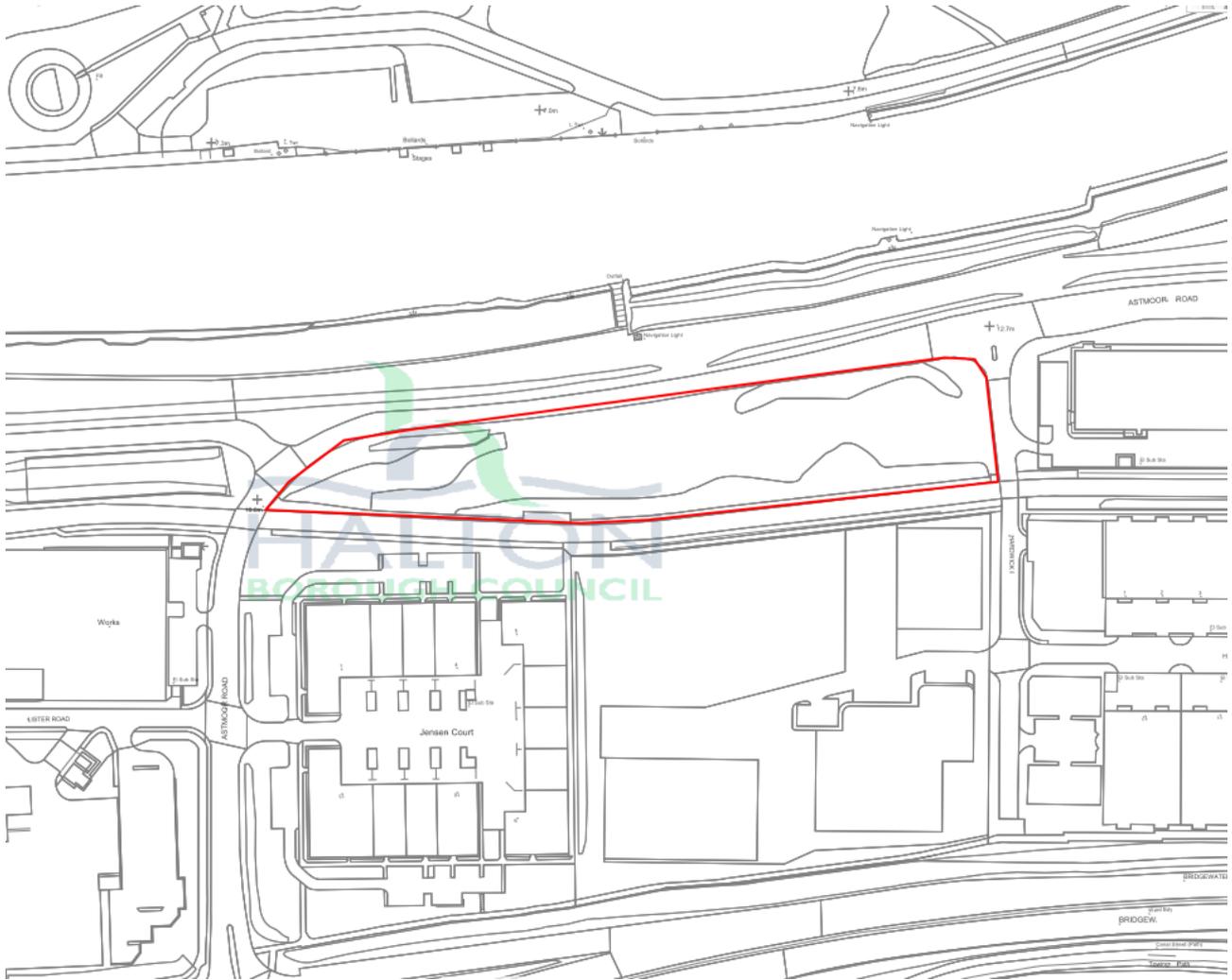


<b>APPLICATION NO:</b>	20/00536/FUL
<b>LOCATION:</b>	Land to the west of junction between Hardwick Road and Astmoor Road, Runcorn, Cheshire.
<b>PROPOSAL:</b>	Proposed employment development comprising 13 units totalling 2545 sq metres to provide E(g) ,B2 & B8 uses
<b>WARD:</b>	Halton Castle
<b>PARISH:</b>	None
<b>APPLICANT:</b>	FI Real Estate Management
<b>AGENT:</b>	Modern City Architecture and Urbanism, Eastgate, 2 Castle Street, Manchester, M3 4LZ.
<b>DEVELOPMENT PLAN:</b>  Halton Unitary Development Plan (2005)  Halton Core Strategy (2013)  Joint Merseyside and Halton Waste Local Plan (2013)	<b>ALLOCATIONS:</b>  Primarily Employment Area – Unitary Development Plan Proposals Map.
<b>DEPARTURE</b>	No.
<b>REPRESENTATIONS:</b>	No representations received from the publicity given to the application.
<b>KEY ISSUES:</b>	Development in a Primarily Employment Area, Highways and Transportation, Flood Risk and Drainage.
<b>RECOMMENDATION:</b>	Grant planning permission subject to conditions
<b>SITE MAP</b>	



## **1. APPLICATION SITE**

### **1.1 The Site**

The site subject of the application is land to the west of junction between Hardwick Road and Astmoor Road in Runcorn. The site is 0.8ha in area and is located on the Astmoor Industrial Estate.

The site is designated as Primarily Employment Area on the Halton Unitary Development Plan Proposals Map.

The land is currently used for storage of light vehicles (vans/cars). The site is elevated from Astmoor Road which is located to the north / west of the site. Located to the south of the site is the Busway. Located to the east of the site is Hardwick Road. The area is predominantly industrial in nature.

The Council submitted the Submission Delivery and Allocations Local Plan to the Planning Inspectorate (DALP) for independent examination on 5th March 2020. This will replace the existing Unitary Development Plan Proposals Map in due course. This proposes to designate the site as an Employment Allocation (Site Reference

E13). This is now a material planning consideration, however at this point carries little weight in the determination of this planning application.

## 1.2 Planning History

The site has some planning history with the more recent applications being as follows:

- 02/00540/FUL - Proposed erection of a control kiosk, new access, realignment of existing landscaping bund and erection of bollards – Granted 13/09/2002.
- 19/00305/COU - Retrospective application for change of use of land for storage of light vehicles (vans/cars) – Granted 03/04/2020.

## 2. **THE APPLICATION**

### 2.1 The Proposal

The application originally proposed employment development comprising 14 units totalling 3013 sq metres to provide E, B2 & B8 uses.

During the processing of the application, the description of development has been amended to proposed employment development comprising 13 units totalling 2545 sq metres to provide E(g), B2 & B8 uses. This was as a result of site constraints and observations made by Officers.

### 2.2 Documentation

The application is accompanied by the associated plans (all viewable through the Council's website) in addition to a Planning Statement, Design and Access Statement, Flood Risk Assessment & SUDS Drainage Strategy, Preliminary Ecological Appraisal, Phase II Geotechnical Assessment, Transport Statement, Travel Plan Statement, Arboricultural Impact Assessment, Tree Constraints Report, Noise Impact Assessment, Air Quality Screening.

## 3. **POLICY CONTEXT**

Members are reminded that planning law requires for development proposals to be determined in accordance with the development plan, unless material considerations indicate otherwise.

### **THE DEVELOPMENT PLAN**

#### 3.1 Halton Unitary Development Plan (UDP) (2005)

The site is designated as a Primarily Employment Area on the Halton Unitary Development Plan Proposals Map.

The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- E3 Primarily Employment Areas;

- E5 New Industrial and Commercial Development;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodland;
- PR1 Air Quality;
- PR2 Noise Nuisance;
- PR4 Light Pollution and Nuisance;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP1 Public Transport Provision as Part of New Development;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;
- TP14 Transport Assessment;
- TP15 Accessibility to New Development;
- TP16 Green Travel Plans;
- TP17 Safe Travel For All.

### 3.2 Halton Core Strategy (2013)

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

- CS1 Halton's Spatial Strategy;
- CS2 Presumption in Favour of Sustainable Development;
- CS4 Employment Land Supply and Locational Priorities;
- CS7 Infrastructure Provision;
- CS15 Sustainable Transport;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS20 Natural and Historic Environment;
- CS23 Managing Pollution and Risk;
- CS24 Waste.

### 3.3 Joint Merseyside and Halton Waste Local Plan (2013)

The following policies, contained within the Joint Merseyside and Halton Waste Local Plan are of relevance:

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

## **MATERIAL CONSIDERATIONS**

Below are material considerations relevant to the determination of this planning application.

### 3.4 Halton Borough Council – Design of New Commercial and Industrial Development Supplementary Planning Document.

The purpose of this Supplementary Planning Document (SPD) is to complement the Halton Unitary Development Plan (UDP), to provide additional practical guidance and

support for those involved in the planning of new development within Halton Borough to: -

- a. Design new industrial and commercial developments that relate well and make a positive contribution to their local environment;
- b. Seek the use of quality materials which respond to the character and identity of their surroundings and reduce environmental impact such as through energy efficiency; and
- c. Create better, more sustainable places

### 3.5 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in February 2019 to set out the Government's planning policies for England and how these should be applied.

#### Achieving Sustainable Development

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

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

*a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

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

Paragraph 10 states so *that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.* As set out in paragraph 11 below:

#### The Presumption in Favour of Sustainable Development

Paragraph 11 states that *for decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

#### Decision-making

Paragraph 38 states that *local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*

#### Determining Applications

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

### 3.6 Other Considerations

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

## **4. CONSULTATIONS SUMMARY – FULL RESPONSES CAN BE LOCATED AT APPENDIX 1.**

Highways and Transportation Development Control – No objection.

Contaminated Land Officer – No objection.

Lead Local Flood Authority – No objection.

Environmental Protection – No objection.

Open Spaces – No comments to make.

Regeneration – Concerns raised on original proposal and no further comments / observations on the amended proposal.

Merseyside Environmental Advisory Service – Ecology and Waste Advisor – No objection.

Environment Agency – No observations received.

Natural England – No objection.

United Utilities – No objection.

## **5. REPRESENTATIONS**

5.1 The application was advertised by a press advert in the Widnes and Runcorn Weekly News on 22/10/2020, three site notices posted on 15/10/2020 and twenty one neighbour notification letters sent on 15/10/2020.

5.2 Following the receipt of amended plans, a further twenty one neighbour notification letters were sent on 23/02/2021.

5.3 No representations have been received from the publicity given to the application.

## **6. ASSESSMENT**

### **6.1 Principle of Development**

Paragraph 47 of NPPF states that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. It is considered that the development plan policies referenced are in general conformity with the NPPF and full weight should be given to these.

The site is designated as a Primarily Employment Area on the Halton Unitary Development Plan Proposals Map. The application proposes employment development comprising 13 units totalling 2545 sq metres to provide E(g), B2 & B8 uses. This would replace the use of land for storage of light vehicles (vans/cars) granted for a temporary period until 30/04/2025 until a more suitable long term solution for the site was to come forward.

Policy E3 of the Halton Unitary Development Plan states that development falling within Use Classes B1 (Business), B2 (Storage and Distribution), B8 (Storage and Distribution) and Sui Generis industrial uses will be permitted in a Primarily Employment Area. The principle of both Use Class B2 and Use Class B8 in this location is therefore acceptable.

Use Class B1 (Business) referred to in the above referenced policy is now part of Use Class E (Commercial, Business and Service) from 1<sup>st</sup> September 2020. Use Class E includes a wide range of uses in retail, day nurseries and indoor sports. The applicant has confirmed that they wish the application to be considered on the basis of Use Class E (g) which encompasses uses previously within Use Class B1 and are considered acceptable in an Employment Area.

It is considered that any subsequent planning permission should be restricted to Use Class E (g), Use Class B2 and Use Class B8 to ensure that the uses are sympathetic to the surrounding area.

Based on the above, the principle of development is considered to be acceptable.

## 6.2 Highways and Transportation

Vehicular access to the site would be gained from Hardwick Road and the Highway Officer has raised no objection to this. The trip generation does not flag up any issues and the existing highway infrastructure around Astmoor Road and its junctions with the expressways would not be adversely affected.

As the proposal seeks permission for Use Class B8, the Highway Officer considers that the proposal should demonstrate that a HGV (a rigid body heavy goods vehicle equivalent to Halton Borough Council's refuse vehicle - Mercedes Econic 10m 3 axle 26 tonne refuse vehicle) can enter and exit safely in forward gear. This detail has now been provided to the satisfaction of the Highway Officer and ensures that the proposal would not have an unacceptable impact on highway safety or the impact on the road network would be severe.

In respect of parking provision, the development proposed 67 parking spaces of which 8 would be accessible. Maximum parking standards set out in Appendix 1 of the Halton Unitary Development Plan for the uses proposed would vary between 51 spaces and 73 spaces. The level of parking provision at 67 spaces is considered to be acceptable.

In the interests of climate change and sustainability, the application proposes that 4 of the parking spaces would benefit from Electric Vehicle charging points which is welcomed and the detail should be secured by condition.

The application site is located adjacent to the busway and the proposed improved pedestrian access to the busway is welcomed.

The proposed cycle parking is acceptable in principle. Precise details of cycle parking which is secure, covered would need to be secured by condition.

The Highway Officer considers that the Travel Plan Statement offers very little by way of active encouragement of sustainable travel modes. Car share is mentioned however there are no proposed incentives such as specific car parking location mentioned. There is a plan to improve the walking routes into the site which is supported by the Council coupled with a convenient access from the busway for staff. Given that the site is to be divided into a number of units it is understandably difficult to commit to any specific schemes to promote active travel however the appointment of a travel plan coordinator to oversee a travel plan for the site with specific aims and travel ambitions detailed is required. The implementation of the travel plan should be secured by condition.

In conclusion, the proposal is acceptable from a highway perspective in compliance with Policies BE1, TP1, TP6, TP7, TP12, TP14, TP15, TP16 and TP17 of the Halton Unitary Development Plan and the National Planning Policy Framework.

### 6.3 Site Layout and External Appearance

The site is laid out in manner where the built form is predominantly located along the southern boundary of the site adjacent to the busway with the active frontage including parking and servicing areas facing northwards towards Astmoor Road.

Regeneration colleagues have commented that this location is front facing to Astmoor Road, and must align with the Astmoor Regeneration Masterplan 3.1 Design Principles which state:

*Buildings should define the public facing edges of a site, rather than yard space or parking. Building frontages should enclose private yard space away from public view and present a 'public face' to adjacent roads. Facilities for the storage of waste should not be visible from the public realm.*

This point has been raised with the applicant who acknowledges the design principle stated in the regeneration masterplan. In terms of building position, the applicant has advised that they are restricted as to where buildings can be located within the site due to a large main drain that is running across the centre of the site with significant easements that need to be achieved. They advise that the only developable space available is the rear of the site which is where the buildings have been positioned.

The applicant considers that the development will likely be trade counter type business use with the units having glazed frontages and appropriate signage. They have advised that the parking to the front would be landscaped and good quality and would create a welcoming active public face to the site.

Noting the design principles set out in the Astmoor Regeneration Masterplan, the site constraints and the revised scheme now under consideration, the design of the proposed development coupled with the improved landscaping scheme would result in a scheme which would have an acceptable impact on the locality namely from Astmoor Road which is the main vehicular route through this area.

Considering the proposed development in terms of its relationship to the busway, it is noted that the rear elevation of the development would face the busway. Due to the site dimension and associated constraints, the layout proposed is considered to be logical and the boundary with the busway would continue to be softened with the hedgerow located on this boundary. The retention of hedgerows should be secured by condition.

The applicant has confirmed that all bin stores would be internal within the units so would not be visible. In terms of maintaining the external appearance of the proposed development, it is considered that a condition restricting external storage is reasonable.

The units are designed in a manner which create interest through the use of different cladding, glazing and contrasting colour roller shutter doors. This design approach is considered to be acceptable and the precise detail of materials to be used can be secured by condition.

In conclusion, it is considered that the proposed development would be laid out in an appropriate manner resulting in appropriate external appearance within its locality in

accordance with Policies BE1, BE2 and E5 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

#### 6.4 Flood Risk and Drainage

The application is accompanied by a Flood Risk Assessment & SuDS Drainage Strategy. These have been reviewed by the Lead Local Flood Authority (LLFA).

The LLFA have raised no objections to the statements related to flood risk. The applicant stated that infiltration is likely not to be feasible due to existing ground conditions and it is proposed to therefore discharge surface water into an existing public surface water sewer, which discharges into the Manchester Ship Canal north of the site. The LLFA have no objection in principle to this proposal in respect of surface water drainage.

The attachment of a condition securing the implementation, maintenance and management of the sustainable drainage scheme would ensure that the proposal is acceptable in terms of flood risk and drainage in compliance with Policy PR16 of the Halton Unitary Development Plan, Policy CS23 of the Halton Core Strategy Local Plan and the National Planning Policy Framework.

#### 6.5 Noise

The application is accompanied by a Noise Assessment.

The Council's Environmental Health Officer notes that it was agreed that a full noise report was not required to accompany this application, due to the distance to the nearest noise sensitive property and the proposed use of the site. On this basis no objection was raised.

The proposal is considered acceptable from a noise perspective in compliance with Policies BE1 and PR2 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

#### 6.6 Air Quality

The application is accompanied by an Air Quality Screening. This sets out that a full Air Quality Assessment is not required in this instance and has been agreed by the Environmental Health Officer.

No objection is raised in respect of air quality and the proposal is considered to be in compliance with Policy PR1 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

#### 6.7 Ground Contamination

The application is accompanied by a Phase II Geotechnical Assessment.

This has been reviewed by the Contaminated Land Officer and no objection has been raised to the proposed development. No remedial or special measures are required for the end use of the site.

The proposal is considered acceptable from a ground contamination perspective in compliance with Policy PR14 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

## 6.8 Ecology

The application is accompanied by a Preliminary Ecological Appraisal. This has been reviewed by the Council's Ecological Advisor.

The development site is close to the following designated sites:

- Mersey Estuary SPA;
- Mersey Estuary Ramsar site; and
- Wigg Island Local Nature Reserve

The Council's Ecological Advisor has stated that the development is unlikely to harm the features for which the sites have been designated:

- The development site is located approximately 1.6km from the Mersey Estuary European sites, and in an area of already significant industrial and human disturbance. The development does not require assessment under the Habitats Regulations (2017);
- The development site is 120m south of Wigg Island LNR but is separated by Astmoor Road, raised earth embankment and tree line and Manchester Ship Canal, all which act to reduce potential impacts during the construction period. The proposal will have excavation and construction impacts which are consigned largely within the existing curtilage, with the roadside location meaning fencing and pollution prevention measures will be required and will ensure the retention of dust and construction-related pollution on site; and
- The development site has a history of vehicle storage, with the local area an established industrial zone. The operation of an additional development will not have significant impacts on Wigg island LNR.

Natural England have been consulted on the application and raise no objection as they also consider that the proposed development will not have significant adverse impacts on designated sites. The attachment of the drainage condition referred to in 6.4 would ensure that the scheme is implemented to the satisfaction of Natural England.

The Council's Ecological Advisor has stated that protection for breeding birds should be secured by condition.

The habitats on site are suitable for hedgehog which is a Priority Species. The following reasonable avoidance measures should be put in place and secured by condition to ensure that there are no adverse effects on them:

- All trenches and excavations should have a means of escape (e.g. a ramp);
- Any exposed open pipe systems should be capped to prevent mammals gaining access; and
- Appropriate storage of materials to ensure that mammals do not use them.

As set out in the submitted Preliminary Ecological Appraisal, it is considered that bat and bird nesting boxes should be provided on site and be secured by condition.

The Proposed Site Plan shows the area of western immature woodland and southern hedgerow would be largely retained which is welcomed and will allow for the site to retain its habitats with the most ecological value.

The attachment of conditions securing the above would ensure that the proposal is acceptable in terms of ecology in compliance with Policy GE21 of the Halton Unitary Development Plan and Policy CS20 of the Halton Core Strategy Local Plan.

#### 6.9 Trees and Landscape Impacts

The application is accompanied by an Arboricultural Impact Assessment and a Tree Constraints Report.

The proposed development would result in the loss of some trees to facilitate the construction of drainage attenuation, however the application is accompanied by a detailed landscaping scheme for the wider site which would assist in softening its overall appearance. The proposed landscaping scheme is considered to adequately compensate for any loss and would ensure that the site has a satisfactory appearance. A condition securing the implementation of the landscaping scheme along with appropriate maintenance is suggested. As suggested at 6.3, the retention of hedgerows should be secured by condition.

The Arboricultural Impact Assessment sets out tree protection measures for the trees to be retained. A condition securing the implementation of these measures throughout the construction phase is suggested.

The attachment of the suggested conditions would ensure compliance with Policies BE1 and GE27 of the Halton Unitary Development Plan.

#### 6.10 Sustainable Development and Climate Change

Policy CS19 of the Halton Core Strategy Local Plan outlines some principles which will be used to guide future development in relation to sustainable development and climate change.

NPPF is supportive of the enhancement of opportunities for sustainable development and it is considered that any future developments should be located and designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles.

The incorporation of facilities for charging plug-in and other ultra-low emission vehicles for this development is welcomed in the form of four parking spaces having such provision. A condition is suggested to ensure the submission of a detailed scheme, its implementation and subsequent maintenance.

Based on the above, the proposal is considered compliant with Policy CS19 of the Halton Core Strategy Local Plan.

#### 6.11 Waste Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application along with policy CS24 of the Halton Core Strategy Local Plan. In terms of waste prevention, construction management by the applicant will deal with issues of this nature and based on the development cost, the developer would be required to produce a Site Waste Management Plan. The Council's Waste Advisor has stated that the submission of a Waste Audit / Site Waste Management Plan should be secured by condition.

In terms of on-going waste management, the proposed layout ensures that sufficient space is available for such provision.

The proposal is considered to be compliant with policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan and policy CS24 of the Halton Core Strategy Local Plan.

#### 6.12 Planning Balance

There is a presumption in favour of granting sustainable developments set out in NPPF where the proposal is in accordance with an up-to-date development plan. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

It is considered that the development plan policies referenced are in general conformity with the NPPF, therefore up-to-date and full weight should be given to these.

The proposal would replace the existing temporary open storage use with a long term solution which would be sympathetic to surrounding land uses and accords with the policy requirements for the site's location within a Primarily Employment Area as well as securing potential future jobs for the Borough. It is considered that the proposal is acceptable for the reasons set out in the report and that this proposal represents

sustainable development which is in accordance with an up-to-date development plan.

## **7. CONCLUSIONS**

The proposal would replace the existing temporary open storage use with a long term solution which would be sympathetic to surrounding land uses and accords with the policy requirements for the site's location within a Primarily Employment Area.

An appropriate access point to site from Hardwick Road would be achieved. Suitable tracking for a HGV has been submitted to demonstrate that a vehicle can enter and exit the site in forward gear. The layout demonstrates an appropriate level of car parking, suitable pedestrian links and cycle parking provision.

The proposal is considered to be of an appropriate design and the elevations indicate a mix of materials to add interest. A detailed landscaping scheme for the wider site would assist in softening the site's overall appearance. The proposal is considered to be a well-designed development reflecting its location within the Astmoor Industrial Estate.

The proposal is therefore considered to be acceptable.

## **8. RECOMMENDATION**

Grant planning permission subject to conditions.

## **9. CONDITIONS**

1. Time Limit – Full Permission.
2. Approved Plans.
3. Restriction on Use.
4. Restriction on External Storage – (Policies BE1 and E5)
5. Proposed Site Levels (Policy BE1)
6. External Facing Materials (Policies BE1 and BE2)
7. Implementation of Landscaping Scheme (Policy BE1)
8. Retention of Hedgerows (Policy BE1)
9. Implementation of Tree Protection Measures (Policy GE27)
10. Breeding Birds Protection – (Policy GE21)
11. Reasonable Avoidance Measures – Hedgehog – (Policy GE21 and CS20)
12. Bat and Bird Nesting Boxes Scheme – (Policy GE21 and CS20)
13. Provision & Retention of Parking and Servicing – (Policy BE1)
14. Cycle Parking Scheme – (Policy BE1)
15. Electric Vehicle Charging Point Scheme – (Policy CS19)
16. Implementation of Travel Plan – (Policy TP16)
17. Implementation of Pedestrian Link to Busway – (Policies TP7 and TP15)
18. Implementation, Maintenance and Management of Sustainable Urban Drainage Scheme – (Policies PR16 and CS23)
19. Foul and Surface Water on a separate system – (Policies PR16 and CS23)
20. Waste Audit – (Policy WM8)

## **10. BACKGROUND PAPERS**

The submitted planning applications are background papers to the report. Other background papers specifically mentioned and listed within the report are open to inspection by contacting [dev.control@halton.gov.uk](mailto:dev.control@halton.gov.uk)

## **11. SUSTAINABILITY STATEMENT**

As required by:

- The National Planning Policy Framework (2019);
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

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

## **APPENDIX 1 - Full Consultation Responses.**

1. Highways and Transportation Development Control.

### **HIGHWAYS RESPONSE- NO OBJECTION**

Further to your consultation we have considered the proposed application as the Highway Authority and would make the following comments;

#### **PARKING**

For a development of this size the UDP would require a maximum parking provision of 60 spaces. The applicant has proposed 61 which would be acceptable.

#### **TRANSPORT STATEMENT**

- 4.2.3 The proposed access arrangement is shown in Drawing P20029-001 in Appendix D. A New 2m wide footway will be provided on the north-west corner of the Hardwick Road junction with the Busway, with this footway continuing into the site.

It will be necessary for the developer to enter into an appropriate agreement with the Highway Authority in order for this welcomed pedestrian infrastructure to be constructed.

The trip generation does not flag up any real concerns and the existing highway infrastructure around Astmoor Road and its junctions with the expressways would not appear to be adversely affected.

## TRAVEL PLAN

The Travel Plan offers very little by way of active encouragement of sustainable travel modes. Car share is mentioned however there are no proposed incentives such as specific car parking location mentioned. There is a plan to improve the walking routes into the site which is supported by the Council coupled with a convenient access from the busway for staff. Given that the site is to be divided into a number of units it is understandably difficult to commit to any specific schemes to promote active travel however we would wish to see a travel plan coordinator appointed to oversee a travel plan for the site with specific aims and travel ambitions detailed.

## LEVELS

The existing site has been raised substantially from its original position. The application does not appear to provide any levels details and these would be required. Is there an intention to keep the existing levels?

## SERVICING

Submitted tracking drawings indicate that there are no highway safety concerns and that a 10m rigid vehicle similar in size and dimensions to Halton Borough Council's refuse vehicle can enter and exit the site safely in forward gear.

## Cycle Parking

Cycle parking would appear to be acceptable. We would advise that cycle parking should be secure, covered and located in a convenient and visible location.

## CONDITION

- It will be necessary for the developer to enter into an appropriate agreement with the Highway Authority in order for this welcomed pedestrian infrastructure to be constructed.
2. Contaminated Land Officer.

I have considered the land contamination implications of the proposed development and have the following comments.

The following document has been submitted as part of the application;

- Phase II geotechnical assessment ,proposed industrial development, Astmoor Road, Runcorn, ref 51687, SP Associates, September 2020

The report is primarily focused on the geotechnical aspects of the site and the development, however, land contamination is included, and adequately assessed.

The site history identifies a number of possible sources of contamination, the most significant being the former Highfield Tannery that occupied a portion of the site.

A number of sample holes (trial pits and window sampler boreholes) were completed across the site, targeting historical features and areas relevant to the proposed structures. Soil and ground gases were analysed, and compared to relevant assessment criteria. No significant contamination was identified that would have an adverse impact on the proposed development.

The report concludes that no remediation or special measures will be required to ensure the site is suitable for the end use.

I am in agreement with the report's findings and, therefore, have no objection to the proposed scheme.

### 3. Lead Local Flood Authority

After reviewing 20/00536/FUL planning application, the LLFA has found the following:

- The site is approximately 1.1ha in size, currently serving as a car park.
- There is a number of existing public sewers on site.
- The proposed development site is classed as 'Less vulnerable', according to the Table 2 of the *Planning Practice Guidance: Flood Risk and Coastal Change* (paragraph 066). The proposed development will increase the total impermeable area of the site.
- Review of flood risk in this location found that the proposed development is in Flood Zone 1, at very low surface water flood risk and outside of the extents of reservoir flood risk.
- Review of watercourses in the area found the closest watercourses are the Manchester Ship Canal (north of the site) and River Mersey (north of the Canal).
- The Halton Borough Council *Strategic Flood Risk Assessment* shows the site is located within a Critical Drainage Area.
- The applicant has provided the following relevant documents:
  - o *Design & Access Statement*, prepared by MCAU, dated September 2020;
  - o *Flood Risk Assessment & SuDS Drainage Strategy*, prepared by Barnsley Marshall, revision P01, dated 2020-06-08 (provided in two parts); and
  - o *Operations & Maintenance Manual for SuDS Assets*, prepared by Barnsley Marshall, reference ARL-BML-ERD-ZZ-RP-C-0501, revision P01, dated 2020-06-08.
- The applicant has provided the following relevant drawings:
  - o *Combined Drainage Layout*, prepared by Barnsley Marshall, reference ARL-BML-ERD-ZZ-DR-C-0500, revision P01, dated 05/20;
  - o *Drainage Details. Sheet 1 of 2*, prepared by Barnsley Marshall, reference ARL-BML-ERD-ZZ-DR-C-0501, revision P01, dated 05/20;
  - o *Drainage Details. Sheet 2 of 2*, prepared by Barnsley Marshall, reference ARL-BML-ERD-ZZ-DR-C-0502, revision P01, dated 05/20;
  - o *Proposed S185 Sewer Diversions. United Utilities Existing Sewers*, prepared by Barnsley Marshall, reference ARL-BML-ERD-ZZ-DR-C-2700, revision P01, dated 05/20; and

- *Floodflow Analysis*, prepared by Barnsley Marshall, reference ARL-BML-ERD-ZZ-DR-C-0520, revision P01, dated 05/20.
- The applicant carried out an assessment of flood risk within the *Flood Risk Assessment & SuDS Drainage Strategy* document submitted. The LLFA have no objections to the statements related to flood risk made within this document.
- The applicant stated in the *Flood Risk Assessment & SuDS Drainage Strategy* that infiltration is likely not to be feasible due to existing ground conditions. It is proposed to therefore discharge surface water into an existing public surface water sewer, which discharges into the Manchester Ship Canal north of the site. Halton as LLFA have no objection in principle to this proposal.
- The applicant proposes to discharge surface water at a controlled rate of 5l/s, into a diverted United Utilities sewer. The LLFA have no objection in principle to this proposal.
- The LLFA also have no objection in principle to the operation and maintenance outlined in the *Operations & Maintenance Manual for SuDS Assets* document.

Based on the above stated information, the LLFA considers the applicant has assessed the flood risk and surface water drainage for the site adequately for a full application stage.

The LLFA therefore have **no objection** to this planning application, providing the following are appended to any approvals:

- Approved documents:
  - *Flood Risk Assessment & SuDS Drainage Strategy*, prepared by Barnsley Marshall, revision P01, dated 2020-06-08 (provided in two parts);
  - *Operations & Maintenance Manual for SuDS Assets*, prepared by Barnsley Marshall, reference ARL-BML-ERD-ZZ-RP-C-0501, revision P01, dated 2020-06-08;
  - *Combined Drainage Layout*, prepared by Barnsley Marshall, reference ARL-BML-ERD-ZZ-DR-C-0500, revision P01, dated 05/20;
  - *Drainage Details. Sheet 1 of 2*, prepared by Barnsley Marshall, reference ARL-BML-ERD-ZZ-DR-C-0501, revision P01, dated 05/20;
  - *Drainage Details. Sheet 2 of 2*, prepared by Barnsley Marshall, reference ARL-BML-ERD-ZZ-DR-C-0502, revision P01, dated 05/20; and
  - *Floodflow Analysis*, prepared by Barnsley Marshall, reference ARL-BML-ERD-ZZ-DR-C-0520, revision P01, dated 05/20.
- Conditions:
  - No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme in accordance with the SUDS hierarchy have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
    - a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by, or connection to any system adopted by, any public body or statutory

undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

- attenuation structures and calculations to demonstrate a reduction in surface water runoff rate of a minimum of greenfield rate.

#### 4. Environmental Protection.

In respect of the above, the noise report submitted in support of this application, reference JS/GM11295/0001 & dated 4/8/2020 refers to a conversation with Environmental Protection on 24/07/2020, where it was agreed that a full noise report was not required, due to the distance to the nearest noise sensitive property and the proposed use of the site.

I can confirm this acceptable and therefore have no comments in respect of this application.

#### 5. Open Spaces.

This application does not require comments from Open Spaces. The proposals appear to seek development on what is currently an area of hard standing, the land is not HBC owned and the proposals do not appear to impact upon HBC managed/owned land. There are no formal tree or Nature Conservation constraints associated with the proposed development plot.

#### 6. Regeneration.

##### ORIGINAL RESPONSE

With reference to the above planning, there is no indication regarding arrangements for waste storage and collection. This location is front facing to Astmoor Road, and must align with the Astmoor regeneration masterplan 3.1 Design Principles which state:

Buildings should define the public facing edges of a site, rather than yard space or parking. Building frontages should enclose private yard space away from public view and present a 'public face' to adjacent roads. Facilities for the storage of waste should not be visible from the public realm.

The plans evidence parking fronting Astmoor Road, which we would in time expect to include a variety of contractors vehicles and assorted trucks as well as cars and undetermined storage. Therefore this layout currently does not present a 'public face' with all servicing to the rear.

##### RESPONSE ON AMENDED SCHEME

No further comments / observations to make.

## 7. Merseyside Environmental Advisory Service – Ecology and Waste Advisor.

### Designated Sites

The development site is close to the following designated sites and Local Plan Core Strategy policy CS20 applies:

- Mersey Estuary SPA;
- Mersey Estuary Ramsar site; and
- Wigg island Local Nature Reserve

On this occasion, the development is unlikely to harm the features for which the sites have been designated:

- The development site is located approximately 1.6km from the Mersey Estuary European sites, and in an area of already significant industrial and human disturbance. The development does not require assessment under the Habitats Regulations (2017);
- The development site is 120m south of Wigg Island LNR but is separated by Astmoor Road, raised earth embankment and tree line and Manchester Ship Canal, all which act to reduce potential impacts during the construction period. The proposal will have excavation and construction impacts which are consigned largely within the existing curtilage, with the roadside location meaning fencing and pollution prevention measures will be required and will ensure the retention of dust and construction-related pollution on site; and
- The development site has a history of vehicle storage, with the local area an established industrial zone. The operation of an additional development will not have significant impacts on Wigg island LNR.

### Ecological Information

The applicant has submitted a Preliminary Ecological Appraisal report in accordance with Local Plan Core Strategy policy CS20 (*Preliminary Ecological Appraisal, UES Ltd., 31/07/2020, UES ref: UES03005/02*). I advise the report is acceptable.

### Breeding birds

Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected and Local Plan Core Strategy policy CS20 applies. The following planning condition is required.

#### CONDITION

No tree felling, scrub clearance, hedgerow removal or vegetation management is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

### Terrestrial mammals

The habitats on site are suitable for hedgehog which is a Priority Species and Local Plan Core Strategy policy CS20 applies. The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them:

- All trenches and excavations should have a means of escape (e.g. a ramp);
- Any exposed open pipe systems should be capped to prevent mammals gaining access; and
- Appropriate storage of materials to ensure that mammals do not use them.

These measures can be secured by a suitably worded planning condition.

#### Hedgerows and woodland

The Proposed Site Plan appears to show the area of western immature woodland and southern hedgerow will be largely retained. This is welcomed and will allow for the site to retain its habitats with the most ecological value. The applicant should ensure the hedgerow and trees are subject to suitable buffers and that any tree loss is compensated by replacement tree provision in line with Local Plan Core Strategy policies CS8 and CS21.

#### Waste- Waste Local Plan policy WM8

The proposal is major development and involves excavation and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal.

In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition. The details required within the waste audit or similar mechanism is provided in Part Two.

#### Biodiversity Enhancements

In line with the Conclusions of the submitted Preliminary Ecological Appraisal, Local Plan policy CS20, NPPF paragraph 175 and the NERC biodiversity duty I advise that bat and bird nesting boxes should be provided on site. Any landscaping should also be with native, berry-bearing species which provide a food source for birds.

#### Waste Local plan policy WM8

A waste audit or similar mechanism provides a mechanism for managing and monitoring construction, demolition and excavation waste. This is a requirement of WLP policy WM8 and the National Planning Policy for Waste (paragraph 8); and is advised for projects that are likely to produce significant volumes of waste (nPPG, paragraph 49). Implementation of such mechanisms may also deliver cost savings

and efficiencies for the applicant. The following information could be included within the waste audit (or similar mechanism) as stated in the Planning Practice Guidance:

- the anticipated nature and volumes of waste that the development will generate;
- where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development;
- the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities; and
- any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete.

Information to comply with policy WM8 could be integrated into a Construction Environment Management Plan (CEMP) if one is to be produced for the development. This would have the benefit of ensuring that the principles of sustainable waste management are integrated into the management of construction on-site to improve resource efficiency and minimise environmental impacts.

Guidance and templates are available at:

- <http://www.meas.org.uk/1090>
- <https://www.gov.uk/guidance/waste>
- <http://www.wrap.org.uk/>
- [http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item\\_id=8983](http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item_id=8983)

#### 8. Environment Agency.

No observations received.

#### 9. Natural England.

**NO OBJECTION**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Natural England's further advice on designated sites is set out below.

Internationally and nationally designated sites

The application site is within 1.5 km of Mersey Estuary Special Protection Area (SPA), Mersey Estuary Ramsar and Mersey Estuary Site of Special Scientific Interest (SSSI).

Please see the subsequent sections of this letter for our advice relating to SSSI features.

### Habitats Regulations Assessment (HRA)

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Based on the additional plans received, Natural England considers that the proposed development will not have likely significant effects on the above designated sites.

We advise as there are measures in place within the design of the development to capture any potential pollution via runoff before it is discharged to the Manchester Ship Canal which has a hydrological to the above designated sites. We have no objection to the proposed development, providing the application is undertaken in strict accordance with the details submitted.

To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

### Mersey Estuary SSSI

Our concerns regarding the potential impacts upon the Mersey Estuary SSSI coincide with our concerns regarding the potential impacts upon the international designated sites, therefore we are content that providing the application is undertaken in strict accordance with the details submitted the development is not likely to damage the interest features for which the site has been notified.

## 10. United Utilities.

### Drainage

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The following comments are subject to technical approval for the pending S185 diversion proposals being granted.

Following our review of the submitted Flood Risk Assessment & SUDs Drainage Strategy, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice:

Condition 1 – Surface water

The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment (Ref No. Flood Risk Assessment and SUDs Drainage Strategy Rev P01, Dated 08/06/2020) which was prepared by Barnsley Marshall. For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, surface water must drain at the restricted rate of 5 l/s. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding

Condition 2 – Foul water

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.