



**Development Control Committee**

**Monday, 5 August 2013 6.30 p.m.  
Civic Suite, Town Hall, Runcorn**

A handwritten signature in blue ink that reads 'David Walsh'.

**Chief Executive**

**COMMITTEE MEMBERSHIP**

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

*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, 9 September 2013*

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

**Part I**

<b>Item No.</b>	<b>Page No.</b>
<b>1. MINUTES</b>	<b>1 - 13</b>
<b>2. DECLARATIONS OF INTEREST</b>	
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.	
<b>3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE</b>	<b>14 - 63</b>

***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 Monday, 1 July 2013 at Civic Suite, Town Hall, Runcorn*

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

Apologies for Absence: Councillors A. McInerney, T. McInerney, C. Plumpton Walsh and Rowe

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, M. Noone, A. Plant, R. Cooper, G. Henry, A. Evans and J. Farmer

Also in attendance: Councillors Wright, Edge, Philbin, Jones, M Bradshaw, J Bradshaw, and 68 Members of the public.

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

	<i>Action</i>
DEV9 MINUTES	
<p>The Minutes of the meeting held on 10 June 2013, having been printed and circulated, were taken as read and signed as a correct record.</p>	
DEV10 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>	
DEV11 - 12/00370/COU - PROPOSED CHANGE OF USE FROM OFFICES (B1) TO CHEMIST/PHARMACY AND NEW SHOP, INCLUDING STEPPED AND RAMPED ACCESSES, SHOP FRONT AND CAR PARKING AT WHITFIELD & BROWN, APPLETON VILLAGE, WIDNES	
<p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p>	
<p>Members were reminded that this application was presented at the February Committee meeting at which it</p>	

was approved subject to conditions and a Section 106 Agreement volunteered by the applicant to restrict the site being used for the purposes of a needle exchange. It was reported that since that time the applicant has had further consultations with the NHS which had culminated in a request for the proposal to be approved without the Section 106. This was due to the NHS requirement for pharmacies to provide a full range of dispensing operations.

Since the publication of the agenda an additional petition of 206 signatures had been received objecting to a chemist which would be used for methadone dispensation and a needle exchange on the grounds that: it was too close to a school, nursery and park; it could cause anti-social behaviour and traffic problems in the area; and questioned the need for such long opening hours in a residential area.

The Committee was addressed by Ann Marie Sheridan, a local resident who opposed the application. She informed the Committee that a further petition had been submitted containing 586 signatures objecting to the application on the following grounds: its proximity to a school, nursery and church; additional traffic; parking issues at peak times; hours of opening too long; and that the methadone dispensation and needle exchange operation was unacceptable to residents. She requested that strict conditions be placed upon this and that the opening hours be reduced.

Mr Jon Moorehouse, a representative of the applicant then addressed the Committee. He stated that since the application had been approved the NHS had requested that they operate as a pharmacy dispensing prescription drugs and were therefore requested by them not to enter into the Section 106 Agreement. He requested therefore that they be allowed to operate the pharmacy as other pharmacies are permitted to do.

Councillor Philbin addressed the Committee and raised his concerns on behalf of local residents that the removal of the Section 106 Agreement would leave provision for methadone dispensation and a needle exchange operation in the future. With this in mind he requested the Committee to review the opening hours and keep them in line with the proposed surgery hours.

In response to the representations made, Officers reminded Members that the application before the Committee was not the provision of a methadone and needle exchange operation at the pharmacy, for reasons

explained in the report and at the meeting. Since issues relating to parking, hours of use, Town Centre Policies and sustainability were already considered and previously approved when the original application was considered, it was not appropriate to consider them again in the absence of any evidence.

Following Members' debate, a motion was made to approve the application subject to imposing restricted hours of opening due to the removal of the Section 106 Agreement. This however was not supported and a vote was made to approve the application.

RESOLVED: That the application be approved subject to the following Conditions:

1. Amended plans (BE1);
2. Statutory three year period for implementation (BE1);
3. Materials (BE2);
4. Hours of opening (BE1);
5. Amended plans to show provision of access and car parking and defined gross retail area (BE1, TP6, TC6 and CS5);
6. Provision of plans showing a lighting scheme (BE1);
7. Lighting details shall be installed to comply with the recommendations of the Institute of Lighting Engineers (BE1);
8. Details of emergency access onto alleyway to ensure it does not open outwards (BE1);
9. Details of improvements to vehicle access to be approved (BE1);
10. Restriction of retail area to 110 square metres with a gross area no greater than 190 square metres (BE1, H8, TC6 and CS5);
11. Boundary treatment details to include colour coating (BE22);
12. Installation of boundary to rear of the site within an agreed timescale (BE1);
13. Details of provision of cycle parking (TP7)
14. Details of refuse storage (BE1);
15. Details of security shutters to be approved (BE2);
16. No deliveries to the site shall take place outside the permitted opening hours of 0700 to 2300 Monday to Friday; 0800 to 2200 Saturday; 1000 to 1600 Sunday (BE1);
17. Details of alarm and CCTV system to be submitted (BE1 and BE2); and
18. All external lighting shall be compliant with the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light (BE1 and PR4).

*Councillor Osborne declared a Disclosable Other Interest in the following item as he was employed by the Co-operative, a business within the vicinity of the proposed application site. He did not vote on the item.*

DEV12 - 12/00517/FUL - PROPOSED DEVELOPMENT OF TWO RETAIL UNITS, A 375 M2 UNIT FOR A1 USE CLASS AND A 93 M2 UNIT FOR A1, A2 OR A3, USE CLASS, TOGETHER WITH ASSOCIATED PARKING, SERVICING AND SITE ACCESS AT ETERNIT UK, EVIRITE WORKS, DERBY ROAD, WIDNES

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

The Committee was addressed by Mrs Gaur, a local resident who opposed the application. She argued that there were already shops existing in Farnworth village so there was no need for any more. Also, the development would impact on the quality of life for local residents as there would be an increase in traffic, noise and anti-social behaviour. Adding to this would be the long hours of trading and the selling of alcohol.

Mr Reay, the Applicant, then addressed the Committee. He advised that the site would house two retail units none of which would be a take away. He said that the development would complement Farnworth village and serve all existing residents and future residents, as there was further house building planned. He said it was good use of a brownfield site and would provide employment opportunities.

RESOLVED: That the application be approved subject to the following conditions:

1. Statutory 3 Year period for implementation (BE1);
2. Material details / samples (BE2);
3. External lighting details (PR4);
4. Levels existing / proposed (BE1);
5. Finished floor levels (BE1);
6. Hard and soft landscaping (BE1);
7. Ground investigation and implementation of measures required in risk identification (PR14);
8. External servicing details (BE1);
9. Waste details – including provision of waste bins prior to occupation – commercial and customers bins (BE1);
10. Boundary Treatment (BE22);

11. Drainage (BE1);
12. Surface water drainage and discharge (BE1);
13. Parking layout prior to occupation (BE1);
14. Construction management plan including the commissioning of an as built survey to be submitted on completion of development (BE1);
15. Noise emanating from shop limit (PR2);
16. Shop opening times (PR2);
17. Roller shutter details (BE1); and
18. Restriction on use of the units A1, A2, A3 (BE1).

DEV13 - 12/00542/FUL - PROPOSED DEMOLITION OF EXISTING STEEL FRAMED, BLOCK WALLED, ASBESTOS ROOFED BUILDINGS AND REPLACEMENT WITH ONE DETACHED AND 4 SEMI DETACHED HOUSES AT CRANSHAW HALL FARM, CRANSHAW LANE, WIDNES

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

Members agreed that the scheme complied with the adopted planning policies of the Council and approved the application as recommended in the report.

RESOLVED: That the application be approved subject to referral to and the application not being called in by the Secretary of State:

- a) the applicant entering into a legal or other appropriate agreement relating to the phasing and completion of the previously approved remediation and barn conversion works.
- b) that if the S106 Agreement or alternative arrangement was not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.
- c) and subject to the following planning Conditions:
  1. Standard condition specifying commencement within 3 year timescale;
  2. Condition specifying amended plans (BE1);
  3. Submission and agreement of a phasing plan for development (GE1);
  4. Submission and agreement of a construction and

- environmental management plan (BE1);
5. Materials condition, requiring development be carried out in accordance with the approved details (BE2);
6. Landscaping condition, requiring the submission of hard and soft landscaping (BE2);
7. Boundary treatments requiring development be carried out in accordance with the approved details (BE2);
8. Wheel cleansing facilities to be submitted and approved in writing (BE1);
9. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
10. Vehicle access, parking and servicing to be constructed prior to occupation of properties/commencement of use (BE1);
11. Finished floor and site levels, requiring development be carried out in accordance with the approved details (BE1);
12. Conditions relating to restriction of permitted development rights relating to extensions, dormers, outbuildings and to boundary fences (BE1);
13. Site investigation, including mitigation to be submitted and approved in writing (PR14);
14. Conditions relating to hedgerow protection during construction (BE1);
15. Submission and agreement of biodiversity plan including native planting and bird nesting boxes (BE1 and GE21);
16. Submission and agreement of biodiversity plan including native planting and bird nesting boxes (BE1 and GE21);
17. Grampian condition relating to off-site works to Bridleway including passing places, speed restriction and visibility splays footway to frontages to Barrows Green Lane and speed reduction measures (TP7, TP9 and TP15);
18. Conditions relating to submission and agreement of schemes of surface water management, to dispose of foul drainage and to treat and remove suspended solids from surface water run-off during construction (PR16); and
19. Condition relating to archaeological watching brief (BE6).



DEV14 - 13/00174/FUL - PROPOSED 39 NO SELF CONTAINED APARTMENTS PROVIDING SHORT TERM ACCOMMODATION WITH ASSOCIATED CAR PARKING AND LANDSCAPING AT 88A - 92 ALBERT ROAD, WIDNES

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

Officers' reported that since the publication of the report five objections had been received from local residents raising concerns relating to: loss of property values; potential for anti-social behaviour and crime increases; impact on emergency services resources; proximity to facilities within the town centre such as pubs; loss of residential amenity; the adverse effect on character of existing established neighbourhood; mis-representations made within the application and concerns over the future of the site if the development goes ahead.

In response it was noted that the local Police Liaison Officer had raised no objections but recommended that a 'standard of security' be added to the Conditions. Further, it was commented that this type of housing accommodation was needed in the Borough and this particular site was a character building which would improve the street scene of Albert Road and regenerate a vacant town centre site. Furthermore, it complied with the relevant Halton Core Strategy Local Plan Policies and UDP Policies.

The Committee received Mr Sheeran, a local resident who opposed the application. He raised concerns over how the property would be staffed and managed and whether or not the occupants would be required to sign agreements whilst using the premises. He also feared an increase in crime and the loss of property values in the area.

Mr Nick Kollakis, the applicant, then addressed the Committee and advised that not one of the objectors had attended consultation meetings to voice their concerns. He provided information regarding homelessness and the importance of providing support to vulnerable homeless people. He further stated that there was a need to increase the supply of housing of this type and urged the Committee to approve the application.

Councillor Jones then addressed the Committee stating that although people understood the need for this type of housing, the residents still had concerns over: their

property values; potential for an increase in anti-social behaviour; drain on local resources and amenities; the misrepresentation of the application which provided an unrealistic view to residents; how the building would be managed; and how would drugs and alcohol consumption be monitored. He requested that they be provided with some reassurance and that local Councillors be involved.

The application was moved and seconded and Members agreed to approve subject to the addition to the Section 106 Agreement and Conditions.

RESOLVED: That the application be approved subject to:

a) the entering into of a legal agreement or other agreement for the provision of:

1. a financial contribution towards town centre retail frontage improvements. This was agreed on the basis the previously approved schemes had an active ground floor retail frontage; and
2. the provision of a liaison group and an open day, so that Ward Councillors could be involved.

b) and subject to the following Conditions:

1. Standard Condition relating to timescale and duration of the permission;
2. Materials condition, requiring the submission and approval of the materials to be used (BE2);
3. Submission, agreement and implementation of scheme for drainage (BE1);
4. Landscaping condition, requiring the submission of both hard and soft landscaping (BE2);
5. Wheel wash condition required for construction phase (BE1);
6. Parking conditions to ensure parking and servicing areas is provided and maintained at all times. The use of the premises shall not commence until the vehicle access and parking has been laid out (TP12 and E5);
7. Boundary treatment condition is required to ensure details are provided prior to the commencement of development (BE2);
8. Construction hours to be adhered to throughout the course of the development (BE1);
9. Condition requiring the submission of any external flues (BE2);
10. Condition requiring the submission of any external

- air condition or heat exchanger units (BE2);
- 11. Condition requiring the submission and approval of shutters and shutters should not have projecting boxes and shall be perforated (BE2);
- 12. Condition requiring a travel plan prior to occupation (TP16);
- 13. Condition requiring approval of details of secure cycle storage (TP6);
- 14. Condition requiring a scheme of security measures to be approved in writing (BE1);
- 15. Condition requiring a construction traffic management plan prior to commencement (BE1);
- 16. Condition specifying use restriction (BE1);
- 17. Condition requiring details of existing and proposed finished site levels and finished floor levels (BE1).

- c) that if the S106 Agreement or alternative arrangement was not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation in consultation with the Chairman or Vice Chairman of the Committee to refuse the application on the grounds that it failed to comply with Policy S25 (Planning Obligations).

DEV15 - 13/00190/FUL - PROPOSED 900 PLACE SECONDARY SCHOOL WITH SPORTS AND ARTS/MEDIA CENTRE, ALSO FOR COMMUNITY USE, ALONG WITH MEANS OF ACCESS, CAR AND COACH PARKING, COACH LAY-BY, EXTERNAL SPORTS AND PLAY AREAS AND ASSOCIATED LANDSCAPING AND BOUNDARY TREATMENT ON LAND TO THE SOUTH OF WHARFORD LANE AND TO THE EAST OF OTTERBURN STREET

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

It was reported that there had been 4 objections and 6 representations in support of the application, not 2 and 4 as stated on the report front sheet. It was also reported that since the report was written, a further 9 letters of support had been received. Sandymoor Parish Council had submitted representations in the form of comments and observations which referred mainly to the potential for flooding of the site; traffic around Newmoore Lane and Wharford Lane and the possible provision of a haul road to alleviate this; and the use of Section 106 monies.

It was noted that the reference to Moore Parish Council's concerns on the scheme in the report were an error and Moore Parish Council did not make any comments on this application. Further, the following was noted:

- A crime impact statement had been produced as advised by Cheshire Police, which did not raise any significant planning issues;
- That landscaping details had been amended and ecology features had been incorporated into the scheme;
- The applicant had confirmed that they would use screwed piles which would substantially reduce noise and vibration from piling activities; this would be covered by an additional condition;
- It had been agreed by the Applicant and the Council's Highways Engineers' that a traffic table would be provided at the junction of Newmoore Lane and Wharford Lane; this traffic calming measure would be secured by a Grampian style condition; and
- Amended plans for the car park and layby had been supplied and it was agreed that drop off and collection of children would be managed by the school in accordance with the management plan, yet to be agreed by the Council. This would be covered by a condition.

Mr John Dempsey, a resident of Newmoore Lane, addressed the Committee opposing the scheme. He commented that the provision of a secondary school was not part of the Council's plans, although a primary school was. He referred to the site as contentious as it was a flood plain and commented that there were better sites on Sandymoor for a secondary school. He stated that the new junction would double the volume of traffic and the use of a traffic table would be ineffective.

Mr Andrew Green Howard, the Headteacher of Sandymoor School, then addressed the Committee. He provided information to Members on how the school was started and the aspirations of the residents of Sandymoor and surrounding areas with regards to providing education for their children locally, so they did not have to leave the area or travel out of the Borough. He said that taking into consideration the future plans for Sandymoor's development (an additional 2500 homes), the School would be a welcome additional provision in the area.

Ms Freeman, the Agent for the Applicant, then addressed the Committee in support of the Application. She

stated that they were aware of the concerns of local people with regards to the flood risk; however this had been fully assessed and addressed. She commented that the school would be an asset for the local community and for Halton. Further, that it was of a high design standard and would be run to a high standard and provide employment opportunities.

Reverend Canon David Felix addressed Members advising that the Parish Council had discussed the application at a recent meeting and had made observations relating to three main aspects: the deviation from the original application in that there were 30 less houses; the potential for flooding of the site; and the junction/traffic problems. He advised that the Parish Council were not involved with the applicant or application process in any way.

The Chairman tabled a letter from the Department for Education, which was a response to a request for information under the Freedom of Information Act (FOI) 2000, relating to an impact assessment on Sandymoor Free School. Following debate it was commented that the letter was not clear as to whether it referred to a 'needs' assessment or a 'sustainability' assessment. Members agreed that this information would be helpful in determining the application and therefore moved that the application be deferred until such time as the Department for Education could confirm the nature of the assessment referred to in the letter. The Committee was advised that if it was a needs assessment it would not be relevant to the committee, but if it was a sustainability assessment, it was capable of being relevant.

RESOLVED: That the application be deferred pending further information from the Department of Education on the nature of the impact assessment.

*Councillor Cole declared a Disclosable Other Interest in the following item as he was a Board Member of Halton Housing Trust. He did not take part in any debate or vote on the item. Councillor Morley declared a Disclosable Other Interest in the following item as he has been involved with the application as Ward Councillor for Broadheath. He did not take part in any debate or vote on the application.*

DEV16 - 12/00513/OUT - OUTLINE APPLICATION FOR 36 DWELLINGS COMPRISING 20 X 2 BED HOUSES AND 16 X 1 BED APARTMENTS ON SITE OF FORMER ST MARIES ARLFC, BRENTFIELD, WIDNES

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

It was reported that since the publication of the agenda a letter had been received from Derek Twigg MP asking that the objections of a resident were considered, these were dealt with in the report. He also wished to note his personal objection to the application.

Sports England had confirmed that they would withdraw their objection subject to a condition relating to the upgrade and maintenance of the Prescott Road pitches and the signing of a memorandum of understanding to cover the various land arrangements and pitch upgrades. The terms of the legal agreement referred to in the recommendation of the report also needed to be extended to include financial payment to the Council to cover the cost of the playing field restoration and on-going maintenance.

It was noted that a further planning condition was recommended requiring details of reserved matters for plots 25-36 to provide for side and front aspect windows only to maintain the privacy of adjoining existing residents.

The Committee was addressed by Mr David Griffiths, a local resident who objected to the application. He stated that the scheme would have an adverse effect on the neighbourhood with the loss of privacy and increase in noise. He also stated that the loss of the Club would be detrimental to the community and that this multi sports facility should be kept for use by them. He also raised concerns regarding the increase in traffic and therefore road safety, the 40 foot reduction of greenspace and the relocation of a fence.

Members raised queries relating to the Sports for England playing fields strategy which were clarified by Officers. Members moved to approve the application which was agreed.

**RESOLVED:** That the application be approved subject to:

- a) the applicant entering into a Section 106 Agreement or other agreement for the provision of a financial contribution for compensation for loss of and towards off-site open space, to secure a minimum of 25% of total residential units for affordable housing provision and land transfer of retained playing pitches to

Widnes RUFC; and

b) conditions relating to the following:

1. Standard conditions relating to Outline Planning Permission (BE1);
2. Condition specifying amended plans (BE1);
3. Requiring submission and agreement of a Construction Management Plan including vehicle access routes and construction car parking (BE1);
4. Materials condition, requiring the submission and approval of the materials to be used (BE2);
5. Landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting (BE2);
6. Boundary treatments including retaining walls to be submitted and approved in writing (BE2);
7. Wheel cleansing facilities to be submitted and approved in writing (BE1);
8. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
9. Vehicle access, parking and servicing to be constructed prior to occupation of properties / commencement of use (BE1);
10. Submission and agreement of finished floor and site levels (BE1);
11. Site investigation including mitigation to be submitted and approved in writing (PR14);
12. Submission and agreement of cycle parking (TP6);
13. Conditions relating to tree protection during construction (BE1);
14. Submission and agreement of street lighting details; and
15. Submission and agreement of biodiversity enhancement features including native wildlife friendly planting, bird nest boxes and insect house (BE1 and GE21).

c) that if the S106 Agreement or alternative arrangement was not executed within a reasonable period of time, authority be delegated to the Operational Director – Planning, Policy and Transportation, in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.

*Meeting ended at 8.48 p.m.*

**REPORT TO:** Development Control Committee

**DATE:** 5 August 2013

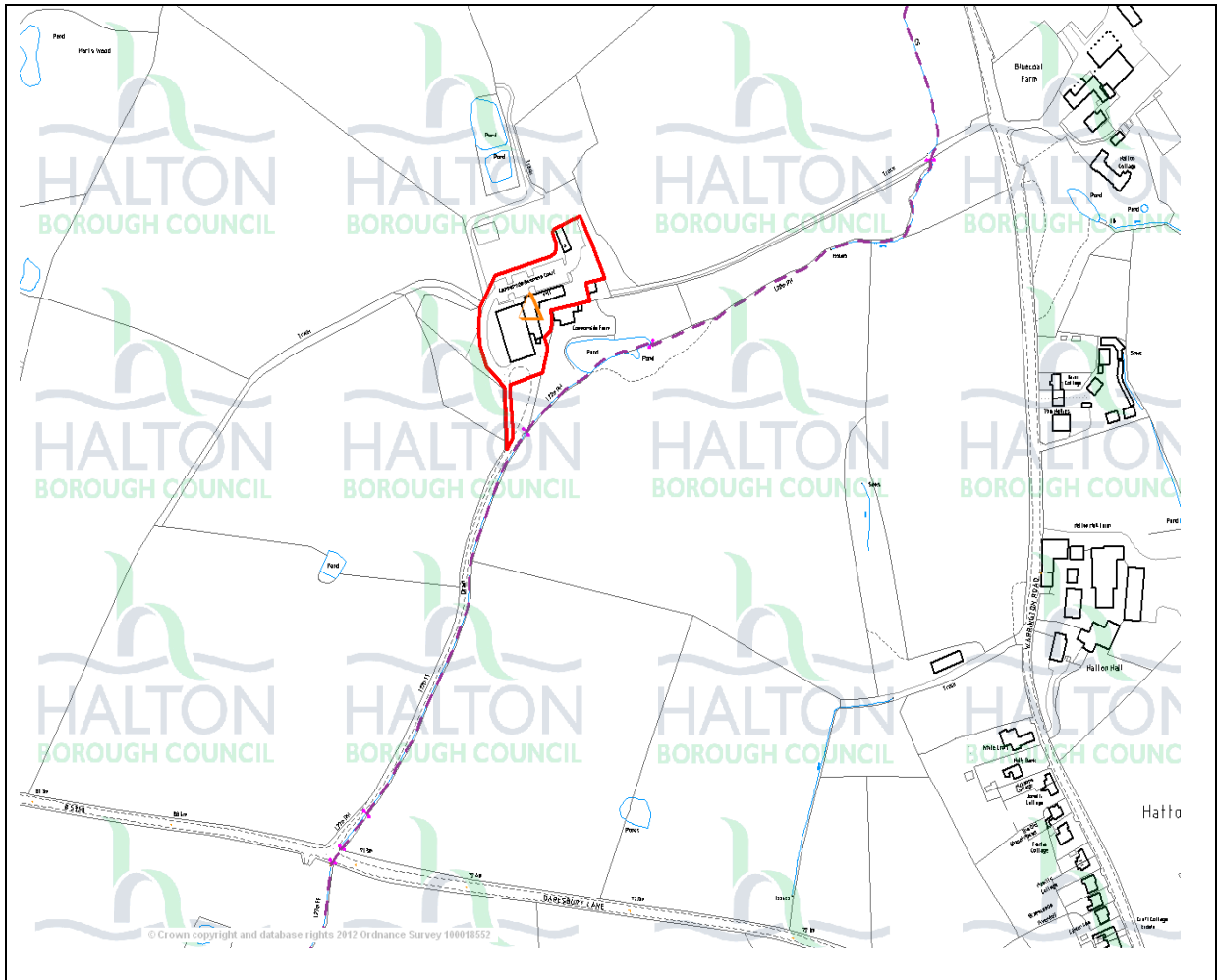
**REPORTING OFFICER:** Strategic Director, Policy & Resources

**SUBJECT:** Planning Applications to be determined by the Committee

**WARD(S):** Boroughwide

<b>APPLICATION NO:</b>	12/00427/FUL
<b>LOCATION:</b>	Commonside Farm
<b>PROPOSAL:</b>	Proposed demolition of indoor tennis building and erection of 5 no. dwellings and conversion of existing offices to 8 no. dwellings.
<b>WARD:</b>	Daresbury
<b>PARISH:</b>	Daresbury
<b>CASE OFFICER:</b>	Andrew Plant
<b>AGENT(S) / APPLICANT(S):</b>	Daresbury Properties Ltd.
<b>DEVELOPMENT PLAN ALLOCATION:</b>	Green Belt
<b>DEPARTURE</b>	Yes
<b>REPRESENTATIONS:</b>	Two
<b>RECOMMENDATION:</b>	Approve subject to S.106
<b>SITE MAP</b>	





This report has been updated, for Members information, please see Section 7.0 below.

## 1. APPLICATION SITE

### 1.1 The Site and Surroundings

The site covers an area of 0.54 hectares, and is known as Commonside Farm or Commonside Business Court, with access off Daresbury Lane (B5356) in Daresbury. It is located between the villages of Daresbury and Hatton (Warrington Council's administrative boundary), and currently consists of building (former grain store), which houses an indoor tennis centre, an L-shaped block of office buildings (5 no. former barns), and a stand-alone new build office building, with associated parking.

The nearest adjacent property is Commonside Farmhouse, which has recently been sold off and is in separate ownership. This does not form part of this planning application.

The surrounding area comprises of countryside, and woodland areas, and the site and surrounding area is within Greenbelt.

## 1.2 Planning History

There is extensive planning history attached to the site, which includes:

- 94/00641/FUL-Demolition of redundant grain drying shed and extension of grain storage shed to provide covered tennis court for use by owner and family (Refused 31/01/95).
- 95/00133/FUL-Proposed extension and alteration to grain drying store to provide an indoor tennis court (Approved with conditions 27/04/95).
- 99/00057/FUL-Proposed steel framed agricultural building (Approved with conditions 20/04/99).
- 04/00621/COU-Proposed conversion of 2 no. existing barns into office units (Approved with conditions 14/10/04).
- 05/00433/COU-Proposed conversion of existing farm house into office accommodation (Approved with conditions 21/10/05).
- 06/00932/COU-Proposed raising of part of roof to former milk shed and installation of external fire escape (Approved with conditions 02/02/07).
- 07/00172/ADV-Proposed display of illuminated entrance signs (Approved with conditions 25/05/07).
- 08/00354/ELC-Notification under S37 of the Electricity Act 1989 & Section 90(2) of the Town & Country Planning Act 1990 to the Secretary of State for the installation of 11kV overhead line over Chester Road & adjacent to Keckwick Lane & at the entrance to Commonsie Farm (No objection 12/08/08).
- 10/00440/S73-Application to vary condition no.1 of extant permission 05/00433/COU to allow extension of time limit for a further 3 years (Approve with conditions 12/05/11).
- 11/00288/FUL-Proposed change of use of office and erection of indoor and outdoor tennis courts with associated lighting to form tennis facility (Withdrawn 21/02/12).

## 1.3 Background

Planning permission was granted for the change of use of the agricultural buildings to offices in 2004, and the marketing of these commenced in 2007. The applicants have subsequently had difficulty in fully letting the properties, with only three lettings, and the remaining suites, which have never been let. There are currently two of the units let, with one being vacated soon.

Commonside Farmhouse has recently been sold off, and is continuing to be used for residential use, and is not within the application site.

The indoor tennis centre building has a personal condition, which linked it to the farmhouse. It is assumed that this was not included in the sale, and therefore the tennis centre building is not being used.

## **2. THE APPLICATION**

### **2.1 Proposal Description**

The application proposes the demolition of the existing indoor tennis centre, and the replacement of this with five dwellings and the conversion of the existing office units to residential use (six dwellings), which will form a u-shaped courtyard. The existing stand-alone office building, in the north-west corner, is also to be converted to two dwellings.

The breakdown of residential dwellings includes, 3 no. 2-bed units, 9 no. 3-bed units and 1 no. 4-bed unit. The three 2-bed dwellings will be affordable housing units.

The access and parking areas are laid out as existing.

### **2.2 Documentation**

The planning application is supported by a Planning Statement, Design and Access Statement; Ecology Survey (Extended Phase 1 Habitat Survey), and Protected Species Survey. These have all been updated, since the submission of the application, following negotiations.

## **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)

North West RSS Policies of relevance include:

Policies within Section 3 Sustainable Development (Policy DP1 Spatial Principles)

Policy RDF4 Green Belts

Policy L4 Regional Housing Provision

Policy L5 Affordable Housing

Policy LC3 The Outer Part of the Liverpool City Region

Policy EM17 Renewable Energy Policy

### 3.3 Halton Unitary Development Plan (UDP) (2005)

The site is located within Greenbelt, where Policy GE1: Control of the Development in the Green Belt in the Halton Unitary Development Plan, is of relevance. The site has been previously used for office use and as an indoor tennis centre, and is therefore considered as previously developed land. The following UDP policies are also of relevance to this application;

BE1 General Requirements for Development

BE2 Quality of Design

H2 Design and Density of New Residential Development

H3 Provision of Recreational Greenspace

TP6 Cycling Provision as part of New Development

TP7 Pedestrian Provision as Part of New Development

TP12 Car Parking.

### 3.4 Halton Core Strategy (2012)

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

CS1 Halton's Spatial Strategy

CS2 Presumption in Favour of Sustainable Development

CS3 Housing Supply and Locational Priorities

CS6 Green Belt

CS7 Infrastructure Provision

CS12 Housing Mix

CS13 Affordable Housing is of particular relevance

CS18 High Quality Design

CS19 Sustainable Development and Climate Change

### 3.5 Relevant SPDs

New Residential Development SPD; Draft Open Space Provision SPD and the Draft Affordable Housing SPD are of particular relevance.

#### **4. CONSULTATIONS**

- 4.1 HBC Highways– Have provided comments seeking clarification in relation to the type and frequency of the refuse collection, and whether they are willing to enter a non-adopted area.

Concerns have been raised with the parking layout being remote from the property and front doors, and there should be the provision for visitor parking.

The provision of seven pedestrian passing places will not provide a benefit to pedestrians, and the assessment is based on week day movements only, and does not include the weekend. The provision of pedestrian waiting areas could be seen as making the public right of way more vehicle friendly than being more pedestrian friendly.

The supporting information does not look at how accessibility to the site could be improved. There have been discussions between the Council and Daresbury Estates, in recent years, in relation to the provision of a link from Commonsides Farm to Daresbury Village via Hall Lane.

The applicant has provided amended plans to provide a cycle store and additional visitor spaces. The plans also indicate the location of a permissive route for pedestrians over land in the ownership of the applicant. This would be secured by condition. This permissive route will provide for better pedestrian links to Daresbury Village.

The amended plans are still under consideration by the Highways engineer members will be update in relation to whether the amendments are acceptable.

- 4.2 HBC Open Spaces – Have not raised any issues, in relation to the application, providing that there is no further tree loss, in the area. There is no on-site open space provision, therefore a contribution is requested, for off-site provision, which will be allocated within the Parish of Daresbury

- 4.3 Daresbury Parish Council – The Parish Council do not raise any objections in relation to the application.

- 4.4 Hatton Parish Council – The Parish Council have noted that the access will be from Daresbury Lane and not the cart track that leads to Warrington Road, Hatton. The Parish Council would object to any access from Warrington Road.

There is no objection to the conversion to residential use of the mainly vacant existing offices on the site, and this use may be in line with local policies and the National Planning Framework.

With regards to the demolition of the indoor tennis building and the construction of 5 new houses, they object to this as it is new development in the Green Belt, that sets a precedent for other similar developments in the area, including Hatton. The Parish Council find it surprising that the building is

no longer apparently required, given the recent application for an expanded tennis facility, which was subsequently withdrawn.

4.5 United Utilities – No objections to the proposed development.

4.6 Cheshire Wildlife Trust – Seek clarification in relation to the extent of the buildings to be converted. We acknowledge that, in the context of the results of 2011 and 2012 surveys, the current proposal with regard to the demolition of the indoor tennis building is acceptable and impact mitigation is not required. Opportunities for biodiversity enhancement, such as the provision of bat and bird boxes, should be taken up and enforced via suitable conditions to cover:

- Retention of any existing trees and shrubs within site landscape works, or if not possible, replanting with native species
- Maintenance of habitat links
- Provision of bat boxes, nest boxes and artificial swallows' nests.
- No tree, shrub or hedgerow management and/or cutting operation should take place during 1<sup>st</sup> March to 31<sup>st</sup> August inclusive. Reason: protection of breeding birds and active nests.

In terms of the conversion of existing offices to dwellings, we note that the updated bat survey did not include these buildings either as part of its survey or in its assessment of impact. We understand, that the conversions do not require changes to the roof structure and space. However, in view of the results of earlier surveys carried out in 2008 (quoted in our letter of September 2011), which found that Commonsides Farm provided a resource of local significance for bats, including roosting (in the main buildings), foraging and sheltering; we recommend that prior to any work being carried out on the existing office building roofs, they should be comprehensively checked for the presence of bats. Should a bat or bats be encountered during precautionary surveys and/or subsequent work on the conversions, work must be halted and advice sought from a suitably qualified bat specialist.

4.7 The comments raised are considered within the report.

## **5. REPRESENTATIONS**

5.1 There have been two letters of representation, which raise the following issues;

- Using the route onto Warrington Road would be dangerous because of the blind corner which is dangerous.
- Object to the new build on Green Belt land because it may set a precedent in the Hatton area.
- No mention of the Public Right of Way which passes through the site, and more specifically along the access road.
- The plan shows additional passing places along the narrow road, but question whether this is sufficient to protect pedestrians/walkers from the substantial increase in vehicle traffic.
- A new separate pathway alongside the road would be preferable.

The comments raised will be considered within the report.

## **6. ASSESSMENT**

### **6.1 Assessment against Planning Policy**

The site is located within Green Belt, where Policy GE1 Control of Development in the Green Belt (UDP Policy) is of relevance. The report will also make relevance to Policy CS6 Green Belt, within the Core Strategy, as the Core Strategy has significant weight in relation to decision making, due to the stage in the plan preparation. The Inspector found the Plan sound and the Council are looking to formally adopt the plan on 12<sup>th</sup> December 2012.

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.

Policy GE1 (UDP), and Policy CS6 (Core Strategy) relate to the Green Belt and are of relevance to this application. The main purpose of Halton's Green Belt designation, as outlined in the Core Strategy is *'..to keep land open and generally free from development, maintaining strategic gaps between Runcorn and Widnes and surrounding settlements. It protects against unwanted urban sprawl, and directs development to built up areas where it can assist in urban regeneration and be of benefit to existing communities.'*

The construction of new development within Green Belt is considered inappropriate, however there are exceptions which include;

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The above is outlined on page 21 (paragraph 89) of NPPF, which provides the policy framework for the Core Strategy, and Policy GE1 of the UDP broadly complies with paragraph 89 of NPPF.

The proposal is for the demolition of the existing indoor tennis centre, and the replacement of this with five dwellings, and the conversion of the existing offices to eight dwellings. Three of the dwellings will be affordable housing units. Bullet points 3, 4, 5 and 6 of paragraph 89, in the NPPF, are of relevance to this application.

Green Belt policy allows for the alteration of a building provided that it does not result in disproportionate additions. It is proposed to turn the existing offices into residential use, with limited alteration to the elevations, and there are no extensions, to the buildings, proposed. This element of the policy does not refer to a change in the use of the building, but only relates to the structure itself. There is another part of NPPF, that is also of relevance to this part of the proposal, which is paragraph 90 (bullet point 4) which states; *'Certain other forms of development are also not inappropriate development in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt....'*

- *the re-use of buildings provided that the buildings are of permanent and substantial construction...'*

The buildings, that are proposed to be converted, were only marketed in 2007, therefore it was assumed that they were only finished being built around that time. The buildings are of permanent and a substantial construction. Therefore this element of the proposal (conversion of offices to residential use) complies with Green Belt Policy.

Three of the above units are proposed to be affordable housing units, which fits in with bullet point 5 of paragraph 89, providing that they are for local community needs under policies set out in the Local Plan. There is a policy on affordable housing, within the Core Strategy (Policy CS13 Affordable Housing) and a Supplementary Planning Document on Affordable Housing, which will be discussed later on within the report.

There are also five new dwellings proposed, which are on the site of the existing indoor tennis centre. Bullet point 4 of paragraph 89 is of relevance to this part of the proposal, where the replacement of any building, is not necessarily inappropriate development, providing that the new building is the same use and not materially larger than the one it replaces. Whilst the new residential development is not materially larger, which has been demonstrated by the applicant, the proposed use will be different to the existing one. However, when looking at bullet point 6 of paragraph 89, new buildings are considered appropriate if they relate to limited infilling or the partial or complete redevelopment of previous development sites (brownfield land), as long as they do not have a greater impact on the openness of the Green Belt. This is where NPPF differs from previous national planning policy guidance



relating to Green Belts (Planning Policy Guidance Note 2) where the scope for previously developing sites in the Green Belt only applied to major existing developed sites as identified in adopted local plans.

This site can be considered to be previously development land, as per the definition in NPPF (Annex: Glossary pg 55). As mentioned above, the applicant has demonstrated that the replacement built form, will not be larger than the existing building, both in footprint and volume, see the table below (page 4 of the Supporting Planning Statement).

	Existing	Proposed	% Change
Footprint	699 sqm	246 sqm	-65%
Floorspace	699 sqm	425 sqm	-39%
Volume	4792 m <sup>3</sup>	1594 m <sup>3</sup>	-67%

The existing indoor tennis centre is 10.6m in height, to the apex, and it is proposed to replace the building with 5 no dwellings, which will be 7.7m in height to the apex. This is nearly a reduction of three metres in height, and this coupled with the decrease in volume (as seen in the table above) will reduce the impact on the existing area, and surrounding Green Belt, therefore reducing the overall harm on the Green Belt.

Within the NPPF there is presumption in favour of sustainable development. Whilst this proposal is not directly adjacent to any facilities, nor are the existing offices. It is noted that the shift in emphasis has changed towards providing sustainable development, however, there is also the requirement to provide a choice of housing and economic development etc. and provide a balance. This proposal is not wholly sustainable but there are public footpath links to be provided, across the fields, to Daresbury Village, which is discussed later on within the report. This development does provide a choice of housing, both in terms of the sizes of the properties and for people who do not wish to live within built-up areas but equally do not want to live in an isolated property within the countryside. It also brings back what would otherwise be empty buildings back into use, which have been marketed for a number of years for office use, which can also be considered sustainable.

## 6.2 Design Character and Amenity

The existing office buildings, which are to be proposed to be converted to residential use, will require internal alterations to adapt them to residential use. The existing windows and doors will be used, and the internal layout adapted accordingly. There are existing windows, which overlook the farmhouse and due to the sensitivity of this elevation the habitable room windows have been removed from the first floor of Plot 11. This removes any potential for overlooking into the existing farmhouse. The details for this, element of the scheme, is provided on Fig 4 (pg 8) of the Design & Access Statement Addendum November 2012.

In relation to the proposed new build element of the proposal (5 no dwellings), these will form the other side of the courtyard. The design and materials will

match the existing building, with windows and doors also matching as closely as possible. A condition can also be added to ensure that good quality material samples are provided prior to the commencement of development.

The privacy distances between the existing building and the proposed new build is 17m, which does not meet the minimum distance of 21m, as outlined in the Council's Design of Residential Development Supplementary Planning Document (SPD). However, it is acknowledged, within the SPD, that privacy can be achieved in other ways and if adequate distances are not met then it is the responsibility of the applicant to demonstrate how they have achieved the privacy and outlook for residents.

The applicant has demonstrated, with this proposal, that whilst the minimum privacy distances cannot be achieved the 25 degree assessment (to ensure suitable daylight is maintained to any habitable rooms within developments) can be met. This is demonstrated on page 7 of the Design & Access Statement Addendum November 2012 (Fig 3 Street Geometry Diagrams). The development is also for new residential development, where people will have the choice of whether to buy a development with reduced privacy standards, or not. There is no impact on existing residents.

The garden areas and the communal space are shown on the drawings. The garden areas for plots 6, 7 & 8 are below the standards, as set out in the Residential Development SPD. The other plots have larger garden areas, which are acceptable in principle. It is important to look at the overall design of this development. The element where the gardens are smaller (plots 6,7 & 8), is an existing building, which can currently only be accessed from the west. If the orientation of these properties is changed, to provide more garden area, then this would change the whole 'feel' of the development. The courtyard area would be lost and this would be detrimental to the character of the development. The courtyard area will be suitable for children to play and occupants to use as social space. It is considered that the reduced garden space is acceptable when looking at the overall design of the proposal. To ensure that the garden area is retained, and to ensure the good quality design of the proposal is retained, a condition can be added to remove the permitted development rights for extensions, outbuildings and boundary treatment.

There is no public open space included within the scheme. Whilst the courtyard areas will provide some communal space, the provision of public open space should still be designed as an integral part of the development, and the Council's Open Space Supplementary Planning Document (SPD) reiterates this. Due to the design constraints, within the site, it is considered that a financial contribution is provided for an off-site open space provision. Therefore, in line with the calculation provided within the SPD, a contribution is requested, which will be allocated, for spending, within the Parish of Daresbury.

Within the Design & Access Statement it states that '*..The buildings can be designed to accommodate the changing needs of the occupants over time..*' Clarification was sought, from the applicants, on whether this is linked to

Lifetime Homes. The applicant has since stated that '*Although we are not directly applying for lifetime homes accreditation, it is acknowledged that our proposals meet a large amount of the criteria set out in LTH and the wheelchair standards, as illustrated in the adjacent table*' (Table is provided on pg 6 of the Design & Access Statement Addendum November 2012).

The existing building has boundary treatment already provided, along one of the elevations, separating the gardens from the farmhouse, which comprises 1.8m high close boarded fencing. The new build element, will have hedging provided around the boundary of the gardens, with fencing provided between the gardens. There will be gates provided for plots 2,3,4 and 5 to provide additional access to parking areas. A condition can be added accordingly.

It is considered that in terms of the built form and design of the dwellings the scheme, as amended is of a good quality and, in keeping with surrounding area. To ensure that the development retains its good quality design, and character, a condition can be added to remove permitted development rights for extensions, out buildings, and boundary treatments. This will ensure the Council retain control on how the development looks aesthetically, in urban design terms, and will have the added benefit of ensuring that the garden areas are retained, as some they are either at the minimum standard and in a few cases (as discussed above), below the minimum standard. It is considered that appropriate separation and privacy is provided within the site and is in keeping with the character of the development, and that refusal of planning permission could not be justified in terms of impact on amenity. The proposals comply with UDP Policy BE2 Quality of Design and Core Strategy Policy CS10 High Quality Design.

The applicant has agreed in principle to payment of developer contributions in lieu of on and off site open space provision in accordance with Policy CS21: Green Infrastructure of the Core Strategy, and the Council's SPD on Open Space Provision. This will be secured by a legal agreement.

### 6.3 Highways, Parking and Servicing

The access, to the development, is by way of the existing access off Daresbury Lane. It is proposed to add in passing places, along the access road, to reduce the pedestrian/vehicular conflict, due to the access road doubling up as a Public Right of Way. There is not enough space to provide a dedicated footpath along this access road without encroaching onto the adjacent fields, which would entail the removal of some hedging, which would have a detrimental impact to the character of the area. It is considered that by retaining the access road, as existing and the provision of additional passing places, will provide an acceptable solution both in design terms and highway/pedestrian safety terms.

The Public Right of Way runs past the existing farmhouse, and there is also a track that runs from Commonsides Farmhouse, onto Warrington Road. There have been concerns raised, following the public consultation, that where this track is accessed onto Warrington Road there is a dangerous bend. Whilst

there is nothing to deter residents from using this access, the applicant has stated that the residents at Commonsides Farm only use this access for emergencies and during the Creamfields weekend. It is considered that the preference will be for people to use the access onto Daresbury Lane as this has good visibility.

To deter people from parking, adjacent to the Public Right of Way it is recommended that signage is provided to ensure the Public Right of Way is kept clear, and to ensure that parking is not ad-hoc. This would be a management issue to be looked at within the site, and is not a planning issue, however, an informative will be provided on the decision notice.

In relation to the details for the parking, this is laid out as existing, and each housing plot will be allocated parking spaces. The Council's Highways Engineer commented that some of the parking will be remote from the properties. To overcome the remoteness of the parking spaces, in relation to some of the residential units, there will be gates put into the boundary treatment, to ensure that alternative access is available. There has also been additional visitor parking spaces allocated within the site, which are shown on amended plans, at the request of the Highways Engineer. There is adequate car parking provided within the scheme, for both residents and visitors.

Cycle storage has also been provided, and is shown on the amended plans. This will be a timber construction and will not be visually intrusive within the development. These are shown on the amended plans, but final details can be requested through a condition.

To increase the links to Daresbury Village, a footpath is proposed across the fields from the proposal into the village itself. This will be a permissive footpath, 2.0m wide, which will link the development site, with Hall Lane, and Millenium Way in Daresbury. The exact details are still to be agreed. It will be required to be closed for the Creamfields Festival which is held over the August Bank Holiday Weekend. To ensure that this is provided, and retained, then an appropriate condition can be added to the decision notice, to request details of the route.

It is considered that the initial concerns that have been raised by the Council's Highways Engineer have been addressed, through slight amendments to the scheme.

### 6.4 Ecology and Trees

A Phase 1 Habitat Survey and a Bat Survey has been provided as part of the application. The officer from Cheshire Wildlife Trust has raised concerns in relation to the survey only taking into account the indoor tennis centre and no other buildings. The reason for this is that the other buildings, whilst some of them are currently vacant, are being used as offices, and as part of the mitigation for that development a bat roost was provided off-site.

In the context of the results of 2011 and 2012 surveys, the current proposal with regard to the demolition of the indoor tennis building is acceptable and

impact mitigation is not required. Opportunities for biodiversity enhancement, such as the provision of bat and bird boxes, will be achieved via conditions covering:

- Retention of any existing trees and shrubs within site landscape works, or if not possible, replanting with native species
- Maintenance of habitat links
- Provision of bat boxes, nest boxes and artificial swallows' nests.
- No tree, shrub or hedgerow management and/or cutting operation should take place during 1<sup>st</sup> March to 31<sup>st</sup> August inclusive. Reason: protection of breeding birds and active nests.

In terms of the conversion of existing offices to dwellings, it is noted that the updated bat survey did not include these buildings either as part of its survey or in its assessment of impact. However, the conversions do not require changes to the roof structure and space. In view of the results of earlier surveys carried out in 2008 (quoted in our letter of September 2011), which found that Commonsides Farm provided a resource of local significance for bats, including roosting (in the main buildings), foraging and sheltering; It is recommended that prior to any work being carried out on the existing office building roofs, they should be comprehensively checked for the presence of bats. Should a bat or bats be encountered during precautionary surveys and/or subsequent work on the conversions, work must be halted and advice sought from a suitably qualified bat specialist.

### 6.5 Energy Efficiency and Energy from Renewable Sources.

The Regional Spatial Strategy (RSS) Policy to 2021 currently requires that 10 per cent of predicted energy requirements come from decentralised and renewable low-carbon sources. The Government has stated its intention to revoke RSS but it still remains a material planning consideration, until it has been provoked. Whilst the proposals do not strictly accord with the wording of RSS Policy, it proposes to achieve Level 3 of the Code for Sustainable Homes and will therefore provide homes that require less energy to run. The proposals will also have to comply with the Building Regulations Standards, which are set by the Government.

### 6.6 Open Space

As discussed above, in Section 6.2, due to there not being any on-site open space provided then a financial contribution will be provided.

### 6.7 Affordable Housing

Policy CS13: Affordable Housing of the emerging Core Strategy seeks to secure 25% of total residential units for affordable housing provision. Three units are shown as being for affordable housing. The details of this will be provided within a Section 106 agreement. The Strategic Housing Market Assessment has identified that there is a shortfall of affordable homes within

Halton. It is considered that the proposals are therefore considered to accord with the aspirations of Policy CS13.

## **7. CONCLUSIONS**

The application proposes a modest size development, comprising of a mix of existing buildings and an element of new build, which would replace an existing larger building, within the Green Belt. Given the site constraints the proposed scheme is considered to offer a good quality in terms of design and layout and is in keeping with the character and quality of the wider area. It is considered that acceptable provision can be made for highways and servicing and securing the amenity of potential residents. The proposals are considered to not cause any harm to the Green Belt and are in accordance with policies of the National Planning Policy Framework, Halton Unitary Development Plan, Halton's Core Strategy, the New Residential Development SPD, the Open Space SPD and Affordable Housing SPD.

### Update for DC Committee Members

Members may recall that this application was approved subject to the following conditions and entering into a Section 106 (listed below), on 7<sup>th</sup> January 2013, by this Committee. Since that date there have been changes made to the General Permitted Development Order, which has made changes to the Use Classes Order enabling changes from B1(a) Offices to Class C3 (dwellinghouses), subject to a number of conditions, without having to apply for planning permission.

The wording within the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, in relation to the above (Class J) reads as follows:

#### *'Permitted development*

*J. Development consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from a use falling within Class B1(a) (offices) of that Schedule.'*

It then goes on to the list where this does not apply, but this is not applicable to this area or for this application. There is then a list of conditions;

#### *'Conditions*

*J.2 Class J development is permitted subject to the condition that before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to-*

- (a) transport and highways impacts of the development;*
- (b) contamination risks on the site; and*
- (c) flooding risks on the site;*

*and the provisions of paragraph N shall apply in relation to any such application.'*

Paragraph N relates to the procedure for prior approval.

With the introduction of the change (as outlined above), the applicant for Commonsides Farm, has requested that the application is considered with this fall-back position in mind. This is on the basis that the applicant could apply for an application for the prior approval for the change of use from B1(a) offices to C3 residential use, which would apply to the existing offices, for the conversion to 8 no dwellings.

The second element would require a full planning application for the demolition of the indoor tennis building and the erection of 5 no. dwellings.

Within the original application there was the provision of 3 no. affordable houses, which is outlined above in paragraph 6.7. This complied with Policy CS13 of the Core Strategy and was included in the draft Section 106. Given the fall back position explained above, it is recommended that Policy CS13 is no longer applied to this application. The thresholds as set out in the Draft Affordable Housing Supplementary Planning Document only apply to planning permissions (paragraph 4.2 pg 11), for more than 10 dwellings. Therefore the applicant could change the application to avoid the obligation for affordable housing.

Whilst there will not be any affordable housing provided within the site, the applicant has stated that they are still willing to provide a contribution towards the provision of off-site public open space to be spent in Daresbury Parish. In relation to the Offsite Open Space requirement the applicant is willing to enter into a Section 106 agreement to provide this payment.

The update is for Members information, on a decision that was previously made by them.

## **8. RECOMMENDATIONS**

Approve subject to conditions and:

- a) The entering into a Legal Agreement for the provision of a financial contribution towards off-site public open space to be spent within the Parish of Daresbury.
- b) That if the S106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation in consultation with the Chairman or Vice Chairman of the Committee to refuse the application on the grounds that it fails to comply with Policy S25 (Planning Obligations).

## **9. CONDITIONS**

1. Standard 3 year permission (BE1)
2. Condition specifying amended plans (BE1)
3. Materials condition, requiring the submission and approval of the materials to be used (BE2)
4. Removal of permitted development rights for extensions, outbuildings and boundary treatment.
5. Boundary treatments to be submitted and approved in writing. (BE2)
6. Conditions relating to restriction of permitted development rights relating to extensions and outbuildings and boundary fences etc. (BE1)
7. Construction Management Plan including wheel cleansing facilities to be submitted and approved in writing. (BE1)
8. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
9. Requiring provision of bin and recycling facilities prior to occupation. (BE1)
10. Final details of cycle storage facilities (BE1)
11. Details of the permissive path as shown on the plan linking the development with Daresbury Village. (TP7)
12. Retention of trees and details of any planting scheme.(BE1)
13. Provision of bat boxes and nesting boxes
14. Maintenance of Habitat Links.
15. No works to be undertaken during the bird nesting season.

Informative: Signage to deter people from parking adjacent to the Public Right of Way. Buildings should be checked for bats prior to commencement of works.

## **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.



<b>APPLICATION NO:</b>	13/00039/FUL
<b>LOCATION:</b>	Redrow Site, Lunts Heath Road, Widnes
<b>PROPOSAL:</b>	Proposed residential development consisting of 92 no. dwellings as amendment to part of previous planning permission 11/00184/FUL (reducing total number of dwellings from 143 to 126).
<b>WARD:</b>	Farnworth
<b>PARISH:</b>	N/A
<b>CASE OFFICER:</b>	Glen Henry
<b>AGENT(S) / APPLICANT(S):</b>	Redrow Homes NW Ltd
<b>DEVELOPMENT PLAN ALLOCATION:</b>	
Halton Unitary Development Plan (2005)	Phase 3 Housing Allocation Ref:- 960 'Glebe Farm'.
<b>DEPARTURE</b>	Yes
<b>REPRESENTATIONS:</b>	3
<b>RECOMMENDATION:</b>	Approve subject to Conditions.
<b>SITE MAP</b>	

## 1. APPLICATION SITE

### 1.1 The Site and Surroundings

Site of approximately 6 Ha of former agricultural land forming part of an overall residential development site of approximately 7.62 Ha of former agricultural land which is bounded by Lunts Heath Road and Wilmere Lane to the south and west, Cranshaw Lane to the east and open farm land to the north. The site is identified as a Phase 3 housing allocation Ref: - 960 'Glebe Farm' within the Halton Unitary Development Plan.

## 1.2 Planning History

Planning Permission was previously approved (11/00184/FUL) for proposed residential development comprising of 143 no. new dwellings with associated garages, parking, hard and soft landscaping. Part of the development approved by that planning permission is currently under construction.

## 1.3 Background

This scheme proposes amendment to a scheme of residential development approved by planning permission 11/00184/FUL (reducing total number of dwellings from 143 to 126). The changes are reported to be a response to customer demand and to reflect the applicant's latest house types.

## **2. THE APPLICATION**

### 2.1 Proposal Description

The scheme proposes residential development consisting of 92 no. dwellings, roads and ancillary development. The dwellings remain at 2 storeys but designed to provide an estate of relatively large 3, 4 and 5 bed detached dwellings.

### 2.2 Documentation

The planning application is supported by a Design and Access Statement, Planning Statement and addendum justification statement. The original application was also supported by Tree and Hedgerow Survey, Ecology Survey, Transport Assessment, Flood Risk Assessment, Noise Assessment and Geoenvironmental Appraisal. Copies of these documents have been requested in support of the current application and update as required from the original submission to account for the revised scheme.

## **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 Halton Unitary Development Plan (UDP) (2005)

The site is identified as a Phase 3 housing allocation Ref:- 960 'Glebe Farm' within the Halton Unitary Development Plan. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- GE21 Species Protection;
- GE26 Protection of Hedgerows;
- PR14 Contaminated Land;
- TP1 Public Transport Provision as Part of New Development;
- TP4 New Public Transport Facilities;
- TP7 Pedestrian Provision as part of New Development;
- TP9 The Greenway Network;
- TP14 Transport Assessments;
- H1 Housing Land Allocations;
- H3 Provision of Recreational Greenspace;

### 3.3 Halton Core Strategy (2012)

Policy CS3: Housing Supply and Locational Priorities and CS12: Housing Mix are considered of particular relevance

### 3.4 Relevant SPDs and Other Considerations

Council's New Residential Supplementary Planning Guidance; draft Open Space Supplementary Planning Document and Landscape Character Assessment are also of relevance.

## **4. CONSULTATIONS**

4.1 Environment Agency– No objection subject to conditions relating to submission and agreement of a scheme to limit surface water run-off and manage the risk of flooding from overland flow.

4.2 HBC Open Spaces – No objection in principle but that plots bordering open space may result in future conflicts.

## **5. REPRESENTATIONS**

Three letters of representation have been received raising issues that the proposals conflict with proposals for residential development on an adjoining site (now approved under planning permission 13/00023/FUL), that the landscape drawings show no hedgerow/ planting re-instatement of hedgerows to Cranshaw Lane which will mean that the proposed pumping station will not be screened, that an adjoining property is incorrectly plotted, that proposed dwellings are closer to existing houses than previously approved resulting in loss of outlook, amenity and privacy.

## **6. ASSESSMENT**

### **6.1 Housing Land Supply**

Core Strategy policy CS3 identifies a housing requirement of 500 units per annum (net gain) and a need to maintain a 5 year housing supply. In order to achieve this it is acknowledged that, for Widnes, “the existing Green Belt boundaries are tight to the built-up area and any further outward expansion will necessitate a review of the Green Belt to identify additional deliverable and developable land”. Any application to reduce housing numbers by 17 dwellings on a site inevitably adds pressure in this regard.

To ensure the efficient use of land, Policy CS8 seeks a minimum density on individual sites of 30 dwelling per hectare (dph). Policy CS12: Housing Mix makes provision that on sites of 10 or more dwellings such as this the mix of new property types should “contribute to addressing identified needs as quantified in the most up to date Strategic Housing Market Assessment”. Within the justification to this policy it identifies an under provision of detached homes within the Borough to which this scheme would contribute.

The applicant has stated that the proposed amendments are due, in part, to market demand on the site for larger detached homes. They state that the nearby Redrow site at Barrows Green Lane has a resolution (12/00356/FUL) “to increase the number of dwellings on that site by 22, from 126 in the original permission to 148”. “Having regard to the increase in numbers at Barrow’s Green Lane and the reduction at Glebe farm, when considered together the 2 developments yield 274 new homes” 5 more than the current permissions would deliver.

Members should be aware that those previous planning permissions were granted prior to adoption of the Core Strategy and the current proposal will result in a density of 15.33 dph for the area subject of the current application. The resultant density of the overall combined schemes as a result of the density increase at Barrows Green Lane and the current application to reduce density at Lunts Heath Road, will be 22.1 dph. Total combined provision is therefore significantly below the 30 dph required by Core Strategy Policy CS3. Notwithstanding that, if the in-combination argument put forward by the applicant is accepted then the combined result of the amended schemes

would be a marginal increase in housing numbers and therefore density over the two sites.

### 6.2 Design Character and Amenity

The proposed dwellings are considered of similar character to those previously approved and constructed within the development. The properties continue to be 2 storey albeit now providing large detached houses across the scheme at relatively low density. The principle of lower density was accepted under the earlier extant planning permission and the existing prevailing character of the wider area is also of relatively low density detached properties.

It is considered that a good quality of design in keeping with earlier the earlier scheme. Based on amended plans received it is considered that previous aspirations to maintain landscape buffers to the adjoining green belt are considered to have been maintained in accordance with the Halton Landscape Character Assessment. It is considered that matters relating to open space provision have been addressed through earlier planning permissions and appropriate open space contributions will be secured through an amended legal agreement in accordance with the SPD for Open Space.

The scheme as submitted includes details of materials and boundary treatments. The details submitted are considered to reflect those approved through earlier phases and considered acceptable. Conditions are required to ensure the scheme is implemented as approved. Conditions relating to hours of construction, a Construction Environmental Management Plan and wheel wash facilities need to be included on any permission given to ensure that disturbance to existing local residents is kept to a minimum.

The scheme has been amended from that as originally submitted but is considered to require further amendment to provide appropriate screening to Cranshaw Lane and satisfactory levels of privacy and amenity for existing adjoining residents. Whilst amended plans and consultation responses are awaited it is considered that these matters can be adequately resolved.

### 6.3 Highways, Parking and Servicing

The scheme proposes to retain vehicular access to both Wilmere Lane and Lunts Heath Road with a cycle/ pedestrian link to Cranshaw Lane as per the original planning permission. It is not considered that the proposals will result in significant additional off site highway impact to warrant update to the original Transport Assessment. Amendments have however been requested to the internal layout and tracking to ensure that satisfactory highway access, parking and servicing is provided. Amended plans have been requested and consultation responses awaited however it is considered that these matters can be adequately resolved.

Off-site highway works and developer contributions towards local transport provision and Greenway improvements as previously agreed will also be secured through revised conditions and a legal agreement. It is considered

that all outstanding matters can be adequately secured by condition and/or through developer contribution as required.

#### 6.4 Contamination

As per the earlier planning permission the Council's Environmental Health Officers have confirmed that, due to the sensitivity of the proposed use, detailed ground investigation should be provided. No objection is raised in principle however and it is considered that this can be adequately secured by condition.

#### 6.5 Other Material Considerations

Issues relating to flooding, impact on trees, hedgerows and wildlife, affordable housing and other considerations were substantially addressed through the earlier scheme and included submission of relevant survey and mitigation information. Such reports have been updated as required in relation to the amended scheme. No objections are considered to have been raised to justify refusal of planning permission in these regards and it is considered that all outstanding matters can be adequately secured by appropriate planning conditions.

### 7. **CONCLUSIONS**

This scheme proposes amendment to a scheme of residential development approved by planning permission 11/00184/FUL (reducing total number of dwellings from 143 to 126). The change is reported to be, in part, a response to market demand on the site for larger detached houses. The site is partially constructed and the developer proposes changes to update house-types to their latest range and improve the saleability of remaining plots. The proposed dwellings are considered of similar character to those previously approved and within the wider area.

There are a number of detailed matters of detail that remain outstanding relating to internal highway and layout details. If members are willing to accept the applicant's justification with respect to housing density and numbers, it is requested that, in order to avoid unnecessary delay, authority is delegated to allow approval once these detailed matters are resolved.

### 8. **RECOMMENDATIONS**

Authority is delegated to the Operational Director – Policy, Planning and Transportation in consultation with the Chair or Vice Chair to approve the application subject to conditions, any such further conditions which arise as a result of amended plans and:-

- (a) The entering into a Legal Agreement including provision of a financial contribution towards off-site public open space, adoption of on-site open-space, public transport/ bus stops and Greenway improvements as required

- (b) That if the S106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy Planning and Transportation in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.

## 9. CONDITIONS

Conditions relating to the following:

- 1) Condition specifying amended plans (BE1)
- 2) Requiring that no development shall begin until written details and agreement of construction vehicle access routes and construction car parking and management plan; (BE1)
- 3) Materials condition, requiring the submission and approval of the materials to be used (BE2)
- 4) Landscaping condition, requiring the submission of both hard and soft landscaping to include tree and hedgerow planting. (BE2)
- 5) Boundary treatments including retaining walls to be submitted and approved in writing. (BE2)
- 6) Construction Management Plan including wheel cleansing facilities to be submitted and approved in writing. (BE1)
- 7) Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
- 8) Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
- 9) Submission and agreement of finished floor and site levels. (BE1)
- 10) Condition restricting permitted development rights relating to frontage boundary fences, (BE1)
- 11) Condition restricting permitted development rights relating to addition of windows/ dormers (BE1)
- 12) Condition restricting permitted development rights relating to extensions and outbuildings for specified plots (BE1)
- 13) Site investigation, including mitigation to be submitted and approved in writing. (PR14)
- 14) Submission and agreement of a scheme of biodiversity features including landscape planting, log piles, bat and bird boxes (BE1 and GE21)
- 15) Conditions relating to tree and hedgerow protection during construction including special/ construction working methods for driveways beneath trees (BE1)
- 16) Submission and agreement of detailed construction of surface water detention pond (BE1)
- 17) Survey for ground nesting birds to be submitted and approved; (BE1 and GE21)
- 18) Grampian conditions relating to off-site highway works to Lunts Heath Road entrance and to provide 3m wide cycle/ footway to site frontage with Wilmere Lane up to junction with Lunts Heath Road (TP6 and TP9)
- 19) Grampian conditions relating to off-site works Replacement highway tree planting (BE1)
- 20) Phasing of the greenway;

- 21) Submission and agreement of site and finished floor levels (BE1)
- 22) Requiring Submission, agreement and implementation of detailed method statement for removal or long term management/ eradication of Japanese knotweed (BE1)
- 23) Requiring the development be carried out in accordance with the approved FRA and appropriate mitigation measures (PR16)
- 24) Submission, agreement and implementation of a surface water regulation scheme (PR16)

## **10. SUSTAINABILITY STATEMENT**

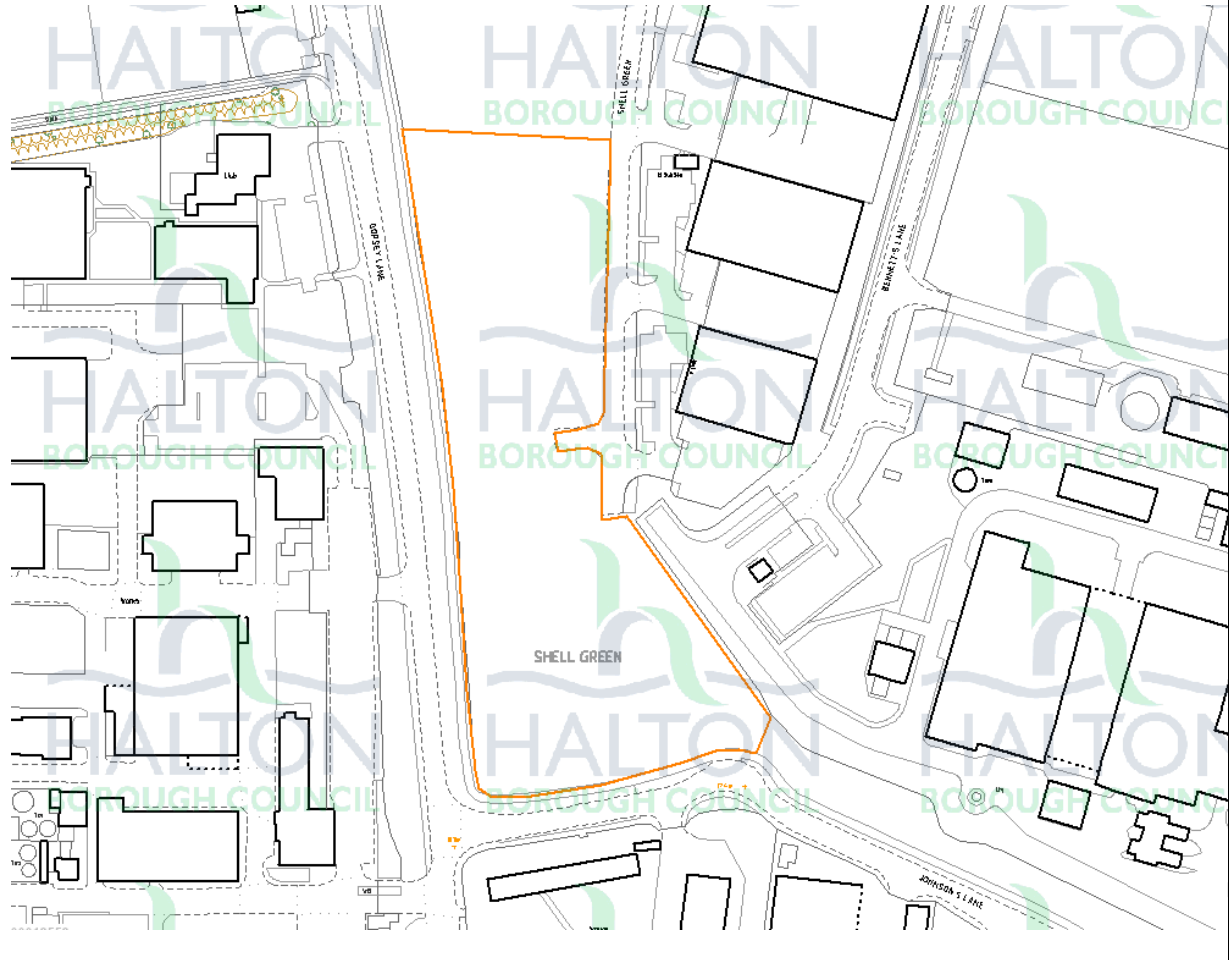
As required by:

- 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.



<b>APPLICATION NO:</b>	13/00175/FUL
<b>LOCATION:</b>	Land to the north Easter Park, Gorsey Lane, Widnes
<b>PROPOSAL:</b>	Proposed new food production facility, warehouse, tank farm, vehicle access and external works
<b>WARD:</b>	Halton View
<b>PARISH:</b>	N/A
<b>CASE OFFICER:</b>	Rob Cooper
<b>AGENT(S) / APPLICANT(S):</b>	Mr Andrew Strickland
<b>DEVELOPMENT PLAN ALLOCATION:</b>	
National Planning Policy Framework (2012) North West Plan: Regional Spatial Strategy for the North West (2008) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)	
<b>DEPARTURE</b>	No
<b>REPRESENTATIONS:</b>	One objection
<b>KEY ISSUES:</b>	Design and appearance, flood risk and drainage, air quality, odour, noise, transport and highways
<b>RECOMMENDATION:</b>	Approval

**SITE MAP**

## **1. APPLICATION SITE**

### **1.1 The Site**

The site is located off Gorse Lane within the Widnes Waterfront Area, it is bounded to the north by a vacant employment land, to the east by Shell Green, which leads onto Bennett's Lane, to the South the site is bounded by Johnson's Lane.

The site is currently vacant, identified in the Halton UDP as primarily employment land the surrounding areas are classed as Primarily Employment Areas.

### **1.2 Planning History**

06/00629/S73 - Application under Section 73 of the Town and Country Planning Act to provide an extension of time for the submission of reserved matters (variation of Cond.3 of planning permission 03/00882/OUT) Permitted 18 / 10 / 2006

06/00660/REM - Reserved Matters application for construction of 4 No. light industrial/warehouse units with ancillary offices and associated forecourt/service yard facilities with all matters for consideration Permitted 06 / 11 / 2006

08/00355/REM - Reserved Matters application (with all matters for consideration) for construction of light industrial/warehouse units with ancillary offices and associated forecourt/yard facilities Permitted 03 / 09 / 2008

10/00221/S73 - Proposed variation of condition No.4 on planning consent 03/00882/OUT to allow for a further 2 years for the commencement of development Permitted 02 / 08 / 2010

## **2. THE APPLICATION**

### **2.1 The proposal**

The proposal is for a new food production facility, warehouse and tank farm, the applicant states that this will bring new employment opportunities to the area, The proposed development will bring into use a piece of land which has remained vacant for a number of years.

The manufacturing process which the applicant proposes is to take part refined vegetable oils and cocoa butter and provide a finishing process before sale to the food industry. Vegetable oils will mainly be delivered to site as liquids and these will be stored in stainless steel vessels prior to processing.

Cocoa butter will be delivered to site as solid blocks. These blocks will need to be removed from their cartons and melted prior to processing. Part processed and finished products will be stored in a number of dedicated stainless steel vessels.

The factory will carry out up to three processes depending on the quality of the received products and the final product use. Some products will be deodorised, some will be bleached and deodorised and some will be de-gummed, bleached and deodorised.

The factory will be developed as two process lines, each capable of processing up to 40,000 tonnes per annum of feed stocks. In addition to the process equipment, the site will house a steam boiler, chillers and other services equipment. The processes will be designed to be as energy efficient as possible and where practical, high efficiency heat recovery and re-use systems will be employed.

Once processed, the final product will be stored in the proposed new warehouse, together with an existing warehouse on Easter Park that the applicant intends to occupy. The product will then be distributed from the site to the end users who will predominantly be in the food manufacturing industry.

Furthermore the applicant states that the construction of the site will generate jobs, as will the future maintenance of the site. It is estimated that the new facility will employ 60 full time staff and 15 part time staff.

## 2.2 Documentation

The applicant has submitted a Planning Application Statement with the application that includes the following reports:

- Design and Access Statement
- Transport Statement
- Flood Risk Assessment and Drainage Strategy
- Topographical Survey
- Location Plan
- Existing and Proposed Cross Sections
- Proposed and Existing Site Plans
- Proposed Floor Plans and Roof Plans
- Proposed Elevations

## **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 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
- PR1 Air Quality
- PR2 Noise Nuisance
- PR3 Odour Nuisance
- PR5 Water Quality
- PR16 Development and Flood Risk
- TP6 Cycle Provision as Part of New Development
- TP12 Car Parking
- TP16 Green Travel Plans
- E5 New Industrial and Commercial Development

Supplementary Planning Document 'Design of New Commercial and Industrial Development'.

### 3.3 Halton Core Strategy Local Plan (2013)

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

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

## **4. CONSULTATIONS**

The application has been advertised by a press notice and a site notice posted near the site. All adjacent and residents and occupiers have been notified by letter.

The Environment Agency have been consulted and has no objection subject to conditions relating to surface water run-off and overland flow.

The Councils own highways department, open spaces department and environmental health department and major projects team have been consulted any comments received have been summarised below in the assessment section of the report. Ward Councillors have also been notified of the application.

## **5. REPRESENTATIONS**

One objection has been received from the neighbouring manufacturing facility of Innospec. The objection raises concerns in relation to potential for odorous particles from the proposed development impacting on the quality of Innospec final products which consists of aroma chemicals.

## **6. ASSESSMENT**

### **6.1 Principle of Use**

Food manufacturing falls within the B2 use class of the Town and Country Planning Use Class Order 1987.

The site is located within the South Widnes Key Area of Change as identified in Policy CS9 of The Core Strategy Local Plan. The site is also located within a Primarily Employment Area identified in in Policy E3 of the Halton Unitary Development Plan.

Both Policies CS9 and E3 allow for B2 uses, the application there complies with the above Policies and the proposal is considered to be acceptable in principle.

### **Design, Appearance and Visual Impact**

The proposal is to construct two new buildings associated, access, servicing and tank farm to accommodate a food manufacturing facility.

The new buildings have been designed to be in keeping with the adjacent units 1-4 on Easter Park, in that each of the units feature gently curving roofs and profile steel clad facades of a similar colour scheme.

The two new buildings consist of the production building and a new ware house. The production unit will provide a floor space of 2220m<sup>2</sup>, the building itself will vary in height from 7.8m to 17.8m with one area of roof being 22m tall to accommodate manufacturing plant internally. This highest part of the building covers a small area and would be located centrally within the site.

The new warehouse building would create a floor space of 1440m<sup>2</sup>, the height of the building would be approximately 8.7m tall, would have a barrelled roof and be of a similar scale and appearance to existing unit 4 Easter park. As a comparator the adjacent unit 4 is 1340m<sup>2</sup> and 9m tall.

The tank farm would consist of a number of different storage tanks of a maximum height of 10m.

Both the new food production building and warehouse will be clad with insulated metal cladding sheets to match the adjacent existing units 1-4. The tallest element of the production building will be constructed from translucent panels to minimize the visual impact.

With regards to the site layout, this has been amended from the originally submitted scheme to provide a wedge of landscaping between the production building and Gorse Lane, to allow for a planting scheme to include trees to soften the appearance of the site. The warehouse building was also moved further away from Gorse Lane. Any proposed fencing would be a paladin mesh style fence to comply with policy.

The proposed design and appearance of the scheme is considered to comply with Policy BE2 of the Unitary Development Plan and the Supplementary Planning Document 'Design of New Commercial and Industrial Development'.

### Flood Risk Assessment

The site is over 1 hectare in size, in accordance with the Technical Guidance to The National Planning Framework the application has been accompanied with a flood risk assessment.

The proposal is to include a Sustainable Urban Drainage system into the scheme, details provided to date show that this would include a swale and a pond in the southern end of the site.

The Environment Agency has been consulted and has no objection subject to conditions relating to surface water run-off and overland flow. Confirmation is being sought as to whether the applicant would seek the Local Authority to adopt and maintain the SUDs. Further updates will be provided on this matter at committee.

### Emissions and Odour

The proposed development will require an environmental permit for the operation of the manufacturing facility, therefore emissions and odours will be strictly controlled. However the applicant has provided a significant amount of information of the manufacturing process with the planning application to enable the Environmental Health Department access the acceptability of the proposals.

The Environmental Health officer has reviewed the whole manufacturing processes including the de-gumming, bleaching and deodorising and the associated plant and methods that would be used to minimise emissions and prevent odour from the site. The Environmental Health officer is satisfied that emissions and odour can be satisfactorily controlled through the permitting process, and that they are unlikely to result in future nuisance.

One objection has been received from the neighbouring manufacturing facility of Innospec. The objection raises concerns in relation to potential for odorous

particles from the proposed development impacting on the quality of Innospec final products which consists of aroma chemicals. However, at this stage the representation does not substantiate this claim with any evidence. In light of the no objections received from the Environmental Health officer, together with the environmental permitting regime, Innospecs concerns can be given little weight.

### Noise

The nearest existing residential property is approximately 300metres away to the northwest of the site. All of the manufacturing and processing would be carried out within the proposed buildings, although there may be some requirement for external plant such as fans and heat exchangers. The applicant has submitted a noise assessment, the report identifies the nearest residential receptors on Cheryl Drive and Naylor Road, and concludes that the indicative predictive calculations suggest that ambient noise levels will not be increased by the site operations and that, in accordance with the guidance contained in BS 4142, therefore complaints are unlikely.

Based on the assumptions contained within this report, noise mitigation measures will not be required. The Council's Environmental Health Officer has been consulted based on this assessment has no objections in relation to noise.

Taking into account the distance to sensitive properties there would be no noise impacts in terms of residential amenity. The Council's Environmental Health Officer has been consulted and has not raised any particular concerns, any detailed comments or recommendations shall be reported via the amendments list or orally at Committee.

### Residential Amenity

The site is located within the Widnes Waterfront Area, existing surrounding sites are either vacant industrial land or within existing industrial and employment uses. There are no existing residential properties within the immediate vicinity of the site, the nearest is 300m away to the Northeast across the former Bayer Crop site, and across Fiddlers Ferry Road; given the distances and the physical land features the proposal would not impact on residential amenity.

### Transport and Highways

The application has been submitted with a transport statement proposed development, the statement estimates that the development would result in 15 arrivals and 3 departures in the AM peak (08:00 to 09:00). And there would be 4 arrivals and 16 departures in the PM peak (16:00 to 17:00).

The proposal is to utilise the existing access off Bennetts Lane, and create a second new entrance onto Johnsons Lane. The Highways Authority are satisfied that cumulatively the number additional vehicle movements would not have a detrimental impact on the highway network.

Final design details of the new access crossing onto Johnsons Lane and any associated highways improvements would still be required. A suitable pre-commencement condition is recommended that these details are provided and agreed in writing.

The development will provide parking for the staff and visitors to the site. 25 spaces will be provided including 3 disabled spaces, 1 motorbike space and the provision of cycle spaces. These spaces will incorporate disabled parking bays closest to the reception. The existing Unit 4 Easter Park which the applicant will also utilise also provides existing parking. A condition is recommended for full details of the provision for secure cycle parking.

## **7. CONCLUSIONS**

In conclusion, the proposed development will provide significant investment in a currently vacant employment site that will provide employment in the local area. The applicant has provided a significant amount of information in relation to the manufacturing process, and it is considered that the development will not have any detrimental impacts in relation to emissions, odour and noise and that the environmental permitting regime will provide sufficient controls over the site. In this respect the proposal is considered to comply with Policies, PR1, PR2 and PR3 of the UDP.

Furthermore, a flood risk assessment has been submitted, the Environment Agency has no objections and the proposal is considered to comply with Policy PR16 of the UDP.

The applicant has demonstrated that there would be no significant highways impacts, and that sufficient car parking provision can be made to comply with Policy TP12 of the UDP.

Furthermore, the proposed design and appearance of the scheme is considered to comply with Policy BE2 of the Unitary Development Plan and the Supplementary Planning Document 'Design of New Commercial and Industrial Development'.

The application is recommended for approval subject to conditions.

## **8. RECOMMENDATIONS**

Approval subjection to conditions

## **9. CONDITIONS**

1. Time limits condition
2. Approved Plans – (Policy BE1)
3. Materials – (Policy BE2)
4. Drainage conditions including EA surface water and overland flow conditions, and full design and maintenance details of the SUDs– (Policy BE1)



5. Boundary Treatments – (Policy BE22)
6. Submission and Agreement of finished floor and site levels – (Policy BE1)
7. Prior to commencement bin storage facilities to be submitted and agreed – (Policy BE1)
8. Condition restricting no outdoor storage (BE1 and E5)
9. Travel Plan (TP16)
10. Prior to commencement submission and agreement for new vehicle access and associated highways works (BE1)
11. Vehicle access, parking, servicing etc. to be constructed prior to occupation of properties/commencement of use – (Policy BE1)
12. Condition(s) relating to full details of hard and soft landscaping, including planting scheme, maintenance, and replacement planting (BE1)

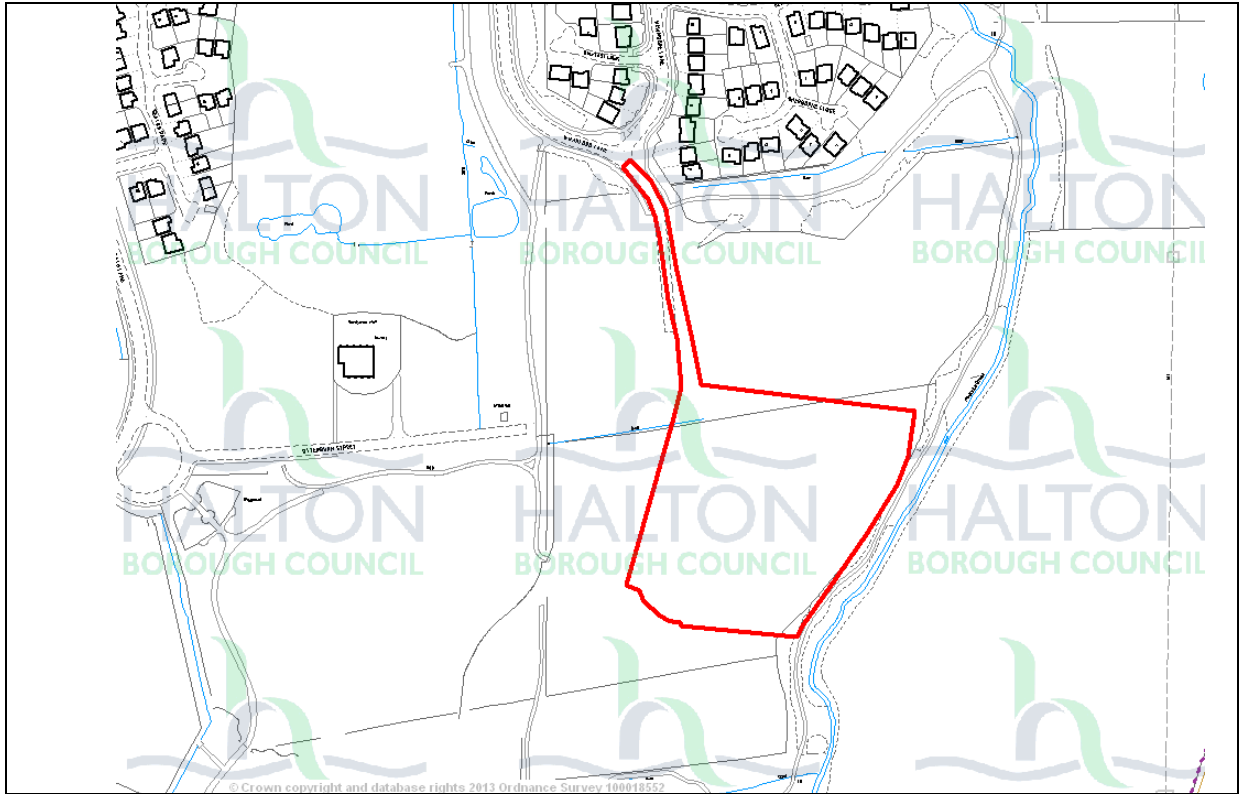
## **10. SUSTAINABILITY STATEMENT**

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.

<b>APPLICATION NO:</b>	13/00190/FUL
<b>LOCATION:</b>	Land to the South of Wharford Lane and to the East of Otterburn Street
<b>PROPOSAL:</b>	Proposed 900 Place secondary school with sports and art/ media centre, also for community use, along with means of access, car and coach parking, coach lay-by, external sports and play areas and associated landscaping and boundary treatment.
<b>WARD:</b>	Daresbury
<b>PARISH:</b>	Sandymoor
<b>CASE OFFICER:</b>	Glen Henry
<b>AGENT(S) / APPLICANT(S):</b>	The Governors and Directors, Sandymoor Free School
<b>DEVELOPMENT PLAN ALLOCATION:</b>  Halton Unitary Development Plan (2005)	The site lies entirely within an allocated Housing Site 406/21 in the Halton Unitary Development Plan
<b>DEPARTURE</b>	Yes
<b>REPRESENTATIONS:</b>	15 - Support 4 – Objections 1 – Comments from Sandymoor Parish Council
<b>RECOMMENDATION:</b>	Approve subject to Conditions.
<b>SITE MAP</b>	



**Deferred from July Development Control Committee**

**1. APPLICATION SITE**

**1.1 The Site and Surroundings**

Site of approximately 1.163Ha located to the south of Wharford Lane falling within the larger area known as Sandymoor North. To the west of the site is a further area allocated for housing and then the existing village green and proposed local centre which currently comprises the Sandymoor village hall and the Sandymoor School on its temporary site. The residential development of Sherborne Close and other houses are located some 140 metres to the north of the site.

**1.2 Planning History**

Temporary planning permission was approved under planning permission 12/00176/FUL for temporary buildings to be used as temporary school premises on land adjacent to Sandymoor Community Centre, Pitts Heath Lane/ Otterburn Street for a period of approximately 2 years. That permission is due to expire by end September 2014 when those buildings are conditioned to be removed and the land restored.

### 1.3 Background

This application was deferred by Committee in July 2013. At that meeting a response from the Secretary of State for Education was tabled in response to a Freedom of Information Request. The item was deferred to allow the Authority to write to the secretary of State for Education to ask whether the impact assessment referred to in the Freedom of Information response was a sustainability impact assessment. The Committee considered this could be a material planning consideration due to the reference in NPPF of Sustainable Development. A letter has been sent to the Secretary of State for Education in this regard and a response is awaited. Members will be updated orally.

The site and all the surrounding land is owned and controlled by the Homes and Communities Agency (HCA) and has been formally designated for development since the 1960s and more specifically since the publication of the Runcorn New Town Master Plan

The application site is greenfield and is located to the south of Wharford Lane. The site presently has no direct means of access but this will be provided by completion of the new road to be known as The Avenue (approved by planning permission 12/00328/FUL) currently nearing completion. Access for the school has been designed for, as part of the road's design and layout.

The site, until recently, comprised open grassland. However the works involved with the construction of the flood alleviation works for the HCA and more particularly for the Newmoore Lane flood bund, and the construction of the extension to Wharford Lane has resulted in the site being changed by the construction works. The site has an extant consent for up to approximately 37 dwellings.

## 2. THE APPLICATION

### Proposal Description

The application proposes a school and sports/media hall with associated on-site parking, coach drop off area and front piazza. The range of facilities in the sports and media block includes dance studios, art centre/space and pottery studios. Much of the space is multifunctional and allows flexible use through the use of sliding room dividers. The maximum capacity of the school is 900 pupils. The design (& ethos of the school) is to facilitate extensive community access.

The school has been designed over 3 floors with an overall floor space of 7626 sq. m. The proposed building is described as consisting of two individual teaching wings accessed off a central full height glazed entrance forum. The wings will be constructed one of a red multi-brick and one of grey metallic composite cladding with matching brick at ground floor. Common detailing including matching integrated window and flat panel systems with matching colour detailing and use of matching brick throughout aim to bring

the 3 distinct elements together. Within the flat roof, recessed and screened areas will hide essential roof-top plant.

Secure open space is also provided at the rear of the school to include a MUGA and areas for outdoor teaching and play. It is suggested by the applicant that the School will have close working ties with SciTech Daresbury, (the science laboratories at Daresbury Science Park) and it is intended that the school will become a centre of excellence for science and technology with teaching taking place in the school and potentially at Sci Tech.

The applicant states that one of the reasons for the siting of the new school in the location sought is because of its relationship with the site to the north which is and has been allocated since the New Town Plan for playing fields. There are no formal playing fields in Sandymoor.

Sandymoor Parish Council (PC) as a public body has agreed to adopt future green areas within the parish boundary. Negotiations are currently taking place on this. Once the land has been adopted by the PC, Sandymoor School will make a proposal to enter into a joint use agreement with the PC to the benefit of both the school and the wider community. This will be in addition to the community use of the school's own facilities and sports hall. The relationship between the two has strongly influenced the HCA's and the school's decision to select the application site. Members were updated orally at the July 13<sup>th</sup> Committee that Sandymoor Parish Council had raised concerns that this inferred a prior arrangement or more intimate relationship than exists. They state that "there has been no approach from the school or prior insinuation from the (Parish) Council that any shared usage arrangements may be entered into in the future should the Parish Council successfully adopt the areas of green space within the Parish".

### 2.1 Documentation

The planning application is submitted in full with all matters for approval supported by:

1. Screening Assessment;
2. Application forms and certification;
3. Location Plan and existing site plan;
4. Detailed site layout plan, floor plans and all elevations;
5. Planning Statement
6. Statement of Community Involvement;
7. Design and Access Statement (DAS);
8. Flood Risk Assessment;
9. Drainage Assessment;
10. Transport Assessment and Travel Plan;
11. Landscape Strategy, landscape plans and detailed planting and hard landscaping specification;
12. Lighting Assessment;
13. Planning Noise Impact Assessment Report;

14. Site Waste Management Plan;
15. Ground Condition Report – Phase 2;
16. Ecological Assessment;
17. Economic Report;
18. Sustainability Report;
19. Executive Summary;
20. Crime Impact Statement.

### **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 Halton Unitary Development Plan (UDP) (2005)**

The site lies entirely within an allocated Housing Site 406/21 in the Halton Unitary Development Plan and in the Supplementary Planning Document for Sandymoor. The following National and Council Unitary Development Plan policies and policy documents are of particular relevance: -

- BE1 – General requirements for development;
- BE2 – Quality of design;
- BE18 – Access to new buildings used by the public;
- BE20 – Disabled access in public places;
- GE21 – Species protection;
- PR2 – Noise nuisance;
- PR4 – Light pollution and nuisance;
- PR14 – Contaminated Land

- TP17 – Safe Travel for All
- PR16 – Development and flood risk;
- TP1 – Public transport provision as part of new development;
- TP6 – Cycle provision as part of new development;
- TP7 – Pedestrian provision as part new development;
- TP12 – Car parking;
- TP14 – Transport Assessments;
- LTC3 – Development of major leisure and community facilities in out of centre locations;

### 3.3 Halton Core Strategy (2013)

The Core Strategy provides the overarching strategy for the future development of the Borough. The policies of relevance to the application are:

- CS1- Halton Spatial Strategy Key Diagram;
- CS2 – Presumption in favour of sustainable development;
- CS7 – Infrastructure provision;
- CS11 – Key area of change – East Runcorn;
- CS15 – Sustainable transport;
- CS18 – High quality design;
- CS19 – Sustainable development and climate change;
- CS21 – Green infrastructure;
- CS22 – Health and well-being;

### 3.4 Relevant SPDs

Sandymoor SPD; Designing for Community Safety SPD; are of particular relevance.

## 4. **CONSULTATIONS**

4.1 HBC Highways– No objection in principle

4.2 HBC Open Spaces\_– No objection in principle

4.3 HBC Contaminated Land –\_No objection in principle

4.4 Environment Agency – No objection in principle

4.5 Merseyside Environmental Advisory Unit – No objection in principle. They have recommended a number of conditions relating to flood risk and a construction management plan.

4.6 Cheshire Police Architectural Liaison Officer - No objection in principle

4.7 Sustrans – No objection in principle

## **5. REPRESENTATIONS**

5.1 Four letters of objection have been received raising the following issues:

- If planning permission has only just been applied for why is building preparation going on now?
- No objection to Sandymoor Free School but infrastructure in Sandymoor not sufficient to accommodate the additional traffic
- Traffic levels during school start and finish times would be heavy making difficulty for residents
- Evening/ community sports facilities will destroy quiet village atmosphere
- That Manor Park would be more suitable
- Adequate schools in the area no need for this development
- Waste of money
- School building too close to existing houses.
- Impact on ecology.
- Not consistent with the master plan
- Public consultation was a joke.
- Increase in traffic
- Cannot be legally submitted having been submitted by the directors who are the governor and also on the parish council.

A further letter has also been received from a resident who has questioned the level of public consultation claimed to have been undertaken by the school and validity of the planning application. This is not however considered to provide grounds to invalidate the application and the Planning Authority has fulfilled its statutory requirements with respect to consultation.

15 letters of support have been received raising the following:

- It would be a great addition to the community and bring the community together as many children currently go to distant schools
- Excellent use of land as opposed to further large housing without facilities.
- Cost to children having to travel to existing schools
- Success of the existing school
- Potential quality building complementing Daresbury Science Park
- Child currently happy and thriving at current temporary school. Currently cycle/ walks there everyday/ local education for local children is exactly what is needed in Sandymoor.
- Good to see Runcorn at the forefront of educational development in 21<sup>st</sup> Century facilities and methods.
- In keeping with the surroundings

Sandymoor Parish Council has submitted representations that they refer to as comments and observations. They identify 4 main issues raised by community members. They state their opinion that noise and anti-social behaviour are considered "non-material considerations but that the Borough Council may wish



to have experts examine the traffic and flooding reports raised within the application". With regards to flooding they note that the schemes already put in place may help but not necessarily solve the problems. With regards to traffic it is stated that residents of Newmoore Lane and Wharford Lane will suffer disruption and ask that an alternative haul road is provided to deter construction traffic from these areas and separate school and construction traffic as per the masterplan.

## **6. ASSESSMENT**

### **6.1 Principle**

The site is designated for residential development and, as such, the proposals have been advertised not to accord with the provisions of the development plan.

The principle of development of the site is established through the Halton UDP designation and the new Core Strategy although the designated use is for housing. The Homes and Communities Agency has, however, agreed with the Sandymoor School the location and size of the site. At present Sandymoor has no school. Whilst land to the west of the village green is allocated for a primary school this has not yet been developed although the site is reserved to satisfy potential future demand that may arise.

It is argued that the use of a small percentage of overall housing allocation for the school will significantly enhance the overall sustainability attributes of Sandymoor and the loss of land with a predicted capacity for 37 dwellings is not considered significant in the wider context of the overall wider development of Sandymoor (with some 1200 houses yet to be built)

The NPPF has at its heart the need to deliver sustainable development through the mutually dependent economic, social and environmental factors and provides that there should be a presumption in favour of sustainable development. NPPF at paragraphs 37 and 38 seeks a balance of land uses within an area to minimise journey length and paragraph 72 of NPPF stresses the importance the government attaches to ensuring a sufficient choice of school places to meet the needs of both existing and new communities.

The proposed school site is within easy walking distance from wider residential area. It is reported that it will be accessible by a school bus as well as by public transport and that the existing temporary school is accessed primarily by pupils either by bicycle or on foot and is supported by a school travel plan.

The catchment for the permanent school will still be centred on Sandymoor, Windmill Hill and other parts of Runcorn. Whilst it will also be taking pupils from the feeder primary schools of Moore and Daresbury, a number of the parents live locally and it is expected that others will choose to move to

Sandymoor to benefit from access to Sandymoor school. This activity combined with the Travel Plan which the school and its parents and pupils are to adopt will help reduce reliance on access to the school by car.

The maximum capacity for the school is 900 pupils with occupation of the school phased over a period of 7 years as follows:

School Year	Comment	No. of Pupils
2012/2013		80
2013/2014	Next year	120
2014/2015	First year in new school	220
2015/2016	6th form launch	450
2016/2017		660
2017/2018		840
2018/2019		880
2019/2020	maximum capacity	900

Members should also be aware of the policy statement - planning for schools development issued by the Secretary of State for Communities and Local Government and the Secretary of State for Education in August 2011 which states that:

**“It is the Government’s view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations. We expect all parties to work together proactively from an early stage to help plan for state-school development and to shape strong planning applications. This collaborative working would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, “yes”.**

**The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:**

**There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.**

**Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.**

**Local authorities should make full use of their planning powers to support state-funded schools applications.**

**Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95.**

**Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible.**

**A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.”**

Appeals against any refusals of planning permission for state-funded schools should be treated as a priority.

Where a local planning authority refuses planning permission for a state-funded school, the Secretary of State will consider carefully whether to recover for his own determination appeals against the refusal of planning permission.

The proposals are not considered to conflict with or prejudice the wider aspirations of the Sandymoor SPD

## 6.2 Design, Character and Amenity

The site is allocated for future development for residential development within the Halton UDP. The proposed buildings and ancillary development are considered to be of a high standard with a number of environmental and sustainability benefits. Whilst being three storeys, of educational use and modern design it is not considered that the proposals would be out of character with the future residential development of the Sandymoor area. Such a relationship between schools and adjoining residential properties is not uncommon across the Borough and it is not considered that refusal of planning permission could be justified on visual or residential amenity grounds.

The external lighting scheme has been designed to provide illumination to the surrounding environment of the building whilst minimising potential light spill and nuisance. Given that there are existing residential dwellings located approximately 140 metres away to the north of the site on Sherborne Close potential noise sources from the external play areas and plant and machinery have all been assessed through a Planning Noise Impact Assessment Report (PNIAR). Measures will be put in place to achieve the requisite noise rating level limits on all external fixed and mounted equipment. The distance between this and the nearby residential premises is such that noise is not expected to have any adverse impact on either existing dwellings or proposed new dwellings. No further noise mitigation from the MUGA is expected to be required.

With regards the issue of construction noise the applicant has confirmed that they are to use screwed piles which substantially reduces noise and vibration from piling activities. It is considered that this can be secured by condition.

A crime impact statement for the scheme has been produced in accordance with advice from Cheshire Police. This is not considered to raise significant planning issues.

The overall objectives of the adopted Supplementary Planning Documents, Halton Unitary Development Plan and other policy guidance are considered to be met within the proposed submission.

### Highways, Parking and Servicing

The Transport Assessment (TA) accompanying the application deal with the traffic implications generated by the school but also takes into account the planned development of the wider area of both North and South Sandymoor. The site already benefits from consent for about 37 - 40 houses. Traffic impact on all the local road junctions is assessed in the Transport Assessment. The local existing and planned road network have already taken into account the planned expansion of Sandymoor for some 1200 houses, new primary school and the yet to be built new local commercial centre.

The Transport Assessment addresses the overall policy background which includes the Core Strategy Local Plan, the Sandymoor SPD and the East Runcorn Sustainable Transport Study. It then addresses the detail of the proposed development assessing access, parking, pedestrian and cycle usage and public transport. The Travel Plan which accompanies the report sets out the sustainable ways in which use of private vehicles will be reduced. The impact of construction is of potential concern to residents. It is anticipated that construction traffic will be brought in off Pitts Heath Lane and Wharford Lane. The application is accompanied by a Construction Impact Assessment and Method Statement including recommendations with regards to wheel wash / road cleansing together with hours of construction and will need to be included as conditions on any planning decision.

The findings of the TA are that the effect of the school traffic on the wider highway network is predicted to be marginal, with the school likely to have less of a traffic impact than the previously consented residential development on the same site. The existing school is accessed in the main by pupils using bicycles or walking. That scenario is expected to be little changed with the new school. Over 200 cycle spaces are proposed with nearly half under cover. Linkages to the school via the local footpath network are good. In addition, a dedicated coach drop off lay-by is proposed on the new road alongside the main entrance to the school. The use of the school's mini-bus will be expanded again reducing the need for access by car.

Road safety has been fully assessed and reviewed for the last 5 year period available. From a review of the collision information, it is concluded that with the exception of the Pitts Heath Lane/Daresbury Expressway junction, there is

a low collision occurrence rating in the study area with no identifiable causal trend.

The school will be developed with a 70 space car park. Based on Halton's UDP car parking standards (which are maximum), at full occupancy the school would generate a maximum of 75 car parking spaces. The authors of the report conclude that a 70 space provision is both practical and one that does not exceed the maximum provision stipulated in the UDP. It can be seen from the conclusions of the report and the technical information submitted that there are no significant highway safety issues flowing from development of the site for the school and that there is adequate space for on-site parking for vehicles, the school's mini bus and bicycles.

Sustrans has commented that cycle parking should be provided under cover, pedestrians and cyclists should not have to mix with motorised traffic within the school, a safe crossing point should be provided and asking if there is a travel plan with targets and monitoring. It is considered that these issues have been addressed as far as practical within the scheme.

Discussions have been ongoing between the applicant and the Council's Highways Engineer. As a result the applicant has agreed to provide a traffic table at the junction of Newmoore Lane and Wharford Lane as a means of traffic calming. It is considered that this can be secured by Grampian style condition. Notwithstanding this, in order to accommodate cumulative impacts resulting from the wider development of Sandymoor, the Council's Highways Engineers have confirmed that alteration works to Wharford Lane at its junction with Pitts Heath Lane are being considered in order to address concerns of local residents. It is not however considered that those works are required as a direct result of this development but will be secured as required through future phases of development.

It has been agreed that drop-off and collection will be managed by the school in accordance with a management plan to be submitted to and agreed in writing by the Council. It is considered that this can be adequately secured by condition. Whilst the Council's Highways Officers have confirmed that they raise no objection in principle further minor amendments have been requested to the car park and lay-by/ drop-off arrangements and amended plans are awaited in this regard. Members will be updated orally as required.

### Contamination

Due to the sensitivity of the proposed use, detailed ground investigation is required and the application is supported by a Phase II site investigation. Whilst detailed comments are awaited the Council's Environmental Health Officers have confirmed that they raise no objection in principle and it is considered that any outstanding or remediation measures can be adequately secured by condition. Members will be updated orally as required.

### Drainage and Flooding

Whilst the site is located in an area of flood risk and as such should normally be subject to sequential testing, the actual principle of development on the site has been the subject of several HCA funded flood risk assessments and latterly sustainability studies. The flood alleviation works associated with the Newmoore Lane flood bund has been designed specifically to create a developable platform for the first stages of Sandymoor North (of which the school is now a part) and then Sandymoor South. In seeking to ensure that flood risk is not increased elsewhere as a result of the development a Flood Risk assessment has been submitted. It is considered that Flood Risk Assessment and the Drainage Assessment address this issue. Furthermore, the development is to be appropriately flood resilient and resistant, including safe access and escape routes where required, again in full compliance with the principles set out in NPPF.

For this site, it is proposed that school flood levels will be set at or above the crest level of the Newmoore Lane flood bund to make the accommodation secure against the unlikely failure of the bund. The design crest level for the flood bund is confirmed by the Environment Agency to be 7.73m AOD and the school floor levels will be set above this (expected to be above a level of 8.5m AOD). This will provide a 'safe', 1000 year flood access to/from the school in so far as the school finished floor level (FFL) will be above the appropriate flood level (including allowance for climate change) and the adjacent access road is above school FFL. The flood situation is the 'residual flood risk' should the EA's Newmoore Lane flood bund fail.

Surface water run-off from the developed site would be drained in such a way as to mimic the natural drainage system and thereby implement a Sustainable Drainage System (SuDS). This results in water being collected and drained to Keckwick Brook.

The Environment Agency has confirmed that it raises no objection in principle to the proposals subject to conditions.

### Ecology

With regards to ecology the application is supported by an Ecological Assessment. The report concludes that the main impact of the proposal will be the loss of semi-improved grassland and a small section of species poor hedge and identifies no significant species impacts. It recommends standard advice for nesting birds and suggested habitat enhancement measures. It also concludes that new structure planting, trees and hedgerows will benefit a range of species and that the proposed lighting scheme, which is designed to avoid light spill onto surrounding land will minimise potential negative effects on bat commuting and foraging habitat. In response comments from the Council's retained adviser on ecology landscaping details have been amended and ecology further features incorporated including bird and bat boxes.

## **7. CONCLUSIONS**

The application proposes the erection of a three storey secondary school on land previously designated for residential development within the Sandymoor North area. The proposed scheme is considered to offer a high quality of design and development making a positive contribution to the on-going development of the Sandymoor area. Intervening land to the north and proposed to be playing fields offer a significant degree of separation to existing dwellings. With the remainder of surrounding land proposed for future residential development, it is considered that amenity of future residents of those schemes can be adequately considered through respective future planning applications. Such a relationship between schools and adjoining properties is not uncommon across the Borough and it is not considered that refusal of planning permission could be justified on visual or residential amenity grounds. It is also considered that acceptable provision can be made for highways and servicing and no significant issues are raised with regards highway safety.

The principle of development of the site is established through the Halton UDP designation. It is argued that the use of a small percentage of overall housing allocation for the school will significantly enhance the overall sustainability attributes of Sandymoor and the loss of land with a predicted capacity for 37 dwellings is not considered significant in the wider context of the overall wider development of Sandymoor (with some 1200 houses yet to be built). The proposals are considered to offer a sustainable use in accordance with policies of the Halton Unitary Development Plan, The Core Strategy, the Sandymoor SPD and National Planning Policy Framework.

A number of environmental and sustainability benefits have been identified through the application in accordance with Core Strategy policy CS19 and the NPPF. It is also acknowledged through the application that potential conflicts will arise once the school becomes operational whilst future housing schemes are under construction on surrounding sites. It is however considered that this poses wider management and health and safety issues and does not justify reasons for refusal of planning permission in this case.

An economic statement submitted with the application also indicates that over 450 jobs are to be created during the construction period with a potential for 85 employees as a direct result of the school. In addition there will be a considerable knock on benefits to the local community and businesses and, given that the delivery of economic development is at the forefront of any NPPF, significant weight needs to be attached to the economic benefits as well as social and environmental ones that the delivery of the school will bring.

The development of the site for a school does not in itself generate any requirements for financial contributions by way of legal agreement. There is however a legal agreement with the Homes and Communities Agency providing financial payment per dwelling to the Council associated with all housing developments within its site area. The HCA have agreed, in their contract for sale of the land to the school to pay Halton Borough Council an

agreed figure as a back payment for dwellings potentially lost as a result of this development. This represents a significant financial payment to the council and ensures that the development of the site for a school still ensures delivery of the anticipated monies to be obtained through the ultimate development of the remainder of Sandymoor.

Detailed comments relating to a number of issues are outstanding at the time of writing however it is not considered that these will raise significant issues and can be adequately addressed through planning conditions and addressed by update to the Committee. The overall objectives of the adopted Supplementary Planning Documents, Halton Unitary Development Plan and other policy guidance are considered to be met within the proposed submission. The proposals are considered to accord with the National Planning Policy Framework and, in line with the National policy statement – planning for schools development, are recommended for approval.

### **RECOMMENDATIONS**

Approve subject to conditions relating to the following:

1. Standard 3 year permission to commence development (BE1)
2. Conditions specifying and requiring development be carried out in accordance with approved plans (BE1)
3. Requiring development to be carried out in accordance with Construction Method Statement (BE1)
4. Materials condition, requiring the development to carried out as approved (BE2)
5. Landscaping condition, requiring the development to carried out as approved (BE2)
6. Lighting condition, requiring the development to carried out as approved (PR4)
7. Condition requiring installation and screening of external plant prior to occupation and operation/ maintenance in accordance with manufacturer's instructions (PR2/3)
8. Condition requiring boundary treatments to be carried out in accordance with the approved details and additional details to be submitted and approved in writing prior to occupation. (BE22)
9. Conditions relating to drainage details as required by the Environment Agency (PR15/16)
10. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
11. Conditions requiring vehicle access, parking, servicing etc and coach drop-off to be constructed prior to occupation / commencement of use. (BE1)
12. Condition relating to the implementation of bin store provision (BE1)



13. Condition(s) relating to site and finished floor and site levels requiring the development to be carried out as approved. (BE1)
14. Condition relating to site remediation and validation (PR14)
15. Conditions relating to tree protection (boundary trees) during construction (BE1)
16. Condition relating to Travel Plan implementation (TP16)
17. Requiring implementation of cycle parking (TP6)
18. Requiring implementation of a scheme of biodiversity enhancement features to be implemented in accordance with scheme to be submitted and agreed (BE1 and GE21)
19. Requiring piling to be screwed piles (BE1)
20. Grampian Style condition requiring provision of a highway traffic table prior to commencement of use (TP18)
21. Submission, agreement and implementation of drop-off/ collection management plan (TP18)

## **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.