

# Public Document Pack



## Development Control Committee Supplementary Item – AB Update List

Monday, 8 September 2014 6.30 p.m.  
Civic Suite, Town Hall, Runcorn

A handwritten signature in black ink, appearing to read 'David W R', is centered on the page.

**Chief Executive**

### COMMITTEE MEMBERSHIP

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

*Please contact Ann Jones on 0151 511 8276 Ext. 16 8276 or  
ann.jones@halton.gov.uk for further information.  
The next meeting of the Committee is on Monday, 6 October 2014*

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

**Part I**

<b>Item No.</b>	<b>Page No.</b>
<b>3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE - AB UPDATE LIST</b>	<b>1 - 8</b>

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

**DEVELOPMENT CONTROL COMMITTEE**  
**Update List**

**8<sup>th</sup> September 2014**

<b>PAGE NO.</b>	<b>LIST A</b>	<b>LIST B</b>	<b>Updated Information</b>
6		11/00269/FULEIA	See Below Table 1:Halebank Parish Council Latest Representations  Table 2: General Update and Conditions

**Table 1: Halebank Parish Council representations - received on 29/08/14**

<b>Issue Raised</b>	<b>Response</b>
<p>Thank you for your recent further consultation on the above. This letter sets out the comments of Hale Bank Parish Council (HBPC). As we have previously observed, this application remains a very complex submission for a very large scale development. The responses to my previous letters and the recent updates to the supporting reports are often highly complex and technical, so they are not always easy for Parish Councillors, local residents or even planning consultants such as me to respond to.</p>	Noted
<p>We have identified two material changes to the site layout. One is the addition of two small ponds as part of the amended surface water drainage scheme. The HBPC have no comments on this amendment.</p> <p>The second change that we have identified is an increase in the height of the acoustic fence at the rear of Linner Farm from 2 metres to 5 metres, together with associated changes to the screening and landscaping.</p>	Noted

<p>The AMEC noise and vibration report appears to have been completely updated. It claims that the acoustic fence has been increased in height <i>“to reduce noise impacts from HGV movements and loadings”</i>. The schedule of reports and changes also refers to reducing noise from on-site employee vehicle movements. We would assume that this is confirmed in the AMEC report, but I have been unable to find any reference to it. If it is not covered in the report, then we are unable to properly comment on it.</p>	<p>It is noted that HBPC have been unable to find reference to the reduction in noise impacts from on-site employee vehicle movements. This is set out at pages 26 and 36 of the Amec Noise and Vibration assessment report.</p>
<p>It is claimed that the lighting proposals will have only a low impact and that this will be achieved by good design and screening. Nowhere have we been able to find out exactly how ‘good design’ will be translated into ‘low’ impact. For example, the tall lighting columns will be visible from a wide area, as will the reflected glow from them throughout the hours of darkness. Maybe they do shine down and therefore spread less light, but there will be no hiding from them. We have been unable to find any clear explanation how the impact of floodlighting a huge 32 ha site can be regarded as ‘low’. There will be too many lights covering such a wide area that they cannot be screened and there will inevitably be a reflected ‘glow’ during the hours of darkness as with any large floodlit site as can be seen.</p>	<p>The application is supported by a detailed Lighting Impact Assessment by Peter Brett Associates. A detailed explanation of the methodology used in the assessment and the criteria used in determining the significance of the effect is contained within the Assessment section of that report. The recommended measures for minimising obtrusive light and sky glow, and therefore justifying the predicted residual effects, are contained within the Mitigation section of that report.</p>
<p>The lighting chapter of the revised Statement refers to <i>“a new access and junction ..... for the development which joins Hale Bank Road to the south of the site”</i>. The HBPC trusts this is not actually a new vehicular access, but the bus and emergency access as originally proposed. If it is not, then the public have been misled and the consequences for traffic,</p>	<p>That the proposed access to Halebank Road is not a new vehicular access but for emergency, bus and cycling access only is clearly annotated on the submission drawings. It is also proposed to control this fact by condition 41 as detailed in the Recommendation section of the Officer Report. Therefore the Parish Council has not</p>

<p>together with the loss of amenity to those living along Hale Bank Road will be catastrophic.</p>	<p>been misled.</p>
<p>The application proposal is described in the application as <i>“rail-served”</i>. We thus expected the current application for the new sidings (ref: 14/00382/HBCFUL) to demonstrate how the sidings will serve the proposed warehouse. In fact, they appear not to. The proposal is described on that application form as:-</p> <p><i>“Proposed construction of 5 no. railway sidings to be implemented on a phased basis to serve the Mersey Multimodal Gateway (3MG) connecting to the national rail network West Coast Mainline via Ditton Junction sidings at Ditton Strategic Rail Freight Park Ditton Road (west) Widnes Cheshire”</i></p> <p>In other words, it serves the Mersey Multimodal Gateway, not the warehouse. The sidings application effectively confirms this. The applicant is Halton Borough Council, not Pro Logis, so the sidings proposal has nothing to do with them. I have also been unable to find anything in the supporting documentation that explains how the sidings will be linked with the warehouse. The application plans show the sidings in a cutting and they do not show any details of the proposed warehouse. There is thus no indication of how the sidings will be linked with the warehouse or how goods can be transported between the warehouse and the trains. Indeed, the application layout plans suggest that such links will not be possible to achieve.</p> <p>In the absence of any evidence to the contrary, the HBPC are now even more convinced that the application</p>	<p>The proposed development of the HBC Field site (11/00269/FULEIA) forms part of the much wider Ditton Strategic Rail Freight Park as defined on the UDP Proposals Map and Mersey Multimodal Gateway (3MG) by Core Strategy Policy CS8. Planning permission (10/00411/S73) has been approved for a scheme of rail sidings which includes provision for connection to the West Coast Main Line and a rail siding to serve the proposed warehouse.</p> <p>The current application clearly shows how the proposed warehouse will be linked to the siding by means of reach grabber from a dedicated reach-stacker operation zone.</p> <p>The subsequent planning application (14/00382/HBCFUL) is for an enhanced scheme of rail sidings which will allow for accommodation of longer trains. This maintains connection to the West Coast Main Line and provides enhanced sidings for the proposed warehouse and 3MG as a whole. A composite plan has been provided and is attached for information to demonstrate that, if the amended sidings application is approved and implemented, provision has been made for longer sidings to serve the warehouse from the dedicated reach-stacker operation zone in the same way as currently proposed.</p> <p>The submission of this revised application does not prejudice the implementation of the warehouse siding as currently shown. The amended sidings proposal is subject to a separate planning application which will be determined on its merits.</p>

<p>description of the warehouse as being rail linked is wrong. Indeed the current plans for the sidings actually confirm their fears. This does, of course, fly completely in the face of why the HBC Field was released from Green Belt and allocated for development in the first place. Once again the HBPC feel that they and the residents of Halebank have been misled by the Council.</p>	<p>This is set out clearly within the Officer Report at “Requirements for the Development to be Rail Served”. Halebank Parish Council and residents have not therefore been misled.</p>
<p>HBPC remain very unhappy with this application and the way it is being presented. The success or otherwise of the noise mitigation measures is wholly dependent upon the imposition and compliance with robust conditions, which they are not confident will be enforced. They still see no evidence, other than the applicant’s assurances, that the lighting scheme will actually have the low impact claimed for it. The proposed use of the vehicular access onto Hale Bank Road is now confused, so clarification is required. Finally, they still see no evidence whatsoever that the warehouse will, as stated in the description of the development in the application, actually be rail served. Indeed, the plans for the sidings application suggest that it will not and cannot be rail served.</p>	<p>All of the matters raised have been addressed above.</p>

**General Update and Conditions**

Whilst Prologis remain the applicant planning permission runs with the land. The following amendments are therefore advised to the Officer Report:

Para 1.4 – Delete last sentence and replace with *the site is being marketed*.

Para 2.9 – Delete last sentence as planning permission runs with the land. It is inappropriate to link planning permission with such certification of an individual company.

Para 2.10 – Delete last sentence. This statement is vague and relies on potential off-site opportunities. A specific planning condition is recommended dealing with on-site waste management issues listed as condition 38 within the published agenda.

Cheshire Wildlife Trust has provided final comments on the submission. They have stated that:

1. 4 wildlife ponds should be created in the 5ha compensatory area according to best practice guidance (refer to Freshwater Habitats Trust). CWT can provide advice on the best location for these ponds.

The request for the 4 ponds to be within the compensatory area would require off-site provision and conflict with other mitigation provision. This is not considered appropriate but the 4 ponds can be accommodated within the application site. This is therefore recommended to be covered by additional planning condition as follows:

No part of the development hereby approved shall be brought into use until a scheme of pond replacement to provide 4 no. ponds within the site has been implemented in full and in accordance with a detailed scheme submitted to and agreed in writing by the Local Planning Authority. Such details as are submitted shall accord with the Appendix 6.5 of the submitted Ecological Assessment: Pond Design and Planting Specification and associated Figure. 1 and shall include a detailed maintenance and management plan. The ponds shall be so managed and maintained for the lifetime of the permission.

Reason:- In the interests of species and habitat creation/ protection and to comply with Policy GE21 of the Halton Unitary Development Plan and Core Strategy Policy CS20.

2. A method statement should be submitted to LPA for approval in relation to the translocation of vegetation/aquatic fauna from ponds 5, 7 and 10 to the newly created ponds in the 5ha compensatory area. This may be submitted post determination.

This is recommended to be covered by additional planning condition as follows:

No development shall take place within the site until a detailed method statement has been submitted to and agreed in writing by the Local Planning Authority for the translocation of vegetation/ aquatic fauna from ponds 5, 7 and 10 (as defined by Figure 6.1 of the submitted Ecological Assessment: Phase 1 Habitat Management Plan) to the newly created replacement ponds required by condition X of this planning permission

Reason:- In the interests of species and habitat creation/ protection and to comply with Policy GE21 of the Halton Unitary Development Plan and Core Strategy Policy CS20.

3. A habitat management plan for the compensatory area (which includes identification of resources required for implementation and monitoring) should be submitted for approval by the LPA. Implementation of the plan needs to be in place before work commences to provide suitable habitat for ground nesting birds. Refer to guidance provided by CWT IN 2013

(document attached). This management plan may be submitted post determination.

This is considered to be adequately secured by condition 36 as listed in the Recommendation.

4. A planning condition for nesting birds should be applied. Suggested wording:

Works should take place outside of the nesting bird season (1st March to 31st August inclusive), unless the site has been checked for nesting birds by a qualified ecologist no more than 48 hours prior to commencement. If nesting birds are found, an appropriate exclusion zone should be established and maintained until nesting is complete. The details of any exclusion zone should be agreed with the ecologist.

This is considered to be adequately secured through legislation outside planning and will be attached as an informative.

Refinements are proposed to condition 2 listed within the Recommendation as follows:

The development shall be carried out in accordance with the following application drawings:

Topo Survey	15808 OGL rev O
Location Plan	P001 Rev D
Location Block Plan	P002 Rev G
Site Plan	P003 Rev G
Unit Plan and Mezzanine Office and Warehouse plan	P004
Building Elevations	P005
Unit Sections	P006
Roof Plan	P007
Gatehouse Plan and Elevations	P008
Landscape Concept Masterplan	1201/11-01 Rev E
Landscape Concept Cross Sections 1 of 2	1201/11-02 B
Landscape Concept Cross Sections 2 of 2	1201/11-03 A
Planting plan 1 of 2	1201/11-04 E
Planting plan 2 of 2	1201/11-05 C
Smithy House Landscape Mitigation details	1201/11-06 B
Unit and Park Interface	1201/11-08 B
Lighting scheme	D18729/PY/C
Proposed surface and foul water drainage layout	16803-P-0300
Pond B details	16803-P-0300
Porous Paved Car Park details	16803-P-0320
Proposed finished levels	16803-P-0600



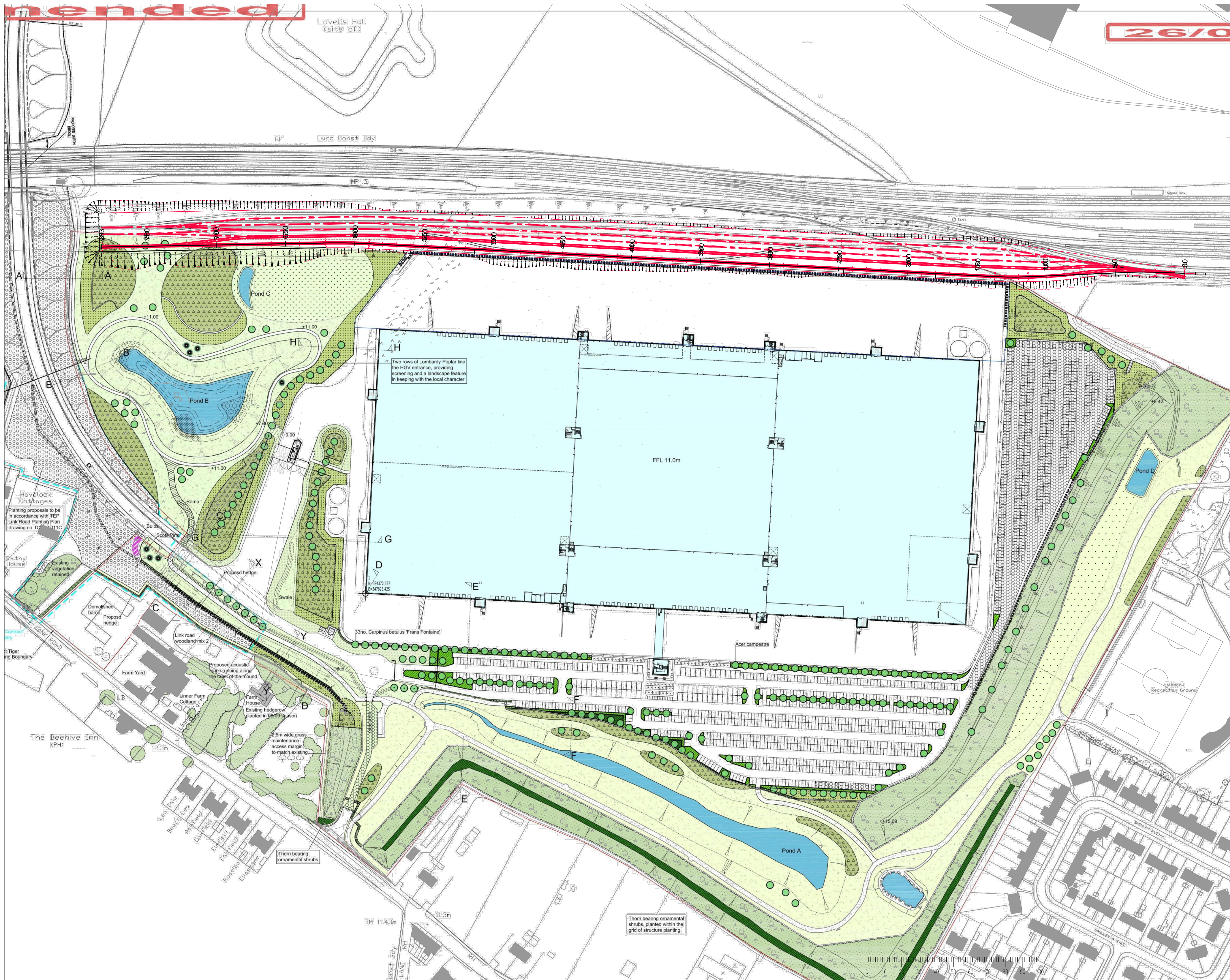
Proposed perimeter sections	16803-P-0610
Proposed retaining wall	16803-T-0620

Reason:- To define the permission, to ensure that the development is carried out as approved.

This will replace condition 2 as originally listed in the Recommendation section of the Officer Report.

Re-ordering and renumbering of the conditions will be required to account for the about refinements and additional conditions.





**2670**

This drawing should not be scaled. Dimensions to be verified on site. Any discrepancies should be referred to the Engineer prior to work being put in hand.  
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1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL ENGINEER'S, ARCHITECT'S OR OTHER RELEVANT DRAWINGS AND SPECIFICATIONS.
2. ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED ON SITE BY THE CONTRACTOR PRIOR TO PREPARING ANY WORKING DRAWINGS OR COMMENCING ON SITE.
3. THE CONTRACTOR MUST ENSURE AND WILL BE HELD RESPONSIBLE FOR THE OVERALL STABILITY OF THE BUILDING/STRUCTURE/EXCAVATION AT ALL STAGES OF THE WORK.
4. ALL WORK BY THE CONTRACTOR MUST BE CARRIED OUT IN SUCH A WAY THAT ALL REQUIREMENTS UNDER THE HEALTH AND SAFETY AT WORK ACT ARE SATISFIED.
5. ALL WORK IS TO BE CARRIED OUT IN COMPLIANCE WITH THE REQUIREMENTS OF THE RELEVANT STATUTORY AUTHORITIES AND REGULATIONS.

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Rev	Date	Description	By
A01	03/10/14	ISSUED	DP

Project	HALTON SIDINGS
Title	HALTON FIELDS COMBINED SITE & SIDINGS LAYOUT
Client	HALTON BOROUGH COUNCIL



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**PRELIMINARY**

Designed by	RW	Checked by	RW	Project No	CIV 14302
Drawn by	DP	Date	SEPTEMBER 2014	Computer File No	Planning Dwg overlay with WE Design
Scales @ A1	work to figured dimensions only	1:500			

Publisher	Zone	Category	Number	Revision
C	SA	03	033	A01