

REPORT TO: Executive Board

DATE: 21st September 2006

REPORTING OFFICER: Strategic Director - Environment

SUBJECT: Adoption of:

**Halebank Regeneration Action Area
Supplementary Planning Document**

and

**Ditton Strategic Rail Freight Park
Supplementary Planning Document**

WARDS: Riverside and Ditton

1.0 PURPOSE OF THE REPORT

1.1 The purpose of this report is to:

- Seek approval of the Executive Board for adoption of the two Supplementary Planning Documents named above.
- Describe the public consultation that has taken place on the draft SPD.
- Propose responses to representations made and amendments to the text of the SPDs to accommodate these representations, where appropriate.

2.0 RECOMMENDATION: That

- 1. the Statement of Public Participation (link), attached to this report be approved.**
- 2. the amendments proposed to the text of the Halebank Regeneration Action Area SPD and the Ditton Strategic Rail Freight Park SPD, in response to the representations received, and the recommendations of the Sustainability Appraisal, be agreed.**
- 3. the Halebank Regeneration Action Area SPD and the Ditton Strategic Rail Freight Park SPD be adopted as a 'local development document' and the procedures for adoption, as set out in the Town and Country Planning (Local Development) (England) Regulations, be carried out.**

4. **further editorial and technical changes that do not materially affect the content or intended purpose of the SPD be agreed by the Operational Director – Environmental and Regulatory Services in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal if necessary, before the document is published.**

3.0 SUPPORTING INFORMATION

- 3.1 The draft SPDs for Halebank and Ditton Strategic Rail Freight Park were approved for the purposes of public consultation by the Executive Board on 22nd September 2005. It was resolved that the results of the public consultation exercises and the revised SPDs be reported back to the Executive Board to consider their adoption as 'local development documents'.
- 3.2 The policies in the SPDs are supplementary to policies RG5 Action Area 5 Halebank and Policy E7 Ditton Strategic Rail Freight Park of the Halton Unitary Development Plan.
- 3.3 The DSRFP SPD is also based on the contents of the Masterplan, Landscape Strategy and Design Guide by consultants Atkins that was finally approved by the Council in December 2004.

Public Participation

- 3.4 Attached to this report is a 'Statement of Public Participation' that describes the public participation process. It lists those who were consulted, summarises the comments they made, and proposes responses to them. If considered necessary, an amendment to the text of the SPDs is proposed for the Executive Board's agreement.
- 3.5 An important part of the SPD's preparation has been a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA). This is required by the Planning and Compulsory Purchase Act 2004 and a European Directive. The Statement of Public Consultation has a separate section describing how the SA/SEA recommendations have been taken into account.

Adoption

- 3.6 In order to be adopted as a 'Supplementary Planning Document' under the Planning and Compulsory Purchase Act 2004, the requirements of the Regulations that set the rules for how the Act operates must be met during the SPDs preparation.
- 3.7 The Regulations also set out the rules for the adoption of an SPD. These state that the adopted document must be made available for inspection at the same places where it was available during public

consultation. It should also be published on the Council's website, together with the Statement of Public Consultation and an 'adoption statement' that must be sent out to those who wish to be notified.

4.0 POLICY IMPLICATIONS

4.1 The proposed alterations to the text of these two SPDs are set out in detail in the section on sustainability appraisal and in Appendix 3 of the Statement of Public Consultation. In summary, these cover the following issues:

4.2 Ditton Strategic Rail Freight Park

Transport Issues

The means of access to the greenfield site west of Halebank (UDP Site 253) has been clarified. This now states that a range of options have been considered within the Masterplan and SPD process for linking the Site 253 to the A562 (Speke Road) and the A5300 (Knowsley Expressway). It is considered that access to the A562 would be preferable by making use of a re-built Ditton Station bridge. Direct access to the A5300 is not necessary for the development of Site 253, but the layout of the site should allow for this as a longer term requirement, avoiding Halebank Road except for emergency access.

The proposal for a footpath link from Site 255 in the vicinity of AHC Warehouse, using an old underpass beneath the railway line to connect to Ditton Road and St Michaels Road, has been deleted. This is because it is considered unsuitable due to proposed new road and rail connections on Site 255.

Phasing

The UDP Policy (E7) governing the development of the rail freight park requires that development is carried out in accordance with a phasing plan contained in the SPD. Now that more detailed feasibility work has been carried out on infrastructure requirements, and planning permission has been granted for the Innovis scheme on Site 255 (the brownfield element east of Foundry Lane) and for the proposed landscaped bund on Site 253 (the Greenfield site off Halebank Road), a phasing plan can be devised. This has been agreed with the Council's Major Projects Department, which is managing the project.

4.3 Halebank SPD

Transport Issues

Several changes have been made as a result of public consultation.

Two options were originally put forward for a connection between Mersey View Road and Pickerings Road as part of the proposed HGV by-pass around Halebank. After consultation with local businesses, Option 2 has been deleted. Option 1 will remain as it has less effect on local businesses and is a safer highway design.

A requirement for existing businesses with access off Mersey View Road to 're-orientate' their business to take access off Pickerings Road has been dropped as it is too onerous. If redevelopment of these premises occurs in the longer term, then the option will still be pursued.

The land to be safeguarded for the future road link between Foundry Lane and Hale Road, as the main component of the 'HGV by-pass', has been altered slightly to reflect a more up-to-date highway design. This will give more certainty to landowners who wish to promote housing redevelopment on their sites in line with the SPD regeneration proposals.

4.4 Status of the Adopted SPDs

Once adopted as 'local development documents', these SPDs will constitute a 'material consideration' in respect of decision-making on planning applications.

5.0 OTHER IMPLICATIONS

5.1 None at this stage.

6.0 RISK ANALYSIS

6.1 The risks associated with these SPDs are potentially legal and environmental. There should be no legal risks to the Council from the adoption of these documents, so long as the statutory procedures for their preparation are met. Environmental risks are considered as part of the Sustainability Appraisal. These evaluate the impact of the policies and proposals on social, economic and environmental factors according to European Union and Government regulations. Where appropriate, planning applications for development will also be subject to risk analysis through transport impact analysis, environmental impact analysis, flood risk assessments, risk assessment for development within the consultation zones of sites designated under the Control of Major Accident Hazards (Planning) Regulations 1999 (COMAH).

6.2 The impact of development will also be closely monitored through the Sustainability Appraisal and the Local Development Framework Annual Monitoring Report. A list of indicators will be measured to judge the achievement and impact of the objectives and policies of the proposed Supplementary Planning Documents.

7.0 EQUALITY AND DIVERSITY ISSUES

7.1 The consequences of the implementation of the development proposed by these SPDs on a variety of social factors is dealt with by the Sustainability Appraisal published alongside the draft SPDs.

8.0 REASONS OF DECISION

8.1 These are set out in Section 3, Supporting Information.

9.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

9.1 This has been covered by the preparation process of the Halton Unitary Development Plan and the Sustainability Appraisal.

10.0 IMPLEMENTATION DATE

10.1 The SPD will be effective for development control purposes from the date of adoption by the Council's Executive Board.

11.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

| Document | Place of Inspection | Contact Officer |
|--|----------------------------|------------------------|
| Halton Unitary Development Plan | Rutland House, Halton Lea | Andrew Pannell |
| Halebank Regeneration Action Area – Draft Supplementary Planning Document, September 2005 | Rutland House, Halton Lea | Andrew Pannell |
| Ditton Strategic Rail Freight Park – Draft Supplementary Planning Document, September 2005 | Rutland House, Halton Lea | Andrew Pannell |
| Sustainability Appraisal Scoping Report, June 2005 | Rutland House, Halton Lea | Andrew Pannell |
| Sustainability Appraisal Final Report, September 2005 | Rutland House, Halton Lea | Andrew Pannell |