

Consultation Statement



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Introduction

Halton Borough Council (HBC) adopted its Delivery and Allocations Local Plan (DALP) in 2022 and this is a 15-year plan (2022-2037). The plan sets out Halton's strategic vision for the future which encompasses all the necessary strategic policies to support the borough and its growth ambitions. Along with the DALP (2022) the council is required to produce a number of new SPDs. Once adopted, these SPDs will be a material consideration in the determination of planning applications in the Borough. The following SPDs have been drafted:

Houses of Multiple Occupation (HMO) SPD This is HBC's first HMO SPD and will be reviewed in line with changes in government policy. HBC would like to preface this document by confirming that an article 4 directive is not currently necessary for HMOs within the borough. HBC developed/created a working party to discuss HMOs. This working party met intermittently across October 2022 to September 2024 to discuss the impact of HMOs, their role, numbers and location within the Borough. The working party found that concerns around HMOs are not material to this SPD. Evidence that informs this conclusion can be found here¹. Following this evidence the planning policy team were asked to develop this SPD, to advise owners and users of its requirements to create/use a HMO within the borough.

Climate Change and Mitigation SPD The Climate Change and Mitigation SPD was consulted on simultaneously to the HMO SPD. Both documents were consulted using the same methods, on the same dates, in the same locations. The following chapter will give more detail on the consultation process for these documents.

Consultation Process

¹ [EUR PPB Nov 22 - HMO WP Update.pdf](#) , [Title](#) , [HMO Update sept 24.pdf](#)

A 6-week targeted scoping and screening consultation was undertaken on the proposed draft SPD, Monday 12th August 2024 to Friday 27th September 2024. A scoping and screening document was done at the same time as the consultation and welcomed comments regarding both documents. At this time Halton also sought the opinion of consultees to establish whether a Habitats Regulations Assessment (HRA), Strategic Environmental Assessment (SEA) or Sustainability Appraisal (SA) were required.

A HRA and SA/SEA was undertaken for the DALP (2022), which already identified likely effects of policy at that stage. It was concluded that the proposed draft SPD would not have significant environmental effects beyond those considered by the Local Plan HRA and SEA; therefore, they did not trigger the need for either a HRA or SEA. The required statutory consultation bodies all agreed with the Council's conclusions.

In accordance with Regulation 12 and 13 of The Town and Country (Local Planning) (England) Regulations 2012, and the Council's adopted Statement of Community Involvement², the Council carried out a 6-week statutory consultation on the Houses of Multiple Occupation SPD and Climate Change and Mitigation SPD that ran from Monday 12th August 2024 to Friday 27th September 2024.

The Council notified all statutory consultees by email, letter and public notice (including Parish Councils, Ward Councillors, neighbouring authorities and members of the public, agents, developers and organisations contained on the Planning Policy Consultation Database) about the consultation. The list of all statutory consultees is listed below.

Northern Rail	Penketh Parish Council
The Coal Authority, Planning & Local Authority Liaison Dept.	Walton Parish Council
Halebank Parish Council	Cronton Parish Council
National Grid - Wood Plc	Hatton Parish Council
Natural England	Sandymoor Parish Council
Homes England	Prescot Town Council
Cheshire West and Chester Council	Highways England
Knowsley Metropolitan Borough Council	Environment Agency
Liverpool City Council	Historic England
St Helens Metropolitan Borough Council	Network Rail
Warrington Borough Council	T-Mobile
Daresbury Parish Council	Airwave MMO2 Ltd
Hale Parish Council	O2 UK Ltd
Preston Brook Parish Council	Three
Moore Parish Council	Vodafone Group Plc
Aston Parish Council	National Grid Transco
Bold Parish Council	United Utilities
Dutton Parish Council	Halton CCG
Sutton Parish Council	Warrington and Halton Hospitals NHS Foundation Trust
Whitley Parish Council	British Telecom
Frodsham Town Council	Planning and Local Authority Liaison, The Coal Authority
Halewood Town Council	Marine Management Organisation (MMO)
Rainhill Parish Council	Cheshire Constabulary
Cuerdley Parish Council	

² <https://www3.halton.gov.uk/Pages/planning/policyguidance/PolicyBackgroundDocuments.aspx>

Scottish Power Energy Networks
Civil Aviation Authority
Liverpool City Region Local Enterprise
Partnership
EE
Office of Rail and Road

NHS England
Natural Resources Wales
Education Skills and Funding Agency
Liverpool City Region Combined Authority
Mike Amesbury Member of Parliament
Northern Rail

The consultation was available to view online for the 6-week period from Monday 12th August 2024 to Friday 27th September 2024, on the Council's website³. The Communications Team posted articles on the Council's various social media outlets and in the local press. Comments were invited via online form, email or by post. Copies of all related documents were deposited in all libraries and Halton Direct Link's within the borough, for the public to view.

Prior to the public consultation, the Planning Policy Team liaised with various internal Council departments, including Development Control, Open Space, Highways and Legal Services, and Environmental Health. Informal discussions were also had with Housing officers.

Houses in Multiple Occupation Consultation Summary

As a precursor to the HMO consultation process, as mentioned above, a working party was developed. The working party commissioned MetaStreet to conduct a survey aiming to identify private rental properties and small HMOs within the borough. The findings of the survey confirmed that an article 4 directive was not required. Please see the reports at footnote¹. However, one action from the working group was to develop a HMO SPD to provide information and clarity on the policy requirements of HMOs.

³ <https://www3.halton.gov.uk/Pages/planning/policyguidance/SPD.aspx>

The draft Houses in Multiple Occupation SPD provides a guide to the delivery of high-quality HMO properties within the Borough. The SPD provides assistance to applicants, developers, and the wider community, on the quality and standards expected of HMOs.

This supports the ethos of the Council's corporate plan, with specific focus on providing suitable accommodation to meet the needs of residents throughout the various stages of their lives⁴. This supports the Local Plan's policies and supplementing evidence documents which aim to ensure housing/accommodation meets the needs of its residents.

Overall, a total of 13 responses have been received on the draft SPD. Two of which were from statutory stakeholders, and the rest were from members of the public. The following tables summarise the responses received during the consultation period and include the Council's response. The Appendices include tables that identify any changes or mitigation proposed for the SPD as a result of comments received and / or for further clarity or additional legislation updates.

⁴ [corporateplan.pdf](#)

Houses of Multiple Occupation SPD – Consultation Responses

RESPONDENT (NAME/ORGANISATION)	SUMMARY OF COMMENT	RESPONSE
Natural England	<p>Whilst we welcome this opportunity to give our views, Natural England have no comments to make on this occasion.</p> <p>Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p> <p>Strategic Environmental Assessment/Habitats Regulations Assessment</p> <p>A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here.</p> <p>While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p>	<p>Comments noted – no change required as these are all addressed by the Delivery and Allocations Local Plan 2022.</p>
National Highways	<p>With regard to HMOs National Highways will not look to comment further at this time.</p>	<p>Comments noted – no change required.</p>

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The following table summarises the responses received in relation to the draft Houses of Multiple Occupation SPD and includes the Council’s response to each of the comments. Appendix A includes a Table of Changes proposed for the draft Design SPD.

Overall, out of the initial 13 responses 11 made specific or general comments on the publication draft Houses in Multiple Occupation SPD. The below table outlines the council’s findings/response with regard to the relevant issues raised in the consultation process.

GENERAL THEMES	Findings/Response
<p>Waste- Nearly all consultees on the HMO Supplementary Planning Document raised concerns regarding waste. The responses expressed concern about overcrowding due to the increased number of people living within an area in HMOs, and the impact this has on waste collection.</p>	<p>Halton acknowledges the comment and would like to reference the Meta Street Report commissioned by the Environment and Renewal PPB. This report reviewed all complaints and service requests made by Private Rental Sector (PRS) tenants. This included waste issues, although was not exclusively limited to this issue. Complaints and service requests made by PRS tenants to the council about poor property conditions and inadequate property management are a direct indicator of high service demand and low quality PRS. Halton recorded 7,581 complaints and service requests from private tenants and others linked to 4,389 PRS properties over a 5-year period. The outcomes of this report can be found at footnote ¹.</p>
<p>Parking- Nearly all consultees raised concerns regarding HMOs and the impact on parking. Respondents raised suggestions that HMOs should follow similar regulations to new builds with two new parking spaces provided per unit. For example, if a HMO has eight rooms then 16 parking spaces should be provided by the applicant. Consultees also suggested that Transport Assessments could be conducted prior to permitting a HMO. It was suggested that this would help to forecast any adverse effects on the local parking and wider transport network.</p>	<p>Halton acknowledges the comment and would like to clarify that Small HMOs (3-6 unrelated individuals) are Use Class C4 and large HMOs (7+) are sui generis⁵. A dwellinghouse is considered Use Class C3 and typically refers to a single-family home or a property where a single household resides. Class L of the General Permitted Development Order (GPDO)⁶ affords the ability to convert a C3 into a C4 HMO; or indeed a C4 HMO and convert that back to a C3 dwellinghouse.</p> <p>Therefore, Highways would not be consulted where Permitted Development is applicable. i.e. HMOs between 3-6 individuals. Highways would be consulted on large HMOs >6, however these are Sui Generis, so are assessed on a case-by-case basis.</p> <p>As part of the planning application process for large HMOs, transport information may be requested. For example, trip generation and parking accumulation.</p> <p>Halton would also like to point to the Delivery and Allocations Local Plan (DALP), C2 Parking Standards: Appendix D⁷, which detail standard method for car parking standards and HMOs.</p>

⁵ [Use Class C4 - Houses in multiple occupation \(HMOs\)](#)

⁶ [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#)

⁷ [DALP Adopted.pdf](#)

<p>Impact on public services- Some consultees also raised concerns regarding the impact on public services like schools, emergency vehicles, and dental services. In response to the consultation question <i>'Are there any specific reports, documents, or guidance that you think we should be considering as part of the evidence base to inform the Houses in Multiple Occupation SPD?'</i> consultees suggested using any reports that relate to school intake places as well as census information to identify the pattern of people choosing to stay in within an area.</p>	<p>Halton acknowledges the comment and would like to state that officers from the Planning Department regularly share information with Education officers regarding new housing developments/demolitions and any other factors that might impact on the housing/property stock within Halton to ensure there are sufficient school places to meet need.</p>
<p>Anti-social behaviour- Some consultees raised concerns around HMO's and the increase in anti-social behaviour. Consultees stated that they associated HMOs with noise, fly tipping, and late night partying.</p>	<p>Halton acknowledges the comment and would like to reference the Meta Street report commissioned by the Environment and Renewal PPB. This states that the council has recorded a total of 1,286 incidents related to anti-social behaviour (ASB) and nuisance linked to PRS properties over the past five years. ASB in Halton linked to PRS is made up of a wide spectrum of types, including music and party noise (36%), rubbish and litter (19%), animal noise (17%), nuisances (12%.) and other noise (6%), smoke and odours (5%), other ASB (4%) and harassment (1%). The findings and outcomes of the MetaStreet Report can be found at footnote ¹.</p>

Conclusions following HMO Consultation

The consultation process suggested the implementation of Article 4. This is a tool used under the Town and Country Planning Act in which a local planning authority can restrict permitted development rights. It is often used in conservation areas to preserve the character of

buildings within the area. Consultees suggested that this legislation was applied to prevent homeowners from turning homes into HMOs.

The Meta Street report provides an evidence base to support further policy to maintain and improve standards in the private rental sector including HMO's. Such interventions may include selective or additional licensing in accordance with the Housing Act 2004, such as Article 4. The report identified that 3 wards, Central & West Bank, Mersey & Weston and Appleton have a higher than average percentage of private rental properties. The report also identified a higher incidence of property related complaints and predicted property hazards in these wards. Therefore any future interventions that are considered should be focussed on these wards. It is proposed that any further policy or interventions to address standards in the private rental sector are taken forward and considered as part of the borough wide housing strategy. Government guidance states that any additional policy interventions, such as selective or additional licensing, should be considered as part of a strategic local authority wide approach. Therefore, an article 4 directive has not been considered for this SPD.

Appendix A: Table of Changes for the draft Houses of Multiple Occupation SPD

Original Chapter and Page no.	Current Paragraph wording	New Chapter and Page no.	Change (deleted text in strikethrough ; new text underlined and bold ; changes to diagrams, tables etc. described in <i>italic</i> text).
Introduction, p3	A House of Multiple Occupation, commonly referred to as HMOs	Introduction, p3	A House of Multiple Occupation, (HMO) , commonly referred to as HMOs is defined.
Introduction, p3	N/A	Introduction, p3	<p>The percentage of private rental properties in Halton is now estimated to be 19% compared with 11% in 2011. The percentage of owner occupied properties has fallen from 64% in 2011 to 58% in 2024. The percentage of social rented properties has dropped slightly from 25% in 2011 to 23% in 2024. These figures suggest the private rental sector is fulfilling the demand for affordable rented accommodation that is not currently met by the social rented sector.</p> <p>The report (2025) notes that the ward areas Appleton (30.3%) and Mersey and Weston (29.9%), West Bank area of the central and west bank ward (30%) had private rental property rates that were above the average rate of other ward areas in Halton. The evidence does not currently suggest that these properties are being used as HMOs and therefore an article 4 directive is not currently required. If in the future, it was identified and evidenced that the number of HMOs within these areas increased significantly the council would review its current stance and explore powers within the permitted licencing laws and legislation.</p> <p>Halton is currently developing a new Housing Strategy which will explore and evidence the housing needs of the Borough, it is anticipated this report will be concluded in the summer of 2025.</p>

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			<p>Any changes to policy or interventions will be included in this report.</p> <p>Overall HMOs in Halton are well managed and provide a choice of living accommodation. At the time of writing, Halton has 187 known HMO's of which 116 are larger HMO's that are licensed by the council.</p>
Chapter: How will planning applications for HMO's be considered?, p18	Appropriate provision must also made for secure cycle parking* within the curtilage of the property. There should also be sufficient space for cars to park, within the residential curtilage of the property where possible. This should not, however result in the loss of front garden for hard standing for parking and refuse areas where this would detract from the existing street scene.	Chapter: How will planning applications for HMO's be considered?, p18	Appropriate provision must also made for suitable, covered, secure and convenient cycle parking* within the curtilage of the property where possible referring to Policy C2 Parking Standards as guidance. There should also be sufficient space for any additional cars to park, within the residential curtilage of the property, where possible. This should not, however (where practical/unless deemed necessary by HBC) result in the loss of front garden for hard standing for parking and refuse areas where this would detract from the existing street scene.
Chapter: How will planning applications for HMO's be considered?, p18	Proposed HMOs should meet the amenity standards set in the Delivery and Allocations Local Plan policy GR2: Amenity and any relevant standards set at a national level by national housing legislation and guidance.	Chapter: How will planning applications for HMO's be considered?, p18	Proposed HMOs should meet the amenity standards set in the Delivery and Allocations Local Plan policy policies policy C1- Transport Network and Accessibility; C2- Parking Standards; RD3- Dwellings Alterations, Extensions, Conversions and Replacement Dwellings; GR2- Amenity; and any relevant standards set at a national level by national housing legislation and guidance.

Climate Change and Mitigation SPD Consultation Responses

The draft Climate Change and Mitigation SPD ensures new residential and commercial development meets the council's commitment to zero carbon development. It provides clear guidance to applicants, developers, and the community on the quality and standards expected by the council.

It supports the general ethos of the Council's corporate plan, with specific focus on priority Five - Working Towards a Greener Future and the aims of achieving net-zero by 2040 ([corporateplan.pdf](#)). This supports the Local Plan's policies and supplementing evidence documents ensure the council reduce its carbon emissions and contribute to a greener world.

Overall, a total of 3 responses have been received on this draft SPD. Two of which were from statutory stakeholders, and one was from a member of the public.

The following tables summarise the responses received during the consultation period and include the Council's response.

The Appendices include tables that identify any changes or mitigation proposed for the SPD as a result of comments received and / or for further clarity or additional legislation updates.

RESPONDENT	COMMENT	RESPONSE
<p>United Utilities</p>	<p>6.2 Principle 2: Sustainable Design</p> <p>With regards to the section on Sustainable Design, we request that this includes reference to water efficiency in the construction of new buildings. A tighter water efficiency standard in new development has multiple benefits including a reduction in water and energy use, as well as helping to reduce customer bills. Building Regulations includes a requirement for all new dwellings to achieve a water efficiency standard of 125 litres of water per person per day (l/p/d). At the current time, Building Regulations includes a requirement for all new dwellings to achieve a water efficiency standard of 125 litres of water per person per day (l/p/d). In 2015 an 'optional' requirement was introduced which is currently set at 110 l/p/day for new residential development. This can be implemented through local planning policy where there is a clear need based on evidence. Whilst the optional standard for water efficiency is not part of your adopted local plan, there is evidence which confirms that the optional standard can be achieved at no extra cost. This is confirmed in the Future Homes Hub Water Ready A Report to inform HM Government's roadmap for water efficient new homes (see table 3 on page 18). We therefore recommend the SPD encourages the inclusion of water efficiency measures using the following wording: All new residential development is encouraged to achieve, as a minimum, the optional requirement set through Building Regulations Requirement G2: Water Efficiency or any future updates. Similarly, all major non-residential development is encouraged to incorporate water efficiency measures so that predicted per capita consumption does not exceed the levels set out in the applicable BREEAM 'Excellent' standard. The water consumption standard for 'excellent' is equivalent to the standard for 'very good'. As mentioned below, surface water should be managed as close to its source as possible. There are opportunities such as rainwater recycling, green roofs and water butts and we would encourage the LPA to embrace all water efficiency measures in the SPD. Modern design techniques can promote measures for water recycling to reduce the impact on infrastructure requirements.</p>	<ul style="list-style-type: none"> • Halton acknowledges the comments from United Utilities. We feel that the comments on Principle 2: Sustainable Design are addressed in the <i>DALP Policy CS19: Sustainable Development and Climate Change</i>. This policy, cited in the SPD, encourages BREEAM 'Very Good' Standard as a minimum standard for new non-residential development. The SPD also states that the council is supportive of residential schemes "that seek to use standards such as the BRE's Home Quality Mark". • We feel that comments made on Principle 4: Mitigating Flood Risk been addressed in <i>DALP Policy CS23: Managing Pollution and Risk</i>, which states "Development should not exacerbate existing levels of flood risk nor place residents or property at risk from inundation from flood waters". • Regarding concerns made within Principle 4: Mitigating Flood Risk around hydrological assessments, Halton would like to point towards our own Strategic Flood Risk Assessment which requires proposals within areas at risk from flooding to conduct site-specific Flood Risk Assessments. The <i>DALP</i>

<p>6.4 Principle 4: Mitigating Flood Risk</p> <p>Within this section, we request that your SPD includes the following principles insofar as they relate to our role as a water and wastewater undertaker:</p> <ol style="list-style-type: none"> 1. make space for water; 2. early consideration of the detail of drainage proposals (foul and surface water); and 3. things to consider when planning an extension / conversion. <p>Each is addressed in turn.</p> <p>1) Make space for water</p> <p>It is critical that development is designed to make space for water. A making space for water assessment should be undertaken to inform the design of a site. This should:</p> <ul style="list-style-type: none"> • assess and respond to the existing hydrological characteristics of a site to ensure a flood resilient design is achieved, and water / flooding is not deflected or constricted; • consider all sources of flood risk for example, fluvial, surface water, sewer and reservoir flood risk; • ensure that careful consideration is given to exceedance paths from existing and proposed drainage systems and overland flows from adjoining land. This is particularly important in areas of sloping topography; • ensure access to watercourses is reserved to allow for repair and maintenance including repair and maintenance of utility infrastructure, such as sewer outfalls; • carefully consider any existing drainage systems, including sewers that pass through a site. 	<p><i>Policy HE9: Water Management and Flood Risk</i> details the different flood zones and relevant flood risk assessments.</p> <ul style="list-style-type: none"> • Comments made within Principle 4: Mitigating Flood Risk specifically raised on SuDS have been noted and the council are considering developing a SuDS guidance SPD, which would address these types of issues. • Comments made within Principle 4: Mitigating Flood Risk point 3 on extensions/ conversions, have been noted and the council are considering developing a House Extension SPD, which would address these types of issues. • Comments made on Principle 5: Mitigating Biodiversity & Principle 6: Green and Blue Infrastructure are addressed within the <i>DALP Policy HE5: Trees and Landscaping</i> which covers the standards expected by the council in regard to tree planting. • In the meantime, Halton points to the following weblinks for guidance and best practice: <ul style="list-style-type: none"> ○ CIRIA SUDS Manual ○ UKRainGarden-Guide.pdf
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<p>Applicants should not assume that diversions or changes in levels on top of a sewer will be acceptable as this could affect the hydraulic performance of the sewer which, in turn, can affect flood risk; and</p> <ul style="list-style-type: none"> • carefully consider finished floor and ground levels, which we have addressed in more detail below. <p>The hydrological assessment of the site must consider site topography, naturally occurring flow paths, ephemeral watercourses and any low-lying areas where water naturally accumulates. Resultant layouts must take account of such circumstances. Applications will be required to consider exceedance / overland flow paths from existing and proposed drainage features and confirm ground levels, finished floor levels and drainage details. Drainage details, ground levels and finished floor levels are critical to ensure the proposal is resilient to flood risk and climate change.</p> <p>2) Early consideration of the detail of drainage proposals (foul and surface water). The design of a site should give early consideration to how foul and surface water will be managed, in particular:</p> <ul style="list-style-type: none"> • Has the site applied the hierarchy for managing surface water? • Have the drainage strategies for the site been considered early in the design process? • Does the site include SuDS? In particular, has the design of the site prioritised multifunctional SuDS in accordance with the four pillars of sustainable drainage, in preference to traditional piped and underground storage systems? • Is the site in a groundwater source protection zone? • Has the design of the site been informed by an understanding of the implications of existing services and utilities that exist on or near to the site? 	<ul style="list-style-type: none"> ○ <u>standard-conditions-for-works-adjacent-to-pipelines-issued-july-2015.pdf</u> ○ <u>The Environment Agency's approach to groundwater protection</u> ○ <u>Working near our pipes - United Utilities</u> ○ <u>United Utilities - Environment</u> ○ <u>Building & Developing - United Utilities</u>
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Application of the hierarchy for managing surface water will be a key requirement for all development sites to reduce flood risk and the impact on the environment. Clear evidence must be submitted to demonstrate why alternative preferable options in the surface water hierarchy are not available.

In accordance with the National Planning Policy Framework (paragraph 175), we recommend that the SPD prioritises the use of multi-functional sustainable drainage systems on sites. Paragraph: 055 Reference ID: 7-055-20220825 of the National Planning Practice Guidance states that ‘multifunctional sustainable drainage systems are those that deliver a wider range of additional biodiversity and environmental net gains.’ It also notes that ‘The layout and function of drainage systems needs to be considered at the start of the design process for new development, as integration with road networks and other infrastructure can maximise the availability of developable land.’ As such, foul and surface water drainage must be considered early in the design process.

Sustainable drainage should be integrated with the landscaped environment and designed in accordance with the four pillars of sustainable drainage (water quantity, water quality, amenity and biodiversity). It should identify SuDS opportunities, including retrofit SuDS opportunities, such as green roofs; permeable surfacing; soakaways; filter drainage; swales; bioretention tree pits; rain gardens; basins; ponds; reedbeds and wetlands. Any drainage should be designed in accordance with ‘Ciria C753 The SuDS Manual’, sewerage sector guidance, or any subsequent replacement guidance.

It is good practice to ensure that drainage proposals are considered alongside wider details of design. We recommend careful consideration of the finished floor levels alongside, the cover levels of the proposed drainage system and any point of connection to the public sewer. It is good practice to ensure that the external levels fall away from the ground floor level of the proposed buildings (following any regrade), to allow for safe overland flow routes within the development and minimise any associated flood risk from overland flows. In addition, where the ground level of the site is below the ground level at the point where the drainage connects to the public sewer,

care must be taken to ensure that the proposed development is not at an increased risk of sewer surcharge. It is good practice for the finished floor levels and manhole cover levels (including those that serve private drainage runs) to be higher than the manhole cover level at the point of connection to the receiving sewer.

We also request that the design of landscaped areas and new areas of public realm, including new tree-lined streets and green spaces, are integrated with the strategy for surface water management as early as possible in the design process.

We wish to emphasise that in advance of any permission being granted, including at the outline stage, applicants should demonstrate that the approach to the density of development on a site will not compromise the application of the surface water hierarchy and the inclusion of SuDS. For example, we have seen examples of small residential schemes where the applicant has argued that there is insufficient space to implement SuDS at the reserved matter stage simply because the number of units granted has not left sufficient space for plot led infiltration of surface water. On this basis, we believe that the strategy for surface water management must be considered as soon as possible in the detailed design process.

Applicants should check whether a proposal is located within a groundwater source protection zone. If that is the case, they should have regard to Policy HE9: Water Management and Flood Risk within the Delivery and Land Allocations Local Plan (Adopted March 2022) and 'The Environment Agency's Approach to Groundwater Protection.' (February 2018, Version 1.2)

We also wish to highlight that the design of a site can be critically determined by existing utility constraints. It is imperative that these are understood as soon as possible. Importantly, we would recommend that utility constraints are understood prior to acquiring a site or instructing any architect to commence design. The location of utilities on a site can be material to site design in terms of the layout of buildings, roads, landscaping, ecological mitigation and the changing of any ground levels. We will not permit development over or in close proximity to our assets. Our assets will need to be

	<p>afforded access for maintenance, repair and replacement and be fully considered in the design and masterplanning process for a site. This should include careful consideration of landscaping proposals in the vicinity of our assets and any changes in levels.</p> <p>Public sewers can also flood. Such flood risk must be avoided in accordance with national planning policy. Therefore, where utilities pass through a site, applicants should confirm the requirements of the utility undertaker before commencing design. Where sewers pass through a site, applicants must engage with the relevant wastewater undertaker to confirm whether there is a risk of flooding from the public sewer. This could affect the principle of the development and the detailed design of the site. Flooding from the public sewer can affect the developable area and reduce the amount of development that can be delivered on a site.</p> <p>3) Things to consider when planning your extension / conversions. We also recommend that the SPD provides specific advice in relation to extensions / conversions and how they can be designed to adapt to climate change. We suggest that the SPD includes the following points:</p> <ul style="list-style-type: none">• When planning an extension / alteration / conversion, applicants should consider how water can be re-used and sustainably managed. For example, the design could include a water butt /grey water recycling. Water butts can include smart water butts that empty the water in advance of a storm occurring.• It is critical that applicants give early consideration to how an extension will be drained. They should ensure that only foul water connects with the foul sewer. Applicants must ensure that the hierarchy for managing surface water is applied so that any extension or new hardstanding does not increase flood risk to the property or to others.• The design should consider whether the surface water from the extension or any new• hardstanding can be infiltrated to ground. This will need early consideration in the design of	
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	<ul style="list-style-type: none"> • an extension / conversion to ensure that any infiltration meets the requirements of building regulations. • In designing an extension, applicants should consider whether they can include a rain garden. Guidance on rain gardens can be found here. 6.5 Principle 5: Mitigating Biodiversity & Principle 6: Green and Blue Infrastructure Within these Principles, we request that the SPD states that the planting of new trees / ecological mitigation / blue infrastructure should not be planted directly over water and wastewater assets or where excavation onto the asset would require removal of the tree / biodiversity. <p>The approach to any planting must have regard to the proximity to existing or proposed utility assets to ensure there is no impact on these assets such as root ingress. It is important to note the implications that can arise as a result of planting too close to utility services. This can result in root ingress, which in turn increases the risk of drainage system failure and increases flood risk. It will be important that applicants refer to our 'Standard Conditions for Works Adjacent to Pipelines' (a copy of which can be found on our website) and consult with us when implementing the delivery of landscaping proposals. Moving forward, we respectfully request that the Council continues to consult with U UW for all future planning documents. In the meantime, if you have any queries or would like to discuss this representation, please do not hesitate to contact me at planning.liaison@uuplc.co.uk.</p>	
<p>Natural England</p>	<p>We welcome this opportunity to comment on the draft SPD. Overall, we wish to highlight that the SPD presents opportunities for supporting development that is 'high nature, low carbon', particularly by promoting Nature-based Solutions (NbS) to climate change. The IUCN define NbS as: "Actions to protect, sustainably manage and restore natural or modified ecosystems that address societal challenges effectively and adaptively, simultaneously providing human wellbeing and biodiversity benefits".¹</p> <p>NbS, such as Natural Flood Management and urban cooling from Green and Blue Infrastructure, can deliver a range of nature-based adaptation and mitigation benefits.</p>	<p>Halton acknowledges the comments from Natural England.</p> <p>Concerns mentioned in Principle 1: Improving Energy regarding renewable development which impacts the natural environment have been mitigated in <i>DALP Policy GR5</i> which states that "Development proposals for renewable</p>

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	<p>To inform the overall climate change adaptation and mitigation planning, Natural England direct you to the following key resources: the Climate Change Adaptation Manual and the Carbon Storage and Sequestration by Habitat 2021 report. Below are Natural England’s detailed comments on the ‘6 principles’ of the SPD.</p> <p>Principle 1: Improving Energy Natural England advise that schemes that deliver ‘high nature, low carbon’ should be supported. Renewable energy development that exacerbates climate change impacts (for example, developing on priority habitats, woodland or peatland) or diminishes our ability to adapt to climate change impacts through nature recovery and NbS such as peatland restoration should be avoided. Natural England concurs that solar proposals should be supported by sufficient landscape, visual and ecological assessments. Consideration should be given to the siting of renewable and low carbon energy development such that it is not at the expense of the natural environment. This includes siting development away from areas of peat, priority habitat and high agricultural land quality. As recognised in policy HE1 (point 13) of the local plan, development on best and most versatile (BMV) agricultural land which compromises options for the future use of the land or undermines its inherent capability should be avoided. Soils should be sustainably managed for the long-term in accordance with best practice with extensive physical interventions avoided.</p> <p>Principle 4: Mitigating Flood Risk Natural England welcomes Halton’s commitment to mitigating flood risk through Sustainable drainage systems (SuDS). We advise that greater emphasis could be given to NbS to mitigate and adapt to increased flood risk, such as through Natural Flood Management (NFM). NFM uses natural processes to reduce the risk of flooding, whilst providing wider benefits such as enhancing habitats and biodiversity and carbon capture.</p>	<p>energy developments will need to take into account, and minimise where appropriate, the potential environmental effects of the development”.</p> <p>Concerns mentioned in Principle 1: Improving Energy regarding development on best and most versatile land (BMV) are mitigated in <i>DALP Policy HE1 Natural Environment and Nature Conservation</i> which ensures this development is avoided where possible by stating “the irreversible significant development of open agricultural land will not be permitted where it would result in the loss of the best and most versatile agricultural land, except where absolutely necessary”.</p> <p>While the Council appreciates the concerns regarding peatlands, mentioned in Principle 1: Improving Energy and Principle 6: Green and Blue Infrastructure, Halton Council does not have reserves that would require protection.</p> <p>Comments made within Principle 4: Mitigating Flood Risk specifically raised on SuDS have been noted and the council are considering developing a</p>
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<p>Greater emphasis could also be given to incorporating well-designed green infrastructure to provide flood management services as an adaptation response to climate change. This includes reconnecting rivers with their floodplains, reducing run-off, slowing the flow of floodwaters, directing and storing water temporarily so that it causes less damage, filtering water to remove pollutants, and modifying infiltration. Example green infrastructure/SuDS components include wetlands, trees, and green roofs. Further information and examples can be found in Part 4 of the Climate Change Adaptation Manual.</p> <p>Principle 5: Mitigating Biodiversity Natural England advises that local habitat creation and enhancement should be informed by the emerging Liverpool City Region Local Nature Recovery Strategy (LNRS). We further advise that in order to ensure ecological resilience, Biodiversity Net Gain (BNG) policy should integrate climate adaptation principles, informed by the Climate Change Adaptation Manual.</p> <p>We welcome the inclusion of guidance on tree and woodland policy, to support climate change mitigation and adaptation, and we note that policy HE5 (Trees and Landscaping) includes a presumption in favour of retention and enhancement of on-site trees and woodland. The recently published England Trees Action Plan 2021-2024 recognises the value of woodland planting for climate change mitigation and adaptation, but also advises that plans to expand woodland cover and to restore peatland need to work hand in hand, noting that “We should only plant or naturally establish trees where doing so provides a net benefit to the environment”. Natural regeneration should be encouraged particularly when located adjacent to existing woodlands to deliver extra wildlife benefits from scrub development.</p> <p>Principles 6: Green and Blue Infrastructure Natural England welcomes the recognition of the importance of green infrastructure to climate change mitigation and adaption within the SPD and direct you to the Green Infrastructure Framework. Under the Framework, one of the five principles of why green infrastructure should be provided is resilient and climate positive places. When</p>	<p>SuDS guidance SPD, which would address these types of issues.</p> <p>We also will work with the Liverpool City Region to use the emerging Local Nature Recovery Strategy (LNRS), mentioned in Principles 6: Green and Blue Infrastructure, to inform our policies.</p> <p>In the meantime, Halton points to the following weblinks for guidance and best practice:</p> <ul style="list-style-type: none"> • Climate Change Adaptation Manual - NE751 • Carbon Storage and Sequestration by Habitat 2021 - NERR094 • England Trees Action Plan 2021 to 2024 - GOV.UK • Green Infrastructure Framework Home
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	<p>planned and delivered with climate change included, green infrastructure can make places more resilient and adaptive to climate change and can help to meet zero carbon and air quality targets. Green infrastructure itself should be designed to adapt to climate change to ensure long term resilience. Part 4 (Green infrastructure and climate change) of the Climate Change Adaptation Manual provides further information and examples of climate change adaptation via green infrastructure. Local approaches to green infrastructure should similarly be informed by the emerging Liverpool City Region LNRS.</p> <p>Peat deposits Natural England welcomes acknowledgement of soils value as a carbon store, but we are concerned at the lack of reference to peat deposits within the borough’s boundaries. England’s peatlands are our largest terrestrial carbon store and are vital for capturing and storing carbon. They provide a range of other valuable benefits including biodiversity-rich ecosystems; improved water quality and natural flood management; the protection of historic environment features; and connecting people with nature. In light of Natural England’s statutory purpose (see s.2 of the Natural Environment and Rural Communities Act 2006) and the Environmental Improvement Plan 2023 which states that “degraded lowland peat accounts for 3% of England’s overall greenhouse gas emissions” Natural England do not support the principle of developing on restorable peat.</p> <p>Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p>	
National Highways	National Highways will not look to comment further at this time.	Comments noted – no change required.

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MEMBERS OF PUBLIC RESPONSES	Summary	Findings/Response
1	<p>Respondent stated that Specific Guidance on Planning / Design considerations in respect of External Wall Insulation would be appreciated. They also stated that Specific Guidance (Appendices) on Planning / Design considerations in respect of External Wall Insulation would be appreciated. They offered an example from Leicester local council for reference: https://www.leicester.gov.uk/media/jvvetpm/printable-external-wall-insulation-planning-guidance.pdf</p>	<p>Halton would like to state that many properties have previously been altered and / or would not need planning permission to be clad or rendered and would need to be determined on a case-by-case basis. To require more specialist cladding systems could also prove cost restrictive in some cases. It is considered appropriate to add the examples of alternative design solutions to raise awareness of the alternatives and that careful consideration should be given to the final solution most appropriate to the property. In cases where planning permission is required/ applied for then normal DALP policies relating to design, character etc will apply.</p>

Conclusions following Climate Change and Adaptation SPD

Both United Utilities and Natural England submitted detailed responses to the Climate Change and Adaptation SPD, providing technical guidance on water efficiency standards, design, SuDS/flooding, biodiversity, green infrastructure, trees/woodlands, and carbon stores. As a council we have reviewed this guidance and feel it is best to provide web links to official sources. Halton wants to future-proof this document and is aware that guidance can change/update continually. Halton wants this SPD to be relevant for many years to come and acknowledge that United Utilities and Natural England are the experts, and therefore readers of this SPD must be directed to the most relevant information.

Appendix B: Table of changes for the draft Climate Change and Adaptation SPD.

Original Chapter and Page no.	Current Paragraph wording	New Chapter and Page no.	Change (deleted text in strikethrough ; new text <u>underlined and bold</u> ; changes to diagrams, tables etc. described in <i>italic</i> text).				
Appendix 3: Climate Change Checklist, p35.	Inclusion of a Green Travel Plan where appropriate	Appendix 3: Climate Change Checklist, p35.	Inclusion of a Green Travel Plan Transport Assessment where appropriate				
Halton Borough Context, p8.	Excellent public transport links including: <ul style="list-style-type: none"> • West Coast Main line • Local and Trans-Pennine services • Halton curve Rail 	Halton Borough Context, p8.	Excellent public transport links including: <ul style="list-style-type: none"> • West Coast Main line • Active Travel • Local Bus Network • Local and Trans-Pennine services • Halton curve Rail • Waterways • Freight and Logistics 				
Halton Borough Context, p8.	Figure 1: Challenges <table border="1" data-bbox="338 847 987 919"> <tr> <td data-bbox="338 847 663 919">Excellent transport links</td> <td data-bbox="663 847 987 919">Potential -increased car journeys</td> </tr> </table>	Excellent transport links	Potential -increased car journeys	Halton Borough Context, p8.	Figure 1: Challenges <table border="1" data-bbox="1261 847 2163 919"> <tr> <td data-bbox="1261 847 1704 919">Excellent transport links Increased Car Journeys</td> <td data-bbox="1704 847 2163 919">Potential -increased car journeys Behavioural change</td> </tr> </table>	Excellent transport links Increased Car Journeys	Potential -increased car journeys Behavioural change
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