

<b>APPLICATION NO:</b>	21/00657/FUL
<b>LOCATION:</b>	Land At Viking Park (Plot A2) Mathieson Road Widnes Cheshire
<b>PROPOSAL:</b>	Proposed erection of a storage and distribution building (Use Class B8) including ancillary (integral) offices, creation of a service yard and parking areas for cars and HGVs, with associated access and servicing including a new vehicle access point from Mathieson Road, new landscaping and other works
<b>WARD:</b>	Central & West Bank
<b>PARISH:</b>	None
<b>AGENT(S)/APPLICANT(S)</b>	Agent: Avison Young Applicant: Madog Estates Ltd
<b>DEVELOPMENT PLAN:</b> National Planning Policy Framework (2019) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013) Emerging Delivery and Allocations Local Plan (2022)	Regional Investment Site within the Halton Unitary Development Plan, however the adopted Halton Core Strategy Local Plan has updated the allocation to a Key Area Of Change 3MG.  Within the emerging Delivery and Allocations Local Plan Policies Map the site is identified as a Strategic Employment Allocation.
<b>DEPARTURE:</b>	No
<b>REPRESENTATIONS:</b>	No representations received from the publicity given to the application
<b>KEY ISSUES:</b>	Principle of Development, Design, Highway Safety, Drainage, Ecology, Ground Contamination
<b>RECOMMENDATION:</b>	Approve subject to conditions.
<b>SITE MAP:</b>	

## **1. APPLICATION SITE**

### **1.1 The Site**

The site itself comprises of approximately 4.9 hectares of cleared, remediated brownfield land with various other industrial uses to the north, west, south and east. The site is accessed off Mathieson Road which is a purpose built service road running east to west, which forms the site's northern boundary and provides all vehicular and pedestrian access to the site. The wider context is heavily dominated by other industrial and employment uses including a distribution centre for Warburtons located directly to the east, a large Tesco Distribution Centre to the east, Eddie Stobart Container Logistics and various industrial uses along Foundry Lane to the west. The River Mersey is approximately 250m to the south of the application site.

The application site is identified as a Regional Investment Site within the Halton Unitary Development Plan, however the adopted Halton Core Strategy Local Plan has updated the allocation to a Key Area Of Change 3MG.

It is noted that on the emerging Delivery and Allocations Local Plan Policies Map the application site is identified as a Strategic Employment Allocation.

### **1.2 Planning History and Background**

- 05/00212/FULEIA - Proposed redevelopment of freight terminal to provide 78,308sq.m. of new distribution warehousing with improved road and rail access. **Permitted 24.03.06**
- 07/00815/FULEIA - Proposed distribution centre and additional warehousing floorspace with associated access, vehicle parking, landscaping and ancillary development including diversion of existing watercourse. **Permitted 10.03.08**
- 08/00422/FUL - Proposed erection of distribution warehouse (with a total of 18,311sq.m. floorspace) Use Class B8, external storage area and associated parking. **Permitted 13.09.08**
- 11/00266/OUTEIA - Outline application (with all matters reserved) for the proposed remediation of the 32.29ha (79.79 acres) site and expansion of Stobart Park/3MG, including: 124,000sq m (1,335,000sq ft) of storage and distribution floorspace (Use Class B8) including ancillary offices and vehicle parking; construction of additional rail

siding; and all associated land remediation, engineering works and landscaping. **Permitted 10.08.12**

- 12/00155/REM - Phase I Earthworks and Infrastructure Reserved Matters submission relating to the area east of Steward's Brook comprising: (1) cut and fill earthworks including remediation to secure a level platform for Unit 3; (2) spine road and Desoto Road roundabout; (3) new road bridge over Steward's Brook; (4) site drainage including works to Steward's Brook; and (5) strategic landscaping. **Permitted 28.09.12**
- 12/00258/FULEIA - Proposed development and erection of a wood fuelled Biomass Combined Heat and Power Plant and ancillary infrastructure development. **Permitted 04.04.13**
- 20/00110/FUL - Proposed erection of storage and distribution building (Use Class B8) including ancillary integral offices, associated access, parking, servicing and ancillary works. **Permitted 20.07.20**

## **2. THE APPLICATION**

### **2.1 The Proposal**

The application seeks permission for the erection of a storage and distribution building (Use Class B8) including ancillary (integral) offices, creation of a service yard and parking areas for cars and HGVs, with associated access and servicing including a new vehicle access point from Mathieson Road, new landscaping and other works.

### **2.2 Documentation**

The planning application is supported by the following documents:

- Planning Statement, Date: November 2021
- Design and Access Statement, 11153-05.01
- Ecological Assessment, Document Ref: 9107.002 Date: October 2021
- Habitat Regulation Assessment (HRA) Screening Report, Document Ref: 9107.003, Date: October 2021
- Flood Risk Assessment, Document No.: T/2485/FRA, Revision: 1.0, Date: 04/11/2021
- Historic Environment Desk-Based Assessment, Document Ref: 9109.001, Version 1.1, Date: November 2021
- Phase 1 Contaminated Land Assessment, Project Reference: 021-1877 Revision: REV00, Date: October 2021
- Transport Assessment and Travel Plan, 680-01/TA01

- Drainage Strategy, Project Ref: T\_21\_2485, Report Ref: T2485\_Drainage Strategy
- Storm Water Maintenance Plan, Project Ref: T\_21\_2485, Report Ref: 2485\_SuDS\_001

### **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.

#### **3.1 National Planning Policy Framework**

The National Planning Policy Framework (NPPF) was published in July 2021 to set out the Government's planning policies for England and how these should be applied.

Paragraph 47 states that planning law requires for planning permission 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.

Paragraphs 81 states planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

#### **3.2 Halton Unitary Development Plan (UPD) (2005)**

The following 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;
- BE6 Archaeological Evaluations;
- BE22 Boundary Walls and Fences;
- GE21 Species Protection;
- GE30 The Mersey Coastal Zone;
- PR2 Noise Nuisance;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- E5 New Industrial and Commercial Development;
- TP6 Cycling Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;

- TP12 Car Parking;
- TP17 Safe Travel For All;

### 3.3 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
- CS8 3MG Key Area of Change
- 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

### 3.4 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 for New Development.

### 3.5 Supplementary Planning Documents (SPD)

- Planning For Risk 2009
- 3MG Mersey Multimodal Gateway 2009
- Design of New Industrial and Commercial Development 2006
- Designing for Community Safety (2005)

### 3.6 DALP

The site is allocated as a Strategic Employment Allocation therefore CS (( R ) 4, and ED1 are relevant.

CS ( R ) 4 is not subject to modification and ED1 is only subject to modification to bring the uses in line with the new use classes order. Therefore, these policies should be given significant weight.

Other policies within the DALP are relevant but are considered to result in the same assessment as those set out below in relation to the UDP and Core Strategy Policies.

### 3.7 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 person's 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.

### 3.8 Equality Duty

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development that justify the refusal of planning permission.

## **4. MATERIAL CONSIDERATIONS**

The material considerations are identified and have been addressed in the assessment section of this report.

## **5. CONSULTATIONS**

The application has been advertised via the following methods: site notice posted near to the site and on the Council Website. Surrounding properties have also been notified by letter.

The following organisations have been consulted and, where relevant, any comments received have been summarised below in the assessment section of the report:

- **United Utilities**  
No comment to make
- **Cheshire Police**  
No objection
- **Environment Agency**  
No objection subject to conditions
- **Liverpool Airport PLC**  
No objection subject to informatives
- **Merseyside Environmental Advisory Service**  
No objection subject to conditions
- **Natural England**  
No objection
- **Network Rail**  
No objection or comments to make
- **National Grid**  
No comments received at time of report
- **Scottish Power**  
No comments received at time of report
- **Cheshire Archaeology Planning Advisory Service**  
No objection
- **Mersey Gateway**  
No comments received at time of report
- **Fire Officer**  
No comments received at time of report
- **Risk and Emergency Planning**  
No comments received at time of report
- **HBC Highways and Transport**  
No objection subject to conditions
- **HBC Environmental Protection**  
No comments received at time of report
- **HBC Contaminated Land**  
No objection subject to conditions
- **Lead Local Flood Authority**  
No objection subject to conditions
- HBC Emergency Planning Officer Halton  
No comments received at time of report
- **HBC Major Projects**  
Fully support this application
- **HBC Ward Councillors**  
No comments received at time of report

## **6. REPRESENTATIONS**

The application was advertised by 19 neighbour notification letters sent on the 18<sup>th</sup> November 2021 and a site notice posted on 18.11.2021. At the time of writing the report, no representations have been received.

## **7. ASSESSMENT**

### **7.1 Principle of Development**

The application site is identified as a Regional Investment Site within the Halton Unitary Development Plan, however the adopted Halton Core Strategy Local Plan has updated the allocation to a Key Area Of Change 3MG.

It is noted that on the emerging Delivery and Allocations Local Plan Policies Map the application site is identified as an Employment Allocation.

Policy CS8 of the Halton Core Strategy Local plan highlights that the existing Mersey Multimodal Gateway (3MG) makes a huge contribution to the economy of Halton and the wider region, and the site is a key employment generator. The Core Strategy identifies the site as a potential to deliver a large quantum of employment development.

One of the key elements of the future of 3MG is the availability of land for B8 employment development and the provision of jobs for the people of Halton.

The application seeks planning permission for the erection of a storage and distribution building (Use Class B8) including ancillary (integral) offices, creation of a service yard and parking areas for cars and HGVs, with associated access and servicing including a new vehicle access point from Mathieson Road, new landscaping and other works.

Given that the application is associated with industry and employment, in accordance with Policy CS8 of the Halton Core Strategy Local Plan, the principle of the proposed development is considered to be acceptable.

### **7.2 Layout**

The main entrance to the site will be accessed off Mathieson Road. A large proportion of the building footprint is sited within the southern portion of the application site and is separated from Mathieson Road via the service yard and staff parking area. This arrangement achieves a good level of visual set back from Mathieson Road, which is encouraged, given the size of the building structure.



Vehicular parking would be positioned to the front of the building to provide direct access and again, would give the proposed building a level of setback from the highway.

The main building entrance is located on the building's north-western boundary and will be clearly visible on approach to the site. The proposed offices containing windows will face towards Mathieson Road for an outward looking aspect.

Staff parking has been configured to wrap around the north-west corner of the building enabling parking bays to be in close walking distance of the principle building entrance. Zones for refuge areas and other ancillary uses are included within the yard area.

Given the sites location this will not conflict with access to the coast and therefore does not conflict with Policy GE30.

The layout of the proposed development is considered to be acceptable and compliant with Policies BE1 and BE2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

### 7.3 Scale

The proposed building would measure 213.61m in length by 87m and would have a maximum height of 17.86m. The massing and form of the proposed building is typical of a logistics facility of this type and within the height parameters of previous outline consent (ref: 11/02666/OUTEIA), which permitted buildings with eaves heights up to 40m.

The massing of the proposed building has been dictated by the building footprint, proposed development levels and elevated third party land to the west and south, which would reduce the perceived massing from these aspects. Surrounding land uses generally comprise employment uses containing large building footprints with tall clear internal heights and associated service areas. It is considered that a building of this proposed height and volume will sit comfortably on the plot.

The proposed scale of the storage and distribution unit reflects the site context and surrounding buildings, but is also set to meet the dimensions required of the proposed internal fit out.

The proposal is acceptable in terms of scale and compliant with Policy BE1 and E5 of the Halton Unitary Development Plan.

### 7.4 Appearance

The proposed building would be primarily clad with a combination of horizontally laid, metal-faced insulated cladding panels with a 'microrib'

profiled finish and vertically profiled 'built-up' cladding. The materials are considered to be suitable for a building of this typology, size and construction given their durability, ease of maintenance and efficiency of installation.

A simple palette of greys and off-white colours will be utilised throughout the elevations to reflect and co-ord with adjacent buildings. A contrasting colour would be included on the principle elevation of the building entrance on the north-western corner and would be repeated across the service doors/shutters.

The proposed elevations show that the building would be of an appropriate appearance with some variety in materials and texture to add interest to the overall external appearance. The subsequent implementation of the external facing materials should be secured by condition. This would ensure compliance with Policies BE1, BE2 and E5 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

#### 7.5 Site Levels

Whilst the application site is generally flat, there is some substantial banking running along the southern boundary of the site and in part, the eastern boundary. Consequently, the neighbouring Saria Warehouse to the south and Viking House to the east are elevated several meters above the general ground level of the application site. The submitted topographical survey indicates that across the main body of the site, north to south, the site levels gradually rise between 1m across the site. Within the southern banking are gabion structures, largely hidden from view by the self-seeded vegetation.

Where there are areas of banks and mounding, these will be removed and regraded as per the submitted Demolition and Landscape Removal Plan. It is considered that appropriate relationships can be achieved in terms of overall appearance and relationships to existing roads.

It is considered reasonable to attach a condition which secures the subsequent implementation of the proposed site levels. This would ensure compliance with Policy BE1 of the Halton Unitary Development Plan.

#### 7.6 Landscaping and Trees

The submitted Design and Access Statement states that landscaped areas are to be incorporated around the site perimeter to visually soften the boundaries and provide opportunity for biodiversity and ecological enhancement.

Proposed boundary treatments would consist of 2.4m high perimeter security fencing (details of the type and colour will be dealt with by way of a condition).

A condition securing the submission of a detailed landscaping scheme, including details of new boundary fencing, the subsequent implementation and maintenance thereafter is considered reasonable. This would ensure compliance with Policies BE1 and BE22 of the Halton Unitary Development Plan.

### 7.7 Security and Crime

The Designing for Community Safety Supplementary Planning Document outlines guiding principles which should be incorporated into new developments to achieve safer places.

As the site will operate 24-hour days, this will benefit the surrounding area by provided permanent activity, presence and surveillance at all times, therefore discouraging and limiting the opportunity and likelihood for crime local to the site.

CCTV surveillance systems and security personnel will operate on site together with the following security measures:

- 2.4m high security fencing
- Good levels of illumination throughout the site
- Raised arm barrier access to and from the site
- Good levels of visibility from the offices and street scene
- Clearly defined footpaths
- Secure cycle parking
- Low level landscaping to enable good visual surveillance

The Council's Designing Out Crime Officer has reviewed the application and has raised no objection to the proposed development. Advice supplied can be forwarded to the applicant by means of informative attached to any planning permission.

### 7.8 Ecology

The Merseyside Environmental Advisory Service has been consulted on the application and has provided the following comments:

*The development site is near to the following National and international sites. These sites are protected under the Conservation of Habitats & Species Regulations 2017 and Core Strategy policy CS20 applies:*

- *Mersey Estuary SPA;*
- *Mersey Estuary Ramsar site; and*

- *Mersey Estuary SSSI*

*Due to the development's potential pathways and impacts on the above sites, this proposal requires Habitats Regulations Assessment for likely significant effects. In line with the recent Court of Justice of the National and international Union judgement of 12 April 2018 (known as People Over Wind<sup>1</sup>), I have undertaken an assessment of likely significant effects which is based upon the essential features and characteristics of the project only.*

*Whilst I agree with the general assessment set out in the applicant's shadow HRA (TEP, Habitats Regulations Screening Report, October 2021) I consider that there is a low potential for likely significant effects on the above sites without precautionary mitigation/preventative measures in place during the construction phase.*

*An Appropriate Assessment will therefore be required in accordance with Regulation 63 (Habitats Regulations 2017). The Appropriate Assessment report (Appendix 1) concludes that, with mitigation/preventative measures, there will be no adverse effect upon the integrity of National and international sites. I advise that Natural England is consulted on the outcome of the Appropriate Assessment prior to determination and any points which may arise should be addressed.*

Natural England have been consulted on the application and submitted information and have confirmed that the proposed development will not have significant adverse impacts on designated sites and has no objection.

*MEAS goes on to advise that: the applicant prepares a Construction Environmental Management Plan (CEMP) document to manage and mitigate the main environmental effects during the construction phases of the proposed development.*

*The applicant has submitted an Ecological Appraisal report in accordance with Local Plan Core Strategy policy CS20 (TEP, Ecological Appraisal, October 2021) which meets BS 42020:2013.*

*The site is approximately 4ha. At least 2ha of the site area comprises modified grassland, scrub and tall ruderal vegetation which will be lost to development. The proposed site plan shows a large warehouse and hardstanding area with landscaping limited to a 5-15m strip on the perimeter of the site. On this basis, I advise that mitigation and enhancements set out in section 6 of the report are acceptable and should be secured to compensate for habitat loss. Landscaping, enhancement measures and management proposals should be specified on a detailed landscape plan which can be secured by a suitably worded planning condition.*

On the basis of the above, the proposal is considered capable of demonstrating compliance with the development plan having particular regard to Policies GE21 of the Halton Unitary Development Plan and Policy CS20 of the Halton Core Strategy Local Plan.

## 7.9 Highway Considerations

The Council's Highway Authority have reviewed the application and have provided the following comments:

*The Highway Authority are supportive of the proposed use and have reviewed the submitted plans and the transport assessment to formulate it's response.*

*The presented Transport Assessment is considered to be robust and demonstrates that the proposed use and associated traffic movements would not result in a negative impact on network capacity.*

*Car parking levels are below the current maximum UDP standard but in his considerations the Highway Officer has reviewed the number of spaces offered against a sliding scale for a B8 use and is confident that on this occasion suitable provision has been made.*

*The submitted plan 11153 P L06 (Proposed Site Plan) demonstrates suitable levels of accessible spaces, EV charge points and cycle storage have been made although more detail for both the EV provision and cycle store should be submitted for approval pre-occupation.*

*The site benefits from a pedestrian footway to the North of Mathieson Road secured via previous permission but tactile paving provision is only shown to the site side, therefore off site works will be required outside the red line plan to connect the site to the route.*

*The Highway Officer welcomes the inclusion of the framework for a Travel Plan within the Transport Assessment but would request that more specific detail should be submitted once an end user is identified. Any Travel Plan will rely on its implementation and management throughout the life of the development, therefore we would request that a suitably worded condition be placed on any decision.*

It is considered that the proposal is capable of demonstrating compliance with the development plan having particular regard to Policies TP6, TP7, TP12 and TP17 of the Halton Unitary Development Plan and Policy CS15 of the Halton Core Strategy Local Plan.

## 7.10 Noise

The application is for a large industrial warehouse, but no information has been provided in association with the application in terms of a noise assessment.

Whilst there is noise associated with this type of development particularly if the building will be in operation 24 hours a day, this application is over ½ km from the nearest residential property, within an existing and active commercial area and associated noise environment. It is considered that the distance alone will mitigate the noise impact to a negligible level.

On the basis of the above it is not considered that any objection nor requirement of any conditions related to this application to control noise could be justified. The proposal is therefore considered capable of demonstrating compliance with the development plan having particular regard to Policies PR2 of the Halton Unitary Development Plan.

## 7.11 Ground Contamination

The Merseyside Environmental Advisory Service has been consulted on the application and has provided the following comments:

*The Planning Statement (Avison Young November 2021) states that the development site was part of the wider 3MG application 11/02666/OUTEIA which was subject to Environmental Impact Assessment. A subsequent application 12/00155/REM dealt with the remediation of the site. Although the size of the proposal exceeds the EIA Regulations 2017 applicable thresholds for Schedule 2 10(a) industrial estate developments, the parameters of the proposal meet the criteria set out in the original 2011 application. Furthermore, remediation has subsequently been undertaken on site to create a development platform. As such, I do not consider that this proposal constitutes EIA development.*

The Council's Contaminated Land Officer has reviewed the application and has provided the following comments:

*I have reviewed the supporting information and have the following comments in relation to land contamination impacts.*

*The site has a long development history, closely associate with various phases of chemical manufacture and associated disposal of process wastes (particularly use to reclaim saltmarsh). The site has been subject to a number of phases of site investigation and risk assessment, and in 2012 it was part of a wider site scheme of remediation. That remediation was based on removal of sub-structures and old drainage, site levelling via a cut-and-*

*fill operation, a cement stabilized layer (reducing infiltration and contaminant mobility) and a clean break layer of crushed, inert material.*

*The assessment presented, based on the historical information, indicates that there are limited potentially significant pollutant linkages for the proposed development. However, the status of the ground gas regime is not known. The applicants reporting states that additional site investigation is required for foundation/geo-technical assessment as well as some additional environmental sampling.*

*Therefore I have no objection to the proposals, but recommend it be conditioned to require the submission of a remediation strategy that includes recommendations for ground gas protection measures based upon up-to-date monitoring of gases. A verification report should also be required upon completion of any remedial activities. Given the known nature of the sub-surface it is likely that some element of piling will be required, and therefore any approval should be conditioned to require a piling risk assessment to be submitted.*

The Environment Agency has also provided comments for the proposed development. They have raised no objection to the proposed works subject to a number of planning conditions which echo the requirements of the Council's Contaminated Land Officer.

Based on the above, the proposals are considered capable of demonstrating compliance with the development plan having particular regard to UDP Policy PR14 and Core Strategy Policy CS23.

## 7.12 Flood Risk and Drainage

The Lead Local Flood Authority has been consulted on the application and have commented as follows:

*The site area is approximately 4ha and comprises a brownfield site. The proposed development is for the construction of warehouses and associated infrastructure. The land use vulnerability classification defined in Planning Practice Guidance would be 'Less Vulnerable'. The development would increase the impermeable area of the site.*

*The applicant has provided a flood risk assessment:*

- The FRA identifies that the site is within Flood Zone 1.*
- Based on a finished flood level of 7.15m AOD this would result in flood depths of up to 600mm during the design flood.*
- Surface water flooding is reported to be generally very low (less than 0.1% AEP) although localised areas of high risk are indicated in Environment Agency mapping*

- *Flood risk from other sources including groundwater, sewers and reservoirs is assessed as being low or not significant.*
- *Mitigation against the residual risk of flooding from surface water or sewers comprises raising the finished floor level to approximately 150mm above ground levels to 13.95m AOD.*
- *Surface water runoff would be routed into Stewards Brook. Based on the potential for contamination on the site, this discharge location is considered to be the most appropriate discharge option.*

*The LLFAs comments on the FRA and drainage strategy information provided are:*

- *The LLFA notes that the development would be classified as 'Less Vulnerable and that the location of the development within Flood Zone 1 is considered to be appropriate.*
- *The FRA has assessed the impact of climate change on Tidal flooding using climate change uplifts within the Halton SFRA. Whilst these have been superseded by more recent Environment Agency Guidance, the risk would remain low.*
- *The proposed finished floor level of 13.95m AOD appears to be sufficient to manage the residual risk of flooding.*
- *The LLFA accepts that the discharge of surface water runoff to stewards Brook is the most sustainable option available based on the potential for contamination of the site. However no other information is available on surface water drainage and how this would be managed to keep the site safe from flooding and prevent an increase in flood risk elsewhere.*

*As the development is considered to be appropriate in terms of flood risk the LLFA would recommend a number of suitably worded conditions should the planning authority be minded to approve the application.*

Additional information has been provided by the applicant and the Lead Local Flood Authority have provided the following updated comments:

*The applicant has provided a drainage strategy and the LFFAs comments are as follows:*

- *The strategy identifies that there is a watercourse adjacent to the site. However, without providing any justification for why this is not proposed as the discharge location, the report states that runoff will be discharged to sewer.*
- *There is no discussion of using more sustainable methods of attenuating flow and the use of below ground tanks is not justified.*



- *Section 5.3 is poorly written and does not make any sense.*
- *300l/s is stated to be the proposed runoff rate but no justification for this is provided. A reference is made to a previous design, but this design is not included so without any context this does not help the reader.*
- *There is no explanation for how exceedance flows would be managed. The exceedance flow drawing is simply a series of arrows. Given that a micro drainage model has been developed for the site, this simplistic approach is considered to be insufficient to demonstrate that flooding would flow away from buildings.*
- *The maintenance management plan identifies routine activities and the responsible party and is considered to be sufficient.*

*The development is considered to be appropriate in terms of flood risk. However, the drainage strategy is considered to be insufficient to demonstrate that the SuDS hierarchy has been appropriately implemented and there is insufficient evidence presented to demonstrate that flow rates from the site would not increase. Therefore, the LLFA would recommend a number of suitably worded conditions should the planning authority be minded to approve the application.*

On this basis the proposals are considered capable of demonstrating compliance with the development plan having particular regard to UDP Policy PR16.

### 7.13 Archaeology and Cultural Heritage

Cheshire's Archaeology Planning Advisory Service has reviewed the application and has provided the following comments:

*Having reviewed the application, the supporting documentation and the information held on the Cheshire Historic Environment Records, this development is situated in an area which may hold archaeological potential.*

*The archaeological potential of this area was outlined sufficiently in the supporting document provided by The Environmental Partnership. The Desk Based Assessment (DBA) outlines the historical background to the proposed development area, as well as more recent events such as the remediation works which were undertaken on the site. The DBA does outline that while there is a low-level potential for archaeological remains, are likely to have been disrupted or destroyed by these remediation works.*

*The Desk Based Assessment suggests recommendations in section 6.0. These recommendations suggest that the remediation's works where*

*significant and therefore the potential for significant below ground remains are extremely limited.*

*To this extent, there will be no requirements for a programme of archaeological observations during groundworks.*

On this basis the proposals are considered capable of demonstrating compliance with the development plan having particular regard to UDP Policy BE6.

#### 7.14 Waste Prevention/Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application.

The proposal is a 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.

With regards to onsite waste collection and storage, the applicant has provided sufficient information on the *proposed site plan* and in Appendix B of the Transport Assessment to comply with policy WM9 (Sustainable Waste Management Design and Layout for New Development) of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste.

#### 7.15 Sustainable Development and Climate Change

The submitted Design and Access Statement covers sustainability and indicates that the proposals will be built to a BREEAM 'Very Good' Rating. A number of sustainability measures are proposed for the development:

- Promotion of alternative means of transportation to the site – cycle, pedestrian, car sharing;
- External service yard and parking areas have been designed to maximise flexibility should the building's use or occupier change during the building's lifecycle;

- Orientation of offices and office glazing to limit and help manage solar gains;
- Utilisation of natural light to office area;
- Suitable levels of thermal insulation to heated spaces within the building to minimise heat loss;
- Efficient heating and cooling system;
- Implementation of appropriate building Management Systems (BMS) to closely monitor building energy use and limit wasted energy heating, lighting and ventilation of unoccupied spaces;
- Installation of water-efficient sanitary goods to staff areas;
- Allocation of photovoltaic panels to roof area.

This demonstrates compliance with Halton Local Plan policy CS19 (Sustainable Development and Climate Change).

## **8. CONCLUSION**

The proposal seeks to bring forward the development of an existing area of cleared, brownfield land to erect a storage and distribution building (Use Class B8) including ancillary integral offices, creation of a service yard and parking areas for cars and HGVs, with associated access and servicing including a new vehicle access point from Mathieson Road, new landscaping and other works.

The application site is identified as a Regional Investment Site within the Halton Unitary Development Plan, however the adopted Halton Core Strategy Local Plan has updated the allocation to a Key Area Of Change: 3MG.

It is noted that on the emerging Delivery and Allocations Local Plan Policies Map the application site is identified as an Employment Allocation.

Policy CS8 of the Halton Core Strategy Local plan highlights that the existing Mersey Multimodal Gateway (3MG) makes a huge contribution to the economy of Halton and the wider region, and the site is a key employment generator. The Core Strategy identifies the site as a potential to deliver a large quantum of employment development. One of the key elements of the future of 3MG is the availability of land for B8 employment development and the provision of jobs for the people of Halton.

Guidance from the Homes & Communities Agency Employment Density Guide provides indicative job densities for various use classes. The development proposes 19,105sqm of new employment floorspace. Dependent on the final occupier, the proposed development has the potential to generate between 201 and 273 full time jobs.

Given that the application is associated with industry and employment, in accordance with Policy CS8 of the Halton Core Strategy Local Plan, the principle of the proposed development is considered to be acceptable.

The proposed development is in keeping with the character of the surrounding area. The wider context is heavily dominated by other industrial and employment uses including a distribution centre for Warburtons, a large Tesco Distribution Centre to the east, Eddie Stobart Container Logistics and various industrial uses along Foundry Lane to the west.

The site is accessed off Mathieson Road which is a purpose built service road running east to west, which forms the site's northern boundary and provides all vehicular and pedestrian access to the site.

Policy CS2 of the Core Strategy Local Plan and National Planning Policy Framework set out the presumption in favour of sustainable development whereby applications that are consistent with national and up-to-date local policy should be approved without delay. The proposals are considered to be consistent with the aims of the policies relative to this site.

Therefore the application is recommended for approval subject to conditions.

## **9. RECOMMENDATION**

Approve subject to conditions

## **10. CONDITIONS**

1. Standard 3 year permission
2. Approved plans
3. Site Levels
4. Materials
5. Landscape scheme
6. Boundary details
7. EV Charging provision
8. Cycle storage
9. Highways Off-site connection works
10. Travel plan
11. Contaminated Land Remediation strategy
12. Contaminated Land Verification report
13. Pilling risk assessment
14. Environment Agency unidentified contamination
15. Drainage strategy
16. SUDS Verification report
17. waste audit or a similar mechanism (e.g. a site waste management plan)
18. MEAS – CEMP to include RAMs
19. Mitigation of habitat loss and enhancement as in approved report (section 6)
20. Ecology lighting scheme
21. Breeding birds

- 22. Hours of construction
- 23. Access, service and parking areas

## **11. 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 at the Council's premises at Municipal Building, Kingsway, Widnes, WA8 7QF in accordance with Section 100D of the Local Government Act 1972

## **12. SUSTAINABILITY STATEMENT**

As required by:

- The National Planning Policy Framework (2021);
- 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.