

**Statement of Common Ground**  
**Town & Country Planning Act 1990**

**APPEAL**  
**ON BEHALF OF**  
**SATNAM MILLENNIUM LIMITED**

**IN RESPECT OF**  
**Land at Peel Hall, Warrington**

**RE-OPENED PUBLIC INQUIRY September 2020**

**PLANNING INSPECTORATE REF:**  
**APP/M0655/W/17/3178530**

**LOCAL AUTHORITY PLANNING APPLICATION REFERENCE: 2016/28493**

**Date: 11<sup>th</sup> August 2020**

## 1 Introduction

- 1.1 This Statement of Common Ground has been prepared jointly by Miller Goodall Ltd (acting on behalf of Satnam Millenium Ltd (the 'Appellant')) and the Local Planning Authority, Warrington Borough Council (the 'Council').
- 1.2 This Statement of Common Ground relates to appeal referenced APP/M0655/W/17/3178530 against the refusal by the Council to grant outline planning permission for Outline application for a new residential neighbourhood including C2 and C3 uses; local centre including food store up to 2000m<sup>2</sup>, A1-A5 (inclusive) and D1 use class units of up to 600m<sup>2</sup> total (with no single unit of more than 200m<sup>2</sup>) and family restaurant/ pub of up to 800m<sup>2</sup> (A3/A4 use); site for primary school; open space including sports pitches with ancillary facilities; means of access and supporting infrastructure at Peel Hall, Warrington.
- 1.3 This Statement of Common Ground sets out the agreed matters of fact and positions between the Appellant and the Council in relation to matters concerning air quality. It covers:
- The impacts of dust arising during construction works;
  - The potential for changes in traffic flows on the local road network to affect human exposure.

## 2. Relevant Background Documents

1. Miller Goodall Ltd's Chapter 12 of Volume 8 of Addendum 2 to the Environmental Statement (the ES) and supporting documents in Volume 9 of Addendum 2.
2. HMSO, (2010) Air Quality Standards Regulations 2010
3. Ministry of Housing, Communities and Local Government (MHCLG), (February 2019) National Planning Policy Framework
4. DCLG, (Updated 1 November 2019) Planning Practice Guidance – Air Quality see: <https://www.gov.uk/guidance/air-quality--3>
5. WBC (2014) Local Core Strategy Document 2014
6. WBC (February 2018) Air Quality Action Plan 2017-2022
7. WBC (May 2013), Supplementary Planning Document
8. Defra, (2018) Local Air Quality Management Technical Guidance TG(16)
9. Defra (2019) online support tool Background pollution concentrations see: <http://laqm.defra.gov.uk/review-and-assessment/tools/background-maps.html>
10. Defra online tool Air Quality Management Areas interactive map see: <https://uk-air.defra.gov.uk/aqma/maps>
11. Defra NO<sub>x</sub> to NO<sub>2</sub> Calculator <https://laqm.defra.gov.uk/review-and-assessment/tools/background-maps.html#NOxNO2calc>
12. IAQM, (2014) Assessment of Dust from Demolition and Construction
13. IAQM, (January 2017) Land Use Planning and Development Control: Planning for Air Quality

14. WBC (September 2019) 2019 Air Quality Annual Status Report
15. WBC Diffusion Tube Monitoring Results Spreadsheet
16. Aecom (October 2018) Warrington Borough Council Local Plan Air Quality Modelling Executive Summary and Technical Report Core Document LP44

### **3. Areas of Agreement**

#### **3.1 The Appellant and the LPA are agreed that;**

1. The majority of Warrington has good air quality and meets national air quality objectives which have been derived by Government based on medical and scientific evidence of how each pollutant affects human health;
2. There are locations within Warrington's area where the annual mean objective for NO<sub>2</sub> is not met but these areas are close to major roads;
3. There are no identified areas within the Warrington area where short -term (i.e. daily, hourly, or 15-min means) air quality objectives are exceeded;
4. AECOM was appointed by WBC to produce a borough-wide air quality assessment of concentrations of NO<sub>2</sub> emissions from the local transport network, to support further evaluation of the growth options in the draft Local Plan Preferred Development Option. The Peel Hall site was included in this study. The study concluded that NO<sub>2</sub> levels are expected to improve, largely due to the increased uptake in low emission vehicles;
5. Appropriate legislation, policy and guidance has been considered within the air quality assessment detailed in Chapter 12 of Volume 8 of Addendum 2 to the ES for the appeal site;
6. The methodology used in undertaking the air quality assessment detailed in Chapter 12 of Volume 8 of Addendum 2 to the ES, and the air quality appendices within Volume 9 of Addendum 2 is appropriate;
7. The baseline air quality data used within the assessment in Chapter 12 of Volume 8 of Addendum 2 to the ES and detailed in Appendix 12.2 of Volume 9 of Addendum 2 are appropriate;
8. The air quality dispersion model, including the inputs, its verification and calibration, described in Chapter 12 of Volume 8 of Addendum 2 to the ES and Appendix 12.4 of Volume 9 of Addendum 2, the results of which have been used within the assessment is appropriate ;
9. The receptor locations selected within the air quality assessment, detailed in Chapter 12 of Volume 8 of Addendum 2 to the ES and Figure 12.4 of Volume 9 of Addendum 2, are appropriate
10. The significance of the impacts of the development on local air quality as set out in Chapter 12 of Volume 8 of Addendum 2 to the ES has been judged properly and in accordance with guidance issued by the Institute of Air Quality Management;
11. The impact of the development on local air quality will not be significant;

12. The appeal site has good air quality except for the area within 30m of the M62 motorway where for some locations there may be a risk of exceeding the nitrogen dioxide annual mean objective limit but there are no new dwellings proposed within this area of land; and
13. Dust impacts from construction works can be mitigated by appropriate controls within an agreed Construction Environmental Management Plan

3.2 In summary, we are agreed that there are no air quality reasons why the development should be refused planning permission subject to the following planning conditions:

1. No residential development shall be built within 30m of the edge of the M62 motorway.  
Reason: to protect future occupiers against the risk of poor air quality; and
2. A Construction Environmental Management Plan shall be submitted for approval to mitigate and prevent dust nuisance from construction works.

**4. Areas of Disagreement**

4.1 There are no substantive areas of disagreement.

**5. Signatures**



Name Lesley Goodall

Date 11<sup>th</sup> August 2020

Position Director

Party MillerGoodall Ltd



Name: Richard Moore

Date: 11<sup>th</sup> August 2020

Position: Environmental Protection Officer

Party: Warrington Borough Council