresbury Business Park, and has sustainable transport connections via Runcorn East station to employment centres of Warrington and Chester.

The proposed development accords with the aims of achieving sustainable development and promotes the principles of sustainable transport and is consistent with NPPF in these regards.

5.3 Traffic and Transportation

Policy CS(R)15 of the DALP, sets out the transport and traffic considerations that development proposals should address. The policy seeks to ensure that new development is accessible by sustainable transport methods such as walking, cycling and public transport. Policy C1: Transport Network and Accessibility encourages a shift to more sustainable modes of travel in order to ensure that a successful transport network is in place.

Chapter 6 of the ES, the ES Addendum and Transport Assessment set out the impact of the development on the site and wider area.

Access

The main vehicular access points for the site are applied for in detail and will connect to the existing highway network located at Walsingham Drive and Windmill Hill Avenue. A third vehicular access point is provided for as part of the application but will only be delivered and become operational should the Wharford Farm site come forward for residential development, providing an onward connection to that development. This approach is in accordance with the Sandymoor SPD. The proposal also makes provision for access by other means including cyclists and pedestrians.

The primary access will be via the existing infrastructure from Windmill Hill Avenue East over the New Norton Bridge to the site which is an existing junction and carriageway, but not in active use, this route will be upgraded to become the basis for the main distributor road enabled by significant structural

improvements. Representations have raised concerns about the suitability of this route for traffic, however the Highway Authority has confirmed its acceptability subject to the noted structural improvements being delivered; these improvements will be secured by condition.

In order to assist with movement through the site, there is proposed retention of the Public Right of Way to provide pedestrian and cycle access via the Mersey Valley Trail, running west to east through the site. This route is to be located within an area of open space and will encourage active travel connectivity. The Bridgewater Canal towpath will be retained, providing a continued route running along the western boundary of the site.

Responding to existing Greenway routes, retained and enhanced active travel routes will follow the Sandymoor Brook public open space corridor and the HV pylon corridor running north to south through the site. The Bridleway route identified in the Sandymoor SPD will also be continued throughout the site in accordance with DALP policy C1, this also addressed concerns raised by the British Horse Society and the Highway Authority to enhance Bridleway connectivity within the Sandymoor area.

Whilst the wider routes are not established within the outline application, firm access points to the site have been provided. Routes through and crossing points have been provided within submitted plans, which seeks to discharge matters relating to access on the outline application. The definitive routes for access within the site will be fixed as part of the reserved matters applications.

Representations received from members of the public raise concerns about the adequacy of the access points, including New Norton Bridge, for traffic. The highway authority has raised no concerns regarding this issue and has secured by condition the submission and implementation of a scheme detailing structural work in the vicinity of New Norton Bridge to accommodate highway widening.

Network Impacts

A Transport Assessment has been submitted with the application to assess the likely significant traffic and transport impacts of the development in the local and wider area with sensitivity testing and modelling of variables.

Representations including from members of the public and the Parish Council raised concerns about whether the traffic survey informing the Transport Assessment is robust, in particular referencing the impact of the Covid-19 pandemic on traffic levels. However, the applicant has accounted for this within the use of survey data, and is content that the surveys can be relied upon. The local highway authority has agreed the survey information, modelling methodology and trip generation assumptions used in the Transport Assessment.

The assessment concludes that there will be no severe impact on the existing highway network arising from the proposed development and therefore satisfies the requirements of paragraph 111 of the NPPF and Policy CS(R)15. This is agreed with the Highway Authority. National Highways have confirmed there is no objection to the application in terms of impact on the Strategic Network including the M56.

The issue of traffic impact and highway safety within the local area was raised in a number of representations, including from members of the public and local elected representatives. However, the evidence submitted with the application has been accepted by the Highway Authority who agree as noted above that there will be no severe impact on the local network arising from the development. The Highway Authority have also raised no concerns regarding highway safety as a result of the proposed development.

Sustainable Transport

In order to address sustainable transport and meet the requirements of DALP Policy C1, it is required that dwellings be no more than 400m from a bus stop (for reserved matters stage). In order to ensure suitable accessibility to bus stops to all residents of the development, bus stops can be installed within the highway running through the site. There will likely be four bus stops within Sandymoor South Phase 2, two in each direction as a minimum. As this is an outline application the exact locations of the bus stops are more appropriately fixed at the reserved matters stage and can be conditioned. Provision can be made within the site for a bus route, connecting Walsingham Drive with Windmill Hill Avenue, also potentially onwards to Wharford Farm to ensure policy compliance.

A Travel Plan, to be conditioned, provides the opportunity to secure sustainable and active travel benefits for the future residents of the scheme provision of a Travel Plan and bus infrastructure provision, in addition to the enhanced walking and cycling routes throughout the development address concerns raised by members of the public regarding the lack of public transport links to the site.

In respect of Sustainable Development, the proposal would ensure that the requirements of Policy C1 of the DALP are met.

Level Crossing

Norton Level Crossing lies approximately 800m from the application site, and is currently open to pedestrians, cyclists and equestrians, of Red Brow Lane over the West Coast Main Line. In its representation, Network Rail request that the Norton Level Crossing be closed to pedestrian and cycle access, or otherwise bridged, and that this requirement should be attached to the planning application via a Grampian condition. The concerns cited include

existing issues over safety and an increased number of near misses, as well as the additional impact of further residents living at the application site.

Representations including from members of the public and elected representatives have raised issues over the potential closure of Norton Cross Level Crossing, which provides important walking routes between Daresbury Business Park and facilities including Runcorn East station.

Network Rail have suggested an alternative to the closure of the Level Crossing will be to erect a bridge over the railway line. However, this falls outside of the application site boundary and the cost and feasibility of such a scheme is currently understood to be in the very early stages of investigation by Network Rail. Representations also requested that the application makes contributions to any bridging project.

The Council will not impose the closure of the Norton Cross Level Crossing as a Grampian condition on this application, as it would hinder the continued use of existing sustainable modes of transport. It is also considered inappropriate to require this application to fund or otherwise provide a bridging solution to the Level Crossing. Officers consider that the Level Crossing is an existing safety issue and appropriate that Network Rail ensures the safe operation of its asset.

The Highway Authority have requested that conditions be attached to an approval to cover:

- Structural work of New Norton Bridge, the connecting access road and associated embankment, to accommodate highway widening and footway/cycleway provision – including AiPs/adoption
- Bridleway provision.
- Access, gating etc including to the Wharford Farm site and existing accesses.
- Bus infrastructure provision
- Phasing, Construction Traffic Routing and Management, in order to ensure that the developer considers measures to minimise the impact on existing and future residents during construction.
- Provision of a Travel Plan

In conclusion, the outline application (with the above conditions) is in accordance with policy CS(R)15 and C1 of the DALP.

5.4 Air Quality

Policy CS23 and HE7 of the DALP require that development takes into account the potential environmental impacts from the proposed development itself and any former use of the site, including, in particular, adverse effects arising from pollution and nuisance.

Chapter 8 of the ES addresses Air Quality, the chapter is accompanied by a Construction Noise and Vibration Report, Construction Noise Mitigation, an Operation Traffic Noise Report, Noise Break In, Construction Methodology, Model Verification, and Dispersion Modelling for Human and Ecological Receptors.

The applicant has followed IAQM construction guidance on dust receptors which are described as “a location that may be affected by dust emissions during construction. Human receptors include locations where people spend time and where property may be impacted by dust. Ecological receptors are habitats that might be sensitive to dust”.

DALP Policy HE7 specifies that development will not be permitted where it could result in the designation of a new AQMA or conflict with proposals for the strategy to manage an existing AQMA. There is no evidence through the supporting document or ES that this will be the case, there is no evidence to designate a new AQMA through the proposed development.

The applicant has supplied an air quality chapter of the ES. The applicant has assessed the current predicted air quality against proposed future air quality in relation to road traffic. The ES considers air quality in relation to both human health and ecological impacts.

The ES concludes that during the operational phase the proposed development will have a negligible impact on air quality due to the improvement in vehicle emissions, the distance of the receptors on the roads around the site, and the prevailing low levels of air pollution in the area.

The ES also acknowledges that there will be the potential for future emissions of dust during the construction phase. However, the particulate matter (PM10) existing levels are low and the sensitivity in the local area in relation to human health is low. There is also a low ecological impact due to the distance between the site and nearby ecological receptors. Any potential effects can be mitigated and controlled through good management of the site. The mitigation techniques required will be outlined in the CEMP, and the type of measures considered are outlined in paragraph 8.4.14 of the applicant’s air quality report and can be secured by an appropriately worded planning condition.

Neighbour objections raised the issue of increased levels of CO₂ due to an increase in a number of the vehicles within the area should the application be approved. However, there is no evidence that there is an issue in the area with regards to high levels of CO₂ nor has the Environmental Health Officer raised this as a concern. The applicant has demonstrated how the proposed development will deliver active travel and methods of sustainable transport in order to mitigate levels of emissions arising from vehicle movements, and

mitigation through a CEMP will ensure that measures identified in the Air quality report will be delivered.

In conclusion, the outline application is in accordance with policies CS23 and HE7 of the DALP.

5.5 Noise and Vibration

In accordance with CS23 and HE7 of the DALP, the applicant has predicted that there will be likely impacts due to construction on site.

Vibration impacts are likely due to piling of foundations and noise will be due to the mechanical equipment and generators on site during construction. The applicant in its supporting information acknowledges that both the vibration and noise impacts require mitigation and proposes that a CEMP be submitted prior to commencement of development. This will contain the details of mitigation, including limitations on construction access, this is acknowledged by the Environmental Health Officer and is requested to be conditioned. A condition restricting working hours is also proposed.

The ES also examines the site for noise during the operational phase. The ES concludes that existing residents will experience a minor effect due to the potential increase in road traffic in the area. The Environmental Health Officer considers the potential impact to be acceptable and considers that this will not negatively impact on the quality of the environment.

With regards to the design of the site and potential noise from the neighbouring Warrington/Chester railway line, the ES advises that a further assessment is carried out once the detailed plans are finalised to ensure that adequate internal noise levels can be achieved at the properties closest to the rail line with appropriate mitigation. This is accepted by the Environmental Health Officer as the application is for outline permission and further details will be appropriately provided at a Reserved Matters stage in order to address the Noise and Pollution requirements of the DALP.

Subject to the implementation of the above-mentioned conditions, in conclusion the proposed development is in accordance with policies CS23 and HE7 of the DALP.

5.6 Water Resources and Flood Risk

Water Management and Flood Risk is covered in policy HE9 of the DALP; the policy permits development only where it would not be subject to unacceptable risk of flooding from all sources and where it would not unacceptably exacerbate risk of flooding elsewhere. The policy also seeks that where practical, development seeks to reduce existing flooding risks. Policy CS23 relates to Managing Pollution and Flood Risk and states that development should not exacerbate existing levels of flood risk by (amongst other

considerations) directing development to areas where the use is compatible with the level of flood risk, both at present and taking in to account the likely effects of climate change.

The application site is wholly located within Flood Zone 1, which is defined as an area at the lowest risk of flooding and so as a matter of principle residential development is an appropriate land use in this location.

The Sandymoor Brook runs through the centre of the site. The immediate brook corridor is susceptible to localised flooding, primarily due to the existing culverts not managing the effective flow of the brook through the site. Sandymoor Brook is an ordinary water course and feeds into Keckwick Brook to the north, which is a designated Main River managed by the Environment Agency. The Bridgewater Canal, a key local waterway, lies to the west and south of the site. There is existing drainage infrastructure located within the site, including a large United Utilities (UU) foul sewer running along the southern and western boundary of the site, an additional UU foul sewer adjacent to the Sandymoor Brook corridor, and a further unadopted surface water sewer in the middle of the site.

The submitted ES Chapter 9 deals with water resource and flood risk, supported by a Flood Risk Assessment (FRA) and a Drainage Strategy. These submissions conclude that following the implementation of mitigation, there would be negligible environmental impacts on water resources and flood risk during the construction and operational phases of development.

The LLFA provided comments on the original submissions, including the adequacy and outcomes of the FRA and the Drainage Strategy. In consultation with the LLFA, the applicant worked to address these concerns and provide the requested additional information. As a result, the FRA and the Drainage Strategy originally submitted as part of the planning application were updated alongside the ES Addendum.

The FRA was updated to provide clarification with respect to finished floor levels, to be set at a minimum of 150mm above adjacent ground levels, or 600mm above the future modelled water level in Sandymoor Brook in the 1 in 100 year event + 52% allowance for climate change. The considered effects of this update reported within the ES remain unchanged with the significance of effects being minor beneficial.

The updates to the FRA and Drainage Strategy do not highlight any changes to the construction assessment therefore no further supplementary mitigation is required for the construction phase, there are also no changes to the operation phase from the original ES.

The LLFA is satisfied with the updates to the ES Addendum and its supporting documents, and have no objection to the development proposed subject to mitigation which would be required to be conditioned, in line with good practice.

The LLFA reiterates that areas lying within areas at high risk of flooding, including those from surface water sources, should not be developed. The LLFA notes that the design flood event is the 1 in 100 year +52% climate change, as there is not up to date modelling of Sandymoor Brook, and the FRA uses the 2014 AECOM modelled 1 in 1000 year outline as a conservative proxy for the flood outline of Sandymoor Brook. The current Green Infrastructure Parameters Plan includes green corridors along the alignment of Sandymoor Brook to ensure no new urban development is included in this zone and a condition will ensure that this is carried through to the reserved matters stage.

In order to support reserved matters application(s) the LLFA would require that detailed modelling of Sandymoor Brook, including changes to culverts or ground levels on site is provided and will be secured by condition.

The LLFA is satisfied that the outline Drainage Strategy would be sustainable, in accordance with the drainage hierarchy, and would help manage flood risk within the wider catchment through the provision of surface water attenuation and controlled release into Sandymoor Brook. Suitably designed and sufficient attenuation can be provided within the site, with volumes future-proofed to allow for climate change impacts. At the reserved matters stage, the LLFA would require a detailed drainage strategy along with routing plans, should the system fail and a management and maintenance plan for the lifetime of the development to be undertaken and will be secured by condition.

Representations received from members of the public, local elected representatives and the Parish Council raised concerns about the flood risk and drainage impacts of the scheme, including on Keckwick Brook and the wider Sandymoor area. However, as explained above, the LLFA has reviewed the proposals and considers that following additional modelling work, secured by condition, flood risk at the site can be managed and the site can be appropriately drained.

The Environment Agency stated that they had no objection to the application. United Utilities requested that the applicant should provide clarity on the exact location of the water main (close to the existing New Norton Bridge) prior to determination of the outline planning application. Officers consider it is acceptable to proceed to determine the application, securing the protection of the United Utilities Water Main as a condition.

In conclusion, the proposed development is in accordance with policies HE9 and CS23 of the DALP.

5.7 Contaminated Land and Ground Conditions

Policy HE8: Land Contamination of the DALP aims to implement the planning requirements of the Environmental Protection Act 1990 and the Contaminated Land (England) Regulations 2000.

The application is accompanied by a desk top study covering contamination and ground conditions.

The report concludes that there is a need to determine ground conditions for construction design purposes and to prove the conceptual model, given the sensitivity of the end use to land contamination if present, this also includes a scope of site investigation.

Representations from elected representatives raised concerns about the suitability of the site for construction of new homes. It is noted by the Contaminated Land Officer that the supporting information is of an appropriate level of detail for this application, provided that any approval is conditioned to require the further site investigation and assessment. This would ensure that occupiers of the development and neighbouring land are not exposed to unacceptable risk.

In conclusion the application is in accordance with policy HE8 of the DALP.

5.8 Ecology

Policies CS(R)20 and HE1 seek that ecological assets should be conserved and where possible enhanced for current and future generations, and to ensure a strong sense of place and improve local distinctiveness.

Chapter 10 of the ES and the section 5.3 of the ES Addendum set out the method, and likely effects of the development on ecology. Appended to the ES is a range of up-to-date ecological surveys, including habitat and protected species surveys. Species present at the application site include bats, great crested newts, birds and mosses. There is also the potential for the site to accommodate water voles.

Habitats serving wildlife, including water courses, ponds, trees and hedgerows are proposed for retention where possible, and new planting can also be provided within the scheme. Within the ES, it is proposed that at the reserved matters stage, a Landscape and Habitats Management Plan is provided to ensure open spaces and habitats are appropriately set out and managed in perpetuity and secured by condition. A lighting scheme to protect ecology is also proposed to be secured by condition.

It is also proposed that homeowner packs are provided to assist with the protection of water vole. A residual significant effect is nonetheless concluded within the ES as a result of potential predation from domestic cats from the proposed development.

The Council's ecological advisors have confirmed that the application has met the Three – Test Assessment for European Protected Species and that the mitigation proposed is satisfactory as per detailed advice contained at Appendix 1. This professional judgement is dependent upon the use of a schedule of recommended planning conditions, including a lighting scheme and CEMP to protect the priority species.

Great Crested Newts

The Sandymoor South Phase 2 site is part of the wider Sandymoor residential area development which has previously held a Natural England European Protected Species Mitigation Licence with respect to Great Crested Newts (GCN), which are present within ponds on the site. The Council's ecological advisors accepts that Homes England wishes to retain flexibility as to whether a traditional GCN licence or a District Level Licence is secured to appropriately manage the presence of GCNs on site before commencement and during development. Therefore, the Council's ecological advisors recommends a licence (either traditional or District Level) is secured, prior to commencement of development, which will be secured by condition, should outline planning permission be granted.

In order for a European Protected Species licence to be granted, there is a need to meet 3 strict tests:

- 1) That the purpose of the Licence has a valid basis in the interest of the public benefit;
- 2) That there are no other reasonable options with lower impacts; and
- 3) Granting a Licence will not cause long-term impacts on species present at the site.

In accordance with the Council's ecological advisors' response, the Council has considered whether a Licence is likely to be granted, applying the above tests. It has concluded that there is no reason why Natural England would not grant a Licence.

Bryophytes

The Council's ecological advisors requested a condition, should any works to bridges be undertaken, to re-instate sandstone edging blocks (edging to the canal) to ensure suitable substrate is available for the growth of Freiburg's Screw-moss. The only bridge works that will be undertaken in association with the Sandymoor South Phase 2 development is works to the north side of the

embankment of New Norton Bridge, which will not be close to, or affect the sandstone edging blocks where the Freiburg's Screw-Moss is present – the Bryophyte Survey undertaken by Bryophyte Surveys Ltd (and submitted as Appendix 10P of the ES) confirms that there is no Freiburg's Screw-moss present on the concrete bridge structure itself. As Freiburg's screw-moss was found to be very close to the bridge structures, a condition is recommended securing the re-instatement of sandstone edging blocks to ensure suitable substrate is available for the growth of Freiburg's screw-moss should any need to be removed.

Recreational Impact

The Council's ecological advisors identified the potential impact on nearby Local Wildlife Sites (LWS) due to Recreational Impact, arising from new residents accessing these spaces. This potential impact is exacerbated when considered in combination with the extensive development of east Runcorn being brought forward as part of the Local Plan. There is a cumulative impact that is likely to occur, particularly at the Daresbury LWS and Murdishaw Wood LNR/LWS. To address this potential impact and in line with other proposals/applications in the area, The Council's ecological advisors requested a developer contribution should be secured to fund LWS and LNR site management. However, other developments in the vicinity of the application site have contributed towards the enhancement of the LWS and it is considered that no further works are required. The scheme and other phases of the Sandymoor development also provide for significant areas of open space likely to be attractive to residents as alternative options to accessing protected sites. It is also proposed that the homeowner packs to be issued to each new dwelling will contain information on the nearest recreation sites and the impacts of recreation on the LWSs. This can be secured by an appropriately worded planning condition.

Habitats Regulations Assessment (HRA)

The Council's ecological advisors advised the applicant that a HRA is required to assess the potential impacts of recreational pressure from the proposed residential development on the Mersey Estuary Special Protection Area (SPA) and Ramsar site, which are located 5.3km north of the site. The applicant has submitted a shadow HRA and Addendum in support of the application, the latter being updated with further assessment of the site's suitability for wintering birds, following advice from Natural England.

The mitigation measures identified in the Appropriate Assessment will ensure that there will not be a significant impact on the stated protected sites. No developer contribution is required, in accordance with the Liverpool City Region Recreational Mitigation Strategy, as the proposed development site is south of the Manchester Ship Canal and hence direct coastal access is limited. This conclusion is supported by the Council's ecological advisors and Natural England.

Natural England required a further HRA which considered the habitat suitability on-site or within the surrounding area for overwintering and passage bird species associated with the Mersey Estuary Special Protection Area (SPA) and Ramsar site. The applicant undertook a further survey and produced a HRA Addendum, which was submitted by the applicant as part of the ES Addendum. Natural England requires the following mitigation measures in order to mitigate potential adverse effects on the SPA & Ramsar site:

- The provision of homeowner packs
- The inclusion of green infrastructure as proposed in the application and HRA Addendum
- The inclusion of on-site cycle routes and footpaths as proposed in the application and HRA Addendum.

These should be secured by condition.

Trees

The Council's Environmental Services team request that the developer should ensure that tree cover is increased through new planting in order to compensate for the loss of trees, especially Category B trees, as highlighted in the submitted (and updated) Arboriculture Impact Assessment. Their response also stated that the three Category A trees highlighted should be retained where possible and appropriate mitigation sought, should they be removed. The applicant has since confirmed that a further Arboricultural Impact Assessment will be undertaken at reserved matters stage, based on a detailed design for the scheme, which will confirm whether the three Category A trees can be retained. This further submission together with any mitigation will be secured by condition.

In conclusion, with appropriate mitigation and conditions secured, the proposed development accords with policies CS(R)20 and HE1 of the DALP.

Biodiversity Net Gain

The NPPF requires that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Planning policy encourages pursuit of opportunities for securing measurable net gains for biodiversity.

A Biodiversity Net Gain (BNG) Assessment for the proposed development has been undertaken, concluding that a number of habitats will be lost to the proposed development, and some existing habitats will be retained and/or enhanced. A number of new habitats will also be created.

Based on an assessment of habitats to be lost and those to be retained, enhanced and created, the submitted BNG assessment concludes that there is an opportunity to achieve overall biodiversity net gain of 9.92 units (+16.07%) for habitats and an overall gain of 2.5 units (+13.54%) for hedgerows at the Sandymoor South Phase 2 site, depending on the detailed design at reserved matters stage.

The applicant has provided full metric calculations and MEAS have confirmed that the BNG metric supplied is acceptable. However, this calculation is illustrative as the design of the site will be determined at the reserved matters stage and could dictate the level of BNG.

With respect to BNG, the information supplied by the applicant is confirmed by the Council's ecological advisors to be compliant with the NPPF and policies CS(R)20 and HE1 of the DALP.

5.9 Socio – Economic Assessment

The socio-economic impact of the application has been considered within the ES.

The ES demonstrates that the development at Sandymoor South Phase 2 will have added social value within Halton, with an overall beneficial effect on the local population, increasing economic activity through local spending, and the provision of new homes including affordable housing.

It is anticipated that the application would generate a total net employment of 131 jobs over the construction phases, 71FTE within Halton Borough and 60 FTE outside of the Borough.

Affordable Housing

Policy CS(R)13 of the DALP states that all residential schemes including 10 or more dwellings (net gain), or 0.5 ha or more in size, with the exception of brownfield sites are to provide affordable housing at the following rates:

- a. Strategic Housing Sites: Those identified on the Policies map as Strategic Locations, are required to deliver a 20% affordable housing requirement.

The application site is designated as a Strategic Housing Location on the DALP Policies Map, and as such 20% of the proposed units should be delivered as affordable housing.

Para 2 of CS(R)13 sets out the Council's ambition for affordable housing delivery, at approximately 74% affordable or social rented housing and 26% intermediate housing where practicable and unless evidence justifies a departure from this provision.

The Government published a written Ministerial Statement and updated national guidance on the delivery of First Homes since the DALP adoption, which is a material consideration.

The NPPF is also a material consideration. Paragraph 65 of the NPPF requires that planning decisions relating to proposed housing development should expect at least 10% of the total number of homes to be available for affordable home ownership (unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups).

The applicant proposes that 20% of all new homes to be delivered on the site are delivered as affordable housing in accordance with Policy CS(R)13.

The applicant assessed an affordable housing tenure split for the purposes of the ES assessment of 25% First Homes, 25% Shared Ownership Housing and 50% Affordable Rented Housing.

The assessed tenure split for 25% of these affordable homes to be delivered as First Homes is consistent with the government's guidance on First Homes. The Council accepts this position.

The applicant considers that the proposal for a further 25% of these affordable homes to be delivered as Shared Ownership Housing (i.e. for 50% of the affordable homes to be delivered as an affordable home ownership product) is consistent with the requirements of paragraph 65 of the NPPF (in that it would ensure that 10% of all homes being delivered would be made available for affordable home ownership) and paragraph 23 of the First Homes guidance.

As set out above, Para 2 of CS(R)13 sets out the Council's ambition for affordable housing delivery, at approximately 74% affordable or social rented housing and 26% intermediate housing where practicable and unless evidence justifies a departure from this provision. Based on the assessed tenure split and the deficiency in affordable / social rented housing, it is considered that there is an element of non-compliance with Policy CS(R)13.

The applicant has had regard to national policy and guidance in forming the assessed tenure split (both of which are material considerations), however the adoption of policy CS(R)13 post-dates the publication of the NPPF (namely para 65) as amended in 2021. This policy does not secure 10% affordable home ownership as required. Notwithstanding this, the scheme does secure 20% affordable housing and having regard for the apparent policy conflicts, the proposed development is considered to be in broad compliance with the Development Plan and a refusal of planning permission cannot be sustained on these grounds.

A number of representations were received in relation to the adequacy of affordable housing to be provided as part of the proposed development, including in relation to the quality of the affordable housing, its location within the development site, and eligibility criteria. Requirements relating to the delivery and approval of further detail for the affordable housing to be delivered will be secured by s106 legal agreement, including a requirement for submission and approval of a detailed affordable housing scheme (including type, size, location and final tenure split) at the reserved matters stage.

Health and Local Infrastructure

DALP policy CS(R)22 seeks to ensure that the Borough's communities have good health and well-being as a major priority for Halton.

The proposed development exceeds 10,000sqm and falls within the definition of a large scale major development. In accordance with Policy CS(R)22, the application is accompanied by a Health Impact Assessment (HIA), following the HUDU Rapid HIA Toolkit methodology, the scope of which has been informed by discussions with the Council's Public Health Officer. The HIA concludes that health benefits of the proposal include the delivery of affordable housing, green and open spaces and active and sustainable travel options. Further benefits can be secured at the reserved matters stage. Potential impacts on local infrastructure including schools and health care services are noted.

GP provision

A number of neighbour representations commented on the lack of GP provision within the area and the difficulty in obtaining appointments. This was concern was also raised by elected representatives and by Sandymoor Parish Council.

The ES Chapter 11 notes that there are no GP facilities located within 1.5km of the site. The distance was adopted by the applicant as an assumption relating to walking distance for the purposes of assessment only. The nearest facility is the Murdishaw Health Centre located 1.6km from the site. The ES raises the issue that the proposed development could potentially add additional pressure to the existing surgery through the new residents occupying the proposed development, noting the existing GP / patient ratio at this practice.

The Council received a representation from the NHS Integrated Care Board in relation to the shortfall of GP provision for new residents of the development.

The ICB representation can be summarised as follows. The proposed development is for up to 250 dwellings. The 2011 ONS Household data

outlines that Halton has an average population per household figure of 2.3, which generates an estimated population figure of 575 from the 250 residential units. This means that a population impact of 575 people will be created as a result of this development proposal and mitigation measures will need to be provided to ensure that the development can be made acceptable in planning terms.

The Department of Health publication “Health Building Note 11-01: facilities for Primary and Community Care Services” indicates a floorspace requirement of approximately 150m² (GIA)/ 120 m² (NIA) per 1,750 patients. Given there is no existing spare primary care capacity in the local area according to the ICB, it is stated that circa 49.3m² of additional healthcare floorspace would be needed to be provided to accommodate the associated population.

The ICB has requested mitigation for what it considers to be site-specific impacts of the proposed development, in the form of a capital costs contribution to the sum of £180,438. Reference is made to the potential refurbishment of Murdishaw Health Centre to create additional floorspace.

Officers do not consider the contribution is justified by the DALP or its evidence base. Furthermore, the request and the information contained within the representation as justification for this additional provision is not considered by officers to be sufficient nor detailed enough to satisfy the relevant legal tests for securing planning obligations. Regulation 122 of the Community Infrastructure Levy Regulations 2010 requires as follows:

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*
- fairly and reasonably related in scale and kind to the development.*

For the reasons set out below, the requested financial contribution is not considered to meet the necessary CIL Reg 122 tests.

1. The ICB request makes a number of assertions on the pressures of population growth on NHS Services and infrastructure and the resulting impact of development. However, it fails to explain what specific harm the Sandymoor South Phase 2 development will have on those services within the locality. No information has been provided on the existing and maximum capacities at the Murdishaw Health Centre, Castlefields Health Centre or Brookvale Practice and therefore it is not evident that the development would create or exacerbate deficiencies in such services or infrastructure.

2. The assumption that 100% of the population for the housing development will be 'new' to the area thereby resulting in population growth of 575 people is not correct. There will be an element of migration within the catchment area, the borough as a whole as well as the wider Cheshire area.
3. The ICB representation states that a distance of approximately 1.5 miles (2.41 km) in a suburban area is a reasonable commuting distance to be travelled for access for primary healthcare services. This is a greater distance than the 1.5km distance used by the applicant in the ES (and HIA) for assessment purposes. Castlefields Health Centre is only a little over 1.5 miles away from the proposed development and does not have the same capacity issues identified at Murdishaw Health Centre (in terms of GP to patient ratio). There are also existing public transport links from the site to Castlefields Health Centre via the Runcorn busway. Officers therefore consider that it would be reasonable and acceptable to assume that residents within the new development could travel to Castlefields Health Centre to access primary healthcare services.
4. No information has been provided on catchment areas and whether and to what extent patients are treated outside the catchment areas.
5. No information has been provided on how the ICB is funded and, therefore, it is not evident that a funding gap exists (although for the reasons above and below, it is not evident that it would be appropriate for this development to make a contribution to address such a funding gap in any event).
6. It is unclear what the contribution would be used for. It is stated that the Murdishaw Health Centre could be refurbished or reconfigured to provide additional space although no specific details of a project are given. However, the Council is aware that the Murdishaw Health Centre currently has planning permission for an extension and it is assumed that funding would already have been secured for this purpose.

For these reasons this request for a financial contribution is not considered by officers to be sufficient to meet the relevant tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and it is therefore not proposed to be secured in the s106 legal agreement.

Dentists

A number of representations have been received regarding dentist provision in the area, including in relation to difficulties obtaining dentist appointments and the prospect of additional development in the area exacerbating that issue. However, no specific requests for any mitigation or contributions have been made and officers do not consider that it would be appropriate or justified to

seek any such contributions from the applicant in relation to the proposed development.

Police

Representations have been received from Cheshire Constabulary stating that given the scale, nature and significance of the development proposals and associated demands it will place on Cheshire Constabulary, the force considers it appropriate for the applicant to contribute towards the provision of police infrastructure by way of a S106 contribution to mitigate the impacts of the development. They state that:

The proposed development of 250 dwellings has the potential to increase the population of the site by 575 persons. Consequently, the development will place a significant additional demand on police services and infrastructure capacity that does not currently exist.

The Constabulary's Designing Out Crime Officers encourage the incorporation of physical designing out crime measures within schemes to promote safety and security and reduce the propensity for crime and disorder. However, in isolation, they do not remove the need for operational police service deployment for new developments.

A sum of £75,828.03 is sought from this development to mitigate its impacts on Cheshire Constabulary infrastructure (being contributions to "staff set up costs", vehicles and accommodation).

However, officers do not consider the request to be justified by the DALP or its evidence base and do not agree that the evidence provided by the Cheshire Constabulary in support of their request meets the CIL Regulation 122 tests for the following reasons:

1. It is not evident that a funding gap exists such that a contribution towards the specified infrastructure would be justified. Even if such a funding gap exists, it is not clear that the alleged shortfall in police infrastructure is caused by the development and no evidence has been provided in this regard.
2. The assumption that 100% of the population for the housing development will be 'new' to the area thereby resulting in population growth of 575 people is incorrect. There will be an element of migration within the borough and the wider Cheshire area.
3. In respect of the request for funding for additional accommodation, it is not clear how this will be used given that accommodation is only said to be required for an additional 1.7 staff. No detail is provided as to where they will be accommodated or whether there are plans to extend current

premises, and no evidence has been provided that any such additional accommodation wouldn't benefit from funding from elsewhere.

For these reasons this request for a financial contribution is not considered by officers to be sufficient to meet the relevant tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and it is therefore not proposed to be secured in the s106 legal agreement.

Education

The ES assesses the impact of the proposed development on primary and secondary school place provision. It concludes that there is likely to be a minor adverse effect on provision of primary school places and mitigation in the form of a contribution towards the primary school places is suggested.

Representations from members of the public and elected representatives expressed concerns about capacity of local schools to accommodate demand arising from the proposed development, and also express the desire to see a local primary school delivered within Sandymoor neighbourhood.

The Local Education Authority (LEA) divides the borough of Halton into two areas for secondary provision for school place planning purposes and four areas for primary provision. For primary provision, Sandymoor South Phase 2 is located in the school place planning area of Runcorn East. Within Runcorn East there are 18 primary schools, with a surplus capacity across all year groups of 693 places (19% surplus capacity). For secondary provision Sandymoor South Phase 2 is located in the Runcorn area and there are five secondary schools, and a surplus capacity across all year groups of 758 places (17% surplus capacity).

Taking into account the proposed site development, it is the LEA's view that there is no need for additional places to be provided, and hence there is no current justification for the provision of a new primary school. The LEA also notes that the provision of new capacity may also have a detrimental impact on the sustainability of existing schools, as any potential new pupils resulting from the proposed development do not result in additional significant demands on school provision in the area, and could be admitted to existing school provision.

The applicant owns the allocated education site (site EDU1) which is located centrally within the Sandymoor and less than 500m from the Sandymoor South Phase 2 application site. This remains allocated through the DALP and provisions regarding its potential future development as a primary school, and funding towards the school building, are contained in the existing s106 legal agreement covering the wider Sandymoor Residential Area.

5.10 Built Heritage and Archaeology

DALP Policies CS(R)20: Natural and Historic Environment and HE2: Heritage Assets and the Historic Environment, aim to conserve and where possible enhance the historic environment for current and future generations, and to ensure a strong sense of place and improve local distinctiveness.

Built Heritage

The ES Chapter 12, records that the application site contains no designated assets such as listed buildings or scheduled monuments and does not lie within or directly adjacent to a conservation area. It is concluded within the ES that there are no impacts upon the settings of designated heritage assets. This is accepted by the Council's Conservation Advisor.

Norton Water Tower and Norton Lodge are grade II listed structures located within 1km of the application site to the west. Located to the north east of the application site is Daresbury Conservation Area and Grade II Bridgewater Canal George Gleave's Bridge. Due to the distance of the heritage assets from the application site and the presence of existing or proposed development in the intervening area, it is not considered that these assets will be affected by the development. The loss of open space as a result of the development will not have a negative effect on the setting of these assets.

Local Residents and Elected Representatives raised concerns over the impact of the application on the setting on the recently Grade II listed Borrow's Bridge. The historic asset sits approximately 300m south of the southern boundary of the application site, adjacent to Wharford Farm. The ES concludes that the application proposals will not have any impact upon the Bridge's setting. The Council's Conservation Advisor also concluded that they did not have any concerns on the impact of the heritage setting at Borrow's Bridge from this application.

Bounded to the site is the Bridgewater Canal and its crossing Norton Town Bridge, which are undesignated heritage assets of local significance. The ES acknowledges that there would be a minor adverse impact (non-significant) on the setting of the canal because of the construction of new homes at the application site. The proposed development parameters plan shows a green infrastructure set back to the canal towpath, which demonstrates that mitigation to preserve the canal's setting can be secured.

The Council's Conservation Advisor has recommended that the scheme be designed with the local vernacular in mind, which is more appropriately considered at the reserved matters stage. They also recommended that planted buffer areas should be provided to the north east of the site. The applicant's Green Infrastructure parameters plan indicates the retention of Bog Wood and additional landscaped areas including alongside the railway.

Archaeology

With respect to archaeology, that the ES concludes that there are no known archaeological assets on the site, and low potential for remains of prehistoric significance, Roman significance, early medieval significance and medieval significance and post medieval significance.

The Council's Archaeology Adviser confirms that, outlined in the supporting documentation of the ES (chapter 12), the main archaeological consideration is the potential for remains of former structures, recorded on the first edition OS Map, east of Norton Town Bridge, and long since demolished. A programme of archaeological recording and potential mitigation is required to identify and record any remains of the structures.

It is proposed that a condition be attached to any approval to ensure that no development be undertaken until a programme of archaeological works is carried out and agreed and approved in writing by the local planning authority. The work shall then be carried out strictly in accordance with the approved scheme.

Historic England confirms that they have no comment on the application.

In conclusion the proposed development subject to conditions will meet the requirements of the policy CS(R)20 and HE2 of the DALP.

5.11 Landscape and Visual Impact

CS(R)18: High Quality Design requires that appropriate landscape schemes are incorporated into development designs, integrating local habitats and biodiversity. CS(R)20: Natural and Historical Environment requires that assets are conserved and where possible enhanced for current and future generations and to ensure a strong sense of place and improve local distinctiveness.

The ES assesses the effects of the Proposed Development on landscape character and visual amenity and the anticipated effects of change resulting from the proposed development on the character and features of the landscape; and on people's views and visual amenity within the Landscape and Visual Impact Assessment (LVIA) Study Area. The scope of the LVIA has been agreed with the Council's Landscape Officer.

The ES sets out the methods used to assess the likely significant effects, the baseline conditions currently existing at the site and surroundings, the potential direct and indirect effects of the development arising from changes to landscape character and visual amenity, and the mitigation measures required to prevent, reduce, or offset the identified significant effects and hence the residual effects on landscape and visual impact.

Firstly looking at Landscape Effects, the ES details the construction activities that would have a large to medium impact through the removal of distinctive landscape features and the introduction of construction activities and materials. The majority of the character landscape features are to be retained and the construction mitigation includes structural planting and reinstatement of trees and hedgerows of a native nature. This will be implemented through the Reserved Matters Application. With this mitigation, the ES records likely significant residual effects during construction on the character of the site, and on users of the Mersey Valley Trail and the Bridgewater Canal, and residents in Norton.

The Landscape Effects of the completed and occupied Sandymoor South Phase 2 site will demonstrate a change from a series of small scale and intimate pastoral fields to areas of residential development separated by the remaining mature hedgerows and trees. The introduction of new residential development will make a permanent and irreversible change to the character of the Sandymoor South Phase 2 site.

Visual effects at completion and occupation of the Sandymoor South Phase 2 scheme, include changes in the view experienced from the residents to the west of the site, from the Mersey Valley Trail and Greenways within the site and from the Bridgewater Canal. Of these, post mitigation, there is residual likely significant effect on residents west of the site, within Norton.

With regards to landscape maintenance, this will also be dealt with under the subsequent reserved matters application(s) where, the establishment and maintenance of retained landscape features and proposed new green infrastructure including, public open space, children's play area, active travel routes, ecology mitigation areas, drainage features and new planting will be required to be secured by a condition.

In conclusion the Sandymoor South Phase 2 LVIA is deemed acceptable and subject to conditions, the application is compliant with policy CS(R) 18 High Quality Design and CS(R)20 Natural Environment of the DALP.

5.12 Greenspace Provision for Residential Development

Policy RD4: Greenspace Provision for Residential Development of 10 or more dwellings that create or exacerbate a projected quantitative shortfall of greenspace or are not served by existing accessible greenspace will be expected to make appropriate provision for the needs arising from the development. The policy then clarifies the quantitative and accessibility standards for the various typologies of greenspace as it relates to new residential development, i.e:

- Amenity Greenspace
- Provision for Children and Young People

- Parks & Gardens
- Natural & Semi Natural
- Allotments & Community Gardens

In response to the requirements of Policy RD4 and with reference to the submitted Green Infrastructure Parameter Plan, the proposed development includes 8.82ha of green infrastructure and open space within the site. This comprises retained and enhanced landscape features, new planting, drainage features, children's play and landscape along active travel routes. With reference to the typologies identified under Policy RD4, indicative on site provision consists of Amenity Greenspace, Provision for Children and Young People and Natural & Semi Natural. There is to be no indicative on site provision in respect of the Parks & Gardens or Allotments & Community Gardens typologies.

All typologies are therefore not proposed at the outline stage to be provided on site and so it is necessary to assess whether adequate provision exists in respect of these typologies using the Council's Open Space Calculator. Likewise, the Calculator will also assess whether the level of on-site provision proposed is in line with policy requirements. The Calculator takes in to account the greenspace requirements that will be generated by the proposed development and considers this in the context of the existing level of provision within the defined 'Neighbourhood', along with any on site provision that is proposed. In this case, the application site falls within the Daresbury Neighbourhood. Should the Calculator results indicate that a deficit exists in respect of any of the greenspace typologies then a commensurate financial contribution would be required towards off site provision if there is no practical alternative.

An Open Space Calculator has been provided which demonstrates, taking in to account the proposed development of up to 250 dwellings, the indicative level of on-site greenspace to be provided and the existing level of greenspace in the Daresbury Neighbourhood, the proposal has the potential to meet the quantitative requirements and accessibility standards set out under Policy RD4 and such that no deficit would exist. Based on this assessment, it is considered that the proposed quantum of development and the indicative level of green infrastructure, that an appropriate level of greenspace for the proposed residential development can be achieved at the reserved matters stage.

The Parish Council's representation expressed concern that the development does not provide facilities for young people including an outdoor gym, youth centre or other facilities and have requested that land and funding be made available for these purposes. There is considered to be no policy justification requiring youth centre provision and, as outlined above, it is considered that the applicant can provide sufficient open space on site to meet the

requirements for the “children and young people” typology of open space. The detailed design of these and the other greenspaces will be set out at the reserved matters stage.

In conclusion the proposed development in relation to the provision of greenspace and green infrastructure meets the requirements of policy RD4 of the DALP.

5.13 Outdoor and Indoor Sports Provision

Policy HE6: Outdoor and Indoor Sports Provision is an anchor for developer contributions to enhance existing provision based on additional demand generated by any new proposed residential development.

Outdoor and Indoor Sports Facilities are not proposed to be provided on site.

Sport England as a non-statutory consultee has requested a financial sum of £202,553 (excluding lifecycle costs) for outdoor sport provision/new pitches to accommodate additional demand. However, the Sandymoor South Phase 2 site is part of the wider Sandymoor Residential Area for which the planning obligations in relation to outdoor sports provision have already been paid in full pursuant to the original 2005 s106 legal agreement and since delivered in close proximity to the Sandymoor South Phase 2 site including playing fields, courts and associated facilities. The Council does not therefore consider the demand articulated by the Sport England request to be “additional demand” and are therefore not seeking to obtain any further planning obligations for outdoor sports provision as to do so is not considered to be necessary for the purposes of the CIL Reg 122 test.

Sport England as a non-statutory consultee has also requested a planning obligation for a financial contribution in the sum of £220,416 (excluding lifecycle costs) for indoor sports provision to meet identified needs for sport and recreation. Unlike in relation to outdoor sports provision (above), no existing indoor sports provision has been provided (or secured to be funded) through the original 2005 s106 legal agreement for the wider Sandymoor Residential Area. The Council considers that this contribution is justified, and this contribution will be secured by s106 legal agreement.

In addition, Sport England has also requested a condition that would require the applicant to submit a Sports Strategy to assess needs and demand for sports provision in the area to inform the appropriate application of the requested contribution. However, it is proposed by the Council’s Leisure Services, having regard to the conclusions of the Council’s adopted Indoor and Built Sports Facilities Strategy that this contribution would be most appropriately applied towards refurbishment and enhancement works to the existing indoor sports facilities at the nearby Brookvale Leisure Centre. It is reasonable to conclude that residents at the development would use these

facilities given is geographical proximity (1.9km) and that additional demand on these facilities will be generated. As such, a condition to require submission of a Sports Strategy is not considered to be necessary.

In conclusion the proposed development meets the requirements of policy HE6 of the DALP in relation to indoor sports provision.

5.14 Climate Change

Climate change is recognised as one of the most serious challenges facing the UK.

Policy CS(R)19 of the DALP requires all new development to be sustainable and be designed to have regard to the predicted effects of climate change, including reducing carbon dioxide (CO₂) emissions and adapting to climatic conditions.

To support Building Regulations and to ensure the planning system contributes to reducing carbon emissions, Policy CS(R)19 encourages the use of several principles that guide future development to incorporate best practice in sustainable design and construction. These include consideration of the National Design Guide and bespoke standards for housing; ways to reduce CO₂ emissions across the lifetime of the development; the use of district heating, decentralised renewable and low carbon energy schemes; and the use of sustainable energy sources such as solar photovoltaics (PV).

Policy GR1 of the DALP strives for high quality development that incorporates sustainable design and construction methods to achieve resource efficiency and resilience to climate change, taking into account site specific viability where appropriate.

The application considers the impacts of climate change, both to and from the project. Appendix 4-A of the application's ES provides a 'Climate Change Resilience Risk Assessment'. Under this assessment, development of the Sandymoor South Phase 2 site has been looked at alongside the wider delivery of Wharford Farm, and potential risks have been identified when considered against the likely effects of climate change arising from a baseline of current climatic conditions. A series of mitigation measures designed to increase the resilience of the proposed development against the likely effects of climate change are recommended. Of these, those relevant to the outline nature of the proposed development include the implementation of a Flood Risk and Drainage Strategy, a Landscaping Strategy, and the implementation of SuDS features at the site built to accommodate surface water with sufficient allowance for the impacts of climate change.

Other mitigation measures that will be relevant to future detailed reserved matters applications include the careful orientation of buildings to the sun, the use of lighter coloured building materials and the utilisation of rainwater harvesting.

In addition to the assessment of climate change risk, the ES also considers the likely environmental effects of greenhouse gas emissions emerging from the site, including the total cumulative impact of embodied carbon associated with the construction and operational phases of development. Several mitigation measures are proposed including the implementation of a whole-life Carbon Assessment; a commitment to reduce construction embodied carbon; and the development of a Circular Economy Strategy to identify opportunities to minimise the use of new material demand during construction.

Measures such as the use of heat pumps (rather than gas fired boilers) and the installation of rooftop solar PV and EV charging points will be addressed at the detailed reserved matters stage and through the requirements of Building Regulations and Future Home Standards, however several conditions are proposed to be secured at this stage including: the submission and implementation of a Whole Life Carbon Assessment; a Scheme to Reduce Embodied Carbon; and a Circular Economy Strategy.

The effects of climate change in the context of drainage and flood risk are addressed in the Water Resources and Flood Risk section earlier in this report.

In conclusion the application meets the requirements of policies CS(R)19 and GR1 of the DALP by having regards to and mitigating the predicted effects of climate change.

5.15 Waste

Waste Local Plan Policy WM8 relates to achieving an efficient use of resources in construction to minimise waste, while Policy WM9 seeks to ensure that the design of new build development can achieve the collection and recycling of waste materials.

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 which can be secured by condition. In terms of waste management, it is considered that there will be sufficient space for the storage of waste including separated recyclable materials for each property as well as access to enable collection. This can be confirmed at reserved matters stage.

In conclusion, as an outline application, the application appropriately meets the requirements of the Waste Local Plan.

5.16 ES Conclusions and Residual Effects

A comprehensive assessment of the potential effects of the construction and operational phases of the proposed development alongside surrounding developments have been considered as part of the Environmental Impact Assessment undertaken by the applicant.

It is considered that adverse environmental effects identified through the assessment have been minimised as far as reasonably possible by the applicant through the design process or identification of appropriate mitigation measures.

Potential environmental impacts of the proposed development are predominantly reported to be negligible or minor adverse and therefore not significant for EIA purposes. There are however the following likely significant residual effects post mitigation identified in the ES:

- Construction phase:
 - Likely significant residual landscape and visual effect on the character of the site, the Mersey Valley Trail, and Greenways crossing the site, residents of Norton west of the site, residents of Norton Crossing Cottage (since demolished), and users of the public rights of way along the Bridgewater Canal.
- Operational phase:
 - Likely significant residual effect on water voles as a result of increased predation by domestic cats
 - Likely significant residual landscape and visual effect on existing residents of Norton, west of the site.

Whilst these significant residual effects are a material consideration for decision making purposes, officers do not consider that these effects weigh against the grant of planning permission taking into account the wider benefits of the proposed development and the fact that the proposed development is considered to be in accordance with the development plan.

In addition to the residual likely significant effects recorded within the ES, the ES also concludes a likely significant effect on GP infrastructure without mitigation. However, for the reasons set out in this report, Officers consider that mitigation is not required, including in the form of a s106 contribution to make the development acceptable in planning terms from a health perspective. The applicant's assessment of a significant effect on GP infrastructure is predicated on a 1.5km assessment area but officers consider that a wider

assessment area would have been acceptable (which appears to be supported by the ICB representations in relation to stated appropriate commuting distances in a suburban area (2.41km)).

5.17 Other Issues raised in representations

Issues raised in the representations received from the public, which are material to the planning application's consideration are responded to in the assessment section above where applicable.

A number of issues raised through the representations are not considered to be material, in that they fall outside of the scope of what is appropriate to include within an outline planning application. The following items will be dealt with at the Reserved Matters stage including the substation, details of the siting and design of the dwellings, local areas of play, the finalisation of utilities and any phasing.

5.18 Planning Obligations

The following planning obligations are proposed to be secured in a new s106 legal agreement to be entered into between the applicant and the Council in order to make the proposed development acceptable in planning terms:

1. Financial contribution of £220,416 to be applied towards indoor sports provision and enhancements at Brookvale Recreation Centre; and
2. On-site affordable housing delivery (20% of the homes delivered to be affordable housing, with the precise tenure split and other details relating to the affordable housing to be secured through a detailed affordable housing scheme to be submitted and approved at reserved matters stage prior to commencement of residential development).

The original 2005 s106 agreement entered into in connection with the initial planning permissions granted for the wider Sandymoor Residential Area contains a "roof tax" style obligation for payments towards items of infrastructure specified in Schedule 1 of that agreement (including towards outdoor sports and greenways). The 2005 s106 agreement will continue to have effect and will apply to the development of the application site in addition to the new s106 agreement to be entered into.

The applicant proposes to vary the original 2005 s106 agreement in connection with the trigger for a potential primary school site transfer and payment of monies towards the primary school provision at Sandymoor. The proposed variation would directly link the payment of financial contributions under the "roof tax" style obligation towards the primary school to the Council's formal request for transfer of the primary school site (which land will continue

to be reserved by the applicant for those purposes) should the need for the primary school at Sandymoor be demonstrated in the future.

While the 2005 agreement is relevant to the planning history and context of this application, it has limited bearing on the decision-making process for this application and so is mentioned only by way of background and for completeness. Similarly, the proposed variation to the 2005 agreement in connection with the primary school is not relevant to the determination of this application. It is not material in that it does not constitute a reason for granting planning permission (i.e. any resolution to grant planning permission should not be conditional on the proposed deed of variation to the 2005 agreement) and again is only mentioned by way of background and for completeness.

The s106 planning obligations identified above in connection with the determination of this application (indoor sports contribution and on-site affordable housing delivery) are considered to meet the relevant CIL Reg 122 tests and are material considerations, meaning that any resolution of the Council to grant planning permission on this application should be conditional on completion of a new s106 agreement being entered into to secure those obligations.

6. CONCLUSIONS

Section 38 of the Planning and Compulsory Purchase Act 2004 and Para 11 c of the NPPF state that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. National Planning Practice Guidance is clear that if decision takers choose not to follow the National Planning Policy Framework, where it is a material consideration, clear and convincing reasons for doing so are needed.

The proposed development of Sandymoor South Phase 2 will provide residential development of up to 250 new homes (including 20% affordable) on an allocated housing site in a sustainable location, contributing to the housing need for the Borough and delivering a range of wider benefits to the Sandymoor neighbourhood and wider area of East Runcorn.

Any development of such a scale and use 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 appropriately assessed through the EIA. The ES concludes that whilst the majority of effects of the proposed development are not significant for EIA purposes, a small number of residual likely significant effects may occur (as summarised in Section 5.16). Whilst these likely significant residual effects are a material consideration for decision making purposes, officers do not consider that these effects weigh against the

grant of planning permission taking into account the wider benefits of the proposed development and the fact that the proposed development is considered to be in accordance with the development plan.

Officers consider that the proposed development is compliant with the development plan. Planning legislation and national planning policy states that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, there are no material considerations that provide clear and convincing reasons to refuse planning permission.

7. RECOMMENDATION

That the application be **APPROVED** subject to the following:

- a) entering a legal agreement under Section 106 Town and Country Planning Act 1990 with the Council land relating to:
 - affordable housing
 - indoor sports contribution
- b) the conditions for which headings are listed in Section 8 of this report.

8. CONDITIONS

1. Time Limit – Outline Permission.
2. Submission of Reserved Matters.
3. Development Parameters.
4. Implementation of the Access Arrangements.
5. Submission and Implementation of a Public Open Space / Provision for Children and Young Persons Management Plan.
6. Submission and Implementation of Lighting Scheme to protect Ecology.
7. Hours of Construction.
8. Submission and Implementation of Construction Environmental Management Plan.
9. Submission and Implementation of Homeowner's information pack – Information on responsible user code and available Sustainable Alternative Natural Greenspace.
10. Submission of a Biodiversity Net Gain Assessment (including updated metric).
11. Submission and Implementation of a full Landscape and Habitat Management Plan.
12. Submission and Implementation of a scheme should there be the requirement to remove and reinstate sandstone edging blocks

along the canal edge to facilitate the growth of Freiburg's screw-moss.

13. Implementation of Breeding Birds Protection.
14. Submission of copy of a licence issued by Natural England or Impact Assessment & Conservation Payment Certificate in relation to Great Crested Newts.
15. Submission and Implementation of an Arboricultural Impact Assessment and Arboricultural Method Statement.
16. Submission and Implementation of scheme detailing structural work of New Norton Bridge and embankment, to accommodate highway widening – including AiPs/adoption.
17. Submission and Implementation of a scheme detailing Bridleway provision.
18. Submission and Implementation of a scheme detailing cycle routes and footpath provision to incorporate the principles of Active Design.
19. Submission and Implementation of a scheme detailing access and gating provision in relation to rail arch arrangements of Bridge 63 Wharford Farm Bridge.
20. Submission and Implementation of a scheme detailing bus infrastructure provision.
21. Submission and Implementation of a scheme detailing phasing, Construction Traffic Routing and Management.
22. Submission and Implementation of Travel Plan.
23. Implementation of Site Investigation and Remediation Strategy / Verification Reporting as required.
24. Submission and Implementation of a detailed noise mitigation scheme.
25. Reserved Matters shall include detailed modelling of Sandymoor Brook, detailed culvert and crossing design, site and finished floor levels, blockage scenarios and flood routing plan.
26. Implementation, maintenance and management of the detailed sustainable drainage scheme in accordance with the SuDS hierarchy
27. Verification report confirming that the SuDS system has been constructed in accordance with the approved design drawings.
28. Submission and Implementation of a scheme detailing Protection of United Utilities Water Main.
29. Submission and Implementation of a Utilities Strategy to consider potable water needs and associated water efficiency measures.
30. Archaeological investigations to be carried out to establish whether remains of the houses east of Norton Bridge survive. Should those works establish that the remains survive and that they are of sufficient significance, then further investigation

should be undertaken to record the remains prior to their destruction.

31. Submission and Implementation of a Water Vole Mitigation and Monitoring Strategy.
32. Submission and Implementation of an operational energy scheme to demonstrate reduction in both energy consumption and carbon.
33. Submission and Implementation of a Site Waste Management Plan.

9. BACKGROUND PAPERS

The submitted planning applications are background papers to the report. Other background papers specifically mentioned and listed within the report are open to inspection at the Council's premises at Municipal Building, Kingsway, Widnes, WA8 7QF in accordance with Section 100D of the Local Government Act 1972

10. SUSTAINABILITY STATEMENT

As required by:

- The National Planning Policy Framework (2021);
- 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.