

Public Document Pack



Development Control Committee

Monday, 13 May 2013 6.30 p.m.
Civic Suite, Town Hall, Runcorn



Chief Executive

COMMITTEE MEMBERSHIP

Councillor Paul Nolan (Chairman)
Councillor Dave Thompson (Vice-Chairman)
Councillor Sandra Baker
Councillor Ron Hignett
Councillor Stan Hill
Councillor Chris Loftus
Councillor Angela McInerney
Councillor Keith Morley
Councillor Shaun Osborne
Councillor Carol Plumpton Walsh
Councillor Christopher Rowe

*Please contact Ann Jones on 0151 511 8276 Ext. 16 8276 or
ann.jones@halton.gov.uk for further information.
The next meeting of the Committee is on Monday, 10 June 2013*

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.	Page No.
1. MINUTES	1 - 7
2. DECLARATIONS OF INTEREST	
<p>Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting prior to discussion and voting on the item.</p>	
3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	8 - 20

In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Tuesday, 16 April 2013 at the Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), Baker, R. Hignett, S. Hill, C. Loftus, A. McInerney, Morley, Osborne and Rowe

Apologies for Absence: Councillor C. Plumpton Walsh

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, M. Noone, A. Plant, P. Shearer and R. Wakefield

Also in attendance: Two members of the public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

	<i>Action</i>
DEV78 MINUTES	
<p>The Minutes of the meeting held on 11 March 2013, having been printed and circulated, were taken as read and signed as a correct record.</p>	
DEV79 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p>	
DEV80 - 13/00042/FUL - PROPOSED DEMOLITION OF EXISTING COUNCIL OFFICE AND THE CONSTRUCTION OF 6 NO. TWO BEDROOM, TWO STOREY HOUSES AND 6 NO. 1 BEDROOM FLATS AT HALTON DIRECT LINK, QUEENS AVENUE, WIDNES	
<p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p>	
<p>Officers reported that since the publication of the report Cheshire Wildlife Trust had recommended an</p>	

additional condition relating to the protection of nesting birds and bats. It was noted that United Utilities had raised no objections. Delegated authority to approve the application was requested subject to a Section 106 Agreement in relation to the provision of a financial contribution towards off-site public open space and compensatory payment for the loss of designated greenspace.

Members were advised that as the applicant was a Registered Social Landlord (RSL) there was no requirement for the '*retention of affordable housing provision to comply with Policy CS13 of the Core Strategy*' as mentioned in the report, so this would be removed from the Conditions.

Members supported the application which was approved subject to the Conditions listed below.

RESOLVED: That the application be approved subject to delegated authority being given to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair, to approve the application subject to:

- a) entering into a Section 106 Agreement in relation to the provision of a financial contribution towards off-site public open space and compensatory payment for the loss of designated greenspace;
- b) and the additional condition referred to above together with the following Conditions:
 1. Standard 3 year period for implementation (BE1);
 2. Condition specifying amended plans (BE1);
 3. Materials Submission (BE2);
 4. Boundary Treatment (BE22);
 5. Tree Protection (BE1);
 6. Construction Management Plan including wheel cleansing facilities to be submitted and approved in writing (BE1);
 7. Details for removal of demolition materials (BE1);
 8. Landscaping scheme (BE1);
 9. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
 10. PD removed for extensions and outbuildings (BE2); and
 11. PD removed for fencing (BE2).

DEV81 - 13/00043/FUL - PROPOSED DEMOLITION OF THE YEW TREE PUB AND THE DEVELOPMENT OF 13 NO. TWO BEDROOM, TWO STOREY AND 6 NO. TWO BEDROOM FLATS AT THE YEW TREE HOTEL, CORONATION DRIVE, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

RESOLVED: That the application be approved subject to:

- a) the entering into of a Section 106 Agreement in relation to the provision of a financial contribution towards off-site public open space and; the retention of affordable housing provision to comply with Policy CS13 of the Core Strategy; and
- b) the following Conditions:
 1. Standard 3 year period for implementation (BE1);
 2. Condition specifying amended plans (BE1);
 3. Materials submission (BE22);
 4. Boundary treatment (BE22);
 5. Construction Management Plan including wheel cleansing facilities to be submitted and approved in writing (BE1);
 6. Details for removal of demolition materials (BE1);
 7. Landscaping scheme (BE1);
 8. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
 9. Permitted Development removed for extensions and outbuildings (BE2); and
 10. Permitted Development removed for fencing (BE22).

DEV82 - 13/00088/FUL - PROPOSED DEMOLITION OF EXISTING VILLAGE FARM COTTAGE AND AGRICULTURAL BUILDINGS, DEVELOPMENT OF 12 NO. NEW DWELLINGS AND REFURBISHMENT OF EXISTING BARN AT VILLAGE FARM, CHESTER ROAD, DARESURY, WA4 4AJ

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

Members were reminded that an application was approved by Committee in July last year for a scheme

similar in scale and form to this one. This scheme sought permission for 12 dwellings including the conversion of an existing barn. Officers commented that the application reflected the potential of the scheme to make a positive contribution to the Daresbury Conservation Area and would reduce the impact on the green belt. It was noted that the design and layout of the buildings were more appropriate to the setting and the large workshop was proposed to be completely removed.

It was further reported that Cheshire Wildlife Trust had recommended two conditions, one relating to the timing of the development to avoid the nesting bird season; and the other to allow for the provision of nest boxes for barn swallow and house martins. Delegated authority was requested to approve the application subject to Section 106 Agreements as mentioned in the report, subject to the referral of the application to the Secretary of State as a departure from the Development Plan, and to await the response from Daresbury Parish Council.

Members supported the application and agreed to approve it subject to the Conditions listed below.

RESOLVED: That the application be approved subject to:

- a) delegated authority being given to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair, to approve the application subject to referral to the Secretary of State and awaiting the outcome of the response from Daresbury Parish Council. Also, the entering into of a Section 106 Agreement for the provision of a financial contribution towards off-site public open space and the future control of the adjacent stone barn; and
- b) the additional conditions referred to above together with the following planning conditions:
 1. Standard 3 year period for implementation (BE1);
 2. Drawing numbers (BE1 and BE2);
 3. Materials to be approved to include: samples and sample panels of materials of external construction; brick bond and special bricks to be agreed; details of eaves, verge and ridge to be provided; details of dormers to be provided at a scale of not less than 1 in 10; details of wall openings including heads, sills and setbacks; windows and doors to be in painted timber and

details to be provided at a scale of not less than 1 in 5; agreed external colour scheme; details of roof lights to be agreed; cast rain water goods; foul water goods be run internally; details of meter boxes, flues, vents; agreed scheme of hard and soft landscaping, including external lighting scheme, samples of proposed hard landscaping materials, and boundary treatments (BE2 and BE10);

4. Materials in relation to the conversion of the Barn to include: agreed schedule and method statement for repairs, renovation and structural works; agreed areas of repointing and any stone repair, raking out to be carried out by hand tools, agreed lime mortar to be placed by pointing irons and sample panels to be prepared; replacement stone to match in colour, hue, grain size and dressing – samples to be provide; details of proposed insulation methods to the roof to be provided with agreed verge and eaves and ventilation details: full drawn details at 1 in 10 and materials schedule for extension within walled yard (BE2 and BE10);
5. Tree protection (BE1 and BE10);
6. Replacement tree planning (BE1);
7. Landscaping scheme (BE1);
8. Boundary treatment including appropriate buffer to east (BE22 and GE1);
9. Wheel cleansing facility and management plan (BE1);
10. Construction hours (BE1);
11. No additional windows other than those approved (BE1);
12. Permitted development restriction extensions and outbuildings (BE2, BE10 and GE1);
13. Permitted development restriction boundary treatment to property frontages (BE10 and GE);
14. Permitted development restriction no hardstanding (BE1 and GE1); and
15. No conversion of garage to habitable room (BE1, BE10 and GE1).

DEV83 MISCELLANEOUS ITEMS

The following applications had been withdrawn:

12/00313/FUL Proposed construction of an attached new building to allow for B1,B2 and B8 use classes at Teal Business Park,

Tanhouse Lane, Widnes, Cheshire,
WA8 0ZA.

12/00401/FUL

Proposed erection of two detached dwellings at Garden Area to Vicarage Fronting, Pit Lane, Widnes, Cheshire, WA8 9HY.

13/00001/FUL

Proposed demolition of the existing bridge cottage and provision of two temporary buildings to provide meeting room, training room and canteen and changing facilities at Runcorn Bowling Club, Bridge Cottage, Cholmondeley Road, Runcorn, Cheshire, WA7 4XT.

13/00034/OUT

Proposed for outline Planning Permission (with Appearance, Landscaping and Scale reserved) for the erection of two pairs of semi-detached dwellings (4 no. dwellings in total) at The Bungalow, Sandy Lane, Preston Brook, Runcorn, Cheshire, WA7 3AW.

13/00045/FUL

Proposed side and rear extension to create an additional level at 22 Beechmoore, Moore, Warrington, Cheshire, WA4 6UE.

11/00370/S73

Application to remove condition 4 of planning permission 2/11598/0 removing the agricultural worker occupancy condition allowing the unrestricted sale of the property on the open market. The condition reads as follows "A new dwelling in this location would be contrary to the approved Cheshire County Structure Plan, unless required for associated purposes. The occupation of the proposed dwelling shall be limited to a person employed, or last employed locally in agriculture as defined in Section 290 (1) of the Town and Country Planning Act 1971, or in forestry (including any dependants of such a person residing with him) or a

widow or widower of such a person” at
The Cottage, Village Farm, Chester
Road, Daresbury, Warrington, Cheshire,
WA4 4AJ.

The following Appeal Decisions had been made:

11/00413/FUL

APP/D0650/A/12/2181408/NWF

Proposed construction of 1 no. dwelling at Land to the East of Mill Green Lane Bounded by South Lane, Widnes, Cheshire.

Dismissed

12/00478/ELD

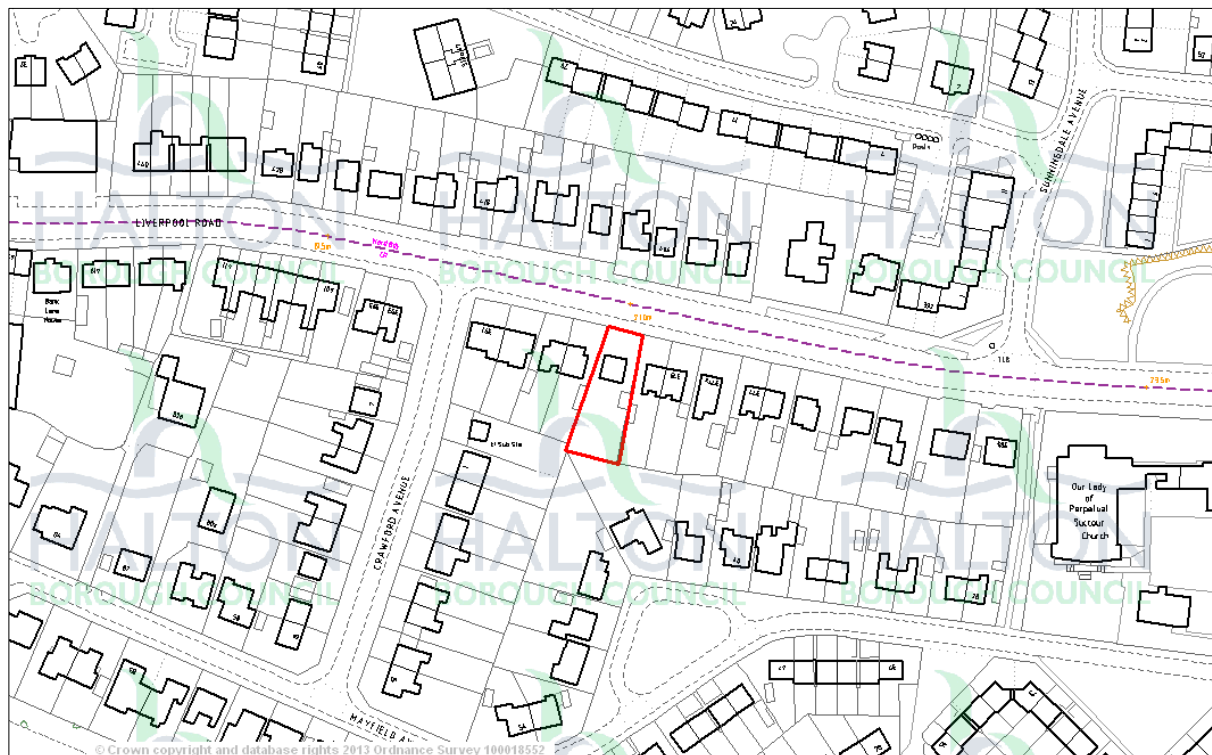
APP/D0650/X/13/2193480

Application for a lawful development certificate for use of the application site for the provision of education to vulnerable people below the age of 20 years who suffer from autism, Asperger syndrome, or other mental or physical impairment liable to cause them to be excluded from normal education at Hope Corner Community Church, 70 Clifton Road, Higher Runcorn, Runcorn, Cheshire, WA7 4TD.

Withdrawn

Meeting ended at 6.37 p.m.

APPLICATION NO:	13/00122/FUL
LOCATION:	383 Liverpool Road, Widnes
PROPOSAL:	Proposed rear first floor extension over existing extension
WARD:	Ditton
PARISH:	
CASE OFFICER:	Andrew Evans
AGENT(S) / APPLICANT(S):	Ken King / Paul Nolan
DEVELOPMENT PLAN ALLOCATION:	National Planning Policy Framework (2012) North West Plan: Regional Spatial Strategy for the North West (2008) Halton Unitary Development Plan (2005) Halton Core Strategy (2012) SPD – Household Extensions
DEPARTURE REPRESENTATIONS:	NO 1
KEY ISSUES:	Design/Scale/Mass Interface distances Overlooking/Overshadowing
RECOMMENDATION:	Approval
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The application site is a detached residential property, 383 Liverpool Road, Widnes. The application site is designated as housing in the Halton UDP land allocations map.

1.2 Planning History

There is a single entry on the planning history, a planning approval for a single storey rear extension and replacement of an existing detached garage Ref:01/00043/FUL which was implemented.

1.3 Surrounding Area

This is an established residential area with a mix of housing types. The application property is a detached residence, sharing both side boundaries with semi-detached properties. The rear boundary is shared with detached property located off Mayfield Avenue. All immediate surrounding land uses are designated as residential in the Halton UDP land allocations map.

1.4 Background

This application proposes a modern extension of modest size that complies with planning policy. The reason for it being brought before the Planning Committee is that the Applicant is an elected member for the Council.

2. THE APPLICATION

2.1 Documentation

The Applicant's representing agent has submitted a planning application form and complete set of plans.

3. POLICY CONTEXT

3.1 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 to set out the Government's planning policies for England and how these should be applied.

Paragraph 196 states that the planning system is plan led. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise, as per the requirements of legislation, but that the NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 14 states that this presumption in favour of sustainable development means that development proposals that accord with the development plan should be approved, unless material considerations indicate otherwise. Where a development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh

the benefits when assessed against the policies in the NPPF; or specific policies within the NPPF indicate that development should be restricted.

3.2 Regional Spatial Strategy (RSS)

There are no considerations generated as a result of regional policy.

3.3 Halton Unitary Development Plan (UDP) (2005)

- *Policy H6*
- *Policy BE1*
- *Policy BE2*

The primary planning policy for the determination of this planning application is policy H6 'House Extensions' of the Halton UDP.

This proposal comprises of a first floor rear extension over an existing ground floor rear extension. Its purpose is to generate an additional bedroom for the property.

3.4 Halton Core Strategy (2012)

There are no considerations generated as a result of the Core Strategy

3.5 Household Extensions SPD

Policy H6 is supported by the Halton Supplementary Planning Document 'House Extensions' (the SPD). This document sets out further guidance as to the design, scale and appearance of residential extensions. This is outlined below.

4. CONSULTATIONS

4.1 Highways

The Council's Highways section were consulted as part of the applications consultation exercise. They have not raised any objection, commenting that there was a sufficient supply of off street car parking at the property.

5. REPRESENTATIONS

One comment has been received in response to the public consultation exercise in the form of an objection. The objection has come from the property 385 Liverpool Road. A copy of the representation is on file. It raises the following objections:

- From an aesthetic point of view the replacement of sky by a brick wall is a dismal and depressing prospect.
- The proposed extension will restrict sunlight through a kitchen window

6. ASSESSMENT

6.1 Principle of Use

The application property sits slightly further forward than its neighbours, though its existing ground floor extension results in the property extending beyond either neighbours rear projection building line.

The proposal is for a first floor rear extension above the existing ground floor extension. The SPD sets out guidance for assessing the impact a two storey extension has upon its neighbouring properties.

The proposal is for a 3m rear first floor extensions. Paragraph 6.3 of page 9 of the SPD provides the principals to apply; a 3m projection as first floor requires a 2 metre distance between the extension and the adjoining neighbour. The distance between the extension and the neighbours 381 and 385 Liverpool road is 6.9 and 4.9 metres respectively. Therefore the distances required by the SPD have been met and the proposal is considered compliant with the SPD.

The rear elevation of the property interfaces with a property some 74m away, therefore there is no level of intrusion due to the projection of the rear extension.

The only remaining consideration is feature of a Juliet balcony. This style of balcony does not cause concern with regard to overlooking due to the design and distance to neighbouring properties.

The proposed building materials have been put forward in the detail of the planning application form; the extension is to be built from facing brick to match the existing ground floor extension.

It is considered that the proposal does create an overbearing appearance within its plot and meets the requirements set by the SPD; in so doing does not pose a level of demonstrable harm what would justify a refusal.

7. CONCLUSIONS

The scheme is of a high quality design and complies with the design criteria of the Supplementary Planning Document 'House Extensions'.

8. RECOMMENDATIONS

Approval subjection to conditions

9. CONDITIONS

1. Standard 3 year expiry
2. Materials to match existing -BE1

10. SUSTAINABILITY STATEMENT

As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.

In addition, one of the statutory instruments¹ introduces a requirement for local planning authorities, from 1 December 2012, to include a statement on every decision letter stating how they have worked with the applicant in a positive and proactive way, in line with the NPPF³. We envisage that in the majority of cases it will be sufficient for the authority to include a simple statement, confirming that they have implemented the requirement in the NPPF.

APPLICATION NO:	13/00087/FUL
LOCATION:	Land To The East Of 109 - 132 Halton Brook Avenue, Runcorn, Cheshire
PROPOSAL:	Proposed three storey extra care facility containing 50 No. 2 bedroom apartments with communal facilities, 21 No. new build homes comprising 6 No. 2 bedroom bungalows, 4 No. 2 bedroom wheelchair user bungalows, 10 No. 2 bedroom houses and 1 No. 4 bedroom wheelchair user bungalow
WARD:	Halton Brook
PARISH:	
CASE OFFICER:	Andrew Evans
AGENT(S) / APPLICANT(S):	Halton Housing Trust DK-Architects 26 Old Haymarket Liverpool Merseyside L1 6ER
DEVELOPMENT PLAN ALLOCATION: Halton Unitary Development Plan (2005) Halton Core Strategy April (2013)	Site is designated as Greenspace.
DEPARTURE	No
REPRESENTATIONS:	4
RECOMMENDATION:	Approve
SITE MAP	

APPLICATION SITE

The Site and Surroundings

The application site is the main site of the Halton Brook residential development approved under applications 07/0002/FUL and 09/00430/FUL.

Planning History

Planning permission 07/00002/FUL granted in March 2007 for a 'Proposed redevelopment of Halton Brook Neighbourhood Centre and erection of 114 No. new dwellings with associated landscaping and public open space'.

Planning permission 09/00430/FUL granted in January 2010 for 'Proposed residential development comprising 18 No. (2, 3 and 4 bedroom) houses and 8 No. (2 bedroom) apartments with private areas of hard standing for access, parking and servicing, secured private gardens and landscaped areas'.

THE APPLICATION

Proposal Description

Proposed three storey extra care facility containing 50 No. 2 bedroom apartments with communal facilities, 21 No. new build homes comprising 6 No. 2 bedroom bungalows, 4 No. 2 bedroom wheelchair user bungalows, 10 No. 2 bedroom houses and 1 No. 4 bedroom wheelchair user bungalow.

POLICY CONTEXT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 to set out the Government's planning policies for England and how these should be applied.

Paragraph 196 states that the planning system is plan led. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise, as per the requirements of legislation, but that the NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 14 states that this presumption in favour of sustainable development means that development proposals that accord with the development plan should be approved, unless material considerations indicate otherwise. Where a development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF; or specific policies within the NPPF indicate that development should be restricted.

1.1 Regional Spatial Strategy (RSS)

North West RSS Policies of relevance include:

Policies within Section 3 Sustainable Development (Policy DP1 Spatial Principles)
Policy LC3 The Outer Part of the Liverpool City Region

1.2 Halton Unitary Development Plan (UDP) (2005)

The following national and Council Unitary Development Plan policies and policy documents are relevant to this application: -

BE1 General Requirements for Development
BE2 Quality of Design
BE22 Boundary Walls and Fences
PR14 Contaminated Land

TP12 Car Parking
H3 Provision of Recreational Green Space
GE6 Protection of Designated Greenspace

1.3 Halton Core Strategy (2012)

The following policies, contained within the Core Strategy are of relevance:

CS2 Presumption in Favour of Sustainable Development
CS7 Infrastructure Provision
CS12 Affordable Housing
CS15 Sustainable Transport
CS18 High Quality Design

1.4 Relevant SPDs

Design of Residential Development

CONSULTATIONS

The application has been advertised by way of a press notice. A number of site notices were posted around the site. In addition 127 properties were written to, and all Local Ward Councillors have been consulted.

In terms of internal Council Consultees, the following service areas were consulted: Highways, Open Spaces, The Mersey Gateway Team, Environmental Health, and Contaminated Land.

- Open Spaces has no objection to the scheme
- The Mersey Gateway Team has raised no objection.
- Highways has raised no objection.
- Contaminated land officers have no objection to the scheme in principal. Discussions are on-going to ensure all site ground works are carried out under the appropriate environmental legislative control.
- Environmental Health has no objections to the scheme.

In terms of external consultees, United Utilities and the Environment Agency were consulted. United Utilities have responded to say they have an objection to the schemes proposal. The Applicants representing agent is undertaking discussions with the Applicants drainage engineer, United Utilities and the Environment Agency. Further update on this issue will be presented to committee.

REPRESENTATIONS

Of the 127 properties consulted 4 objections have been received; they are summarised as follows:

- Concerned about loss of car parking space next to number 7 also the footpath that goes along side number 7 and impact upon residents of affected bungalows from making improvements to their properties.

- There are too many houses in the area, with even more being built recently.
- There is disruption by building traffic and noise and dust.
- The proposal takes away all green space around my property taking all available space in which children play.
- Proposed properties will have larger gardens than existing properties.
- My property will be overlooked, my view will now be of someone else's property.
- I support the provision of extra care working for a care charity, however as a resident directly affected by the plans I feel me and my children lose out considerably.
- My house will be situated next to a busy road.
- I was not consulted properly by HHT.
- Trees and bushes have already been removed to make way for the start of a new road.

The issues raised regarding the loss of a car parking space and a footpath have been clarified with the applicant's agent. The parking area refers to a turning head at the top of Littlegate adjacent to the residential property 7 Littlegate, this is included in the redline of the application. This redline denotes ownership not the boundary of development. The turning head will not be developed as part of this schemes proposal, therefore the turning head will remain in place.

The issue concerning the stopped up footpath raised during the public consultation exercise has been investigated. The applicant's agent has stated that it is not their intention as part of this scheme to develop upon or close off the footpath that runs down the side of 7 Littlegate. However, the footpath has been lawfully stopped up under the previous planning approval 07/00002/FUL.

Many of the representations repeat a common sentiment regarding the loss of green space and the fear of disturbance from a further phase of development.

It should be noted that there is an extant scheme for the site for the development of 114 No. free market houses of which 41 are approved to be built on this site; this proposal is an alternative to that scheme and approves both extra care facilities and social housing.

SUMMARY

The development site comprises of an area measuring approximately 1.1664 hectares and is designated as incidental open space. The application site is located off Halton Brook Avenue and forms part of a wider long term investment program approved by planning application 07/00002/FUL. The 2007 approval detailed the development of 114 No. new houses, 41 of which are approved to be built on this development site.

This development site was originally intended to be part of a wider long term development collaboration between Riverside Housing and Seddon Homes.

For reasons that have not been discussed in the application submission, the landowner and developer, Seddon Homes are seeking an alternative collaborative scheme in partnership with the Applicant Halton Housing Trust (HHT). The scheme

will be dependent upon a grant from the Home and Communities Agency (HCA). The award of grant monies is dependent upon HHT receiving planning permission.

The proposed scheme, to be accessed off Halton Brook Avenue is a mixture of housing types divided into two distinct forms of residential accommodation; 10 No. social rented accommodation houses, and an extra care provision consisting of 50 No. 2 bedroom apartments, 6 No. 2 bedroom bungalows, 4 No. 2 bedroom wheelchair user bungalows and 1 No. 4 bedroom wheelchair user bungalows.

Page 15 of the design and access statement sets out the premise for the development

“The extra care facility is a building offering a flexible level of care for its residents whilst also allowing residents to live as independently as they are able or wish to.....The housing stock in the area has been researched and analysed by Halton Housing Trust, and the proposed mixture of unit types has been developed based upon a need within the area”

Since the application was first submitted there has been a change in the description, changing the makeup of the bungalows, and a change in the positioning of said bungalows. The total number of units has remained unchanged.

A consultation exercise was undertaken after the changes to the proposed description and amended plans were received.

ASSESSMENT

Assessment against Planning Policy

In relation to National Planning Policy, the National Planning Policy Framework (NPPF) is of relevance. The key theme running through NPPF is a presumption in favour of sustainable development, which should then run through the plan-making process and be carried through when making a decision. The introduction of NPPF, does not change the decision making process in that the development should still accord with the development plan unless material considerations indicate otherwise. NPPF is a material consideration in relation to this development.

Affordable Housing

Policy CS12 of the Core Strategy sets out the requirement for the provision of affordable housing for all development proposals for 10 residential units or more.

This policy comments directly upon the provision of extra care

“Proposals for new specialist housing for the elderly, including extra-care⁹¹ and supported accommodation, will be encouraged in suitable locations”.

A footnote goes on to define extra care in the following terms:

“Extra-care housing is defined in Halton’s Housing Needs and Marketing Assessment Survey 2006 as housing which supports independent living and increases choice by providing older people with their own homes together with care and support that meets their individual needs”.

Further justification for the provision of extra care is given in paragraph 15.4 of the Halton Core Strategy.

Paragraph 4.2 of the affordable housing SPD states *'For housing schemes proposed by Registered Providers comprising of affordable housing the Core Strategy policy requirement for affordable housing is superfluous and will not apply'*

The 12 units that do not form part of the extra care scheme are to be social rented accommodation. The scheme taken as a whole is considered exempt to the affordable housing requirements.

Open Space Contributions

The extra care scheme falls within an exemption to the requirement for Open Space. The 10 No. social rent units will require a financial contribution of £12,864.30 secured by way of a section 106 legal agreement. This sum has been agreed by the Applicant.

It is declared in the planning application forms that the application site is owned by Seddon Homes. In order to preserve the site for the development of social rent, the Council will draft the associated legal agreement to be signed by HHT and withhold issuing the decision until it is demonstrated that HHT own the site.

Amenity to neighbours

The scheme complies with the interface distances set out in the Council's Design of Residential Development SPD.

The scheme has been drawn to limit the impact on the surrounding properties. The bungalow design of plot 21 has prevents any issues of direct overlooking or overshadowing with the existing bungalow property of 7 Littlegate. Moving further North into the development site, directly adjacent to plot 21 is the apartment building. The elevation labelled Street Scene B shows that the design of the apartment building stands at two storeys at its southern elevation before rising to three storeys. The design of the apartment block is designed to step up from the new build bungalows so as not to over dominate the site and its surroundings.

Interface Distances

The Supplementary Planning Document 'Design of Residential Development' (the SPD) sets out guidance for the layout and design of new residential developments.

Policy 5 a) of the SPD states:

'Ensure that new and existing residential development achieved and maintain the expected levels of privacy and outlook (Figure 3)'.

Figure 3 shows that a rear to rear interface between properties of the same number of storeys should be positioned no closer than 21m. A further diagram shows that where there is an increase in height from one interfacing property over another, an interface distance of 24m should be achieved.

Paragraph 6.23 goes on to say *'In any case where it may be accepted that the development does not satisfy the minimum separation distances, the Council will utilise the 25^o assessment'*.

Policy 5 b) states

'Consider the position and orientation of habitable rooms and the location of their doors and windows to maintain privacy and minimise overlooking (Figure4)'

The 25° assessment found in figure 4 of the SPD has been undertaken. There is no impact upon existing properties 109-132 Halton Brook Avenue as a result of the shortfall in interface distances. The greater impact is felt by the new residents of the proposed plots 7-10 and plots 11-16. Notwithstanding, the interface complies with the 25° test shown in figure 4 of the SPD.

The proposed plots 1 & 2 share a proposed 13m rear to existing blank gable interface with 132 Halton Brook Avenue. This interface complies with the SPD. The proposed interface created between the existing blank gable of 109 Halton Brook Avenue and plot 20 is 12 metres. However, this rear elevation of the Bungalow does not detail a habitable room window; therefore the interface distance is considered to be compliant with policy.

Green space

There is a loss of incidental green space as part of this applications development which has been noted by some of the objectors to the proposal. It should be noted that this scheme is an adaptation of the earlier scheme approved by planning application 07/00002/FUL. This scheme will see a marginal increase to the footprint of the development approved. However, this is still within the redline of the scheme 07/00002/FUL for which the Council has already received compensation in line with UDP policy GE6; it is not considered that there is sufficient harm above what has previously been approved to refuse the scheme.

Reference was made in the response to consultation that there is to be a loss of mature trees. It is a fact that the proposal will result in the loss of a number of mature trees from the area. Whilst such a loss is regrettable, it is considered that the wider benefits of the scheme outweigh any harm resulting from the loss of green space and mature trees, especially in the context of the wider regeneration proposals for the area.

It should be noted that the majority of the land has been hoarded off from public access for over a year, which at no time has the application site been used for recreational use.

The loss of the green space was first recognised in the approved scheme ref:07/00002/FUL. This scheme will also rely upon the provision at Leaside for the provision of local neighbourhood play facilities.

CONCLUSIONS

In conclusion, the proposal follows the 2007 approval seeking a residential use of the land. The majority of the provision is comprised of an extra care facility with mixed provision. The need for this form of provision is particularly pronounced, as evidenced by Policy CS12 of the Core Strategy. Paragraph 15.4 of the justification of Policy CS12 states *"The need for extra care or supported housing in Halton is particularly pronounced because of low levels of existing provision. This level of*

need is anticipated to grow over the plan period given the Borough's ageing population..... Based on the current level of provision referred to above, evidence indicates that by 2017 there will be a need for 214 extra care units across the Borough, with an additional need by 2015 for 22 extra care units specifically for older people with learning difficulties".

The design of the development is of a high quality that is respectful of its surroundings and has incorporated a great deal of attention to detail in its final layout.

The loss of open space is considered harmful. However, when it is considered that the Council has previously approved a scheme for the same area in 2007 which sets a planning precedent and this factor is combined with the benefits of providing care for which there is an under supply in the borough, the benefits proposed outweigh the harm.

The proposal is considered to offer a good quality development and will play an important role in the redevelopment and regeneration of the area.

The scheme is recommended for approval.

RECOMMENDATIONS

Approval subject to conditions:

Conditions

1. Approved Plans – (Policy BE1)
2. Materials – (Policy BE2)
3. Drainage – (Policy BE1)
4. Boundary Treatments – (Policy BE22)
5. Vehicle access, parking, servicing etc. to be constructed prior to occupation of properties/commencement of use – (Policy BE1)
6. Submission and Agreement of finished floor and site levels – (Policy BE1)
7. Site Investigation – (Policy PR14)
8. Prior to commencement waste recycling details of recycling facilities shall be submitted Policy – (Policy BE1)
9. Provision of appropriate refuse collection bins for use by the occupiers – (Policy BE1)