

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 August 2021 (Revised November 2021) submitted with planning application Ref:21/00563/FUL when determining the application for planning permission for:

PROPOSAL	CONSTRUCTION OF A NEW RAILWAY STATION INCLUDING STATION BUILDING (AND ASSOCIATED PLATFORM WORKS), CAR PARK, BUS STOPS, CYCLE PARKING ,SUB STATION COMPOUND AND ASSOCIATED LINE SIDE WORKS INCLUDING THE SECTION OF RAIL LINE BETWEEN KIRKBY STATION AND HEADBOLT LANE UPGRADED TO TWIN TRACK, BRIDGE WORKS (TO BRIDGES OVER COUNTY ROAD AND SIMONSWOOD BROOK) NEW SIGNALLING, ERECTION OF FENCING TO PLATFORMS AND CAR PARK , REMOVAL OF REDUNDANT PLATFORM AT KIRKBY STATION, PEDESTRIAN AND ROAD BRIDGE OVER KIRKBY BROOK, RE-GRADING WORKS AND NEW ROAD JUNCTION AT HEADBOLT LANE/ FALLOWFIELD.
LOCATION	Land Bounded By Headbolt Lane And Amenity Open Space Including The Existing Rail Line Running Between Kirkby (Adjacent Lingtree Road) And Headbolt Lane (Adjacent Limetree Road) And Associated Land To The North And South Of The Rail Line.
APPLICATION NO:	21/00563/FUL

APPLICANT	Network Rail
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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 contained within the Environmental Statement, dated August 2021 as submitted with planning application Ref: 21/00563/FUL into account planning application reference: 21/00563/FUL was resolved to be approved by Members of the Council's Planning Committee on 9 December 2021.

The committee report together with an additional information report presented to Members is available to view at <https://planapp.knowsley.gov.uk/online-applications/> by searching application Ref: **21/00563/FUL**.

Included as part of the report, within the appraisal 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 site is allocated as land reserved for a new railway station and urban greenspace and educational land on the Knowsley Core Strategy Local Plan Policies Map. Although the proposal would result in a loss of greenspace there would still be a surplus of greenspace in the area and the site is not considered to be suitable to use for the types of greenspace in deficit.

The scheme would deliver the following benefits:-

- deliver a new station with multi-modal interchange facilities providing good quality access by bus, park & ride, cycling and walking;

- enable the Merseyrail network to be extended from Kirkby to Headbolt Lane, with four Merseyrail trains per hour connecting Headbolt Lane to Liverpool Central;
- significantly improve much needed sustainable travel within the area, including by allowing pedestrians and cyclists to access the station from both Tower Hill, Melling Mount and Northwood estates. The proposed station at Headbolt Lane is included in the Liverpool City Region's Long Term Rail Strategy and benefits from £66m of investment from the Transforming Cities Fund;
- include trains that operate on a dual power system using live DC current up to Kirkby Station and batteries between Kirkby and Headbolt Lane. This is the first use of this technology in the country, and it would enable Merseyrail to provide a continuous electric powered service to the new station, which will be significantly quieter than the current diesel powered Northern service to Kirkby. The reduction in diesel use will also have a positive impact on local air quality.
- offer significant improvement to access existing jobs, training and employment opportunities through the provision of a direct rail link into Liverpool city centre for people living in the areas of Tower Hill and Northwood – reducing travel time to just over 20 minutes from the new station to Liverpool Central, which would be a significant journey time saving over the private car as well as the current public transport options. In addition, the station and extension of the Merseyrail network offers improved connectivity to areas across the City Region.
- be of particular benefit to local residents, given that the new station would be located in an area that has low car ownership and that commuting by taxi is more than 5 times the national average which is a financial burden on residents

Suitable mitigation has been negotiated or will be secured by planning conditions to address impacts on trees, ecology and the historic environment.

There would be no significant adverse impacts on highway safety, ground conditions , air quality or flood risk and drainage subject to suitable planning conditions. Financial contributions have been secured for off site tree mitigation and monitoring and implementation of a Social Value Strategy.

The scheme would have some adverse impacts on visual amenity due to the change in the landscape and appearance of the site. There would also be significant adverse effects on the amenity of local residents through noise from night time and weekend working which the applicant has stated is essential for the scheme to meet very tight delivery timescales and full closure of the line to permit more day time works would not be feasible.

These adverse impacts can be mitigated to a certain extent by a robust landscaping scheme and a construction environmental plan however even with these measures in place significant adverse effects would still occur, however the benefits of the scheme are considered to outweigh the disbenefits.

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: 21/00563/FUL:

CONSTRUCTION OF A NEW RAILWAY STATION INCLUDING STATION BUILDING (AND ASSOCIATED PLATFORM WORKS), CAR PARK, BUS STOPS, CYCLE PARKING ,SUB STATION COMPOUND AND ASSOCIATED LINE SIDE WORKS INCLUDING THE SECTION OF RAIL LINE BETWEEN KIRKBY STATION AND HEADBOLT LANE UPGRADED TO TWIN TRACK, BRIDGE WORKS (TO BRIDGES OVER COUNTY ROAD AND SIMONSWOOD BROOK) NEW SIGNALLING, ERECTION OF FENCING TO PLATFORMS AND CAR PARK , REMOVAL OF REDUNDANT PLATFORM AT KIRKBY STATION, PEDESTRIAN AND ROAD BRIDGE OVER KIRKBY BROOK, RE-GRADING WORKS AND NEW ROAD JUNCTION AT HEADBOLT LANE/ FALLOWFIELD.

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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 Adverse, Major adverse, Moderate Adverse , Minor adverse , Not Significant and Negligible.

EIA in this case identified significant adverse effects in terms of landscape and visual assessment and Noise and Vibration. As a result of the development the following subject areas have been assessed:

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

Transport and Transport

Volume 1, Chapter 4 of the Environmental Statement
Section 8 (Issues and Assessment – *Traffic and Transport*) of the Planning Committee Report

Conditions:

- 3 & 4 (construction environmental management Plan)
- 20 (visibility splays)
- 26 (highway infrastructure)
- 27 (ground levels)
- 28 (electric vehicle charging points)
- 29 (cycle and motor cycle parking)
- 30 (bollards)

Air Quality

Volume 1, Chapter 5 of the Environmental Statement
Section 8 (Issues and Assessment – *Air Quality & Greenhouse Gases*) of the Planning Committee Report;

Conditions:

- 3 & 4 (construction and environmental management plan)
- 28 (EVC Points)

Noise & Vibration

Volume 1, Chapter 6 of the Environmental Statement
Section 8 (Issues and Assessment - *Noise*) of the Planning Committee Report;

Conditions:

- 3 & 4 (construction and environmental management plan)

Ecology

Volume 1, Chapter 7 of the Environmental Statement,
Section 8 (Issues and Assessment – *Ecology Considerations*) of the Planning Committee report

Conditions:

- 3 & 4 (construction and environmental management plan)
- 8 (landscaping scheme and LEMP)
- 10 (lighting)

- 17 (tree protection)
- 19 (8m easement to Kirkby Brook)
- 24 (tree retention)
- 25 (arboriculture impact assessment)

Landscape and Visual Assessment

Volume 1, Chapter 8 of the Environmental Statement

Section 8 (Impacts and Assessment – *design, landscape and visual impact*) of the Planning Committee Report

Conditions:

- 8 (landscaping scheme and LEMP)
- 12 (fencing strategy)
- 13 (sample of materials)
- 14 (retaining/ crib walls)
- 15 (sub sta. compound)
- 16 (obscuration fence)
- 17 (tree protection)
- 18 (fencing)
- 21 (bridges)
- 22 (gate details)
- 23 (site re-instated)
- 25 (arboriculture impact assessment)

Ground Conditions

Volume 1, Chapter 10 of the Environmental Statement

Section 8 (Impacts and Assessment – *Ground Conditions*) of the Planning Committee Report

Conditions:

- 6 (contaminated land risk assessment)

Flood Risk

Volume 1 Chapter 9 of the Environmental Statement

Section 8 (Impacts and assessment – *Flood Risk and Drainage*) of the Planning Committee Report.

Conditions:

- 5 (surface water drainage scheme)
- 31 (sustainable drainage system)

Cumulative Effects

Volume 1, Chapter 11 of the Environmental Statement
Section 8 (Impacts and assessment- cumulative effects) of the Planning Committee Report

Significance of Effect:

Traffic and Transport – **Minor Adverse/ Moderate beneficial**

Air Quality – **Negligible**

Noise & Vibration – **Significant Adverse/ Not Significant/ Significant Beneficial**

Ecology – **Minor Adverse**

Landscape and visual assessment – **Major Adverse/ Moderate Adverse/Minor Adverse**

Flood Risk – **Slight Adverse/ Neutral**

Ground Conditions – **Negligible**

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: 21/00563/FUL:

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Landscaping

Section 8 of the Planning Committee Report

Condition 8 – requires any tree or shrub forming part of the landscaping scheme which is lost, felled, removed, becomes diseased or is substantially damaged, within the duration of 5 years to be replaced.

Air Quality

Section 8 of the Planning Committee Report.

Conditions 3 & 4 - which requires submission of a construction and environmental management plans.

Arboricultural

Section 8 of the Planning Committee Report.

Condition 8 – requires any tree or shrub forming part of the landscaping scheme which is lost, felled, removed, becomes diseased or is substantially damaged, within the duration of 5 years to be replaced.

Condition 17 – requires existing trees to be protected and 5 days notice given to the LPA to inspect the tree protection fencing

Condition 24 – Requires a tree to be retained

Condition 25 – Requires a revised arboricultural impact assessment and method statement to be agreed and implemented

Ecology

Section 8 of the Planning Committee Report.

Conditions 3 & 4 - which require the submission construction and environmental management plans.

Surface Water

Section 8 of the Planning Committee Report.

Condition 31 - requires submission of a maintenance and management plan for the surface water drainage system.

Archaeology

Section 8 of the Planning Committee Report.

Conditions 7 - which requires a Written Scheme of Investigation.

Contamination

Section 8 of the Planning Committee Report.

Condition 6 - requires submission of a verification report demonstrating the completion of works set out in an approved remediation scheme; a Materials Management Plan; and methodology for imported soil/material testing for contamination.

Noise & Vibration

Section 8 of the Planning Committee Report.

Conditions 3 & 4 - which requires submission of construction and environmental management plans.

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 development
- Benefits of the development
- Noise and Vibration
- Traffic and transport
- Design, Landscape and Visual impact
- Historic Environment
- Ecology Considerations
- Flood Risk and Drainage
- Ground Conditions
- Air Quality and Greenhouse gases
- Trees
- Developer Contributions
- Cumulative Effects
- The Planning Balance

The planning application was registered valid on 27 August 2021. Publicity and consultations inviting comment were initially carried out on 27 August 2021. The applicant submitted an amended Environmental Statement with additional information on 1 November 2021.

Further consultation on the amended Environmental Statement was undertaken on 2 November 2021.

The application was publicised by letters to neighbouring properties, site notices and press notice.

Additional updated information has also been secured in response to technical consultation responses which primarily relates to noise mitigation, arboricultural and highway matters.

Members of the public were given the opportunity to address Planning Committee at the Council's meeting of 9 December 2021.

Refer to Planning Committee report of 9 December 2021.

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 report to Planning Committee of 9 December 2021.

The results of consultations with specific bodies/agencies are summarised in Section 6 of that report.

Representation received as a result of consultation with the public are summarised in Section 5 of the report.

Section 8 '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 has the potential for significant effects, a judgement based in part upon the consultations undertaken, and information gathered, the manner in which the results of the consultations undertaken, and information gathered, has been incorporated into the committee report in Section 8 of the Council's committee report of 9 December 2021.