

## DEVELOPMENT MANAGEMENT COMMITTEE

*At a meeting of the Development Management Committee on Tuesday, 6 December 2022 at the Civic Suite - Town Hall, Runcorn*

Present: Councillors S. Hill (Chair), Leck (Vice-Chair), J. Bradshaw, Carlin, A. Lowe, Philbin, Polhill, Thompson and Woolfall

Apologies for Absence: Councillors Abbott and Hutchinson

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, A. Plant, J. Eaton, G. Henry and L. Wilson-Lagan

Also in attendance: 6 members of the public and one member of the press

### ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

	<i>Action</i>
DEV26 MINUTES	
<p>The Minutes of the meeting held on 7 November 2022, having been circulated, were taken as read and signed as a correct record.</p>	
DEV27 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p>	
DEV28 22/00152/FULEIA - PROPOSED STORAGE AND DISTRIBUTION UNIT (B8 USE) WITH ANCILLARY OFFICERS (E(G)(I) USE), ELECTRICITY SUBSTATION, TWO SECURITY GATEHOUSES, VEHICLE WASH, HIGHWAYS INFRASTRUCTURE INCLUDING ACCESSES, CAR PARKING, SERVICE AND DELIVERY AREAS AND ASSOCIATED OTHER WORKS INCLUDING GROUND WORKS, DRAINAGE AND LANDSCAPING ON LAND OFF LOVELS WAY, HALEBANK, WIDNES	
<p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p>	

It was reported that one additional condition was suggested, as presented on page one of the published AB Update List, to appropriately secure the planning obligations in relation to the proposed development, in addition to those outlined in full in the report (this has been added to the list of conditions below as number 35).

In addition, further observations from the Council's Ecological Advisor relating to priority habitats were noted (pages 2 and 3). A document containing habitat creation principles had since been submitted to the Council and confirmed by the Council's Ecological Advisor as being acceptable. This document would now be added to plans and supporting documentation list in condition number two.

Clarifications to several paragraphs of the report, described on page 4 of the AB Update List, were noted.

Ms Landor, a planning consultant who represented Halebank Parish Council (HBPC), addressed the Committee. She recognised that revisions had been made to the scheme following consultation with HBPC, however they remained opposed to two aspects of the application as follows:

- The noise that would be generated from a 24/7 operation of docking bays for HGV's; and
- The height of the building, this was excessive in relation to the adjacent residential properties and Conservation Area.

She suggested that the first objection could be resolved with a planning condition. Comparisons were made on the height of the building with the Alstom site, which was lower. She also questioned that without an end user being identified, there was no business case for the height and proposed operational hours of the building.

To conclude she argued that without changes to address the above two objections, the application was contrary to the Development Plan and requested that a decision be deferred until appropriate conditions could be agreed.

The Committee was addressed by Ms Bell, the Planning Agent for the applicant. She gave examples of previous high quality developments they had completed across the North of England, including Manor Park and Daresbury in Runcorn. She advised, *inter alia*, that:

- The application was the culmination of 18 months' engagement with the Council and local community;
- Local communities, the Council and other stakeholders had provided meaningful feedback;
- This feedback had resulted in a series of design amendments to the scheme;
- After the initial consultations a further 3 rounds of consultation had taken place with the local community upon submission of the application during the determination period, and the views of the community had helped shape the development;
- The building height has been reduced to 18m;
- The secondary access road has been removed;
- The plant to the North of the building had been relocated to reduce noise;
- No technical objections had been received from statutory consultees (other than HBPC);
- A noise management plan condition was attached to the application;
- The scheme benefits from £65m worth of investment with 600 jobs being created during construction and 500 being created once the site was in operation; and
- The building would be sustainable and was predicted to achieve a BREEAM Excellent Design award.

In conclusion, Ms Bell stated that the application provides a significant commitment to the economy in Halton and the local community through the creation of jobs and direct investments that would follow.

Further to Members questions, the following was clarified:

- the operating times of the site without the identification of an end user – it was commented that this was not relevant as a noise assessment had been done based on 24 hours of operation 7 days a week and this was deemed acceptable;
- access to the site was via Speke Road/Knowsley Expressway; and
- there were 480 parking spaces on the site and the future end user can offer/encourage employees to use alternative sustainable ways of getting to work other than driving, such as cycling and walking, making use of Halebank Park.

Members' discussed the application taking into consideration the comments made by the speakers and the responses provided by Officers in relation to questions raised. The Committee agreed that the application be approved in line with the recommendation.

RESOLVED: That the application be approved subject to the following:

- a) entering a legal agreement under Section 111 of the Local Government Act 1972 requiring Commercial Development Projects Ltd to enter into an agreement under Section 106 of the Town and Country Planning Act 1990, with the Council when it has acquired an interest in the relevant land relating to:

Financial Contributions

Off-site signage - £105,837.21

Cycle and bus route improvements - £49,871.62

Skylark Field Commuted Sum - £2,746.79

Habitat Creation Commuted Sum (for use on sites in the ownership of others such as Local Authority/Cheshire Wildlife Trust/Mersey Gateway) - £200,000.00.

Other Obligations

Pond/reedbed creation on sites within the ownership of the applicant (provisional sites have been identified at Daresbury and Manor Park); along with the submission of appropriate Biodiversity Management Plans.

- b) conditions relating to the following:

1. The development must be begun within 3 years of the date of this decision notice.

Reason – Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following application drawings:

PLANS

Planning Location Plan - M2999-P105 Rev C

Site Layout - M3179-100-1 Rev E

Sub-station Details - M2999-P106  
Gatehouse Island Details - M2999-P107 Rev A

Vehicle Wash - M2999-P108  
Sprinkler Tank Pump House – M2999-P109  
Planning Condition Plan – 01 – M2999-P111  
Planning Condition Plan – 02 – M2999-P112  
Proposed Services Plan - 3179-102 Rev D  
Fencing Layout Plan - M3179-104 Rev C  
Proposed Access Arrangement - 80191-CUR-00-  
XX-DR-TP-75001-P08  
Detailed Planting Plans - DR-5864-02.01 Rev A  
Detailed Planting Plans - DR-5864-02.02 Rev A  
Detailed Planting Plans - DR-5864-02.03 Rev A  
Landscape Masterplan - DR-5864-02.04 Rev A  
Tree Product Packages - GBU-STANDARD-3102  
rev C  
Tree Product Packages - GBU-STANDARD-3103  
rev C  
Tree Product Packages - GBU-STANDARD-3106  
rev C  
Electrical Services External Lighting Calculations -  
M2999-AFC-SW-XX-DR-E P05  
Floor Layout Plan - M2999-200  
Office Layout Plans - M2999-201  
Roof Plan - M2999-202  
Elevations - M2999-301 Rev A  
Swept Path Analysis 16.5m Articulated HGV -  
80191-CUR-00XX-DR-TP-05001-P09  
Bird and Bat Box Plan – ER-5864-09.2

## REPORTS

Construction Environmental Management Plan -  
September 2022  
BREEAM New Construction 2018 Pre-  
Assessment Report - 11 February 2022  
Statement of Community Involvement - March  
2022  
Health Impact Assessment Review - 25 July 2022  
External Lighting Strategy – Received 09.08.2022  
Arboricultural Impact Assessment – AR-5864-01  
January 2022 Revised October 2022  
Design and Access Statement

## ENVIRONMENTAL STATEMENT (MARCH 2022)

Volume 1 NTS - March 2022  
Volume 2: Main Text – Chapter 1: Introduction -  
March 2022

Volume 2: Main Text – Chapter 2: Approach -  
March 2022

Volume 2: Main Text – Chapter 3: Site Description  
- March 2022

Volume 2: Main Text – Chapter 4: Alternatives -  
March 2022

Volume 2: Main Text – Chapter 5: The Proposed  
Development - March 2022

Volume 2: Main Text – Chapter 6: Landscape and  
Visual - March 2022

Volume 2: Main Text – Chapter 8: Archaeology  
and Heritage - March 2022

Volume 2: Main Text – Chapter 9: Ground  
Conditions - March 2022

Volume 2: Main Text – Chapter 11: Transport and  
Access - March 2022

Volume 2: Main Text – Chapter 12: Air Quality -  
March 2022

Volume 2: Main Text – Chapter 13: Noise and  
Vibration - March 2022

Volume 2: Main Text – Chapter 14: Climate  
Change - March 2022

Volume 2: Main Text – Chapter 15: Cumulative  
Effects - March 2022

Volume 2: Main Text – Chapter 16: Summary of  
Mitigation and Residual Effects – March 2022

Volume 3: Appendices - Appendix 2.1: EIA  
Scoping Report - November 2021

Volume 3: Appendices - Appendix 2.2: EIA  
Scoping Opinion - 21 December 2021

Volume 3: Appendices - Appendix 6.1: LVA  
Methodology Summary and Criteria Tables

Volume 3: Appendices - Appendix 6.2: Landscape  
Character Area Extracts

Volume 3: Appendices - Appendix 6.3: SPD  
Extracts

Volume 3: Appendices - Appendix 6.4: Landscape  
Character Assessment Table

Volume 3: Appendices - Appendix 6.5: Visual  
Assessment Table

Volume 3: Appendices - Appendix 7.5: Alstom  
Ecology Chapter Part 1 - November 2015

Volume 3: Appendices - Appendix 7.6: Alstom  
Phase 1 Survey Update - June 2014

Volume 3: Appendices - Appendix 7.7: Alstom  
Aquatic Invertebrates - May 2014

Volume 3: Appendices - Appendix 7.8: Alstom  
Barn Owl and Bat Activity - October 2010

Volume 3: Appendices - Appendix 7.9: GCN  
Survey 2014 - June 2014

Volume 3: Appendices - Appendix 7.10: GCN Survey Report 2016 - April 2016

Volume 3: Appendices - Appendix 7.11: Japanese Knotweed Survey - February 2016

Volume 3: Appendices - Appendix 8.1: Historic Environment - February 2022

Volume 3: Appendices - Appendix 9.1: Geo-Environmental Desk Study - June 2011

Volume 3: Appendices - Appendix 9.2: Phase 1 Environmental Assessment – October 2015

Volume 3: Appendices - Appendix 9.3: July 2011 Land Contamination ES Chapter - July 2011

Volume 3: Appendices - Appendix 9.4: Geo-environmental Desk Study - 5862-JPG-XX-XX-RP-G-0601-S2-P02 – January 2022

Volume 3: Appendices - Appendix 9.5: Preliminary Logs - 21 July 2011

Volume 3: Appendices - Appendix 9.6: RSA Lab Analysis - 13 July 2011

Volume 3: Appendices - Appendix 9.7: Exploratory Hole Location Plan - 30467-02-F1 – July 2011

Volume 3: Appendices - Appendix 9.8: Exceedance Plan Soils - 30467-02-F2 – July 2011

Volume 3: Appendices - Appendix 9.9: Exceedance Plan Leachate - 30467-02-F3 – July 2011

Volume 3: Appendices - Appendix 11.1: Transport Assessment - 80191-CUR-XX-XX-T-TP-00001-P02 – 2 February 2022

Volume 3: Appendices - Appendix 11.2: Travel Plan - 80191-CUR-XX-XX-T-TP-00002-P02 – 2 February 2022

Volume 3: Appendices - Appendix 12.1: Air Quality Assessment Glossary

Volume 3: Appendices - Appendix 12.2: Air Quality Construction Phase Dust Assessment

Volume 3: Appendices - Appendix 12.3: Air Quality Traffic Data Used in the Assessment

Volume 3: Appendices - Appendix 12.4: Wind Rose

Volume 3: Appendices - Appendix 12.5: Air Quality Model Verification

Volume 3: Appendices - Appendix 14.1: Steps Involved in Assessing Climate Change

Volume 3: Appendices - Appendix 14.2: Steps Involved in Assessing GHG Emissions

Volume 3: Appendices - Appendix 14.3: Results of Carbon Modelling

ENVIRONMENTAL STATEMENT ADDENDUM  
(AUGUST 2022)

Volume 1 NTS - August 2022

Volume 2: Main Text - Chapter 1: Introduction -  
August 2022

Volume 2: Main Text - Chapter 2: Approach -  
August 2022

Volume 2: Main Text - Chapter 3: Site Description  
- August 2022

Volume 2: Main Text - Chapter 4: Alternatives -  
August 2022

Volume 2: Main Text - Chapter 5: The Proposed  
Development - August 2022

Volume 2: Main Text - Chapter 6: Landscape and  
Visual - August 2022

Volume 2: Main Text - Chapter 7: Ecology -  
August 2022 – Supersedes March 2022 ES

Volume 2: Main Text - Chapter 8: Archaeology  
and Heritage - August 2022

Volume 2: Main Text - Chapter 9: Ground  
Conditions - August 2022

Volume 2: Main Text - Chapter 10: Drainage and  
Flood Risk - August 2022 – Supersedes March  
2022 ES

Volume 2: Main Text - Chapter 11: Transport and  
Access - August 2022

Volume 2: Main Text - Chapter 12: Air Quality -  
August 2022

Volume 2: Main Text - Chapter 13: Noise and  
Vibration - August 2022

Volume 2: Main Text - Chapter 14: Climate  
Change - August 2022

Volume 2: Main Text - Chapter 15: Cumulative  
Effects - August 2022

Volume 2: Main Text - Chapter 16: Summary of  
Mitigation and Residual Effects - August 2022

Volume 3: Appendices - Appendix 0.1:  
Consultation Responses

Volume 3: Appendices - Appendix 6.6:  
Photomontages - August 2022

Volume 3: Appendices - Appendix 6.7: Landscape  
and Visual Response Letter - 3 August 2022

Volume 3: Appendices - Appendix 7.1a:  
Preliminary Ecological Appraisal - ER-5864-02.3 –  
25 January 2022

Volume 3: Appendices - Appendix 7.2a:  
Ornithological Survey - ER-5864-01.1 – December  
2021

Volume 3: Appendices - Appendix 7.5: Alstom



Ecology Chapter Part 1 - November 2015  
Volume 3: Appendices - Appendix 7.6: Alstom  
Phase 1 Survey Update - June 2014  
Volume 3: Appendices - Appendix 7.7: Alstom  
Aquatic Invertebrates - May 2014  
Volume 3: Appendices - Appendix 7.8: Alstom  
Barn Owl and Bat Activity - October 2010  
Volume 3: Appendices - Appendix 7.9: GCN  
Survey 2014 - June 2014  
Volume 3: Appendices - Appendix 7.10: GCN  
Survey Report 2016 - April 2016  
Volume 3: Appendices - Appendix 7.11: Japanese  
Knotweed Survey - February 2016  
Volume 3: Appendices - Appendix 7.13: Breeding  
Bird Survey  
Volume 3: Appendices - Appendix 7.14: GCN  
eDNA Survey  
Volume 3: Appendices - Appendix 7.15: Reptile  
Survey  
Volume 3: Appendices - Appendix 10.2: Drainage  
Impact Assessment - 5862-JPG-XX-XX-RP-D-  
0622-S2-P02 – June 2022  
Volume 3: Appendices - Appendix 10.3: Drainage  
Maintenance and Management Report - 5862-  
JPG-XX-XX-RP-D-0623-S2-P01 – July 2022  
Volume 3: Appendices - Appendix 11.3: Transport  
Response Letter - 80191-CUR-XX-XX-T-TP-  
00004-P01 – 18 July 2022  
Volume 3: Appendices - Appendix 13.1: Noise and  
Vibration Response Letter - 50-462-R1-4 – 19 July  
2022

SUPPLEMENTARY SUBMISSION (OCTOBER  
2022)

Ecology Construction Environmental Management  
Plan - ER-5864-08.1  
Remediation Strategy - 5862-JPG-XX-XX-RP-G-  
0605-S2-P04 – 17.10.2022.  
Factual Report on Geo-environmental Ground  
Investigation - 5862-JPG-XX-XX-RP-G-0603-  
S2-P02 – 30.09.2022  
Geo-environmental Ground Investigation  
Interpretative Report -5862-JPG-XX-XX-RP-G-  
0604-S2-P02 – 29.09.2022  
Habitat Regulations Assessment No ER-5864-  
03.8– 31.01.2022 – Revised 25.11.2022  
Appendix 7.4b: BNG Assessment - ER-5864-04.4  
– 16 March 2022  
Landscape and Ecology Management Plan – ER-

5864-10 – 03.10.2022.

Appendix 7.16a: Bat Activity Survey - ER-5864-06.3 – 12.07.2022 – Revised 03.10.2022

Flood Risk Assessment and Drainage Strategy - 5862-JPG-XX-XX-RP-G-0620-S2-P05 – January 2022 – Revised 12.10.2022

ES Addendum Letter - 30 September 2022

Reason - For the avoidance of doubt.

3. The development hereby permitted shall be carried out in accordance with the proposed site levels and finished floor levels as shown on the plans detailed below:

JPG - Proposed Levels – Scale 1:1250 – 5862-JPG-ZZ-ZZ-DR-C-1201 S4 P05 – Date 21.07.22 (Contained within Flood Risk Assessment and Drainage Strategy - 5862-JPG-XX-XX-RP-G-0620-S2-P05 – January 2022 – Revised 12.10.2022)

Reason: to ensure that the development is carried out satisfactorily, in accordance with Policy GR1 of the Halton Delivery and Allocations Local Plan.

4. The development shall be carried out in accordance with the Construction Environmental Management Plan, detailed below throughout the construction phase:

Marshall Construction Group – Construction Environmental Management Plan – September 2022 – received 30.09.22.

Reason – to allow the Local Planning Authority to ensure that sufficient regard is given to minimising potential impacts on neighbours and the environment in accordance with Policies CS23, HE1, HE7, HE8 and HE9 of the Halton Delivery and Allocations Local Plan.

5. The development shall be carried out in accordance with the Landscape and Ecological Management Plan detailed below including monitoring and management as set out:

Brooks Ecological – Landscape and Ecological Management Plan HBC Fields – Report Reference ER-5864-10 – date 03.10.22 – received 03.10.22.

Reason – in order to ensure appropriate landscape and ecological management in accordance with Policies CS(R)20 and HE1 of the Halton Delivery and Allocations Local Plan.

6. The development shall be carried out in accordance with the Ecology Construction Environmental Management Plan detailed below throughout the construction phase:

Brooks Ecological – Ecology Construction Environmental Management Plan – Report Reference ER-5864-08.1 – date 12.09.2022, revised 15.09.2022 – received 30.09.2022.

Reason: in the interests of ensuring appropriate protection for ecology, in accordance with Policies CS(R)20 and HE1 of the Halton Delivery and Allocations Local Plan.

7. The bat and bird box plan detailed below shall be implemented prior to the first occupation of the proposed development and be maintained thereafter.

Brooks Ecological – Bird and Bat Box Plan – Report Reference ER-5864-09.02 – date 12.09.2011 revised 03.10.2022 – received 03.10.2022.

Reason – in the interests of ensuring appropriate mitigation for ecology, in accordance with Policies CS(R)20 and HE1 of the Halton Delivery and Allocations Local Plan.

8. The lighting scheme detailed below shall be implemented prior to the first occupation of the proposed development and be maintained thereafter.

Lighting Project Solutions – New Industrial Development HBC Fields, Widnes – External Lighting Strategy – received 09.08.2022.

Reason: in the interests of ensuring appropriate protection for neighbours and ecology, in accordance with Policies CS(R)20, HE1 and HE7 of the Halton Delivery and Allocations Local Plan.

9. No above ground works shall take place until a

scheme detailing precise finishes of hard landscaping has been submitted to and approved in writing by the Council as Local Planning Authority. The approved scheme shall be fully implemented prior to the first occupation of the proposed development.

Reason: to ensure that an appropriate hard landscaping scheme is implemented in accordance with Policy GR1 of the Halton Delivery and Allocations Local Plan.

10. Boundary treatments scheme detailed below shall be implemented prior to the first occupation of the proposed development and be maintained thereafter:

Building Management Services Ltd – Fencing Layout Plan – M3179-104 Rev C – date July 2022 – received 30.09.2022.

Reason: to ensure that an appropriate boundary treatments scheme is implemented and maintained thereafter in accordance with Policies GR1 and GR3 of the Halton Delivery and Allocations Local Plan.

11. Notwithstanding the details on the submitted plans, no above ground works shall take place until a scheme detailing precise external facing materials has been submitted to and approved in writing by the Council as Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.

Reason: to ensure that the development has a satisfactory appearance, in accordance with Policy GR1 of the Halton Delivery and Allocations Local Plan.

12. No above ground works shall take place until a scheme detailing precise external finishes including colour coating of the security gatehouse, sprinkler tanks, pump house, vehicle wash and external transformer has been submitted to and approved in writing by the Council as Local Planning Authority. Each element of the development shall be carried out in accordance with the agreed scheme.

Reason – to ensure that the development has a satisfactory appearance, in accordance with Policy GR1 of the Halton Delivery and Allocations Local Plan.

13. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy – JPG-5862-JPG-XX-XX-RP-G-0620-S2-P05 – January 2022 – revised 12.10.2022 which includes the following mitigation measures and be maintained thereafter:

Finished floor levels shall be set no lower than 10.50 metres above Ordnance Datum (AOD) (Appendix I).

Compensatory flood storage shall be provided with a minimum volume of 300m<sup>3</sup> (section 5.1 and Appendix K).

Reason: to reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with Policies CS23 and HE9 of the Halton Delivery and Allocations Local Plan.

14. No development shall be occupied until a verification report has been submitted to and approved in writing by the Council as Local Planning Authority confirming that the Sustainable Urban Drainage System has been constructed in accordance with the approved design drawing set out below and also in accordance with best practice:

Flood Risk Assessment and Drainage Strategy – JPG-5862-JPG-XX-XX-RP-G-0620-S2-P05 – January 2022 – revised 12.10.2022.

Drainage Impact Assessment – JPG – Reference 5862=JPG-XX-XX-RP-D-0622-S2-P02 – date June 2022.

Drainage Maintenance and Management Plan – JPG – Reference 5862-JPG-XX-XX-RP-D-0623-S2-P01 – date July 2022.

For the avoidance of doubt, the verification report shall include the submission of as-built drawings

and specification sheets for materials used in the construction, plus a copy of Final Completion Certificate.

Following implementation of the Sustainable Urban Drainage System, it shall be maintained and managed in accordance with the agreed details thereafter.

Reason: to ensure that surface water is drained appropriately from the site, in accordance with Policies CS23 and HE9 of the Halton Delivery and Allocations Local Plan.

15. The development shall be carried out in accordance with the tree protection measures set out in the following document throughout the construction period:

Brooks Ecological – Arboricultural Impact Assessment Plus Tree Survey – fields off Hale Bank Road, Widnes – Report Reference AR-5864-02.01 – January 2022 revised October 2022 – received 21.10.2022.

Reason: to ensure that the development is carried out with minimum loss of existing landscape features and, in particular, that trees to be retained on the site suffer minimum disturbance, in accordance with Policy HE5 of the Halton Delivery and Allocations Local Plan.

16. No development shall take place other than site setup and earthworks until the following has been undertaken:

An updated remedial strategy upon completion of the revised ground gas risk assessment which has subsequently be submitted to and agreed in writing by the Council as Local Planning Authority.

The agreed remedial strategy shall be demonstrably and successfully completed in accordance with the details agreed above before the proposed use commences.

Reason: to ensure that any contamination is treated to the satisfaction of the Local Planning Authority in accordance with National Planning Policy Framework, which states that as a

minimum, after carrying out the development and the commencement of its use, the land should not be capable of being determined as contaminated land under Part 11A of the Environmental Protection Act 1990. Also in accordance with Policies CS23 and HE8 of the Halton Delivery and Allocations Local Plan.

17. Within 4 weeks of the completion of the implementation of the agreed strategy required by condition number 16, a Site Validation/Completion Report completed by a suitably qualified professional shall be submitted to and approved in writing by the Council as Local Planning Authority. This shall include adequacy of the remediation; certificates of the suitability of the imported cover materials from a suitably qualified independent person; the fate of any excavated material; and any necessary verification monitoring programme, including details of any installed post completion monitoring devices, together with measures to be undertaken should action limits be exceeded.

Reason: to ensure that any contamination is treated to the satisfaction of the Local Planning Authority in accordance with National Planning Policy Framework which states that as a minimum, after carrying out the development and the commencement of its use, the land should not be capable of being determined as contaminated land under Part 11A of the Environmental Protection Act 1990. Also in accordance with Policies CS23 and HE8 of the Halton Delivery and Allocation Local Plan.

18. If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by the Council as Local Planning Authority. The remediation shall be implemented as approved.

Reason: to ensure that any contamination is treated to the satisfaction of the Local Planning Authority in accordance with National Planning Policy Framework which states that as a minimum, after carrying out the development and the commencement of its use, the land should not be

capable of being determined as contaminated land under Part 11A of the Environmental Protection Act 1990. Also in accordance with Policies CS23 and HE8 of the Halton Delivery and Allocations Local Plan.

19. The soft landscaping scheme detailed on the plans below within the area shown in red on Planning Condition Plan – 01 – M2999-P111 be implemented by the end of the first planting season following the occupation of the development and be maintained thereafter.

Brooks Ecological – Detailed Planting Plan – Drawing No: DR-5864-01.01 Rev A – date October 2022 – Received 03.10.2022.

Brooks Ecological – Detailed Planting Plan – Drawing No: DR-5864-01.02 Rev A – date October 2022 – Received 03.10.2022.

Brooks Ecological – Detailed Planting Plan – Drawing No: DR-5864.01.03 Rev A – date October 2022 – Received 03.10.2022.

Brooks Ecological – Landscape Masterplan – Drawing No: DR-5864.01.04 Rev A – date October 2022 – Received 03.10.2022.

Any planting, which within a period of 5 years of implementation dies, is removed, or becomes seriously damaged or diseased, shall be replaced during the next planting season with others of a similar size or species, unless the Council as Local Planning Authority gives written consent to a variation.

Should replacement planting be necessary, the Council shall be notified in writing not less than 7 days prior to the planting taking place. Notification shall include details of the problem with the implemented scheme and the specification and timing of the replacement planting.

Reason: to ensure that an appropriate landscaping scheme is implemented and maintained in accordance with Policies GR1, GR3 and HE5 of the Halton Delivery and Allocations Local Plan.

20. The soft landscaping scheme detailed on the plans below within the area shown in green on Planning Condition Plan – 02 – M2999-P112, shall be implemented prior to first occupation of the proposed development and be maintained



thereafter.

Brooks Ecological – Detailed Planting Plan –  
Drawing No: DR-5864-01.01 Rev A – Date October  
2022 – Received 03.10.2022.

Brooks Ecological – Detailed Planting Plan –  
Drawing No: DR-5864-01.02 Rev A – Date October  
2022 – Received 03.10.2022.

Brooks Ecological – Detailed Planting Plan –  
Drawing No: DR-5864.01.03 Rev A – Date October  
2022 – Received 03.10.2022.

Brooks Ecological – Landscape Masterplan –  
Drawing No: DR-5864.01.04 Rev A – Date October  
2022 – Received 03.10.2022.

Any planting, which within a period of 5 years of implementation dies, is removed or becomes seriously damaged or diseased, shall be replaced during the next planning season with others of a similar size or species, unless the Council has Local Planning Authority gives written consent to a variation.

Should replacement planting be necessary, the Council shall be notified in writing not less than 7 days prior to the planting taking place. Notification shall include details of the problem with the implemented scheme and the specification and timing of the replacement planting.

Reason: to ensure that an appropriate landscaping scheme is implemented and maintained in accordance with Policies GR1, GR3 and HE5 of the Halton Delivery and Allocations Local Plan.

21. The approved Framework Travel Plan detailed below shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied and in use.

Appendix 11.2: Travel Plan – 80191-CUR-XX-XX-T-TP-00002-P02 – 2 February 2022.

An annual report shall be submitted to the Council no later than one month following the anniversary of the first occupation of the development for a period of 5 years. The report shall include a review of the Travel Plan measures, monitoring data and updated action plan.

Reason: to maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable, in accordance with Policies CS(R)15 and C1 of the Halton Delivery and Allocations Local Plan.

22. The development shall not be occupied until 102 no. covered cycle parking spaces have been implemented in accordance with a scheme providing precise details, which has first been submitted to and approved in writing by the Council as Local Planning Authority. The approved scheme shall be maintained thereafter.

Reason: to ensure that the cycle parking provision is both functional and of a satisfactory appearance, in accordance with Policies CS(R)15, C1 C2 and GR1 of the Halton Delivery and Allocations Local Plan.

23. The proposed development shall not be brought into use until the areas indicated on the plans detailed below to be set aside for related parking and servicing have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown.

Building Management Services – Site Layout Plan – M3179-100-1 Rev E – date March 2022 – received 30.09.2022.

Curtins – Proposed Access Arrangement – 80191-CUR-00-XX-DR-TP-75001-P08 – date 24.11.2021 – received 30.09.2022.

Curtins – Swept Path Analysis 16.5m Articulated HGV – 80191-CUR-00XX-DR-TP-05001-P09 – date 24.11.2021 – received 30.09.2022.

The parking and servicing areas shall be retained as such thereafter.

Reason: to ensure that adequate provision is made on the site for the traffic generated by the development, including allowance for safe circulation, manoeuvring, loading and unloading of vehicles as well as parking, and that hard surfaced areas have a satisfactory appearance, in accordance with Policies C1 and C2 of the Halton

Delivery and Allocations Local Plan.

24. Highway improvement works comprising the new site access arrangement from Lovels Way as detailed on the plan below shall be implemented prior to the development being brought into use.

Building Management Services – Site Layout Plan – M3179-100-1 Rev E – date March 2022 – received 30.09.2022.

Curtins – Proposed Access Arrangement – 80191-CUR-00-XX-DR-TP-75001-P08 – date 24.11.21 – received 30.09.2022.

Reason: to ensure that sufficient measures are taken such that the highway network can accommodate the development and that the traffic generated does not result in unsatisfactory highway or transportation conditions. This is in accordance with Policies C1 and C2 of the Halton Delivery and Allocations Local Plan.

25. The development shall not be occupied until lighting within Halebank Park to improve the overall security and attractiveness for both pedestrians and cyclists has been implemented in accordance with a detailed scheme, which has first been submitted to and approved in writing by the Council as Local Planning Authority. The approved scheme shall be maintained thereafter.

Reason: to encourage journeys to be made by sustainable modes of travel including walking, cycling and public transport in accordance with Policies CS(R)15 and C1 of the Halton Delivery and Allocations Plan.

26. The development shall not be occupied until proposed vegetation removal within Halebank Park to improve the security of the Greenspace/Greenway to create lines of site including onto Clapgate Crescent, has been implemented in accordance with a detailed scheme which has first been submitted to and approved in writing by the Council as Local Planning Authority.

Reason: to encourage journeys to be made by sustainable modes of travel including walking, cycling and public transport in accordance with

Policies CS(R)15 and C1 of the Halton Delivery and Allocations Local Plan.

27. The development shall not be occupied until a safe cyclist/pedestrian crossing point across the HGV exit from the proposed development has been implemented in accordance with a detailed scheme, which has first been submitted to and approved in writing by the Council as Local Planning Authority. The approved scheme shall be maintained thereafter.

The approved cyclist/pedestrian crossing point scheme shall be fully implemented prior to the first occupation of proposed development and be maintained thereafter.

Reason: to encourage journeys to be made by sustainable modes of travel including walking, cycling and public transport in accordance with Policies CS(R)15 and C1 of the Halton Delivery and Allocations Local Plan.

28. The development shall not be occupied until Electric Vehicle Charging Points for the 24 no. spaces as shown on the site layout plan (Site Layout – M3179-100-1 Rev E) has been submitted to and approved in writing by the Council as Local Planning Authority. The approved scheme shall be maintained thereafter.

Reason: to ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles to help reduce pollution in accordance with the National Planning Policy Framework and Policy C2 of the Halton Delivery and Allocations Local Plan.

29. Notwithstanding The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the development hereby approved as shown in red on Planning Condition Plan – 01 – M2999-P111 shall only be used for purposes that fall within The Town and Country Planning (Use Classes) Order 1987 (as amended) as set out below:

Use Class B8 – Storage or Distribution (including ancillary offices) – up to 50,632 sqm.

Reason: in the interests of maintaining the amenities of residents in the locality and to ensure the proper functioning of the area, in accordance with Policies GR1 and GR2 of the Halton Delivery and Allocations Local Plan.

30. Precise details of any outdoor storage or display of equipment, plant, goods or material within the site other than that shown in the approved plans shall be implemented in accordance with details, which have first been submitted to and approved in writing by the Council as Local Planning Authority.

Reason: in the interests of visual amenity, in accordance with Policies GR1 and GR2 of the Halton Delivery and Allocations Local Plan.

31. Notwithstanding the provision of Schedule 2, Part 7, Classes H and J of The Town and Country (General Permitted Development) Order 1995 (as amended), or any Order revoking or re-enacting that Order, no further development shall take place within the area defined in green on Planning Condition Plan – 02 – M2999-P112 unless planning permission is sought from and granted by the Council as Local Planning Authority.

Reason: to ensure appropriate protection for Halebank Park as a designated Greenspace and Green Infrastructure in accordance with Policies CS(R)21 and HE4 of the Halton Delivery and Allocations Local Plan.

32. The development shall not be occupied until noise operational management measures have been implemented in accordance with a detailed scheme, which has first been submitted to and approved in writing by the Council as Local Planning Authority. The approved scheme shall be carried out thereafter.

Reason: to ensure that the amenity of the locality is not unduly compromised in accordance with Policies CS23 and HE7 of the Halton Delivery and Allocations Local Plan.

33. The proposed development shall not be occupied until a noise impact assessment detailing external plant to be installed by the end user and has been implemented following it having been submitted to

and approved in writing by the Council as Local Planning Authority.

For the avoidance of doubt, all external plant should be located on the northern side of the building below roof height, such that it is afforded attenuation from the building and the distance from local residents.

Reason: to ensure that the amenity of the locality is not unduly compromised in accordance with Policies CS23 and HE7 of the Halton Delivery and Allocations Local Plan.

34. The proposed development shall be implemented in accordance with the measures set out in the BREEAM New Construction 2018 Pre-Assessment Report – 11 February 2022, in order to have regard for the predicted effects of climate change and deliver a BREEAM ‘Very Good’ standard or above.

Reason: to ensure that the proposed development is sustainable and is designed to have regard for the predicted effects of climate change in accordance with Policy CS(R) of the Halton Delivery and Allocations Local Plan.

35. No development shall commence until all those with an interest in the land comprising the development hereby permitted have entered into an agreement with the local planning authority under Section 106 of the Town and Country Planning Act 1990. The agreement must contain obligations in relation to:

- i. The provision of off-site signage;
- ii. Cycle and bus route improvements;
- iii. Mitigation/compensation for the loss of breeding bird habitat; and
- iv. Pond/reedbed creation (including appropriate biodiversity management plans).

Reason: to ensure improved access to the site by sustainable modes and to ensure appropriate ecological mitigation and management in accordance with Policies CS(R)15, CS(R)20, CS(R)21, C1, C2, GR1, GR2, HE1 and HE4 of the Halton Delivery and Allocations Local Plan and NPPF.

- c) that if the S111 Agreement was not executed within a reasonable period of time, that authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair of the Committee to refuse the application.

*Meeting ended at 6.55 p.m.*