

DEVELOPMENT MANAGEMENT COMMITTEE – 5 AUGUST UPDATE REPORT

Agenda item 4 – 2019/36241 **Omega 4 – 7**

Correction

Para 1.3 reference to 35 acre Green Heart. The applicant has confirmed an error in their Planning Statement for the application referencing 35 acres, as this did not include the 'green finger' that extends east and separates Zone 6 from the application site. The green heart is 39.29 acres.

Conditions

A full amended schedule of conditions is attached to this update report, this includes the following amendments together with conditions renumbered to reflect the changes set out below.

Condition 10

Condition 10 in the agenda report is split into 2 conditions;
Prior to submission of the first reserved matters application for any individual residential phase/ plot, a plan detailing the location of the proposed local equipped play area (LEAP) within the site shall be submitted and approved in writing by the Local Planning Authority.

New condition

Prior to commencement of development within the corresponding residential phase/ plot which includes the approved location of the local equipped play area (LEAP), details of the LEAP shall be submitted and approved in writing by the Local Planning Authority. This shall include measures for its maintenance and management. The LEAP shall be implemented in accordance with the approved details prior to first occupation of the relevant phase of development it is located within.

Condition 11

Condition 11 in the agenda report is amended as recommended by GMEU, as follows;

“Complementary landscape creation and management plans for individual phases, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, and timetable for implementation of each individual phase shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any use or building on corresponding phases hereby permitted and the landscape management shall be carried out in accordance with the approved plan over the period specified”.

Conditions 13 & 14

Conditions 13 & 14 in the agenda report are to be deleted. This is because amended condition 19 agreed with Highways England deals with the same requirements and therefore conditions 13 & 14 are not necessary.

Condition 18

Condition 18 in the agenda report is amended as follows;

A scheme for the design and construction of off-site highway improvement works, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Secretary of State (Highways England). The scheme shall include a timetable for implementation prior to occupation of the 318th dwelling hereby approved.

For avoidance of doubt, the works shall include:

- i. Reallocation of road space at M62 J8 to the principles of WSP Drawing No. 11191042_SK326/A
- ii. Widening of Skyline Drive between M62 J8 and Fairchild Road to the principles of WSP Drawing No 1191042_SK329/A
- iii. Pedestrian/cycle infrastructure works necessary to facilitate the highway works
- iv. Replacement/upgrade of street lighting necessary as part of the detailed design.
- v. Replacement of signage necessary as part of the detailed design
- iv. Drainage works necessary to facilitate the highway works.

The approved scheme shall include Independent Stage 1 and Stage 2 Road Safety Audits carried out in accordance with current Departmental (DMRB) and Advice Notes and subsequently be implemented prior to occupation of the 318th dwelling hereby approved.

Reason: To ensure that the sufficient measures are taken such that the highway network can accommodate the development and that the traffic generated does not exacerbate unsatisfactory highway or transportation conditions.

Condition 19

Condition 19 in the agenda report is amended in the new schedule of conditions as follows;

Except for site clearance and remediation no development shall commence until a scheme for the design and construction of the site access points has been submitted to and approved in writing by the Local Planning Authority. The accesses shall be designed in accordance with the principles set out in the approved drawings.

For the avoidance of doubt, the site access to Burtonwood Road at Kingswood Road shall include the installation of a MOVA traffic signal control strategy.

The approved schemes shall subsequently be constructed and completed in accordance with the approved Road Phasing and Completion Plans/ details set out in condition 14. The accesses shall be kept available for use at all times after completion.

NB - Please note that the condition numbers differ in the new schedule of conditions due to the addition and deletion of conditions as set out in this update report.

Agenda item 5 – Application 2020/36461

Omega zone 8 Adjacent Authority Consultation from St Helens

2 additional objections received raising the following matters;

- Reference to concerns raised by Merseytravel that the proposed car parking may cause traffic congestion around the area, causing the bus services to be impeded.
- Reference to air quality concerns raised by St Helens Environmental Protection Department.
- The application is based on future expansion of the TMJ (Home and Bargains) unit and future requirements
- The building of large warehouses along this stretch of motorway has got out of hand. The surrounding environment and infrastructures are suffering.

Objection received from Whittle Hall residents Association on the grounds of:

1. No employment benefit to St Helens residents due to access and service issues are only from Catalina Blvd - wholly in the Borough of Warrington.
 2. No new highway infrastructure being considered by St Helens to give open access from and within their Borough boundary.
 3. There will be (no getting away from it) increased noise, pollution and traffic volume due to situations arising from 1 & 2 above.
 4. Blatant destruction of green belt - whilst existing Omega was built on vacant brown field site with motorway adjacency, as compared to Omega West, this is on fertile green belt with no plans to add infrastructure from the St Helens side.
 5. No existing public transport from St Helens into the proposed area.
 6. What is the provision for emergency service response? As it stands the land is within St Helens and the Merseyside response catchment area but due to infrastructure weaknesses, the most local, quick response units/services will be Cheshire & Warrington based. If a major incident were to occur, because of proximity, first and quickest response would come from Warrington, putting the rest of Warrington at a disadvantage & surely with a cost implication too.
- Infrastructure concerns for all whole of Warrington West needs to brought into the mix. Existing traffic congestion and other planned developments will affect the area.
 - Warrington West is near/at capacity so all the additional planned activity will break this community.
 - St Helens should provide internal access & a new motorway junction between current J7&J8.
 - Impact on the local green belt, wildlife and NO to urban sprawl.

Objection received from Cllr Mitchell

As ward councillor, I wish to raise an objection in respect of this proposed development. Whilst extra employment opportunities in the area are to be welcomed, I note the lack of mitigation in respect of the additional traffic which this development will generate. For traffic arriving at the site via junction 8, one of the likely routes to be used will involve Clay Lane and Gorsey Lane, Burtonwood. These are essentially

country lanes which already shoulder the significant burden of additional traffic generated by the Omega site. I understand that there will be no access to the site directly from St Helens and therefore can only conclude that Warrington, and specifically Burtonwood, would have to take the extra traffic. On that basis I would urge the committee to object to this development.

Officer comment

All of the matters raised in the above representations are considered as part of the officer report.

Update report Appendix 1

Application 2019/36241 – recommended conditions

1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined by condition 2 below, whichever is the later.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 92 (as amended) of the Town & Country Planning Act 1990

2. a) Details of the reserved matters set out below (the reserved matters) shall be submitted to the Local Planning Authority for approval within three years from the day of this permission:
 - (i) layout;
 - (ii) scale;
 - (iii) appearance, and
 - (iv) landscaping.
- b) The reserved matters shall be carried out as approved.
- c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town & Country Planning Act 1990.

3. The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details and any subsequently approved reserved matters.

The details submitted at outline stage include;
site location plan 00 051
Illustrative master plan 00 053 rev P2
5968-P4-P7-GA-100 rev A – highway works general arrangement
Transport Assessment (WSP Nov 19)
Technical note (WSP March 2020).

Reason: For the avoidance of doubt and to define the permission.

4. No development shall commence on individual phases until a local employment scheme - including the delivery of jobs and/or training opportunities during the construction period - for the corresponding phase has been submitted to the local planning authority for approval. The scheme shall also outline the means of maximising the local impact from the development in terms of contracting and supply chain opportunities for local businesses and job opportunities for the local community/residents. The approved employment scheme shall be fully implemented.

Reason: In order to accord with Policy PV3 of the Warrington Core Strategy

5. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development having regard to the NPPF, Policy QE4 and QE6 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

6. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

7. Before construction of the individual uses or buildings hereby approved commences, a schedule of external materials and finishes to be used on the external surfaces (including samples where appropriate) - including the colour and treatment of external surfaces - to be used in connection with the corresponding development shall be submitted to and approved in writing by the Local Planning Authority, and the approved materials shall be used in the implementation of the development and thereafter so retained.

Reason - In the interests of visual amenity in accordance with policy QE7 of the Local Plan Core Strategy.

8. All trees to be retained on site shall be protected in accordance with BS 5837:2012 *Trees in relation to design, demolition and construction*. The development of individual phases shall not commence unless and until the measures required by the British Standard for that phase are implemented and all measures required shall continue until the development has been completed.

Reason: To ensure that the trees on the site are protected during construction works in the interests of local amenity, and in order to comply Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

9. A landscape management plan for individual phases, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any use or building on corresponding phases hereby permitted and the landscape management shall be carried out in accordance with the approved plan over the period specified.

Reason - To make provision for future management and maintenance in accordance with policies QE3 and QE7 of the Local Plan Core Strategy and with the adopted Design and Construction SPD.

10. Complementary landscape creation and management plans for individual phases, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, and timetable for implementation of each individual phase shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any use or building on corresponding phases hereby permitted

and the landscape management shall be carried out in accordance with the approved plan over the period specified

Reason – In the interests of protected species and their habitat in accordance with Circular 06/05, Wildlife and Countryside Act 1981 (as amended) and the Habitats (Natural Habitats, &c.) Regulations 2010 and in order to comply with the NPPF and Policy QE5 of the Warrington Core Strategy.

11. No removal of or works to any trees or shrubs or large-scale ground clearance works shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason – In the interests of protected species and their habitat in accordance with Circular 06/05, Wildlife and Countryside Act 1981 (as amended) and the Habitats (Natural Habitats, &c.) Regulations 2010 and in order to comply with the NPPF and Policy QE5 of the Warrington Core Strategy.

12. At reserved matters stage, provision should be made within the development for a new primary health facility of approximately 1,500 sq.m (in accordance with the Warrington Strategic Estates Strategy).

Reason - In order to ensure delivery of an appropriate facility to mitigate the impact of the proposal on the existing primary health care network in accordance with policies CS1 and SN7 of the Local Plan Core Strategy for Warrington.

13. Except for site clearance and remediation no development on individual plots / phases shall take place until full details in the form of scaled plans and/or written specifications relevant to that individual plot/ phase have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- a) proposed highway layout including the highway boundary
- b) dimensions of any carriageway, cycleway, footway and verges
- c) visibility splays
- d) proposed buildings and site layout, including levels
- e) accesses and driveways
- f) parking provision
- g) drainage and sewerage system
- h) all types of surfacing (including tactile paving), kerbing and edging
- i) full working drawings for any structures which affect or form part of the highway network
- j) public transport infrastructure

The development shall be carried out in accordance with the approved drawings and details prior to first occupation of each phase of the development as identified in Chetwoods Drawing No. 4531-CA-00-XX-DR-A-00-053/P2 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development of the site and a satisfactory standard of highway design and construction in the interests of highway safety and the amenity and convenience of highway users together with suitable means of drainage.

14. Development shall be carried out in accordance with the following Road Phasing and Completion Plans/ details received on 3.7.20 unless otherwise agreed in writing by the Local Planning Authority;

- R3 South incl. Bus Gate & R3 N1 short stub. – 1042-RS3-GA-408 Rev _
- R3 North 1 & R4 – 1042-RS3-GA-409 Rev B
- R3 North 2 plus Second Junction Access to Burtonwood Road – 1042-RS3-GA-410 Rev B
- Construction Access Plan 1042-RS3-GA-403 Rev A
- SITE WIDE HAUL ROADS AND SITE COMPOUNDS 1042-RS3-GA-135

Reason: To ensure that roads serving the development are completed and thereafter maintained to an acceptable standard in the interests of safety; to ensure a satisfactory appearance to the highway infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

15. The development shall provide internal connected pedestrian/cycle links north to Skyline Drive, west to the Greenheart and south to the Taylor Wimpey residential site.

Reason: To ensure adequate accessibility to the wider area and encourage non-car modes of transport.

16. A scheme for the design and construction of off-site highway improvement works, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Secretary of State (Highways England). The scheme shall include a timetable for implementation prior to occupation of the 318th dwelling hereby approved.

For avoidance of doubt, the works shall include:

- i. Reallocation of road space at M62 J8 to the principles of WSP Drawing No. 11191042_SK326/A
- ii. Widening of Skyline Drive between M62 J8 and Fairchild Road to the principles of WSP Drawing No 11191042_SK329/A
- iii. Pedestrian/cycle infrastructure works necessary to facilitate the highway works
- iv. Replacement/upgrade of street lighting necessary as part of the detailed design.
- v. Replacement of signage necessary as part of the detailed design
- iv. Drainage works necessary to facilitate the highway works.

The approved scheme shall include Independent Stage 1 and Stage 2 Road Safety Audits carried out in accordance with current Departmental (DMRB) and Advice Notes and subsequently be implemented prior to occupation of the 318th dwelling hereby approved.

Reason: To ensure that the sufficient measures are taken such that the highway network can accommodate the development and that the traffic generated does not exacerbate unsatisfactory highway or transportation conditions.'

17. Except for site clearance and remediation no development shall commence until a scheme for the design and construction of the site access points has been submitted to and approved in writing by the Local Planning Authority. The accesses shall be designed in accordance with the principles set out in the approved drawings.

For the avoidance of doubt, the site access to Burtonwood Road at Kingswood Road shall include the installation of a MOVA traffic signal control strategy.

The approved schemes shall subsequently be constructed and completed in accordance with the approved Road Phasing and Completion Plans/ details set out in condition 14. The accesses shall be kept available for use at all times after completion.

Reason: In order that the Council is satisfied that the highway works are carried out to the appropriate standard and to enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users in the interests of road safety.

18. Reserved matters applications for individual plots/ phases shall include details of the proposed surface water drainage for the site and include measures to prevent the discharge of water on to the public highway.

Reason: To prevent unnecessary surface water from being deposited on to the highway thus causing a potential source of danger to other road users.

19. No dwelling/unit/plot within the development hereby approved shall be occupied or any first use commenced until that part of the internal highway infrastructure which provides access to the to the individual dwelling/unit/plot has been constructed to binder course surfacing level (or paved) and is available for use in accordance with the approved plans.

Reason: To ensure that satisfactory access is provided before the development becomes operative in the interests of road safety and the convenience of users of the highway.

20. Prior to first occupation/use of the premises parking provision in line with the Council's current standards shall be provided in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The approved parking provision shall be kept free for that specific use thereafter. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no Building works which reduce this provision shall take place except following the express grant of planning permission by the Council.

Reason: To ensure adequate parking provision is made thereby avoiding hazards caused by indiscriminate parking and to encourage the benefit of natural surveillance and security in order to actively deter criminal activity, including vandalism.

21. Prior to first occupation/use of the premises cycle parking provision in line with the Council's current standards shall be provided in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking provision shall be kept free for that specific use thereafter. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no Building works which reduce this provision shall take place except following the express grant of planning permission by the Council.

Reason: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport.

22. Prior to the commencement of any works on site, the developer shall provide in writing a Construction, Highways & Environmental Management Plan (CHEMP) to the LPA for written approval. The CHEMP shall review all demolition and construction operations proposed on site including logistics. It shall cover as a minimum the following areas of work on a phase by phase basis, identifying appropriate mitigation measures as necessary:

A. Highway and Traffic

Construction traffic routes, including provision for access to the site. Entrance/exit from the site for visitors/contractors/deliveries.

Temporary roads/areas of hard standing.

Schedule for large vehicles delivering/exporting materials to and from site and details of manoeuvring arrangements. For the avoidance of doubt all construction vehicles shall load/unload within the confines of the site and not on the highway.

Details of street sweeping/street cleansing/wheel wash facilities.

B Site layout and Storage

Proposed locations of Site Compound Areas.

Siting of temporary containers.

Location of directional signage within the site.

Parking for contractors, site operatives and visitors.

Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of demolition/construction.

Storage of materials and large/heavy vehicles/machinery on site.

C Environmental Controls

Proposed Construction Hours, Proposed delivery hours to site, Phasing of works including start/finish dates.

Details of activity on site outside the stated construction hours, e.g. workers / security on site, movement, setting up or dismantling of equipment, lighting, installation of services, etc.

Environmental mitigation measures, including noise & vibration, dust and air quality measures mitigation measures including consideration of using low emission non-road mobile machinery. Details for the recycling/storage/disposal of waste resulting from the site. Consideration for joining a Considerate Contractors Scheme.

Once approved in writing, all identified measures within the CHEMP shall be implemented in accordance with the requirements therein and shall be reviewed on a regular basis and in case of receipt of any justified complaint. The CHEMP and agreed requirements therein shall remain in force for the duration of all construction activities on site.

Any changes to the identified CHEMP mitigation measures from either the regular review process or following receipt of a complaint shall be forwarded to the Local Planning Authority within 24hrs of a change being agreed or implemented.

The development shall be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that adequate on-site provision is made for construction traffic,

including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers.

23. The development shall not be occupied until the owners and occupiers of the site have appointed a Travel Plan Co-ordinator. The Travel Plan Co-ordinator shall be responsible for the implementation, delivery, monitoring and promotion of the Residential Travel Plan and Employee Travel Plan, including the day-to-day management of the steps identified to secure the sustainable transport initiatives. The details (name, address, telephone number and email address) of the Travel Plan Co-ordinator shall be notified to the Local Planning Authority upon appointment and immediately upon any change.

Reason: To ensure that an approved Travel Plans are implemented, in order to establish sustainable, non-car modes of transport.

24. Prior to the occupation of any dwelling, a Residential Travel Plan shall be submitted to and approved in writing by Local Planning Authority. The Plan shall include immediate, continuing and long-term measures to promote and encourage alternative modes of transport to the single-occupancy car. For the avoidance of doubt, the Travel Plan shall include, but not be limited to, the following:

- a) Production and distribution of an information pack for residents detailing travel options and information for all modes of travel
- b) Information on existing transport policies, services and facilities, travel behaviour and attitudes
- c) Access for all modes of transport
- d) Resource allocation including Travel Plan Co-ordinator and budget
- e) A marketing and communications strategy
- f) Appropriate measures and actions to reduce car dependence and encourage sustainable travel
- g) An action plan including a timetable for implementation of each of each of the above
- h) Mechanisms for monitoring, reviewing and implementing the travel plan

The Approved Residential Travel Plan 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.

An annual report shall be submitted to the council no later than 1 month following the anniversary of the first occupation of the development for a period of 3 years. The annual report shall include a review of the Residential Travel Plan measures, monitoring data and an 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.

25. A scheme for the provision of electric vehicle charging points, or passive provision, shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be provided prior to first occupation of each plot / phase and retained as such thereafter.

Reason: To ensure that appropriate provision for current and future electric and

electric/hybrid vehicles and encourage more sustainable means of transport

26. Within 3 months of the development being brought into use a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include immediate, continuing and long-term measures to promote and encourage alternative modes of transport to the single-occupancy car. For the avoidance of doubt, the Travel Plan shall include, but not be limited to:
- a) Involvement of employees
 - b) Information on existing transport policies, services and facilities, travel behaviour and attitudes
 - c) Access for all modes of transport
 - d) Targets for mode share
 - e) Resource allocation including Travel Plan Co-ordinator and budget
 - f) A parking management strategy
 - g) A marketing and communications strategy
 - h) Appropriate measures and actions to reduce car dependence and encourage sustainable travel
 - i) An action plan including a timetable for the implementation of each such element of h above
 - j) Mechanisms for monitoring, reviewing and implementing the travel plan

The Approved Travel Plan 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.

An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for a period of 3 years. The annual report shall include a review of the Travel Plan measures, monitoring data and an 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.

27. No development (other than demolition and site clearance works) shall take place on any individual phase of the development until the steps in Sections A and B below are undertaken for that phase:

A: CHARACTERISATION: With specific consideration to human health, controlled waters and wider environmental factors, the following documents must be provided (as necessary) to characterise the site in terms of potential risk to sensitive receptors:
Preliminary Risk Assessment (PRA or Desk Study)
Generic Quantitative Risk Assessment (GQRA) informed by a Intrusive Site Investigation
Detailed Quantitative Risk Assessment (DQRA)
Remedial Options Appraisal
Completing a PRA is the minimum requirement. DQRA should only to be submitted if GQRA findings require it.

B: SUBMISSION OF A REMEDIATION & VERIFICATION STRATEGY: As determined by the findings of Section A above, a remediation strategy (if required) and verification (validation) strategy shall submitted in writing to and agreed with the LPA. This strategy shall ensure the site (or individual phase therein) is suitable for the intended use and mitigate risks to identified receptors. This strategy should be derived from a Remedial Options Appraisal and must detail the proposed remediation measures/objectives and how proposed remedial measures will be verified.

The actions required in Sections A and B shall adhere to the following guidance: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion. In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); Paragraphs 170(f) & 178 of the National Planning Policy Framework (February 2019), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

Disclaimer: Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides entirely with the Landowner/Developer of the site (NPPF Para179).

28. No individual phase shall be taken into use until the following requirements have been met and required information submitted to and approved by the Local Planning Authority (LPA):

A: REMEDIATION & VERIFICATION: Remediation (if required) and verification shall be carried out in accordance with an approved strategy. Following completion of all remediation and verification measures, a Verification Report must be submitted to the LPA for approval.

B: REPORTING OF UNEXPECTED CONTAMINATION: All unexpected or previously-identified contamination encountered during development works must be reported immediately to the LPA and works halted within the affected area(s). Prior to site works recommencing in the affected area(s), the contamination must be characterised by intrusive investigation, risk assessed (with remediation/verification measures proposed as necessary) and a revised remediation and verification strategy submitted in writing and agreed by the LPA.

C: LONG-TERM MONITORING & MAINTENANCE: If required in the agreed remediation or verification strategy, all monitoring and/or maintenance of remedial measures shall be carried out in accordance with the approved details.

Any individual phase shall not be taken into use until remediation and verification are completed for that phase. The actions required to be carried out in Sections A to C above shall adhere to the following guidance: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion.

In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); Paragraphs 170(f) & 178 of the National Planning Policy Framework (February 2019), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

Disclaimer: Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides entirely with the Landowner/Developer of the site (NPPF Para179).

29. The applicant shall submit with any reserved matters application relating to residential development a detailed scheme of acoustic mitigation measures to ensure that future residential properties (C2 and C3 uses) within that phase of development are adequately protected from noise sources both within and outside the development. This scheme shall achieve the internal noise levels set out below and include any transportation, industrial, commercial and entertainment noise and shall be based on findings from an appropriate noise assessment for the relevant phase of development.

The following noise levels shall be achieved in habitable rooms and outdoor areas as set out in BS8233:2014 and/or WHO Guidelines:

- Daytime Noise (07:00-23:00) Living Rooms & Bedrooms - 35 dB LAeq,16hr
- Daytime Noise (07:00-23:00) Dining Areas - 40 dB LAeq,16hr
- Daytime Noise (07:00-23:00) Outdoor Amenity Areas - 50 dB LAeq,16hr
55dB LAeq,16hr can be accepted in exceptional cases where normal mitigation cannot reach the 50dB level.
- Night time Noise (23:00 – 07:00) Bedrooms - 30 dB LAeq,8hr,
- Night time noise (23.00 – 07.00) Bedrooms - 45dB L_{Amax} no more than 10-15 times per night (WHO guidelines)

These levels shall be capable of being achieved with windows open (except for short term purge ventilation) or alternatively with passive ventilation systems in the open position. For the purposes of calculation noise reduction through a partially open window should be assumed to be 15dBA.

If the above internal noise levels (or within 5dB of the stated levels) cannot be achieved with partially open windows, then the scheme shall also consider and identify relevant noise sensitive properties where a full MVHR system would be necessary to reduce the need to open windows. The location of such properties and the proposed MVHR system will need to be agreed in writing with the Local Planning Authority.

Prior to the first occupation of any residential unit within the relevant phase of development, all agreed mitigation measures identified by the scheme of acoustic mitigation and where identified by written agreement for MVHR locations, shall be implemented in full within that unit.

Reason: To ensure a satisfactory standard of living environment for incoming occupiers. In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); and Paragraphs 170(e) & 180(a) of the National Planning Policy Framework (February 2019); and Section 6 of the Environmental Protection Supplementary Planning Document (May 2013)

30. Prior to the commencement of use of any individual 'A', 'C1 & C2' or 'D' use class commercial unit, details of the proposed refuse collection hours to or from that unit shall be submitted to and approved in writing by the Local Planning Authority. Once approved, any refuse collections to that relevant unit shall only occur within the approved hours. Refuse collections should be within the daytime period of between 07.00hrs and 23.00hrs. Refuse collection outside of these hours will be considered only where exceptional circumstances apply.

Reason: To ensure a satisfactory standard of amenity for residential dwellings on and around the site through noise and general disturbance. In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014);

and Paragraphs 170(e) & 180(a) of the National Planning Policy Framework (February 2019); and Section 6 of the Environmental Protection Supplementary Planning Document (May 2013)

31. Prior to the commencement of use of any individual 'A' C1, C2 or 'D' use class commercial unit, details of the proposed delivery hours to or from that unit shall be submitted to and approved in writing by the Local Planning Authority. Once approved, any deliveries to or from the relevant unit shall only occur within the approved hours. Deliveries should be within the daytime period of between 07.00hrs and 23.00hrs. Deliveries outside of these hours will be considered only where exceptional circumstances apply.

Reason: To ensure a satisfactory standard of amenity for residential dwellings on and around the site through noise and general disturbance.

In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); and Paragraphs 170(e) & 180(a) of the National Planning Policy Framework (February 2019); and Section 6 of the Environmental Protection Supplementary Planning Document (May 2013)

32. Operating Hours – Any A or D use class
Prior to the commencement of use of any individual 'A' or 'D' use class commercial unit, details of the proposed opening and/or trading hours for that unit shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the relevant unit shall only operate within the approved hours.

Reason: To ensure a satisfactory standard of amenity for residential dwellings on and around the site through noise and general disturbance having regard to policy QE6 of the Local Plan Core Strategy.

33. The applicant shall submit with any reserved matters application relating to any individual commercial unit or on any phase of the mixed-use zone (A1, A2, A3, A4, A5, C1, C2 or D1 use class areas), an external lighting scheme detailing a comprehensive assessment of lighting for that unit or phase. The scheme shall show levels of illumination around that phase (isolux drawings) and any overspill lighting beyond the physical site/phase boundary. Mitigation measures or installation requirements shall be clearly identified within the scheme as shall control measures such as time clocks/light sensors or other control methods. The approved scheme shall be implemented in full prior to the commencement of use of the lighting on that unit and or phase of development and shall be retained as approved thereafter.

Reason: - In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); and Paragraph 180(c) of the National Planning Policy Framework (February 2019); and Section 5 of the Environmental Protection Supplementary Planning Document (May 2013)

34. Prior to any A3, A4, A5, C1, C2 or D1 unit being first brought into use, an odour control scheme providing details of the cooking equipment and associated air extraction and odour abatement measures for that use shall be submitted to and approved in writing by

the Local Planning Authority.

To enable the Local Authority Planning Department to assess the suitability of a ventilation scheme, information should be provided as set out in the Control of Odour and Noise from Commercial Kitchen Exhaust Systems, EMAQ+, 2018. The scheme shall identify an appropriate level of odour abatement for implementation which is commensurate to the level of odour likely to arise from the proposed use.

The approved scheme shall be implemented prior to the relevant unit being first brought into use and the installed equipment shall thereafter be operated and maintained in accordance with the manufacturer's instructions and shall be used at all times when any cooking activities are occurring.

Reason: To safeguard the local environment from disturbance or loss of amenity caused by odour, fumes, food droplets to nearby properties.
In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); and Section 3 and 6 of the Environmental Protection Supplementary Planning Document (May 2013)

35. All externally located plant or equipment on any A1, A2, A3, A4, A5, C1, C2 or D1 use shall not cumulatively cause an increase in the ambient background sound level at the boundary of the nearest residential property. Any equipment not able to meet this requirement shall be acoustically treated prior to the commencement of the use hereby permitted.

For the avoidance of doubt calculated rated sound levels from any externally mounted plant or equipment at the boundary of the nearest noise residential property should not exceed the existing background sound level in accordance with the results of a BS4142:2014 noise assessment.

Reason: To prevent an increase in background sound levels and protect the amenity of any residents.
In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); and Paragraphs 170(e) & 180(a) of the National Planning Policy Framework (February 2019); and Section 6 of the Environmental Protection Supplementary Planning Document (May 2013)

36. Prior to the commencement of use of any D1 use which specifically involves a creche, day nursery or religious venue, a noise management scheme shall be submitted to and approved in writing by the Local Planning Authority. The noise management scheme shall consider any noise making activities that would be audible beyond the site boundary and identify appropriate controls or mitigation to limit such noise at the nearest residential property. Once approved, all identified controls and mitigation shall be implemented prior to the commencement of the use. Any changes to the range of activities undertaken on site after the noise management plan has been approved shall be subject to further noise management scheme review and additional mitigation or controls may be added as necessary.

Reason: To prevent an increase in background sound levels and protect the amenity of any residents.
In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); and Paragraphs 170(e) & 180(a) of the National Planning Policy Framework (February 2019); and Section 6 of the Environmental Protection Supplementary Planning

Document (May 2013)

37. Unless otherwise agreed in writing with the Planning Authority the approved maximum floorspace limits for development within the development hereby approved will be as follows:

- i. Hotel (Use Class C1) - 2,850 sqm GFA
- ii. Residential Institution (Use Class C2) - 80 beds
- iii. Supermarket (Use Class A1) - 2,000 sqm GFA
- iv. Shops (non-food) (Use Class A1) - 1,500 sqm GFA
- v. Financial & Professional Services (Use Class A2), Restaurants & cafes (Use Class A3) drinking Establishments (Use Class A4) and Hot Food Takeaways (Use Class A5) - 2,000 GFA
- vi. Non-residential Institutions (to include Primary Care Facility) (Use Class D1) - 1,500 sqm GFA

Reason - To define this permission.

38. Prior to submission of the first reserved matters application for any individual residential phase/ plot, a plan detailing the location of the proposed local equipped play area (LEAP) within the site shall be submitted and approved in writing by the Local Planning Authority.

Reason: In order that the proposal accords with policies SN2; QE3; QE6 of the Warrington Core Strategy; with the Environmental Protection and Design and Construction SPDs and with the National Planning Policy Framework.

39. Prior to commencement of development within the corresponding residential phase/ plot which includes the approved location of the local equipped play area (LEAP), details of the LEAP shall be submitted and approved in writing by the Local Planning Authority. This shall include measures for its maintenance and management. The LEAP shall be implemented in accordance with the approved details prior to first occupation of the relevant phase of development it is located within.

Reason: In order that the proposal accords with policies SN2; QE3; QE6 of the Warrington Core Strategy; with the Environmental Protection and Design and Construction SPDs and with the National Planning Policy Framework.