

Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

Regulation 29 and 30 Statement – Information to Accompany Decisions/Duty to Inform the Public and Secretary of State of Final Decisions

This is a statement prepared by Knowsley Borough Council in compliance with regulation 29 (2) and 30 (1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

Knowsley Borough Council has resolved to grant planning permission for the development set out below.

In reaching the decision to grant planning permission, the Council has examined the environmental information submitted with the planning application as detailed below.

This Statement sets out the main reasons and considerations on which the decision is based, as well as a description, where necessary, of measures to avoid, reduce and offset any major adverse effects of any features of the development and any measures required in order to avoid, prevent, reduce or offset likely significant adverse effects on the environment; and any monitoring measures considered appropriate arising from the development having taken into account the findings of the Environmental Statement, dated September 2022, with an Addendum dated March 2023, and an update letter dated 24 January 2024, submitted with planning application Ref:22/00587/FUL when determining the application for planning permission for:

PROPOSAL	ERECTION OF 1 NO. COMMERCIAL UNIT (USE CLASS B8) WITH ANCILLARY OFFICES AND OUTBUILDINGS TOGETHER WITH ACCESS WORKS, LANDSCAPING, SERVICE YARD, CAR PARKING, SERVICING AND OTHER ASSOCIATED WORKS
LOCATION	Land to The North Of Cronton Road And South Of The M62, Cronton, Knowsley
APPLICATION NO:	22/00587/FUL
APPLICANT	Maro Developments Ltd

Regulation 29(2) (a) – information regarding the right to challenge the validity of the decision and the procedures for doing so

If the applicant is aggrieved by the decision of the local planning authority to grant planning permission subject to conditions, they can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. In this case an appeal must be lodged within 6 months of the date of this notice.

Appeals should be made online at: <https://www.gov.uk/planning-inspectorate> or alternatively, using a paper copy of the appeal form which you can get from the Planning Inspectorate (Tel: 0303 444 5000).

Third parties who wish to challenge the validity of the Council's decision can bring a legal challenge before the Courts for Judicial Review. Further advice about making a High Court Challenge can be obtained from the Administrative Court Office at: The Royal Courts of Justice, Strand, London, WC2A 2LL (Telephone number: 02079476655 / Website: www.gov.uk/courttribunals/planning-court).

In accordance with Regulation 29(2) (b) (i) (aa) – the reasoned conclusion of the planning authority on the significant effects of the development on the environment, taking into account the results of the examination referred to in regulation 26(1)(a) and (b)

Taking the environmental information into account contained within the Environmental Statement, dated September 2022, with an addendum dated March 2023 as submitted with planning application Ref: 22/00587/FUL in relation to planning application reference: 22/00587/FUL, the delegated report recommended that the application be granted subject to conditions and the applicant entering into a s106 legal agreement.

The delegated report is available to view by searching application Ref: **22/00587/FUL** at the following link: [Simple Search](#)

Included as part of the report, within the issues and assessment section, is the reasoned conclusions of the planning authority on the significant effects of the development on the environment.

Below is the overall 'statement of reasons' for the decision:

The application is specifically allocated for employment development within the Local Plan Core Strategy in order to assist the Council in meeting its housing needs and, therefore, the principle of employment development is acceptable and the application should be approved unless material considerations indicate otherwise.

The environmental issues raised by the proposals are dealt with comprehensively in the delegated report.

Suitable mitigation has been proposed to address a number of identified issues, such as the impact on residents, highways, ground contamination, impacts on ecology and trees, highways, heritage impacts, flooding and drainage impacts, noise and construction impacts. Financial contributions to off-site habitat creation and tree planting will mitigate only against the impact of development.

The applicants have submitted all of the necessary reports and drawings to allow a full assessment of all aspects of the proposed scheme, and the adverse impacts of

the development can be mitigated against through the use of conditions or within the obligations of the s106 agreement.

Less than substantial harm to the setting of Old Halsnead, Carr House Farmhouse, The Paddocks and the Stables, Snape Gate Barn, North East Lodge, Gate Piers beside North East Lodge and Sandfield House designated heritage assets have been identified. Minor/moderate harm to Halsnead Park and negligible-low levels of harm have been identified to Tarbock Lodge non designated heritage assets. The public benefits associated with the scheme are considered to outweigh the less than substantial harm to the designated heritage assets and the identified minor-moderate and negligible-low levels of harm identified to the non-designated heritage assets.

Some limited weight against the proposal has been identified in relation to tree loss and the temporary visual impacts of losing the green corridor adjacent to Cronton Road. The conflict with policies CS8 and CS19 of the Local Plan Core Strategy and policy DQ4 of the Knowsley UDP in this regard are given limited weight. Some limited weight against the proposal has also been identified on air quality grounds and this limited conflict with CS2 has also been given limited weight as it relates to air quality impacts (both cumulative and individual) on the Cronton Road/Whitefield Lane junction. Negligible weight is given to the DMMO application which has not been determined yet.

However, the robust economic benefits associated with the scheme are given signification weight. These relate to the contribution of the proposal to Borough's employment land supply, job creation and the bringing forward of an allocated employment site. The delivery of this site will relieve pressure on other less sustainable sites within the Borough.

In conclusion, the proposed development would comply with those policies listed in the report within the Core Strategy (2016), Knowsley Replacement Unitary Development Plan (saved policies 2009) and National Planning Policy Framework (2019) taken as a whole. The development is considered to represent sustainable development in which the positive benefits of the scheme significantly and demonstrably outweigh the adverse effects or dis-benefits.

Regulation 29(2) (b) (i) (bb) – any conditions to which the decision is subject which relate to the likely significant environmental effects of the development on the environment

Refer to the decision notice issued for planning application reference: 22/00587/FUL

Regulation 29(2) (b) (i) (cc) – a description of any features of the development and any measures required in order to avoid, prevent, reduce and if possible, offset, likely significant adverse effects on the environment

The proposals have been the subject of an Environmental Impact Assessment (EIA).

The EIA has assessed the likely significant effects of the proposed development against baseline conditions which have been established based on technical surveys and assessments

The environment of the application site and the surrounding area has been assessed and based on the assessment and the design of the proposed development predictions are made in respect of the likely impact of the proposals on the environment.

The impacts have been noted as Significant: major adverse, major to moderate adverse effect and in some cases moderate adverse effect; and Not Significant: some cases of moderate adverse effect, minor adverse and negligible, or some point between two categories. Other effects have been noted as major beneficial, moderate beneficial and minor beneficial.

EIA in this case did not identify/predict any significant adverse effects as a result of the development during construction and completion/operation stages, with the following subject areas assessed:

Traffic and Transport
Ecology and Nature Conservation
Air Quality
Water Resources and Flood Risk

Effects during construction are considered to be short term negligible for the many of impacts which are not significant. Some moderate adverse effects are anticipated with regards to the potential effects on ecological receptors in the short term. Construction phase effects are negligible or moderate adverse at county or local level, following implementation of mitigation.

Potential environmental impacts of the completed development are predominantly negligible/negligible adverse which are not significant. There is one minor beneficial impact identified at the completed development site relating to ecology.

Reference under each topic area below is made to the relevant part of the Environment Statement/Addendums, the corresponding part of the Council's assessment within the delegated report and/or, as appropriate, when conditions have been imposed to avoid, prevent, reduce or offset impact.

Traffic and Transport

Volume 2, Chapter 8 of the Environmental Statement
Section 9 (Issues and Assessment – *Highways*) of the Planning Delegated Report

Conditions:

- 2 (Approved details - full)
- 3 (Provision of parking, servicing and manoeuvring)
- 4 (Provision of cycle storage)
- 5 (Travel plan)
- 6 (Construction and environmental management plan)

- 12 (Detailed construction plan working method statement in relation to M62)
- 13 (2M high close boarded fence adjacent to the M62)
- 14 (No drainage onto the M62)
- 22 (Levels)
- 24 (Provision of EVCP)
- 26 (Full access road details)
- 32 (Visibility splays)
- 33 (construction standard drawings of internal road network)
- 34 (Turning circle provision)

Ecology and Nature Conservation

Volume 2, Chapter 6 of the Environmental Statement
Section 9 (Issues and Assessment – Ecology) of the Planning Delegated Report;

Conditions:

- 2 (Approved details - full)
- 6 (Construction and environmental management plan)
- 7 (Ecological Mitigation and Landscaping Scheme; tree replacement where lost within 5 years from planting)
- 9 (Lighting scheme)
- 18 (SUDS)
- 23 (SUDS section details)
- 25 (Tree protection details and submission of an Arboricultural Method Statement)
- 28 (Landscape, Habitat and Ecological Management Plan)

Air Quality

Volume 2, Chapter 9 of the Environmental Statement
Section 9 (Issues and Assessment – *Air Quality*) of the Planning Delegated Report;

Conditions:

- 2 (Approved details - full)
- 4 (Provision of cycle storage)
- 5 (Travel plan)
- 6 (Construction and environmental management plan)
- 9 (Energy and sustainability statement)
- 24 (Provision of EVCP)

Water Resources and Flood Risk:

Volume 2 Chapter 7 of the Environmental Statement
Section 9 (Impacts and assessment – *Flood Risk and Drainage*) of the Planning Delegated Report

Conditions

- 2 (Approved details - full)
- 6 (Construction and environmental management plan)
- 11 (FFL restriction)
- 12 (Construction plan working method statement for works adjacent to the M62)

14 (No drainage to connect or run off onto the M62)
18 (Surface water drainage scheme/SUDS)
19 (No surface water to drain to the public sewer)
20 (Management and maintenance of the surface water drainage)
22 (Levels)
23 (SUDS section details)

Cumulative Effects with Remainder of the Halsnead Site

An assessment of the likely significant cumulative effects of the proposed development and the wider Halsnead Garden Village development has been made. The assessment is informed by the technical assessments included in within the ES.

Significance of Effect:

*Transport and Access, Air Quality and Water Resources and Flood Risk – **Not Significant***

*Ecology and Nature Conservation – mainly **not significant** but some cumulative moderate adverse short-term impacts were identified at the construction stage. However, there will be no increases in the effects of impacts beyond those previously identified for the development in isolation. No significant cumulative effects were identified at the operational stage.*

Regulation 29(2) (b) (i) (dd) – any monitoring measures considered appropriate by the planning Authority

Refer to the decision notice issued for planning application reference: 22/00587/FUL:

The following conditions will require an element of monitoring to ensure the effects remain acceptable:

Conditions

2 (Approved details - full)
5 (Travel plan)
6 (Construction and environmental management plan)
11 (FFLs and drainage mitigation measures as per the FRA)
18 (Surface water drainage scheme/SUDS)
20 (Management and maintenance of the surface water drainage))
25 (Tree protection works and submission of AMS)
28 (Landscape, Habitat and Ecological Management Plan)
30 (Operational Noise Management Plan)

Regulation 30(1) (d) (i) – details of the matters referred to in regulation 29(2)

The matters referred to in regulation 29(2) are detailed above.

Regulation 30(1) (d) (ii) – the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public

The Council has based its decision to grant planning permission upon the following key material considerations:

- Principle of the Development
- Comprehensive Development
- Economic Impacts of the Development
- Design, Layout and Masterplan Compliance
- Residential Amenity (inc noise)
- Trees and Landscaping
- Highways (impact on strategic and local road network, DMMO application, comments in relation to Active Travel and summary)
- Heritage Assets - Setting of Listed Buildings/Non-designated Heritage Assets/Archaeology
- Air Quality
- Ecology
- Landscape Impacts
- Flood Risk and Drainage
- Ground Conditions/Contaminated Land
- Waste Management
- Low Carbon
- Agricultural Land
- Developer Contributions
- Conclusion and Planning Balance

The planning application was registered valid on 30 September 2022. Publicity and consultations inviting comment were initially carried out on 13 October 2022 and 29 May 2022 respectively.

Regulation 30 (1) (d) (iii) – a summary of the results of the consultations undertaken, and information gathered, in respect of the application and how those results (in particular, in circumstances where regulation 58 applies, the comments received from an EEA State pursuant to consultation under that regulation) have been incorporated or otherwise addressed

The responses to the consultations undertaken and information gathered leading to the decision to approve this application are summarised in the Planning Delegated Report.

The results of consultations with specific bodies/agencies are summarised in Section 7 of that report.

Representation received as a result of consultation with the public are summarised in Section 6 of the report.

Section 9 'Issues and Assessment' section of the committee report explains fully how the results of the consultations undertaken, and information gathered, has been incorporated or otherwise addressed in the Council's decision to grant planning permission.

For those matters where the Council considers that the proposed development does not give rise to any significant effects or where matters result in some adverse moderate effects or where there are some conflicts with planning policy, a judgement based in part upon the consultations undertaken, and information gathered has been incorporated into Section 10 of the Planning Delegated Report.