

Mersey Gateway Project

Planning Statement

Halton Borough Council

March 2008

CONTENTS

- 1. INTRODUCTION..... 1
- 2. BACKGROUND DETAIL..... 4
- 3. PROJECT DESCRIPTION..... 12
- 4. PLANNING POLICY FRAMEWORK..... 16
- 5. PLANNING APPRAISAL..... 47
- 6. LISTED BUILDING CONSIDERATIONS 65
- 7. PLANNING BENEFITS..... 69
- 8. SUMMARY AGAINST GENERAL DEVELOPMENT PLAN POLICY 74
- 9. PLANNING JUDGEMENT AND CONCLUSION..... 78

1. INTRODUCTION

- 1.1 This Statement is prepared in respect of the proposed Mersey Gateway Project (the Project) in the Borough of Halton. This comprises the construction of a new road crossing of the River Mersey between Runcorn and Widnes, alongside a reduction in capacity on the existing A557 Silver Jubilee Bridge (SJB) and its physical de-linking from the primary highway network.
- 1.2 The Project is at a stage where it is possible to begin the process of applying for the appropriate permissions and orders. With regard to matters of planning permission and listed building consent, a suite of submissions are proposed, which include the following:
1. An application for full planning permission for works lying within Runcorn comprising the improvements to Central Expressway, Weston Link, the Weston Point Expressway and M56 junction 12.
 2. An application for full planning permission for works lying within Widnes comprising modifications to the northern approaches to the Silver Jubilee Bridge (SJB)
 3. An application for listed building consent to allow for the proposed modifications to the carriageway to SJB.
- 1.3 These planning and listed building submissions relate to what can be described as the 'remote highway works'. The balance of the works, comprising the main span of the new bridge and the associated tolling and highway infrastructure within Widnes and the infrastructure at Astmoor in Runcorn, will be the subject of a submission under the Transport and Works Act 1992 (the TWA) within which there will be a request for a direction that planning permission be deemed to be granted for the works.
- 1.4 The overall submission is phased; the applications for planning permission and listed building consent are to be lodged as part of a March 2008 submission, whilst the TWA element will be submitted to the Secretary of State in May 2008. This timing will allow the consideration period of both to merge.
- 1.5 This Statement addresses itself to the planning elements of the Project proposal as a whole. Whilst the two planning application submissions relate specifically to the remote highways works described above, those works are part of the larger project and the remote highway works in question would not be carried out in isolation. The Project can only come forward on

- a comprehensive basis and as such this submission and the accompanying application documentation (Design and Access Statement; Environmental Statement) undertake a review of the overall Project
- 1.6 This statement reviews the background detail to the Project, setting out its history, its context within Halton and its future contribution to the Borough. It sets out development details and the policy framework against which the planning merits of the Project must be assessed and also goes on to identify the parallel emerging regeneration policy framework, towards which the delivery of the Project will assist.
- 1.7 Having identified this background context the statement goes on to consider the key planning issues as follows:
1. the acceptability of the Project when assessed against the policies of the development plan;
 2. the detail of any area where the Project may be considered to be in conflict with elements of the development plan alongside an assessment of the scale and weight to be ascribed to any such conflict;
 3. the detail of other material benefits which would need to be taken into account in any planning consideration;
- 1.8 This assessment framework allows a conclusion to be reached in respect of planning suitability and the appropriateness of a grant of planning permission. It also provides the background context in relation to the consideration of the deemed planning permission for the project and the making of the TWA Order.
- 1.9 In brief, the summary findings of this exercise are that there is primary development plan policy support for the Project (in the form of RSS policy T10 and UDP policy S14) which express direct support for the provision of a new crossing in this location. The exercise goes on to find, as may be expected with a project of this scale, that the proposals affect a wide range of secondary development plan policies and that some element of conflict arises (Green Belt, loss of greenspace, impact on Action Area designation etc). The Statement considers the degree of conflict, finding the weight to be ascribed to such harm to be material but not overriding. The Statement goes on to conclude that the significant additional benefits delivered by the Project (economic and physical regeneration, network resilience, multi modal transport benefits and environmental improvements) are material consideration of significant weight in its favour.

1.10 The statement concludes the exercise by undertaking a planning judgement which finds that the direct and indirect development plan support, when taken alongside the material benefits, outweigh the limited conflict with planning policy and concludes that a grant of planning permission would be appropriate.

1.11 The statement is structured as follows:

Section 2 sets out the **background detail** to the Project.

Section 3 **describes the Project works** and their location within Halton.

Section 4 sets out the **planning policy framework** against which any proposal should be adjudged.

Section 5 undertakes a **planning appraisal exercise**, assessing the proposal against the development plan.

Section 6 undertakes an assessment of the **appropriateness of the application for listed building consent** in respect of the works to Silver Jubilee Bridge.

Section 7 identifies the **planning benefits** which arise out of the Project, which are material to the planning judgement.

Section 8 undertakes an assessment of the proposed works against the **wider planning policy framework**.

Section 9 undertakes an **exercise of planning balance** and concludes on the **appropriateness of a grant of permission**.

1.12 Cross reference is made as appropriate to other documents which have been prepared in relation to the Project.

2. BACKGROUND DETAIL

2.1 The Project seeks to provide a second road crossing of the Mersey between Runcorn and Widnes in the Borough of Halton, relieving capacity constraints on the existing Silver Jubilee Bridge (SJB) and contributing to a wider integrated transport solution for travel within and between the two towns. Before going onto set out the detail of the scheme it would be useful to review the background detail to Halton, the existing SJB and its role in the local and regional highway network.

1. Halton Borough context

2.2 The Project works lie wholly within the Borough of Halton within north west England. The Borough is broadly split in two by the Mersey Estuary, with the main towns of Widnes lying to north of the river and Runcorn to the south. As a whole the Borough has a population of c134,000.

2.3 Runcorn is the older of the two settlements; its modern growth can be traced to the opening of the Bridgewater Canal in 1776, when improved transportation provided the economic stimulus for industrial development and maritime trade. Its subsequent growth was assisted by its location at the terminus of five canals (St Helens Canal, Sankey Navigation, the Bridgewater Canal, the Weaver Navigation, the Runcorn to Latchford Canal and the Manchester Ship Canal), and the development of the chemical industry based on the ready supply of water and transport. Other industries developed, including soap manufacture and shipbuilding. Over the course of the 20th century this growth continued, boosted by its designation as a new town in 1964 and its subsequent accelerated growth to its current population of c59,000.

2.4 The new town designation defines much of Runcorn's present day character. It resulted in significant development on the land to the south and east of the old town, mainly taking the form of patterned clusters of higher density residential districts. These are delineated by a series of expressways and bus lanes, which segregate the main traffic flows and provide links between the individual neighbourhoods. The commercial centre takes the form of Halton Lea, a purpose built shopping and municipal centre.

2.5 Widnes is a more recent settlement with its growth linked more directly to the rapid industrial development associated with the chemical industry over the course of the 19th century. The most notable negative effect of the rapid industrialisation of the area was the large amount of waste produced, particularly by the chemical industry. The town expanded from its core of

high density terraced housing surrounding a compact town centre, absorbing the surrounding villages and growing to a current population of 55,000.

2.6 Both settlements betray this industrial legacy and support a significant account of chemical, manufacturing and heavy industry employers. The majority of this is located close to and alongside the Mersey Estuary and includes:

1. to the south east of the Garston to Timperley freight line, an industrial area on the northern banks of the River comprising industrial properties on Waterloo Road;
2. land at Catalyst Trade Park, which extends east to the western corner of the ThermPhos Chemical Works on Earle Road;
3. 3MG Mersey Multimodal Gateway Investment site in Widnes comprising existing distribution warehousing and the potential for a total of 325,150 sq. m² of new floorspace;
4. industrial units at Astmoor Industrial Estate which are located along the southern bank of the Estuary.

2.7 The Social Impact Assessment undertaken as part of the Environmental Statement for the Project sets out a detailed summary of the current social context of Halton and the performance of the Borough against key social and deprivation indices. In brief, the exercise found that overall Halton was ranked as the 39th (out of 354) most deprived administrative area in England. Whilst this is an improvement on a ranking of 21st in 2004, it masks wards which exhibit signs of chronic deprivation. Having regard to Lower Layer Super Output Area's (LSOA's), the evidence shows that Halton has 8 such wards which are in the top 1000 most deprived wards and 10 in the worst 4% nationally.

2.8 On a finer grained basis, the analysis shows the following headline results:

1. That in respect of income, Halton is ranked as the 77th most deprived administrative area (out of 354) in respect of income deprivation;
2. Nearly half of the LSOAs within the Borough are designated as income deprived;
3. Unemployment levels of 4.6% within Halton Borough are higher than the regional and national averages;
4. That in respect of education, skills and training, Halton scores below average in comparison to the national average;

5. Health is a major issue in Halton, with twenty seven of Halton's 79 LSOAs ranked in the worst 4% nationally for health deprivation and 52 LSOAs within the worst 20%, and;
 6. That 29.4% of households within Halton do not have access to a car/van, a higher proportion than the national average.
- 2.9 The majority of the worst performing wards are located close to the existing Silver Jubilee Bridge and the alignment of the Mersey Gateway Project.

2. Physical Character

- 2.10 The landscape character of the two settlements within Halton is markedly different; Widnes is a low lying town occupying a broad tract of land which slopes gently from the north towards the Mersey. However Runcorn occupies higher ground with the north facing slopes of the margins of the Mersey rising steeply to form a ridge which runs parallel with the Estuary culminating in a series of natural sandstone outcrops, the most prominent of which is occupied by Halton Castle.
- 2.11 The two towns lie either side of a natural narrowing of the Mersey Estuary known as The Runcorn Gap. This feature forms the historical focus of both towns with Widnes West Bank on the north shore and Runcorn Old Town on the south side of the River both characterised by high density housing, narrow grid pattern streets with a prominent church acting as a local focal point. The Runcorn Gap marks the broad division between the Middle and Upper Estuary.
- 2.12 Although ecological designations under European Directives have been made downstream, the Upper Estuary enjoys no designation. In respect of the Middle Estuary the new bridge will span the Upper Estuary some 1.8 km east of the Silver Jubilee Bridge.

3. Runcorn Gap

- 2.13 The Runcorn Gap is a long standing strategic crossing point of the Mersey with records suggesting that it has fulfilled such a role since Roman times when crossing by boat and on foot at low tide would have been undertaken. There is clear documentary evidence of use from the Medieval period onwards, when the scale of movement of goods and people necessitated the establishment of a ferry, with earliest records dating from 1190.
- 2.14 The Runcorn Gap was first permanently bridged in 1868 by the Aethelfleda Railway Bridge, a Grade 2* listed structure that remains in use today, carrying mainline railway services

between Chester and Liverpool and the wider railway network. In 1905 the first road crossing, a structure known as the Transporter bridge, was opened which in turn was replaced in 1961 by the current Silver Jubilee road bridge, itself now a Grade 2 listed building.

4. Silver Jubilee Bridge

- 2.15 The SJB today represents a key vehicular crossing point over the Mersey. It is one of only four main opportunities for road traffic to cross the Mersey between Liverpool and Manchester. From the west these comprise the two Mersey tunnels, SJB, crossings within Warrington town centre and the Thelwall Viaduct on the M6. As such the SJB forms a key link in the regional transport network as well as representing the only vehicular and pedestrian link between the Borough towns of Runcorn and Widnes.
- 2.16 The bridge was originally opened in 1961 with one lane in each direction and an opening year traffic flow of 10,000 vehicles per day. The bridge was modified in 1977 to provide for two lanes in each direction. However, these were sub standard (having a total width of just 12.2 m) and lacking in any central divide or current day spacing. Traffic growth on the bridge has since grown but there is no physical scope to provide for additional capacity. The bridge today typically carries c 83,000 vehicles per day and at peak summer time flows have been in excess of 93,000 vehicles per day. Practical capacity is exceeded for 4 hours each day and spreading of the morning and evening peak regularly occurs. The bridge has poor facilities for pedestrians, which are rarely used, and no discrete provision for cyclists. Prolonged periods of congestion regularly occur, which affect both regional and local traffic crossing the river as well as causing knock on network effects for local traffic in both Widnes and Runcorn. In addition the public transport routes that do use on the bridge for inter town journeys cannot rely on journey times or timetabling.
- 2.17 Silver Jubilee Bridge fulfils a pivotal role within the regional highway network. The key regional north west routes comprise the M62 (linking Merseyside to Manchester and beyond) which runs along the north of the Borough whilst the M56/linking North Wales with Manchester) skirts along the southern Borough boundary. The only link between the two is the route provided by SJB, which provides for regional movement in and out of Liverpool from Runcorn, Vale Royal, Chester and North Wales. The highway network has sought to maximise this opportunity, with the expressway network in Runcorn providing fast links from junctions 11 and 12 of the M56 via SJB to junction 7 of the M62 via the Widnes Eastern bypass. The transport assessment undertaken has found that the limiting factor is the capacity constraints provided by SJB rather than the accompanying junction links and network.

2.18 Whilst the wider regional network is reasonably robust, the bottleneck provided by SJB undermines network resilience; whilst the regular congestion associated with normal use presents a daily constraint, the effects of any incident (accident, breakdown, weather related maintenance, etc) on either SJB or its approaches directly undermines the role of the bridge as part of the wider network.

5. Mersey Gateway Project

2.19 The provision of a second road crossing of the river Mersey has been a long held aspiration of Halton Borough Council. The traffic bottleneck caused by SJB has been long acknowledged as social and economic constraint and in 1999 the UDP identified that the case for a new crossing had been acknowledged by the then Minister for Transport, making clear the need to develop a scheme for inclusion in the Local Transport Plan.

2.20 Halton Borough Council subsequently began to advance the proposals. The work undertaken by and on behalf of the Council between 2000 and 2003 focused on comparing potential alternatives to address problems associated with congestion in Halton. This work was submitted first to the DfT in 2003 and then resubmitted, accompanied by additional data early in 2006. Through this process, certain regional and local objectives were identified as follows:

1. To relieve the SJB, thereby removing the constraint on local and regional development and better provide for local traffic;
2. To maximise development opportunities;
3. To improve public transport links across the River; and
4. To encourage the increased use of cycling and walking.

2.21 For any scheme to be successful the Council required it to fulfil as many of the above objectives as possible, to fit its environment and to be economically viable. Throughout the MSA process a range of alternatives were considered. Those alternatives which satisfied the above objectives, fitted their environment and were economically viable were then considered further until a preferred solution was identified.

2.22 A number of strategic alternatives with the potential to solve congestion problems in Halton and achieve the Councils objectives as set out above were considered throughout the development of the Project. These included making better use of existing infrastructure and options for increasing transport capacity. The main topics of investigation were as follows:

1. Halton Travel Plans and similar demand management initiatives;

2. Road user charging for using the existing Silver Jubilee Bridge or Other Roads;
 3. Dynamic Lane Management to get the best out of the existing road capacity;
 4. Selective Access to SJB by Vehicle Tagging;
 5. Road Space Reallocation;
 6. Park and Ride Facilities
 7. Rail Service Improvement
 8. New road bridge crossing to the West of the Railway Bridge
 9. New road bridge crossing between the SJB and the railway bridge
 10. New road tunnels to the west and east of the SJB
 11. New road bridge crossing (adjacent to and to the east of the SJB)
- 2.23 Following a thorough assessment of each strategic alternative, it was concluded that a fixed crossing to the east of the SJB represented the only realistic option of delivering improvements in congestion, and achieving the identified scheme objectives.
- 2.24 A series of alternative fixed routes and were then considered to the east of the SJB all of which avoided the more environmentally sensitive lower reaches of the Estuary. This concluded that an option known as 'route 3A' lies naturally on the desire line for through traffic and was economic in connecting effectively with the expressway network to the north and south of the river. As a result, it achieved the highest proportion of trip reassignment from the SJB when compared with other routes and therefore provide the strategic and local traffic diversion required. It was found that this option will satisfactorily relieve the SJB and permit its return to local use. The route 3A alignment also has relatively straightforward junction solutions in comparison to other variations of the route, avoids residential areas, and will have a minimal impact upon industrial areas and the existing highway network.
- 2.25 The discussions with the Department of Transport, leading up to Programme Entry confirmation being granted in March 2006, covered options to fund the project. It was confirmed that Mersey Gateway Project should be delivered as a tolled road, where the road user charging regime would also extend to the existing SJB in order to deliver the project benefits within the funding limited agreed with Government.
- 2.26 To inform the evolution of the Project, two clear strands of consultation have been undertaken over a six year period involving statutory consultees, business stakeholders, landowners, and resident focus groups, including:

1. consultation carried out prior to the Department for Transport confirmation of programme entry for the Project in March 2006 (advised on and managed by MVA Consultancy);
2. consultation after approval by the Mersey Gateway Executive Board on 18th June 2007 for 14 weeks between June and September 2007 (advised on and managed by DTW Consultancy) in line with a Consultation Strategy developed specifically for the Project.

2.27 The key stages of pre-application consultation have included the following:

1. September-October 2002 - first consultation took place on crossing options in the form of focus group discussions with residents;
2. February 2003 – assessment of route options with Resident Focus Groups and Business and Stakeholder workshops;
3. July 2004 – following the selection of a preferred route, further consultation was undertaken with residents, major businesses, and 25 local authorities;
4. October 2006 – following the initial design of the Project in March 2006, all affected landowners were contacted, advising of the possible impacts of the Project on their landholdings; and
5. June-September 2007 – extensive public consultation was undertaken including 15 exhibitions throughout the Borough, editorial in Council publications, a new website, information campaign in local media, monthly e-newsletter, briefing events for local/regional businesses and groups, gateway newsletter, postal/phone/text feedback system and letters to general stakeholders, statutory consultees and regional MP's and MEP's.

2.28 The accompanying Statement of Community Involvement incorporates further details in respect of the consultation process.

2.29 In developing the project, and as an expression of their ongoing corporate support for the project, Halton Borough Council has identified strategic objectives for the Mersey Gateway Project as follows.

1. To relieve the congested Silver Jubilee Bridge, thereby removing the constraint on local and regional development and better provide for local transport needs.
2. To apply minimum toll and road user charges to both the Mersey Gateway Bridge and the Silver Jubilee Bridge consistent with the level required to satisfy these constraints;

3. To improve accessibility in order to maximise local development and regional economic growth opportunities;
 4. To improve local air quality and enhance the general urban environment;
 5. To improve public transport links across the River Mersey;
 6. To encourage the increased use of cycling and walking; and
 7. To promote network resilience.
- 2.30 This provides the corporate framework against which the Project can be assessed.

3. PROJECT DESCRIPTION

- 3.1 The Mersey Gateway Project as a whole works run from Speke Road in Widnes, passing eastwards through Ditton Junction before spanning the Garston-Timperley freight line, the St Helens Canal, the Mersey Estuary, and Astmoor in Runcorn; it then links with Central Expressway and runs through to junction 12 of the M56. In addition, the Project includes the delinking of Silver Jubilee Bridge in Widnes through the removal by excavation of the embankment and viaduct link to the Widnes eastern bypass, the main carriageway structures between the Queensway tollbooths and Ditton Junction, and the rearrangement of the carriageway configuration over SJB. Tolling arrangements most likely using barrier tolling methodology (toll plazas and toll booths) for both SJB and the proposed New Bridge will be incorporated throughout the Project.
- 3.2 A further description of the Project is set out below, using the defined Construction Areas set out in the accompanying technical reports.

Area 1: Widnes approach and tolling infrastructure

- 3.3 The western extent of the main alignment of the MGP follows the line of Speke Road from a point to the west of Ditton roundabout. From here it widens to take land lying south of the current road line to provide for the main toll plaza. The land, which is currently occupied by the disused St Michael's Golf Course, will support both the toll facilities (likely to be an 8 toll booth arrangement) and accompanying administration and staff welfare facilities. Advantage is taken of the existing mature tree boundary to the golf course to shield the toll plaza from views through its incorporation into the Project works.

Area 2: Ditton junction to the freight line

- 3.4 From the main toll plaza, the alignment runs eastwards to connect with an upgraded Ditton junction arrangement. The Project incorporates the reconfiguration of the junction from a roundabout to a signal controlled crossing, with the new highway taken over the local road system on a single span bridge. The south bound on-slip and the north bound off slips accommodate road toll collection facilities. At this point the route begins to rise, supported by embankment as it runs through to the existing Garston – Timperley freight railway line, which is to be crossed by a single span bridge. The construction of the carriageway and embankment will take up some existing industrial buildings and a scrap metal yard.

Area 3: Freight line to St Helens canal

- 3.5 From the freight line the carriageway extends south eastwards to the St Helens Canal. The route is part on embankment (which at its highest reaches 9m) but spans Victoria Road and the new Widnes loops junction arrangement by means of high single and multi span viaduct and bridge arrangements. The land taken is mainly in existing industrial use at present.

Area 4: St Helens Canal to the North Abutment

- 3.6 The route alignment is carried over the St Helens Canal on a three span structure at a height sufficient to allow for future use of the presently disused canal. It runs into the north abutment of the main, cross-river spans. At this point the alignment is carried over the open land of Widnes Warth at the Estuary's edge.

Area 5: North Abutment to South Abutment, spanning the Estuary

- 3.7 The main bridge span between abutments comprises a total length of 2.13 km, incorporating cable stayed decks supported from three towers, each of which is situated in the Estuary. On the south side of the Estuary the alignment crosses Astmoor Saltmarsh at high level, Wigg Island, the Manchester Ship Canal and the Astmoor Industrial Estate, involving clearance of existing industrial structures.

Area 6: Astmoor Viaduct to Central Expressway

- 3.8 From the south Abutment to the alignment heads due south via a high level, multi span viaduct crossing Astmoor industrial park, the existing Bridgewater Junction (via a new two level junction) and the Bridgewater Canal. The carriageway would then join the existing Central Expressway at Halton Brow.

Area 7: Central Expressway to the M56

- 3.9 From Halton Brow, the alignment adopts the existing line of the Central Expressway, Lodge Lane and Weston Link junction through to junction 12 of the M56. Improvements to the existing highway alignment would take place along the length of the whole route as follows:
1. Closure of the existing Halton Brow and Halton Lea junctions onto the Central Expressway;

2. Conversion of the existing Central Expressway hard shoulder to allow construction of distributor lanes, comprising strengthening works to carry full highway loading;
 3. Modification of the existing footbridges and bus way bridge spanning the Central Expressway to accommodate additional distributor lanes;
 4. Modification of the existing Lodge Lane junction and slip roads to change the priority of traffic flow from the Southern Expressway to the Weston Link, with provision for dual two lanes of through traffic from the Central Expressway to the Weston Link with single lane slip roads for traffic movements to and from the Southern Expressway. These works comprise the construction of a new single span bridge;
 5. Modification to the Weston Link junction to change the priority of traffic flow from the northbound to the southbound section of the Weston Point Expressway;
 6. Construction of a new slip road on the northern side of the existing Weston Link slip road to allow vehicular movements onto the Mersey Gateway Bridge from the northern section of the Weston Point Expressway;
 7. Existing roundabout to the north of junction 12 to be modified into a signalised 'throughabout' to provide increased capacity at this junction; and
 8. Removal of the existing roundabout to the south of M56 junction 12 and modified to provide a new signal controlled junction.
- 3.10 These elements comprise the Central Expressway planning application submission.

Area 8: Silver Jubilee Bridge to Ditton Junction

- 3.11 As well as the New Bridge, the Project includes works to SJB, the existing carriageway north to Ditton Junction and associated demolition of existing highway between Queensway tollbooths and Ditton Junction. These works arise out of the proposals to downgrade the role of Silver Jubilee Bridge so that it functions as a route for local traffic, pedestrians and cyclists, and the need to introduce tolling infrastructure. The works include:
1. Alterations and reduction in carriageway width across the Silver Jubilee Bridge to accommodate the provision of new footpaths and cycle paths;
 2. Construction of a new toll plaza on the Queensway situated 250m to the north of the Silver Jubilee Bridge;
 3. Removal of part of the Widnes Eastern Bypass link to the Silver Jubilee Bridge, including demolition of the embankments, viaduct and main carriageway;

4. Removal of the existing Ditton roundabout to be replaced with a signalised junction comprising two sets of linked signals;
5. Demolition of part of the A562 Speke Road dual carriageway to Liverpool as part of the de-linking works.

3.12 These elements are the subject of the second planning application submission.

3.13 A key consideration in this element of the work is that the Silver Jubilee Bridge is a grade 2 listed structure, whilst the adjacent Aethelfleda Railway Bridge is Grade 2* listed.

3.14 In addition to the primary works there will be a series of ancillary works associated with each component. These will include general earthworks, kerb re-alignment, embankments and retaining structures.

3.15 The Design and Access Statement which accompanies the planning applications sets out how the design proposals for the Project of have evolved and clarifies the broad design ethos and approach adopted.

4. PLANNING POLICY FRAMEWORK

- 4.1 Development plan policy relevant to the proposal and which provides the context for its assessment is set out within the Regional Spatial Strategy (“RSS”) (March 2003) and the adopted Halton Unitary Development Plan¹. In addition statutory and non-statutory European and national planning policy guidance, along with emerging draft regional and local planning policy is also directly relevant to the Mersey Gateway Project.
- 4.2 A full and detailed schedule of the relevant policies contained within these documents is included in the accompanying Environmental Statement, alongside an assessment as to how the Mersey Gateway Project affects each specific policy. It is not proposed to repeat that level of detail within this Statement. However in order to ensure that the policy framework applicable to the Project is clear for the purposes of this document a further Project summary of the key policy themes is set out below: This sets out the range of applicable policy but it is not exhaustive in terms of detail and policy wording. It is done on a topic basis, so as to better relate to the format of the planning assessment undertaken subsequently.

1. Mersey Gateway Bridge

- 4.3 The Development Plan comprises specific planning policies which express in principle support for the development of a new Mersey Crossing, as follows:
1. Policy T10 of RSS establishes general priorities for transport and management within the North West, identifying a number of major priority schemes of regional significance for the period to 2007. The Mersey Gateway Project is identified as a “*Regionally Significant Transport Study*” and a second crossing of the River Mersey in Halton as a “*Transport Proposals of Regional Significance for delivery by 2021.*”
 2. Draft policy RT8 of the replacement RSS ‘due for adoption in 2008’ largely reiterates the priorities for transport investment expressed in policy T10. Within the draft policy, Table 10.2, establishes a number of regional and sub-regional priorities for major transport investment, including the Mersey Gateway (there referred to as New Mersey Crossing).
 3. Strategic policy S14 of the Halton UDP states that a new crossing of the River Mersey, east of SJB, will be promoted to relieve congestion on the existing Bridge. The

¹ Halton Unitary Development plan as adopted in January 2006.

supporting text states that the existing severely congested SJB is considered to represent a *“constraint on the economic development of the Region, and severely restricts the development of an integrated transport strategy for Halton.”* It goes on to note that a strategic aim of Halton Borough Council’s Local Transport Plan (LTP2) and the UDP is therefore to pursue the provision of a new and sustainable crossing of the River Mersey. The policy states:

“A scheme for a new crossing of the River Mersey east of the existing Silver Jubilee Bridge will be promoted to relieve congestion on the existing bridge as part of an integrated transport system for Halton and the wider regional transport network. Any proposed route of the new crossing will be the subject of an environmental assessment.”

- 4.4 In accordance with Government transport guidance set out in PPG13, Halton Borough Council has prepared two full Local Transport Plans (LTP’s). These provide a non-statutory policy framework for the ongoing development of the local transport network. The overarching objective of LTP2 the second plan, valid to 2011, is as follows:

“The delivery of a smart sustainable, inclusive and accessible transport system and infrastructure that seeks to improve the quality of life for people living in Halton by encouraging economic growth and regeneration, and the protection and enhancement of the historic, natural and human environment”.

- 4.5 The LTP2 identifies a number of shared priorities to achieve this vision, and the development of the Mersey Gateway Project is identified as Priority 1. The LTP2 advises that the Mersey Gateway Project will lead to *“significant journey time savings for cross river traffic and will enable the Silver Jubilee Bridge to cater for locally sustainable travel.”*

- 4.6 In addition to the Development Plan and LTP2, the North West Regional Economic Strategy (2006) recognises the delivery of major transport infrastructure investments within the region, including the *“Second Mersey Crossing.”* The development of the second Mersey Crossing is regarded as means of relieving congestion, and *“improving reliability of access to Liverpool Airport and improve linkages within the Liverpool City Region.”*

- 4.7 In addition to Mersey Gateway specific policies, a number of generic transport policies are set out within national, regional and local policy guidance, as discussed below.

2. Transportation

4.8 The Government has prepared non-statutory guidance outlining their long-term vision for integrated transport development within the UK. This includes:

1. Transport White Paper “*A New Deal for Transport: Better for Everyone*” (1998)
2. Transport Ten Year Plan (2000)
3. Transport White Paper “*The Future of Transport: A network for 2030*” (July 2004)
4. Towards a Sustainable Transport System (October 2007)

4.9 The key themes set out within each of these documents are outlined below:

- i) Transport White Paper “A New Deal for Transport: Better for Everyone” (1998)*

4.10 The White Paper establishes the Government’s aim for an integrated transport system focusing in broad terms upon improvements to public transport services and a reduction in private car dependency. The White Paper fulfils the Government’s commitment to the creation of a “*better, more integrated transport system to tackle the problems of congestion and pollution*”.² This approach seeks to achieve a reduction in both congestion and pollution emanating from transport sources.

4.11 To achieve these aims, the White Paper establishes a framework which seeks to:

1. *reduce pollution from transport;*
2. *improve air quality;*
3. *encourage healthy lifestyles by reducing reliance on cars, and making it easier to walk and cycle more;*
4. *reduce noise and vibration from transport;*
5. *improve transport safety for users, those who work in the industry and the general public.*³

4.12 The White Paper considers the achievement of this framework to be fundamental to the Government’s objective of developing an integrated transport system to enhance health

² Page 3, Transport White Paper – A New deal for Transport, Better for Everyone

³ Page 18, Transport White Paper – A New deal for Transport, Better for Everyone

standards and increase access to employment opportunities, creating a vibrant economy and providing a healthier environment for people in which to live.

ii) Transport Ten Year Plan (2000)

4.13 This national strategy for transport aims to deliver the Government's priorities of tackling congestion and traffic generated pollution through the enhancement of all forms of transport, including rail and road, public and private and by means that diversify choice. To achieve this vision, the Plan identifies the need for greater integration between land-use and transport planning at a national, regional and local level to deliver a:

*"wider choice of quicker, safer, more reliable travel on road, rail and other public transport"*⁴

4.14 The Ten Year Plan places emphasis on land-use planning and other policies to restrict growth in private car demand and dependency. Improving public transport is recognised as vital in reducing social exclusion, particularly for the older generation who have less access to a car. Concurrently a range of alternative actions are identified to tackle rising congestion. This includes;

*"adding greater capacity to the most congested transport corridors"*⁵

4.15 The vision expressed within the Ten Year Plan aims to provide, by 2010, the following:

1. *Modern, high-quality public transport, both locally and nationally;*
2. *Easier access to jobs and services through improved transport links to regeneration areas and better land-use planning; and*
3. *A well-maintained road network with real-time driver information for strategic routes and reduced congestion.*⁶

4.16 The Plan recognises *"that most people now accept that we cannot rely on road building as a sustainable long-term solution to the problems of traffic growth and congestion."* Until greater integration between land-use planning and other planning policy begins to take effect, the Ten Year Plan identifies a range of alternative measures to tackle rising congestion, including;

1. *Building bypasses to take traffic away from towns and villages and smooth traffic flows;*
2. *Improving larger junctions to reduce accidents and remove bottlenecks; and*

4 Page 3, Transport Ten Year Plan 2000

3. *Adding capacity to the most congested corridors, largely by widening existing trunk roads.*⁷

4.17 However, the Ten Year Plan does advise of a “*strong presumption against schemes that would significantly affect environmentally sensitive sites, or important species, habitats or landscapes.*”

4.18 The Ten Year Plan states that the development of major bus infrastructure schemes in many cities and larger towns, improved local traffic management, and better maintained and safer roads encompass the Government’s key objectives for the next ten years.

ii) *Transport White Paper “The Future of Transport: A network for 2030” (July 2004)*

4.19 This White Paper sets out national transport policy, and emphasises the importance that the Government has placed upon Local Transport Plans to deliver transport / accessibility improvements at a local level. In particular, the White Paper establishes a vision for the delivery of a range of transport modes by 2030 as follows:

1. *A more coherent road network providing a more reliable and free flowing service for both personal travel and freight, with people able to make informed choices about how and where they travel;*
2. *A rail network which provides a fast, reliable and efficient service, particularly for interurban journeys and commuting into large urban areas;*
3. *Bus services that are reliable, flexible, convenient and tailored to local needs;*
4. *Making walking and cycling a real alternative for local trips; and*
5. *Ports and airports providing improved international and domestic links.*

4.20 The Transport White Paper recognises the national need for a transport network that can meet the challenges of a growing economy and the increasing demand for travel. The White Paper advises that where necessary road networks should be enhanced by “*new capacity where it is needed, assuming that any environmental and social costs are justified*”.⁸

4.21 The White Paper advises that an increasing proportion of journeys are now made by car. The White Paper acknowledges that the shift towards car journeys has provided huge benefits for many people, “*opening up new opportunities*” for direct travel between destinations. However,

5 Para 6.27, Pg 37, Transport Ten Year Plan 2000

6 Para 1.4, Pg 7, Transport Ten Year Plan 2000

7 Para. 6.27, Pg 37, Transport Ten Year Plan 2000

8 Para. 12, Pg 14, The Future of Transport, A Network for 2030

the White Paper also advises that cars can have an impact on the environment and congestion, and thus identifies the need to:

“encourage those with cars to consider other forms of transport, particularly for short journeys.”

- 4.22 The Government’s aim as expressed within the White Paper is to provide a *“more reliable and freer-flowing system for motorists, other road users, and businesses.”* This approach should provide travellers with the opportunity to make informed choices about how and when they travel, and thus minimise the adverse impact of road traffic on the environment and other people.
- 4.23 The White Paper advises that the Government will continue to advocate the importance of walking, cycling and public transport in providing reliable alternatives to the private car.
- 4.24 Where new road-building is required, the White Paper encourages good quality transport infrastructure which should *“complement or enhance the character of its local area.”* Transport schemes are also required to improve the quality of life for local communities, designed in ways that offer *“environmental gains, reduce community severance, and improve air quality wherever possible.”*
- 4.25 In line with the 1998 Transport White Paper, commitment to a presumption against transport schemes that damage landscapes, townscapes, biodiversity and aquatic environment, the 2004 White Paper reiterates that:
1. there continues to be a presumption against schemes that would significantly affect environmentally sensitive sites, or important species and habitats;
 2. there is a need for the impact of schemes on the environment and communities is monitored;
 3. design standards should take account of environmental concerns and the impacts of any new development are to be kept to a minimum, with mitigation measures implemented to a high standard;
 4. poor planning should not sever communities;
 5. the amount of greenfield land taken for development should be kept to a minimum;
 6. biodiversity is to be respected, and wherever possible, enhanced, in our planning, decision-making, delivery and network management processes;
 7. the marine environment in coastal waters is to be protected from shipping;

8. all groundwater and surface waters are to be protected by controlling pollution from sources such as roads and airport runways; and
9. noise impacts from transport are to be reduced and mitigated, for example around airports.

4.26 Overall, the White Paper expresses the Government's commitment to a measured and balanced approach to ensure that transport delivers the economic and social benefits that underpin our prosperity and welfare, and makes a positive contribution towards our environmental objectives.

iv) Towards a Sustainable Transport System (2007)

4.27 The Government released its latest Transport White Paper in October 2007. The document will be subject to formal consultation in summer 2008. The Paper itself has three key aims, as follows:

1. Describing how the Government is responding to the recommendations made in the Eddington Study to improve transport's contribution to economic growth and productivity;
2. Setting out the Department for Transport's ambitious policy and investment plans for the period to 2013-2014; and
3. Proposing a new approach to longer-term transport strategy, building on the model recommended by Sir Rod Eddington.

4.28 The Eddington Study confirms that transport "*is vital to the economy*".⁹ Since the delivery of reduced carbon emissions and economic growth are mutually consistent, the Government sets out five explicit transport goals, as follows:

1. Maximise the competitiveness and productivity of the economy;
2. Address climate change, by cutting emissions of carbon dioxide and other greenhouse gases;
3. Protect people's safety, security and health;
4. Improve the quality of life;
5. Promote greater equality of opportunity.

⁹ Pg 7, Towards a Sustainable Transport System White Paper

4.29 The White Paper states that whilst there is a vital link between transport and the economy, the Eddington Study advocates a *“focused approach, targeted on congested and growing cities and their catchment areas, and key inter-urban links and international gateways where congestion poses the most serious threat to economic growth.”* Whilst investment in new transport infrastructure may represent the only answer in some circumstances, the Eddington Study advises that other options should also be explored, including:

1. Road pricing;
2. Regulation;
3. Traffic management;
4. Encouragement of smarter travel choices;
5. Travel Planning;
6. Development of new technologies.

4.30 The White Paper states that the right action must be taken to address congestion problems. If all modes are congested over a sustained peak period, the White Paper states that the *“solution may well need to involve increased capacity.”* The White Paper acknowledges that local road pricing schemes could also have environmental benefits, such as a reduction in carbon emissions and air pollutants. There is also an emphasis towards reducing accident-risk across all modes of travel, in particular road deaths.

4.31 The White Paper identifies the ongoing role of public transport in helping to reduce carbon emissions and congestion across the highway network, and the *“health benefits of cycling and walking.”* Furthermore, the White Paper states that the *“benefits of creating jobs in regeneration areas should also be scored in the value-for-money assessment, provided that this is not at the expense of other regeneration areas.”*

4.32 The White Paper expresses the Government’s vision for the period to 2013-2014. This includes making provision for essential and committed expenditure whereby maintaining national and local roads in decent condition, supporting passenger rail services, and funding local authority investment plans. The White Paper also sets out the Government’s proposed exploration of the scope for road pricing across the wider UK road network, and *“congestion charging has a role”* to play in tackling urban congestion, backed by continued investment in public transport.

4.33 The Government’s statutory transport policy guidance is expressed through PPG13: *Transport* (2001). The key themes set out in this guidance are as follows:

1. To achieve more effective integration of planning and transport at all levels to promote sustainable transport choices;
 2. To reduce the need to travel by the private car by enhancing access to jobs, shops, leisure facilities and services by public transport, walking and cycling;
 3. To promote walking and cycling through the provision of wider pavements, including the re-allocation of road space to cyclists and pedestrians, and environmental improvements including improved lighting;
 4. Pedestrian-friendly road crossings which give pedestrians greater priority at traffic signals and avoid long detours and waiting times, indirect footbridges or underpasses; and
 5. Improvement of facilities off the carriageway, such as cycle tracks or paths.
- 4.34 Whilst advocating reduced reliance upon the private car, PPG13 recognises that the private car will continue to have an important role to play for some journeys, and thus requires Local Authorities to:
- “protect sites and routes which could be critical in developing infrastructure to widen transport choices for future passenger and freight movements”.*¹⁰
- 4.35 Annex C of PPG13 advises that *“care must be taken to avoid or minimise the environmental impact of any new transport infrastructure projects; this includes the impacts which may be caused during construction. Wherever possible, appropriate measures should be implemented to mitigate the impacts of transport infrastructure.”*
- 4.36 In addition to statutory and non-statutory Government guidance, and directly applicable policies, several generic transportation policies are set out within Halton’s Development Plan. These comprise the following:
1. Policy SD9 establishes a series of key objectives for the Regional Transport Strategy to deliver effectively planned and efficient transport interchanges which include; the delivery of attractive gateways and transport corridors; high-quality public transport in urban and rural areas; and effective multi-modal solutions to the conveyance of goods, people and services. Policy SD9 states that the three priorities for transport investment within the region include:
 - a) *High-quality public transport in major urban areas;*
 - b) *Key transport corridors; and*

c) *Gateways and interchanges.*

2. This encourages the effective use of land to assist people to meet their needs locally, thus reducing the need to travel, and to reduce journey times when travel is necessary.
3. Policy T1 states that modern, efficient and very well integrated transport systems are critical to the economic competitiveness of the North West, and advocates the increased role of public transport, walking and cycling through a strategy of network and demand management. The accompanying policy text advises of the need for a sustainable approach to integrated transport, noting that *“it is now widely accepted that constructing new roads to accommodate future traffic growth is neither environmentally nor economically sustainable.”*
4. Policy T3 recognises that the Highways Agency and Local Authorities should afford high priority to investment in the maintenance, management and selective improvement of regionally significant transport routes. The policy goes on to advise that further investment is still required on some sections of the highway network to reach a safe and modern standard, and to provide relief for communities badly affected by heavy flows of through traffic. In some locations, policy T3 advises that *“the provision of a suitable bypass may be the only way to resolve traffic-related problems.”*
5. Policy T4 states that the Highways Agency and Local Authorities will be expected to develop and implement consistent speed management strategies to reduce the number of people killed or seriously injured in road traffic accidents in the Region. A minimum target of a 40% reduction in the number of people killed or seriously injured in road accidents by 2010 is established.

4.37 The emerging draft RSS primarily mainly re-iterates the key themes of adopted RSS through draft policy RT2, as follows:

1. Draft Policy RT2 focuses primarily on the management, maintenance and improvements of the Regional Highway Network and existing infrastructure. This advises that the effective *“re-allocation of road space in favour of public transport, pedestrians and cyclists should be considered”* as part of an integrated approach to managing travel demand. Major road improvements should only be identified following an examination of all practical solutions to a particular problem. The accompanying text advises that congestion on the highway network occurs mainly during the

increasingly lengthy peak periods, and thus encourages the preparation of integrated strategies to *“manage demand in the most sustainable way, including the use of parking controls, and enhancement of the public transport, pedestrian and cycle networks.”*

4.38 Building on the principles of the Regional Spatial Strategy, the Regional Economic Strategy for the North West emphasises the importance of an efficient transport network to support the growth of the heart of the Liverpool City-Region. The key themes of the Regional Economic Strategy include:

1. To promote the enhancement of public transport services between the five northern City-Regions so as to develop a critical mass of activity, which in turn *“supports growth of key sectors and widens the labour markets in the city centres.”*
2. Improved road access to Liverpool City Centre to support economic growth of the Liverpool City-Region;
3. Improved infrastructure should encourage greater retention of the regional population, and attract new migrants. Actions focused upon improving the efficiency of existing infrastructure, including public transport, will minimise growth in carbon emissions. Reductions in congestion may *“make road travel more attractive,”* thus leading to carbon emissions; and
4. Increased use of public transport, home working and reduced growth in road travel.

4.39 The Government’s integrated approach to transport development at a regional and local level reflects their overarching sustainability agenda expressed within PPS1, the key themes and policy objectives of which are considered below.

3. Sustainable Development

4.40 PPS1 outlines the Government’s broad policy guidance for the delivery of sustainable development. One of the Government’s key objectives is to encourage Local Planning Authorities to bring forward land of a suitable quality in appropriate locations to accommodate new housing, retail, commercial and industrial development. Directly linked to this is the need to encourage patterns of new development which reduce the need to travel by the private car.

4.41 PPS1 advises that the Government is *“committed to protecting and enhancing the quality of the natural and historic environment, in both rural and urban areas.”* To satisfy this objective, PPS1 advises that;

*“a high level of protection should be given to most valued townscapes and landscapes, wildlife habitats and natural resources”.*¹¹

- 4.42 Emphasis is placed upon Local Planning Authorities to promote and facilitate good quality development, which is both sustainable and consistent with their Plans. Planning authorities are also encouraged to;

*“promote urban and rural regeneration to improve the well being of communities, improve facilities, promote high quality and safe development, and create new opportunities for the people living in those communities”.*¹²

- 4.43 As part of the Government’s sustainability objectives, Local Planning Authorities are advised to seek;

*“improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car”.*¹³

- 4.44 PPS1 ‘*Planning and Climate Change - Supplement to PPS1*’ (2007) sets out how spatial planning should contribute to reducing emissions and stabilising climate change when providing for the new homes, jobs and infrastructure to serve communities, and contribute towards the shaping of places without having an adverse impact upon climate change. It aims to;

1. Ensure planning policy contributes towards the Government’s Climate Change Programme;
2. Deliver energy efficient homes;
3. Deliver sustainable patterns of urban growth; and
4. Secure development that shape places resilient to the effects of climate change in ways consistent with social cohesion and inclusion.

- 4.45 The Development Plan builds upon the Government’s sustainability principles expressed within PPS1 to deliver economy in the use of land and buildings, and to promote sustainable economic growth, competitiveness and social inclusion at a regional and local level. The key policies set out in the Development Plan comprise the following:

11 Para. 17, PPS1 Delivering Sustainable Development (2005)
12 Para. 27(ii), PPS1 Delivering Sustainable Development (2005)
13 Para. 27(v), PPS1 Delivering Sustainable Development (2005)

1. Policy DP1 establishes the Strategy's core development principles and emphasises the sequential approach to the effective use of previously developed land and buildings within urban areas. Development proposals are required to make the efficient use of transport facilities and networks to meet the needs of local residents. New development and other investment in infrastructure should also seek to make the effective use of land, and promote the delivery of an appropriate mix of uses within a site and its wider neighbourhood.
2. Policy DP4 aims to strengthen and expand the region's economy in a sustainable way to promote a greater degree of social inclusion. The policy advises of opportunities to encourage the re-use of disused land and buildings, and the potential to reshape and restructure land uses to the extent necessary to establish well designed and compact, mixed-use and mixed-tenure neighbourhoods with good facilities and linkages.
3. Draft Policy DP1 of emerging RSS sets out a range of broad development principles which seek to ensure that decisions are sustainable and transparent; make the better use of land, buildings and infrastructure; ensure quality in development; and tackle climate change. The policy advocates the sequential approach to new development, whereby ensuring that new development is genuinely accessible by public transport, walking and cycling.
4. Policy BE1 of the Halton UDP establishes a broad range of general requirements for new development, focusing upon the delivery of a high standard of:
 - a) *environmental quality;*
 - b) *accessibility;*
 - c) *conservation of the natural environment;*
 - d) *infrastructure;*
 - e) *management of resources.*

Environmental enhancement is recognised as a primary aim of the UDP, and is identified as a means of promoting economic prosperity and urban regeneration. Ensuring a high-quality of development is a crucial means of achieving these objectives.

5. Policy BE2 advocates a high quality of design, and advises that each development proposal will be assessed against a number of key factors which influence design, including layout, density, scale and massing. The policy advises that development

proposals should be designed to respect the existing positive characteristics of the area, the existing historic fabric and nature conservation of the area, and provide attractive frontages which maintain and protect importance vistas. The policy advises that the delivery of landmark features will be acceptable where they will create an attractive reference point.

- 4.46 Given that the Mersey Gateway Project constitutes road-based development, the extent to which this achieves the Government's sustainability objectives must therefore be considered.

4. Green Belt

- 4.47 The Mersey Gateway Project crosses Green Belt land at Wigg Island, north of Astmoor Industrial Estate.

- 4.48 PPG2 sets out the history and extent of Green Belts, and explains their purpose. It describes how Green Belts are designated and their land safeguarded. Green Belt land-use objectives are outlined and the presumption against inappropriate development is established. The guidance sets confirms the five purposes of Green Belt as follows:

1. Checking unrestricted sprawl of large built up areas;
2. Preventing neighbouring towns from merging into one another;
3. Assisting in safeguarding the countryside from encroachment;
4. Preserving the setting and special character of historic towns;
5. Assisting in urban regeneration, by recycling of derelict land.

- 4.49 The guidance goes on to advise that following designation as Green Belt, the use of land in them has a positive role to play in achieving the following objectives:

1. To provide opportunities for access to the open countryside for the urban population;
2. To provide opportunities for outdoor sport and outdoor recreation near urban areas;
3. To retain attractive landscapes, and enhance landscapes, near to where people live;
4. To improve damaged and derelict land around towns;
5. To secure nature conservation interest; and
6. To retain land in agricultural, forestry and related uses.

- 4.50 PPG2 advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is identified as

their openness. PPG2 advises that inappropriate development is, by definition, harmful to the Green Belt, and that the construction of new buildings in the Green Belt is considered to constitute inappropriate development unless it is for the following purposes:

1. Agriculture and Forestry;
2. Outdoor recreational facilities, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including and in it;
3. Limited extension, alteration or replacement of existing dwellings;
4. Limited infilling in existing villages;
5. Limited infilling or redevelopment of major existing developed sites identified in adopted local plans.¹⁴

4.51 In respect of how decision makers should consider proposals which constitute inappropriate development, the guidance states;

“inappropriate development is, by definition, harmful to the Green Belt. It is for an applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist when the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

4.52 When any large-scale development or redevelopment of land occurs in the Green Belt (including mineral extraction, the tipping of waste, and road and other infrastructure developments or improvements), PPG2 advises that;

“it should, so far as possible contribute to the achievement of the objectives for the use of land in Green Belts,”¹⁵

4.53 This approach applies to all large-scale developments, irrespective of whether they are considered to constitute appropriate development in the Green Belt.

4.54 PPG2 also states that the visual amenities of the Green Belt;

14 Para 3.4, PPG2 Green Belts (1995)

15 Para. 3.13, PPG2 Green Belts (1995)

*“should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design”.*¹⁶

4.55 Having regard to Government guidance set out in PPG2, the Development Plan also seeks to control new development within the Green Belt by virtue of Policy GE1 of the Halton UDP. The key themes of this policy are as follows:

1. Planning permission will not be permitted for inappropriate development within the Green Belt nor for development conspicuous from the Green Belt that would harm its visual amenity by reason of siting, materials or design. Development within the Green Belt will be regarded as inappropriate development unless it constitutes permissible development in accordance with the provisions of PPG2;
2. Proposals for new development that are considered to be acceptable within the Green Belt will be required to preserve the openness of the Green Belt and minimise harm on visual amenity by means of siting, materials, and design in accordance with the purposes and objectives as expressed within PPG2.

5. Air Quality

4.56 Government guidance expressed through Planning Policy Statement 23 advises that polluting activities necessary for wider social and economic reasons should be carefully sited and planned, and subject to planning conditions to ensure that adverse effects are minimised and contained within acceptable limits.

4.57 PPS23 states that the planning system should focus on whether the development itself is an acceptable use of the land, and the impacts of those uses, rather than the control of processes or emissions. It expresses the Government’s commitment to using the precautionary principle, invoked *“when there is good reason to believe that harmful effects may occur to human, animal or plant health, or to the environment”*,¹⁷ and *“the level of uncertainty about the consequence or likelihood of the risk is such that best available scientific advice cannot assess the risk with sufficient confidence to inform decision-making”*.¹⁸

4.58 In addition to the guidance set out in PPS23, the Development Plan establishes policy control on pollutant related development through Policy EQ2 of the Regional Spatial Strategy. The key themes expressed through this policy include:

16 Para. 3.15, PPG2 Green Belts (1995)

17 Para. 6, PPS23 Planning and Pollution Control (2004)

18 Para. 6, PPS23 Planning and Pollution Control (2004)

1. Reduce or reverse the growth in road traffic and encourage the greater use of public transport, walking and cycling;
 2. Promote sustainable and healthier patterns of development;
 3. Identifies efforts to reduce the need to travel, reduce dependency on private cars, and encourage the use of public transport as a means of addressing traffic pollution.
- 4.59 The Mersey Gateway Project as road-based development may encourage private car use, a known source of carbon emissions. The impacts of the Mersey Gateway Project upon local air quality should therefore be considered against the provisions of PPS23 and EQ2. There are no specific UDP policies in relation to air quality.

6. Noise Quality

- 4.60 PPG24 '*Planning and Noise*' (1994) sets out the Government's guidance in relation to minimising the adverse impacts of noise without placing unreasonable restrictions on new development. PPG24 comprises several key themes to enhance noise quality, as follows:
1. Land-use planning should seek to ensure that noise sensitive uses are located away from noise generating uses such as highway networks;
 2. Potentially noisy developments should be located in areas where noise will not be such an important consideration, or where its impact can be minimised;
 3. The planning system should not place unjustifiable obstacles in the way of such development;
 4. Development should not cause an unacceptable degree of disturbance.
- 4.61 PPG24 advises that where the segregation of land-uses is not possible, mitigation measures should be considered where practical to control the source of, or limit exposure to, noise generating uses including engineering processes, and the layout of development.
- 4.62 There are no specific development plan policies in relation to noise against which the Project should be assessed.

7. Water Quality

- 4.63 The Development Plan comprises specific policies relating to the protection and enhancement of water quality from new development, as follows:

1. RSS13 Policy EQ3 establishes a series of measures to improve and sustain the quality of the region's rivers, canal, lakes and sea. This policy places an emphasis on Local Authorities to avoid development that *“poses an unacceptable risk to the quality of groundwater, surface, or coastal water.”* Adequate pollution control measures should be implemented to *“reduce the risks of water pollution,”* and these should be integrated into new developments. The policy also advises that the construction of roads and other transport infrastructure should not *“unnecessarily add to diffuse pollution.”*
 2. Policy PR5 of the Halton UDP advises that development will not be permitted if it is likely to have an unacceptable effect on the water quality of water bodies including rivers, lakes and canals, or poses an unacceptable risk to the quality of groundwater. The supporting text states that pollution to water supplies not only poses a threat to humans, but also flora and fauna. The supporting text identifies the need to ensure adequate pollution measures are incorporated into new developments to minimise the risks of water pollution.
- 4.64 Given that the Mersey Gateway Project mainly occupies an estuarine location, water quality impacts associated with the development proposals should be assessed against the relevant policy requirements of the development plan.

8. Built and Historic Environment

- 4.65 Government policy expressed within PPG15 and PPG16 establishes guidance for the protection and enhancement of the built and historic environment through new development. The key themes expressed within the aforementioned guidance documents can be summarised as follows:

PPG15 ‘Planning and the Historic Environment’ (1994)

1. Importance is attached to the desirability of preserving and enhancing areas of special architectural or historic interest;
2. The guidance accepts that, generally, the best way of securing the upkeep of historic buildings and areas is to retain them in active use;
3. It is acknowledged that many listed buildings can sustain some degree of sensitive alteration or extension to accommodate continuing or new uses;
4. Major new transport infrastructure development can have an especially wide-ranging direct impact on the historic environment, both visually and physically, and also

indirectly, for example, by altering patterns of movement of commerce, and generating new development pressures or opportunities in historic areas.

5. Local highways and planning authorities should integrate their activities and should take great care to “*avoid or minimise impacts on the various elements of the historic environment and their settings.*”¹⁹ Local highways and planning authorities are also required to take great care to assess the impact on existing roads of new projects.
6. Work to listed structures, such as historic bridges, is needed to meet new national or European requirements, policy advises that this be carried out with great care. Many bridges are of considerable age and represent important features of the cultural heritage. Sympathetic remedial measures, which restore the carrying capacity and extend the life of these structures whilst retaining their character, are preferable to complete reconstruction, and will normally prove more cost-effective. Where construction is the only realistic course, authorities are encouraged to “*retain and restore the old structure for use by pedestrians and cyclists.*”²⁰
7. Where the opportunity arises, the possibility of reusing structures for new transport schemes should “*always be examined.*”²¹ Disused railway viaducts and bridges provide an “*environmentally advantageous*” solution for such schemes.

PPG16 ‘Archaeology and Planning’ (1990)

1. PPG16 sets out policy guidance for the preservation of archaeological remains. It advises that archaeological remains should be seen as a finite and non-renewable resource.
2. Appropriate management is considered essential to ensure that they survive in good condition. The preferred approach for the preservation of important remains is to ensure that they remain *in situ*. If physical preservation *in situ* is not feasible, policy advises that an archaeological excavation for the purposes of “*preservation by record*”²² may be an acceptable alternative.
3. Where nationally important archaeological remains are affected by proposed development, the guidance advises that presumption should be made in favour of their preservation *in situ*;

19 Para 5.2, PPG15 Planning and the Historic Environment (1994)
20 Para 5.6, PPG15 Planning and the Historic Environment (1994)
21 Para 5.7, PPG15 Planning and the Historic Environment (1994)
22 Para. 13, PPG16 Archaeology and Planning (1990)

4. Potential conflict between development and preservation should be positively planned and managed at an early stage of the process by means of consultation and field evaluations.
- 4.66 In addition to this national planning policy guidance, the Development Plan including a number of generic policies for the protection of the built and historic environment, as follows:
1. Policy BE5 of the Halton UDP advises that development proposals that are likely to have an unacceptable affect on other known sites of archaeological significance will not be permitted. Permission may be granted if it can be demonstrated that measures of mitigation (such as preservation by design or record) and compensation (such as advances in knowledge or public understanding) can be employed to ensure there is no net loss of heritage or archaeological value. The accompanying text advises that preservation in situ is highly desirable, but where this is impossible to achieve, planning permission will only be granted subject to agreement on satisfactory range of measures of mitigation and compensation.
 2. Policy BE6 of the Halton UDP states that where development proposals affect sites of known or suspected archaeological importance, Halton Borough Council may required the applicant to submit an archaeological evaluation prior to the determination of the planning application. The supporting text advises that the primary archaeological objective is the preservation in situ of important remains.
- 4.67 The Mersey Gateway Bridge will be aligned 1.8km upstream of the Grade II listed Silver Jubilee Bridge, and the Grade II* listed Aethelfleda Railway Bridge. The extent to which the Mersey Gateway Project will impact upon the existing setting of these structures, and other recognised sites of historic and archaeological importance, should therefore be considered.

9. Natural Environment

- 4.68 There are four strands of policy legislation which aims to protect and enhance existing key features of the natural environment; European, National, Regional and Local. The key themes of each strand of policy legislation are discussed below:
1. **European Policy**
- 4.69 Habitats Regulations Directive 92/43/EEC, which refers to the "*conservation of natural habitats and wild fauna and flora*" requires that a Habitats Regulation Assessment is undertaken to assess plans and development projects that may have an impact on European (Natura 2000) Sites. Natura 2000 is the name given to the EU wide network of protected

areas, recognised as 'sites of community importance.' This includes Special Areas of Conservation (SPC) and Special Protection Areas (SPA). The purpose of the HRA is to consider the impacts of a land-use plan against conservation objectives of the site and to ascertain whether it would adversely affect the integrity of the site. Where significant negative effects are identified, the regulations require that alternative options should be examined.

4.70 Under Regulation 48(1) of the Directive, an Appropriate Assessment needs to be undertaken in respect of any plan or project which:

1. either alone or in combination with other plans or projects would be likely to have a significant effect on a European Site; and
2. is not directly connected with the management of the site for nature conservation.

4.71 Appropriate Assessment is also required, as a matter of Government policy, in considering development proposals which may affect potential SPAs, candidate SACs and listed Ramsar Sites for the purpose of considering development proposals affecting them. The plan or project to be assessed does not have to be located within the designated area.

2. National Planning Policy

4.72 PPS9 establishes the Government's vision for conserving and enhancing biological diversity in England. The guidance advises that a strategic approach to the conservation, enhancement and restoration of biodiversity and geology should be taken, recognising the contribution that sites, areas and features, both individually and in combination, make to conserving these resources.

4.73 With specific regard to SSSI designation, the guidance states that where a proposed development on land within or outside a SSSI is likely to have an adverse effect, planning permission should not normally be granted. Where an adverse effect on the site's notified special features is likely, PPS9 advises that an exception;

"should only be made where the benefits of development clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSI's."

3. Regional Planning Policy

4.74 Policy ER5 of RSS establishes the requirement for Local Planning Authorities to afford the strongest levels of protection to sites with international and national nature conservation designations, encompassing Ramsar sites, Special Protection Areas, and Special Areas of

Conservation, National Nature Reserves, and Sites of Specific Scientific Interest. The policy requires that plans, policies and proposals should ensure that the overall nature conservation resource in the North West is protected and enriched through conservation, restoration and re-establishment.

4. Local Planning Policy

4.75 The Halton UDP comprises four generic planning policies which seek to protect, retain and enhance important natural environmental features, of which a summary of each is provided below:

1. Policy GE17 is drawn for European Legislation and advises that development or land-use change that may affect a European Site will be subject to rigorous examination. The policy states that development or land-use change not directly connected with or necessary to the management of the site will not be permitted if it is likely to have a significant effect on the site unless all of the following criteria can be satisfied:
 2. *There is no alternative solution;*
 3. *There are imperative reasons for over-riding public interest for the development or land-use change;*
 4. *It is necessary for reasons of human health or public safety or for beneficial consequences of primary importance for nature conservation.*
5. Policy GE18 states that development in or likely to affect Sites of Special Scientific Interest will be subject to special scrutiny. The policy advises that development will not be permitted if it would have a significant effect, directly or indirectly, on a SSSI unless the reasons for the development clearly outweigh the nature conservation of the site itself.
6. Policy GE23 advises that development will not be permitted within Areas of Special Landscape Value where this would cause an unacceptable effect on the visual and physical characteristics for which an area was designated as having Special Landscape Value. Policy requires that development proposals within Areas of Special Landscape Value should be capable of satisfying all of the following criteria:
 7. *It is in character with the Area, sensitively sited and designed, and constructed of appropriate materials;*
 8. *It is integrated and landscaped to a high standard;*
 9. *It can be accommodated without affecting the overall quality of the area.*

10. Policy GE24 advises that development will not be permitted where it will result in an unacceptable effect on the visual or physical characteristics for which a site was designated as having 'Important Landscape Features.'
- 4.76 Given the fixed location of the Mersey Gateway Bridge 1.8km upstream from the Middle Mersey SSSI, Ramsar and SPA designations, the extent of any environmental impacts arising from its construction oversailing the Upper Mersey Estuary should therefore be considered against the provisions set out at each strategic policy level.

10. Biodiversity and Nature Conservation

- 4.77 PPS9 establishes the Government's vision for conserving and enhancing biological diversity in England, together with a programme of works to achieve it. It sets out a series of key principles that regional planning bodies and local planning authorities should adhere to in order to ensure that the potential impacts of planning decisions on biodiversity and geological conservation are fully considered. This is accompanied by ODPM *Circular 06/2005* which provides administrative guidance on the application of the law relating to planning and nature conservation.
- 4.78 The key themes expressed within PPS9 can be summarised as follows:
1. Planning policies and decisions should aim to maintain and enhance, restore or add to biodiversity and geological conservation interests.
 2. A strategic approach to the conservation, enhancement and restoration of biodiversity and geology should be taken, recognising the contribution that sites, areas and features, both individually and in combination, make to conserving these resources.
 3. Development should contribute to rural renewal and urban renaissance by enhancing biodiversity in green spaces and among developments so that they are used by wildlife and valued by people.
 4. Planning decisions "should prevent harm to biodiversity and geological conservation interests."
 5. Where development would result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, "*appropriate compensation measures should be sought.*"²³

23 Para. 1(vi), PPS9 Biodiversity and Geological Conservation (2005)

- 4.79 In addition to PPS9, policy ER5 of RSS that plans, policies and proposals should ensure that the overall nature conservation resource in the North West is protected and enriched through conservation, restoration and re-establishment. The supporting text also recognises the importance of parks and greenspaces as important sources of biodiversity in the Region.

11. Waste

- 4.80 PPS10 expresses the overall objectives of Government policy on waste, identifying the need *“to protect human health and the environment by producing less waste, and by using it as a resource wherever possible²⁴”* as a key objective. The document serves two purposes. Firstly, it establishes the broad principles for the management of waste with respect to the development of strategies, regeneration and the prudent use of resources; secondly, it sets out the Government’s policy on the planning of new waste management facilities.
- 4.81 The guidance reiterates the responsibility of Planning Authorities and regional bodies for waste planning and management. It confirms the requirement for planning authorities to take into account waste management needs for all waste streams in their area at a strategic level. This includes commercial industrial, and construction waste arisings.

12. Open Space

- 4.82 PPG17 *“Planning for Open Space, Sport and Recreation” (2002)* seeks to ensure that a sufficient supply of recreational open space provision is retained and protected from development within local communities across the UK. To achieve this objective, PPG17 establishes a number of key themes, which include:
1. Existing open space, sports and recreational buildings and land should not be built on unless an *“assessment has been undertaken which has clearly shown the open space or the buildings and land to be surplus to requirements.²⁵”* In instances whereby a robust and up-to-date audit may not be available, PPG17 permits that any applicant seeking planning permission for development of an existing playing field(s) may demonstrate through independent assessment that a specific site is now surplus to satisfy local needs.

24 Para. 1, PPS10 Waste Management (2006)

25 Para. 10, PPG17 Planning for Open Space, Sport and Recreation (2002)

2. Local Planning Authorities should “weigh any benefits being offered to the community against the loss of open space that will occur.”²⁶
 3. Local Authorities should ensure that open spaces do not suffer from increased overlooking, traffic flows, or other encroachment.
 4. Local Planning Authorities should not grant planning permission for any non-leisure specific playing field development unless the playing field(s) lost as a result of development will be compensated for through the development of new playing field(s) provision of equivalent or superior quantity or quality, and in a suitably accessible location.
 5. Local Authorities should also “encourage better accessibility of existing open spaces and sport and recreational facilities, taking account of the mobility needs in the local population.”²⁷
 6. Public Rights of Way represent an important recreational facility, encouraging local authorities to provide enhanced facilities for walkers, cyclists, and horse-riders by means of adding linkages to existing rights of way networks.
- 4.83 In addition to PPG17, the Development Plan comprises specific policies for the protection of existing designated greenspace as follows:
1. Policy GE6 of the Halton UDP advises that development within the designated and proposed greenspace will not be permitted unless it is ancillary to the enjoyment of the greenspace, or in the case of designated greenspace within educational use, it is specifically required for educational purposes. Policy advises that exceptions may be made where the loss of the amenity value is adequately compensated for by virtue of the following:
 2. *Development on part of the site would fund improvements that raise the overall amenity value of the greenspace;*
 3. *The developer provides a suitable replacement greenspace of at least equal size and amenity value, or significantly enhances the amenity value of nearby greenspace;*
 4. *No proposal should result in a loss of amenity for local residents by forcing them to travel to a less convenient location;*

26 Para. 16, PPG17 Planning for Open Space, Sport and Recreation (2002)

27 Para. 18, PPG17 Planning for Open Space, Sport and Recreation (2002)

5. *In all exceptional cases, there would need to be clear and convincing reasons why development should be permitted or that loss of amenity value could be adequately compensated.*

4.84 The proposed route alignment of the Mersey Gateway Project will incorporate areas of greenspace, open space and public right of way both existing and proposed, in Runcorn and Widnes. The extent to which the Mersey Gateway Project complies with the policy requirements of PPG17 and the Development Plan should therefore be considered.

13. Flood Risk

4.85 PPS25 *“Development and Flood Risk”* (2006) establishes the Government’s policy on development and flood risk. This seeks to ensure that flood risk is taken into account at all stages of the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Where new development is, exceptionally, necessary in such areas the policy aims to make it safe without increasing flood risk elsewhere and where possible, reducing flood risk overall.

4.86 PPS25 requires Flood Risk Assessments to be carried out to the appropriate degree at all levels of the planning process, *“to assess the risks of all forms of flooding to and from development and taking into account the possible effects of climate change.”*²⁸

4.87 The guidance advises that landowners have the primary responsibility for safeguarding their land and other property against natural hazards such as flooding. Individual property owners and users are also responsible for managing the drainage of their land in such a way as to prevent, as far as is reasonably practicable, adverse impacts on neighbouring land.

4.88 PPS25 recognises that road and rail embankments and other existing transport infrastructure can affect water flows during floods. It is important that this is recognised, and where use of such infrastructure is proposed for flood management purposes, this should be discussed with the infrastructure owners. Where new transport infrastructure is proposed, *“the possibility of building-in flood management measures at the design stage should be considered.”*²⁹

4.89 In addition to Government guidance expressed within PPS25, draft Policy EM5 of RSS establishes the requirement for the quantitative and qualitative protection of surface, ground and coastal waters and effective flood management. As part of this, the policy identifies the

28 Para. 10, PPS25 Development and Flood Risk (2006)

29 Para. 10, PPS25 Development and Flood Risk (2006)

requirement for new and where possible, existing development to incorporate sustainable drainage systems and water conservation and efficiency measures.

14. Economic Development

4.90 The Development Plan comprises a number of policies which relate directly to the economic development of land buildings within Runcorn and Widnes, as follows:

1. RSS Policy DP4 aims to strengthen and expand the region's economy in a sustainable way to promote a greater degree of social inclusion. The accompanying text states that there will be opportunities to encourage the re-use of disused land and buildings, critical to improving the region's image. Opportunities should also be taken to reshape and restructure land uses to the extent necessary to establish well designed and compact, mixed-use and mixed-tenure neighbourhoods with good facilities and linkages;
2. RSS Policy SD2 identifies Runcorn and Widnes as areas in need of very significant enhancement, in terms of improved townscape and landscape quality, and opportunities for a higher quality of life overall. The policy states that wide-ranging *"regeneration and environmental enhancement should be secured."* The accompanying text states that a focus on development within the NWMA will create the need for improved public transport networks between and within all the specific areas and towns identified within RSS13, in particular the introduction of management and other measures to ease traffic flow on the motorways;
3. RSS Draft Policy RDF1 aims to ensure that most new development in the region takes place within the urban areas of the Regional Centres and Regional Towns and Cities. The purpose of this is to *"support development in the regional towns and cities in City Regions to secure urban regeneration and economic growth that is complementary to the Regional Centre."* Runcorn and Widnes are both identified as Regional Towns within the accompanying settlement hierarchy;
4. Draft RSS policy W1 encourages plans and strategies to promote opportunities for economic development which will strengthen the economy of the North West. Whilst the policy in the main is not relevant to the Project, one of the key objectives of this is *"ensuring the safe, reliable and effective operation of the region's transport networks and infrastructure in accordance with the policies and priorities of the Regional Transport Strategy,"* to build on the region's strengths, in particular the three City Regions of Manchester, Liverpool and Central Lancashire;

5. Draft RSS policy LCR3 refers to the northern part of the Liverpool City Region outside of the city centre and inner city area. The aims of this policy include ensuring that plans and strategies within the northern part of the Liverpool City Region will focus economic development and resources in, among other places, Runcorn and Widnes. The policy seeks to maintain and enhance the role of Runcorn and Widnes and to provide community facilities, services and employment;
 6. Policies RG1, RG2, RG3 and RG6 of the Halton UDP promote the economic regeneration of Southern Widnes, Central Widnes, Widnes Waterfront, and Castlefields and Norton Priory respectively for mixed-use development.
- 4.91 A comprehensive assessment of the Mersey Gateway Project against European National, Regional and Local planning policy is set out within chapter 6 of the accompanying Environmental Statement.

15. Local Development Framework and Emerging Policies

- 4.92 Halton Borough Council is currently preparing a series of Local Development Documents (LDDs) to form the basis of its emerging Local Development Framework (LDF). On adoption, these will replace the Council's existing strategic and generic UDP policies. At present, all existing UDP policies are saved for three years until April 2008. Halton Borough Council has now applied to the Secretary of State to save its policies for a further three years, for which a decision is imminent.
- 4.93 The Council's Local Development Scheme (LDS) 2007 establishes dates for the preparation and adoption of Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). A key component of the Council's emerging policy framework is the Southern Widnes SPD. This will set out policies and proposals for the comprehensive regeneration of the Southern Widnes Area. This SPD will be produced in line with and linked to Policy RG1 of the Halton UDP, and is scheduled for adoption in November 2008.

Southern Widnes SPD

- 4.94 The Project is considered by Halton Borough Council to be 'more than just a bridge,' this refers to the aspiration that the Project will become being a catalyst that will connect communities and lead regeneration and investment within Halton and across the region. As a result of the Project certain land will be released, connectivity improved, the performance and roles of highways changed, public realm opportunities will arise. In short, physical regeneration will be facilitated.

- 4.95 To understand how best to capture these benefits, Halton Borough Council have undertaken a review exercise which has generated a Regeneration Strategy. As well as informing the Council's priorities for physical investment and urban renewal, the Strategy will be important in informing the next iteration of Council policy, including the Community Strategy, the Corporate Plan, and the Local Development Framework. The latter is of particular relevance as the Regeneration Strategy will directly inform the preparation of the Southern Widnes SPD.
- 4.96 It is the Council's view that the Strategy would not be possible or its components would not be as likely to succeed without the Project.

Regeneration Strategy

- 4.97 The Regeneration Strategy seeks to capture as far as possible the wide ranging economic, social, physical and environmental regeneration opportunities that the Mersey Gateway Project would present. The Strategy adopts a narrowly defined spatial remit, seeking to identify new physical opportunities for change as part of the vision to create high-quality, desirable and sustainable places, building upon and adding value to the considerable levels of investment delivered and planned.
- 4.98 The Strategy will address itself to an area of approximately 20 square kilometres within the Borough of Halton. Within Widnes, this comprises the area south of the town centre, to the east of the Mersey Multimodal Gateway and to the west of the Widnes Waterfront Economic Development Zone. The Regeneration Strategy also covers a larger expanse of Runcorn, including the Old Town, Halton Lea, Rocksavage and Clifton, and the Astmoor Industrial Estate. The Regeneration Strategy also includes the existing Silver Jubilee Bridge as well as the proposed route of the new Mersey Gateway.
- 4.99 To inform the preparation of the Regeneration Strategy, several community consultation events have been held during late 2007 / early 2008 in Widnes and Runcorn. In addition, in October 2007 a telephone survey of 200 local businesses located within the Mersey Gateway Impact Area was undertaken. The level of support was generally found to be strong; the business survey alone identified a strong level of support for the Project, equating to 49% of businesses in Widnes, and 44% in Runcorn. Only an 4% of respondents, a small minority cited some opposition to the Project.
- 4.100 Following this consultation, an Issues Report has since been prepared to provide a holistic evidence based to inform the 'vision for regeneration.' This has allowed for the presentation of the key regeneration objectives, which in turn inform the aims of the Regeneration Strategy. These objectives are:

Priority Regeneration Objective 1 – Image and Place-Making

This objective seeks to enhance the perception of both Widnes and Runcorn to achieve the visionary aspirations held by Halton Borough Council, and build upon the strong local sense of community and place to deliver the considerable regeneration opportunities presented by the Mersey Gateway Project.

Priority Regeneration Objective 2 – Accessibility and Movement

Increasing the catchment for labour, goods and markets represents a key element of the Regeneration Strategy. The Project will facilitate more reliable movements by pedestrians, cyclists and public transport, and maximise opportunities for additional local connectivity and accessibility for existing communities by promoting the ease of movement throughout the area.

Priority Regeneration Objective 3 – Development and Economic Prosperity

This objective expresses a clear steer towards the significant improvement of commercial and residential accommodation within the local area to meet market requirements and aspirations. This is coupled with a focus on bringing back into use land for new development that is currently occupied by highways infrastructure to be released through the completion of the Mersey Gateway, with a particular focus on the re-use of contaminated land within the West Bank area of Southern Widnes.

- 4.101 These priority objectives seek to provide a visionary, imaginative and deliverable set of solutions to the wide-ranging economic, social and environmental problems identified within Halton, building significantly upon the opportunities presented by the Mersey Gateway Project.
- 4.102 The Regeneration Strategy will apply the identified objectives to a series of impact areas, all of which are situated in close physical proximity to the Mersey Gateway route corridor. These impact areas are:
1. West Bank, South Widnes;
 2. Runcorn Old Town;
 3. Astmoor Industrial Estate and Wigg Island;
 4. Halton Lea; and

5. Rocksavage and Clifton.

- 4.103 A number of physical options have been prepared for each of these impact areas, which will be subject to testing and appraisal. This process has already included two stages of consultation with members of the public during February and March 2008. The options have also been the subject of a detailed Sustainability Appraisal.

Next Steps

- 4.104 Upon approval of the Regeneration Strategy, the Council will move towards the next stage of the process which will involve the identification of a preferred option which in turn will inform the production of the Southern Widnes SPD. The process is to be concluded over the course of 2008, with adoption of the SPD currently anticipated for October.

5. PLANNING APPRAISAL

- 5.1 The approach to any planning appraisal of the Project is provided and required by Section 38(6) of the Planning and Compulsory Purchase Act 2004. This states that if regard is to be had to the development plan for the purpose of determination, then that determination must be made in accordance with the plan unless material indications indicate otherwise.
- 5.2 Therefore, this approach requires an assessment which undertakes the following:
1. Examines the extent to which the proposal is supported by the provisions of the development plan;
 2. Examines whether the proposal is in conflict with elements of the development plan, and if so makes an assessment of harm arising from that conflict;
 3. Sets out those benefits arising from the proposal which are material and are thus to be weighed in any decision making process.
- 5.3 Having undertaken this exercise, the assessment must then conduct a planning balance exercise, weighing compliance against harm and undertaking a separate assessment of benefit so as to judge whether there are any material consideration of sufficient weight to invite a decision other than one which is in accordance with the development plan.
- 5.4 However before embarking on the exercise it is worth reiterating that this statement has considered the Project comprehensively (i.e. those elements of the remote works that are for consideration as part of the planning and listed building applications as well as those other elements that will be brought forward under the TWA). The assessment against the policy framework will similarly consider the Project as a whole rather than focussing on specific works, thus providing an understanding of the planning context and acceptability of the Project as whole. However, the primary purpose of this statement is to support the two planning and listed building application for the remote highway works and therefore for completeness, it also concludes on the planning acceptability of these specific works.

1. Accordance with the development plan

- 5.5 The development plan comprises RPG13 (now RSS) as adopted in 2003 and the Halton UDP as adopted in April 2005. The draft replacement RSS is well advanced with the report of the EiP published in may 2007; and as such is relatively advanced in its process and can be afforded considerable weight.

5.6 As set out within Section 4 above, it is evident that the Mersey Gateway Project enjoys direct support from each part of the development plan as follows:

1. **RSS Policy T10** sets out the general priorities for transport investment in the region. In doing so, the policy identifies a number of major transport schemes and studies which are considered to be of regional significance and seeks to prioritise their delivery. Table 10.1 to the policy identifies a second crossing of the River Mersey in Halton as a “Transport Study of Regional Significance”. The designation as a ‘study’ rather than as a scheme referred to the early stage of the Project as at 2003, when the document was adopted. Table 10.2 goes on to confirm that the identified schemes of regional significance arising out of the various transport studies should be delivered by 2007 if sufficient resources are available. Whilst the timing of delivery has slipped, it is evident that the Mersey Gateway Project submission is in line with the provisions of the RSS policy.
2. **UDP Policy S14** states that a new crossing of the River Mersey to the east of Silver Jubilee Bridge will be promoted to relieve congestions on the existing bridge as part of an integrated transport system for Halton and the wider regional transport network.

5.7 The works proposed by the Mersey Gateway Project incorporate the provision of a second river crossing located to the east of SJB; this will relieve congestion on the SJB and allow for the increased opportunity for public transport, walking and cycling across the River, thus contributing significantly to the delivery of an integrated transport system for Halton. The Project is directly supported by the provision of the UDP which is further explained in the ES.

On this basis it is concluded that the Mersey Gateway Project, in its proposed form and location, is **expressly supported** by the development plan.

5.8 The Project also enjoys support within emerging and supporting planning policy documentation as follows:

1. **Draft RSS Policy RT8** within the emerging replacement strategy reiterates that the Mersey Gateway Project is one of a number of Regional and Sub Regional priorities for major transport investment. This position was maintained following the Examination in Public as confirmed in the Panel report and as such can be considered to be of significant weight.
2. **Regional Economic Strategy** (2006) recognises the benefits arising from the delivery of major transport infrastructure investments within the region. The RES identifies the Second Mersey Crossing as one such investment, with the benefits cited as including

being in respect of relieving congestion and improving reliability of access to Liverpool Airport and improved linkages within the Liverpool City Region.

3. **Halton's Local Transport Plan** identifies the Mersey Gateway Project as a Priority 1 scheme, noting that it has the benefit of achieving significant journey time savings for cross river traffic and enabling the Silver Jubilee Bridge to cater for locally sustainable travel.

Each of these policy documents, which sit alongside and feed into the development plan, demonstrates the depth of policy support for the Mersey Gateway Project. In particular, the commitment within the draft revision to RSS comprises an up to date expression of policy support for the project and it confirms the forward policy commitment. Given the stage reached by the review document, this commitment can be afforded significant weight.

- 5.9 As well as this direct development plan support, the Project would also advance a number of indirect policy aspirations as set out within the development plan (e.g. overall improvement in air quality, overall reduction in noise impact, delivery of economic improvement etc); each of these is set out more fully within the consideration of scheme benefits undertaken below.

2. Conflict with the development plan

- 5.10 Whilst the Mersey Gateway Project clearly draws direct development plan policy support, there are elements of the Project works which conflict with other development plan policies of more general application. This is inevitable given the scale of the Project and its wide ranging effect and impact. However, before going on to assess these potential conflicts it is worth noting that when resolving to adopt the RSS and in particular the UDP in a form which contains express support for the Project, the relevant authorities must have balanced these potential inconsistencies but still resolved to include direct policy support for a crossing.
- 5.11 This notwithstanding it is necessary to consider the degree of potential inconsistency and understand the harm arising from any conflict. Having undertaken a detailed appraisal of the proposal against the policy framework in both the Environmental Statement and earlier within this statement, it is clear that the primary areas of development plan conflict generated by the Project comprise the following:
 - i) Conflict with **Green Belt** policy, in relation to the UDP Green Belt designation at Wigg Island.
 - ii) Loss of **greenspace** as identified on the Proposals Map and expressed at Policy GE6 at three locations along the route alignment.

- iii) Loss of **potential greenspace** as identified on the Proposals Map and expressed at Policy GE7 at one location along the route alignment.
- iv) Conflict with **Action Area designations**, as identified on the Proposals Map and expressed within Policies RG1, RG2, RG3 and RG4, primarily with regard to the range of uses considered acceptable.
- v) Conflict with **air quality requirements** as expressed within RSS and UDP Policy PR1.
- vi) Conflict with **noise policy requirements** as expressed within UDP Policy PR2.
- vii) Conflict with **listed building policy requirements** as set out within UDP policy BE10.

Consideration of each is undertaken below:

1. Green Belt

5.12 The proposed alignment crosses Green Belt land at Wigg Island. The land forms a discrete parcel, bounded by the Mersey Estuary to the north and the Ship Canal to the south. The highway decking crosses the land at a height of 24m, supported on concrete piers which would be sited within the land designated as Green Belt.

5.13 It is accepted that the Project works represent an inappropriate form of development within the Green Belt, which in itself is considered to be harmful. In addition, the development can be considered to be harmful to the Green Belt for the following reasons:

- i) By the effect on Green Belt purposes.
- ii) By the effect of the built development and the bridge deck on the visual amenity of the Green Belt and particularly views both in and from the Green Belt.

5.14 An assessment of the extent of the harm each is undertaken below:

i) Harm to Green Belt purposes

5.15 Having regard to the provisions of PPG2, and in particular the purposes of Green Belt set out at paragraph 1.5, it can be concluded that the Project causes *encroachment* of built development into the Green Belt (the bridge piers) as well as indirectly causing *urban sprawl* (by introducing an urban element into the Estuary gap) and potentially causing the *merging of towns* (by linking the towns physically). Consideration of the extent of the harm for each is set out below:

- 1. The physical *encroachment* caused by the Project, namely the land taken up by the bridge piers, would constitute the permanent loss of a ground area of 0.12 ha within

an overall Green Belt parcel of 161 ha. This proportional land take is in itself insignificant, and the 'harm' is accordingly limited. Furthermore the encroachment is finite. It would not lead to any further loss of Green Belt land and it would not undermine the future function of the land as Green Belt. As such, whilst it is acknowledged that encroachment would occur, the extent of the harm associated with the encroachment is considered to be limited.

2. With regard to *urban sprawl*, whilst the proposal introduces an urban element into the Estuary setting and the open land associated with Wigg Island, this potential sprawl is limited only to the linear form of the bridge structure, which is in itself notable for its fine design. The Project works will not cause any urban sprawl in the traditional sense of overspill beyond the existing built up area and urban boundaries. Furthermore, any growth and development generated by the catalytic effects of the Project can be accommodated within the towns of Widnes and Runcorn and the secondary effects of the Project will not generate spend.

On this basis it is considered that any harm caused to that Green Belt purpose which seeks to limit urban sprawl is limited and wholly contained to the effects of the new bridge.

3. With regard to the *merging of towns*, the establishment of a physical crossing between Widnes and Runcorn will cause a further linking of the two towns and this could be described as promoting merging. However in reality this merging is already in existence in the form of SJB and the Aethelfleda railway bridge and it is inevitable if the policy requirement for a second road crossing of the river is to be achieved. As with the concern with urban sprawl, any merging will be limited to the linear form of the bridge structure and will not lead to any additional impact. The Green Belt at Wigg Island will remain intact and capable of performing its existing function.

On this basis it is considered that any harm caused to that purpose which seeks to avoid the merging of towns is minor and wholly contained to the effects of the new bridge.

ii) *Effect on Green Belt visual amenity*

- 5.16 The Project works, in the form of the bridge piers and the bridge decking, will have a significant effect on the views to and particularly from Wigg Island. The Landscape and Visual Appraisal undertaken as part of the ES has assessed the impact of both. In respect of the bridge decking the Appraisal concludes that views of the bridge and the associated traffic cannot be effectively screened by landscape treatments, and that visitors to Wigg Island will be unavoidably exposed to views of the structure. The Appraisal concludes that in visual

terms the effect of the bridge deck would generate a major adverse effect. In respect of the physical works in the Green Belt (ie the bridge piers and built approaches) the Appraisal concludes that woodland scale planting will assist in integrating these new structures to the extent that the effect could be described as moderately positive after the full implementation of mitigation planting.

5.17 It is acknowledged therefore that the general views of the bridge structure cannot be wholly mitigated. In seeking to understand the effects of this impact or the scale of harm, an assessment against those factors which are identified at paragraph 3.15 within PPG2 as being relevant to any assessment of visual detriment (i.e. *siting*, *materials* and *design*) shows the following:

1. The *siting* of the bridge deck as it passes over Wigg Island is at a level of c 23m above ground; as such the open views at ground level will not be interrupted by the road decking;
2. The *materials* of the bridge will, when finalised, respect the wider Estuary setting; the Design and Access Statement accompanying the planning applications supported by the document sets out this wider philosophy, explaining the approach that will be adopted in respect of pattern, texture, colour, lighting and shadow; and
3. The Design and Access statement also explains how the *design* of the bridge structure has been guided by a need to achieve lightness and elegance, marrying art and science so as to provide a simple and legible design. That Statement sets out how bridges are a unique component of the built environment which, when designed with a simplicity and efficiency, are able to generate broad popular appeal and readily function as landmark and emblematic structures. The intention with the Project, and in particular the main span crossing the River Mersey is to achieve both refinement and drama, delivering a design which comes to represent a civic and regional landmark and an icon for the north west.

5.18 Therefore, on each point particular regard has been taken to minimise the potential impact on visual amenity. The appraisal exercise undertaken as part of the ES develops this theme further, noting that the bridge could be considered to be either a spectacle or an intrusion, depending on the viewer perception, and that the general alignment and design could be regarded as making a positive visual contribution to the landscape. For the purposes of assessment against Green Belt policy as set out in the development plan however it is accepted that the current visual amenity of the Green Belt at Wigg Island would be harmed. In our view the extent of that harm however is mitigated by the factors set out above.

iii) Summary of respect of Green Belt conflict

- 5.19 The evolution of the Mersey Gateway Project and the consideration of options key for achieving the second crossing have shown that there is no viable alternative location for achieving the crossing other than in the position as selected. There is therefore no alternative other than for a route alignment which crosses over the Wigg Island land which is designated as Green Belt.
- 5.20 PPG2 and development plan Green Belt policy contains no general prohibition of development in the Green Belt, providing instead that the grant of planning permission for inappropriate development may be justified only by very special circumstances which clearly outweigh harm. Having assessed the impact of the proposal on the Green Belt on Wigg Island it is concluded that:
1. there is harm by reason of inappropriateness;
 2. there is harm to the purposes of Green Belt, although the extent of this harm is limited; and
 3. there is harm to visual amenity, although the harm is to an extent mitigated by matters of siting, materials and design.
- 5.21 This harm will be considered later as part of the planning balance exercise which will inform a conclusion as to whether the harm to the Green Belt arising by virtue of inappropriateness and the other identified harm is outweighed by the benefits of the scheme and that cumulatively these amount to the necessary very special circumstances.

2. Conflict with greenspace designation (Policy GE6)

- 5.22 The Mersey Gateway Project results in the loss of designated greenspace at St Michael's Golf Course (to accommodate the main toll plaza infrastructure), and at Widnes Warth salt marsh (to accommodate bridge piers and construction areas). In addition there are a number of smaller areas within Area C (Freight Line to St Helens Canal), Area F (Bridgewater Junction) and Area G (Central Expressway) to accommodate road infrastructure. UDP policy GE6 states that development of greenspace will not be permitted unless it is ancillary to the enjoyment of the greenspace; exceptions are allowed where the development would fund improvements to the overall value of the greenspace, or make compensatory provision. The Project involves the loss of greenspace to a use which is not ancillary to enjoyment of greenspace, and makes no compensatory provision. On this basis a conflict arises with policy

GE6 and it is necessary therefore to review the scale of that conflict and the harm arising from it.

i) St. Michaels Golf Course

- 5.23 St Michaels Golf Course, a municipal 18 hole facility, is currently closed to any public access due to chronic ground contamination. The scope of this contamination is set out in the relevant chapter of the Environmental Statement. The course has been closed since 2004 and whilst there is an expressed desire to reinstate the use, there are no proposals nor funding identified for its remediation and reopening.
- 5.24 The Mersey Gateway Project would affect the greenspace in two ways:
- 1 Temporarily in that 7.72 ha would be utilised for construction compound/storage use. The loss would be for the construction period of approximately 40 months.
 2. Permanently, in that 2.4 ha would be lost to the development of the highway infrastructure and main toll plaza.
- 5.25 The temporary loss is of limited relevance in that the Project would restore much of the land to its open state after the close of construction. In addition, the whole golf course greenspace is currently closed to all public access with no timetable for its restoration; there is no suggestion that it is to be restored and open to the public before the end of the construction period. Limited harm would therefore arise.
- 5.26 The permanent loss of 2.4 ha would impact on the overall quantum of greenspace if and when the relevant remediation takes place. However, this loss is minor in the scale of this part of greenspace as a whole. More importantly, the loss would not prejudice the ability of the land to support a replacement, reconfigured 18 hole golf course at some future date.
- 5.27 On this basis the conflict with policy GE6 caused by the loss of land at St Michaels Golf Course is acknowledged but the harm is considered to be limited.

ii) Widnes Warth Salt Marsh

- 5.28 The loss of greenspace at Widnes Warth amounts to 0.14 ha within a wider area of land on the northern edge of the estuary. The loss is caused by the development of the supporting piers and, as with St. Michaels Golf Course above, it is acknowledged that the development is inappropriate within the greenspace, that no compensatory provision is proposed, and that as such a conflict with Policy GE6 arises. In addition there is a temporary loss of 6.23ha to allow for construction works.

5.29 The loss of land to the construction area is significant in size. However, it is temporary and as such the effect will be time limited and the land will be restored post construction. The land use assessment undertaken as part of the ES concludes that the impact is moderate. Some conflict with policy GE6 arises, albeit temporarily.

5.30 The land that would be lost permanently is clearly limited (0.14 ha) and would not constitute any form of precedent nor lead to any further loss of greenspace. The siting of the piers within the greenspace will not render the greenspace incapable of use, nor undermine its ongoing status as greenspace. In addition the planting and landscape proposals that will be brought forward will seek both to mitigate the effects of the physical works as well as providing enhancement to the greenspace as a whole. Whilst it is acknowledged therefore that a conflict with policy GE6 arises, the harm arising is considered to be minimal.

iii) Miscellaneous Greenspace Parcels

5.31 Three small greenspaces within Area C (Freight Line to St Helens Canal), Area F (Bridgewater Junction) and Area G (Central Expressway) will be permanently lost to the Project. Whilst the areas are designated as greenspaces, they are small fragments of land and their importance in the wider context is adjudged to be low within the ES appraisal. Nevertheless the loss of the space represents a conflict with greenspace policy and harm arises.

3) Conflict with potential greenspace designation (Policy GE7)

5.32 The Project works cross an area of land at Wigg Island which is identified as a proposed greenspace allocation. Policy GE7 of the UDP identifies the land, but does not go on to specify any development restraint. However, for the purposes of this assessment, it has been assumed that the policy approach as set out within Policy GE6 would be applied. Our conclusions on this basis are as follows:

1. The development within the proposed greenspace solely comprises the support pier structures. The loss of land is minimal;
2. The landscape proposals which will be brought forward to screen the built infrastructure will have a beneficial affect on the visual amenity of this space; a
3. The proposed development will not prejudice the ability of the space to function as greenspace if the potential designation is to be carried forward.

5.33 On this basis therefore whilst a conflict with the broad greenspace policies may arise the extent of this harm is considered to be minimal.

4) Conflict with Action Area designation

5.34 The Project alignment passes through four areas identified within UDP as Action Areas as follows:

1. Policy RG1 – Southern Widnes Action Areas
2. Policy RG2 – Central Widnes Action Areas
3. Policy RG3 – Widnes Waterfront – Action Area
4. Policy RG6 – Castlefields and Norton Priory Action Area

5.35 The land lost to the Project varies across the four areas. Each policy cites a list of those land uses which would be considered to be appropriate. In each instance the list does not include major infrastructure works such as the Project works. Given that the proposals are therefore not explicitly cited, it can be included that a policy conflict arises, to a greater or lesser extent, across each of the areas. Consideration of each is set out below.

Action Area 1 – Southern Widnes Action Area

5.36 The UDP policy RG1 describes the overall South Widnes area as being in need of investment in its social and physical environments, with particular need for investment in the housing stock, redevelopment of derelict and contaminated sites and improvement to the overall living and working environment. The Mersey Gateway Project cuts across the northern boundary of the area, resulting in the demolition of some existing industrial units, the removal of a scrap metal business and the take up of c. 31.5 ha of Action Area land in total much of it in business use at present.

5.37 The UDP identifies a range of land uses which are considered to be acceptable within the Action Area. The list does not include major transport infrastructure as an acceptable use, although there is no suggestion that the list is exhaustive nor that no other use will be acceptable. In assessing the acceptability of any use which is not included in the policy list therefore it would seem appropriate to undertake an assessment of that use against the wider policy aims, thus informing an assessment of acceptability. Having undertaken this exercise, it is our view that there are a number of material considerations as follows:

1. The direct land take is in the order of 31.5ha; however, the demolition of existing highway associated with the Widnes de-linking works will create 9.6ha of new land within the Action Area which is capable of being put to viable use, and which reduces the land task impact.

2. Rather than running across the middle of the Action Area, the route alignment and the land take runs along the northern boundary, thus leaving the bulk of the Action Area intact.
 3. The land which is to be taken by the line of Mersey Gateway Project will remove a large scrap metal dealership business. The use is a long-standing, but wholly inappropriate bad neighbour type use which has a significant detrimental effect on the immediate neighbourhood. Its removal as a result of the Project will be of direct environmental and social benefit to Southern Widnes.
 4. The Regeneration Strategy and the emerging Area Action Plan is focusing its attention on the Southern Widnes area. The Strategy and emerging plan will have full regard to the presence of the Mersey Gateway Project in the creation, and will seek to maximise the catalytic effect of the bridge.
 5. The landscape and public realm works which accompanying the application will deliver significant environmental improvements, and will seek to establish the area as an appropriate gateway to Widnes. This is key aspiration of the Action Area policy.
- 5.38 Each element will assist in the delivery of the wider policy aspirations and each document has the effect of mitigating impact on the Action Area designation. The harm to the policy aspiration is considered to be limited.

Action Area 2 – Central Widnes

- 5.39 As with Area 1, UDP policy RG2 identifies a series of land uses which are considered to be acceptable within the Area Action. Whilst no provision is made for transport infrastructure, the list is not exhaustive and there is no suggestion that other uses should not be allowed.
- 5.40 However, the land take caused by the Project is only in the order of 0.55ha on the southern boundary of the Action Area designation so as to allow for on/off slips at Ditton roundabout. The land take is minimal and there would be no effect at all on the ability of the wider Action Area to meet the policy aspirations. On this basis, it is our view that the extent of policy conflict is insignificant.

Action Area 3 – Widnes Waterfront

- 5.41 UPD policy Policy RG3 identifies that extent of the Widnes Waterfront Action Area and, as in RG1 and RG2, confirms the range of land uses that are considered to be appropriate within the Area. Transport infrastructure is not included within the list. However, the policy does

acknowledge the Mersey Gateway Project, stating that development should not prejudice the objective of securing a second Mersey crossing.

- 5.42 The land take caused by the Project is minor, amounting to c 1ha at the very western end of the Action Area designation. The land take is minimal and there would be no effect at all on the ability of the Action Area to meet policy aspirations. Given this, and the acknowledgment within the policy prioritising the Project, it is our view that the extent of any policy conflict is insignificant.

Action Area 6 – Castlefield and Northern Priory

- 5.43 UDP policy RG6 identifies a limited range of uses which are to be promoted within this Action Area. As with RG2, 3 and 4 however, the land take caused by the Project is minimal, amounting to 0.7 ha at its western boundary. There could be no effect on the ability to the Action Area to meet policy aspirations, and it is our view that the extent of any policy conflict is insignificant.

Summary of respect of Regeneration Action Area

- 5.44 Overall therefore the primary impact in respect of the Action Area designations is in respect of Policy RG1 and Southern Widnes; the impact on the other Action Areas is material but not significant. In respect of Southern Widnes however, it is acknowledged that the land take is significant; the effect is inevitable if the Project is to be delivered and the design of the works has sought to minimise any impact. The benefits delivered by the Project, in terms of environmental improvement and public realm upgrading, and the emerging Action Area Plan which seeks to capture the catalytic economic benefit of the works, all serve to deliver key elements of the policy and serve to mitigate the extent of policy conflict.

5. Conflict with air quality policy requirements (Policy PR1)

- 5.45 Policy EQ2 within RSS sets out a general aspiration to improve air quality in the region. Policy PR1 within the UDP develops this further, stating that development will not be permitted where it is likely to have an unacceptable effect on air quality, having regard to the effect on the amenity of the local environment; on public health; on air quality standards; on investment confidence. The policy requires that an air quality assessment is undertaken in respect of those developments which have the potential to pollute.

- 5.46 A full assessment of the effect of the Project works on air quality has been undertaken as part of the ES exercise. The assessment undertakes an assessment of the overall effect of the scheme and goes on to assess in detail where there are positive and negative effects arising.
- 5.47 In overall terms the study concludes that the 'do something' scenario (i.e. with the Project in place) is beneficial in that emissions for carbon and carbon dioxide are predicted to be lower than both the existing and do-minimum scenarios, along with further reductions in other key pollutants (NO_x, PM₁₀ and CO₂ emissions). By comparison in the 'do something' scenario (i.e. with the Project in 2015) the missions of NO_x, PM₁₀ and CO₂ are predicted to decrease, mainly due to the changes in traffic flow patterns not the improvement in journey times that are expected after the implementation of the Project works. CO₂ emissions are expected to reduce on the Weston-Point Expressway between the SJB and the Weston Link Junction as traffic flows on these roads are reduced as traffic is expected to use the new Bridge and the Central Expressway between Lodge Lane and Bridgewater Junction. There are also reduction in CO₂ emissions associated with the southbound carriageway of the M56 Motorway north of J12, and with flows on both directions on the M56 south of J12.
- 5.48 In overall terms therefore the scheme is clearly beneficial in terms of air quality. This would be in accord with the requirements of both RSS policy and the UDP provisions.
- 5.49 In terms of any individual negative impacts the ES appraisal concludes that the remaining, post mitigation impacts are all of low significance, involving low or extremely low magnitudes of increase in certain traffic related pollutants. This harm would not represent an 'unacceptable effect', which is the test set by policy PR2. On this basis it is concluded that no material conflict arises with the provisions of the development plan in respect of air quality.

6. Conflict with noise matters (Policy PR2)

- 5.50 Policy PR2 within the UDP states that development will not be permitted for any new noise source which is likely to increase ambient noise levels, particularly in respect of residential or other noise sensitive uses.
- 5.51 A full noise assessment of the Project works has been undertaken as part of the ES exercise, examining both baseline and future conditions in a 'do minimum' and 'do something' scenario. The assessment shows that there are positives and negatives, with a reduction in noise levels in certain locations (primarily around SJB) along with increases elsewhere (mainly adjacent to Central Expressway).

5.52 To understand this overall effect the assessment has undertaken an appraisal of the numbers of people affected by noise in both a 'do minimum' and 'do something' scenario. The parameters of being bothered are set having regard to noise levels and the assessment concludes as follows:

1. In the 'do minimum' scenario, there is expected to be an 8% increase in those bothered by noise in 2015, rising to 13% in 2030. This is due to natural growth in traffic levels.
2. In the 'do something' scenario i.e. with the Project there is a reduction in the number of people bothered in 2015 and 4.5% in 2030.

5.53 This beneficial situation comes about due to the decrease in traffic on SJB which currently causes high noise levels to nearby dwellings. This decrease around SJB offsets the lower increase in noise that is caused to dwellings elsewhere, mainly on Central Expressway. When taken overall therefore, the scheme is beneficial in terms of noise impact.

5.54 The UDP policy test set by PR2, requires an assessment of specific harm to be undertaken. On this basis the assessment within the ES goes on to assess post mitigation residential effects and concludes as follows:

1. That there will be some low to moderate negative effects arising out of the construction phase and affecting residential areas at Central Expressway, Halton Brow and Western Link, and open space at Wigg Island. The effect is however temporary for the duration of the construction period and its harm to policy aspirations is therefore limited.
2. That there will be some low negative impacts arising out of the operational phase and affecting residential areas of Bridgewater Junction, Central Expressway, Lodge Lane, Halton Brow and Western Link.
3. That there will be a high negative impact on Wigg Island.

5.55 The latter two points therefore represent specific impacts arising out of the proposal. The policy test however seeks to resist 'significant increases' in noise levels; having regard to the ES assessment it is considered that, with the exception of Wigg Island, the low to moderate negative effects are not considered to represent 'significant increases' in noise levels and as such no conflict with the policy test would arise.

5.56 The conflict with the provisions of development plan policy in respect of noise is mainly limited to the effect of operational traffic noise on Wigg Island. This harm is significant, but limited in scope; when set against the overall reduction in terms of the total number of people likely to

be affected by road traffic noise from the road operation, then it is possible to conclude that the overall conflict with policy is limited.

7. Conflict with Heritage policies

5.57 The alignment of the Mersey Gateway Project has the potential to affect a broad range of heritage receptors. RSS policy provides an overarching policy requirement protection the character and setting of such receptors whilst the UDP at policy BE4 to BE15 articulates the need to protect schedule monuments, sites archaeological importance, and the character and setting of listed buildings, Conservation Areas and structures of local architectural and historic interest.

5.58 The appraisal exercise undertaken as part of the ES incorporates a detailed assessment of the impact of the Project on each of the identified receptors. With regard to the two key listed structures of SJB and the Railway Bridge the assessment finds as follows:

- That in respect of the Railway Bridge the effect on the setting is negative but one that is indirect and of low magnitude and that once there has been a maturation of the improvements in landscape quality, then the residual impact is considered to be not significant.
- That in respect of SJB the effect on the setting is considered to be negative but one that is indirect and of low magnitude; the conclusion is that the effect is not significant.

5.59 In respect of SJB the assessment goes on to conclude that the reduction in capacity on the bridge, the increased accessibility to the bridge and a return to the functionality intended in the original design would all have a positive long term effect.

5.60 In respect of other identified receptors the exercise shows that the post mitigation residual effects which would potentially conflict:

- | | | |
|----|-------------------------------|--|
| 1. | Church of All Saints - | The project has a negative effect on the setting of a listed building, due to a degree of intervisibility. |
| 2. | Church of St Mary - | Project has a low negative effect on the setting of a listed building due to a degree of intervisibility. |
| 3. | West Bank Conservation Area - | Project has a low negative effects on the |

setting of a Conservation Area due to being outside of but visible from the Area boundary.

- 5.61 None of the effects identified are direct, but rather on the broad setting. The ES appraisal exercise concludes that the combination of distance, existing landscape detractors and urban development restricting perception of the new bridge has a detrimental but not overwhelming intrusive effect, justifying the summary conclusion that the significance of the negative effect is low.
- 5.62 All other effects are concluded to be not significant post mitigation, which include landscape provision, the provision of archaeological watching briefs etc.
- 5.63 On this basis therefore whilst harm would arise to the development plan policies which seek to maintain the setting of listed buildings and Conservation Areas, the extent of that harm is minimal.

Summary

- 5.64 Having regard to the above it is evident that in respect of the **overall** Project works, harm to development plan policy issues as follows:
- | | | |
|----|------------------------------|--|
| 1. | Green Belt policy | i. Harm by way of inappropriateness.
ii. Harm to Green Belt purposes.
iii. Harm to visual amenity. |
| 2. | Designated Greenspace policy | i. Limited harm to greenspace at St Michaels Golf Course
ii. Minimal harm to greenspace at Widnes Warth
iii. Limited harm to three miscellaneous areas through the scheme. |
| 3. | Proposed Greenspace | i. Minimal harm to proposed greensapce at Wigg Island. |

- | | | |
|----|---|--|
| 4. | Conflict with Action Area designation | i. Limited harm to South Widnes Action Area.

ii. Minimal harm to Central Widnes, Widnes Waterfront and Castlefield and North Priory. |
| 5. | Conflict with air quality policy requirements | i. Specific negative impacts identified but improvement in overall air quality demonstrated and thus no harm when assessed against policy. |
| 6. | Conflict with noise policy | i. Overall reduction in noise impact therefore general compliance with policy. Specific harm arises in respect of Wigg Island but overall effect is limited. |
| 7. | Conflict with heritage policies | i. Minimal harm to the setting of two listed buildings and one Conservation Area. |

5.65 However in respect of the ‘**remote**’ highway works which are the subject of the planning and listed building applications the extent of the conflict with development plan policy is significantly reduced in that:

1. The remote highway works do not affect Green Belt land.
2. The remote highway works do not affect any significant existing or proposed greenspace.
3. The remote highway works do not affect any Action Area designation.
4. The remote highway works incorporate air and noise quality positives (in relation to SJB) and negatives (in relation to Central Expressway). However, benefit from the overall project remains positive.
5. The remote highway works do not raise any heritage policy conflict.

- 5.66 In respect of the remote works therefore it is possible to conclude that the scale of conflict against development plan policy is minimal.
- 5.67 This identified conflict and associated assessment of harm in respect of both the overall Project and the specific remote highway works is taken forward into the overall planning judgement exercise conducted at Section 9 of this report.

6. LISTED BUILDING CONSIDERATIONS

- 6.1 The Project works include alterations to the road surface of the Silver Jubilee Bridge (SJB) so as to reduce the traffic lanes from four to two, thus generating space to provide vastly improved pedestrian footway and cycle lane facilities.
- 6.2 The detail of the proposed works comprises the following:
1. The removal of the top layer of the existing road surfacing through a mechanical planing process.
 2. The provision of new deck surfacing and waterproofing
 3. New kerblines
 4. Separate surfacing of the new footway and cycle path
 5. New road marking and signage to reflect the realigned layouts
 6. Works to close off the existing, cantilevered footway running along the eastern edge of the SJB.
 7. Additional elements of the proposal include the minor works to the existing A533 carriageway extending north and south of SJB.
- 6.3 The overall Project works also include the provision of tolling booths in a position c. 250 m to the north of SJB so as to allow for tolling to be applied to the existing and new bridge options. This element of built development lies outside of the curtilage of the listed structure and is not included as part of the listed building application.
- 6.4 SJB is a listed building (Grade 2) and the Project team have had full regard to the legislative provisions as set out within the relevant Act and policy guidance as provided within PPG15. In the light of this policy and guidance the approach adopted is that:
1. Listed building control applies to works which affect the character of a building as one of special architectural or historic interest.
 2. The proposed works, whilst minor, could be considered to affect its character as a building of special architectural or historic interest.

- 6.5 Whilst the proposed changes to SJB are minor, we have taken the view that the works go beyond those required for repair on this basis an application for listed building consent in respect of the proposed works is submitted for consideration.
- 6.6 The policy framework sets out a statutory requirement that special regard should be had to the desirability of preserving any listed building or its setting, or any features of special architectural or historic interest which it possesses. This position is identified within PPG15 as the 'prime consideration' for authorities in determining an application for consent.
- 6.7 PPG15 goes on at paragraph 3.5 to set out four issues that are considered to be generally relevant to the consideration of all listed building consent applications. These comprise:
1. The importance of the building, its intrinsic architectural and historic interest and rarity;
 2. The particular physical features of the building;
 3. The buildings' setting and its contribution to the local scene; and
 4. The extent to which the proposed works would bring substantial benefit for the community, in particular by contributing to the economic regeneration of the area or the enhancement of the environment.
- 6.8 These criteria provide an appropriate structure against which to assess the Project proposals for SJB and to enable a conclusion to be drawn on their appropriateness. This exercise is undertaken below.

1. The importance of the building and its architectural/historic merit

- 6.9 The SJB is a unique structure with significant intrinsic merit. It is a single steel latticework structure; its arch rises to 86m above sea level and with a span of 330m is the largest of its type in the UK. It is a landmark feature which has come to be associated with the towns of Runcorn and Widnes and the wider region. The importance of the building is acknowledged.
- 6.10 The works proposed as part of the Project do not affect any of the main elements of the bridge structure but simply reassign areas of the vehicle carriageway so as to provide for pedestrians and cyclists. The appraisal exercise undertaken as part of the Environmental Statement concludes that the works will have no detrimental effect on the fabric of the structure and that the works are of no significance in listed building terms. The importance of the bridge as a building and a landmark feature, and the intrinsic architectural features that support that role and that underpin the listing designation, will not be affected by the works.

2. The particular physical features of the building

- 6.11 The only physical change to SJB is in respect of the carriageway and the closing off of the existing walkways by gates. The current arrangement is that the whole deck is given over to 4 traffic lanes alongside an exposed cantilevered and little-used public walkway. The works will reconfigure the carriageway as set out above, reducing the provision for vehicles and introducing pedestrian and cycling facilities. The existing pedestrian facility would be closed off but would remain in situ.
- 6.12 The amendments to the carriageway require the provision of a new kerbline between the highway and the pedestrian/cycling area, along with new road markings. There is no further physical separation nor fencing proposed and as such the whole bridge deck will remain as an open area. No other work is proposed as part of the Project.
- 6.13 It should also be noted that on completion of the new bridge and the accompanying works on SJB, the volume of traffic carried by SJB will be reduced by c.80%. This will be of direct benefit to the physical structure itself given that the existing level vehicular use is generating an accelerated rate of physical decline and raising the need for frequent repairs. The reduction in traffic will be a significant direct benefit of the physical longevity of the structure. In assessing the benefits of these changes the assessment undertaken as part of the ES concludes that the magnitude of the impact is moderate positive in its effect on the listed structure.
- 6.14 On this basis therefore there will be no detrimental impact on any particular physical feature of the building and indeed there is scope for positive benefit to arise.

3. The building setting and its contribution to the local scene

- 6.15 As set out above the Project works will have no material effect on how the SJB looks or its contribution to the wider setting. The structure will continue to fulfil the landmark function alongside the complimentary role of the new bridge.
- 6.16 In addition, the proposed works to SJB will have no detrimental effect on the wider setting of the bridge. Similarly the proposed works will have no effect on the relationship of SJB adjacent to the Aethelfleda Railway Bridge, nor will they have any effect on the setting of the Railway Bridge itself. Both structures will continue to contribute unchanged to their local context.

4. The extent to which the proposed works would deliver community benefit, via economic regeneration or environmental enhancement.

6.17 It is in respect of this 'benefit' criteria that the proposed works can be considered to be directly positive. The community benefit that arise comprise the following:

1. The works will provide the opportunity for safe pedestrian and cycling movement between Runcorn and Widnes, allowing for better physical and social integration and widening the transport choice.
2. The reduction in traffic flows will allow for an enhanced level of public transport provision between Runcorn and Widnes, allowing for greater frequency and more reliable timetabling.
3. The proposed works, alongside the provision of the new bridge, will not only improve traffic conditions both between the two towns but will also address the associated congestion caused within the towns whenever traffic issues arise on SJB.

6.18 Each of these benefits will be of direct benefit to the wider aim of delivering economic regeneration and accompanying environmental enhancement. Therefore in this respect the proposed works will be of direct positive benefit.

Summary

6.19 Policy guidance within PPG15 advises that listed buildings are able to sustain some degree of sensitive alteration to accommodate continuing or new uses. The works proposed to SJB are clearly limited in scope and will merely seek to better accommodate the existing use. They are sensitive to the existing building and will have no material effect on existing character, setting or its ongoing contribution to the local scene. Therefore in this respect the works meet the prime policy test of preserving the listed building, its setting and its features.

6.20 However the works also deliver a significant community benefit in the form of enhanced opportunities for pedestrian and cycling links between Runcorn and Widnes. These new opportunities and the accompanying contribution to economic regeneration and environmental enhancement represent a significant benefit which is material to the consideration of the application for listed building consent for the works proposed.

7. PLANNING BENEFITS

7.1 A key consideration in the planning judgement is an understanding of the material benefits that are delivered by the Mersey Gateway Project and which need to be assessed in the overall balance. Having regard to the Project as a whole the main benefits can be summarised as follows:

1. Transportation related benefits, including the primary benefit of addressing the congestion constraint presented by SJB, achieving network resilience and the development of an integrated transport network for Halton.
2. Regeneration related benefits, including the direct and indirect employment benefits, the benefits to local and wider regional economic performance, and the physical regeneration benefits for southern Widnes in particular.
3. Social related benefits, including the benefits to the local economy, the direct benefit to the more disadvantaged wards within the Borough and the general benefits of better integration between the towns of Widnes and Runcorn.

7.2 Each is set out in further detail below.

Transportation benefits

7.3 The primary aim of the Project works, as set out within UDP policy, is to relieve severe congestion on the Silver Jubilee Bridge which is considered to be a constraint on the economic development of the region and severely restricts the development of an integrated transport strategy for Halton. The Silver Jubilee Bridge represents the only opportunity for traffic to cross the Mersey between Liverpool and Warrington and it represents a key link in the local and regional transport network.

7.4 In the absence of any intervention, the constraints presented by SJB can only get worse. There is no scope to increase capacity on the bridge given the constraints presented by the structure and its listed status. The physical fabric of the bridge is deteriorating with age and the maintenance requirements are increasing year on year. Given the lack of alternative routing and any spare carriageway capacity any maintenance requirement or closure has an immediate knock on effect in terms of traffic congestion. The bridge represents the weakest link in the highway network and significantly undermines the resilience of the network and its ability to meet transportation requirements.

- 7.5 In addition there is no opportunity within the constraints presented by SJB to make any improved provision for pedestrians, cyclists or public transport. There is therefore no opportunity to advance the policy aspiration of an integrated local transport system.
- 7.6 On this basis therefore the transportation based benefits of providing a second river crossing in the form of the Mersey Gateway project are wide ranging:
1. The proposal will deliver high capacity dual carriageway river crossing, compliant with current standards and linking directly into the primary highway network. As set out in the accompanying transport study the proposal will deliver direct and measurable benefits in terms of journey times for all journeys which is considered to be a key Government target.
 2. The proposal will remove a congestion bottleneck on a key regional transport link; it will deliver network resilience and allow for more efficient network performance both for Widnes, Runcorn and to the wider regions.
 3. The proposal will allow for the delinking of SJB and its reconfiguration to fulfil a role focussed on providing for local cross river traffic, pedestrians, cyclists and public transport. Facilities will be improved with dedicated provision for cyclists and pedestrians along with the opportunity for enhanced level of public transport service, with greater certainty on journey times and opportunity for greater service frequency. This will make a significant contribution to the development of a more integrated transport solution for Halton.

Regeneration Benefits

- 7.7 The development of the Mersey Gateway Project has the ability to deliver a range of direct this and indirect regeneration benefits both within Halton and across the region. The range of this regeneration benefit is economic (in terms of regeneration and performance) and social as set out below.
1. **Economic Regeneration Benefits**
- 7.8 The economic benefits arising from the project can be summarised as follows:
- i. The direct employment generation that will emerge out of the Project during the construction phase;
 - ii. The direct employment generation that will emerge out of the operational phase;

- iii. The wider employment provision that will be generated by the role of the bridge as a catalyst for local regeneration the areas of West Bank, South Widnes, Runcorn Halton Lea, Astmoor, Rocksavage and Clifton.
- iv. The ongoing preparation of the Regeneration Strategy and the emerging Area Action plan provides the policy and spatial framework to maximise the potential to capture this locally arising benefit. The benefit has the ability to focus on these words identified as being in particular need of economic regeneration.
- v. The wider benefits to attracting national and regional inward investment, enabling the region to improve its offer as a key business location for regionally significant investment. The removal of a key infrastructure constraint and its replacement with an iconic structure can only be beneficial in the locational investment decisions.

2. Economic Performance Benefits

7.9 The benefits to economic performance include:

- i. Enhanced business efficiency, reducing transport and overall business costs resulting in efficiency gains and potential increases in Gross Value Added;
- ii. Business investment and innovation – supporting higher rates of investment and delivering economies of scale. Proposed projects, such as the 3MG Mersey Multimodal Gateway, would provide an integrated hub in worldwide logistics and would benefit from being immediately adjacent to the bridge;
- iii. Development of clusters/agglomeration resulting in agglomeration benefits from increased proximity to similar and complementary businesses and to larger labour markets. The Project has the potential increase the effective density within the Liverpool City Region;
- iv. Enhancing the operation of the labour market through real and perceived accessibility improvements;
- v. Improving competition by facilitating access to suppliers and customers;
- vi. Enhancing access to three major gateways – Liverpool John Lennon Airport, the Port of Liverpool and the Port of Garston with the knock benefit in respect of domestic and international trade.
- vii. Increasing the attractiveness of locations, such as Speke to globally mobile investment.

- 7.10 Each of the above would represent an indirect but materially significant benefit of the Project works.

3. Physical Regeneration Benefits

- 7.11 The Project works will deliver physical regeneration benefits at two levels as follows:

- i) in terms of the new public realm planting and landscape provision which will be delivered as part of the Project works. Whilst this is primarily generated to mitigate the effects of the Project works, the effect will be to the wider local environmental benefit.
- ii) as a catalyst to the spatial and public realm works set out within the Regeneration Strategy and the emerging Area Action Plan for Southern Widnes, the detail of which is set out at Section 5 above.

Each will deliver focussed enhancements to areas identified as being in particular need of physical enhancement; a key aim of the Southern Widnes Action Area identified at Policy RG1 is for the regeneration initiative to deliver an improvement to the overall living and working environment.

Social Benefits

- 7.12 The Mersey Gateway Project has the ability to deliver direct social benefits to the people of Halton, ranging from increased employment opportunities, to health benefits. The key headline social benefits arising from the Project are as follows:

1. During construction, economic and employment benefits are likely to result from a number of sources including expenditure within the accommodation, food and drink and leisure and recreational service industries, and thus deliver associated economic benefits to Halton's economy;
2. The delivery of enhanced public transport provision across the SJB will provide the opportunity for more frequent and reliable cross-river access between Runcorn and Widnes, and at a sub-regional and regional scale to a broad range of employment opportunities and key services including educational institutions (i.e. further education) and health facilities. In particular, this will directly benefit the most deprived social groups who do not currently have access to a private car;
3. Improved communication and accessibility will encourage existing businesses to expand, and encourage inward investment delivering new jobs and generating

increased wealth. The economic uplift which will arise as a direct result of the Project will contribute towards addressing problems of social inclusion within the most deprived Lower Super Output Areas within the Borough;

4. Improved pedestrian and cycling facilities across the SJB have the potential to increase the number of pedestrian and cycle trips across the river, generating direct health benefits primarily to those areas with high health deprivation levels. Individuals are more likely to choose crossing the River via the footpath and cycleway on the SJB as opposed to paying the tolls, which will result indirectly in health benefits to individuals within Halton;
5. Additional health benefits will arise through the increased use of non-car travel, including a reduction in localised carbon emissions and noise pollution. It is likely that the number of individuals using improved pedestrian and cycling facilities across the SJB will increase as a result of the implementation of toll charges on both the New Bridge and the SJB.

8. SUMMARY AGAINST GENERAL DEVELOPMENT PLAN POLICY

8.1 It is evident from the policy appraisal undertaken at section 4 that aside from specific policies which support the Mersey gateway Project, and those policies where a conflict arises that has been considered above, there is a range of policies which are of general relevance and with which the Project is also in general accord. Assessment against these policies has been undertaken as part of the ES exercise and the findings are summarised on a topic basis below.

i) Surface water quality

8.2 The ES appraisal concludes that the Mersey Gateway Project will have no major effects upon surface water quality of the watercourses within the defined study area. Mitigation measures have been identified which address any potential impacts which may arise and no significant residual impacts have been identified.

8.3 On this basis the proposal is in accord with general policy within RSS and the specific provisions of UDP Policy PR5.

ii) Contamination

8.4 The ES appraisal acknowledges that the Project has the potential to cause contamination effects during construction and operation, including water and ground contamination. The appraisal also identifies that the project works may also have an impact upon human health, in particular site visitors, workers and local residents. It is recognised that remediation will be required as part of the works to mitigate risks identified within the proposed alignment of the Mersey Gateway Project will be required, and identifies the appropriate measures; the appraisal concludes that, post mitigation, no material harm arises. On this basis the proposal is in accord with the provisions of RSS and UDP Policy PR14.

iii) Groundwater

8.5 The ES assessment identifies that the Mersey Gateway Project will have a negative impact upon areas of groundwater within Widnes and Runcorn during construction and operation, principally comprising shallow groundwater at risk of contamination by migration and on-site

contaminants. This is identified as representing a temporary high-risk to groundwater sources within Runcorn and Widnes but is capable of mitigation. The appraisal concludes that no material harm arises. On this basis the proposal is in accord with the revisions of RSS and UDP policy PR15.

iv) Hydrodynamics

- 8.6 The ES assessment demonstrates A variety of different methods have been used to identify predicted changes for the construction and operation of the New Bridge. The results showed that the impact of the New Bridge was not significant compared with the naturally occurring rate of change within the Study Area. The evidence gathered as a result of the range of modelling and investigations carried out confirms that there is no impact on the dynamics of the Estuary.

v) Navigation

- 8.7 The ES assessment shows that there will be no significant impacts upon users of the Mersey Estuary and other watercourses both during construction and operation.

vi) Terrestrial and Avian Ecology

- 8.8 The ES assessment shows that the construction and operational phases will have only minor effects on biodiversity. Protected species, namely bats, Great Crested Newts and Water Voles will be largely or entirely unaffected. The low effects on the St. Helens Canal and the Manchester Ship Canal Bank LWSs can be reduced or mitigated, with off-site compensation if necessary.
- 8.9 The conclusion drawn is that construction and use of the Project, given appropriate mitigation which is feasible, will cause no significant harm to biodiversity or to the habitat and wild bird importance of the nationally and internationally important Middle Mersey Estuary.
- 8.10 Some wildfowl and waders fly beneath the bridges and very large numbers of gulls fly over the existing bridges or pass the bridges on either side of the Runcorn Gap. However, there is no evidence that the Project, during construction or thereafter, will interfere with bird movements between the Middle Estuary and the Upper Mersey Estuary because such movements, with the exception of gulls, are extremely small and insignificant.

vii) Aquatic Ecology

- 8.11 It was considered that during construction the main factor which would be likely to have an adverse impact on aquatic organisms was underwater noise generated by pile driving. A number of fish species could be affected by the generation of noise and for those in the immediate vicinity of the piling, mortality is a possibility. Effective mitigation measures proposed would be to constantly monitor noise levels during construction, to select appropriate building materials/techniques to minimise noise levels and to provide 'noise free' windows for fish migration.
- 8.12 As the overall impact on macroinvertebrate populations of the Upper Mersey Estuary is likely to be negligible, there is expected to be a negligible reduction in prey availability for internationally important bird populations within the SPA, Ramsar and SSSI downstream of the New Bridge site.
- 8.13 Further monitoring is recommended pre, during and post construction to ensure that the aquatic ecology of the Upper Mersey Estuary can be assessed at all stages of the development. If there are any impacts due to the development, this will increase the likelihood that they will be detected rapidly and further mitigation measures can then be considered in a timely manner.
- 8.14 In conclusion, and in terms of impacts on aquatic ecology - after mitigation the assessment concludes that the project will have:
1. no environmental effect with a significance above Low Significance.
 2. no adverse impact on the integrity of the Mersey Estuary SSSI, SPA or Ramsar Site
- 8.15 On this basis it is possible to conclude that the proposal is in accordance with the provisions of both national guidance and the development plan.

viii) Transportation

- 8.16 The project provides additional capacity in the highway network; the potential exists for this addition provision to encourage a greater number of car based journeys with drivers choosing to use the route where previously they would not have done so. This potential encouragement to private car journeys would be contrary to the main thrust of transportation policy as expressed in national and development plan policy.
- 8.17 The Transportation assessment and the associated network modelling exercise undertaken as part of the ES assess the likely future use of the new bridge and the wider transportation

benefits enabling a conclusion to be drawn in respect of transport policy. The assessment finds as follows:

- That the effect of the new bridge will be effective at a primarily local level, with little reassignment of traffic or effect on the other river crossing options in the region.
- The main effect is a reassignment of capacity from JJB to the new bridge, but with the tolling regime providing effective management.
- The tolling regime has the effect of dampening any induced traffic; the project is not providing capacity for suppressed demand.

8.18 The modelling exercise goes on to find that the benefits flowing out of the scheme proposals are higher average speeds, generally shorter distances between key destinations (e.g. M56/M62 junctions) and time savings across all journeys. In terms of meeting the concerns in respect of congestion presented by SJB, the assessment finds that there are no significant disbenefits.

8.19 As well as providing for no material encouragement to additional car use, the project will also meet the policy objectives (as set out in Policy T3) in respect of investment in the regionally significant highway network and the prioritisation of effective transport management.

8.20 The modelling exercise shows that up to 80% of traffic currently using Silver Jubilee Bridge will transfer to the new bridge on opening. This enables the reconfiguration of the SJB carriageway to provide for a reduced highway capacity so as to cater for local traffic and public transport whilst also making dedicated provision for pedestrians and cyclists. In line with a key policy theme as contained with national policy guidance and the development plan. In particular, it will directly assist in delivering the integrated transport solution to travel within and between the towns of Halton Borough which is cited within policy S14 as a key aim of the second crossing proposals.

9. PLANNING JUDGEMENT AND CONCLUSION

9.1 As set out at Section 6 of this report, any assessment of the planning acceptability of the Mersey Gateway Project needs to have regard to:

1. the extent of development plan support
2. the extent of any conflict with the development plan
3. the extent of any planning benefit

9.2 This statement has undertaken this exercise in detail, assessing each of the individual elements and thus providing the basis for a planning judgement to be taken. The outcome of this exercise is as set out below:

1. The Project as a whole derives direct support from the development plan; RSS policy T10 identifies the second crossing of the Mersey as a regionally significant transport project whilst UDP Policy S14 directly promotes a second crossing of the Mersey east of SJB.
2. The Project as a whole conflicts with some of the more general elements of the development plan. Whilst this is inevitable given the scale of the project, an assessment of conflict and harm has been undertaken which concludes as follows:
 - i) that in respect of Green Belt policy
 - there is harm by reason of inappropriateness
 - there is limited harm to the objectives of Green Belt
 - there is harm to the visual amenity of the Green Belt
 - ii) that in respect of designated greenspace there is primary conflict in relation to the loss of land at St Michaels Golf Course. This is however mitigated given the contaminated nature of the land, its current closure to the general public and the ability of it to resume its role as a golf course should the remediation take place. On this basis the harm to the aims of the policy is considered to be limited. Conflict with greenspace designations at Widnes Warth and at three miscellaneous locations along the route is considered to be limited.
 - iii) that a conflict with the proposed designation of greenspace at Wigg Island arises. The harm to the policy aspirations however is minimal.

- iv) that a conflict with the appropriate local uses within the Southern Widnes Action Area (RG1) arises. The extent of the harm however is considered to be limited. In respect of the other Action Areas affected (RG2, RG3 and RG6) the harm is minimal
- v) that a conflict with noise policy requirements arise particularly in respect of the effect at Wigg Island. The impact at Wigg island is harmful but the overall effect on policy is limited.
- vi) that a conflict with cultural heritage policy requirements arises, however the harm identified to the setting of two listed buildings and one conservation area is considered to be minimal.

- 3. The Project as a whole delivers significant transportation, regeneration and social benefits. These are set out in full at Section 7 and will be of direct relevance to Halton and the wider region.

9.3 It is our conclusion therefore that the Mersey Gateway Project is in accordance with the development plan. However, this does not set aside the policy conflicts arising, particularly in respect of Green Belt policy given that the proposal is inappropriate development for which very special circumstances must be demonstrated. However, having balanced the benefits arising out of the Project against the harm to Green Belt and the other policy conflict identified above, it is our conclusion that the benefits do clearly outweigh the harm to Green Belt and other harm and that they do constitute very special circumstances.

9.4 On this basis we would conclude that there are no material considerations of sufficient weight to determine other than in accordance with the primary policies as set out within the development plan. A grant of planning permission for the whole scope of works proposed by the Mersey Gateway Project would therefore be appropriate. It follows in respect of the remote highway works that, given the development plan support, the minimal policy conflict and their contribution to the wider benefit, a grant of permission for works proposed by the two planning applications and the application for listed building consent would be appropriate.