

APPLICATION NO: 22/00162/REM

APPLICANT: Tritax Symmetry
Huyton Limited

WARD AFFECTED: Whiston & Cronton

DEVELOPMENT: APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO PERMISSION 20/00494/HYB (HYBRID PLANNING APPLICATION COMPRISING: FULL APPLICATION FOR THE DEVELOPMENT OF 161,900 SQ FT (15,041 SQ M) (GIA) OF STORAGE AND DISTRIBUTION FLOORSPACE (USE CLASS B8), INCLUDING ANCILLARY OFFICES (USE CLASS B1), SECURITY GATEHOUSE, SITE ACCESS ROAD, ENGINEERING EARTHWORKS TO FORM A PART COUNTRY PARK, PUBLIC CAR PARK TO SERVE COUNTRY PARK, AND ASSOCIATED WORKS; AND OUTLINE APPLICATION WITH DETAILS OF POINT OF ACCESS (DETAILS OF PART-ACCESS, LANDSCAPING, APPEARANCE, SCALE AND LAYOUT ARE RESERVED) FOR THE DEVELOPMENT OF UP TO 838,100 SQ FT (77,862 SQ M) (GIA) OF STORAGE AND DISTRIBUTION FLOORSPACE (USE CLASS B8), WITH ANCILLARY OFFICES AND LIGHT INDUSTRIAL (USE CLASS B1); ENGINEERING EARTHWORKS TO FORM COUNTRY PARK AND DRAINAGE ATTENUATION PONDS; PEDESTRIAN/CYCLE/EQUESTRIAN ROUTE CONNECTING EXISTING M62 FOOTBRIDGE WITH PROPOSED COUNTRY PARK; AND ASSOCIATED WORKS) - APPROVAL SOUGHT FOR (SCALE, ACCESS, APPEARANCE, LAYOUT AND LANDSCAPING)

LOCATION OF SITE: Former Site of Cronton Colliery, Cronton Road, Hallstead Garden Village, Knowsley

DEVELOPMENT PLAN ALLOCATION:

Sustainable Urban Extension – South of Whiston and Land South of M62
Local Wildlife Site

1. SITE AND SURROUNDINGS:

- 1.1 The application site forms part of Halsnead Garden Village. Halsnead has national significance as one of the first 14 sites in England awarded Garden Village Status by the Government in 2017. It is a strategic housing and employment development, which will deliver approximately 1,600 homes and at least 22.5ha of employment land, together with new education and health provision, 33 hectares of strategic greenspace and a new Country Park.
- 1.2 The wider site is approximately 51 hectares in size and is the location of the former Cronton Colliery. The site subject to this reserved matters application consists of former agricultural land in the northern half of the site and areas of primarily self-seeded woodland in the southern half that was part of the operation colliery site. Some remnants of the landscape features of the former

Halsnead Estate remain in the form of a linear woodland located in the south east of the site.

- 1.3 Immediately to the northeast of the site are several residential dwellings situated on a private access road which joins Fox's Bank Lane to the east. One of the dwellings is a Grade II listed building, 'Old Halsnead'. Beyond the motorway, to the north, is the northern element of the land allocated for development. The east of the site is bounded by an employment development currently under construction. To the south, the site adjoins Cronton Road and several residential properties. To the west is the remainder of the land allocated for development that is not included in the application, which includes the ancient woodland that forms the western boundary of the site.

2. PROPOSAL

- 2.1 The application is a reserved matters application pursuant to application 20/00494/HYB. Approval is sought for 2 buildings for storage & distribution use (use class B8).
- 2.2 Unit 2 has of floorspace of 14,141 sq m with the building having a height of 13.25 metres. Unit 3 has 18,625 sq m of floorspace with a building height of 22.6 metres. Each unit has its associated loading and parking areas.

3. RELEVANT SITE HISTORY

- 3.1 15/00191/FUL – Installation of works to form a public country park on site of disused colliery & footpath/cycleway along dismantled railway line. Approved 15 July 2015.

20/00494/HYB – HYBRID PLANNING APPLICATION COMPRISING: FULL APPLICATION FOR THE DEVELOPMENT OF 161,900 SQ FT (15,041 SQ M) (GIA) OF STORAGE AND DISTRIBUTION FLOORSFACE (USE CLASS B8), INCLUDING ANCILLARY OFFICES (USE CLASS B1), SECURITY GATEHOUSE, SITE ACCESS ROAD, ENGINEERING EARTHWORKS TO FORM A PART COUNTRY PARK, PUBLIC CAR PARK TO SERVE COUNTRY PARK, AND ASSOCIATED WORKS; AND OUTLINE APPLICATION WITH DETAILS OF POINT OF ACCESS (DETAILS OF PART-ACCESS, LANDSCAPING, APPEARANCE, SCALE AND LAYOUT ARE RESERVED) FOR THE DEVELOPMENT OF UP TO 838,100 SQ FT (77,862 SQ M) (GIA) OF STORAGE AND DISTRIBUTION FLOORSFACE (USE CLASS B8), WITH ANCILLARY OFFICES AND LIGHT INDUSTRIAL (USE CLASS B1); ENGINEERING EARTHWORKS TO FORM COUNTRY PARK AND DRAINAGE ATTENUATION PONDS; PEDESTRIAN/CYCLE/EQUESTRIAN ROUTE CONNECTING EXISTING M62 FOOTBRIDGE WITH PROPOSED COUNTRY PARK; AND ASSOCIATED WORKS. Approved 4 March 2022.

- 3.2 The site has been subject to other applications previously, but none have any relevance to the consideration of this application.
- 3.3 An application for the country park (planning reference 20/00578/FUL) is resolved to be approve subject to the signing of a s106 agreement.

4. ARTICLE 35 STATEMENT

- 4.1 Officers have worked with the applicant in a positive and proactive manner in order to seek solutions to the issues relevant to the proposed development, consistent with the requirement in the National Planning Policy Framework (NPPF), paragraph 38.

5. EQUALITIES ACT 2010

- 5.1 In determining this application, the Local Planning Authority has considered the requirements under S149 of the Equalities Act 2010.
- 5.2 Section 149 of the Act sets out a general duty that requires the council to have due regard to the need to:
- eliminate discrimination, harassment and victimisation;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.3 This application raises no equalities issues.

6. REPRESENTATIONS

- 6.1 In total 4 representations have been received, 3 of which object to the proposals
- Impact of traffic increases on Tarbock Island.
 - Increase in traffic on local roads and the potential for traffic to run through inappropriate routes.
 - Noise and air quality pollution caused by HGVs.
 - Support expressed for the Country Park.
 - Loss of habitat
 - Possible impacts on the ancient woodland
 - Lack of BNG provision
- 6.2 One of the representations state they do not have any objection to the application but raised concerns over the adjoining country park and the impact additional visitors will have on Halsnead Park. This is not a material consideration in respect of this application.
- 6.3 Cronton Parish Council have no observations to make on the proposals.

7. CONSULTATIONS

Local Highway Authority (Knowsley Council) – No objections following the receipt of an amended layout.

Environmental Health (Knowsley Council) – No objections subject to conditions relating to *land contamination*, submission of a *construction management plan*, *fixed plant noise*, operational noise management plan, implementation of the noise barriers and a *lighting scheme*. With the exception of the noise mitigation and operational noise management plan, conditions are already included on 20/00494/HYB relating to the other conditions requested and are therefore not needed to be replicated on any reserved matters approval.

Arboriculture (Knowsley Council) - No objection. Conditions are requested to ensure the development is carried out in accordance with the applicants' arboricultural impact assessment, a financial contribution is made to mitigate for the loss of trees and that an updated Arboricultural Impact Assessment is submitted as part of any subsequent reserved matters application.

Conservation Officer (Knowsley Council) – No objections. The impact on local heritage assets is considered in detail later in this report.

Merseyside Environmental Advisory Service. – No objection. The BNG calculation is agreed, and the CEMP should be listed as an approved document.

Highways England – No objection. Conditions have been requested restricting the amount of floorspace that can be occupied on the development in advance of the junction improvements at Tarbock Island taking place and a boundary treatment along the boundary of the site of the M62. These conditions are already included on the hybrid permission to which this reserved matter application relates. Therefore, there is no need for these conditions to be replicated in this instance.

Environment Agency – No objection.

United Utilities – No objection.

Coal Authority – No objection.

Halton Council – No objection. Concerns have been raised with regards to the 600+ van provision, on part of the site, which, with private vehicle trips of employees (drivers) and shift patterns, could equate to c4000 movements per day – and the distribution and potential impact on Halton network's corridors and junctions associated. This is addressed later in the report.

8. POLICY CONTEXT

- 8.1 Paragraph 11 and 12 of the National Planning Policy Framework (NPPF 2019), an extract from which is set-out below, states that:

“Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local Planning Authorities may take decisions that depart from an up-to date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

- 8.2 In this regard the Knowsley Local Plan: Core Strategy was adopted in January 2016, although certain saved policies of Knowsley Replacement Unitary Development Plan (UDP) remain operational as part of the Statutory Development Plan and are still given weight in reaching a decision under the provisions of paragraph 213 of the latest NPPF. The Joint Merseyside and Halton Waste Local Plan was adopted in 2013 and is also part of the development plan.
- 8.3 The site is allocated for residential development (as a Sustainable Urban Extension) within the Knowsley Local Plan Core Strategy in order to help meet the borough's development requirements up to 2028. The relevant adopted policies for the assessment of the application are listed below.

Knowsley Replacement Unitary Development Plan (Saved Policies, 2006)

T5 – Location of Major Traffic Generating New Development.

T7 – New Development and Walking & Cycling Routes

T8 – Transport Assessments

T9 – Travel Plans

DQ2 – Security in the Built Environment

DQ4 – Trees and Development
ENV2 – Noise and Vibration
ENV3 – Light and Pollution
ENV4 – Hazardous Substances
ENV5 – Contaminated Land

Knowsley Local Plan Core Strategy (2016)

SD1- Sustainable development
CS1 – Spatial Strategy for Knowsley
CS2 - Development Principles
CS4 – Economy and Employment
CS7 - Transport Networks
CS8 – Green Infrastructure
SUE1 – Sustainable Urban Extensions and Safeguarded Land
SUE2 – Sustainable Urban Extensions – Development Principles
SUE2c – Sustainable Urban Extensions – South of Whiston and Land South of M62
CS19 - Design Quality and Accessibility in New Development
CS20 - Managing the Boroughs Historic Environment
CS21 – Design Quality and Accessing New Development
CS24 - Managing Flood Risk.
CS26 – Waste management
CS27 – Planning for and Paying for New infrastructure

Merseyside Waste Local Plan (2013)

WM8 – Waste Prevention and Resource Management
WM9 – Sustainable Waste Management Design and Layout for New Development

Supplementary Planning Documents

Ensuring a Choice of Travel SPD (2010)
Design Quality in New Development SPD (2016)
Trees and Development SPD (2016)
Developer Contributions SPD (2016)
Adding Social Value to Development: Employment and Skills SPD (2018)
Halsnead Garden Village Masterplan SPD

Also of relevance is the Halsnead Garden Village Design and Local Distinctiveness Guide that was adopted in May 2020. This does not have the status of a Supplementary Planning Document but is a material consideration in determining the application. This guide sets out detailed design requirements across the site.

9. ISSUES AND ASSESSMENT

Principle of the Development

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. This is the test that legislation prescribes should be employed on planning decision making. The 'presumption in favour of sustainable development' at paragraph 11 of the NPPF means: "approving development proposals that accord with an up-to-date development plan without delay"

Site Allocation

- 9.2 The site falls entirely within the South of Whiston and Land South of M62 Sustainable Urban Extension as set out in Core Strategy Policy SUE1, which allocates it for residential and employment use and as a country park. The site is one of nine Sustainable Urban Extension site that were released from the Green Belt in order to help meet the borough's development requirements up to 2028 and beyond. Therefore, the application proposal for residential use is acceptable in principle.
- 9.3 The delivery of significant employment floorspace as proposed within this application will also make a valuable contribution to the realisation of the potential of the land's allocation for development.

Site Specific Policy

- 9.4 Local Plan Core Strategy Policy SUE2 sets out key policy parameters with which new development within Sustainable Urban Extension sites must demonstrate compliance with to be acceptable. Indicative considerations for each site are further listed at Appendix E of the Core Strategy. Policy SUE2 also explains that:

'the Council will prepare a Supplementary Planning Document, which will propose a spatial development framework for the site, together with further details of development and infrastructure requirements, and; planning permissions will only be granted where they are consistent with a single detailed Masterplan for the whole of the Sustainable Urban Extension which is approved by the Council'

- 9.5 This policy confers significant weight to the Supplementary Planning Document and master plan for the wider Sustainable Urban Extension, outlining their important role in determining acceptability of this application.
- 9.6 Policy SUE2c of the Local Plan relates specifically to the South of Whiston and Land South of M62 site and confirms that residential development in this location should deliver: safe and convenient highway access; provision for public transport; walking and cycling; public open space within a wider Green Infrastructure network; key infrastructure and services. This policy provides site specific development requirements with which this application will need to deliver.

- 9.7 The site has outline planning permission for B8 use following the approval of application 20/0494/HYB and therefore the principle of development is already established. However, in order to determine its overall acceptability, the details of the scheme need to be thoroughly considered against the detailed requirements of Policy SUE2; the Halsnead Garden Village Masterplan SPD, and other local planning policies (as addressed below).

Comprehensive Development

- 9.8 Nationally, the National Planning Policy Framework (NPPF) introduces an obligation to make the best use of the limited land resource with a view to creating well designed places. In paragraph 122 it states that *“Planning policies and decisions should support development that makes efficient use of land”*. In this case the wider site allocation was removed from the Green Belt in order to secure necessary development that supports sustainable growth in Knowsley. Such land is a very limited and rare resource and as a result the Council cannot countenance a position whereby such land cannot properly or effectively be developed because it is poorly connected. There is a significant risk that if the site is not brought forward with the appropriate connections the level of development expected to be delivered from the site will not be realised, with the consequence of increased pressure to allow development on less sustainable sites.
- 9.9 The need to ensure that planning permissions within the allocation deliver and facilitate comprehensive development of Halsnead Garden Village is a clear priority within the Council’s Local Plan Core Strategy Policy SUE2 which states:
- “Development within Sustainable Urban Extensions must [...] demonstrate a comprehensive approach to the development of the relevant Sustainable Urban Extension and to infrastructure provision (excerpt from Policy SUE2 part 1b) [...] Planning permissions [for the site] must be linked to any necessary legal agreements [...] which facilitate the comprehensive delivery of all phase of development within the Sustainable Urban Extension in accordance with the single detailed masterplan.”*
- 9.10 It follows that the need to ensure comprehensive development is also a strategic objective of the Halsnead Garden Village Masterplan SPD. Paragraph 8.5 states that:
- “the Council will need to be satisfied that development of individual parcels will not sterilise or frustrate delivery of other parts of the site [...] all parcels will need to be sufficiently coordinated with appropriate green, social and physical infrastructure delivered at the correct time to support successful comprehensive development”.*
- 9.11 Strategic objective SO2 of the Halsnead SPD requires that effective collaboration and partnership working ensuring that development is designed and implemented to ensure the comprehensive delivery of Halsnead as a

whole, including the timely and coordinated provision of physical and community infrastructure.

- 9.12 Paragraph 5.62 of the Masterplan SPD states that: - *“every application should demonstrate how it would assist in overall delivery, and not compromise or prejudice, wider development of Halsnead as a Garden Village; this will include alignment with the infrastructure requirements and delivery principles set out in this SPD”*.
- 9.13 It is a clear thread of national and local policy that the site must be brought forward in a comprehensive manner and no one development shall restrict the neighbouring land coming forward for development.
- 9.14 The Masterplan SPD (at Fig 6.1) sets out the indicative locations of the primary vehicular routes through the site. This sets out the need to create a ‘looped route’ that will allow excellent access to all parts of the site and reduce traffic and environmental impacts along Cronton Road.
- 9.15 The proposals show the route of the road required to deliver a vehicular link through the former mineral line into the development site to the southeast. This link will be required to be provided before the first occupation of Unit 2 or 3 (whichever is the latter) and this will be dealt with by condition. The condition will also require details of how the road will be constructed, the materials used, and details of any engineering works required to deliver the road.
- 9.16 The applicant has demonstrated a comprehensive approach in delivering the site, subject to the conditions reference above and, therefore, the proposal complies with the requirements of Policies SUE2 and SUE2b and the requirements of the Masterplan SPD.

Design, Layout, Landscaping and Masterplan Compliance

- 9.17 Policy SUE2 is clear in its requirement that proposals must demonstrate a comprehensive approach to development and be of a high design quality. The Halsnead Garden Village (SPD) has been prepared for the site and in addition Policy SUE2c sets out further requirements which the development should deliver and is further supported by the Halsnead Garden Village Design and Local Distinctiveness Guide.
- 9.18 The Masterplan sets out the Council’s requirements for the layout in respect of street hierarchy, location of open space and overall design quality. The design and layout of the proposal also falls to be considered in respect of Policy DQ2 of the Replacement UDP and Policies CS2 and CS19 of the Local Plan: Core Strategy. Of relevance in considering the design and layout of the development is the Design Quality in New Development SPD. All these policies and SPDs share the same aim: to ensure that an acceptable level of quality in the development is achieved.

- 9.19 Unit 2 has of floorspace of 14,141 sq m with the building having a height of 13.25 metres. Unit 3 has 18,625 sq m of floorspace with a building height of 22.6 metres. Each unit has its associated loading and parking areas.
- 9.20 Unit 2 is proposed to measure 150 metres in length, 103.2 metres in width and a height of 13.25 metres. The building would primarily be clad in grey with some vertical detailing utilising different shades of cladding and tinted glazing to break up the grey cladding and provide some visual interest, although for this unit the final materials are yet to be agreed and are therefore subject to a condition. The offices are primarily located on the south eastern corner of the building which is the most prominent part of the building.
- 9.21 Unit 3 would be a substantial building, measuring 219 metres in length, 80 metres in width and a maximum of 22.6 metres in height. Whilst being a large building its scale is typical of a building for large modern warehouse/logistics use. The building would primarily be clad in grey with some vertical detailing utilising different shades of cladding and tinted glazing to break up the grey cladding and provide some visual interest. The office space would be concentrated in on the eastern elevation of the building and would be the most visible elevation to most visitors to the wider site. This part of the building would incorporate additional glazing and be noticeably different to the rest of the building. The materials proposed are considered acceptable.
- 9.22 Full details of site levels have been submitted and are considered to be acceptable.
- 9.23 The proposed layout of the site is acceptable. The highway elements of the layout are discussed in the report. The layout allows for a considerable level of parking serving unit 2 and this is provided for the needs of a potential occupier. Overall the layout meets all highway safety requirements and provides for the loop road mentioned above and is therefore considered to be acceptable. The layout also complies with the Halsnead Design and Distinctiveness Guide
- 9.24 Full landscaping details have been submitted and are considered acceptable. The plans have been amended during the course of the application to retain an area of woodland that appears to have been planted as part of landscaping for the wide Halsnead Estate. This is a mature woodland that contains a number of native species as well as priority habitat and therefore its retention was sought.
- 9.25 Detailed landscape proposals have been accepted for the site with the exception of the area in and around parts of Unit 02. This will be addressed through a condition requiring details to be agreed and implemented before the unit is occupied. The site adjoins an ancient woodland along the western boundary. The Masterplan SPD requires a 15-metre standoff to ensure that new development is not detrimental to the ancient woodland and this has been provided for in these proposals.
- 9.26 The layout and design of the proposal is considered to comply with the relevant local plan policies, including policy CS19 – Development Quality and

Accessibility in New Development and guidance in the New Residential Development SPD. The relevant UDP policies including saved Policy DQ2 (Security in the Built Environment). Local Plan policies, including Policy CS2 (Development Principles), Policy CS19 (Development Quality and Accessibility in New Development), and guidance in adopted SPDs: and Design Quality in New Development SPD (2016).

Residential Amenity (inc noise)

- 9.27 In order for the proposal to be acceptable, it is important that it does not have a detrimental impact on the amenities of existing residents. Core Strategy Policies CS2 and CS19 combine to ensure that new development does not significantly injure the amenities of nearby residential neighbours. Saved Policy ENV2 of the Knowsley UDP seeks to ensure that new or existing developments are protected from new or existing noise sources and that, where necessary, effective mitigation measures are secured.
- 9.28 A noise survey has been submitted in support of the application and has been assessed by Environmental Health Officers. Following the receipt of amended drawings relating to Unit 02 no objections have been raised subject to the implementation of the following mitigation;
- The 4-metre-high barriers around the service yard of unit 2 (shown as unit 3 in the noise report)
 - The 3-metre bund with a 2.5 metre acoustic fence on top. (The specification of the acoustic fence must be agreed in writing with the local planning authority before its construction begins).
 - Submission of an Operational Noise Management Plan
- 9.29 Other mitigation was requested relating to fixed plant noise levels and a CEMP but these are already conditions on 20/00494/HYB and do not need adding to the reserved matters permission.
- 9.30 An updated daylight/sunlight assessment was submitted with the application and this demonstrated the proposals will not have detrimental impact because of the buildings scale and no overshadowing will occur despite the size of the proposed buildings.
- 9.31 In conclusion, the proposal would not be significantly detrimental to the amenity of the occupiers of existing dwellings, subject to the conditions referenced above. Furthermore, any lesser impacts from the development on existing residents need to be considered in the context of the planning balance and weighed against the positive benefits accruing from the development. The proposal, subject to appropriate planning conditions, complies with:
- the National Planning Policy Framework
 - the National Design Guide

- Policies SD1, CS2, SUE2, SUE2c and CS19 of the Knowsley Local Plan: Core Strategy, and
- the Halsnead Garden Village SPD and Design & Distinctiveness Guide.

Impact on Heritage Assets

- 9.32 To the north of the site is the Grade II listed building, Old Halsnead Hall. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 says that when considering planning applications that affect a listed building or the setting of listed buildings the local Planning Authority is required to “...*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*”. Policy CS20 of the Local Plan Core Strategy sets a similar expectation and says that new development should be sensitively designed and appropriately integrated into the settings of heritage assets.
- 9.33 The NPPF (at paragraphs 199 – 208) also provides guidance upon the approach to be taken in considering the impacts against the level of harm (if any) that has been identified. Key requirement HSPD4 of the Masterplan SPD states the development shall ensure there is no harmful impact on the listed building at Old Halsnead Hall or its setting. Paragraph 199 of the NPPF is of particular importance and, in summary, states that in considering the impact of a development on the significance of a designated heritage asset, in this case the Old Halsnead Hall, great weight should be given to the asset’s conservation. The more important the asset the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 9.34 The principle of the development was considered as part of planning application 20/00494/HYB and this reserved matters proposal is pursuant to this planning permission. An updated Heritage Impact has been submitted in support of the detailed proposals and this demonstrates the current proposals are well within the restrictions in terms of floorspace and building height that were set within the hybrid planning permission and therefore the heritage impacts are much less than the ‘worse case’ scenario permitted.
- 9.35 The sparse clump of trees (a historic feature of the parkland) to the west of Old Halsnead is shown as part-retained and enhanced. This is an improvement from the approved Outline scheme which saw this removed in its entirety. The development will present some features such as noise attenuation and boundary treatments close to Old Halsnead which have an impact on its setting. A condition will be included on the decision notice to require additional planting within this area to reduce the impact on the setting of Old Halsnead.
- 9.36 Issues over the level of harm caused to the setting of this listed building were considered as part of the hybrid application and weighed against the public benefits of the development. As these proposals are within the various

restrictions imposed by the hybrid application and additional landscaping will be provided the proposals are considered to be acceptable.

- 9.37 The application complies with Core Strategy Policy CS20 and with paragraph 199, 202 and 203 of the NPPF. The requirement of S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to "...have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" has been fully complied with in the consideration of this application.

Highways Impacts

- 9.38 Policy CS7 (Transport Networks) in the Local Plan Core Strategy requires new developments to be located and designed to prioritise accessibility and sustainable modes of travel through a choice of walking, cycling, public transport, and incorporate access for private vehicles. The policy also requires new developments to make adequate provision for cycle and car parking.
- 9.39 The NPPF requires new developments to ensure that appropriate opportunities to promote sustainable transport modes can be taken up, that safe and suitable access to the site can be achieved for all users, and that any significant impacts from the development on the transport network, or on highway safety can be mitigated to an acceptable degree. Furthermore, that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.40 Following the submission of amended drawings showing the required tracking, the layout is considered acceptable subject to conditions maintaining adequate visibility splays to the site access / egress points. A condition will also be included ensuring the delivery of the loop road as referenced above. The parking provision proposed is acceptable despite being well above the required standard for Unit 2. This is for the requirements of a perspective occupier and is considered appropriate in this instance.
- 9.41 Issues relating to the access point onto the existing highway network and the impact of the development on the wider highway network were considered as part of 20/00424/HYB and this current reserved matters application falls within the parameters of the approved details.
- 9.42 Concerns have been raised by Halton MBC regarding the number of trips potentially generated from Unit 02 given the level of parking required for delivery vehicles and the impact on Halton's highway network. It is not considered that the development will have a detrimental impact as the overall level of floorspace proposed is much reduced from the that permitted under the hybrid planning approval (20/00494/HYB). Based on this application and in consideration of the previously approved KMBC trip rates, the site could now expect circa 68 fewer trips in the morning peak and 79 fewer trips in the PM

peak. Therefore, the impact on the local highway network, in Knowsley and Halton, will see less movements than previously considered.

- 9.43 Subject to the to the recommended conditions referred to above, the application accords with policies CS7 (Transport Networks) and CS19 (Design Quality and Accessibility in New Development) in the Knowsley Local Plan: Core Strategy Policy and it is considered that the development would not result in any significant adverse impacts on highway or pedestrian safety.

Condition Compliance

- 9.44 Planning permission 20/00494/HYB included a number of conditions requiring additional information to accompany any subsequent reserved matters application. The conditions are as follows;
- 9.45 Condition 36 – boundary treatments along the M62. The submitted details are acceptable.
- 9.46 Condition 40 – Remediation works relating to mining works. The Coal Authority have confirmed that the submitted details are acceptable.
- 9.47 Condition 42 – Submission of an update Arboricultural Impact Assessment. This was submitted in support of the application and therefore the requirements of this condition are satisfied insofar as this reserved matters is concerned.
- 9.48 Condition 45 – Levels. This was submitted in support of the application, and have been assessed earlier in the report and therefore the requirements of this condition are satisfied insofar as this reserved matters is concerned.
- 9.49 Condition 46 – Highway connections. The submitted details do not meet the full requirements of this condition. However, given the changes made during the course of the application it has been agreed to include a further condition on the reserved matters permission.
- 9.50 Condition 47 – Ancient woodland buffer – This is clearly demonstrated on the submitted plans and therefore the requirements of this condition are satisfied insofar as this reserved matters is concerned.
- 9.51 Condition 48 – Biodiversity Mitigation Strategy - This was submitted in support of the application and MEAS have now accepted the recommendations. Therefore, the requirements of this condition are satisfied insofar as this reserved matters is concerned. This requires provision of reasonable avoidance measures for various protected species and the relocation of Bluebells. These will be implemented before the commencement of development.
- 9.52 Condition 49 – Electric vehicle charging points. This was submitted in support of the application and therefore the requirements of this condition are satisfied insofar as this reserved matters is concerned.

- 9.53 Condition 50 – Updated Heritage Impact Assessment. This was submitted in support of the application and the impacts of the reserved matters proposals on heritage assets is assessed earlier in this report and therefore the requirements of this condition are satisfied insofar as this reserved matters is concerned.
- 9.54 Condition 51 – Updated overshadowing assessment. This was submitted in support of the application and has been assessed earlier in this report therefore the requirements of this condition are satisfied insofar as this reserved matters is concerned.
- 9.55 Condition 52 – Temporary drainage. This was submitted in support of the application and therefore the requirements of this condition are satisfied insofar as this reserved matters is concerned.
- 9.56 Condition 53 – Drainage Scheme - This was submitted in support of the application and therefore the requirements of this condition are satisfied insofar as this reserved matters is concerned relating to unit 3 only. The details for unit 2 will be included as a further condition on this permission.

10. CONCLUSION

- 10.1 The proposal would secure a high-quality employment development on one of the Council's allocated employment sites and make a valuable contribution towards meeting the borough's development needs.
- 10.2 The proposals are acceptable in terms of design and layout, and do not give rise to any issues relating to residential amenity or highway safety, subject to the inclusion of conditions.
- 10.3 The application is therefore recommended for approval subject to the following conditions;
1. The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

2. Prior to the first use of Unit 02 (for the avoidance of doubt this relates to Unit 2 as shown on plan 21351_P0602 Revision U), the mitigation measures stated in the E3P Noise Impact Assessment for Symmetry Park, reference 50-356-R1-4, dated October 2022, shall have been completed in full. For the avoidance of doubt, as a minimum, this includes:
- o the 4-metre-high barriers around the service yard of unit 02

- o the 3-metre bund with a 2.5 metre acoustic fence on top. The specification of the acoustic fence must be agreed in writing with the local planning authority before its construction begins.

The mitigation measures shall remain in place and be maintained in accordance with their manufacturer's recommendations thereafter.

Reason: To ensure the nearby residential properties are suitably protected against the noise impacts of the development.

3. Prior to the first occupation of each approved unit, a detailed Noise Management Plan and Noise Mitigation Plan, the scope of which has been agreed with the local planning authority, shall be submitted to and agreed in writing with the local planning authority. Each unit shall then be operated in full accordance with the agreed plans.

Reason: To ensure the nearby residential properties are suitably protected against the noise impacts of the development.

4. Notwithstanding the details submitted on the approved plans, details of all hard and soft landscaping on land within and around Unit 02 (as identified on plan reference 21351_P0602 Revision U) shall be submitted to and approved in writing by the Local Planning Authority before Unit 02 is first occupied.

For the avoidance of doubt the details shall relate to all land surfaces not built upon and shall include:

- a) hard surfaced areas and materials,
- b) planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.
- c) existing plants / trees to be retained
- d) A detailed regime for the ongoing and longer-term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be implemented and completed prior to the occupation of Unit 2.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and to comply with Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

5. Visibility splays of 2.4m x 70m at the vehicular accesses into the site shall be provided before the first occupation of Unit 03. Any planting or structures within the area of the visibility splay shall be no higher than 0.6 metres.

Reason: To ensure the proposed access points are safe and do not give rise to any highway safety issues.

6. Visibility splays of 2.4m x 70m at the vehicular accesses into the site shall be provided before the first occupation of Unit 02. Any planting or structures within the area of the visibility splay shall be no higher than 0.6 metres.

Reason: To ensure the proposed access points are safe and do not give rise to any highway safety issues.

7. Before the first occupation of Unit 2 or 3, whichever is latest, (as shown on plan reference 21351_P0602 Revision U), full construction standard drawings showing the internal road network being built to the southwestern boundary of the site, where it adjoins the former the former mineral railway line, shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the details shall include the following details;

- The proposed road ground level and levels details of any regrading of the land
- Construction details of the road to an adoptable standard
- Full details of the proposed highway drainage
- Indicative details of how the road will cross the former mineral line and connect to the development site to the south.

The agreed details shall be implemented in full before the first occupation of unit 2 or 3, whichever is occupied latest, and retained thereafter.

Reason: To ensure the delivery of a comprehensive development and ensure an alternative future access into the site is provided.

8. Notwithstanding the details submitted on the approved plans, details of all external materials on the elevations of Unit 02 (as identified on plan reference 21351_P0602 Revision U) shall be submitted to and approved in writing by

the Local Planning Authority before Unit 02 they are first used on the building . The agreed details shall be implemented in full before the first occupation of Unit 02.

Reason: To ensure the building is of acceptable appearance.

9. Notwithstanding the details submitted on the approved plans, details of all boundary treatments for Unit 02 (as identified on plan reference 21351_P0602 Revision U) shall be submitted to and approved in writing by the Local Planning Authority before Unit 02 is first occupied. The agreed details shall be implemented in full before the first occupation of Unit 02.

Reason: To ensure the provision of acceptable boundary treatment to the site.

10. Notwithstanding the details submitted on the approved plans, details of the Gatehouse serving Unit 02 (as identified on plan reference 21351_P0602 Revision U) shall be submitted to and approved in writing by the Local Planning Authority before Unit 02 is first occupied. The agreed details shall be implemented in full before the first occupation of Unit 02.

Reason: To ensure the Gatehouse is of an acceptable appearance.

11. No development shall commence in respect of unit 02, with the exception of remediation or groundworks, until a detailed SUDS based drainage scheme on the principles of The SUDS Manual (C753) and the criteria as set out within Knowsley Strategic Flood Risk Assessment (SFRA, Levels 2), has been submitted and approved in writing by the Local Planning Authority (LPA) . The applicant should provide suitable drainage drawings, summary calculations and results of all investigations detailing the surface water drainage works as set out below. The maximum rate of discharge, off-site, shall not generally exceed a greenfield runoff rate. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

The surface water and drainage strategy, detailed design drawings, calculations and supporting information shall be expected to consider the following elements:

(i) Evidence and justification that in selecting drainage features for post-development situation the surface water drainage discharge hierarchy has been followed. As requested by National Planning Practice Guidance applications should aim to discharge surface water runoff as high up the following hierarchy of drainage options as reasonably practicable:

o into the ground (infiltration)

o to a surface water body to a surface water sewer, highway drain, or another drainage system, and

o to a combined sewer.

Any drainage strategy proposal should clearly demonstrate how the movement down the hierarchy has been considered and that the selection of the most appropriate set of SuDS techniques has taken into account the site geological and topographical characteristics. To assess the feasibility of infiltration techniques as part of the proposed drainage strategy, evidence must be provided to show that a suitable number of soakaway tests have been completed for the outline area (or any phase within) within different geology and to a suitable depth (i.e. a similar depth to the proposed infiltration devices). The tests should be completed according to the BRE 365 method and their results should be submitted with the full application.

(ii) inclusion of the site land drain map, their connectivity and, where they are compromised by new development, proposals for an alternative land drain.

(iii) Evidence that surface water will not utilise motorway drainage or result in any overland flows to the M62 motorway.

(iv) An assessment of groundwater levels on the site, their likely variations and, in the event that the assessment shows that groundwater levels will be high, details of mitigation measures proposed by the applicant to prevent groundwater flooding to new development.

(v) Model Information (Micro Drainage or similar approved) to include a plan showing pipework model numbering and network details.

(vi) Results showing all the modelling criteria and summary network results attenuation ponds for critical 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% CC storm events showing maximum water level, flow and velocity and details of any surface flooding anticipated are required.

(vii) A drawing showing the proposed impermeable and permeable areas, suitably annotated.

(viii) Drainage plan showing drainage layout, manholes including cover and invert levels, proposed levels, pipe sizes and gradients, all on -line controls, on and off line storage structures and outfall details.

(ix) Plan showing overland exceedance routes in the event of a failure of the system or storm event in excess of the 1 in 100 + 30% CC storm event.

(x) Summary Drainage Report setting out the Drainage Strategy and results of calculations demonstrating compliance with the above.

(xi) Where third party agreements to construct sewers and to discharge flows are required, then written evidence of these two agreements shall be provided.

(xii) A timetable for implementation of the drainage works including an assessment of any phasing of the development.

(xiii) Demonstrating that adequate water quality of the off-site surface water flows (draining into a sewer, watercourse and ground) in accordance with the Simplified Index Approach as set out within Section 26 of the SUDS Manual (C753) can be achieved during all phases of the development.

Where SUDs are only proposed in part or not at all, then a full justification statement shall be provided to demonstrate why it is not considered appropriate or reasonable.

The agreed drainage scheme shall be implemented before the first use of Unit 2.

Reason: To ensure a satisfactory drainage system is provided to serve the site in accordance Policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy (January 2016).

Schedule 1 – Approved Plans and Documents

Date Received	Ref. No	Version	Drawing/Document Title
11/03/2022	21351_P0601	B	Location Plan
11/03/2022	21351_P1001	E	Building Plan
11/03/2022	21351_P1003	E	Roof Plan
11/03/2022	21351_P1031	H	Building Elevations
11/03/2022	21351_P1002	E	Office Plan
11/03/2022	12267_R07b_AIA_and_AMS_JJ_T_W_301121 (Parts 1-3)	D	Arboricultural Impact Assessment and Method Statement
11/03/2022			Heritage Impact Assessment
11/03/2022	KST/17049		Overshadowing Assessment
11/03/2022	T/18/2126	P4	Temporary Drainage Works
08/07/2022	VN212041-TR106	B	Unit 03 Car Park Layout Review
08/07/2022	VN212041-TR100	C	Unit 02 Van Storage Servicing Swept Path Analysis
08/07/2022	VN212113-D101	C	Unit 03 Proposed Access and Junction Arrangement
08/07/2022	VN212041-TR105	C	Unit 03 Service Yard Swept Path Analysis
22/11/2022	21351_P0703	G	Unit 02 - Fencing Details (2 of 2)
22/11/2022	21351_P0705	H	Unit 02 - Cycle Shelter
22/11/2022	21351_P0706	H	Unit 02 - Smoking Shelter
22/11/2022	21351_P0707	H	Unit 02 - Sprinkler Tank and Switch Room Details
22/11/2022	21351_P0708	E	Unit 02 - Welfare Unit
22/11/2022	21351_P2601	G	Unit 03 - Site Plan
22/11/2022	21351_P2701	G	Unit 03 - External Finishes Plan

22/11/2022	21351_P2702	F	Unit 03 - Fencing Details
22/11/2022	21351_P2703	F	Unit 03 - Gatehouse Details
22/11/2022	21351_P2704	F	Unit 03 - Sprinkler Tank and Pump
22/11/2022	21351_P2705	F	Unit 03 - Cycle Shelter
22/11/2022	21351_P2706	F	Unit 03 - Bin Store Details
22/11/2022	21351_P3001	B	Unit 03 - Building Plan
22/11/2022	21351_P3002	B	Unit 03 - Offices Plan
22/11/2022	21351_P3003	C	Unit 03 - Roof Plan
22/11/2022	VN212041-TR101	E	Unit 02 Waiting and Loading Swept Path Analysis
22/11/2022	VN212041-TR103	F	Unit 02 Car Park Layout Review
22/11/2022	VN212041-TR104	F	Internal Access Road Swept Path Analysis
22/11/2022	MAN.1453.006.EN Z.XX.00.DR.L.45.0 00	PL05	Overview Plan
22/11/2022	- MAN/1453.006.EN Z.XX.00.SCH.L.45. 001	PL05	Plant Schedule
22/11/2022	MAN.1453.006.EN Z.XX.00.DR.L.45.0 01	PL04	Soft Landscaping Plan (1 of 5)
22/11/2022	MAN.1453.006.EN Z.XX.00.DR.L.45.0 02	PL04	Soft Landscaping Plan (2 of 5)
22/11/2022	MAN.1453.006.EN Z.XX.00.DR.L.45.0 04	PL04	Soft Landscaping Plan (4 of 5)
22/11/2022	MAN.1453.006.EN Z.XX.00.DR.L.45.0 05	PL04	Soft Landscaping Plan (5 of 5)
22/11/2022			Sample Planting Palette
22/11/2022	7367.024	V5	Biodiversity Mitigation Strategy
22/11/2022	7367.026	V5	Bat and Bird Box Scheme
22/11/2022	21351_P4001	C	Unit 02 and Unit 03 - Site Cross Sections
22/11/2022	21351_P0702	N	Unit 02 - Fencing Details (1 of 2)
22/11/2022	21351_P0703	G	Unit 02 - Fencing Details (2 of 2)
24/11/2022	T/18/2126/ FRA	1.3	Flood Risk Assessment
24/11/2022	T 21 2489-55-02	P3	Unit 03 Drainage Layout
	L005-TIE-ZZ-XX- DR-C-6007	T11	Country Park Levels
06/02/2023	21351_P3301	B	Unit 03 - Building Elevations
16 May 2023	21351_P0602	U	Illustrative Masterplan
16 May 2023	21351_P0603	P	Unit 02 – Site Plan
16 May 2023	VN212041-D100	G	Unit 02 Proposed Access and Junction Arrangement
16 May 2023	VN212041-TR102	F	Unit 02 Service Yard Swept Path Analysis
16 May 2023	L005-TIE-ZZ-XX- DR-C-6009	P10	Site Wide Levels

16 May 2023	L005-TIE-ZZ-XX-DR-C-6032	P2	RM1 – Proposed Levels
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Signed Case Officer¹: **Kevin Foster**

Signed Authorising Officer²: **Alan Kilroe**

Date: **29 June 2023**

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed