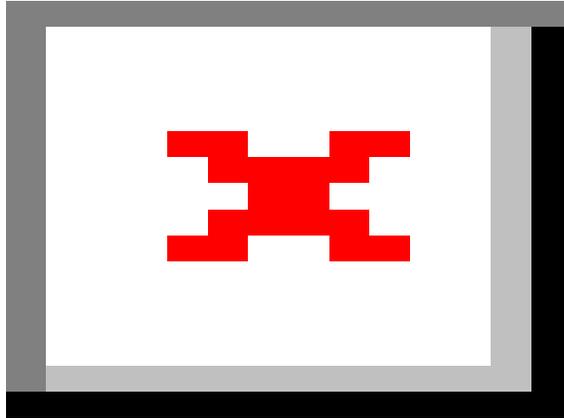


APPLICATION NO:	22/00260/FUL
LOCATION:	Onyx 350 Blackheath Lane Runcorn WA7 1SE
PROPOSAL:	Proposed extension to existing warehouse (use class B8), ground works and associated works
WARD:	Daresbury, Moore & Sandymoor
PARISH:	Moore
APPLICANT:	Diamond Nine Sarl
AGENT:	Paul Rouse - Savills
DEVELOPMENT PLAN: Halton Delivery and Allocations Local Plan (2022) Joint Merseyside and Halton Waste Local Plan (2013)	ALLOCATIONS: Primarily Employment ED2, ED3
DEPARTURE	No.
REPRESENTATIONS:	Yes
KEY ISSUES:	Design, BNG, Noise, Drainage
RECOMMENDATION:	Approve subject to conditions
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site is located in the predominantly Industrial area of Runcorn, adjoining the A558 (Daresbury Expressway bypass). The area consists of industrial buildings and commercial offices. The building is currently occupied by B&M Bargins as a National Distribution Centre. Moore village lies to the east.

The site is located within the allocated primarily employment area set out in policy ED2 and ED3 of the Delivery And Allocations Local Plan.

1.2 Planning History

07/00508/OTH- (REJ) -Erection of internal offices at ground floor

02/00133/FUL- (PER) -Proposed junction improvement works, alteration of priority and construction of cycleway
22/00260/FUL- (PCO) -Proposed extension to existing warehouse (use class B8), ground works and associated works
00/00373/EIA- (WDN) -Outline application for employment use (B1 use)
00/00511/EP- (NOBJ) -Consultation by English Partnerships in respect of proposed distribution centre at
2/18330/P- Application for Certificate of Appropriate Alternative Development
02/00262/ADV- (PER) -Various proposed internally illuminated and non-illuminated advert signs at
22/00260/FUL- (PCO) -Proposed extension to existing warehouse (use class B8), ground works and associated works at

2. THE APPLICATION

The Proposal

The proposal seeks permission the proposed extension to the existing warehouse (use class B8), ground works and associated works. The extension comprises 10,405m² (112,000ft²) of additional employment floor space.

The proposal will accommodate the extension of the service yard to the north providing access to the full extent of the eastern elevation of the extension. Comprising of 11 loading docks and 2 level access doors. The service yard will also be extended to the east providing 32 new HGV parking spaces, increasing the total number of loading docks from 29 to 40. The total number of level access doors will increase from 5 to 7. The total number of HGV parking spaces will increase from 84 to 129, with these figures including loading bays.

Documentation

The application is accompanied by the associated plans in addition to a Design and Access Statement, Preliminary Ecology Assessment, Tree Survey, Arboriculture Impact Assessment, Flood Risk and Drainage Strategy, Noise Assessment, Biodiversity Survey and Report, Geo-Environmental Assessment, Sustainability Statement, Transport Assessment, Travel Plan, Health Impact Statement and Planning Statement.

Additional information was supplied by the applicant consisting of "Delta Simons response to consultees" dated 14.09.22 and 21064-BGL-XX-XX-

TN-D-00001 Response to consultees dated 09.09.22 in order to address issues raised in consultation responses.

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 Delivery and Allocations Local Plan (2022)

The following policies contained within the Halton Delivery and Allocations Local Plan are of relevance:

- CS(R)1 Halton's Spatial Strategy
- CS(R)15 Sustainable Transport;
- CS(R)18 High Quality Design;
- CS(R)19 Sustainable Development and Climate Change;
- CS(R)20 Natural And Historic Environment
- C1 Transport Network and Accessibility
- C2 Parking Standards;
- ED2 Employment Development.
- ED3 Complementary Services & Facilities within Employment Areas
- HE8 Land Contamination;
- HE9 Water Management and Flood Risk;
- GR1 Design of Development.
- GR2 Amenity

3.2 Supplementary Planning Documents

Design of New Industrial and Commercial Development SPD

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 for New Development.

MATERIAL CONSIDERATIONS

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

3.4 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.

1.1 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.

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.

Paragraph 11 and paragraph 38 state that plans and decisions should apply a presumption in favour of sustainable development and that local planning authorities should work in a positive and creative way, working pro-actively with applicants to secure developments that will improve economic, social and environmental conditions of their areas."

Paragraph 59 states that "to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay."

Paragraphs 80-82 states the need for planning policies and decisions to be made to create conditions in which business can invest, expand and adapt. Significant weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It encourages an adaptive approach to support local and inward investment to meet the strategic economic and regenerative requirements of the area.

3.5 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.

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

Highways have noted that the TA demonstrates that there will not be a detrimental impact on the immediate or local network in terms of capacity and/or congestion due to the proposal.

The proposal does not seek any material changes to the site access arrangements.

With regards to car parking provision the DALP Parking Provision metrics (Appendix D) calls for an additional 105 spaces, in addition to the 310

already available, given the increase in building floor space from 31,394m² to 41,799m².

However, the Transport Assessment submitted as part of the application demonstrates that the proposed employment figures an increase of only 20 from the existing number of employees, and therefore the proposal do not require the additional spaces but that the existing is more than sufficient to accommodate the proposed staff levels at the peak; when there is shift change and two sets of workers will require the maximum provision, briefly as one arrives and the others leave whilst still affording visitor parking.

The proposals are essentially tailoring the site to the specific needs of the current occupant and their needs for growth and in this case the addition of 32 HGV spaces and associated servicing, manoeuvring and circulation space is needed in relation to the associated building extension.

Therefore the amount of parking proposed, a loss of two of the existing, to give 308 car parking spaces, is deemed acceptable.

Future site users would be able to rearrange the extensive hardstanding that the HGVs parking, manoeuvring and serving area will occupy to increase the car parking space to meet B8 requirements and the HBC Policy C2 remit of car parking provision, should this be necessary.

With regards to cycling provision the 80 existing cycle spaces are similarly more than sufficient in terms of amount provision.

To support the modal shift to more sustainable transport modes, as per aspirations of the Travel Plan, the installation of showers, lockers and changing areas should be encourage and enable the cycling, and walking, of staff and visitors to and from the site.

The provision of Electric Vehicle Charging Infrastructure should be conditioned to allow for the transition of vehicles from internal combustion engines to alternative fuel sources in line with national, regional and local ambitions and policies.

Highways have requested conditions for the applicant to provide an active travel plan for the site.

Lead Local Flood Authority

The LLFA consider that the proposed development is suitable in terms of flood risk. The applicant has demonstrated that the development, would

use sustainable drainage and generally suitable design criteria have been proposed.

The LLFA have recommend that conditions be applied requiring a detailed surface water drainage strategy based on SuDS to be submitted, in order to demonstrate that the development would comply with local and national policy regarding flood risk.

Prior to the occupation of the extension a verification report confirming that the SuDS system has been constructed in accordance with the approved design drawings (including off site alterations) and in accordance with best practice is required to be submitted to and approved by the local planning authority.

Environment Agency

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development.

In order to address these issues the applicant submitted additional information to the EA 21064-BGL-XX-XX-TN-D-00001 Burrows Graham response dated 09.09.22 to the EA in doer to address the issues over the inadequate FRA.

The EA have since responded and have confirmed they have withdrawn their objection subject to a condition being imposed stating that the works should be carried out in accordance with 21064-BGL-XX-XX-TN-D-00001 Burrows Graham response dated 09.09.22.

Environmental Protection

The applicant has commissioned a noise report which assesses the noise in relation to the National Planning Policy Framework and the specific guidance contained within the Noise Policy Statement for England. A noise survey has then been carried out in line with BS4142:2014+A1 2019 Methods for rating and Assessing Industrial Sound.

The report concludes that noise levels would have no observed adverse effect on the residential properties and on this basis Environmental Health would not be able to raise or sustain any objections.

Street Lighting

No objections.

Contaminated Land

The reporting details the findings of a site investigation and risk assessment based upon an earlier preliminary risk assessment. The investigation was designed to provide suitable coverage of the development plot and to characterise the site in terms of ground conditions from a contamination and geotechnical perspective.

For the proposed industrial/commercial use there are no soil contaminants identified above the relevant assessment criteria, covering both health and wider environmental impacts.

Ground gas monitoring did identify elevated gas concentrations and flows, however the gas regime on site is complicated by the presence of a shallow groundwater and a limited peat horizon, with variations in atmospheric pressure being a key driver for gas flows. The gas risk assessment has taken these factors into account and made precautionary recommendations for protection measures to be included in the design of the new structures, equating to Characteristic Situation 2 as per best practice guidance in the CIRIA document C665.

It is recommended that a remedial strategy and verification report be produced for the development.

The report also makes mention of the possibility of re-use of site derived materials under a Material Management Plan in line with the Construction Industry Definition of Waste Code of Practice document. This is reasonable as long as the criteria set out in that document are met, one of which is the certainty and need of use of that material. The plans in the application show surplus spoil being placed in a large mound on a part of the site outside of the development footprint, this would suggest a waste disposal activity rather than an actual need for that land form to be created, i.e. not permissible under the Code of Practice. The applicant should be made aware of the potential pitfall in that plan.

The Contaminated Land Officer does not object to the application but recommend that if the application be approved it should be conditioned to require the submission of a remedial strategy (detailing the ground gas protection measures and their method of installation and verification) and a following verification report.

Public Health

The application is supported by a HIA in accordance with Policy CS(R)22 of the Delivery and Allocations Local Plan. The HIA considers the nature, size and risk of potential impacts and effects on the relevant impact areas

and vulnerable population groups during both construction and operation phases of the proposed development. It also considers the mitigation measures where there are likely to be significant adverse effects, and actions to be taken to further enhance the positive impacts.

The assessment concluded that the themes considered as part of the HIA are expected to be beneficial to Halton. The most significant positive impact is that the proposed development will generate additional jobs to identified vulnerable groups. As the proposal is for a small development and extension of an existing site, not involving any change of use, the negative impacts are limited and are in line with those of any industrial development.

No comments from Public Health have been received following consultation of the application and HIA.

Open Spaces

There are no Tree Preservation Orders in force on this site and the location does not fall within a designated Conservation Area, however it is part of a wider 'green corridor' connecting to nearby Local Wildlife Sites.

All works should comply with the specification and recommendations for improvements as mentioned in the Arboricultural Impact Assessment.

The site is close to several Local Wildlife Sites (Moore Meadows, Pitts Heath, Green Wood, Oxmoor, Manor Park 3 Woodland & Lodge Plantation are all within 1 kilometre of the proposed development site) therefore the land does at present provide some connectivity/green corridor benefits. There have been water voles identified in the adjacent ditches historically, as they were purpose built to encourage a growing population. Preliminary Ecological Appraisal - '..there is a risk that they may colonise the drain in future due to their presence in the area'. Clarification of surface water impacts from drainage would be advisory.

Ecological surveys were conducted outside of optimal season for reptiles, water voles and plant species, further surveys would be recommended.

Evidence of nesting birds are present on the site – it is recommended that any works must be conducted under the evaluation of a qualified ecologist, as stated in the supported documents. Work shall not be carried out between February and August (in accordance with Natural England guidance) if it would result in disturbance to nesting birds to ensure no damage to wildlife.

Protective measures set out in the Arboricultural Method statement would be adequate, these recommendations should be strictly adhered to during the construction process.

Should the application receive consent, permitted work shall be carried out strictly in accordance with British Standard 3998:2010 "Recommendations for Tree Work" to safeguard the health and visual amenity of the tree.

MEAS

The applicant has submitted a Preliminary Ecological Appraisal (PEA) report in accordance with Core Strategy Local Plan policy CS20 (Delta-Simmons, Preliminary Ecological Appraisal (including Water Vole Assessment, Issue 1, Final, 22 December 2021). The report is not acceptable because of limitations, additional information is required prior to determination.

The proposal is major development and involves excavation, demolition 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 applicant has provided sufficient information in the planning application form 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 (paragraph 8). The Proposed Site can be secured as an Approved Drawing by a suitably worded planning condition.

Following the receipt of comments from MEAS the applicant has provided additional material in order to address the prior to determination issues raised. MEAS have responded stating that the applicant has submitted a letter as an update to their Preliminary Ecological Appraisal in accordance with Local Plan policy CS(R)20 (DeltaSimmons, 14/09/2022). The letter is accepted however additional information remains outstanding and is required prior to determination relating to the applicant's habitat mitigation strategy. Following discussion with the consultant ecologist (23/09/2022) it

was agreed the applicant would follow a sequential spatial approach to secure no net habitat loss. This involves exploring potential options for enhancement of adjacent off-site habitats or liaising with Cheshire Wildlife Trust and Halton Council for enhancement of grassland Local Wildlife Sites (LWSs) within the borough. If those options are not delivered then as a last resort, a commuted sum based on the biodiversity baseline of the site (biodiversity units) would be required to support a suitable nature conservation project, ideally related to grassland creation/management.

The Preliminary Ecological Appraisal (PEA) identified 7 LWSs within 500m of the development site. The following designated sites are within the zone of influence and Local Plan policy CS(R)20 applies:

- Heath Pitts Wood LWS (90m southeast);
- Manor Park Wood LWS (150m northeast).

The proposals may have an indirect adverse effect (e.g. noise, dust) on the features for which the sites have been designated. I advise avoidance and prevention measures are required and can be secured through a Construction Environmental Management Plan (CEMP).

As noted in the applicant's letter and PEA, there is a risk of impacts to Protected and Priority Species. I agree an ecological watching briefing is required and reasonable avoidance measures should be implemented during the construction phase.

It is advised 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. This can be secured by a suitable worded planning condition.

Natural England

No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Mersey Gateway

No comments received.

Sabic UK Petrochemicals

No objections.

Moore Parish Council

Moore Parish Council raised a number of areas for which they have concerns.

Noise

The Noise Assessment states that warehouse plant and HGV schedules are not known and they are hence assuming noise criteria for the site which would have no adverse impact on the surroundings.

This is not acceptable given that there is a documented history of noise from these units having adverse impact on local residents day and night.

If Halton Borough Council are minded to approve, they should make it a stipulation of a consent that the noise criteria stated in the report cannot be exceeded for the lifetime of the building as extended and that exceeding such will require immediate cessation of activity at the site until remedial actions have been taken.

Further, the operating hours of the extension should be limited to 0800-1800 Monday to Friday and 0800-1300 Saturday only with no activity Sundays or Bank Holidays. The same restriction should also apply to the Construction period.

Additional landscaping should be introduced to the HGV yard areas both as a visual screen from the adding green space and to improve acoustic separation.

Biodiversity

The accompanying bio-diversity report is a desktop report and lacks detail on site surveys. This is considered an unacceptable standard for a site close to watercourses and green open space. The Parish Council ask that the application not be determined without detailed site surveys to establish the current position accurately.

If the Council is minded not to seek surveys pre-decision, the Parish Council ask that before any development take place detailed on site surveys are undertaken by a suitably qualified ecologist and actions be agreed with the Council. The Parish Council would also ask to be informed of the results of such surveys.

The potential for direct impact on water voles, bats and hedgehogs is a matter of significant concern.

Lighting

The application is not supported with details to show light spill / impact outside the site.

Light pollution from this site has been an issue in the past and the applicant should demonstrate how light nuisance to local residents will be avoided and how the adjoining green space will also be protected from the impact of inappropriate lighting.

Flooding

The site sits within a flood area. Removing green space will increase the risk of expanding the flood zone and the Parish Council is concerned at this impact given climate change predictions.

5. REPRESENTATIONS

The application has been advertised by a site notice and 78 neighbour notification letters sent on the 26th May 2022. One letter of objection was received from the neighbourhood consultation raising issues over noise, lighting and the effects on health.

6. ASSESSMENT

Principle of Development

The proposal site is located within the primarily employment area as shown in the Delivery and Allocations Local Plan policies ED2 and ED3, policy ED2 supports development, for office, research and development, light industrial, factory or storage and distribution uses which will normally be acceptable.

The proposal seeks permission the proposed extension to the existing warehouse (use class B8), ground works and associated works. The extension comprises 10,405m² (112,000ft²) of additional employment floor space, which is in conformity with policy ED2 delivering high quality development that does not have an unacceptable adverse impact.

The proposed development is considered to be acceptable in principle and in compliance with Policies GR1, C2, ED2, ED3 and HE1 of the Halton Delivery And Allocations Local Plan.

Layout

The proposed site will retain the existing access, off Eastgate Road for car parking and Blackheath Road for HGVs. The service layout is located to

the east of the site and shielded from view. The layout allows for sufficient circulation, HGV parking, and loading for the required number of docks.

The layout doesn't alter greatly from that of the existing site as the proposed extension is located to the north of the existing building.

The development draws on the requirements of GR1 by creating a visually attractive employment unit and layout that is well integrated with the surroundings.

Overall, the layout of the proposed development is considered to be acceptable and compliant with Policies CS(R)18, and GR1 of the Halton Delivery and Allocations Local Plan.

Scale

The proposed extension would match that of the existing employment unit in terms of height and would continue along the full width of the north elevation. It is considered acceptable in respect of scale and does not impact on the amenity or character of the surrounding area.

The proposal is considered to be acceptable in terms of scale and compliant with Policy GR1 of the Halton Delivery and Allocations Local Plan.

Appearance

The applicant has submitted a number of elevation drawings detailing the proposed extension to the employment unit matching that of the existing building. The proposal demonstrates a good level of high quality design throughout the scheme that is appropriate in appearance to the existing surrounding uses in line with policy GR1. The elevations of the proposed extension show that the external materials proposed in its construction will be that of a horizontally and vertically laid trapezoidal profiled wall cladding system to match the existing building. The proposed extension is well integrated with the surrounding buildings, in accordance with policy GR1 of the Delivery and Allocations Local Plan.

The proposal will deliver high quality design in a complimentary manner in a primarily employment area retaining an employment use (B8) within the Borough complying with Policies ED2, CS(R)18 and GR1 of the Halton Delivery and Allocations Local Plan.

Highways, Transportation and Accessibility

The Council assess applications against policy CS(R)15 and C1 in relation to sustainable transport and accessibility.

In order to satisfy the requirements of demonstrating that the proposed extension meets the requirements; the applicant has submitted a Transport Assessment. This demonstrates that there will not be a detrimental impact on the immediate network in terms of capacity and/or logistics as a result of the proposed extension. Highways are satisfied that this is the case and no detrimental effect will occur.

With regards to car parking provision in accordance with policy C2 of the DALP, the increase in floorspace would suggest that an additional 105 car parking spaces are to be provided, in addition to the existing 310 on site. However, the additional floorspace would not generate a significant increase in employees as only 20 additional employees are suggested which will be distributed over the shift patterns. Therefore, the Highways Officers are content that there is adequate car parking provision to meet the needs of the site should the extension be approved.

It is also noted by the applicant that the spaces currently provided are more than adequate for the employees with many free spaces available.

The cycling provision is also deemed acceptable for the same reasons.

In accordance with policy C1 of the DALP, Electric Vehicle Charging Points will be conditioned, alongside an active Travel Plan for site.

Flood Risk and Drainage

The development proposal has been assessed by the Lead Local Flood Authority (LLFA). The LLFA have determined that the site as the development would be located within flood zone 3a which is suitable for less vulnerable developments therefore the proposed development would be appropriate in terms of flood risk.

Planning policy requires that applications are supported by a drainage strategy that demonstrates how surface water and foul drainage would be managed in order to ensure that the proposed development is safe from flooding and would not increase the risk of flooding elsewhere. Further to this sustainable drainage (SuDS) should be used unless it would not be feasible.

To ensure the Applicant follows the drainage hierarchy the LLFA have recommended a set of drainage conditions to satisfy the requirements of planning policy. These include no commencement of development until a detailed surface water drainage strategy based on SuDS is submitted to demonstrate that the development would comply with local and national

policy regarding flood risk. And; no development shall be occupied until a verification report confirming that the SuDS system has been constructed in accordance with the approved design drawings (including off site alterations) and in accordance with best practice has been submitted to and approved by the local planning authority. These conditions will assist in demonstrating that the proposal is in conformity with policy HE9 of the Delivery and Allocations Local Plan.

Ground Contamination

The application is supported by a detailed Preliminary Geo-environmental Assessment. The investigation was carried out in order to provide information on the quality of the soil and groundwater beneath the Site in the context of land contamination and provide information on the ground gas regime beneath the Site for a continuing light industrial end use. The assessment is being completed prior to the proposed extension of an existing building on Site.

In order to satisfy Policy HE8 of the Delivery And Allocations Local Plan the attachment of a condition requiring the applicant to submit a remedial strategy (detailing the ground gas protection measures and their method of installation and verification) and a following verification report is required.

Sustainable Development and Climate Change

Policy CS(R)19 of the Halton Delivery and Allocations Local Plan requires development to be designed to have regard to the predicted effects of climate change.

The applicant as part of their planning application has submitted a Sustainability Statement, the document sets out how the proposed extension meets Policy CS(R)19 of the Delivery and Allocations Local Plan. This includes how the proposal cannot implement certain methods such as passive design due to it being an extension to an existing building however it positively addresses reducing CO₂ emissions through the proposed extension being a low energy building, with all lighting LED and heating providing frost protection only. In order to assist with reducing energy consumption, all of the existing warehouse T5 lighting installed in 2002 will be replaced with LED lighting.

Ecology/Bio-diversity

Policy CS(R)20 and HE1 of the Delivery and Allocations Local Plan seek to conserve and where possible enhance the natural and historic environment for current and future generations and to ensure a strong sense of place and improve local distinctiveness.

The extension at the industrial unit on Blackheath Lane would be located on an existing landscaped area. The Preliminary Ecology Report identified the site as being located within 500m of 2 Local Wildlife Sites (LWSs). Heath Pitts Wood LWS (90m southeast) and Manor Park Wood LWS (150m northeast).

In order to mitigate for any indirect adverse effect on the features for which the sites have been designated MEAS have advised that a condition be applied to an approval for a Construction Environmental Management Plan (CEMP).

In order to address policy HE1 and ensuring that the site has no biodiversity net loss, the applicant would follow a sequential spatial approach to secure no net habitat loss. This involves exploring potential options for enhancement of adjacent off-site habitats or liaising with Cheshire Wildlife Trust and Halton Council for enhancement of grassland Local Wildlife Sites (LWSs) within the borough. If those options are not delivered then as a last resort, a commuted sum based on the biodiversity baseline of the site (biodiversity units) would be required to support a suitable nature conservation project, ideally related to grassland creation/management.

This would satisfy the policy requirements of HE1 and has been agreed by MEAS as a suitable resolution which will form a condition of any approval prior to occupation of the development.

A lighting scheme would be required in order to ensure that the proposal protects ecology and does not result in excessive light spill onto the habitats in line with NPPF (paragraph 180). This can be secured by a suitably worded planning condition.

With suitable worded planning conditions any biodiversity net loss can be addressed and the proposal is compliant with policy CS(R)20 and HE1 of the Delivery and Allocations Local Plan.

Open Space

It is noted that the Open Spaces Team commented on the ecological surveys and noted that they were conducted outside of optimal season for reptiles, water voles and plant species, advising that more up to date surveys would be recommended. However, MEAS are satisfied with the

level of ecological investigations undertaken to date and have been working with the applicant on mitigating for no biodiversity net loss should the development be approved.

It is also noted that there may be evidence of nesting birds present on the site – any works must be conducted under the evaluation of a qualified ecologist, as stated in the supported documents. Work shall not be carried out between April and July if it would result in disturbance to nesting birds to ensure no damage to wildlife. This can be conditioned should any birds be present on site.

Protective measures set out in the Arboricultural Method statement should be strictly adhered to during the construction process; and will be conditioned in any approval in order to comply with HE5: Trees and Landscaping of the Halton Delivery and Allocations Local Plan, with all, permitted work shall be carried out strictly in accordance with British Standard 3998:2010 “Recommendations for Tree Work” to safeguard the health and visual amenity of the tree.

Waste Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. 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 submission of a waste audit should be secured by condition.

In terms of on-going waste management, there is sufficient space within the development to deal with this. The proposal is considered to be compliant with policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan.

Planning Balance

Whilst there is an element of non-compliance detailed in the highways section in relation to car parking provision and compliance with policy C2 of the Delivery and Allocations Local Plan, the overall planning balance needs to be taken into consideration and this has been supported by Highways in their comments that the site currently operates with excess car parking spaces and there is a minimal increase in employees through the new extension.

Based on the above assessment and subject to the proposed conditions to be issued with a planning approval, the proposal is deemed acceptable.

The proposed development would provide an employment site in a sustainable location, providing flexible opportunities, and offering an attractive viable site to deliver business needs within Halton.

When assessed against the policies in the NPPF taken as a whole, taking into account the details of the scheme and any material planning considerations, the proposal is thus sustainable development for which the NPPF carries a presumption in favour.

As such, the proposal is considered to accord with the Development Plan and national policy in the NPPF.

7. CONCLUSIONS

In conclusion the proposal would enhance and retain the use of existing (B8 use class) employment facility retaining and increasing employment opportunities within the Borough, in accordance with the Delivery and Allocations Local Plan.

The application is recommended for approval subject to conditions.

8. RECOMMENDATION

It is recommended that the application be granted subject to planning conditions.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Implementation of External Facing Materials (Policies CS(R)18 and GR1)
4. Landscaping (Policies CS(R)18 and GR1)
5. Tree Felling (Policy HE5)
6. Arboricultural Works (Policy HE5)
7. Construction Environmental Management Plan (Policies CS(R)20 and HE1)
8. Lighting Scheme (Policies CS(R)20 and HE1)
9. Off site ecological mitigation (Policies CS(R)20 and HE1)
10. Surface water drainage (CS23 and HE9)
11. SuDs Verification (CS23 and HE9)
12. Flood Mitigation (CS23 and HE9)
13. Electric Vehicle Charging Points Scheme (Policy C2)
14. Travel Plan (CS(R)15 and C1)
15. Site Waste Management Plan – Policy WM8)

- 16. Securing Ecological Watching Brief
- 17. Remediation Strategy (Policy HE8)
- 18. Verification of Remediation Strategy (Policy HE8)

Informative

- a.1. Considerate Constructors Informative.

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

11. 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.