

APPLICATION NO:	14/00555/FUL
LOCATION:	Halebank School, Heathview Road, Halebank, Widnes WA8 8UZ
PROPOSAL:	Proposed redevelopment of existing school, comprising demolition of existing buildings (except nursery building) and erection of new single storey school building, car parking, landscaping, play areas and ancillary works
WARD:	Ditton
PARISH:	Halebank
CASE OFFICER:	Andrew Evans
AGENT(S) / APPLICANT(S):	Tom Lamshead of Stride Treglown Ltd Stride Treglown 3 Cosser Street London SE1 7BU Applicant: Morgan Sindall PLC
DEVELOPMENT PLAN ALLOCATION:	National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)
DEPARTURE REPRESENTATIONS:	Yes
KEY ISSUES:	Objection received from HSE Development within Univar COMAH zone with HSE 'Advise Against'
RECOMMENDATION:	Approval
SITE MAP	

1. APPLICATION SITE

1.1 The Site

Halebank Primary School is located off Heathview Road in a predominantly residential area of Halebank. First built in 1973 the school succeeded the former Halebank School that was located nearby where properties 412-418 Hale Road now exist.

Since first developed in 1973 the present school has expanded, and is currently comprised of the original school building and two mobile classroom units.

Externally the school is served by a playing field which features an outdoor playing pitch, school yard and associated equipment. As can be seen by the applications redline, the site is bound for the most part by residential properties, the exception being a vacant development site that is in the process of being developed into a residential estate by way of planning permission ref:13/00372/FUL.

Site Context

This residential quarter of Halebank is found to the West of Hale Road. With recent developments in 2013 for 34 dwellings, and in 2004 a scheme for 104 No. dwellings, it is demonstrated that the population of Halebank is growing. With the growing population in mind, it is of great importance that the village of Halebank retain the existing level of services especially those civic uses that bring universal benefit to the wider community, and that have done so for the community of Halebank for the last 138 years.

To the East of Hale Road is the Halebank Industrial Estate; it is in this industrial estate that the business Univar is located. The school site is located inside the 10CPM (chances per million) risk of fatality zone as shown in the Council's SPD 'Planning for Risk' and within the middle COMAH consultation zone of the Univar Europe Ltd.

Univar is an employment site investor; the operations it conducts on site require Hazardous Substance Consents. An extract from the company's website gives an indication as to the nature of its business.

Founded in 1924, Univar is a leading global chemical distributor of industrial and specialty chemicals and related chemistry services. Univar operates a network of over 700 distribution facilities throughout North America, Europe, the Asia-Pacific region, and Latin America, with additional sales offices located in Eastern Europe, the Middle East, and Africa. Our 8,800 employees serve over 133,000 customers, representing nearly every major industry and a highly diverse set of end markets.

-Univar Website, 2014.

1.2 Relevant Planning History

Unfortunately due to incomplete records in the transfer from Cheshire County Council, the relevant record for the original school building is not detailed.

2/13901/P	-	Permitted Mobile classroom
2/24579/P	-	Permitted Planning clearance for new kitchen and junior toilets
2/7879/P	-	Permitted Twin mobile classroom
93/00441/CPO	-	Permitted Retention of mobile building used as a Playgroup
94/00273/CPO	-	Permitted Consultation from County Council for proposed single mobile classroom
06/00571/OTH	-	Permitted Erection of replacement mobile
06/00750/HBCFUL	-	Permitted Proposed siting of replacement mobile

13/07162/PREAPP Proposed development of Halebank C of E Primary School for education (Use Class D1) purposes.

2. THE APPLICATION

2.1 The proposal

Halebank C of E Primary School is one of twelve schools in the North West batch of the Priority Schools Building Programme (PSBP). This fund targets the needs of schools in most urgent need of repair. Each school is to be provided within the existing site boundaries and to remain operational during construction.

The redevelopment of Halebank Primary School's existing campus will take the form of a new single storey purpose built school building accommodating a maximum of 105 pupils representing no uplift in numbers to the existing provision. The new school building will see a reduction in floor space to 799sqm from the existing 810sqm and remove the need for children to be educated in mobile classrooms.

External works will see an increase of 5 No. car parking spaces over the existing 8 No. to bring the provision in line with modern standards and provide accessibility provision. A development of a new playing pitch surface and a separate Multi Use games Area (MUGA) along with associated external landscaped areas.

The existing school will be demolished upon completion of the development. Such an approach will ensure continued provision of education on site.

2.2 Documentation

The proposal before members consists of the following documentation.

DRAWINGS:

HBP-CLXX(52)4011 B1 Foul water drainage
Construction Traffic Map
HCE-MS-001-5 Phasing Plans Rev 5

HCE S3-BS00(68)4001 B2 CCTV layout
 HCE S3-BSXX(40)4001 B2 Utilities
 HCE S3-BSXX(63)4001 B2 External Lighting Layout
 HCE S3-BSXX(63)4002 B2 External Lighting Impact Assessment
 HCE-A(PL)001_A Ground Floor Plan Layout
 HCE-A(PL)005_A Roof Plan Rev
 HCE-A(PL)201_A Elevations
 HCE-A(PL)202_A Elevations
 HCE-A(PL)301 GA SECTIONS
 HCE-A(PL)401_A Proposed External Views
 HCE-A(PL)501 Demolition Plan
 HCE-CL-XX-(52)-4010 B1 revised surface water drainage drawing
 HCE-L(PL)001 Site Location Plan
 HCE-L-0201_Rev B7 Landscape Masterplan
 HCE-L-0400_Rev B2 Hard Landscaping
 HCE-L-0404_Rev B2 Fencing Layout
 HCE-L-0502_Rev B1 Tree Protection Plan
 HCE-L-0600_Rev B3 Sports Facilities layout
 HCE-L-0600-B_Rev B3 Sports Facilities Layout

SUPPORTING REPORTS:

BREEAM tracker Report, Stride Treglown, 6 October 2014, ref 28358_001
 Phase 2 Geotechnical and Geoenvironmental Assessment, Cundall, 29 October 2014, ref 1008729.GL.RPT.03
 Utility Statement, Cundall, 3 October 2014, ref: 1010267-RPT-00002
 Environmental Noise Report, Cundall, 1 October 2014, ref 1010267-RPT-00003
 Factual Report on Ground Investigation, ESG, September 2013, Ref D3081-13
 Ecological Impact Assessment, Golder, October 2014, Ref 13514520653/HCE/ECOL/B.0
 Construction Management Statement, Morgan Sindall, Undated, no reference
 Level 2 FRA, Cundall, 3 October 2014, Ref 1010267-RPT-00004
 Halebank Primary School Transport Statement, LTP, 23 October 2014, Ref LTP/14/1916 rev B2
 Halebank School travel Plan, Halebank School, September 2014, no ref.
 Design and Access Statement and Planning Statement, Stride Treglown, October 2014
 Jacobs Geo-Environmental Desk Study, Jacobs, March 2013, ref EFA/HBPS/R01
 QRA - Predicted Risks at Halebank School, DNVGL, 10 October 2014, 1JOU2DQ-2, Report 2, Rev A
 Rapid Cultural Heritage Desk based Assessment, Golder, September 2014, Ref 13514520653/HCE/HIST/001/B.0
 Sustainability and Energy Statement, Cundall, 3 October 2014, Ref 1010267-RPT-00005
 Tree Survey, ArbTech, 1 October 2014, no ref

3. POLICY CONTEXT

3.1 Halton Unitary Development Plan (UDP) (2005)

The following national and Council Unitary Development Plan policies and policy documents are relevant to this application: -

- BE1 General Requirements for Development
- BE2 Quality of Design
- BE3 Environmental Priority Areas
- BE22 Boundary Walls and Fences
- TP6 Cycle Provision as Part of New Development
- TP12 Car Parking
- TP16 Green Travel Plans
- GE6 Protection of Designated Greenspace
- GE8 Development Within Designated Greenspace
Protection of Outdoor Playing Space for Formal Sport and Recreation
- GE21 Species Protection
- PR12 Development on Land Surrounding COMAH Sites

3.2 Halton Core Strategy Local Plan (2013)

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

- CS2 Presumption in Favour of Sustainable Development
- CS7 Infrastructure Provision
- CS15 Sustainable Transport
- CS18 High Quality Design
- CS20 Natural and Historic Environment
- CS19 Sustainable Development and Climate Change
- CS23 Managing Pollution and Risk

Planning for Risk Supplementary Planning Document

This document provides further detail on the UDP Policy PR12.

3.3 National Planning Policy Framework

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

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

local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 7 deals with sustainability, this is dealt with in the assessment part of the report below.

Paragraph 14 states that this presumption in favour of sustainable development means that development proposals that accord with the development plan should be approved, unless material considerations indicate otherwise. Where a development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF; or specific policies within the NPPF indicate that development should be restricted.

Paragraph 72 of the NPPF states that ‘The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted.’

Planning Practice Guidance

The following paragraphs from the planning practice guidance are of relevance.

Paragraph: 068 Reference ID: 39-068-20140306

What expert advice should be sought on planning applications around hazardous installations?

Local planning authorities should know the location of hazardous installations as they will have been informed of consultation zones by the Health and Safety Executive and consultation distances by the [Office for Nuclear Regulation](#). For licensed explosives sites the license holder will provide the local authority with a safeguarding plan for the site. [Schedule 5 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2010](#) requires local planning authorities to [consult](#) the Health and Safety Executive on applications above certain thresholds in these consultation zones.

They must consult the Health and Safety Executive on applications in consultation zones for residential development, and large retail, office or industrial developments. They must also consult the Health and Safety Executive on applications which are likely to result in an increase in the number of people working in or visiting the notified area. Particular regard should be had to children, older people or disabled people. There may be particular issues to consider for hotels and similar developments where people may be unfamiliar with their surroundings, or which may result in a large number of people in one place. Within consultation zones [certain permitted development rights may not apply](#). For each type of development, the Health and Safety Executive’s advice to

local planning authorities will take account of the maximum quantity of a substance permitted by a hazardous substances consent and any conditions attached to it.

Local planning authorities must also consult with Health and Safety Executive, Environment Agency and, where the development could affect a sensitive natural area, with Natural England. This is necessary for new establishments, modifications to existing establishments, and development (including transport links) in the vicinity of existing establishments, which could increase the risk or consequences of major accident.

Paragraph 071

What consideration will the local planning authority give to Health and Safety Executive advice?

Health and Safety Executive's role is an advisory one. It has no power to direct refusal of planning permission or of hazardous substances consent. Where Health and Safety Executive advises that there are health and safety grounds for refusing, or imposing conditions on an application, it will, on request, explain to the local planning authority the reasons for its advice.

The decision on whether to grant permission rests with the local planning authority. In view of its acknowledged expertise in assessing the off-site risks presented by the use of hazardous substances, any advice from Health and Safety Executive that planning permission should be refused for development for, at or near to a hazardous installation or pipeline should not be overridden without the most careful consideration.

Where that advice is material to any subsequent appeal, the Health and Safety Executive may provide expert evidence at any local inquiry. More information on the issues the Health and Safety Executive takes into account when advising on applications can be found [on the HSE Land Use Planning website](#)..

Revision date: 06 03 2014

Paragraph: 072Reference ID: 39-072-20140306

What happens if a local planning authority would like to give planning permission against Health and Safety Executive advice?

Where a local planning authority is minded to grant planning permission against Health and Safety Executive's advice, it should give Health and Safety Executive advance notice of that intention, and allow 21 days from that notice for the Health and Safety Executive to give further consideration to the matter. This will enable the Health and Safety Executive to consider whether to request the Secretary of State for Communities and Local Government to call-in the application. The Secretary of State exercises the power to [call-in](#) applications very selectively.

Health and Safety Executive will normally consider its role to be discharged when it is satisfied that the local authority is acting in full understanding of the advice received and the consequences that could follow. It will consider recommending call-in action only in cases of exceptional concern or where important policy or safety issues are at stake.

Local planning authorities should notify the Health and Safety Executive where planning permission has been granted in the Safeguarding Zone of a Health and Safety Executive licensed explosives site.

Revision date: 06 03 2014

Paragraph: 073Reference ID: 2a-073-20140306

How can conflicts between consents and development be addressed?

It is good planning practice for local planning authorities to work proactively with businesses that have consent where there is potential conflict between the existence of a consent and a local authority's planning priorities.

Reviews of consents to ensure they are still in use could help identify where consents may be [redundant](#) or could be [given up](#).

It is also important to plan strategically for the chemicals industry and other uses that require hazardous substances consents. Business, industry and local planning authorities working together [when Local Plans are being prepared](#) can help to reduce future problems and promote safety of people and protection of the environment.

Revision date: 06 03 2014

Governments Position on New Schools

Paragraph 72 of the NPPF is consistent with the Government's Policy announcement on the 15th August 2011. The Government published its policy statement on planning for schools development. This statement was published to demonstrate the government's commitment to ensuring there is sufficient provision to meet the growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising education standards.

This policy statement outlines the Government's belief that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:

- *There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.*
- *Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.*
- *Local authorities should make full use of their planning powers to support state-funded schools applications.*
- *Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95.*
- *Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible.*
- *A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.*

4. CONSULTATIONS

The application has been advertised by a press notice and a site notice posted near the site. All adjacent and residents and occupiers have been notified by letter.

The Council's departments responsible for Highways, Open Spaces, Environmental Health, Contaminated Land, and advisors on ecology (Cheshire Wildlife Trust), have been consulted.

Externally, Sport England, United Utilities, Environment Agency (EA) and the Health and Safety Executive, have also been consulted.

Any comments received have been summarised below with the exception of those from the HSE which are copied in full.

Open Spaces

There are no Tree Preservation Orders in force at this site and the area does not fall within a designated Conservation Area. There is a small loss of trees to accommodate the new building however the development will incorporate the planting of a number of new trees across the site which should improve the visual amenity. The ecological report shows a low potential for species integration however this is well mitigated by the proposals for Wildlife areas throughout the site post development.

The SUDs proposal seems adequate and thorough. The recommendations are supported in the report.

Environmental Health

The Environmental Health department have considered the details submitted with the application concerning the noise report study, and the lighting impact as detailed by a light spill plan; they have confirmed that they have no objections in principle to the proposed development.

Contaminated Land

The Council's contaminated land section have been involved in on-going discussions with the Applicant's advisors on land remediation, and are satisfied with the submission, though have indicated that further submission is necessary in order to assess all pollutant linkages in full. This will be secured by the following condition:

No part of the development hereby permitted shall commence until;

a) Prior to the commencement of development an appropriate investigation and assessment of all potential pollutant linkages is submitted to, and approved by, the Planning Authority. The investigation and assessment should be carried out by suitably qualified personnel and carried out in accordance with current Government, Environment Agency and British Standard guidance, and;

b) Should any significant risks be identified by such an investigation a remediation plan, including suitable monitoring and verification

methodologies, should also be agreed in writing by the Planning Authority. A completion statement shall be issued upon completion of any remediation.

Cheshire Wildlife

Have raised no objections, their response is discussed in greater depth later on in the report.

Sport England have not yet commented it is worth noting that the Applicant having successfully been awarded preferred bidder for the development of 12 schools has worked closely with Sport England to ensure they are satisfied with the detail of the proposals. From the documentation submitted with this application it is apparent that the playing pitches meet Sport England standards.

United Utilities will have no objection to the proposal provided that the following conditions are attached to any approval: -

- *This site must be drained on a separate system combining just prior to connection to the public network. Surface water discharging to the public combined sewerage system must be attenuated to a maximum discharge rate That mimics the existing site run off plus 10% to combat global climate change.*

Environment Agency

The EA have been consulted; having considered the application responded with no objection.

Health and Safety Executive Response

The application was processed with the automated PAHDI+ system on the 16th October 2014 which resulted in an “advise against response”. A copy of this response can be found in full at **Appendix 1**. Following this response the HSE followed up their comments with a meeting at the Municipal Building on 18th November 2014. The meeting was attended by Stuart Reston, Richard Cary and Edmund Cowpe of the HSE. Minutes taken at the meeting were circulated on 27th November 2014 and are attached to this report as **Appendix 2**. The HSE responded with their version of the minutes on 12th December, also found in **Appendix 2** with the HSE email agreeing their minutes found at **Appendix 3**. Two versions of the minutes are set out in Appendix 2 because of a failure to agree a definitive set.

The HSE representatives used the meeting to supplement their concerns regarding the development of the school. The Council requested that the HSE provide additional written guidance to assist the Council is assessing the risk highlighted by the HSE during the meeting. A response to this request was received via email on the 19th November 2014 and is copied in full below. Members attention is drawn to paragraph 8 of the email; Stuart Reston of the HSE has asked that members be made aware of its content.

It should be noted that the nature of this proposal was first brought to the attention of the HSE by the Council’s planning department when a pre app

proposal was submitted to the Council; this pre-app proposal was processed via PADHI+ on 10th December 2013 and resulted in an advise against response. A copy of this response can be found in full at **Appendix 4**.

From: Stuart.Reston@hse.gsi.gov.uk [mailto:Stuart.Reston@hse.gsi.gov.uk]
Sent: 19 November 2014 17:10
To: Tim Gibbs; Andrew Evans
Cc: Richard.Cary@hse.gsi.gov.uk; Edmund.Cowpe@hse.gsi.gov.uk; Robert Cooper
Subject: HSE & HBC meeting 18/11/14 RE: Re-development of Halebank Primary School, Heathview Road (Planning Application 14/00555/FUL)

Hello Tim and Andrew ccs above

1. Thank you both for hosting the meeting yesterday between HSE and HBC. Richard, Edmund and I were grateful for the opportunity to discuss this case with you.
2. We discussed HSE's serious concerns over the redevelopment of Halebank Primary School, located in the middle zone of Univar Ltd. HSE believe the schools' redevelopment offers a rare opportunity to reduce significant risks to a sensitive and vulnerable group.
3. This e-mail contains the five points we agreed to write to you about.
4. **Applicant's calculated risk level:** I explained that HSE does not routinely comment on third party risk assessments and that we have not conducted a full critique of the applicant's report prepared by DNVGL. However, we do note that the level of individual risk used for the SRI calculation by DNVGL in section 3.1 of their 'QRA for Halebank Primary School' is approximately 5 cpm (risk of death). HSE does not consider this value to be too low. However, HSE uses individual risk of receiving a 'dangerous dose' in its calculations of SRI which are then judged against relevant comparison values. It is likely that the applicant's SRI figure is therefore an underestimate.
5. **SRI Calculation:** The area of the development is important in determining SRI figures for the purposes of comparison. The applicant's risk assessment needs to explain how they have calculated the SRI figure of 86,000. The area of the development used in SRI calculations should reflect how population is distributed within the development. In this case, children would spend the majority of their time in the school building itself. The applicant should conduct sensitivity testing of their SRI calculations to reflect the area of the school building, possible inclusion of outside play space and other uses of the school for example, evening use. The whole development area of 1.35 Ha should not be used
6. **Overpressure from an explosion:** The DNV-GL risk assessment states 'To protect the occupants of the building from the overpressure....would require the building to be designed to withstand an incident overpressure of 140mbar'. HSE calculate the maximum overpressure at the Primary School from an explosion at Univar to be 250mbar. HSE recommends that you ask the Applicant to explain their derivation of the maximum overpressure calculated. The detailed design of a building to resist blast is a specialised field and not one that HSE advises upon as part of our statutory role. HSE's land use planning advice is based on the generic behaviour of normally constructed buildings and we maintain the view that suitable separation from the hazard is the best mitigation for vulnerable

populations. To inform the decision making process you may wish to request that the Applicant conduct a specific 'Building Blast Response Assessment' with reference to published criteria such as in the Chemical Industries Association 'Guidance for the location and design of occupied buildings on chemical manufacturing sites' and include the results in the Officer's Report. We also recommend that the officer's report describe the predicted damage to the school and nursery from an overpressure event at Univar Ltd.

7. Hazardous Substances Consent at Univar Ltd. HSE strongly recommends that you as the Hazardous Substances Authority, the applicant and Univar Ltd. together explore the possibility of amending the hazardous substances consent. Another option HSE has seen in other parts of Great Britain includes relocation of the major hazard site itself. HSE is willing to support discussions that might lead to an amended hazardous substance consent and reduction of potential risks from the site.

8. Adjacent Private Nursery School: We also discussed the matter of the adjacent private nursery school that is not part of the planning application to redevelop Halebank Primary. HSE has no statutory role to advise you on the continued presence of the nursery. However, I would recommend that HBC's officer's report to the planning committee include reference to the significant additional risk reduction that would be achieved if the nursery school were to move to a new location along with the primary school or if the major hazard installation was relocated away from sensitive development.

9. If you would like to discuss any of the above, please in the first instance contact Richard Cary. We also look forward to receiving the draft notes of the meeting.

Regards

Stuart

Stuart Reston

Head of Major Accidents Risk Assessment Unit
Chemical, Explosives and Microbiological Hazards Division,
Hazardous Installations Directorate
Health and Safety Executive
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5. NON STATUTORY REPRESENTATIONS

No objections have been received in response to the public consultation exercise. Letters of support have been received from the Schools Head Teacher, and the Diocese of Liverpool; these appended as **Appendix 5 & 6** respectively. A letter of support has been received from the EFA.

6. ASSESSMENT

Principle of Use

The proposal before members seeks to develop a replacement school at the Halebank Primary School site, and therefore seeks to retain the current school use of the site.

The site is identified in the Halton Unitary Development Plan as Green Space, specifically identified as a 'School Playing Field'. UDP Policy GE6 states that in the case of designated greenspace in educational use, development will only be permitted where it is specifically required for educational purposes in compliance with policy GE8. Policy GE8 identifies that development specifically for educational use is acceptable provided that it would not conflict with Policy GE12.

Policy GE12 states that development resulting in the loss of outdoor playing space for formal sport and recreation, such as pitches, courts, green and athletics tracks, including in educational use, will not be permitted unless a suitable replacement facility, at least equivalent in terms of quantity and quality, and which is in place prior to the existing site being lost, is provided.

A short term view of the construction and demolition practices necessary to keep the school operational on this site for this proposal, will see difficulty with the above outlined requirements of GE12. However, upon completion the current school footprint is given over to hard and soft play areas following demolition. In net terms there will be no decrease in the amount of open area on the site.

Policy GE9 is considered to predominantly relate to redundant school buildings at risk from alternative forms of development. However, the policy notes that development that would encroach onto designated greenspace, including playing pitches, will not be permitted, except in exceptional circumstances and in compliance with policies GE6 and GE12. Planning policy GE6 confirms that one of the circumstances can be where the pitches are required for educational use. Policy GE12 notes that such development will be permitted where there is a replacement facility provided, at least in terms of quantity and quality.

The proposed new school, whilst built upon existing play space, will give over the existing school footprint to replacement and enhanced play space, and is therefore considered to comply with the above mentioned policies.

The application site is located within the middle ring of the Univar Europe Ltd COMAH and the outer ring of the Pentagon Fine Chemicals COMAH consultation zone.

The SPD 'Planning for risk' identifies the majority of the school site as being within the Univar area affected by 10CPM risk of accidental death in one year policies.

The development proposal does not meet the requirements of policy UDP PR12 or Core Strategy CS23, and is therefore considered a departure. Further detail is provided in this report under the sub-heading 'Hazard Matters' below.

Design

Surrounding land uses are for the most part residential. The exception being a commercial garage site and former pub site, both vacant at the time of the application being submitted. These sites were recently subject of planning approval ref: 13/00372/FUL to develop 34 new residential units; at the time of writing this report construction activities were underway on site.

The UDP and Core Strategy contain design related policies. Of relevance to this development are the following requirements:

- That in respect of new development on greenspace, the buildings should be of a scale, form and layout and design which respects the character and open nature of the space (GE8)
- Development to incorporate a wide range of requirements in new developments including high quality design, robust landscaping and sustainable travel provisions (BE1)
- That development proposals properly consider the important issues of design including layout, massing scale and form, which influence design quality (BE2)
- Promotion of safe and secure environments through the inclusion of measures to address crime, fear of crime and anti-social behaviour. (CS18)

The layout and new building respect both the character of the site and its surroundings, and will have a limited impact on existing surrounding occupiers. The Applicant has considered the approval for properties approved on the Cock and Trumpet site ref:13/00372/FUL; the new school is single storey, as a result will have a limited impact on the residential amenity of these proposed dwellings. Furthermore the new schools facades are at oblique angles to these properties and there are considerable interface distances. Existing boundary vegetation further reduces any adverse impact on residential amenity of existing and potential occupiers once the Cock and Trumpet site is built out. The same observations apply to the existing neighbouring properties, including those nearest to the school on Heath View Road.

In combination with the single storey design, its position on site and the existing screening vegetation results in a limited impact on the amenity of surrounding residential properties.

In relation to the remainder of the site, a new games multi use games area (MUGA) is located to the north east of the site towards Hale Rd properties, 25m to the nearest residential façade. There is anticipated to be little impact on residential amenity from this games court as it will not be floodlit and is only anticipated to be used during school hours. As noted previously, the EHO's have no objection to this.

Landscaping details have been submitted up front with the application. The scheme presented has been carefully considered by the Applicant, as noted by the Council's Open Spaces department whose comments were included earlier within the report. The scheme will seek to preserve the majority of the existing landscape features, and enhance these further with additional planting scheme; the result being an improved outlook for those attending and working at the school, and any surrounding properties with views across the site.

External lighting details have been submitted with the application. Consultation with the Councils EHO's have raised no concerns with the light spill from the external illumination of the school building. It is considered that there will be no significant impact on the surrounding properties.

In design terms the proposal is compliant with policies of the Local Plan.

Sustainability

Sustainability has three elements according to paragraph 7 of the NPPF; they are economic, social and environmental and give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Social Role - The existing Halebank School is a key local service that provides an important role in the local community. Primary schools due the nature of their operation tend to be small, catering for a small catchment that they can interact with on an intimate level at the early stages of a child's education. Insight as to how important the existing school is to Halebank can be gleaned from the supporting statement from the School's head teacher which can be found at **Appendix 5**. The retention of the school use at the Halebank Primary Site, will guarantee the longevity of the School within the village of Halebank, a civic service that the village has benefited from since 1907.

Of course, refusal of the application would also see the existing school retained, albeit without the benefits of a modern state of the art school. The comments from the Head Teacher and the Diocese of Liverpool give insight to the benefits the school will bring.

Environmental - As discussed there is an existing school on site. Whilst at the time of its inception in 1973 it was considered state of the art, succeeding the former Halebank School on Hale Road, it is by modern standards inefficient. The proposed replacement school would offer operational cost efficiencies of 10%. Notwithstanding this fact alone, the scheme will see improvement to the school's playing field facilities, and the outdoor open space; biodiversity becoming an increasingly important component of the school curriculum.

Economic - As a civic use, the school offers indirect economic benefit. In addition to the cost saving gained from a modern building with a greater level of energy efficiency, improvements gained from a new school building will offer a continued local facility of education with improved facilities allowing access to the latest teaching resources. The continued investment at this school will continue to offer the parents in the village of Halebank the choice of a local school; whilst this may appear a minor benefit, to a local community that suffers high in terms of levels of deprivation, such matters carry significant impact to community embitterment.

The Core Strategy contains policy requirements in chapter 22 (see Core Strategy Policy CS19) in relation to sustainable design in development. This development should look to comply with the following policy requirements:

- New non-residential developments will be encouraged as a minimum to reach BREEAM 'Excellent' standard. The Core Strategy clarifies this position by stating where it is viable and feasible to do so.
- Demonstrate how to minimise greenhouse gas emissions and are encourage to incorporate appropriate climate change resilience and carbon management measures reducing CO₂ emissions above that required by building regulations.
- The Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

An Energy and Sustainability Statement (ESS) has been produced by the Applicant's consultants, a summary of the finding is presented on page 18 of the Design and Access statement

The existing school was built in 1973. Since that time the school has expanded into 2 No. prefabricated classrooms. These buildings do not perform optimally in relation to energy efficiency. Halebank School is one of a number of schools in the North West of England identified under the Priority School Building Programme (PSBP). The PSBP seeks to address the renewal of those parts of England's school estate in most need. One of the main benefits of the programme is to reduce carbon emissions.

The ESS indicates that the proposed school would perform significantly better than the minimum requirements of the Part L Building Regulations and achieves an improvement of 10.4%.

A BREEAM pre assessment has been undertaken indicating that a 'Very Good' rating is achievable. CS19 seeks BREEAM 'Excellent' Standard for non-residential buildings, with a caveat concerning viability/feasibility. It is currently unaffordable to achieve an excellent rating for this scheme due to budgetary constraints. The Council accepts this position.

The Council has considered the sustainability of the scheme, both in terms of the broad objectives set by national policy and the more technical requirements set by the Local Plan.

Environmental Policies

The local plan details policies related to environmental impact. These range from COMAH and hazard risks to conventional environmental impact; the latter will be dealt with in this section. COMAH risks will be dealt with separately in this report.

Acoustics

Policy PR2 states that development which contains any new noise source likely to cause a significant increase in ambient noise levels for either day or night time conditions and where it is likely to affect residential areas will not be permitted.

A noise report submitted as part of the application has been considered by the Council's Environmental Health Department, who confirmed that they have no objection to the scheme.

Flood Risk and Drainage

The site is located in Flood Zone 1 where there is considered to be a relatively low probability of flooding in any year. A flood risk assessment has been submitted by the Applicant. It concludes that there are no significant flood risks, however the most significant flood risks associated with the development would be due to minor surface water, ground water flooding or as a result of improper maintenance of the proposed drainage system. In order to address this risk, the development will utilise a combination of pervious pavements and underground attenuation with flow controls, using the practices of the SUDS manual.

The EA have been consulted; having considered the application have responded with no objection.

Transport

The planning application replaces an existing school with the same pupil capacity, there are no expectations from the Council's Highways Department for improvements on site or contributions to improvement in the locality. Notwithstanding the application proposed to increase the number of parking spaces by 5 to account for the needs of the members of staff.

Existing access off Heathview Road will be retained, as will the pedestrian access arrangements from Baguley Avenue to the North of the application site.

The school has an existing travel plan, this has been updated as part of the Application. No objections have been raised by the Highways department.

The highway impact from this development is considered to be negligible.

A construction management plan was submitted. It details methods to reduce impact on the site by using traditional good housekeeping practices; the Council's Highways department have requested further details on this matter and in relation to the cycle parking indicated on the proposed plans; an update will be provided to members on these matters.

Ecology

The application is accompanied by an Ecological Impact Assessment, (Golder, October 2014) and a tree report (ArbTech). The supporting documentation details

separate species reports. A bat survey, found no presence of roosts occupying the site. A great crested newt study found that the known pond on the site was dry, therefore a full survey was unable to be fulfilled.

The ecology report recommends the following, measures that have been incorporated into the scheme.

- Retention of mature trees where possible
- New tree planting
- Directional lighting
- Vegetation clearance outside bird breeding season

Natural England have responded with no objection to the scheme.

The Council's ecology advisors have responded with no objection. They have requested the following additional

- Bat emergence study to be repeated if development does not commence before the 1st April 2015
- Retained trees are to be protected by root protection measures
- Further details of wildlife corridor
- Native planting scheme to be used on site
- 3 No. bird boxes to be installed on site
- 4 No. Schwegler style bat boxes to be installed on site

The Applicant has responded positively to these requests. Notwithstanding that they are aspirational in nature and not matters in which could be imposed upon the Applicant. The bat and bird boxes will be secured by way of planning condition, as will the requirement for an updated emergence study. Details of wildlife corridor and native species have been presented and approved by the Council's Open Spaces division.

Trees and Landscaping

As noted previously, the application details a tree survey. The details of which are supported by the Council's Open Spaces department:

Playing pitch provision

Sport England are a statutory consultee on all planning application affecting playing fields land. Sport England will normally expect playing fields to be retained or enhanced as part of any redevelopment unless an assessment has demonstrated that there is an excess of provision and they are surplus to requirements, or clear evidence supports their relocation and will normally object to such an application unless one of five exceptions applies.

1. Excess of provision
2. Ancillary development
3. Land incapable of forming part of a pitch
4. Replacement provision
5. Sports Facilities

The proposal under consideration is for a replacement facility, both in terms of the school building and the playing fields. Halebank School will be rebuilt on the existing school playing fields before the demolition of the existing school, the

footprint of which will be turned over to hard and soft play and for outdoor teaching purposes.

Discussions have been on-going between Sport England and the Applicant throughout the design phase of the application. A full justification in respect of this loss is included on drawings HSE –L-0600-B2 and HCE-L-0600. In summary the proposals:

- Re provide and improve existing sports facilities
- Provide fresh sport facilities including a MUGA
- Increased hard surface games courts

The proposal offers a new set of playing field facilities that will greatly improve the sporting curriculum available at the school. Whilst there is a temporary reduction in the amount of playing surface, such is the level of improvement to the final scheme, that the upgrade to facilities overcomes any temporary loss.

The proposal is compliant with the relevant Local Plan policies mentioned above.

Hazard Matters

The Council's own UDP Hazard and Risk Policy (PR12 & CS23) taken by itself would result in a presumption against this development. This is explained below.

The fundamental issue at the centre of this application is that of hazard and risk because the school site is located inside the Univar 10CPM (chances per million risk of fatality) zone as depicted on page 37 of the Halton SPD 'Planning for Risk' copied at **Figure 1**.

First, however, it is worth stating the "hazard context" in order to avoid confusion when reading certain background documents.

The hazard context is as follows. Univar currently has a long standing hazardous substances consent which translates into the 10CPM referred to above. Notwithstanding the hazardous substances consent. It is understood by the Council that changes in the classification in certain hazardous substances imply that the actual risk even under the existing hazardous substances consent has been reduced to perhaps 4-5 CPM risk of death. The Council is not relying upon this.

Furthermore, Univar have made an application for a new hazardous substances consent which if granted would result in a reduction to 4-5 CPM of fatality as shown in the DNV-GL analysis. This application has not yet been determined. Unless and until the hazardous substance consent application before the Council is approved the Council is not relying on it.

The net result is that the Council is assessing the Application as if it were within a zone of 10CPM of fatality.

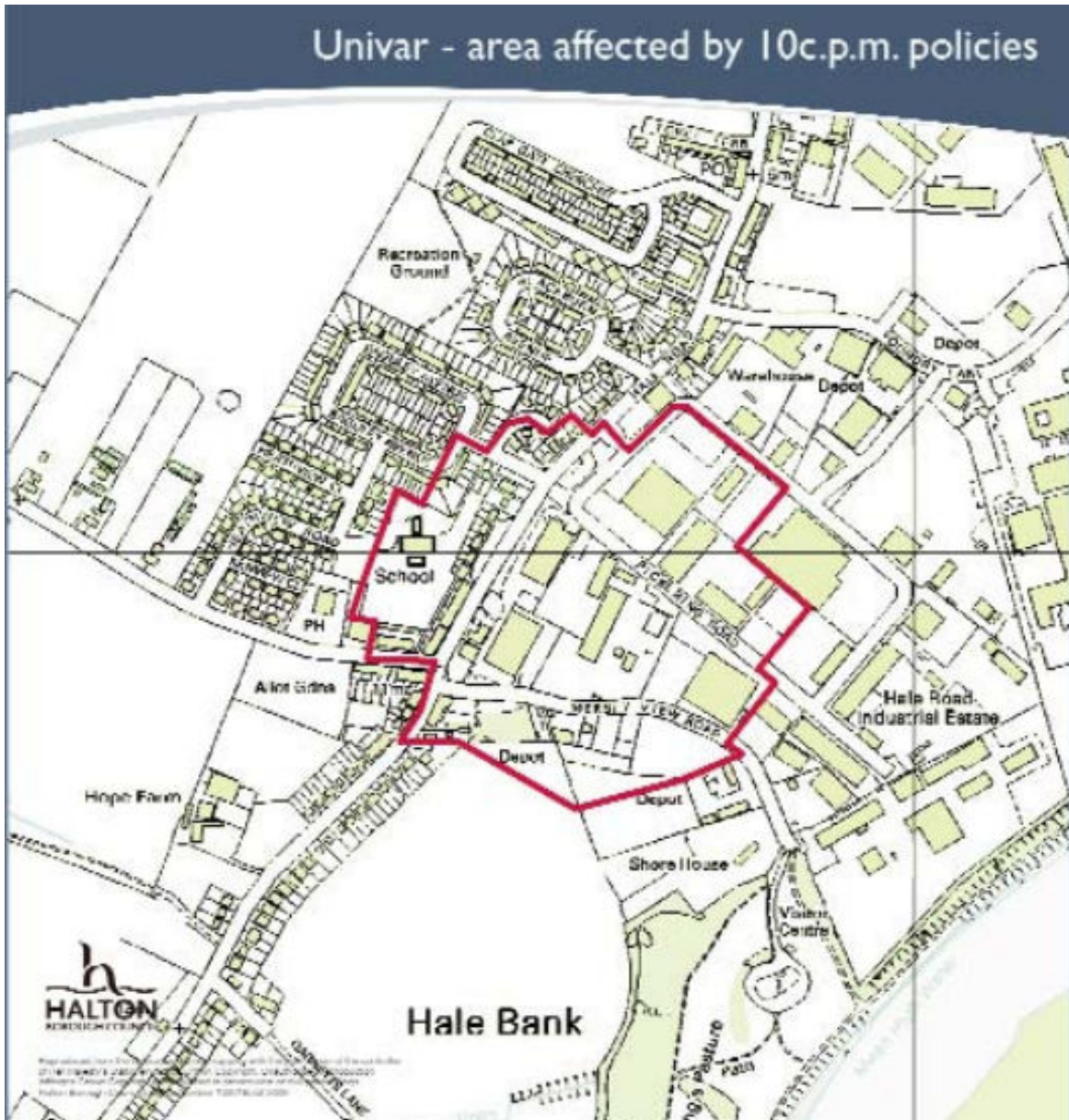


FIGURE 1. – Extract from SPD 'Planning for Risk' showing the redline boundary of the Univar 10CPM

Policy PR 12 'Development on Land Surrounding COMAH Sites' of the Unitary

1 Development on land within consultations zones around notified COMAH sites will be permitted provided that all of the following criteria can be satisfied:

- a) The likely accidental risk level from the COMAH site is not considered to be significant.
- b) Proposals are made by the developer that will mitigate the likely effects of a potential major accident so that they are not considered significant.

A significant major accidental risk is defined by the UDP as an individual accidental risk level of 10 chances per million (10CPM) in a year. This is the maximum level considered acceptable, with the same provisos set out in the justification to UDP Policy PR9.

As previously stated, the school is located within the 10CPM site of Univar, therefore the accidental risk from the Univar COMAH is considered to be significant. The proposed school structure does not provide an improved mitigation over the existing school facility concerning a worst case scenario event taking place at the Univar site.

The development proposal does not meet the requirements of policy PR12, and is considered a departure.

Core Strategy Policy CS23 – Managing Pollution and Risk

The relevant text of this policy in relation to hazardous installations is as follows:

b) Reducing Risks from Hazards

To prevent and minimise the risk from potential accidents at hazardous installations and facilities, the following principles will apply:

- Minimisation of risk to public safety and property wherever practicable.
- Controlling inappropriate development within identified areas of risk surrounding existing hazardous installations or facilities, to ensure that the maximum level of acceptable individual risk does not exceed 10 chances per million and that the population exposed to risk is not increased.
- Ensuring that any proposals for new or expanded hazardous installations are carefully considered in terms of environmental, social and economic factors.

The first bullet point to consider in CS23 b) is the minimisation of risk where practicable. Unfortunately, due to the fact that Halebank is surrounded by hazardous installations (see **Appendix 7**) relocation would be the only feasible option to consider to minimise risk. In light of the available land, this would result in the school being located outside of the Halebank Village. Further discussion on the subject of alternative sites and their practicalities follows later on in this report.

The second bullet point of CS23 b) is that of controlling new development within areas of risk to ensure that the chances of death do not exceed 10CPM.

The proposed development is considered a departure from the Core Strategy policy CS23.

Planning for Risk Supplementary Planning Document in 2009 (the SPD)

Paragraph 1.1 of the SPD states

The purpose of the SPD is to complement and expand upon policies set out in the UDP Policy by providing additional and more detailed policies for:

- deciding how new developments which create significant potential off site accidental risks should be balanced against the benefits they will bring;
- deciding how new developments, in areas already exposed to significant existing potential accidental risks, should be balanced against the benefits they will bring

Paragraphs 5.7 and 5.9 of the SPD are of particular relevance to this application.

5.7 Development on land with areas around hazardous installations identified as having an individual accidental risk level exceeding 10 CPM will not normally be permitted.

5.9 Where planning applicants submit additional expert information demonstrating to the Council's satisfaction that calculated accidental risk levels are less those shown in Policy 5.7 then such applications will be considered to comply with that policy.

Halton's policy with regard to development control in the vicinity of established COMAH sites is to use the 10 CPM line as the boundary within which development would not normally be permitted. The development control line in the SPD copied at **Figure 1** indicates that the school is within the 10 CPM zone of Univar, as a result the application is considered a departure.

HSE Representations

The underlying methodology adopted by HSE is different from the Policies adopted by the Council, for example the HSE use concept of 'dangerous dose' as a risk indicator, rather than risk of fatality. The rationale behind Halton's policies is contained within the Planning for Risk SPD. Nevertheless in the present case the advice from the HSE (advising against the application) is consistent with the Council's own Hazard and Risk Policies. The HSE comments can therefore be summarised as being in support of the above conclusions relating to Policy PR12, CS23 and the SPD.

Implications for Approving the Planning Application

Members' attention is drawn to Paragraph 72 of the Planning Practice Guidance set out earlier in this report (above).

If permission is granted by the Council, the HSE would consider whether the application should be 'called in' for determination by the Secretary of State. Recently another proposal for a school in Halton (at the Heath) which was also in the middle zone specified by the HSE has been 'called in'.

In considering whether an application should be 'called in' HSE uses a 'scaled risk integral' (SRI) calculation. This calculation is well defined for housing developments but is less well defined for other applications. Using the same method the HSE used for the calculation of SRI for the Heath School proposal, DNV-GL present in their quantitative risk assessment an SRI for the proposed Halebank School of 86,000. However, the HSE have commented that the SRI presented by DNV-GL is an underestimate. In the minutes of 18/11/2014 (**Appendix 2**) the HSE advise that the proposed school use has an SRI figure in

excess of 200,000. The HSE also state, in the same agreed minutes, that the proposed school is a slight improvement to the existing school.

The HSE caveat their 200,000 SRI value to state that this relates to the proposed school, and does not include the Nursery/ pre-school facility on site or the teaching staff. Members should note that the nursery/ pre-school facility does not form part of the proposal, and that the proposed new school will have the same capacity in terms of pupils and in turn staff, and will represent no uplift in risk.

Therefore regardless of the parameters that SRI is based upon in terms of individuals on campus, the new school will see at best marginal improvement by HSE comments (confirmed in minutes - **Appendix 2**) or will remain the same which is to occupy a site within the redline of the 10CPM for the Univar site.

Notwithstanding, the SRI value presented by the HSE to be in excess of 200,000 would be interpreted by the HSE to 'advise against' the proposal. This SRI value is well below the level where 'call in' would be considered (500,000), and the SRI value which triggers 'call in' (750,000).

The Local Planning Authority has given the most careful consideration to the advice received from the HSE.

Balancing Issues

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Notwithstanding that the hazard and risk policies of the development plan indicate that refusal is the appropriate action, the Council must consider the application in a wider context and establish whether other plan policies or material considerations may justify a different outcome.

The development plan policies previously identified in the report (other than hazard and risk policies) indicate that the application should be approved. This section of the report considers which other material considerations are relevant.

Could the proposed new school be relocated?

There is an existing school on the site at present, which has been there for many years. The same number of children and the same number of staff would be at the proposed school as compared with those at the present school. It would be anticipated that the same number of visitors would be associated with the proposed school as the existing school.

There is no requirement at national or local level to conduct a sequential test of alternative sites considering land use proposals in close proximity to hazardous installations, as for example there is such a policy requirement when assessing retail proposals. It comes as no surprise therefore that there is an absence of policy guidance on the assessment of alternatives for this proposal.

In addition to the practical issues with finding alternative sites, the viability of such options is also highly relevant in planning decisions. The applicant has confirmed that there is no additional funding in the programme for the purchase of alternative sites or the re-siting / re-establishment of other land uses, for example the costs that would be incurred through relocating playing fields to the site of the existing school.

Notwithstanding the applicant has undertaken a study of sites within a 2 mile radius of the school which is found appended to the Design and Access Statement. Due to the importance of retaining the school in the Halebank Village, which will be discussed later on; from this study there are two alternative sites that have been considered that would retain a school within the village, they are:

- i) Halebank Village Green - This site benefits from village green status, and is quickly dismissed as a viable alternative due its high level of protection. Such award of protection is rarely qualified; based upon a prolonged and continued free public use and amenity. Such use and protection cannot effectively be swapped from one site to another, without undermining the very essence of the protection status.
- ii) Halebank Playing Fields - Halebank playing field is designated as Open Space in the Council's UDP allocations map

Potential use of Halebank Playing Fields

The location of Halebank Playing Fields being used will be discussed further.

Halebank Playing Fields is owned by the Council. The site is almost entirely occupied by a playing field marked out as a football pitch, a MUGA and two hard surfaced playing areas. There is little incidental open space left over from these identified features.

The football pitch is rented out to the Halebank FC and is subject to a 15 year lease. This local football team uses the pitch as their base from which they run two separate teams; they have been a tenant at this location since 2004, and have played in the village since 1968. As part of their FA ranking in the lower leagues the team is required to have a number of on-site services, crowd barriers, and home and away changing rooms, which has required financial investment by the club. In 2013 the Council's Local Area Panel funded pitch improvements; the pitch now meets the Charter Standard Criteria requirements of the Football League Trust.

As indicated in the plans marked HCE-MS-001-5 HCE-MS-002-5 HCE-MS-03-5 HCE-MS-04-5 HCE-MS-05-5 the projected build out of the school is estimated to take 13 months during which time the existing school must remain open. As a consequence, if the school were to relocate to the playing fields it would occupy the playing field and the existing school site for a period of 13 months. A result of which would cause serious interference with the local communities access to public open space services. In addition the football club would be evicted from the playing pitch it has occupied for ten years.

Such eviction would likely trigger a form of compensation for the loss of the pitch and the cost of the infrastructure installed on the playing fields by the football club. In addition the Council may have to find alternative accommodation for the club; unfortunately due to the lack of available suitable land the team would be forced to leave Halebank Village where it has played since 1968.

Upon completion of the construction works the existing school site would lie vacant. The Council would then have the opportunity to develop this into a similar offering currently available at Halebank Playing Fields. Such a prospect would bear a double financial cost for the Council, after having lost the financial investment at Halebank Playing Fields, for it to then replace such offering at the Halebank School site.

Such an outcome would generate an additional level of financing which would not be insignificant, when you consider the cost of Open Space apparatus. The MUGA delivered at Halebank Playing Field in 2005 at a cost of £50,000. Such additional level of financing is not available from the EFA as part of the school proposal and is not available from the Council.

Such additional level of financing raises serious question as to the feasibility of a land swap from taking place; that being the Council replacing a local playing field without an identified set of secured finances in place. The potential consequence would be a loss in local services to the community of Halebank village.

The lack of secured financing to replace the playing fields brings serious obstruction to the prospect of obtaining approval from Sport England who would want to see the replacement of facilities to be of '*equivalent or greater quality* as per their Policy Exception E4 which is copied in full at **Appendix 8**. This raises further doubt to the prospect of such a land swap from taking place.

Given the above, the Halebank Playing Fields are not available as an alternative site.

Consequently, no available alternative site has been identified.

Whether or not another site could be available in this particular case is entirely irrelevant due to the rules of national funding .Even if they had been available they are not capable of being developed in terms of the PFI because that funding mechanism is site specific.

By analogy with housing policy alternative sites should be suitable, available and deliverable. Having considered the comments of the EFA , there are no such sites that have been identified.

Whilst the Council and its statutory advisors can ponder the theoretical alternatives that may or may not suit policy requirements, in reality at the time of this applications consideration there do not appear to be any suitable alternative sites.

It is worth noting that the Education Funding Agency (EFA) has wholeheartedly endorsed the application, see **Appendix 9**.

Community spirit, cohesion, and the importance to retain a school in Halebank

The opening chapter of the Halton UDP offers insight as to the place of planning policy in terms of the wider aspirations of Halton Council and its goal to improve the social and economic characteristics of the local economy and urban fabric. The following paragraph is taken from page 9 of the UDP

The quality of life for many of Halton's residents is below average when measured against many social and economic indicators. Despite the considerable investment in Runcorn during the 1960's and 70's when it was developed as a New town and considerable success in Widnes in reclaiming derelict land in the 1970's and 1980's, the area has not enjoyed the levels of investment and prosperity that have benefited other areas of the UK in recent decades. This has resulted in higher levels of social deprivation and unemployment than elsewhere.

Halebank primary school is a good illustrative example of this outlook. The School having been part of a 1970's program of investment undertaken in the Borough, which is now in a poor state of repair. The school offers an opportunity to update basic provision to state of the art facilities.

At the time of the UDP's adoption, Halton was 19th most deprived local authority in England and Wales; chief problems were widespread poverty and social exclusion. 8 of Halton's 21 wards rank in the lowest 10% nationally in terms of income and child poverty. The 2013 Core Strategy notes an improvement with the Borough being ranked 27th most deprived borough.

State funded schools are a great equaliser. Halebank is a deprived population of the Borough. Improvements to primary school will offer great opportunity for an early start to a child's education which is a vision supported by the Council's Corporate Plan; of which this development supports 4 of the 5 priority areas being, promoting urban renewal, enhancing life chances and employment, tackling poverty and deprivation, ensuring safe and attractive neighbourhoods.

Halebank is a small village, effectively cut off from Widnes by the West Coast Mainline and the Knowsley Expressway. To the South, the village effectively comes to an end at the Green Belt where there is a distinct separation between Halebank and Hale; a similar situation exists to the West along Halebank Road which leads to the Borough of Knowsley. To the East, there is the Halebank Industrial estate. As a consequence of its isolation, Halebank Village is not within walking distances of other parts of the Borough and their associated services.

There are few local facilities in Halebank, aside from normal local centre facilities, a modern convenience shop, barbers, beauty salon, and a takeaway. The school represents the only civic land use for the village.

Primary Schools are typically found in close proximity to the communities they serve, with the age of children attending offering less independence e.g. in terms

of a requirement to be escorted to the school site being of an age considered too vulnerable to make their own way to school. The commencement of a child's early school education is an important stage for a young family. To relocate the school out of Halebank would result in the school leaving its own catchment.

As noted in the letter of support from the Head Teacher of Halebank School (**Appendix 5**), the school forms a key component of the Halebank. Its loss from the village would be hard felt, forcing parents to take their children out of the village, creating a lack of choice of a local neighbourhood school, and in the process see harm caused to the local identity of Halebank. To lose local identity would go against a key aim of the Halton regeneration Strategy, being '*To create a thriving area in which people will want to live, work, and invest*'.

There has been a need for a school in the village for generations. Earliest records indicate that the village has maintained a school since 1876. That presence has existed on the application site since 1973. The continued need for Halebank Primary School is shown in the table presented in the Design and Access Statement reproduced at **Figure 2**, that shows pupil numbers attending the school for the last 5 years.

Year Group	2014	2013	2012	2011	2010
Total	79	69	74	74	75

Figure 2 - Table Showing Numbers of Pupils Attending Halebank Primary School in the period 2010-2014

The community needs and deserves the modern educational facilities as proposed. These facilities will cement community cohesion.

In the longer term, unless the educational facilities are upgraded, the community may face the loss of the School since there is no loss of funding that is presently available will be available in the future.

With the recent approval of a housing development ref:13/00372/FUL in a COMAH zone, and the delivery of scheme 04/00279/OUT for 104 No. dwellings at Foundry Lane which is also located in a COMAH zone; it is demonstrated that the population of Halebank is growing despite being washed over by three COMAH zones (see **Appendix 7**). With the growing population in mind, it is of great importance that the village of Halebank retain the existing level of services especially those civic uses that bring universal benefit to the wider community, and that have done so for the community of Halebank for the last 138 years.

Mitigation

Part (b) of Policy PR12 states '*Proposals are made by the developer that will mitigate the likely effects of a potential major accident so that they are not considered significant.*'

The HSE in its role as Statutory Consultee providing expert advice to the Council advised the Council that the new school building proposed cannot withstand a

worst case scenario event, this being an explosion termed 'an over pressure blast'; as evidenced in the meeting of the 18/11/2014 (confirmed in agreed minutes **Appendix 2**) where on the subject of over pressure Stuart Reston of the HSE stated that "*there was little scope to change advice or suggest mitigation*". The Council accepts and understands this advice, but the same observation on an overpressure event must be said for the existing school buildings.

Notwithstanding, the risk of a blast is not the only form of risk to the application site; a chemical leak is the other possibility. The balance of risk between these two types of events is found in the Applicants Quantitative Risk Assessment with a blast accounting for a 20% share of the risk of an event taking place. The HSE have not objected to this finding.

The risk of an accidental chemical release event taking place at Univar is 80% of the chance of risk. Such a risk can be mitigated against in part by utilising reactionary protocols.

With regards to mitigation there are a number of onsite and off-site measures that are already in place, these include onsite safety measure, the production of public information and safety advice by the operators, and the Council's Off-Site Emergency Plan.

Due to its proximity to the Univar site, Halebank School is within the Public Information Zone. At least every five years an information pack is sent out to all people living and working within the zone. The information pack includes information about the Univar operations, it informs people of the steps they take onsite to prevent a major emergency and what action the public must take in the unlikely event of a major emergency.

The Safety Advice Card explains what people should do in the unlikely event of a major emergency. If there is an emergency at the site, an emergency siren is sounded in accordance with the Council's Off-site Emergency Plan. The Safety Advice Card outlines what actions the public should take if they here the siren or become aware of a major emergency at the site.

Furthermore the Council has in place an emergency plan response to an event at the Univar site. The Council's emergency planning authority ensures that the School is thoroughly informed on any required emergency procedures required on site to help reduce and mitigate the risk.

7. **CONCLUSIONS**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

This development proposal presents a concise well designed scheme that would if successful present a state of the art education facility replacing the existing school which despite serving its community well since its creation in 1973 is in a poor state of repair.

Broadly the Development Plan policies are supportive of this scheme, which is to replace an existing school with a new school building of the same capacity.

The scheme has one single policy objection to overcome in order for the scheme to be fully policy compliant, that is the Council's own Local Plan policies on hazard and risk (PR12 and CS23).

The HSE have strongly advised that the proposed school has a risk scale indicator of in excess of 200,000, although this is no higher than the existing school site. The HSE view this to be too high a risk for a school land use, and therefore consider this to be non-compliant with their policies. The HSE advise against the approval of this application. The Local Planning Authority has given the most careful consideration to the advice received from the HSE.

Taking into account the Council's hazard and risk policies and having regard to the HSE's objection, the recommendation would be to refuse the application. However, the balancing exercise which the Committee must undertake must take into account all of the matters outlined in this report, especially the matters under "Balancing issues" (above).

The school proposal does not include an uplift in numbers to the existing school capacity, thereby stabilising an existing level of risk.

The fundamental decision is the balance between the identified risk arising from the Univar hazardous installation, as shown by the Council's policies on risk, and the material considerations that together outweigh that identified harm.

In summary those material considerations identified are:-

- Halebank Primary School's existing location is within 10CPM risk of fatality zone of Univar. The same children who attend the current school would be attending the new school. If the application is refused, the risk will remain
- Absence of alternative sites for the school to move to
- Structure of PFI agreement denying an alternative site from being considered, and the loss of funding should the programme be delayed
- Need for the school to stay in the community of Halebank
- Poor condition of existing school, New proposed school would be fit for purpose
- Impact on community cohesion
- The long established as well as the newer residential communities of Halebank require proper civic infrastructure.
- Possible future loss of school, due to the continued degradation of the existing school and the realities of availability of funding for maintenance and replacement
- Uncertainty of any future funding for Halebank School should this opportunity be missed

In favour of the application are the development plan policies (other than PR12 and CS23), and the social, economic and environmental benefits that the scheme will deliver. Significant weight is given to the positive material considerations that result

in a new school for this community to replace the existing one. Significant weight has been given to the advice of the HSE that the school will place a vulnerable sector of the population (children) at risk. However consideration has been given to the fact that even if the application is refused, the risk will remain as the existing school will continue to operate.

The recommendation is, on balance, to approve the application. This is based on a conclusion that such a decision would not be irrational, and is open to the Committee to adopt.

The Committee is entitled to take the view that these considerations do outweigh the policy objections on grounds of risk and the HSE representations. The relative weight to be given to these matters is for the committee to consider and determine.

8. RECOMMENDATIONS

The OD-PPT be authorised to approve the Application subject to the conditions and subject to the Application not being called in by the Secretary of State.

9. CONDITIONS

1. Time limits condition
2. Approved Plans – (Policy BE1)
3. Materials – (Policy BE2)
4. Drainage condition (s) (Policy BE1)
5. Boundary Treatments – (Policy BE22)
6. Submission and Agreement of finished floor and site levels – (Policy BE1)
7. Prior to commencement bin storage facilities to be submitted and agreed – (Policy BE1)
8. Vehicle access, parking, servicing etc. to be constructed prior to occupation of properties/commencement of use – (Policy BE1)
9. Condition(s) relating to full details of hard and soft landscaping, including planting scheme, maintenance, and replacement planting (BE1)
10. Condition for details of any external plant or flues (BE1, BE2)
11. The hours of demolition/construction of building on site shall be restricted to 07:00 hours to 18:00 hours Monday to Friday, 07:30 hours to 14:00 hours on Saturday with no work at any other time including Sundays and Public Holidays (BE1 and BE2).
12. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, or removed without the prior written consent of the Local Planning Authority (BE1 and BE2).
13. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the

completion of the development hereby permitted shall be replaced (BE1 and BE2).

14. No works shall begin at the site until full details of the wheel wash facilities have been submitted to and approved in writing by the Local Planning Authority (BE1 and BE2).

15. Hedge or tree removal shall be undertaken outside the bird nesting season where this is not possible (GE21).

15. Prior to the installation of any external lighting full design details shall be submitted to and approved in writing by the Local Planning Authority.

16. The development shall be carried out in accordance with the mitigation measures outlined in the submitted ecological surveys (GE21).

17. The development shall be carried out in accordance with the proposed construction management / phasing plans submitted with the application unless otherwise agreed in writing by the Local Planning Authority.

18. Travel Plan shall be updated and reviewed in accordance with current guidelines with appropriate new targets and measures Set, It should be regularly monitored in accordance with the timescales set out in the plan with the results being submitted to the Local Planning Authority.

19. Full design details of the cycle parking shall be submitted to and approved in writing.

20. Condition requiring the implementation of off-site highway improvements.

10. SUSTAINABILITY STATEMENT

As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012.

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

Appendix 1 PADHI Consultation Response 16th October 2014

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Halton Borough Council

Planning Department

Municipal Buildings

Kingsway

Widnes

Your Ref: 14/00555/FUL

Our Ref: HBC.1169-2014-00616

16 October 2014

This file note is produced by PADHI+ for Halton Borough Council

Land Use Planning Consultation with Health and Safety Executive [Town and Country Planning (Development Management Procedure) (England) Order 2010, Town and Country Planning (Development Management Procedure) (Wales) Order 2012, or Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008]

This file note refers to the proposed development Replacement School at Halebank C of E Heathview Rd WA8 8UZ, input into PADHI+ on 16 Oct 2014 consultation input by Halton Borough Council.

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and also within at least one Consultation Distance, has been considered using PADHI+, HSE's planning advice software tool, based on the details input by Halton Borough Council. The assessment indicates that the risk of harm to people at the proposed development is such that **HSE's advice is that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission in this case.**

Major hazard sites/pipelines are subject to the requirements of the Health and Safety at Work etc. Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation. Where hazardous substances consent has been granted (by the Hazardous Substances Authority), then the maximum quantity of hazardous substance that is permitted to be on site is used as the basis of HSE's assessment.

If you decide to refuse planning permission on grounds of safety, HSE will provide the necessary support in the event of an appeal.

If, nevertheless, you are minded to grant permission, your attention is drawn to Section 9, paragraph 072 of the online Planning Practice Guidance on Hazardous Substances - Handling development proposals around hazardous installations, published by the Department for Communities and Local Government, or paragraph A5 of the National Assembly for Wales Circular 20/01.

These require a local planning authority to give HSE advance notice when it is minded to grant planning permission against HSE's advice, and allow 21 days from that notice for HSE to consider whether to request that the Secretary of State for Communities and Local Government, or Welsh Ministers, call-in the application for their own determination.

The advance notice should be sent to HSE's Major Accidents Risk Assessment Unit, CEMHD5b, Redgrave Court, 2.2 Merton Road, Bootle, Merseyside L20 7HS or by email to luppadhici5@hse.gsi.gov.uk. The advance notice should include full details of the planning application, to allow HSE to further consider its advice in this specific case.

This advice is produced on behalf of the Head of the Hazardous Installations Directorate, HSE.

Appendix 2 –Minutes taken at a meeting between HSE and Council representatives on 18th November 2014 presented as follows

- i) The Council's version of minutes**
- ii) The HSE's version of minutes**

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l) The Council's version of minutes

**Halton Borough Council Planning Department and
Health and Safety Executive Meeting
Tuesday 18th November 2014 at 11.30am
Meeting Room 1st floor, Municipal Building, Kingsway, Widnes WA8 7QF**

Present:

Tim Gibbs - HBC DM Policy & Strategy, Development & Building Control
 Andrew Evans - HBC Planning Enforcement Officer
 Stuart Reston – HSE Head of Major Accidents Risk Assessment Unit
 Chemical, Explosives and Microbiological Hazards Division
 Richard Cary – HSE Principal Inspector Chemical, Explosives and Microbiological
 Hazards Division
 Edmund Cowpe – HSE Inspector Chemical, Explosives and Microbiological Hazards
 Division
 Janet Guy – HBC Senior Administration Officer (minutes)

Item	Minute
1)	<p>Introductions</p> <ul style="list-style-type: none"> • The purpose of the meeting was to discuss a submitted planning application for the redevelopment of the existing Halebank Primary School (14/00555/FUL). • Introductions were made by all present. Stuart had sent an agenda through on the morning of the meeting: <p>Agenda</p> <ol style="list-style-type: none"> 1. Introductions 2. Current status of planning application for Halebank Primary 3. HSE's LUP advice 4. Univar's Haz Subs Consent 5. Alternative locations for the school 6. Actions/way forward <ul style="list-style-type: none"> • Stuart considers land use for planning and has a risk assessment background. Edmund Cowpe is the Specialist Inspector with liquids and explosives. Richard Cary is the Principal Specialist Inspector who oversees a team providing advice on hazardous substances. • Tim covers planning, service manager and building control. Andrew is the Planning Officer dealing with Halebank Primary School planning application.

2)

Current status of planning application for Halebank Primary

- Halebank Primary is part of the funded programme for schools for the future undertaken by the Education Funding Agency (EFA). The HSE has been involved in screening the EFA programme for schools in proximity to hazardous installations and hazardous pipelines. Two schools being redeveloped in Halton are near hazardous sites, this are Halebank Primary in Halebank, Widnes (the subject of today's meeting) and The Heath High School in Runcorn. HSE became aware in October 2014 of the Education Funding Agency's (EFA) application for Halebank School. The Heath School is pending an inquiry on the back of HSE objections. HSE requested to meet to discuss and look at the planning application before it goes to Planning Committee for a decision and offer advice while the application was being considered. Stuart explained this is not unusual and will supplement the advice of PADHI. Stuart asked if other alternative locations were of interest or had been considered as part of the process. Tim confirmed that other locations had been considered, highlighting the relevant section in the planning statement submitted by the applicant. HSE consider this application to be a unique opportunity to move the location of the school.
- Andrew explained the consultation period opened in October 2014 and that the application has not yet been determined. In terms of likely timescales for the determination of the application, the Development Control Committee will receive the application in January or February 2015. Tim confirmed the Development Officers report is expected a month prior to Committee and should be complete during December 2014 if the application was in a position to go to the January Committee.
- Tim said Rob Cooper had made the HSE aware of the pre-application discussions with regard to Halebank School whilst dealing with an application from Univar for a separate hazardous substances consent application in December 2013.
- Richard had spoken to Philip Dove (HBC Education Dept) and not heard back and e-mails from Sarah Humber (EFA) had been received. Tim stated he was aware from the applicant that HSE had a sustained objection to the Halebank Primary redevelopment scheme.
- HSE were unaware of pre-application meetings in Manchester. Andrew stated that these meetings were for bidders that were organised and held by EFA as part of the bidding process. Richard asked if any EFA requirements would have included HSE consultant.
- Tim confirmed HBC had received advice through PADHI looking at specific risks. Stuart confirmed advice was given via e-mails and expectation that they would come back to HSE and explore. Stuart said the HSE are concerned about the current Halebank Primary

	<p>application going ahead and it has the same issues as the Heath, although and it would be for officers higher up in HSE to decide what action HSE should take if Halton decided to approve the application.</p> <ul style="list-style-type: none"> • Tim asked if the HSE are against this proposal could there be any other direction and options to design in mitigating features to the school. The location as far as HSE is concerned is wrong, wrong to be putting a school so close to Univar and other locations should be considered. Tim said that current policy relating to hazards did not promote a managed retreat of existing communities from hazard areas. The HSE policy position seeks to restrict increases in population and where possible risk reduction. This was agreed. • HSE have re-negotiated and relocated a secondary school to a better location in other areas of the country. Examples included a case in Bristol where two schools merging in a middle zone of methane gas bullets, meetings held to understand the risks from HSE and receive advice. Examples were provided by HSE of both relocating and not relocating, and using the opportunity at planning stage to consider sites elsewhere. Tim said that EFA had considered alternative sites and have an appendix in the planning statement listing other sites as alternatives within a 2 mile radius and the conclusion was there were no alternative sites. Stuart said this was contrary to what EFA had said. Tim confirmed the planning application covered alternative site locations and referred HSE to the section of that report in appendix 1. Tim confirmed this included the recreation area site that HSE were suggesting was an alternative site. • Stuart stated he had been told by Sarah Humber that this was the only location offered. Tim confirmed with EFA at an early stage of pre-application discussions that there would be issues raised by HSE due to the proximity with Univar and that it was not for Planning to act on behalf of the applicant parties – EFA/Morgan Sindall. Andrew said the school infrastructure is on the Diocese land. Planning said they had advised the applicant of HSE issues and it was for EFA to do the work. • Edmund asked what screening is completed and applied on alternative site options. Tim said there were no tests in policy terms to look at alternative sites but such an exercise had been undertaken as part of the planning application submission.
3)	<p>HSE's LUP advice</p> <ul style="list-style-type: none"> • PADHI advice for the application site indicates sensitive level 3 only just keeps out of level 4. Upper end and its location are just beyond the inner zone. • Richard explained the hazards and the type of harm arising. Reference was made to the substances stored at Univar including

toxic substances and oxidisers which carry an explosive risk. An incident in the USA which damaged half of the town was referenced. Risks at Univar are from toxic gas escape and explosion of chemicals arising from a warehouse fire.

- Edmund explained the school site and proximity to the pentagon COMAH site and HSE zones. School site is within the Univar middle zone. Univar Chemicals store a range of toxic and highly flammable substances and certain quantities set the zones. The zones represent levels of risk based on estimates of the risk of oxidiser mixed with substances and becoming flammable/explosive, plus leakage of toxic chemicals, lots of uncertainties. 132 tonnes and removable containers on the Univar site. Zones on the map explained.
- Estimate of the risk at the school informs the SRI for the site based on the current pupil roll and projection in the future. The nursery had not been included as it was not part of the planning application. Tim said that the applicant's QRA report by risk consultants DNVGL had calculated SRI figure of 86,000. Edmund asked what figure had been used for the site area and went on to say that if this was recalculated based building footprint rather than whole site area they should have a similar figure to the HSE.
- Tim from said from the position of the local planning authority the risk is very well understood as is how this risk arises. Tim asked that it be minuted that the Council fully understand the scope of the HSE's grounds for objection and that this advice will be carefully considered. HSE have made their position clear to the applicant and that HSE object to the proposed project for a replacement school. This is on top of information provided from PADHI. HSE have let EFA know their position. It is understood that there is a toxic risk from chlorine on the site together with a risk of overpressure (explosion) from the storage of oxidisers. Any analysis of toxics stored need to bear in mind the hazard range. Richard said the wind blowing a different way would affect and could affect a much longer distance. Edmund said the school was well within the hazard range of Pentagon Chemicals COMAH site and therefore it was preferable to have the school outside the hazard range to avoid risk. Tim said if the Halebank site moved to the recreation site as suggested by HSE it would be nearer to the Pentagon site and in fact there were no sites within the whole of Halebank that were outside COMAH zones. The reality is that COMAH regulations have been imposed retrospectively on pre-existing communities and hazardous installations and this make it very difficult to find a way forward to the satisfaction of all parties. Stuart confirmed HSE understand and appreciate Halton sites and constraints.
- Tim asked if it was possible for HSE to provide additional information in response to the QRA submitted by DNV GL or comment on the

potential for mitigation. Edmund said HSE were not in the business of optioneering as they were a statutory consultee, adding that the risk analysis between HSE and DNVGL is very similar. Stuart confirmed there was very little scope to change advice or suggest mitigation and HSE concerns are substantial. In terms of risks arising from blast overpressure there is evidence from World War 2 damage to buildings that damage is very much sensitive to the building type. Ideally if the school was to mitigate against over pressure it would need to be constructed to over 234mbar. That would result in a building made of reinforced concrete with no windows and blast proof doors. Any explosion would also create missiles if a blast was triggered posing a danger to anyone outside. Money to reinforce a new building would cost significantly more than considering an alternative site or negotiating with Univar over their hazardous substances consent. The Bristol school was discussed again and how the community were made aware of the risks arising at the Bristol site and the outcome was the school remained. The potential for blast walls was discussed, but HSE advised that this was not a simple solution.

- The scenarios in the DNVGL QRA were discussed. The over pressure scenario arises if there was a fire in the warehouse that heated the oxidisers stored there. Edmund said any specific scenario modelled would depend on a fire with / without contamination and there is potential for a number of different mechanisms for contamination and therefore potential scenarios for overpressure. An example was given of what had happened in West Texas, which was a fire involving oxidisers. Issues out of specific materials delivered to them. HSE stated that the residual risk should be carefully considered. This is risks when things have gone wrong when an accident has happened
- Tim raised the over pressure scenario in the DNV QRA again. Edmund confirmed you wouldn't be able to evacuate in time before an explosion. A number of ways a fire can be contaminated and this goes beyond what is stored, for example the receipt of out of specification materials. Tim said it would be useful to have a list of how the DNV QRA is deficient. Edmund explained that there was no point in doing this as it is the HSE's opinion that the school is at high risk in terms of SRI calculations that the HSE use for assessment purposes. Edmund stated that HSE would agree the risk at the location was 5 chances per million risk of death at the location and would go to Call In on this basis. The risk of children and staff in the school based on 6.5 hours a day results in an SRI of well over 200,000, not including any evenings and parents dropping off and picking up children or children in the nursery. HSE advised that risk assessment interpretation and the area of the site affect the SRI calculation. Tim asked if possible to formalise the HSE's position into a formal statement. Stuart confirmed only generic advice on how SRI calculations are done could be provided. Edmund suggested asking

	<p>the applicant on why they are taking the whole site area into the SRI calculation as that might explain the difference in the HSE and DNV GL SRI calculation results. HSE stated they are designated to provide safety advice and wish to work with HBC and the applicant to give the best advice with regard to the risks to which the proposed development will be exposed.</p> <ul style="list-style-type: none"> • HSE stated that HBC should ask the applicant if it is cost effective for the applicant to build a school with a design specification to withstand an over pressure of 240 millibar requirements. Tim said that it would be useful to feedback to the applicant along with any additional advice from HSE. • In the future Stuart confirmed that the HSE will be offering pre-application advice to applicants as part of a 'charged for' service. • Andrew asked if the 200k SRI would be comparable to the current school site. HSE thought it would be slightly greater at the moment and a like for like purpose built school would improve the current one. HSE agreed that if this application was refused there would be no change in risk as the existing school would continue to operate. HSE agreed that the school would continue to operate irrespective of the planning application, but there is an opportunity to improve the situation if the school could be relocated. • HSE were of the opinion that If the land was replaced with housing less people would be at risk and suggested changing developments around in order to move the school is a real option. The nursery school currently on site would significantly increase the SRI figures but is not part of the planning application so HSE have not included it. HSE suggested that if they included the nursery in the SRI calculation then the SRI result could be 750,000 if not more.
4)	<p>Univar's Haz Subs Consent</p> <ul style="list-style-type: none"> • Stuart said the local authority could amend the consent with Univar and should explore if this is possible or not. • HSE agreed there was little scope to move the location of chemical storage on the Univar site to reduce risk. • Richard said an option could be to move the school site to an alternative site. Univar might also be persuaded (via financial inducement) to name substances on their hazardous substances consent or limit the amounts stored. • HSE suggested the best way forward, due to the quantities on site, is to limit the type of oxidising agents, name substances (as a generic HS consent caters for a range of substances), and reduce the quantities of those chemicals giving the highest risk, or a combination of the two, and incentives could be offered to Univar to achieve this. Another alternative would be to persuade Univar to store more

	<p>quantities of oxidisers in solution in exchange for reducing quantities in other forms with a view to reducing the risk profile. HSE would support the Council in any debate with Univar. Changes in consent in 2013 granted sodium chlorite which is powerful. Assumptions applied change if named substances are known. This action would act to get the COMAH rings on the map smaller and the over pressure lower.</p>
<p>5)</p>	<p>Alternative locations for the school</p> <ul style="list-style-type: none"> • EFA the applicant have Morgan Sindall as the agent. HSE asked if there was any pressure and times from them. Tim said they were under pressure with EFA and committee dates had been identified as January 2015. • Tim suggested a blast wall. Not really advised as this would be massive and no guarantee. Univar to reduce the risk through changing their hazardous consent is a more appropriate approach rather than mitigation. • It was discussed how over time buildings would also need maintenance in order to maintain the desired level of mitigation.
<p>6)</p>	<p>Actions/way forward</p> <ul style="list-style-type: none"> • HSE agree with the level of risk and provide HBC with some SRI calculations for developments. • Wording on level of over pressure at the location of the school to be provided. • HSE to formally document their advice / concerns in response to consultation on the planning application. • HSE are willing to assist in conversations with Univar in reduction zones. • Planning Department to confirm with applicant an update from this meeting held with HSE and if it is economically viable to strengthen the building. The application documentation recommends a design of 140mbar however HSE suggest that the correct figure is 234 in this location. There is a lot of uncertainty with blast modelling, many things can influence - enhance or reduce – blast wave predictions. • Appendix confirmed for alternative locations offered to EFA. • HBC Officers report likely to be produced by end of December 2104. • Tim asked about Univar consent. Edmund confirmed zones change dramatically when substances are named and gave an example of

how certain materials will give no significant over pressure but have a hazardous classification for transport and oxidisers can explode.

- 1999 regulations discussed and the transition period was 18 months for Companies. The issue here, like the Heath School Call-In, is that both the community and the hazardous installation giving rise to the risks both pre-date the COMAH legislation.
- SRI 200,000 mark indication for a high level of concern if over 235,000.
- Edmund discussed the published planning practice guide in relation to large populations of vulnerable people and SRI's other site specific issues which would over arch all of that. Housing certain criteria generic for PADHI.
- Minutes to be circulated to all present.
- Tim thanked HSE colleagues for attending the meeting.

iii) The HSE's version of minutes

Halton Borough Council Planning Department and Health and Safety Executive

Meeting to discuss planning application for Halebank Primary School

Tuesday 18th November 2014 at 11.30am

Meeting Room 1st floor, Municipal Building, Kingsway, Widnes WA8 7QF

Present:

Tim Gibbs	- HBC DM Policy & Strategy, Development & Building Control
Andrew Evans	- HBC Planning Enforcement Officer
Stuart Reston	- HSE Head of Major Accidents Risk Assessment Unit Chemical, Explosives and Microbiological Hazards Division
Richard Cary	- HSE Principal Inspector Chemical, Explosives and Microbiological Hazards Division
Edmund Cowpe	- HSE Inspector Chemical, Explosives and Microbiological Hazards Division
Janet Guy	- HBC Senior Administration Officer (minutes)

Item/Minute

1) Introductions

The purpose of the meeting was to discuss a submitted planning application for the redevelopment of the existing Halebank Primary School (14/00555/FUL).

Introductions were made by all present. Stuart had sent an agenda to Halton MBC on the morning of the meeting:

Agenda

1. Introductions
2. Current status of planning application for Halebank Primary
3. HSE's LUP advice
4. Univar's Haz Subs Consent
5. Alternative locations for the school
6. Actions/way forward

Stuart is Head of HSE's Major Accidents Risk Assessment Unit and has responsibility for HSE's Land-Use Planning advice. Edmund Cowpe is a Specialist Inspector and topic specialist for vapour, liquid, and solid phase explosions; this includes oxidisers. Richard Cary is the Principal Specialist Inspector who oversees a team providing advice on Hazardous Substances Consents and nearby development.

Tim covers planning, service manager and building control. Andrew is the Planning Officer dealing with Halebank Primary School planning application.

2) Current status of planning application for Halebank Primary

Halebank Primary is part of the Schools for the Future programme undertaken by the Education Funding Agency (EFA). The HSE has been involved in screening the EFA

programme for schools in proximity to hazardous installations and hazardous pipelines. Two schools being redeveloped in Halton are near hazardous sites, these are Halebank Primary in Halebank, Widnes (the subject of today's meeting) and The Heath School in Runcorn.

HSE became aware in March 2014 of the Education Funding Agency's (EFA) plans to submit an application for redeveloping the Halebank School.

Planning decisions on The Heath School await the outcome of a Public Inquiry, on the back of HSE objections.

HSE requested a meeting to discuss the planning application before it goes to Planning Committee for a decision and offer advice while the application was being considered.

Andrew explained that the consultation period opened in October 2014 and that the application has not yet been determined. In terms of likely timescales for the determination of the application, the Development Control Committee will receive the application in January or February 2015. Tim confirmed the Development Officers report is expected a month prior to Committee and should be complete during December 2014 if the application was in a position to go to the January Committee.

Richard had spoken to Philip Dove (HBC Education Dept) earlier in the year but there had not been any further communication from HBC in spite of the evidence of pre-application meetings between EFA and Halton MBC. An initial E-mail was received from Sara Humber (EFA) but it was understood that at that time no alternatives had been received. HSE expressed concern that they had not been informed of or involved in consideration of the site. HSE were unaware of pre-application meetings in Manchester that had evidently occurred after March 2014. Andrew stated that these meetings were for bidders that were organised and held by EFA as part of the bidding process. Richard asked if any EFA bidding requirements should have included HSE consultation. Tim stated he was aware from the applicant that HSE had a sustained objection to the Halebank Primary redevelopment scheme.

Tim confirmed HBC had received HSE's advice through PADHI. Stuart confirmed that advice had been given via e-mails and that HSE had had an expectation that HBC or EFA would come back to HSE and explore. Stuart said the HSE are concerned about the current Halebank Primary application going ahead and it has the same issues as the Heath, although and it would be for officers higher up in HSE to decide what action HSE should take if Halton decided to approve the application.

Tim asked that if the HSE are against this proposal, then could there be any other direction and options to design in mitigating features to the school. In response, HSE is primarily concerned that the proposal is highly inadvisable in its current form and that other locations should be considered.

Tim said that current policy relating to hazards did not promote a managed retreat of existing communities from hazard areas. The HSE policy position, in line with the Seveso II Directive, seeks to restrict increases in population around Major Hazard sites and, where possible, stabilise or reduce populations. This was agreed.

HSE have helped in relocation negotiations for secondary schools to more compatible locations in other areas of the country. Examples included cases in Bristol and Bradford. Meetings were held to assist the planning and schools authorities understand the risks and interpret HSE advice. Examples were provided by HSE of schools both relocating and not being relocated, and using the opportunity at planning stage to consider sites elsewhere.

Tim said that EFA had considered alternative sites, and that an Appendix in the planning statement listed other sites within a 2 mile radius considered as alternatives; it had been concluded by HBC that there was no alternative sites. Stuart stated that the EFA had said that no alternative sites had been offered to them by HBC. Tim again confirmed that the planning application covered alternative site locations and referred HSE to Appendix 1 of supporting documents for the planning application. Tim confirmed this included the recreation area site that HSE were suggesting was an alternative site.

Stuart explained that he had been told by Sara Humber that this was the only location offered. At an early stage of pre-application discussions Tim had confirmed with EFA that there would be issues raised by HSE due to the proximity with Univar. However, it was not for the HBC Planning Department to act on behalf of the applicant parties – EFA/Morgan Sindall. Andrew said the school infrastructure is on the Diocese land.

Edmund asked which screening tests had been carried out and what criteria had been used (on alternative site options). Tim said that unlike environmental planning screens, such as the application of sequential and exception tests in flood risk analysis, there were no set tests in policy terms. An exercise had been undertaken as part of the planning application submission.

3) HSE's LUP advice

PADHI+ guidance for the given development type with an area of 1.35ha indicates Sensitivity Level 3. However this is it is only just below the 1.4 ha area threshold for the more onerous Sensitivity Level 4. HSE would advise against an SL4 development in the inner, middle, or outer consultation zones.

Richard explained the hazards and the type of harm arising. Reference was made to the substances stored at Univar including toxic substances and oxidisers which carry an explosive risk. An incident in West, Texas, USA which damaged half of the town, and a school, was referenced. Risks at Univar are from toxic gas escape and explosion of chemicals arising from a warehouse fire.

Edmund tabled a map of the area with the site with consultation zones of the surrounding major hazards sites to show the school site in its context. He explained that it is just outside the outer zone of GE Infrastructure (UK) Ltd, within the outer zone of Pentagon Fine Chemicals and within the middle zone of Univar Europe Ltd. Univar store a range of oxidising, very toxic, toxic and flammable substances. Incompatibility arises from Deemed Consent 99/00584/HSC. Consent granted in 2014 does significantly not add to the risk. Layout drawing of Univar was tabled. The middle and outer consultation zones are currently set by the overpressure generated by an explosion involving 152te 'B3 oxidiser', in an area buffered around E01 –E06 & Area A I.01. The exemplar ammonium perchlorate is used to represent the oxidisers that may be present and allows a 'side-on' overpressure profile to be generated by assuming a TNT-equivalence. An aerial view from an OS map was tabled to show the development in context. Normally the zones are based upon risk but when the uncertainty is very high the 'protection concept' is used which examines the extent of the hazard range.

Estimate of the risk at the school is interpolated from the consultation zones. This is used to generate a Scaled Risk Integral or SRI for the site based on the current pupil roll and the capacity stated in the Application. The nursery had not been included as it was not part of the planning application. This initial calculation (excluding the nursery) gave an SRI of over 200,000.

Tim said that the applicant's QRA report by risk consultants DNVGL had calculated an SRI

figure of 86,000. Edmund explained that if this was recalculated based upon building footprint rather than whole site area they should have a similar figure to HSE. The distribution of the population at risk, and time at risk should be considered. The majority of the time most pupils are present in the school building.

Tim said that from the local planning authority's position the risk is very well understood as is how this risk arises. Tim asked that it be minuted that the Council fully understand the scope of the HSE's grounds for objection and that this advice will be carefully considered. HSE have made their position clear to the applicant and that HSE object to the proposed project for a replacement school in the existing location. This is an adjunct to the information provided from PADHI. HSE have let EFA know their position. It is understood that there is a toxic risk on the site together with a risk of overpressure (explosion) from the storage of oxidisers. Any analysis of risk from the toxic substances stored needs to bear in mind that the hazard range is much greater than the inner zone risk contour and that if a release occurs there would be significant harm. Richard said that with the wind blowing in a given direction people could be affected over a much longer distance than suggested by risk contours.

Edmund said that the school was also within the Consultation Zones of Pentagon Chemicals COMAH site and therefore it was preferable to have the school outside those zones. Tim said if the Halebank site moved to the recreation site as suggested by HSE it would be nearer to the Pentagon site and in fact there were no sites within the whole of Halebank that were outside COMAH zones. It was explained that it would indeed be nearer Pentagon but overall the risk would be reduced as currently there is a greater harm from Univar. Tim said that the reality is that COMAH regulations have been imposed retrospectively on pre-existing communities and hazardous installations and this make it very difficult to find a way forward to the satisfaction of all parties. Stuart confirmed HSE understand and appreciate Halton sites and constraints, but said that this was an opportunity to reduce risk.

Tim asked if it was possible for HSE to provide additional information in response to the QRA submitted by DNVGL or comment on the potential for mitigation. Edmund said HSE have limited resources and could not partake in detailed optioneering. As a statutory consultee advice is given on the application. He added that results of the risk analysis undertaken by HSE and DNVGL are very similar. Stuart confirmed there was very little scope to change advice or suggest mitigation and that HSE concerns are substantial. The predicted damage arising from blast overpressure is based on historic information on damage to buildings. The amount of damage is very sensitive to the building type. If, as the report suggested, the school was to mitigate against blast overpressure it would need to be constructed to withstand over 234mbar. Buildings made to withstand similar levels of overpressure are made from reinforced concrete and have blast-proofed windows and doors. It should be noted that an explosion would also create missiles posing a danger to anyone outside. It was suggested that reinforcing the building may cost significantly more than considering an alternative site, or negotiating with Univar over their Hazardous Substances Consent. The Bristol school was discussed again and how the community had been made aware of the risks at the Bristol site, and that the outcome was that the school remained. The potential for interposing blast walls was discussed, but HSE advised that this was not a simple or effective solution.

The scenarios in the DNVGL QRA were discussed. The overpressure scenario arises if there was a fire in the warehouse that heated the oxidisers stored there. Edmund said that the specific scenario modelled examined an oxidiser being exposed to an ignition source. However there is potential for a number of different mechanisms. At AZF, Toulouse, France, an explosion took place where out-of-specification material had been incorrectly stored. In West, Texas, there was a fire involving ammonium nitrate, an oxidiser with a much lower explosive yield. At West, only 30 tonnes caused extensive damage to a town and a school, and loss of life. HSE stated that the residual risk should be carefully considered. This is the

risk that remains when effective protective systems are in place.

Tim raised the overpressure scenario in the DNV QRA again. Edmund confirmed that people may not be able to evacuate in time before an explosion. There are a number of mechanisms which could result in overpressure. Tim said it would be useful to have a list of how the DNV QRA is deficient. Edmund explained that there was little point as HSE did not disagree with the DNV quantified risk value. It was the way in which the DNV had calculated the SRI that should be investigated. Edmund stated that HSE would not challenge the DNVGL estimate of risk at the location - 5 chances per million per year risk of death. The risk of children and staff in the school based on 6.5 hours a day results in an SRI of well over 200,000. This value did not include any adult education classes in the evenings and parents dropping off and picking up children, or the preschool children in the nursery. HSE advised that the most likely difference is the selection of the area to be considered. HSE consider that the area should represent the population distribution for the type of development. Whilst children were outside during break times and for physical activities they are predominantly in the classrooms. Tim asked if it was possible to formalise the HSE's position into a formal statement. Stuart confirmed only generic advice on how SRI calculations are done could be provided. Edmund suggested HBC ask the applicant to justify why they are taking the whole site area into the SRI calculation, as that might explain the difference in the HSE and DNVGL SRI calculation results. Any difference in the way which the SRI was derived should also be explained and included in the report to the Planning Committee. HSE stated they are designated to provide the LPA with advice and wish to work with HBC to give the best advice with regard to the risks to which the proposed development will be exposed.

HSE suggested that HBC should ask the applicant if it is cost effective for the applicant to build a school with a design specification to withstand an overpressure of 240 millibar requirements. Tim said that it would be useful to feedback to the applicant along with any additional advice from HSE.

In the future Stuart confirmed that the HSE will be offering pre-application advice to applicants as part of a 'charged for' service.

Andrew asked if the 200,000 SRI would be comparable to the current school site. HSE thought it would be marginally greater at the moment. Tim suggested a purpose-built school would improve the current one. HSE agreed that if this application was refused there would be no change in risk as the existing school would continue to operate. HSE accepted that the school could continue to operate irrespective of the planning application, but there is an opportunity to improve the situation if the school could be relocated.

HSE agreed that a development for less than 30 houses at the school's current site would not receive an Advise Against response. If the nursery school currently on site was considered together with the primary school this would significantly increase the SRI figures but is not part of the planning application so HSE have not included it. HSE suggested that the Council should consider the nursery school in the report to the Planning Committee. If they included the nursery in the SRI calculation it is estimated that the SRI result could exceed 750,000.

4) Univar's Hazardous Substances Consent

Stuart said the local authority have the power to amend the Consent with Univar and could explore this possibility. HSE thought that there was limited scope to move the location of chemical storage on the Univar site itself, to provide significant risk reduction. Richard said an option could be to move the school site to an alternative site. Univar might also be persuaded (via financial inducement) to name substances on their Hazardous Substances Consent or limit the amounts stored; both may significantly reduce the risk.

HSE suggested one way forward, due to the quantities on site, could be to limit the type of oxidising agents, name substances (as a generic HS Consent caters for a range of substances), and reduce the quantities of those chemicals giving the highest risk, or a combination of the two. Another alternative would be to persuade Univar to store more of their oxidisers in solution with a view to reducing the risk profile. HSE would support the Council in any debate with Univar. Changes to the Univar Consent in 2013 granted consent to store sodium chlorite which is a powerful oxidiser (however it is in solution).

5) Alternative locations for the school

The applicant, EFA, have Morgan Sindall as an agent. HSE asked what timescales the applicant was working to. Tim said committee dates had been identified for January 2015.

Tim again suggested a blast wall. HSE would not advise inclusion of such a feature as this would be massive and there was no guarantee of effectiveness. A more effective approach is for Univar to reduce the risk through changing their Hazardous Substances Consent rather than mitigation.

It was discussed how, over time, buildings would also need maintenance to maintain the desired level of mitigation.

Stuart explained that additional HSE advice on risk reduction is not unusual and will supplement the advice of PADHI. Stuart asked if other alternative locations were of interest or had been considered as part of the process. Tim confirmed that other locations had been considered, highlighting the relevant section in the planning statement submitted by the applicant. HSE consider this application to be a unique opportunity to move the location of the school.

6) Actions/way forward

HSE do not disagree with the level of quantified risk suggested by the DNVGL report.

HBC to ask applicant to justify why they have used the whole area of the development rather than the school building footprint when calculating SRI.

HSE to formally document their advice / concerns in response to consultation on the planning application.

HSE are willing to assist in conversations with Univar regarding conditions of Consent which may lead to a reduction in consultation zones.

HBC Planning Department to confirm with the applicant an update from this meeting held with HSE and ask if it is economically viable to strengthen the building. The application documentation recommends a design of 140mbar however HSE suggest that the correct figure is 234mbar in this location. Note that there is a lot of uncertainty with blast modelling; many things can enhance or reduce blast wave predictions.

HBC Officers report likely to be produced by end of December 2104.

Tim asked about Univar Consent. Edmund confirmed zones can change dramatically when substances are named and gave an example of how certain materials will give no significant overpressure even though they may have a hazardous classification for transport.

SRI 200,000 mark indicates a high level of concern.

Edmund summarised the published Planning Practice Guide in relation to large populations of vulnerable people.

Minutes to be circulated to all present.

Tim thanked HSE colleagues for attending the meeting.

Appendix 3 Email from Richard Cary of the HSE to Tim Gibbs and Andrew Evans of Halton Borough Council confirming agreement with the minutes taken at the meeting dated 18/11/2014.

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From: Richard.Cary@hse.gsi.gov.uk [mailto:Richard.Cary@hse.gsi.gov.uk]
Sent: 12 December 2014 14:51
To: Tim Gibbs; Andrew Evans
Cc: Edmund.Cowpe@hse.gsi.gov.uk; Robert Cooper; Stuart.Reston@hse.gsi.gov.uk
Subject: RE: HSE & HBC meeting 18/11/14 RE: Re-development of Halebank Primary School, Heathview Road (Planning Application 14/00555/FUL)

Tim, Andrew,

Thanks for sending a copy of your Minutes. Ed, Stuart and I have taken a little time to review these. There are some areas that, in our view, would benefit from some editorial work, which we have done and where, with respect, there was some misrepresentation (I have confirmed with my colleague Harvey Tucker that at no point when the 2013 Univar Consent was being appraised were there any discussions relating to a new planning application for Halebank Primary School). Thus, I have suggested the removal of that paragraph.

I am not proposing that we have a continued exchange of what each side may perceive to be the more accurate set of Minutes, merely that we should have our own recollection of events on record.

Regards,

Richard Cary
HSE Major Accidents Risk Assessment Unit
Redgrave Court
Merton Road
Bootle
Merseyside
L20 7HS

From: Tim Gibbs [mailto:Tim.Gibbs@halton.gov.uk]
Sent: 27 November 2014 11:48
To: Stuart Reston; Andrew Evans
Cc: Richard Cary; Edmund Cowpe; Robert Cooper
Subject: RE: HSE & HBC meeting 18/11/14 RE: Re-development of Halebank Primary School, Heathview Road (Planning Application 14/00555/FUL)

Dear All,
Thanks for meeting last week and the advice below.
Attached are the minutes from our meeting.
Tim

Tim Gibbs BSc MSc DipSurv MRTPI MRICS
Divisional Manager - Policy and Development Services
Policy, Planning and Transportation Department
Policy and Resources Directorate

Halton Borough Council, Floor 2, Municipal Building, Kingsway, Widnes. WA8 7QF.
Direct (0151 511 7664) Public (0303 333 4300) Ext (167664) BlackBerry (07879)
668555

Local Development Framework: <http://www.halton.gov.uk/halton2026>

Need information? <http://www.halton.gov.uk/research>

Local Strategic Partnership: <http://www.haltonpartnership.net>

Appendix 4 – HSE PADHI+ response 10/12/02013 to the Halebank School redevelopment pre-application enquiry

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Halton Borough Council
Planning Department
Municipal Buildings
Kingsway
Widnes

Your Ref: Halebank C of E
Our Ref: HBC.1169-2013-00583

10 December 2013

This file note is produced by PADHI+ for Halton Borough Council

Land Use Planning Consultation with Health and Safety Executive [Town and Country Planning (Development Management Procedure) (England) Order 2010, Town and Country Planning (Development Management Procedure) (Wales) Order 2012, or Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008]

The Health and Safety Executive (HSE) gives planning advice only for certain types of developments and then only if they are within specific consultation areas that have previously been advised to the appropriate Planning Authority (PA). Such areas are often identified by a PA on their 'development constraint maps'.

This response from PADHI+ relates to a consultation for a pre-planning enquiry.

In the case of pre-planning consultations input into PADHI+, the response generated is how HSE might advise you should the development proposal be submitted for formal consultation in its present form. However, if a formal application is submitted later then a new consultation must be input into PADHI+. HSE's response, and advice for the development will then be determined by PADHI+ based solely on the details in the formal consultation. This may result in a different response from HSE to that given below.

The following text is the likely response HSE would give you for a formal consultation, based on the pre-planning consultation details that you have input into PADHI+ at this time:

This file note refers to the proposed development Construction of Replacement School at Heath View Rd Halebank Widnes, input into PADHI+ on 10 Dec 2013 consultation input by Halton Borough Council.

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and also within at least one Consultation Distance, has been considered using PADHI+, HSE's planning advice software tool, based on the details input by Halton Borough Council. The assessment indicates that the risk of harm to people at the proposed development is such that **HSE's advice is that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission in this case.**

Major hazard sites/pipelines are subject to the requirements of the Health and Safety at Work etc. Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation. Where hazardous substances consent has been granted (by the Hazardous Substances Authority), then the maximum quantity of hazardous substance that is permitted to be on site is used as the basis of HSE's assessment.

If you decide to refuse planning permission on grounds of safety, HSE will provide the necessary support in the event of an appeal.

If, nevertheless, you are minded to grant permission, your attention is drawn to paragraph A5 of the National Assembly for Wales Circular 20/01, or paragraph A5 of the DETR Circular 04/2000. These state that:

“...Where a local planning or hazardous substances authority is minded to grant planning permission or hazardous substances consent against HSE's advice, it should give HSE advance notice of that intention, and allow 21 days from that notice for HSE to give further consideration to the matter. During that period, HSE will consider whether or not to request the [Assembly / *Secretary of State for the Environment, Transport and the Regions] to call-in the application for [its / his] own determination” (* Now 'Communities and Local Government' in England.)

The advance notice to HSE should be sent to HSE's Major Accidents Risk Assessment Unit, C15b, Redgrave Court, 2.2 Merton Road, Bootle, Merseyside L20 7HS or by email to

luppadhici5@hse.gsi.gov.uk. The advance notice should include full details of the planning application, to allow HSE to further consider its advice in this specific case.

This advice is produced on behalf of the Head of the Hazardous Installations Directorate, HSE.

Appendix 5 – Letter of support from the Halebank Head teacher

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The present Halebank CE (VC) Primary school is a small primary school located in a rural area on the outskirts of Widnes and has protected rural status. The area is classed as a regeneration area, with new housing built just off the main road and another development presently under construction, adjacent to the school grounds. The school serves Halebank Village and the surrounding communities and also takes children from further afield, whose families have lifelong links with Halebank. Together with the privately run pre-school located on the school premises, the school in its present location, has been an established centre for 2-11 education in Halebank for the last 40 years and has been graded Good by Ofsted in every inspection since 2008. The proposed new build school will keep the school at the centre of this small community and will take the same admissions numbers as the present school.

Halebank is not within walking distance of; either Widnes town centre, where the main facilities such as leisure centre, library and supermarkets are located or the nearest Children's centre and Halebank has limited public transport links. Because of this, our parents and children cannot easily access these facilities, which other communities take for granted. The school premises provides a central spot for Halton's libraries mobile bus outreach service and the school offers a school library lending service to its children and a 'book at bedtime' borrowing scheme for parents with younger children.

The new build school design incorporates a separate school library room, easily accessed from the outside, which will allow us to further promote reading, as parents will be able to come immediately after school to share in the choosing of a library book to lend with their children-this is not possible in the present very small library area, which does not have direct access to the outside, so at the moment parents have to come through the school to the library. In an area of high deprivation, the school offers free after-school sports and drama clubs and a 'free to attend' breakfast club for parents who need to drop off children before going to work or for children who do not get a breakfast at home. This helps us to promote the national healthy lifestyles agenda. The proposed new build will have better outdoor facilities to improve our offer towards this agenda. The present school field is unusable for sports for most of the year because of the poor drainage. The new school grounds will have better drainage, so that the field can be used for activities and teaching all year round and a new multi-use games area will extend our facilities for PE and Sports even further, by enabling us to develop our team games offer to pupils. The school hall will have a separate PE storage room, so that all PE equipment will not have to be stored within the school hall, as it is presently, and the separate access to the classroom spaces in the new build (rather than having to access them by always walking through the school hall) will mean that PE lessons, drama and performances or collective worship will not have to be constantly interrupted by staff/pupils from the outside mobile classroom or visitors and admin staff trying to get to the classrooms, having to access them through the hall.

The new school design also incorporates a small food technology area, enabling us to teach the pupils how to prepare and cook healthy meals in a dedicated area, whereas now this has to take place either in the staff room or in a classroom, where other activities are also going on.

The school works in close partnership with other agencies such as the local Health Trust, the school nurse service and children's social care. The school increasingly provides a familiar, friendly, confidential and easily accessible location for parents to attend meetings with these agencies, as these services have found that parents fail to attend meetings arranged in children's centres or locations in the centre of Widnes. At the moment these multi-agency meetings have to take place at limited times of the day, either in the head's office or in the staffroom, disrupting both the head and staff. The new school will have a number of other rooms available to us, that will be much more suitable and more convenient to use-so that the teaching and learning life of the school can go on undisturbed.

Presently the heating in the school is very inefficient and extremely variable throughout the school, resulting in some areas of the school being very hot (and windows needing to be open even in Winter) while other parts of the school, at the same time are very cold. The classroom teaching areas in particular can become stuffy, which is not conducive to good learning. The new school building will have a very efficient modern heating system which will keep the whole of the building at an equal temperature, providing a better environment for teaching and learning and meaning better value for money as regards heating costs.

The siting of the new building has been chosen to maximise the quality of the light available and new ICT equipment, such as interactive whiteboard touchscreens, will be sited in the classrooms and other teaching spaces, to the most of the light and to eliminate current glare issues.

The new building will have 'a state of the art' ICT infrastructure, allowing staff to make the most of new technologies to engage and motivate pupils and to provide outstanding facilities to further the new computing curriculum, giving all our children better work related ICT skills. At present the internet connection to the outside classroom is intermittent.

Perhaps the biggest advantage of the new school design compared to the present building, is that there will be four classrooms in the main building, whereas at the moment one of our classrooms is an outside mobile building. The children and staff in the 'mobile classroom' feel isolated from the rest of the school community for most of the day and have to 'brave all weathers' to access the main school building for resources eg. changing their reading book, accessing the library and hall for playtime snacks and lunch. Each new classroom will have their own separate entrance door, where presently, classrooms have to be accessed by walking through other classrooms, continuously disturbing the learning. Having the children from the mobile classroom within the main school building will also make emergency procedures more efficient. The present classrooms (due to additions to the original building) are of an irregular size and shape, making the provision for furniture and resources storage in each classroom more difficult. The siting of the toilet areas in the new school will also allow for better supervision of these areas during the school day as they will be immediately outside of the classrooms, making these areas safer.

Presently delivery lorries back down the entire length of the school drive to get near to the kitchen. The new school drive will have a separate area for deliveries and refuse collection,

near the main gate and away from the main front entrance for pedestrians to the school, making it safer for our children and their parents and those visiting the adjacent pre-school.

In summary, Halebank CE (VC) Primary School plays a vital role in the lives of the families of Halebank and with a new school building, with better facilities for both academic and lifestyle education, the school will be able to continue to improve the life opportunities and future prospects of both the children and families of Halebank for the foreseeable future, without the limitations of the current building.

Miss G. E. Threadgold

Headteacher

Halebank CE Primary School

On behalf of the children and families of Halebank

Appendix 6 – Letter of support from the Diocese of Liverpool

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Dr Jon Richardson BA, PGCE, M.Ed, Ed.D.
Director of Education

Education Department
St James' House
20 St James Road
Liverpool
L1 7BY
Tel: 0151 705 2190
Fax: 0151 705 2211

jon.richardson@liverpool.anglican.org
www.liverpool.anglican.org

Development Control Committee
Halton Borough Council
Municipal Building
Kingsway
Widnes
WA8 7QF

4th December 2014

Dear Sir/Madam

Halebank Church of England Primary School, Heathview Road, Halebank, Widnes.

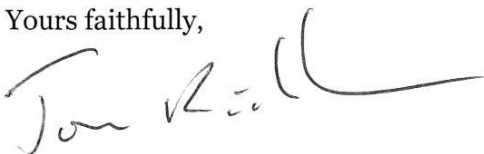
I write on behalf the Liverpool Diocesan Board of Education to confirm its full support for the intended new building at the above school. This is a wonderful opportunity to provide an outstanding educational facility that will directly benefit the primary aged children of Halebank and its surrounding community.

The new development will replace an old building, on the same site, that has become increasingly difficult and expensive to maintain and which in any event is no longer fit for the purpose of delivering today's modern curriculum. The current building is in a very poor condition, as recognised by its inclusion in the Government's Priority School Building Programme, a very selective programme which only included those schools in the very worst condition throughout the country.

Halebank is only one of two Church of England schools to have been awarded this funding across all eight Local Authority regions within the Diocesan boundaries. To add some context, there are currently no other opportunities to obtain capital funding grant of this nature, nor is there likely to be for the foreseeable future. The Board is therefore very keen that the necessary consents are given for this development so that the significant and multiple benefits that will follow can be enjoyed by the children and local community both now and into the future.

I hope you are able to support the proposal.

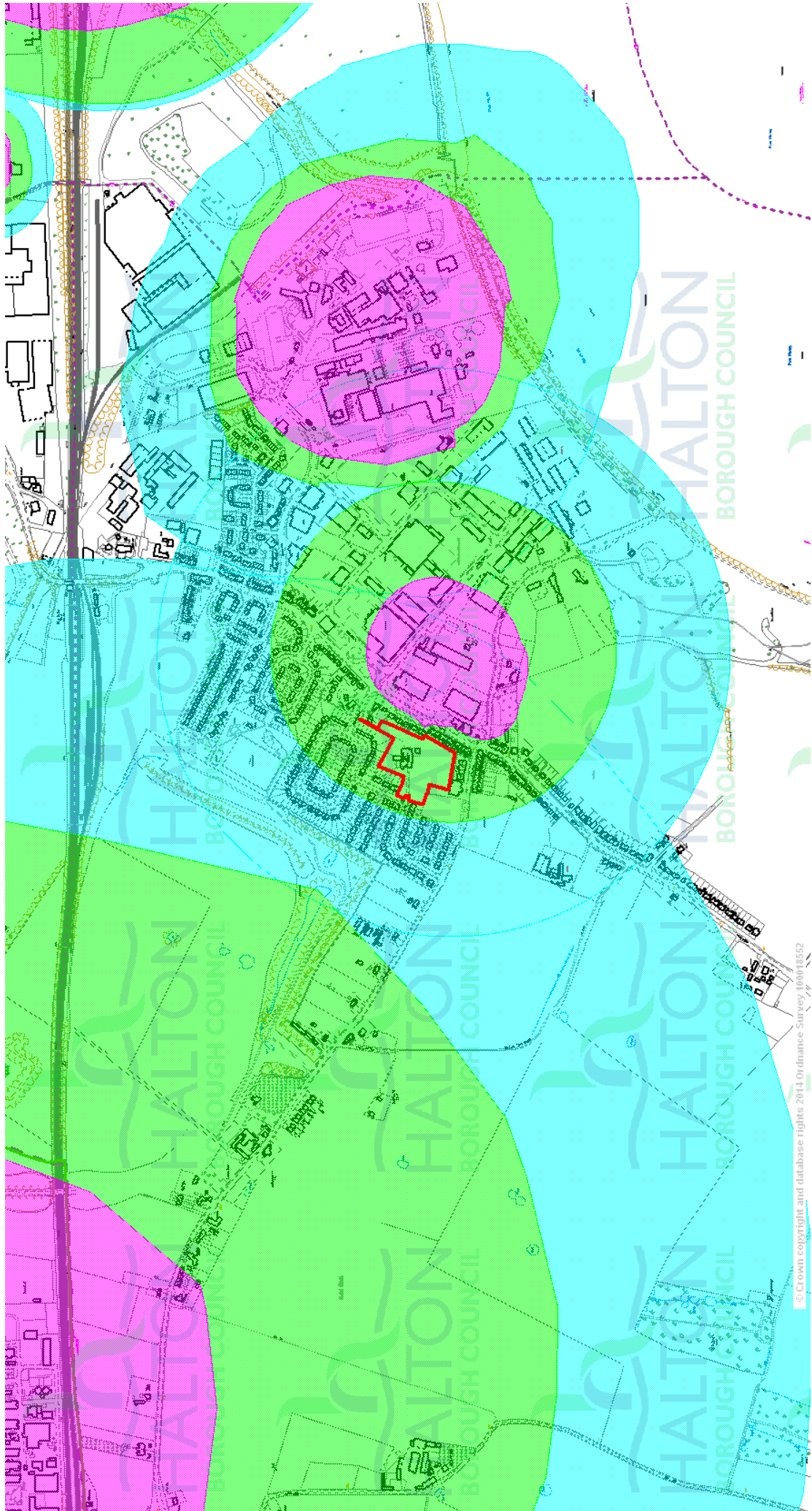
Yours faithfully,



Dr. Jon Richardson,
Director of Education.

Appendix 7 – Map of Halebank overlaid by COMAH consultation zones

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Appendix 8 – Sport England exemption policy E4

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Sport England's Playing Fields Policy - 'A Sporting Future for the Playing Fields of England' Policy Exception E4:

'The playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements prior to the commencement of development'.

When assessing an application against this policy exception Sport England is likely to require information which helps to answer the following questions:

- Is the proposed replacement playing field land of equivalent or greater quantity and quality than the site proposed for development?
- Will the quality of the new playing field land meet with Sport England and the relevant national sports governing body design guidance?
- Do the proposals for the replacement playing field land demonstrate how it will be developed e.g. a method statement for the construction, including soils management during the works (movement and stockpiling to ensure no loss of soil structure)?
- Will the replacement site have at least the same capacity as the existing site to accommodate both competitive play and training?
- Will the replacement site be able to cater for matches of at least the same standard of competition as those played on the existing site?
- Does the application also include the appropriate replacement of all necessary ancillary provision?
- Do the proposals for the replacement playing field land demonstrate how it will be maintained to a level equivalent to, or better than, the existing site?
- Will the use of the replacement playing field land be managed to an equivalent or better level in terms of its availability to the community and benefit to sports development?
- Is the proposed replacement playing field land in a suitable location in relation to the existing site and existing and potential users?
- Does the proposed replacement provision have the support of existing users (e.g. sports clubs) and the relevant sports national governing bodies?
- Will the replacement playing field land be available and ready for use prior to the commencement of development of the existing site?
- Will suitable measures be put in place to ensure the delivery of the replacement playing field land and will this be secured by a planning condition attached to the permission for the application e.g. Grampian condition?
- If the replacement provision will not be available for use prior to the commencement of development (e.g. a school rebuild) will:
 - adequate temporary arrangements be put in place to ensure that continuity of playing pitches will be available to all existing users?
 - an appropriate commitment be put in place to ensure that the replacement playing field land is provided and available for use within an acceptable timescale?

For further information on Sport England's role in assessing and commenting on planning applications please visit:

www.sportengland.org/planningapplications

Appendix 9 – Letter from Education Funding Agency clarifying funding arrangement deadlines

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Education
Funding
Agency

Education Funding Agency
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Tel: 0207 340 7000

www.gov.uk/dfes

12 December 2014

FAO: Tim Gibbs – Divisional Manager
Policy Planning and Transportation Department
Policy and Resource Directorate
Municipal Building
Kingsway
Widnes
WA8 7QF

Dear Tim

Halebank School Planning Application

I am writing to provide some information in support of the planning application for Halebank Primary School. Halebank is one of twelve schools within the third of five private finance schemes within the Priority Schools Building Programme (PSBP). Due to the nature of the procurement route all of the schools are delivered under a single contract between the Secretary of State for Education and the Contractor. With financial close scheduled for early March 2015, the successful delivery of this project relies upon all of the twelve schools achieving planning permission in January in order for the documents to be finalised.

Due to the requirement for the additional twenty one day period for consideration by the HSE, the January committee date is the last possible opportunity for Halebank to achieve planning approval. If planning approval is not granted in January, the future inclusion of Halebank within the project would have to be given careful consideration by the EFA given the potential for delay to the remaining 11 schools within the project.

This is a fabulous opportunity for the community of Halebank to benefit from a new school through Central Government funding and it is my hope that Halebank will receive planning approval in January and will therefore have its condition needs addressed as part of the present project.

Kind regards

Sara

Sara Humber – Project Lead, North West Private Finance Batch