

Report of: CHIEF PLANNING OFFICER Derek McKenzie

Report to: PLANNING COMMITTEE **Date of Meeting:** 24 July 2024

Subject: [DC/2024/00306](#)
[Former Gasworks, Litherland Road, Bootle L20 3JE](#)

Proposal: Approval of details reserved by Conditions 11, 12 and 13 attached to planning permission DC/2023/00560 approved on 7/12/2023

Applicant: c/o Agent **Agent:** Mr. Matthew Stocks
National Grid WSP

Ward: Derby Ward **Type:** Discharge of condition

Reason for Committee Determination: Request from the Planning Committee

Summary

Planning permission was granted for the dismantling of the Gasworks in December 2023 subject to several conditions. The Planning Committee requested that a condition be imposed requiring further details to be submitted in relation to the Construction Transport Management Plan and that these details be brought to their meeting for information and agreement.

The Highways Manager has raised concerns about the arrangements for abnormal loads to access the site. However, these details would be the subject of a highways licence and the Construction Traffic Management Plan is therefore recommended for approval.

Recommendation: Approve

Case Officer Catherine Lewis

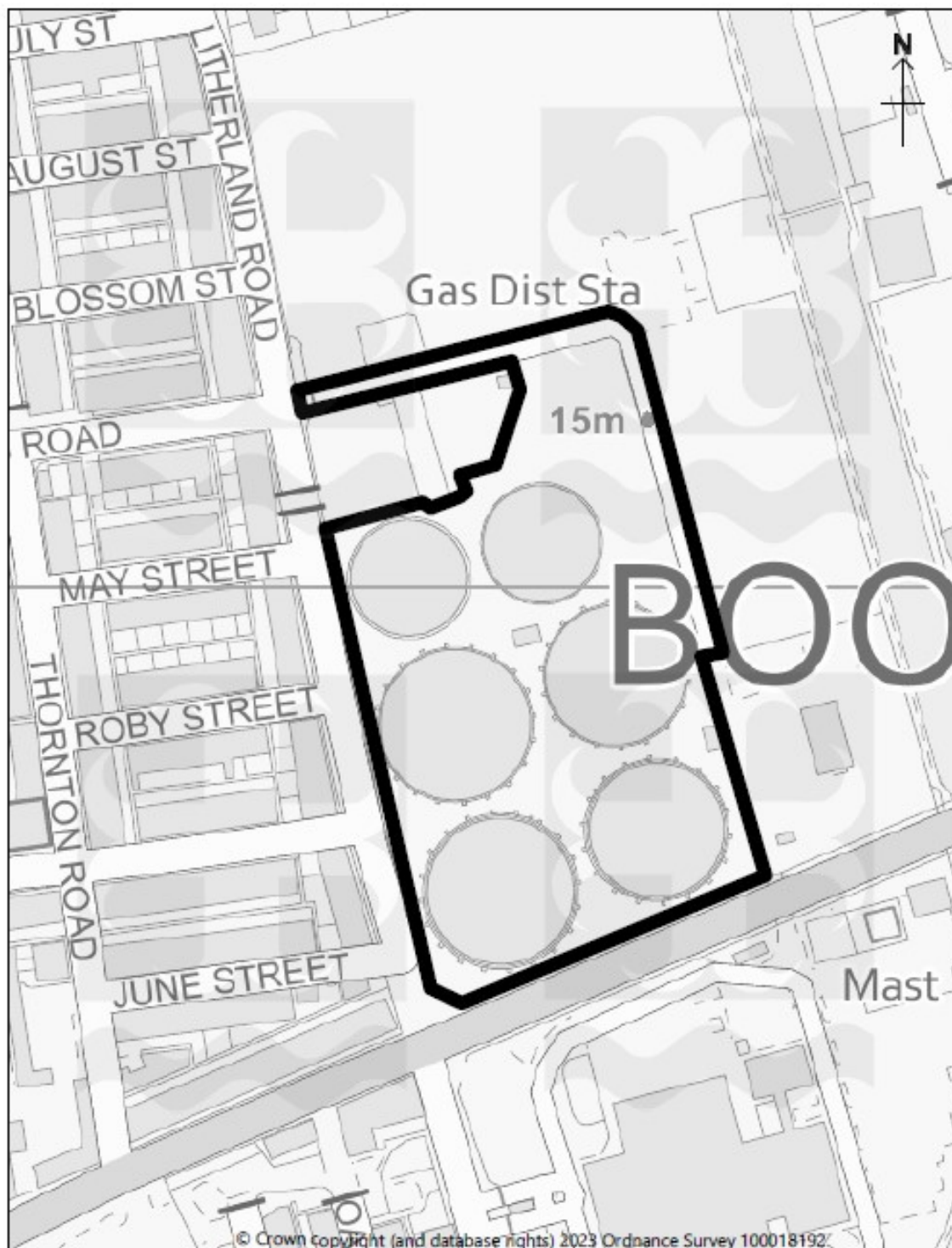
Email planning.department@sefton.gov.uk

Telephone 0345 140 0845

Application documents and plans are available at:

<https://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S8YS3MNWJJ400>

Site Location Plan



The Site

The application site is the Gasworks Depot on the corner of Litherland Road /Marsh Lane Bootle. The site is approximately 2.5ha and comprises 6 gasholders in an arrangement of two rows of three, small brick buildings and hard standing. The north of the site is mostly disused and consists of grassland and scrub which is in the applicant's ownership, beyond which are residential properties. There are two small areas to the east of the site which are adjacent to a Cadent Gas depot and the remainder of the land is owned by the applicant. The application site is bounded to the south by Marsh Lane and to the west by Litherland Road, where the site is accessed from and beyond which there are houses.

The wider site is entirely enclosed by a brick wall and steel palisade fencing near the entrance on Litherland Road. Marsh Lane and Litherland Road bound the site to the south and west respectively. The Leeds and Liverpool Canal (located approximately 1.5m higher than the site) lies immediately beyond the perimeter wall to the east. Residential properties are close to the north and west and although commercial uses (Litherland House) lie to the south, the predominant land use in the area is residential.

Within the wider site including the application site, Cadent Gas have live gas infrastructure which they maintain.

History

The most recent planning applications are set out below:

Ref: DC/2024/00307 Approval of details reserved by Conditions 3,4,5,6,7,8 and 19 attached to planning permission DC/2023/00560 approved on 07 December 2023. Pending a decision.

Ref: DC/2023/00560 Dismantling of gasholder and associated redundant infrastructure and associated infilling and restoration of site. Approved 07 December 2023

Ref: DC/2018/00080. Prior notification for the demolition of former gasworks. Decision: Prior Approval Required & Refused. 16 March 2018.

Consultations

Highways Manager

Initially Highways advised that:

Condition 11 -no information submitted to mitigate the traffic impacts.

Condition 12: no contact had been made to discuss the scheme with Highways.

Condition 13 -no visibility splays at the junction of the site access had been submitted.

Amended information has been received which addresses most of the concerns raised by the Highways Manager as set out in the report below. However, the Highways Manager maintains their objection to conditions 11 and 12 due to the impact of the vehicle required to carry the abnormal loads upon the site access.

Neighbour Representations

Not applicable to an application to approve the details reserved by condition.

Policy Context

The application site lies within an area designated as a Regeneration Area under Policy ED6 in the Sefton Local Plan which was adopted by the Council in April 2017.

Assessment of the Proposal

1. Background

1.1 National Grid are planning the dismantling of the redundant gasholders and infilling of the resultant voids in accordance with National Grid's Ofgem obligation. Planning permission was granted for this work in December 2023 subject to several conditions. The Planning Committee requested that a condition be imposed requiring further details to be submitted in relation to the Construction Transport Management Plan and that these details be brought to their meeting for information and agreement.

1.2 The current application relates to Conditions 11 (off- site highway works); 12 (Construction Traffic Management Plan) and 13 (Visibility Splays).

2. Assessment

2.1 The applicant has submitted the document entitled "R12591 Bootle Traffic Management Plan" in relation to the management and mitigation of traffic movements to provide the information

required by all three conditions. Highways raised several concerns with the submitted information which has been revised four times. The relevant document is Revision 5, dated 9 July 2024.

2.2 All site movements would utilise the existing access via the double access gate and roadway located opposite Melling Road. The construction hours are likely to be Monday to Friday, from 08:00 until 18:00 although HGV movements for construction work will be restricted to the hours from 09:30 to 14:30 as advised by the Council to avoid peak school periods. This allows for a 5-hour window of construction vehicle movements each day.

2.3 The maximum HGV traffic is expected to generate seven HGVs per hour, the equivalent to 1 HGV every 8.5 minutes. An average allowance of five cars and LGVs each way per day has been considered as negligible and not included in calculations as these are expected to occur in the AM and PM peak, outside the time when construction vehicles are active.

Condition 11

No demolition shall commence until a detailed scheme of highway works together with a programme for their completion has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include measures to mitigate traffic impacts at

- Litherland Road / Linacre Lane*
- Litherland Road / Summer Road*
- Litherland Road / Melling Road / Site Access*
- Litherland Road / August Street*
- Provision of road markings and signage associated with suspension of on-street parking spaces on Litherland Road*
- Measures to ensure visibility at the junction of Linacre Lane and Litherland Road*
- Proposals for joint pre and post construction road condition surveys to be undertaken by the applicant and the Sefton Highways.*

The highway works shall be completed in accordance with the approved details before the commencement of any demolition works and before any Heavy Goods Vehicles access the site.

2.3 Traffic impact assessments at these junctions have identified that the traffic impact associated with the proposed work has been largely avoided by restricting the HGV flows to outside the peak periods. Any residual impact from HGV movements on Litherland Road will be monitored and, when appropriate, temporary traffic management measures can be deployed during the construction peak period.

Litherland Road / Linacre Lane

2.4 The route analysis and visibility splay analysis indicate that temporary parking suspensions on Linacre Lane are not required for the left hand turn out of Litherland Road into Linacre Lane. This will be reviewed as the project progresses and a Temporary Traffic Regulation Order (TTRO) will be applied for if it becomes an issue. The route analysis and swept path analysis indicates that there are sufficient existing measures in place for the left hand turn into Litherland Road from Linacre Lane (i.e. the double yellow lines which are enforced by Sefton Council) such that additional traffic measures or parking suspension are not required.

Litherland Road / Summer Road

2.5 A Temporary Traffic Regulation Order (TTRO) is proposed for a partial waiting restriction (single yellow line) to prevent parking Monday to Friday 8am to 6pm on the east side of Litherland Road between the site access and the existing build out (including the site access junction) throughout the duration of the works. This would be removed upon completion of the works.

2.6 To ensure safe traffic flow, temporary 'give-way' priority line markings may be installed on the road, as depicted in Drawing 808363-WOOD-FG-OT-0049_P01.5 Appendix 05, following Highways guidelines. These will be removed following completion of all site works.

Litherland Road / Melling Road / Site Access

2.7 It is anticipated that there would be three 2-way abnormal load movements to facilitate delivery of excavators at the start of the project and again at the end of the project. Abnormal load movements would be between 5am – 7am i.e. outside of peak times and be agreed with highways officers in advance.

2.8 The applicant has advised that to ensure the smooth movement of low loaders to and from the site at the beginning and end of the works, a temporary parking ban would be enforced for properties 263 to 277 Litherland Road, as depicted in the low loader tracking plans in Appendix 5. The contractor would implement this by placing no waiting cones the day before and alerting affected residents by letter in advance.

2.9 The Highway Manager has requested the applicant widen the site access to accommodate the abnormal load vehicles so that the underground services the vehicles would run above would not be compromised. The applicant considers this to be unreasonable and proposes the use of steel plates over the pedestrian footpath to protect the underground services. The applicant has confirmed that the plates would be used for only 2 hours a day and that if damage occurs at the start, this would be fixed immediately under highways supervision, and the contractors would not be able to use this method again at the end.

2.10 The Highways Manager has advised that the applicant would need to provide any method statements, risk assessments, etc. as required by the statutory undertakers to gain their approval and forward the written approval of all the utility companies to Sefton Highways. The Highways Manager requires formal confirmation and without that confirmation they maintain their objection to the Construction Traffic Management Plan and have also advised that they could not provide the highway licence to enable the works to take place.

2.11 If approval is not secured from the relevant utility providers, the applicant has advised that they would liaise with the local highways authority to agree an alternative solution for the movement of abnormal indivisible loads (AILs). This may be the suggested works to the pavement, an alternative route on Melling Road for these 12 vehicle journeys, or another solution. Therefore, the updated document provides for the opportunity to negotiate an alternative solution via the highways licence process rather than having a planning permission which is not able to be implemented.

2.12 The Senior Lawyer in Legal Services has advised that the detail required by Highways is not a planning point. Planning officers consider that it would be unreasonable for the purposes of the planning condition to request this level of detail which in effect would be covered by other legislation, namely the highways licence.

Litherland Road / August Street

2.13 The road at this point is wide enough to accommodate the proposed vehicle movements with visibility along Litherland Road on the approach to the August Street junction. Therefore, no additional traffic controls are considered necessary at the junction of Litherland Road and August Street.

Measures to ensure visibility at the junction of Linacre Lane and Litherland Road

The proposed traffic route is as follows:

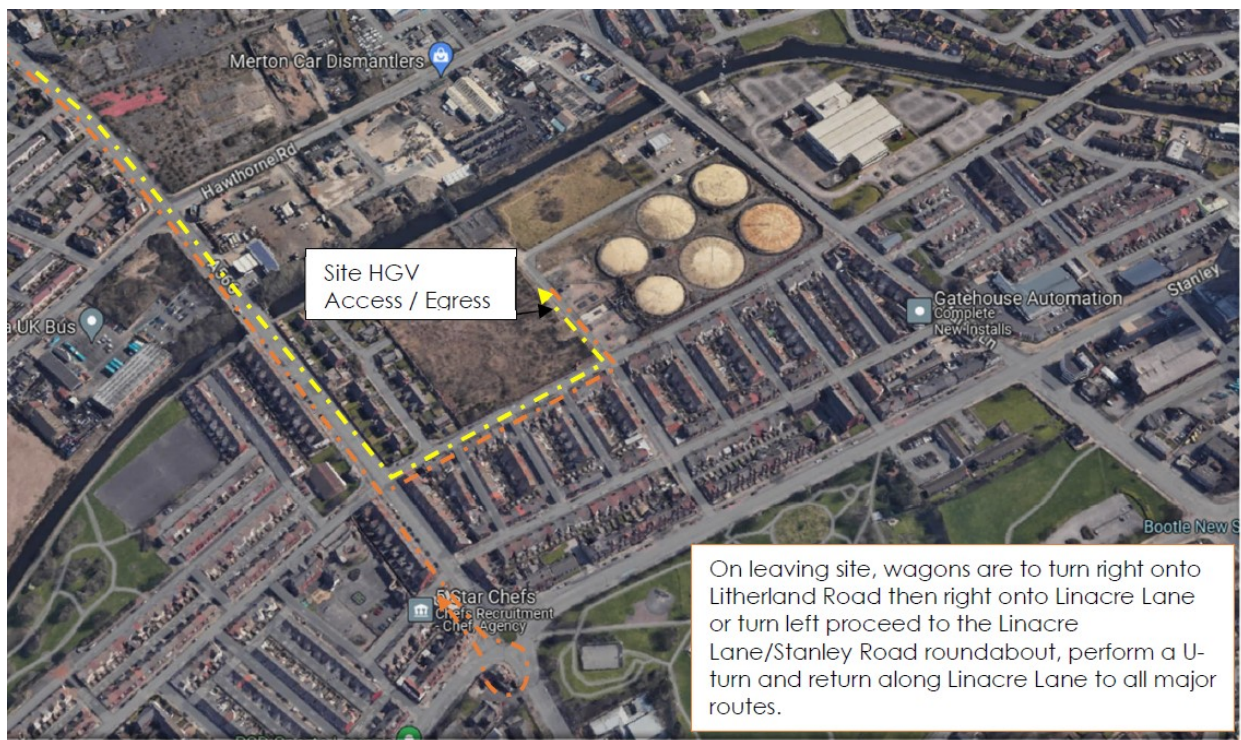
Inbound Route to site:

M57/M58/ A5758 > Dunnings Bridge Road/A5036 > A5038 > Linacre Lane/A566 junction with Hawthorne Road > Litherland Road.

Outbound Route from site:

Litherland Road > Linacre Lane/A566 > A5038 > Dunnings Bridge Road/A5036 > M57/M58/ A5758 junction

Figure 1: Aerial to demonstrate the proposed route of Heavy Goods Vehicles (HGV's).



2.14 In accordance with feedback from the Highways Manager, the exit route for wagons leaving the site has been revised. On leaving site, wagons are to turn right onto Litherland Road then right onto Linacre Lane or turn left onto Linacre Lane, proceed to the Linacre Lane/Stanley Road roundabout, perform a U-turn and return onto Linacre Lane leading to all major routes. The use of Stanley Road, Marsh Lane, and Hawthorne Road (south of Linacre Lane) is strictly prohibited for demolition traffic. This revision is based on discussions with the Highways Manager, including input from the traffic and safety team and the network team, to ensure the most appropriate route for highway safety and traffic management.

2.15 A Temporary Traffic Regulation Order (TTRO) would be needed for a partial waiting restriction (single yellow line) to prevent parking Monday to Friday 8am to 6pm on the east side of Litherland Road between the site access and the existing build out of the traffic calming measures (including the site access junction) throughout the duration of the works. HGVs are not to queue on Litherland Road or the surrounding areas. Road markings will be removed upon completion of the works.

2.16 The primary HGV movements would be 8-wheeled tipper wagons. These would be controlled locally by traffic marshals who will also be in radio contact with the drivers. To avoid double movements on Litherland Road a 5-10-minute gap between wagons will be implemented. In addition to this, the wagon drivers shall be in radio contact with one another to help avoid double

movements on Litherland Road. The applicant has confirmed that the preference is to use one aggregate supplier throughout the works to assist in controlling HGV movements.

Survey of the Road

2.17 Joint pre and post construction road condition surveys will be undertaken by the applicant and Sefton Council Highways.

Additional Measures required by Highways.

2.18 The Highways Manager requires the removal of the speed bump on Litherland Road south of the junction with July Street and its reinstatement upon completion of the project. The applicant has advised that the requirement is accepted in full and will be implemented in accordance with the Section 184 Licence with the works carried out to Sefton Council Standard and Specification under the supervision of Sefton Highways.

2.19 To conclude, the Highways Manager has raised a concern about the proposed access arrangements of the abnormal loads to the site. However, the level of detail is not a planning point and the submitted Construction Traffic Management Plan Revision 5 for the purposes of condition 11 is acceptable.

Condition 11 is recommended for approval.

Condition 12

No development shall commence until the Construction Traffic Management Plan dated July 2023 has been agreed with the local highway authority.

The Highways Manager has confirmed that the submitted information is acceptable except for the details relating to the access of the site for the abnormal loads. As discussed above this aspect would be controlled through Highway legislation and for planning purposes the details are acceptable.

Condition 12 is recommended for approval.

Condition 13

Before the demolition commences a plan to demonstrate the visibility splay of 2.4 metres by 25 metres for the existing site access shall be submitted to and agreed in writing by the local planning authority. The visibility at all times shall be maintained free of any obstruction exceeding 1 metre in height during the course of the entire demolition/construction period.

The applicant has submitted drawing number 808363-WOOD-FG-OT-00052_P01.2 within the Construction Traffic Management Plan Rev 5 to demonstrate the site access visibility splay.

The Highways Manager has confirmed that this is acceptable.
Condition 13 is recommended for approval.

3. Conclusion

3.1 The Highways Manager has concerns about the access arrangements for the abnormal load and any impact upon the existing underground services by using steel plates as a form of protection. The applicant considers it is unreasonable to alter the access due to the limited number of vehicles movements, in total 12, and will undertake all reasonable endeavours to contact the utility companies to gain their written approval before using steel plates on the footway to protect the footway from damage. If the written approval is not forthcoming the applicant will discuss with Highways other alternatives. Although the Highways Manager has concerns about the proposed access details for the abnormal loads, Sefton's Senior Lawyer has advised that the highway legislation would be appropriate to address the details. Therefore, for the purposes of the application the Traffic Management Plan Revision 5 dated 9 of July 2024 is accepted and Conditions 11, 12 and 13 are recommended for approval.

Equality Act Consideration

Section 149(1) of the Equality Act 2010 establishes a duty for the Council as a public authority to have due regard to three identified needs in exercising its functions. These needs are to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- Advance equality of opportunity between people who share a relevant protected characteristic (age, disability, race, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion and belief, sex and sexual orientation) and people who do not share it;
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

The decision to approve this scheme would comply with the requirements of the Equality Act 2010, that no one with a protected characteristic will be unduly disadvantaged by this development.

Recommendation - Approve