



**Development Control Committee**

**Monday, 9 September 2013 6.30 p.m.  
Civic Suite, Town Hall, Runcorn**

A handwritten signature in black ink, appearing to read '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, 7 October 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 - 11</b>
<b>2. DECLARATIONS OF INTEREST</b>	
<p>Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting prior to discussion and voting on the item.</p>	
<b>3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE</b>	<b>12 - 25</b>
<b>4. MISCELLANEOUS ITEMS</b>	<b>26 - 29</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, 5 August 2013 at the Civic Suite, Town Hall, Runcorn*

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

Apologies for Absence: Councillors Osborne and C. Plumpton Walsh

Absence declared on Council business: None

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

Also in attendance: Councillor J Bradshaw and 25 Members of the Public

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

	<i>Action</i>
DEV17 MINUTES	
<p>The Minutes of the meeting held on 1 July 2013, having been printed and circulated, were taken as read and signed as a correct record.</p>	
DEV18 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS	
<p>The Committee was advised that one matter had arisen which required immediate attention by the Committee (Minute Dev 24 refers). Therefore, pursuant to Section 100 B (4) and 100 E, and due to the need for a decision from the Committee relating to the second Ineos Public Inquiry, the Chairman ruled that the item be considered as a matter of urgency.</p>	
DEV19 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>	

DEV20 - 12/00427/FUL - PROPOSED DEMOLITION OF INDOOR TENNIS BUILDING AND ERECTION OF 5 NO. DWELLINGS AND CONVERSION OF EXISTING OFFICES TO 8 NO. DWELLINGS AT COMMONSIDE FARM, DARESBUY

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

RESOLVED: That the application be approved subject to:

- a) the entering into of a 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 Section 106 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);
- c) and the following 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, outbuildings and boundary fences (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.

DEV21 - 13/00039/FUL - 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) AT REDROW SITE, LUNTS HEATH ROAD, WIDNES

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

RESOLVED: That authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chairman or Vice Chairman to approve the application subject to Conditions, any such further conditions which arise as a result of amended plans, and:

- a) the entering into of 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 Section 106 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; and
- c) 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 deliver hours to be adhered to throughout the course of the development (BE1);
  8. Vehicle access, parking and servicing 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/footpath 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 PRA and appropriate mitigation measures (PR16); and  
24. Submission, agreement and implementation of a surface water regulation scheme (PR16).

DEV22 - 13/00175/FUL - PROPOSED NEW FOOD PRODUCTION FACILITY, WAREHOUSE, TANK FARM, VEHICLE ACCESS AND EXTERNAL WORKS ON LAND TO THE NORTH OF EASTER PARK, GORSEY LANE, WIDNES

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

Officers advised the Committee that issues raised relating to odour, emissions and noise had been reviewed by the Environmental Health Officer who was satisfied that these could be controlled through the permitting process and that they were unlikely to result in future nuisance.

Additionally, the Highways Department had advised that they were satisfied that final design details of the proposed new access and any highways improvements on Johnsons Lane could be addressed by condition.

In summary, the Committee was advised that this development would provide significant investment in a currently vacant employment site that would provide employment opportunities in the area: 60 full time and 15 part time jobs. Further, the proposal was considered to comply with the relevant planning policies.

The Committee was addressed by Mr Andrew Strickland, on behalf of the applicant, who thanked the Planning Department for their co-operation and reiterated the Officer's update.

Members agreed to approve the application subject to the Conditions listed.

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

1. Time limits condition;
2. Approved plans (BE1);
3. Materials (BE2);
4. Drainage conditions including Environment Agency surface water and overland flow conditions, and full design and maintenance details of the Sustainable Urban Drainage (BE1);

5. Boundary treatment (BE22);
6. Submission and agreement of finished floor and site levels (BE1);
7. Prior to commencement bin storage facilities to be submitted and agreed (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 and servicing to be constructed prior to occupation of properties/commencement of use (BE1);
12. Condition(s) relating to full details of hard and soft landscaping, including planting scheme, maintenance, and replacement planting (BE1).

DEV23 - 13/00190/FUL - 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, ON LAND TO THE SOUTH OF WHARFORD LANE AND TO THE EAST OF OTTERBURN STREET, SANDYMOOR

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

It was noted that this application was deferred from the July Committee so that further information could be obtained from the Department of Education on the nature of the impact assessment referred to in a Freedom of Information (FOI) request that was tabled at the meeting.

It was reported that a response had been received from the Education Funding Agency (EFA) on behalf of the Department of Education (DfE), dated 15 July 2013, which stated that the analysis undertaken and referred to in the letter (FOI request) was not considered a sustainability assessment. The Committee was advised therefore that the assessment was not material to the determination of the application in this case.

Members were advised that United Utilities had confirmed that they raised no objections in principle to the scheme. Further, it was reported that two further letters of



representation had been received objecting to the scheme, raising issues relating to flooding, noise and disturbance from construction and deliveries particularly for residents of Newmoore Lane. These issues had been addressed in the report. It was noted that one letter made reference to a petition of 168 signatures objecting to the scheme but this had not been submitted to date.

Officers advised that the Environment Agency had confirmed that the additional flood risk information was acceptable and that the flood risk conditions previously requested were no longer appropriate. A condition that the development be carried out in accordance with the approved details was however required, and would be dealt with through the terms of the suggested conditions already listed in the recommendation.

The Council's Highways Engineer advised that speed limits needed to be lowered on the junction of Newmoore Lane and Wharford Lane to ensure adequate visibility from driveways. It was noted that there was no evidence from traffic accident records to suggest that the junction was unsafe.

The Committee was addressed by Mr Dempsey, a local resident. He tabled the petition referred to above by Officers - 168 residents objecting to the location of the School, this was passed to Members. He commented that the junction at Newmoore Lane and Wharford Lane would not cope with the increase in traffic which would exist despite claims that some pupils would be cycling to school. He also referred to the issues related to building on a flood plain and that this could worsen in future. He reiterated that the residents were not objecting to the school itself, but to the location of the site where it was to be built.

Mrs Freeman, a representative of the agent for the applicant and resident of Sandymoor, then addressed the Committee. She referred to a letter she sent to Members dated 2 August 2013, which aside from providing clarification over the FOI request and response, responded to matters that were raised at the last meeting:

- The school site would be 150 metres away from the flood plain and matters relating to the potential flood risk and the need for a related sequential test were fully addressed in the Committee report;
- The drop off and collection points would be managed by the School in accordance with a travel plan;
- The lay-by and drop off point immediately outside the

- School was to be extended;
- A 'traffic table' would be provided at the junction of Newmoore Lane and Wharford Lane as a means of traffic calming;
- Piling would be of the 'screwed' type thus alleviating any vibrations;

She further stated that with regards to the objections over the location of the School, the Committee had already approved the temporary site which was nearby the site for the permanent School, and that this information was provided in the report for the temporary School at the time.

The Committee was then addressed by Councillor Bradshaw, Ward Councillor for Daresbury, who supported the application. He urged the Committee to approve the application now that the requested information had been provided from the EFA. He argued that the School would be good for local people especially as there was new house building planned on Sandymoor in the near future.

Mr Tully, the Council's Solicitor, provided clarification on the participation of Councillors' McInerney at the meeting. He advised the Committee that the Councillors had no Discloseable Personal Interest or Other Discloseable Interest to declare. Further he advised that following discussion with the Councillors that there was no question of predetermination or bias issues arising relating to the application and therefore, there was no impediment for them taking part in the debate and voting.

An Officer then read out the nature of the petition provided by Mr Dempsey to the Committee, and reiterated the responses given in the letter from the applicant's agent in relation to flooding and traffic issues.

Councillor Nolan, the Chairman, wished to correct a statement made by Graham Evans MP to Eric Pickles MP in the House of Commons, regarding the decision of the Committee on the Sandymoor School application at the July Committee. The Chairman confirmed that the application was 'deferred', **not** 'refused' as Mr Evans had stated. Further, he wished to correct Mr Evans' statement that the Committee was "Unite backed". In actual fact only 4 members of the Committee (out of 13) held membership with the Union. Councillor Nolan advised the Committee that he would be writing to Eric Pickles MP with the correct information.

Members debated the application taking into

consideration the representations made and additional information supplied by the Applicant and Officers. The application was moved and seconded, the majority of Members then voted to approve the scheme, subject to the Conditions listed below.

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

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 be carried out as approved (BE2);
5. Landscaping condition, requiring the development to be carried out as approved (BE2);
6. Lighting condition, requiring the development to be 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 and servicing 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); and
21. Submission, agreement and implementation of drop-off/collection management plan (TP18).

DEV24 PUBLIC INQUIRY RELATING TO 13/00011S73 - PROPOSED VARIATION OF CONDITION 57 OF BEER PERMISSION 01.08.10.04/8C (HALTON REF 07/00068/ELC) TO VARY (BY INCREASE) THE MAXIMUM AMOUNT OF REFUSE DERIVED FUEL (RDF) WHICH MAY BE TRANSPORTED BY ROAD TO THE ENERGY FROM WASTE FACILITY (EFW) FROM 85,000 TONNES PER ANNUM TO 480,000 TONNES PER ANNUM AT INEOS CHLOR SOUTH PARADE, RUNCORN, AND TO PLACE AN OBLIGATION ON THE OPERATOR OF THE EFW FACILITY TO REPORT ANNUALLY TO HALTON BOROUGH COUNCIL THE ACTIONS TAKEN TO SECURE THE DELIVERY OF RDF BY RAIL AND OR WATER OVER THE PREVIOUS 12 MONTH PERIOD TOGETHER WITH RECOMMENDATIONS FOR THE YEAR AHEAD

The Committee was provided with an update on the position relating to the above Application/Appeal. The application was refused at the June Committee meeting for the following reason:

*“That the application be refused to minimise road traffic movements in the locality.”*

On 4 July 2013 the Council received notice that the applicant had referred the matter to the Secretary of State by way of appeal against the Council decision. This meant that the application would be determined by the Secretary of State following a Public Inquiry. Although at this stage there were no details available as to the timetable to be adopted by the Secretary of State, the Council would have to make preparations relating to the position to be taken by the Council in respect of the appeal, and the Committee must be advised as to the logistics of holding the appeal and being represented at the appeal. The Committee was advised of the possible cost implications on the Council.

Members were advised of the ways that the appeal could be approached. Option 10.4 in the report was moved and seconded as the most cost effective approach to the

appeal and Members were in favour of this. It was agreed therefore, that Option 10.4 would be adopted.

RESOLVED: That option 10.4 be adopted as the most cost effective approach to the appeal.

*Meeting ended at 7.45 p.m.*

**REPORT TO:** Development Control Committee

**DATE:** 9 September 2013

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

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

**WARD(S):** Boroughwide

<b>APPLICATION NO:</b>	13/00188/FUL
<b>LOCATION:</b>	Land at The Barge, Castlefields Avenue East, Runcorn
<b>PROPOSAL:</b>	Proposed re-plan of plots 12-52 to the residential development approved under application reference 12/00238/FUL (residential development consisting of 87 no. dwellings, roads and ancillary development).
<b>WARD:</b>	Halton Castle
<b>PARISH:</b>	N/A
<b>CASE OFFICER:</b>	Glen Henry
<b>AGENT(S) / APPLICANT(S):</b>	Keepmoat Homes
<b>DEVELOPMENT PLAN ALLOCATION:</b>	
Halton Unitary Development Plan (2005)	RG6 Action Area 6 Castlefields and Norton Priory
<b>DEPARTURE</b>	Yes
<b>REPRESENTATIONS:</b>	One
<b>RECOMMENDATION:</b>	Approve subject to Conditions.
<b>SITE MAP</b>	

## **1. APPLICATION SITE**

### **1.1 The Site and Surroundings**

Site of approximately 2.34 Ha located within the Lakeside Development area within the Castlefields SPD. The site is essentially oval in shape bounded by Castlefields Avenue East and the Bridgewater Canal. A former Busway bridge remains as a crossing to the canal but the section of former has been removed at this point to be replaced by footpath link.

## 1.2 Planning History

Outline Planning Permission was previously approved (07/00122/OUT) for a much wider development of up to 355 dwellings incorporating approximately two-thirds of the current application site but excluding the portion of the site then occupied by The Barge public house. This has since been destroyed by fire and demolished. A subsequent planning permission (ref 12/00238/FUL) was approved for residential development consisting of 87 no. dwellings, roads and ancillary development.

## 1.3 Background

This scheme proposes amendment to a previous scheme of residential development approved by planning permission 12/00238/FUL. Amendments are proposed which reduce the overall number of units from 87-86 by alteration to plots 12-52 and the omission of plot 53. The amendments have been required to accommodate an existing sewer and provide required easements outside property boundaries. The scheme now also proposes to include an additional relatively small area of land to the east for the creation of SuDS reed bed to provide drainage interception from the development before discharge to the adjoining lake.

This scheme forms part of the wider regeneration proposals for Castlefields which seeks to replace existing deck access and outdated dwellings with new build and refurbished dwellings and to widen the tenure mix within the area. The regeneration strategy for the Castlefields area sets out to deliver a broader based community in the area. This requires the radical restructuring of housing provision including the demolition of a significant number of properties, predominantly in the form of unpopular deck access blocks, redevelopment of more popular social housing and introduction of private sector housing stock as part of an overall masterplan. Given the high density of the original deck access blocks the scope to provide adequate redevelopment within the existing built form was limited. In order to secure a balance of new housing, areas of undeveloped land were identified through the masterplan to accommodate new development. This principle was translated into the Supplementary Planning Document for the Castlefields and Norton Priory Action Area adopted by the Council in 2005

The site had been previously envisaged within the Castlelds SPD as a new Local centre but the need for this has now been superseded by the new Village Square development recently completed on the original local centre site.

## **2. THE APPLICATION**

### 2.1 Proposal Description

The scheme proposes residential development consisting of 86 no. dwellings, roads and ancillary development being a mix of 2, 3 and 4 bed dwellings at 2, 2.5 and 3 storeys and designed as detached, semi-detached and mews

format. Included in the proposed 86 dwellings are 20 no. 2 and 3 bed units which are to be provided as affordable housing units in partnership with a Registered Social Landlord.

The proposals have been amended from the layout as originally submitted and additional information provided in response to issues raised by various consultees and Council retained advisers.

## 2.2 Documentation

The planning application is supported by a Design and Access Statement, Tree Survey, Ecology Survey, Transport Assessment, Travel Plan, Flood Risk Assessment, Code for Sustainable Homes Assessment and Geo Environmental Appraisal.

## 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 Action Area 6 Castlefields and Norton Priory in the Halton Unitary Development Plan. Within that wider designation part of the site is designated Green Space and part (the site of the former Barge public house) is identified as Unallocated Land. A number of Proposed Greenways bound the site. The application has been advertised as a departure from the development plan.



The site includes the area formerly occupied by the Barge Public House and associated parking areas as well as an area of rough grassland which acts as informal open space. The site is identified as a proposed New Local Centre in the adopted Supplementary Planning Document for Castlefields and Norton Priory Action Area.

Land use allocations for such sites cannot be made through Supplementary Planning Documents and the Unitary Development Plan is the development plan. Such documents and the previous grants of planning permission for residential development on of the site are however material considerations in the determination of planning applications.

The following National and Council Unitary Development Plan policies and policy documents are of particular relevance: -

- RG6 Action Area 6 Castlefields and Norton Priory
- S22 Unallocated Land in Urban Areas
- BE1 General Requirements for Development
- BE2 Quality of Design
- GE6 Protection of Designated Greenspace
- 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
- TP17 Safe Travel for All
- PR14 Contaminated Land

### 3.3 Halton Core Strategy (2012)

Policy CS13 Affordable Housing is of particular relevance

### 3.4 Relevant SPDs

Castlefields and Norton Priory Action Area; New Residential Development SPD; Designing for Community Safety SPD; Draft Open Space Provision SPD are of particular relevance

## 4. **CONSULTATIONS**

### 4.1 Halton Borough Council–

Contaminated Land – No Objection  
Highways – No Objection  
Open Spaces – No Objection  
Major Projects – No Objection

### 4.2 Cheshire Wildlife Trust – No Objection

4.3 Environment Agency – No objection

## **5. REPRESENTATIONS**

5.1 One letter of representation has been received from an objector raising issues that the project and others are not keeping to the tree strategy; that Castlefields schemes have resulted in the loss of car parks and green space in the area; that it is not regeneration which should be a replacement sports centre, youth centre, old people's home and school for those lost.

## **6. ASSESSMENT**

### **6.1 Principle and Loss of Greenspace**

The site lies within Action Area 6 Castlefields and Norton Priory in the Halton Unitary Development Plan. Within that wider designation part of the site is designated Green Space and part (the site of the former Barge public house) is identified as Unallocated Land. A number of Proposed Greenways bound the site. The site is identified as a proposed New Local Centre in the adopted Supplementary Planning Document for Castlefields and Norton Priory Action Area.

Redevelopment of green space and areas of undeveloped land to provide housing in lieu of demolished outdated dwellings and re-balancing the tenure mix forms an integral part of the Castlefields regeneration strategy. The area designated as green space is informal rough grassland only and whilst it does provide some amenity value it is considered, on balance, that the loss of the greenspace would not be significantly harmful to the wider area and must be considered in the context of the wider open space strategy for the area which has included substantial investment in the nearby Phoenix Park. It is also considered that any harm resulting from its loss would be far outweighed by the contribution of the scheme to the wider area regeneration strategy.

The site had been identified for development through the adopted Supplementary Planning Document albeit as a potential new local centre with the retained public house. This requirement has been superseded by the construction of the new village square development and the demolition of the public house following a fire. The area of the public house is Undesignated within the Halton Unitary Development Plan.

Planning permissions have previously been approved in outline and full for residential development on the land and it is therefore considered that the principle of such development has therefore been accepted.

Any application for residential development at such a site would normally require developer contributions to compensate for the loss of open space, provision of off-site open space and Bridgewater Way/ greenway contributions in accordance with adopted UDP Policy and the SPD. Given the unique nature of the development with the Council as landowner, the wider open space strategy and the role of the scheme in the wider regeneration of the

area it is considered that an exception to policy can be justified in this case. Such an approach was also agreed through the previous grants of outline and full planning permission.

## 6.2 Flooding

As the site area is over 1 hectare the application is supported by a Flood Risk Assessment. The site itself is considered to be at low risk of flooding but efforts are required to ensure that the proposed development does not impact unduly on drainage and flooding elsewhere.

The amended scheme also includes an additional area of land to the east for the creation of a reed bed to intercept water drained from the site before discharge to the adjoining lake.

The Councils Open Spaces and Landscape Design Officers have confirmed that the proposals are considered to provide sufficient interception in design terms. Further information is required with respect to the management of the system and this can be adequately secured by appropriate planning condition. Financial contributions for future management have also been calculated to be provided by legal or other appropriate agreement.

The Environment Agency has confirmed that they raise no objections to the proposals subject to conditions relating to agreement of schemes to limit surface water run-off and manage over-land flow of surface water to be submitted and approved.

## 6.3 Other material Considerations.

Issues relating to Design, Character and Amenity; Highways Parking and Servicing; Contamination; Affordable Housing Provision; Impact on trees, hedgerows and wildlife and other considerations were substantially addressed through the earlier scheme and included submission of relevant survey and mitigation information as required. The scheme is considered to result in a relatively minor re-plan of the previously approved scheme and has been further amended in line with officer advice and advice from consultees and Council retained advisers. This latest scheme is not considered to raise issues which could sustain objection to justify refusal of planning permission and it is considered that all outstanding matters can be adequately secured by appropriate planning conditions.

## 7. CONCLUSIONS

The scheme was previously acknowledged to have the potential to play an important role in the on-going redevelopment and regeneration of the area. Whilst the submitted scheme as originally submitted raised a number of issues with respect to detailed layout and requiring submission of additional information it is considered that this has been supplied in line with officer advice. The scheme is considered to offer a good quality of development similar to that previously approved, suited to the character of the site and the

wider area. It is considered that the requirements and aspirations of UDP policy, the Castlefields Masterplan and SPD can be met.

## **8. RECOMMENDATIONS**

Approve subject to conditions and:-

(a) The entering into a Legal Agreement or other appropriate agreement requiring provision of affordable housing and a financial contribution towards SuDS maintenance.

(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 – Environmental Health and Planning in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.

### **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. Landscaping condition, requiring the submission of hard landscaping materials (BE2)
5. Requiring implementation of soft landscaping in accordance with the approved details and requiring all 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. Conditions relating to protection of retained trees (BE1)
9. Condition requiring retention of existing sandstone feature wall (BE1)
10. Requiring development be carried out in accordance with approved finished floor and site levels. (BE1)
11. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
12. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
13. Condition restricting permitted development rights relating to boundary fences etc. (BE1)
14. Conditions requiring submission and agreement of scheme to limit surface water run-off and manage risk of flooding from overland flow of surface water (PR16)
15. Site investigation, including mitigation to be submitted and approved in writing. (PR14)
16. Conditions requiring development be carried out in accordance with the recommendation of the submitted ecological assessment (GE21)
17. Submission and agreement of bird nesting boxes and hedgehog box (GE21)
18. Conditions relating to tree protection during construction (BE1)

19. Submission and agreement of a SuDS management and Monitoring Report (BE1/ PR16)

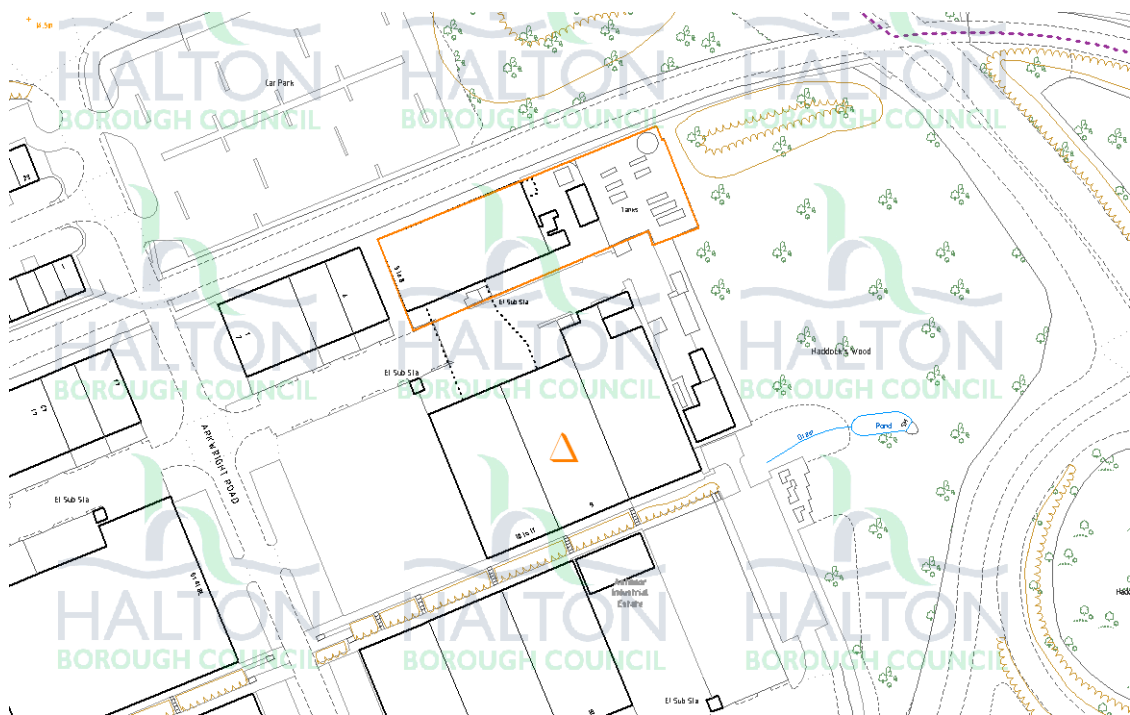
**9. SUSTAINABILITY STATEMENT**

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>	13/00256/FUL
<b>LOCATION:</b>	9 Arkwright Road, Runcorn, Cheshire, WA7 1NU.
<b>PROPOSAL:</b>	Proposed extension to an existing pharmaceutical building.
<b>WARD:</b>	Halton Castle
<b>PARISH:</b>	N/A
<b>CASE OFFICER:</b>	Jeff Eaton
<b>AGENT(S) / APPLICANT(S):</b>	Mr Anthony Ambrose, DUST Design Ltd, Studio 1, The Stableyard, London, SW12 9EB.
<b>DEVELOPMENT PLAN ALLOCATION:</b>	Primarily Employment Area Local Employment Area
National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2012)	
<b>DEPARTURE</b>	No
<b>REPRESENTATIONS:</b>	None Received
<b>KEY ISSUES:</b>	Design and appearance, transport and highways
<b>RECOMMENDATION:</b>	Grant permission subject to conditions
<b>SITE MAP</b>	



## **1. APPLICATION SITE**

### **1.1 The Site**

The site is located on Arkwright Road on Astmoor Industrial Estate. The site is bounded by the busway to the north and Haddocks Wood to the east. The surrounding area is predominantly industrial in nature.

The site is designated in the Halton Unitary Development Plan as Primarily Employment Area.

## **2. THE APPLICATION**

### **2.1 The Proposal**

The application proposes an extension to an existing pharmaceutical building. The extension would increase the floorspace of the building by 1685sqm and would create additional space for manufacturing, storage and ancillary office accommodation. The application form indicates that this extension would create an additional 20 full time jobs at the site.

The proposal also includes some minor alterations to the external appearance of the building to give the building as a whole a uniform appearance.

### **2.2 Documentation**

The planning application is supported by a Design and Access Statement, Transport Statement, Preliminary Risk Assessment Report and a Geo-Environmental Investigation and Risk Assessment Report.

## **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 designated as a Primarily Employment Area in 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;
- PR14 Contaminated Land;
- TP6 Cycle Provision as Part of New Development
- TP12 Car Parking
- TP16 Green Travel Plans
- E3 Primarily Employment Areas

### 3.3 Halton Core Strategy (2012)

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

- CS2 Presumption in Favour of Sustainable Development
- CS4 Employment Land Supply and Locational Priorities
- CS15 Sustainable Transport
- CS18 High Quality Design

## **4. CONSULTATIONS**

### 4.1 Highways

No objection to the proposed development subject to the attachment of a number of conditions securing the car park being formally marked out, removal of permitted development rights for the car park, the provision of cycle parking and the production of a travel plan.

### 4.2 Environmental Health – Contaminated Land

The application is accompanied by a Preliminary Risk Assessment Report and a Geo-Environmental Investigation and Risk Assessment Report. The Contaminated Land Officer is generally happy with the assessment and has not raised an objection, however there are a number of queries which need to be addressed. For this reason, it is considered reasonable to attach a full contaminated land condition.



#### 4.3 Health & Safety Executive

Based on the site being within the consultation distance of a Hazardous Site, the application details have been inputted into the PADHI + system. In this instance, The Health & Safety Executive do not advise on safety grounds, against the granting of planning permission.

#### 4.4 Cheshire Police

No objection to the proposed development has been raised, however they have outlined a list of minimum criteria which they would like to see incorporated within the design of the extension. These observations have been forwarded to the agent and it is considered appropriate to attach them as an informative.

### 5. **REPRESENTATIONS**

5.1 The application has been advertised by a press advert in the Widnes & Runcorn World on 17/07/2013, a site notice posted on Arkwright Road on 17/07/2013 and 89 neighbour notification letters sent on 04/07/2013. No objections have been received from the publicity given to the application.

### 6. **ASSESSMENT**

#### 6.1 Principle of Use

This application relates to the extension of an existing pharmaceutical facility on Astmoor Industrial Estate which designated as a Primarily Employment Area in the Halton Unitary Development Plan and Local Employment Area in the Core Strategy. The proposal would enlarge the existing facility which essentially comprises of a mixed use between manufacturing (Use Class B2) and storage (Use Class B8) and would create an additional 20 full time jobs. This is considered to be in compliance with Policy E3 of the Halton Unitary Development Plan which indicates that development falling within Use Classes B1, B2 & B8 will be permitted in the Primarily Employment Areas. The proposed development is considered to be acceptable in principle.

#### 6.2 Highway Safety and Access

The application is accompanied by a Transport Statement which along with the plans has been reviewed by the Highway Officer. The application would provide 34 spaces and includes 1 motorbike, 2 disables and 3 cycle parking spaces. The number of standard parking spaces proposed is considered to be sufficient, however it is considered necessary to increase the disabled parking to 10%, in this case a minimum of 3 spaces and cycle parking required is 5 spaces located in a covered, secure shelter located in a prominent and visible location. An objection has not been raised as there is sufficient space to achieve this and can be secured by condition.

The overall conclusion is that the proposed extension would still ensure that sufficient space for parking and servicing would be available to ensure that highway safety would not be compromised. The proposal is considered to be compliant with Policies TP6, TP12 and TP16 of the Halton Unitary Development Plan and Policy CS15 of the Halton Core Strategy.

### 6.3 Visual Impact

The proposed extension would be partly single storey and partly two storey. The two storey element would have a height to ridge level of 8.5m which is higher than the existing building. Given its location on Astmoor Industrial Estate on which there is a variety of buildings which vary in height, it is not considered that this would appear out of character and would not be significantly prominent given its location at the rear of the site adjacent to Haddocks Wood.

As part of the extension proposal, the applicant is proposing to make some minor alterations to make it uniform in appearance. A full specification of the materials proposed is detailed on the proposed elevations and is considered to be acceptable. This should be secured by condition to ensure that the development is carried out in an acceptable manner.

The proposed design and appearance of the scheme is considered to comply with Policy BE 1 and BE 2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy.

### 6.4 Residential Amenity

The site is located within Astmoor Industrial Estate and 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 and it is not considered that the proposal would impact on residential amenity compliant with Policy BE 1 of the Halton Unitary Development Plan.

### 6.5 Ground Contamination

The application is accompanied by a Preliminary Risk Assessment Report and a Geo-Environmental Investigation and Risk Assessment Report. The Contaminated Land Officer is generally happy with the assessment and has not raised an objection, however there are a number of queries which need to be addressed. For this reason, it is considered reasonable to attach a full contaminated land condition to ensure that any ground contamination is dealt with appropriately to ensure compliance with Policy PR14 of the Halton Unitary Development Plan.

## 7. CONCLUSIONS

In conclusion, the proposed development would allow an existing business located on Astmoor Industrial Estate expand and create an additional 20 full time jobs at the site. The site is located in a Primarily Employment Area and

the proposal is considered to comply with Policy E3 of the Halton Unitary Development Plan.

The applicant has demonstrated that the proposed extension would have no significant highways impacts, and that sufficient space for parking and servicing would remain which would comply with Policies TP6, TP12 and TP16 of the Halton Unitary Development Plan.

Furthermore, the proposed design and appearance of the extension and the resultant appearance of the building overall is considered to comply with Policies BE1 and BE2 of the Halton Unitary Development Plan

The application is recommended for approval subject to conditions.

## **8. RECOMMENDATIONS**

Grant planning permission subject to conditions.

## **9. CONDITIONS**

1. Time limit condition
2. Approved Plans – (Policy BE1)
3. Materials as detailed on submitted plans – (Policy BE2)
4. Ground Contamination (Policy PR14)
5. Travel Plan (Policy TP16)
6. Provision of parking, servicing etc to be agreed and be constructed prior to occupation of the extension – (Policy BE1)
7. Cycle parking provision (Policy TP6)

Informatives

1. Cheshire Police Observations

## **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.

**REPORT TO:** Development Control Committee

**DATE:** 9 September 2013

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

**SUBJECT:** Miscellaneous Items

**WARD(S):** Boroughwide

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**The following items have been withdrawn:**

13/00001/FUL - Proposed demolition of the existing bridge cottage and provision of two temporary buildings to provide meeting room, training room and canteen and changing facilities at Runcorn Rowing Club, Bridge Cottage, Cholmondeley Road, Runcorn, Cheshire, WA7 4XT.

13/00081/HSC - Application for hazardous substance consent at 6 Pembroke Court, Runcorn, Cheshire, WA7 1TG.

13/00106/FUL - Proposed single storey front extension including alterations to the boundary at Falkirk Avenue, Widnes, Cheshire, WA8 9DX.

13/00119/FUL - Proposed two storey side extension and erection of front porch at 52 Briarfield Avenue, Widnes, Cheshire, WA8 8JZ.

13/00132/FUL - Proposed construction of a temporary haul road including temporary bridge at Land to the South of Wharford Lane, Sandymoor, Runcorn, Cheshire.

13/00150/FUL - Proposed single storey rear extension at 40 Chedworth Drive, Widnes, Cheshire, WA8 4SB.

13/00155/HSC - Application for hazardous substance consent at 10 Christleton Court, Runcorn, Cheshire, WA7 1ST.

13/00205/S73 - Proposed renewal of 10/00245/S73 to vary condition 2 of original planning permission 07/00096/COU at Lunts Bridge Farm, Lunts Heath Road, Widnes, Cheshire, WA8 5RY.

13/00252/COU - Proposed new single storey out building to provide a 10 place cattery with associated outside exercise space and secure landscaped garden at 7 Stockham Lane, Runcorn, Cheshire, WA7 2PS.

13/00294/TCA - Proposed crown lifting and removal of Ivy from trees T1,2,3,4,7,9,10,11,12 and felling of trees T5,6 and 8, all situated in a conservation area at Millennium Green, Halton Village, Runcorn, Cheshire.

**The following Appeal Decisions have been made:**

11/00084/BOUND

APP/D0650/C/12/2188034 - Erection Of Pallsafe Fence In Place Of Wire Mesh Fence at John Wall Drainage Services Ltd, Chapel Court, 42 Page Lane, Widnes, Cheshire, WA8 0AB.

**Dismissed**

12/00300/FUL

APP/D0650/D/12/2187532 - Proposed two storey rear extension and extension to the roof to include additional third floor at 9 Fernwood, Norton, Runcorn, Cheshire, WA7 6UT

**Dismissed**

11/00423/COU

APP/D0650/A/12/2182367 - Proposed conversion of vacant shop and accommodation into two self-contained flats at 2 Windermere Street, Widnes, Cheshire, WA8 9LL

**Allowed**

09/00551/FUL

APP/D0650/A/12/2182041 - Conversion of former agricultural buildings to three residential units, White House Farm, Barkers Hollow Road, Dutton, Warrington, WA4 4LW

**Allowed**

11/00413/FUL

APP/D0650/A/12/2181408 - Proposed construction of 1 no. dwelling at Land off South Lane accessed via Mill Green Lane, Widnes, Cheshire.

**Dismissed**

11/00433/OUT

APP/D0650/A/12/2178227 Outline Application (with all matters reserved) for the construction of 1 no. single storey dwelling at Tunnel Top Cottage, Northwich Road, Dutton, Warrington, WA4 4JY.

**Dismissed**

**The following Appeals have been received / are in progress:**

13/00011/S73

APP/D0650/A/13/2201280 - Proposed variation of condition 57 of BERR permission 01.08.10.04/8C (Halton Ref 07/00068/ELC) to vary (by increase) the maximum amount of Refuse Derived Fuel (RDF) which may be transported by road to the energy from waste facility (EfW) from 85,000 tonnes per annum up to 480,000 tonnes per annum at Ineos Chlor South Parade, Runcorn. And to place an obligation on the operator of the EfW facility to report annually to Halton Borough Council the actions taken to secure the delivery of RDF by rail and or water over the previous 12 month period together with recommendations for the year ahead at Runcorn Energy From Waste Facility, Barlow Way, Off Picow Farm Road, Runcorn, Cheshire, WA7 4HG.

13/00061/FUL

APP/D0650/A/13/2201486 - Proposed erection of 2 metre high vehicle entrance gates to replace existing gates and provision of a pedestrian gate at entrance to Ponderosa Caravan Park on Ponderosa Caravan Park, Chester Road, Runcorn, Cheshire, WA4 4BE.

13/00022/GNWORK

APP/D0650/C/13/2197680 - The construction of an area of a hard-standing (including scraping of topsoil and deposit of material) at Land at Sandy Lane, Preston Brook, Runcorn, Cheshire, WA7 3AW.

12/00428/S73

APP/D0650/A/13/2196163 -Proposed removal of condition 1 from Planning Permission APP/D0650/C/10/2126943 to allow the permanent retention of a mixed use for the keeping of horses and a residential gypsy caravan site at Land south-west of junction between, Newton Lane and Chester Road, Daresbury, Warrington, Cheshire, WA4 4AJ.

12/00444/FUL

APP/D0650/A/13/2195692 - Resubmission of planning application 11/00429/FUL for part demolition of existing building and change of use of site to metal recycling facility, including construction of a two storey office building, siting of weighbridge

and associated cabin, erection of various 6m, 7m, and 8m high boundary treatments and siting of external plant and machinery and associated works at land at Everite Road, Widnes, WA8 8PT.

12/00343/COND

APP/D0650/A/13/2191269 - The appeal relates to the Council's non-determination of an application submitted to discharge planning conditions 15, 29, 52 and 62 attached to the deemed grant of planning permission granted pursuant to the section 36 Electricity Act 1989 (Ref 01.08.10.04/8C) consent to the construction of a combined heat and power energy from waste fuelled generating station at Runcorn in Cheshire, and to the operation of that generating station at Runcorn Energy from Waste Facility, Barlow Way, Runcorn, Cheshire.