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Development Control Committee

Monday, 16 June 2014 6.30 p.m.
Civic Suite, Town Hall, Runcorn

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Paul Nolan (Chairman)
Councillor Keith Morley (Vice-Chairman)
Councillor Arthur Cole
Councillor Ron Hignett
Councillor Stan Hill
Councillor Carol Plumpton Walsh
Councillor June Roberts
Councillor Christopher Rowe
Councillor John Stockton
Councillor Dave Thompson
Councillor Kevan Wainwright
Councillor Bill Woolfall
Councillor Geoff Zygadlo

*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 July 2014*

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

Part I

Item No.	Page No.
1. MINUTES	3 - 10
2. DECLARATIONS OF INTEREST	
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.	
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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, 12 May 2014 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, C. Plumpton Walsh and Rowe

Apologies for Absence: Councillor Osborne

Absence declared on Council business: None

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

Also in attendance: 10 Members of the public

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

DEV66 MINUTES

The Minutes of the last meeting held on 10 March 2014, were taken as read and signed as a correct record.

DEV67 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE

The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.

DEV68 - 14/00052/FUL - REGIONAL INVESTMENT SITE ON LAND TO NORTH OF RED BROW LANE, DARESBUURY PARK, RUNCORN

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

RESOLVED: That delegated powers are given to the Operational Director – Policy, Planning and Transportation in consultation with the Chairman of Development Control Committee, to make the decision once the details in relation

Action

to grasslands and Great Crested Newts have been received and consulted on, subject to the following conditions and to add any other necessary conditions.

1. Standard 3 year permission;
2. No surface water to be discharged either directly or indirectly to the foul sewer network;
3. The site must be drained on a separate system, with only foul drainage connected into the foul sewer;
4. Measures/recommendations as outlined in the ecological survey in relation to bats and badgers should be adhered to;
5. Site investigations and remediation required as set out in the Geotechnical Report;
6. Any clearance of vegetation needs to be carried out outside the bird nesting season; and
7. Wheel cleansing facilities.

DEV69 - 14/00081/FUL - PROPOSED DEVELOPMENT OF 48 NO. 2 STOREY 3 AND 4 BEDROOM DETACHED AND SEMI-DETACHED PROPERTIES WITH ASSOCIATED WORKS AT LANARK GARDENS, WIDNES, CHESHIRE

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

Officers advised the Committee on the background of the site for development, which was previously reserved for a new school.

It was reported that the applicant had now completed an updated phase one ecological survey and that Cheshire Wildlife Trust was satisfied that the development could be approved subject to conditioning the mitigation measures. Further it was noted that the application complied with CS13 of the Core Strategy with regards to affordable housing.

Officers advised that in response to 5 public representations regarding the road through the middle of the proposed development, a condition relating to a construction traffic management plan was recommended. The following additional conditions were also recommended:

- Final details of traffic calming measures to be submitted to and approved in writing;
- Restrictions on plots 15, 20 and 23 preventing the conversion of garages and car ports, so as to ensure adequate car parking is retained;
- Submission of foul and surface water drainage

- details; and
- Submission of existing and proposed levels.

One further objection had been received in relation to proposed highway alterations outside numbers 4 and 6 Falkirk Avenue which reiterated previous concerns over parking and highway safety. The objection also raised concerns in relation to loss of property value and the consultation; it was noted that property values were not a material planning consideration and that the Local Planning Authority had carried out the required statutory consultation.

The Committee was addressed by Ruth Kay, the resident at number 6 Falkirk Avenue, objecting to the application. She commented on the increase in the number of properties to 48 from the outline application of 35 would increase the density of the scheme. She objected to the layout of the access road which had also changed since the outline application. She stated that exiting her driveway and that of number 4 would be difficult and raised highway safety concerns. She also commented that they would be forced to park on the 'build out' area due to the design of the road which could block visibility for oncoming cars. She requested that another design be considered for the scheme.

The Committee was then addressed by Mr Gary Goodwin from Morris Homes, the applicant. He commented that this application had been discussed in great detail with the planning and highways departments and that the new route through the development would deter traffic from the 'rat run' presently being experienced. Further he commented that the developer did not want to affect existing residents' driveways so the build out area was designed for this reason. With regards to parking provision, this was the same as the existing estate; two per dwelling.

Members discussed the application and issues around the access road in relation to residents parking, and the potential for obstruction caused by vehicles was clarified. The application was approved subject to the conditions below and the addition of a construction management plan.

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

1. Standard condition relating to time limit for commencement;
2. Condition listing all plans/amended plans (BE1);
3. Wheel wash condition required for construction phase

- (BE1);
4. Submission of a construction traffic management plan (BE1);
 5. Condition(s) in relation to submission of details of hard and soft landscaping including planting scheme (BE2);
 6. Condition requesting submission and approval of materials (BE2);
 7. Condition in relation to boundary treatment details (BE2);
 8. Condition relating to the provision of bins prior to occupation (BE2);
 9. Condition that the development is carried out in accordance with the submitted ecological reports and mitigation measures (GE21 and GE25);
 10. Condition that no clearance works shall be carried out during bird nesting season (GE21); and
 11. Condition(s) in relation to construction and delivery hours to be adhered to throughout the course of the development (BE1).

And the additional conditions to be added:

12. Construction traffic management plan;
13. Final details of traffic calming measures to be submitted to and approved in writing;
14. Restrictions on plots 15, 20 and 23 preventing the conversion of garages and car ports, so as to ensure adequate car parking is retained;
15. Submission of foul and surface water drainage details; and
16. Submission of existing and proposed levels.

DEV70 - 12/00092/FUL - PROPOSED DEVELOPMENT OF 23 NO. NEW HOMES COMPRISING 15 NO. TWO BEDROOMED HOUSES AND 8 NO. ONE BEDROOM APARTMENTS IN A SINGLE TWO STOREY APARTMENT BLOCK WITH ASSOCIATED INFRASTRUCTURE, DRAINAGE AND PARKING ARRANGEMENTS

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

Officers advised that the application was subject to an affordable housing condition and requested a Section 106 be added in respect of this.

The Committee was advised that the scheme proposed a development of 23 two storey, one and two

bedroomed properties, to replace the previously approved 42 apartments which were part built. The Council's Highways officer had confirmed that the proposals provided appropriate parking provision for the proposed houses with two spaces for houses and one space for one bedroomed apartments; and therefore raised no objections to the application.

The Committee was addressed by Kim Davies, a resident of Lockfield who objected to the application. She argued that: the volume of traffic would cause access problems for residents due to there only being one road in and out of the development; that existing residents would lose 50% of their parking; that the design of the houses was flawed and would not be in keeping with existing properties; house prices would be affected by the proximity of social housing; loss of light and privacy would occur and some residents fencing would have to be removed.

Members debated the application after hearing the representations. Officers confirmed that boundary issues were a private matter between the developer and the owner of the land. With regards to queries on the garden sizes, Members were advised that whilst the proposals were considered substandard in terms of garden sizes, it was considered that an on balance justification could be made in this case relating to the proximity of off-site open spaces, as set out within the report.

Members voted on the application which was approved subject to the conditions below.

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

1. Standard 3 year permission to commence development (BE1);
2. Condition specifying approved plans (BE1);
3. Materials condition, requiring the submission and approval of external building materials to be used (BE2);
4. Requiring the submission of both hard and soft landscaping (BE2);
5. Boundary treatments to be carried out as approved prior to occupation (BE2);
6. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
7. Vehicle access, parking and servicing to be constructed prior to occupation of properties/commencement of use (BE1);

8. Condition relating to the implementation of bin store provision (BE1);
9. Requiring finished floor and site levels to be carried out as approved (BE1);
10. Site investigation, including mitigation to be submitted and approved in writing (PR14);
11. Restricting permitted development rights relating to fencing, extensions, outbuildings, windows and dormers (BE1); and
12. Condition securing provision of affordable housing (CS13).

DEV71 MISCELLANEOUS ITEMS

The following applications had been withdrawn:

13/00386/FUL

Proposed residential development of 13 No. detached houses with garages, private open space and private access road at Former Dawsons Dance Centre, Lunts Heath Road, Widnes, Cheshire.

13/00380/FUL

Proposed demolition of existing conservatory, two storey side and rear extension plus extension over existing garage at 4 Clanfield Avenue, Widnes, Cheshire.

13/00373/FUL

Proposed erection of a single storey storage building at Industrial Estate, Percival Lane, Runcorn Cheshire.

13/00476/FUL

Proposed construction of mezzanine floor at Denca Controls Ltd, Waterloo Road, Widnes.

13/00480/FUL

Proposed two storey side extension, single storey rear extension and partial demolition of garage to form utility room at 29 Moorland Drive, Runcorn, Cheshire.

14/00063/FUL

Proposed Conversion of garage and first floor side extension at 42 Warrencroft, Runcorn, Cheshire.

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.

The appeal was allowed.

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.

Inquiry has been held, currently awaiting decision of the SoS.

13/00022/GNWORK

APP/D0650/C/13/2207343 - Enforcement notice issued for the construction of the area of hard-standing on land at Sandy Lane, Preston Brook, Runcorn, Cheshire, WA7 3AW.

In progress . Being dealt with by written representations.

13/00278/FUL

(APP/D0650/V/14/2212165) - Proposed redevelopment of existing high school comprising new school building, provision of new tennis courts, relocation of playing fields, new car parking and associated hard and soft landscaping and demolition of the existing school buildings at The Heath Specialist Technology College.

The Secretary Of State has called the application in for his consideration. This will now be heard by a public Inquiry later in the year.

14/00003/REFUSE – (APP/D0650/A/14/2213060) Outline application (with appearance, landscaping, layout and scale reserved) for erection of 4 No. detached dwellings on Land at Rose View Avenue, Widnes.

In progress. Being dealt with by written representations.

14/00002/REFUSE – (APP/D0650/A/13/2210716) Proposed demolition of existing building and erection of 10 No. dwellings with associated works at Site Of St Johns Presbyterian Church, Victoria Road, Runcorn.

In progress, being dealt with by written representations.

Meeting ended at 7.25 p.m.

REPORT TO: Development Control Committee

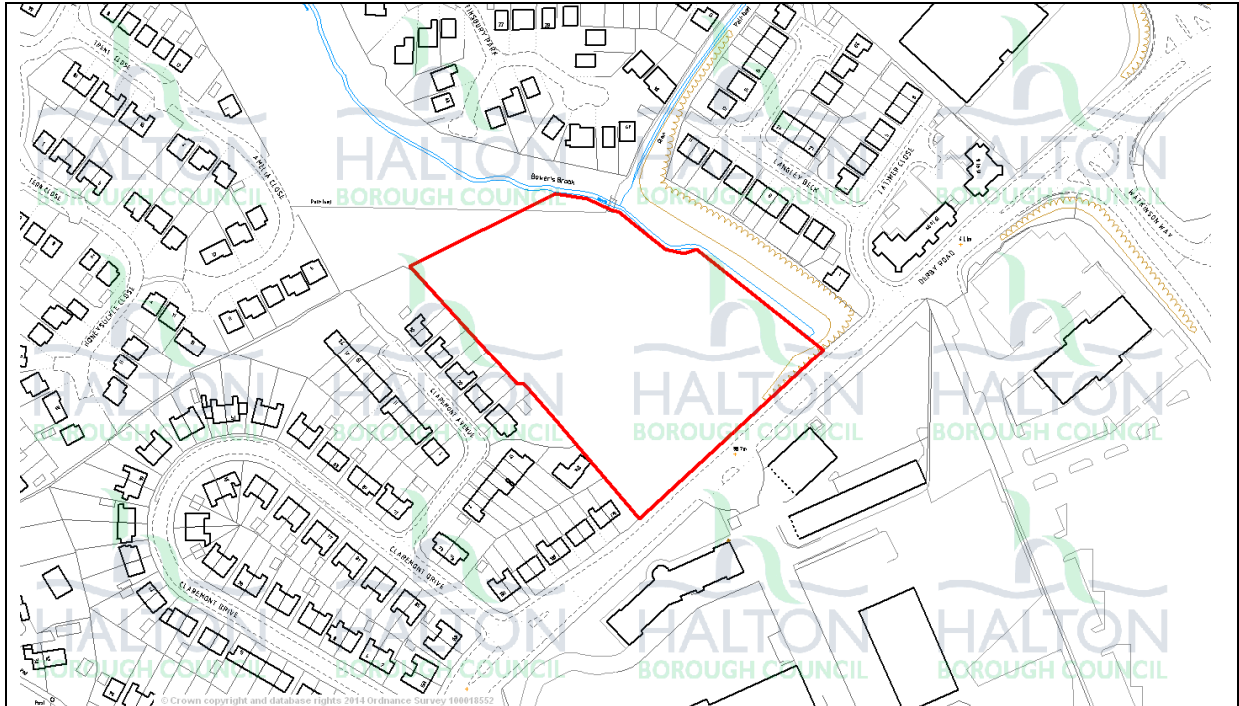
DATE: 16 June 2014

REPORTING OFFICER: Strategic Director, Policy & Resources

SUBJECT: Planning Applications to be determined by the Committee

WARD(S): Boroughwide

APPLICATION NO:	12/00429/OUT
LOCATION:	Land at Derby Road, Widnes
PROPOSAL:	Outline application for the erection of up to 32 dwellings with main access from Derby Road with all other matters reserved
WARD:	Farnworth
PARISH:	Farnworth
CASE OFFICER:	Pauline Shearer
AGENT(S) / APPLICANT(S):	Evonik Degussa UK Holdings Ltd, Tego House, Cheppenheim Drive, Kingston, Milton Keynes, Bucks MK10 0AF
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) North West Plan: Regional Spatial Strategy for the North West (2008) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)	Local Wildlife Site; Greenspace
DEPARTURE	Yes
REPRESENTATIONS:	10 Objections 3 further objections following re consultation
KEY ISSUES:	Ecology; Loss of Greenspace; Highway safety; drainage; residential amenity; ground conditions
RECOMMENDATION:	Approval
SITE MAP	



1. APPLICATION SITE

1.1 The Site

This 1.19ha site is located at Derby Road, north Widnes. The site is vacant and greenfield. The applicant owns the part of the site which fronts Derby Road to the southeast up to the edge of Bowers Brook. The land to the northwest of the site is in a different ownership and is also vacant Greenfield land. The land to the northeast and southwest has been developed and are currently residential areas.

The site is identified as a Local Wildlife Site in the Halton Core Strategy, this updates the previous designation within the Halton UDP as a Site of Importance for Nature Conservation. This site has been included in Halton's Strategic Housing Land Availability Assessment.

1.2 Planning History

Previous outline planning application: - 07/00797/OUT – (with appearance, landscaping, layout and scale matters reserved) for a residential development of up to 40 units. This application was refused. The reasons for refusal included: inappropriate release of a Greenfield site for residential development: It resulted in the loss of an adopted Greenspace and Site of Important Nature Conservation for which adequate compensatory measures had not been proven; the scheme provided unsafe access into the site and inappropriate internal layouts resulting in adverse highway conditions; there was insufficient information provided with regard to surface water drainage; and the Flood Risk Assessment submitted failed to prove that the development would not result in an increased risk of flooding on the site.

2. THE APPLICATION

2.1 The proposal

The proposal seeks permission to develop the site for residential development of up to 32 dwellings. The proposal is in outline with all other matters, landscaping, scale, layout and internal access, reserved. The application also seeks for approval of the principle of the access into the site from Derby Road.

2.2 Documentation

The applicant has submitted a Planning Application, drawings and the following reports:

Design and Access Statement
Planning Supporting Statement
Transport Statement
Flood Risk Assessment
Surface Water Management Plan
Ecological Appraisal
Tree Survey
Affordable Housing Viability Study
Phase 1 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.

The government has published its finalised Planning Practice Guidance (PPG) to complement the National Planning Policy Framework (NPPF).

3.2 Halton Unitary Development Plan (UDP) (2005)

The following 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
GE6 Protection of Designated Greenspace
GE19 Protection of Sites of Importance for Nature Conservation
GE21 Species Protection
PR5 Water Quality
PR14 Contaminated Land
PR16 Development and Flood Risk
TP6 Cycle Provision as Part of New Development
TP7 Pedestrian Provision as Part of New Development
TP12 Car Parking
TP14 Transport Assessments
TP17 Safe Travel for All
H3 Provision of Recreational Greenspace

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
CS3 Housing Supply and Locational Priorities
CS7 Infrastructure Provision
CS12 Housing Mix
CS13 Affordable Housing
CS15 Sustainable Transport
CS18 High Quality Design
CS19 Sustainable Development and Climate Change
CS20 Natural and Historic Environment
CS23 Managing Pollution and Risk

New Residential Development Supplementary Planning Document
Designing for Community Safety Supplementary Planning Document
Draft Open Spaces Supplementary Planning Document

4. CONSULTATIONS

The application has been advertised as a departure from the development plan, by a site notice posted near the site and by a press notice. All adjacent residents have been notified by letter.

The Council's Nature Conservation Consultants, Cheshire Wildlife Trust has been consulted in relation to the site's potential as bat habitat and other ecological factors. There are no objections to the proposal subject to the provision of a biodiversity mitigation financial contribution and conditions relating to on-site protective measures.

United Utilities has not objected, providing that the site is drained on a total separate system with all the surface water run-off generated discharging directly into the adjacent watercourse in accordance with the submitted Flood Risk Assessment.

The Environment Agency has submitted comments which will be summarised in the body of this report below. No objections are raised subject to the imposition of specific conditions relation to drainage matters.

The Council's Highways, Environmental Health and Open Spaces Divisions have all been consulted and comments received have been summarised below in the assessment section of the report.

The proposal is of a scale and has impacts which do not warrant the submission of an Environmental Statement under the Environmental Impact Assessment (EIA) Regulations 2011.

5. REPRESENTATIONS

10 Objections and 3 further objections following re consultation have been received as a result of the initial public consultation and are summarised as follows, together with a brief response to the comments:-

- Loss of biodiversity/habitat – This issue is dealt with in the body of the report under the headings 'Principle of Use and Ecology'.
- Loss of Greenfield site – This issue is dealt with in the body of the report under the heading 'Principle of Use and Ecology'.
- Land not allocated for housing – The fact that the land does not have a housing allocation in the Halton local plan, does not mean that it should be refused for that reason alone. The land is, in fact, included in Halton's Strategic Housing Land Allocations Assessment.
- Flood mitigation – This issue is dealt with in the body of the report under the heading 'Flood Risk and Drainage'.
- Loss of footpath – A footpath across the existing site is a desire line only and is not a public right of way. In any event, the indicative layout plan shows that the site is permeable and provides access from Derby Road to the footpath to the rear of Finsbury Park. The path from the rear of Finsbury Park to Marshall Pad is still accessible from the footpaths within the proposed scheme.

- Loss of natural play area for children – This site is privately owned and current public use is at the discretion of the land owner. The land is currently fenced off by the land owner to restrict access to it.
- Increased traffic and congestion – This issue is dealt with in the body of the report under the heading ‘Highway Matters’.
- Three storey will block out light/sky for neighbours – This issue is dealt with in the body of the report under the heading ‘Residential Amenity’.
- Asbestos contaminated soil – This issue is addressed in the body of the report under the heading ‘Ground Contamination’.
- Too close to Brook – The proposal is not necessarily unacceptable due to its proximity to Bowers Brook, but other associated issues in relation to biodiversity and flood risk are dealt with in the body of the report under the headings ‘Flood Risk’ and ‘Drainage and Ecology’.
- Do Halton BC have to build on every spare piece of land? – The application is not made by Halton Borough Council, but by the land owner, Evonik Degussa UK Holdings Ltd. The land is included in the Halton SHLAA but will only benefit from planning permission if deemed appropriate in terms of compliance with policy.
- Overlooking - This issue is dealt with in the body of the report under the heading ‘Residential Amenity’.
- Land green belt and would not be built on – The land is not green belt.
- Loss of views - This issue is dealt with in the body of the report under the heading ‘Residential Amenity’. However, the loss of a view is not a matter which is material to the determination of the planning application.
- Dirt, noise and disruption – It is accepted that a certain degree of disturbance will result due to the physical development process. Where development takes place near residential areas, the Council seeks to control this in a reasonable way by the imposition of restrictive conditions to minimise site working beyond reasonable hours and to minimise dirt from construction vehicles on the highway. It should be noted that the conditions attached should not serve to restrict the process to the point where it becomes financially or physically impractical to implement the permission granted.
- Location of play area would affect existing properties and affected by rats from Brook – The management of the play area will be through a management company and they would need to undertake their own risk assessment of the provision regarding this and many other safety issues. There are several play areas which are located near to areas of

woodland or watercourses where wildlife may be present. This would not necessarily result in unwelcome interface with wildlife and would not constitute a reason to refuse the planning application.

- No need for more housing – There is a clear need to identify additional land for housing in Widnes and Hale. The Core Strategy examination concluded the potential shortfall in supply was sufficient to represent exceptional circumstances requiring an early partial Green Belt Review, now underway
- Local schools are over-subscribed – Halton has an adequate provision for school places. The proposal for 32 dwellings is considered to be of a scale to allow the assimilation of future children into existing school provision.
- Construction work would encourage rats – Any emergence of rats or other infestations which cause a nuisance to existing local residents can be addressed through measures implemented by the Council's Environmental Health – Pest Control Services.
- Concerns regarding hazardous waste in the ground - This issue is addressed in the body of the report under the heading 'Ground Contamination'.
- Conflict of entrance/exit with one opposite - This issue is dealt with in the body of the report under the heading 'Highway Matters'.
- Currently used for recreation and to walk dogs - This site is privately owned and access onto it is at the discretion of the landowner. Current public use is restricted by perimeter fencing by the landowner.
- Experience of endless breaches at Chadwick Park over past 3 years – Any breaches of planning control which may have taken place at other development sites are not relevant to this current application and the enforcement of the application site during and post development will be undertaken on a case by case scenario under the remit of the Town & Country Planning Act.
- Loss of house value – This in itself is not a matter for consideration by members. However, the issues surrounding loss of value, such as highway safety and residential amenity are matters to consider and are addressed in the relevant sections of this report.

6. **ASSESSMENT**

6.1 **Principle of Use**

The site is situated in an area which is identified as a Site of Importance for Nature Conservation in the Halton Unitary Development Plan, which has an

updated designation as a Local Wildlife Site in the Halton Core Strategy. As such this proposal has been advertised as a departure to the development plan. The site is also a designated Green space.

The relevant policies specifically related to the principle of the use are GE19 - Protection of Sites of Importance for Nature Conservation in the Halton UDP; GE6 - Protection of Designated Green space; GE8 – Development within Designated Green space; and CS21 - Natural and Historic Environment in the Halton Core Strategy.

GE19 – Protection of Sites of Importance for Nature Conservation (SINC) contains three elements.

- 1 States that development will not be permitted if it is likely to have a significant effect on a SINC unless “it can be clearly demonstrated that there are reasons for the proposal that outweigh the need to safeguard the substantive nature conservation of the site”.
- 2 States that where development is permitted which would harm the nature conservation of the site that it will be kept to a minimum and where appropriate “the authority will consider the use of conditions or planning obligations to provide compensatory measures”.
- 3 States that new sites will receive the same protection as identified sites on the proposals map.

GE6 – Protection of Designated Green space seeks protection of those areas of Halton identified on the proposals map as Green space. However, part two of the policy allows for exceptions to the policy of protection:-

“Exceptions may be made where the loss of the amenity value, which led to the designation of the site as Greenpeace, is adequately compensated for.”

This exception policy requires development to provide a convincing reason to support development on the site and adequate compensation for the resulting loss of Greenspace based on the reason for its designation.

In this case, the Borough’s overriding need for housing provides the underlying explanation for the support of a proposal to develop on Greenspace. In terms of the level of compensation, the value of the Greenspace is considered to have three main elements; ecological value; visual amenity; and visual linkage to existing adopted right of ways. It should be noted that this is a private piece of Greenspace which, although disputed by some local residents, currently has no right of way across it.

Firstly, the ecological value of the land is dealt with within the main body of the report under the heading ‘Ecology’ and the explanation of compensation is contained therein. Secondly, the visual quality of the land as a result of its openness and views to the north. It is considered that in the indicative design of the proposal and in the low density of approximately 27 dwellings per hectare, the site maintains open aspects and features, particularly adjacent to the Brook and to the north of the application site. As part of the ecological

appraisal of the proposal, the resulting design will need to achieve significant buffer areas, which in turn should achieve a degree of openness within the scheme, sufficient to account for the loss of part of that quality of its Greenspace designation. Finally, although the application site does not at present offer any linkages across the site from Derby Road, the scheme will provide a strong, safe and direct pedestrian route from Derby Road to the footbridge which leads to the existing footpath running to the rear of Finsbury Park. In addition, this results in a considerable improvement in pedestrian linkages from Derby Road and the surrounding area to the existing Local Wildlife Site located to the north and which is to remain. Furthermore, the proposal will provide a significant landscaping scheme and play space which will serve to enhance the use of the resulting open features of the site. It is on this basis that the proposal is considered to meet the requirements of Policy GE6 in the levels of compensation in terms of; ecology (explained elsewhere in the report); on-site areas of landscaping; play space; and pedestrian linkages.

The applicant has agreed the payment of a financial contribution in lieu of the loss of Greenspace with amenity value to address the requirements of Policy GE6.

CS20 – Natural and Historic Environment acknowledges that natural assets will contribute to the Borough’s sense of place and local distinctiveness and contains a “hierarchical approach” in relation to the protection, nature conservation and enhancement of biodiversity and geodiversity which includes:-

- 1 Sites of international importance including the Mersey Estuary Special Protection Area (SPA) and ‘Ramsar’ site;
- 2 Sites of national importance including Sites of Special Scientific Interest (SSSI) namely; The Mersey Estuary, Flood Brook Clough and Red Brow Cutting; and
- 3 Sites of local importance including Local Nature Reserves (LNR’s), Local Geological Sites, Local Wildlife Sites, Ancient Woodland and habitats and species identified in Halton’s Biodiversity Action Plan (BAP).

The policy encourages opportunities to enhance the value of Halton’s natural assets including restoring or adding to natural habitats and other landscape features and the creation of habitats where appropriate.

The policy also indicates that replacement or compensatory measures will be employed, where appropriate, to ensure that there is no net loss of natural assets as a result of development.

It concludes that whilst Local Wildlife Sites benefit from protective policies, it is not necessarily the case that all development will be refused and that this would need to be assessed based on the ecological value of the site and the weight given to other material considerations. As such, the principle of the

development of this site can be acceptable, on the basis of the weight to be attached to the material considerations of the proposal.

The main issues to consider arising from the proposal are: - Highway safety; Residential Amenity; Ecology; Flood Risk and Drainage. These issues are explored below.

6.2 Highway Safety

The proposal was accompanied by a Transport Assessment that principally examined the suitability of the access into the site from Derby Road. It is considered that the access as shown on the Indicative Layout Plan and Parameters Plan is acceptable and meets the appropriate highway safety standards although the position of the bus stop and existing lamp post on Derby Road would need to be altered at the expense of the applicant and details of this would be required.

An Indicative Layout Plan has also been submitted and provides a satisfactory statement of how the access, road, footways and parking provision can be provided on the site. The Indicative Layout Plan has shown that all of the roads are designed to adoptable standards with the spine road 5.5m wide with two footways of 1.8m width either side. The secondary roads are 4.8m wide with 1.8m wide footways alongside the houses. The narrowed pinch-point on the spine road has been omitted and one on-street car parking bay is now provided on the spine road. Very minor incursion into plots and green spaces has been required to accommodate these wider roads / footways from the original, but this does not impact materially on other requirements of the proposal in terms of drainage.

A minimum car parking requirement of 200% is required and is the subject of a planning condition. Garage sizes need to be a minimum of 6m X 3m and their future use restricted to uses ancillary to the enjoyment of the dwelling. Both these requirements are the subject of a recommended planning condition.

A future reserved matters application will be required to meet the Council's standards for highway safety and conditions are recommended to ensure the submission of a detailed highway layout for further approval. This current outline proposal satisfactorily shows that the site has sufficient scope to achieve the required highway safety standards and, therefore, on this basis the proposal is acceptable and complies with TP7, TP12, TP14 and TP17 of the Halton Unitary Development Plan, the Core Strategy and NPPF.

6.3 Residential Amenity

The application is in outline and detailed matters of layout and scale are reserved for future consideration. The applicant has been required to show on an indicative layout plan that a development of up to 32 dwellings has the potential to fit onto the site without detriment to existing occupiers of surrounding houses. The plan shows that the nearest existing houses that

would be affected by the proposal are those of No's 14 to 32 (evens) Claremont Avenue, which have rear boundaries adjoining the site. The indicative layout plan shows that some of the plots and garages which back onto the rear gardens of Claremont Avenue have insufficient interface distances. However, members should note that this is in indicative form and it shows that there is potential to either reduce numbers of dwellings on the site or re-arrange the proposed indicative layout to accommodate appropriate separation distances. To this end, a condition is recommended to ensure that the future reserved matters layout drawing will respect the Council's standards and guidance for interface distances between existing residential properties' habitable room windows and the proposed dwellings, whether they are two or three storey.

A future reserved matters application will be required to meet the standards set out in the Council's New Residential Development Supplementary Planning Document and conditions are recommended to ensure this is achieved. This current outline proposal, therefore, satisfactorily shows that the site has sufficient scope to achieve the required privacy standards and interface distances contained within the Council's guidance and therefore complies with Policies BE1 and BE2 of the Halton Unitary Development Plan, Core Strategy and NPPF.

6.4 Ecology

The application was accompanied by an Ecological Appraisal (Tyler Grange June 2012). The Council's ecological consultants Cheshire Wildlife Trust has reviewed the submission and provided recommendations in relation to the principle of the development on this part of the Local Wildlife Site.

The Local Wildlife Site was most recently surveyed in June/July 2013. It was found that the area of semi-improved grassland, which is the subject of a planning application, acts as a buffering habitat to the main body of the site and consequently fulfils an important function in helping to maintain the integrity of the Local Wildlife Site. It is agreed that the conclusions and recommendations made in the submitted Ecological Appraisal are appropriate and that the site area consists of species-poor, semi-improved grassland and scrub, and is considered to have limited ecological value.

The proposal has been assessed against the NPPF paragraph 118 which advises that when determining planning applications, there should be an "aim to conserve and enhance biodiversity" and lists the principles to be applied in doing this, the most relevant to this Local Wildlife Site is:-

"if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then planning permission should be refused."

In this case, the Council's consultants have surveyed the site to assess its current ecological value and assessed its linkage to the remainder of the

Local Wildlife Site to the north. The ecological value of the land is important more for its relationship with the remaining Local Wildlife site rather than for anything it is contributing within it. As the site is surrounded by housing, this has resulted in the Local Wildlife Site becoming isolated from the wider countryside and other areas of wildlife value. It was noted that some areas have been used for rubbish dumping and other areas were suffering from the invasion of garden species from adjacent properties. It is concluded that mitigation could be provided on the basis of the loss of 1.2ha of semi-natural grassland of medium distinctiveness and moderate quality at total estimated cost of £46,602, based on the formula 'Costing Potential Actions to Offset the Impact of Development on Biodiversity' Defra March 2011 and 'Biodiversity Offsetting Pilots-Technical Paper: the metric for biodiversity offsetting pilot in England' Defra March 2012.

In making a decision, members need to undertake a balancing exercise in the approach to biodiversity. The NPPF guides that the planning system 'should contribute to and enhance the natural and local environment' and to do this by protection, recognising the wider benefits of the ecosystem and minimising impacts on biodiversity and providing net gains where possible. A prevention of an overall decline in biodiversity is advised, including 'establishing coherent ecological networks that are more resilient to current and future pressures'.

In terms of that land's ecological status in the designation hierarchy, it is one which is offered the least protection. The surveys and comments provided by the Cheshire Wildlife Trust have established that mitigation could be provided adequately through a section 106 payment in order to provide an appropriate level of mitigation elsewhere within the Borough and through on site buffering of the site from the Brook and remainder of the Local Wildlife Site to the north. It is considered that in this way the proposal can meet the policy requirements in GE19 and CS20 of the Halton local plan and those outlined in the NPPF.

6.5 Flood Risk and Drainage

The application was accompanied by a Flood Risk assessment and Surface Water Management Plan, both the Environment Agency and the Council's highways engineers have commented on the proposal and submitted information.

The Environment Agency has raised no objection subject to the attachment of six conditions relating to; finished floor levels to be set at 36.66AOD; the submission and approval of a scheme to limit surface water run-off generated by the development; the submission and approval of a scheme to manage the risk of flooding from overland flow of surface water; the submission and approval of a scheme for the provision and management of an 8m wide buffer zone alongside Bowers Brook watercourse and floodplain; the submission and approval of a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas; the submission and approval of a method statement for the removal/management/control of Japanese Knotweed.

No further comments have been received at the time of writing the report in response to the re-consultation on the latest amended plans, but any comments received will be reported to members.

The Council's highway engineers have commented that, the information submitted demonstrates that the site can be satisfactorily drained, subject to confirmation of final details of a drainage proposal and on the basis of the submitted Surface Water Management Plan:

- confirmation of the dimensions and volumetric calculations of storage ponds;
- submission of Manhole schedule referred to in 2.1 of the site SWMP;
- details of the location and arrangement of hydrobrake control orifices and non-return valves.

Conditions are required for full details of the methods of on-site drainage and levels to enable a full assessment at reserved matters stage in the planning process.

Outstanding concerns have been expressed to the applicant on the basis of the indicative drainage layout in relation to:-

- The effectiveness of petrol interceptors
- Number and location of treatment stages
- Unable to adopt parts of the drainage and run off system as shown on indicative drawing
- Unable to adopt open space landscaped areas due to the shown locations and treatment of play area and ponds
- Type and profile of ponds

Conditions are recommended for the submission of a full drainage proposal for approval prior to development beginning, in addition to those conditions recommended by the Environment Agency. It is accepted that the site will have the capability to be drained appropriately but that further details of this are required to satisfy the outstanding concerns of the Council and Environment Agency. As such the proposal in outline form complies with Policies BE1, PR5, PR16, CS2, CS7 and CS19 of the Halton local plan and the NPPF.

6.6 Ground Contamination

The application was accompanied by a Phase 1 and 2 ground investigation survey. Gas monitoring has been undertaken on seven occasions over a 3 month period. This is in accordance with the recommendations of CIRIA C665 for a high sensitivity development and a very low source potential. Negligible methane and carbon dioxide concentrations have been encountered. However, very high negative flow rates have been observed, in excess of 30 litres/ hour on some occasions, which is as high as the instrument is capable of measuring.

Based on previous experience at an adjacent development immediately west of the site it would appear that an effect known as barometric pumping is occurring. This occurs under certain geological conditions, typically where a confining layer of low permeability Glacial Till overlies porous Triassic Sandstone. Changes in the atmospheric pressure induce changes in the ground pressure, however, the pressure in the ground changes at a different rate to the pressure in the atmosphere. This results in a pressure differential and either a positive or a negative flow of air depending upon the pressure trend. The more the rise or fall in atmospheric pressure the higher the flow rate.

The monitoring has only been undertaken during periods of steady or rising atmospheric pressure therefore only negative flow rates have been observed and negligible gas concentrations. If monitoring were to be undertaken during periods of falling pressure the likelihood is that very high positive flow rates would be recorded. This effect was observed at the adjacent previous development in addition to grossly elevated methane under positive flow conditions. The presence of methane was thought to be associated with migration from the underlying coal measures through the Triassic sandstone.

The Coal Authority was consulted due to the very high methane levels and they advised, on the basis of the available information, that the gas was unlikely to be associated with abandoned mines. It was therefore concluded that the presence of the methane was most likely associated with natural desorption from the coal measures. The precise means by which methane was managing to migrate through the considerable thickness of saturated sandstone that overlies the coal measures is unclear although it was speculated that the major fault to the east could be a contributory factor.

Some additional investigation and monitoring is considered necessary in order to assess the ground gas levels during worst case conditions i.e. falling atmospheric pressure. It may be that the presence of ~5m of Glacial Till above the sandstone is providing a natural barrier to emission at the surface but this will need to be assessed. Depending upon the findings of the further monitoring there may be a need to further develop the CSM to take account of any proposed construction methods that may compromise the clay thickness. For example, excavation of strip footings, over deepening of foundations in the north east of the site where alluvial gravels have been encountered, regrading of the Glacial Till to alter the site levels etc. A good understanding of the clay thickness across the site and the extent of the footings excavations will therefore be required.

Given the timescales involved in undertaking this further exploratory work, should members be minded to approve the application, it is requested that delegated authority be given to the Operational Director – Planning, Policy and Transportation, to decide the application subject to further ground investigation details to be submitted and approved with any associated conditions, prior to the issue of the decision.

6.7 Other Material Matters

Affordable Housing:- the application is accompanied by a Viability Assessment in relation to policy CS5 of the Core Strategy and the provision of affordable dwellings. It is clear from the physical constraints and policy considerations of the site that it would become unviable for development if an affordable housing requirement was enforced. The S.106 recommended is for the provision of several financial contributions required in order to comply with Plan policy for; a biodiversity off-set payment; payment in lieu of on-site public open space; payment in lieu of the loss of an area of Greenspace.

7. CONCLUSIONS

In conclusion, this proposal is in outline only with all matters reserved for future determination, aside from the location of the main access into the site from Derby Road. As such, the decision should be based on whether or not the principle of the development is acceptable on the site and all matters of detail are to be dealt with further along the planning process at the reserved matters stage. Policy CS2 and NPPF paragraphs 14-16 set out the presumption in favour of sustainable development whereby applications that are consistent with national and up-to-date local policy should be approved without delay. As set out in this appraisal, the proposal is consistent with the aims of the policies relative to this site, subject to the terms of a S.106 Agreement for a biodiversity off-set payment; open space and amenity space payments and specific conditions relating to drainage, landscaping and residential amenity.

It is on this basis that members as asked to approve the application but delegate the final decision to the Operational Director – Planning, Policy and Transportation in consultation with the chair or vice chair, to enable further ground investigations to be undertaken to the satisfaction of the Local Authority.

8. RECOMMENDATIONS

To delegate authority to determine the application Operational Director – Planning, Policy and Transportation in consultation with the chair or vice chair, to enable further ground investigations to be undertaken to the satisfaction of the Local Authority. If a satisfactory report is received then the decision would be to approve subject to a S.106 Agreement for: a financial biodiversity off-set payment in lieu of site mitigation for the loss of part of a Local Wildlife Site; off-site public open space; loss of an area of Greenspace; and a contribution towards a drainage scheme should future reserved matters drainage details be adopted; and the following conditions and any additional conditions required in relation to ground conditions.

Approve subject to the following conditions:-

1. Standard outline conditions for the submission of reserved matters applications x 3 conditions (BE1)

2. Amended Plans (BE1 and TP17)
3. Prior to commencement the submission of a reserved matters proposal which incorporates a full proposal for drainage of the site (BE1)
4. Prior to commencement submission of levels (BE1)
5. Prior to commencement submission of cross sections/calculations in association with achieving the access to the site from Derby Rd (BE1)
6. Prior to commencement submission of materials (BE1 and CS11)
7. Prior to commencement submission of hard and soft landscaping (BE1)
8. Prior to commencement submission of construction management plan (TP17)
9. Prior to commencement submission of a construction management plan which will include wheel cleansing details (TP17)
10. Avoidance of actively nesting birds (BE1)
11. Prior to commencement details of on-site biodiversity action plan for measures to be incorporated in the scheme to encourage wildlife (GE21)
12. Prior to commencement details of a landscape proposal and an associated management plan to be submitted and approved (BE1, GE21)
13. Prior to commencement details of bin store and service areas (BE1 and BE2)
14. Prior to commencement details of secured cycle storage (TP6)
15. Prior to commencement details of boundary treatment (BE22)
16. The reserved matters application shall include a layout drawing showing how proposed dwellings/plots respect the Councils adopted interface standards and guidance of 21m between habitable room windows and 13m between habitable room windows and blank elevations. Where a dwelling is positioned at an oblique angle to an existing dwelling, the interface distance will need to be met. (BE1)
17. The development hereby permitted shall not be commenced until such time as; a scheme demonstrating that finished floor levels of all proposed residential dwellings are to be set at a minimum of 36.66m AOD, has been submitted to and approved in writing by the local planning authority. (BE1, PR16, CS2, CS19, CS23)
18. The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by the local planning authority. (BE1, PR16, CS2, CS19, CS23)
19. The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the local planning authority. (BE1, PR16, CS2, CS19, CS23)
20. No development shall take place until a scheme for the provision and management of an 8 metre wide buffer zone alongside the Bowers

Brook watercourse and floodplain shall be submitted to and agreed in writing by the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The scheme shall include:

- plans showing the extent and layout of the buffer zone.
- details of any proposed planting scheme (for example, native species).
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
- details of any proposed footpaths, fencing, lighting etc.
- where a green roof is proposed for use as mitigation for development in the buffer zone ensure use of appropriate substrate and planting mix.

Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. (BE1, PR16, CS2, CS19, CS23)

21. No development shall take place until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following elements:

- protective provisions for the Bowers Brook watercourse / pond / wetland
- detail extent and type of new planting (NB planting to be of native species)
- details of maintenance regimes
- details of any new habitat created on site
- details of treatment of site boundaries and/or buffers around water bodies
- details of management responsibilities

The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. (BE1, PR16, CS2, CS19, CS23)

22. No development shall take place until a detailed method statement for removing or the long-term management / control of Japanese Knotweed on the site has been submitted to and approved in writing by the local planning authority. The method statement shall include

measures that will be used to prevent the spread of Japanese Knotweed during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant listed under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement. (BE1)

23. The future reserved matters proposal shall incorporate a provision for on-site play space. (BE1)
24. The future reserved matters proposal shall result in development of no greater than 28 dwellings per hectare. (BE1)
25. The future reserved matters proposal shall incorporate a buffer area of at least 15m (from the edge of the woodland and the Brook) to be retained and incorporated within a new boundary of the Local Wildlife Site. This may include areas where ponds could be located providing that a 6m undisturbed margin is left by the edge of the Brook and woodland. (BE1, GE19, CS20)
26. No development shall begin until details of a wildlife mitigation scheme, resulting in a site with significant wildlife value, has been submitted to and approved. (BE1, GE19, CS20)
27. No development shall begin until details of a long-term management plan for the future management and maintenance of the Brook and any ponds or features for the benefit of wildlife, has been submitted to and approved. (BE1, GE19, CS20)

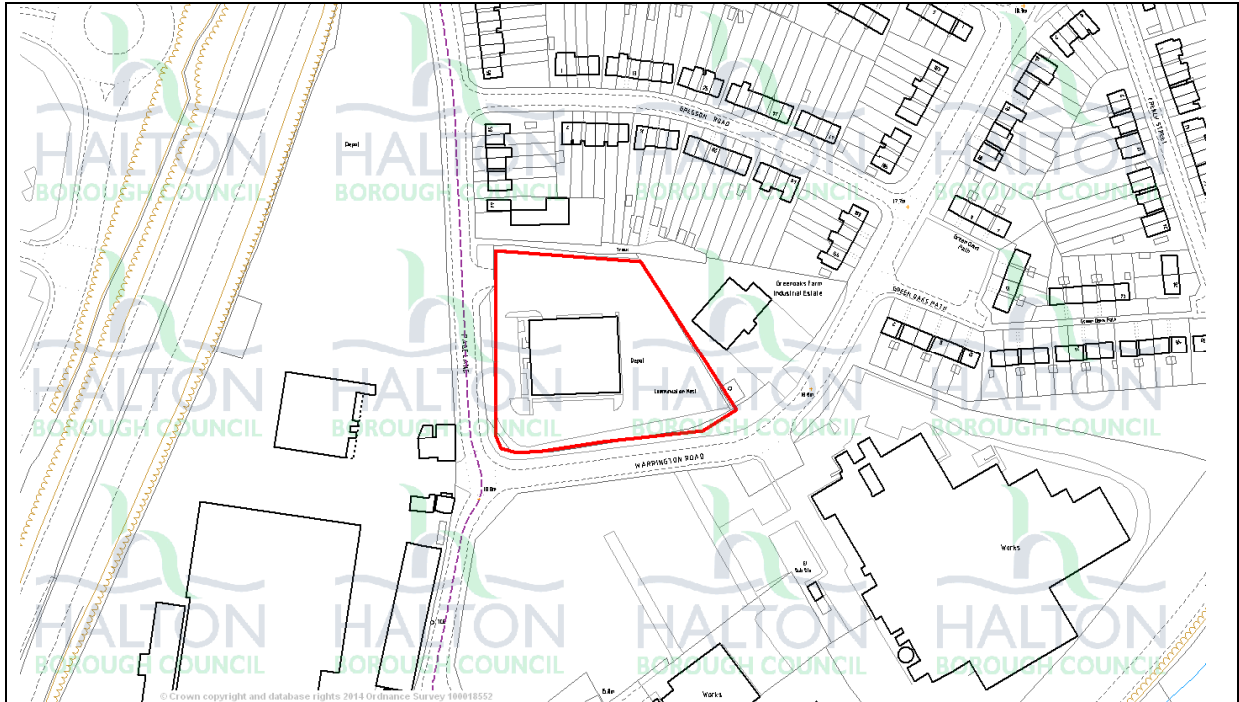
9. **SUSTAINABILITY STATEMENT**

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.

APPLICATION NO:	14/00075/FUL
LOCATION:	Land to the north east of junction between Warrington Road and Page Lane, Widnes, Cheshire.
PROPOSAL:	Proposed demolition of existing industrial warehouse unit and construction of 21 no. two bed four person houses and an apartment block comprising 9 no. two bed three person apartments and 9 no. one bed two person apartments.
WARD:	Halton View
PARISH:	None
CASE OFFICER:	Jeff Eaton
AGENT(S) / APPLICANT(S):	AGENT - Miss Karen O'Reilly, Jennings Design Associates. APPLICANT – Halton Housing Trust.
DEVELOPMENT PLAN ALLOCATION:	Primarily Employment Area
National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	
DEPARTURE	Yes
REPRESENTATIONS:	One representation received from the publicity given to the application.
KEY ISSUES:	Residential Development in a Primarily Employment Area, Design, Amenity, Affordable Housing, Open Space, Access, Ground Contamination, Biodiversity.
RECOMMENDATION:	Grant planning permission subject to conditions and the signing of a S106 agreement securing a commuted sum in lieu of on-site open space provision.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site subject of the application is located to the north east of the junction between Warrington Road and Page Lane. The site currently comprises of a vacant industrial unit with associated parking and servicing space. Access to the site is gained from Page Lane.

Located to the north of the site is predominantly housing, however John Wall Drainage occupy the site directly to the north of the site. Located to the north east of the site is another vacant industrial site which currently benefits from planning permission for a three storey residential home for the elderly. Located to both the south and west of the site are predominantly employment uses.

2. THE APPLICATION

2.1 The Proposal

The application proposes the demolition of an existing industrial unit and construction of 21 no. two bed four person houses and an apartment block comprising 9 no. two bed three person apartments and 9 no. one bed two person apartments.

2.2 Documentation

The planning application is supported by a Design and Access Statement, Affordable Housing Statement, Code for Sustainable Homes Pre-Assessment Report, Drainage Appraisal Report, Environmental and Intrusive Noise Study,

Transport Statement, Employment Land Statement, Extended Phase 1 Habitat Survey and Arboricultural Assessment and a Phase 1 Geo-Environmental Site Investigation.

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.

3.2 Halton Unitary Development Plan (UDP) (2005)

The site is designated as a Greenspace 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;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodlands;
- PR2 Noise Nuisance;
- PR4 Light Pollution and Nuisance;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;
- TP14 Transport Assessments;
- H3 Provision of Recreational Greenspace;
- E3 Primarily Employment Areas.

3.3 Halton Core Strategy (2013)

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

- CS2 Presumption in Favour of Sustainable Development;
- CS3 Housing Supply and Locational Priorities;
- CS4 Employment Land Supply and Locational Priorities;
- CS12 Housing Mix;

- CS13 Affordable Housing;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS23 Managing Pollution and Risk.

3.4 Joint Merseyside and Halton Waste Local Plan (2013)

The following policies, contained within the Joint Merseyside and Halton Waste Local Plan are of relevance:

- WM8 Waste Prevention and Resource Management;
- WM9 Sustainable Waste Management Design and Layout for New Development.

4. **CONSULTATIONS**

4.1 Highways and Transportation Development Control

No objection to the proposed development subject to the attachment of a number of conditions.

4.2 Open Spaces Officer

The Council Open Space officer has commented that the trees been shown as retained on the Landscape Proposals Drawing face significant pressure from initially the construction phase of the development and secondly from the residents of the buildings due to their proximity to the property. This issue has been raised with the applicant and a detailed landscaping scheme should be conditioned.

4.3 Cheshire Wildlife Trust

It has reviewed the ecological report which accompanies the application and it concurs with the applicant that the site has a low or negligible importance for bats, reptiles, invertebrates and flora and advise that the recommendations set out in the report are secured by condition.

4.4 Warrington Community Fire Protection Officer

Its observations should be attached as an informative.

4.5 Ground Contamination Team

No objection to the proposed development subject to the attachment of full ground contamination conditions.

4.6 Environmental Protection

No observations received at the time of writing this report.

4.7 Cheshire Police Architectural Liaison Officer

No observations received at the time of writing this report.

4.8 United Utilities

No objection to the proposed development subject to the attachment of a drainage condition. Its other observations are to be attached as an informative.

5. **REPRESENTATIONS**

5.1 The application has been advertised by a press advert in the Widnes & Runcorn World on 05/03/2014, a site notice posted at the junction of Page Lane and Warrington Road on 06/03/2014 and 35 neighbour notification letters sent on 27/02/2014.

5.2 Following the receipt of amended plans, 35 neighbour notification letters were sent on 28/04/2014.

5.3 One representation has been received from the publicity given to the application. The observations raised are summarised below:

- This proposal would result in the loss of a future potential employment site.
- Potential noise issues for residents from the existing light industrial unit.
- Potential privacy issues given the relationship of the office windows in the adjacent light industrial unit to the proposed dwellinghouses.

6. **ASSESSMENT**

6.1 Residential Development in a Primarily Employment Area

The site is allocated in the Halton Unitary Development Plan as a Primarily Employment Area in which development falling within Use Classes B1, B2, B8 and Sui Generis industrial uses will be permitted. This proposal for residential development in this location is a departure from the development and has been advertised as such.

In order to address Policy CS4 of the Halton Core Strategy Local Plan, the applicant has produced an Employment Land Statement. This examines the wider employment land situation in the Borough as well as the suitability of this site for employment uses and relationship to other uses.

The report concludes that the loss of employment land resulting from the application proposal is negligible in relation to the overall supply of employment land in the Borough and that the proposed residential development provides a more suitable and sustainable use of the site than for

employment uses which are shown to be no longer viable through marketing due to the location of the site and its relationship with the surrounding residential area to the north.

The report also acknowledges that whilst the site is allocated as part of the local employment area, it is peripheral to and divorced from the main section of the Widnes Waterfront employment area. It also alludes to the fact the proposed housing would be 100% affordable which there is a significant need for in the Borough.

The content of the Employment Land Statement is acknowledged and is considered to form a justification for the development of the site for residential purposes in compliance with Policy CS4 of the Halton Core Strategy Local Plan.

6.2 Highway Considerations

The application proposes the creation of a new access from Page Lane. The Highway Officer raises no objection to the proposed access from a highway safety perspective and is satisfied with the available visibility.

The internal road network within the site has demonstrated that there is sufficient space for the Council refuse vehicle to enter and exit the site in forward gear.

In terms of car parking, the 21no. dwellinghouses proposed would each provide 2no. car parking spaces within the curtilage of each property in accordance with the Council standards.

For the 18no apartments proposed, a total of 19no parking spaces would be provided. Based on the fact that a number of these properties would only have one bedroom and that they are affordable housing in which the level of car ownership is likely to be lower, this provision is considered acceptable in this instance.

In order to promote more sustainable modes of travel, the applicant is proposing two areas of cycle parking adjacent to the apartment block with one located directly to the front of the building adjacent to the entrances. This is considered to be acceptable in principle subject to the attachment of condition which would require the submission of precise details.

The proposal is considered to be acceptable from a highway perspective compliant with Policies BE1, TP6, TP7, TP12 & TP 14 of the Halton Unitary Development Plan.

6.3 Layout

The proposed site layout has been amended during the processing of the application to provide an active frontage to Page Lane, improved separation for light, privacy and flexible living and sufficient parking provision.

The layout now generally provides separation in accordance with the privacy distances for residential development set out in the Design of Residential Development Supplementary Planning Document. There is a minor shortfall in separation between the fronts of facing dwellings within the scheme, however, this is not considered to be to the significant detriment of residential amenity.

The one representation received makes reference to a potential privacy issue between an existing first floor office window in the adjacent light industrial unit and the habitable room windows in the rear elevation of the proposed dwellinghouses. The separation distances referred to in the Design of Residential Development Supplementary Planning Document relate to the relationships between dwellings and not to this situation. This does not mean that privacy is not an issue and during the processing of the application, the separation distance between these openings has been increased to a minimum of 19.5m which is only marginally below the 21m standard and not considered to be to the significant detriment of residential amenity.

With regard to private outdoor space, the Design of Residential Development Supplementary Planning Document states that houses having 1-2 bedrooms shall have a minimum private outdoor space of 50sqm per unit. The scheme has been designed so that it accords with this standard and would ensure that each dwellinghouse has a usable private outdoor space.

The Design of Residential Development Supplementary Planning Document indicates that a usable private outdoor space for apartments of 50sqm per unit should be provided as a guide. This scheme falls below this standard, however the applicant has sought to justify this based on maintenance issues and that large amounts of communal space would result in a service charge being added to social rents thus increasing costs for tenants. Given that the aim with this scheme is to provide affordable housing on this site, this shortfall is considered to be appropriate in this instance and would not be unduly detrimental to residential amenity.

The layout of the proposed development is considered to be acceptable and compliant with Policies BE 1 & BE 2 of the Halton Unitary Development Plan.

6.4 Scale

The dwellinghouses hereby proposed are two storey in height and would not be dissimilar in height to the many of the dwellinghouses located to the north of the site and are considered acceptable in respect of scale.

The apartment block proposed would be three storey in height which, given its location at the junction of Page Lane and Warrington Road, would provide a focal building with active frontages. In terms of scale, this would be identical to the residential care home for the elderly granted on the adjacent site. The proposal is considered to be acceptable in terms of scale and compliant with Policy BE 1 of the Halton Unitary Development Plan.

6.5 Appearance

The elevations show that buildings proposed would be of an appropriate appearance with some variety in materials to add interest to the overall external appearance. The submission of precise external facing materials for approval should be secured by condition. This would ensure compliance with Policies BE 1 & BE 2 of the Halton Unitary Development Plan.

6.6 Landscaping

A landscaping and boundary treatments plan has been provided and has been amended during the processing of the application. The amendments have secured the removal of the galvanised steel palisade fence which currently encloses the site and replaces it with boundary treatments which are more sympathetic in appearance.

The plan now details a suitable mix of means of enclosure according to location on the site.

In terms of landscaping, there are a number of trees located on the site and some are proposed to be felled to facilitate the proposed development.

The Open Spaces Officer has commented that some of the trees being shown as retained on the Landscape Proposals Drawing, face significant pressure from, initially, the construction phase of the development and secondly from the residents of the buildings due to their proximity to the property. This issue has been raised with the applicant and it has requested that the submission of a landscaping scheme be secured by condition.

Given the space available, it is considered that a satisfactory landscaping solution can be achieved albeit through the retention of the existing trees or replacement planting. This should be secured by condition. This would ensure compliance with Policies BE 1 and GE 27 of the Halton Unitary Development Plan.

6.7 Noise

As stated in the site description, directly to the north of the site is John Wall Drainage and the one representation received makes reference to noise from that site potentially impacting on residents within the proposed residential development. It is also noted that there are other industrial uses in the locality.

In order to fully consider the issue of noise and its potential impact on the future residents on this site, an Environmental & Intrusive Noise Study has been undertaken by the applicant. The purpose of that report was to determine an appropriate acoustic performance specification for glazing together with the building envelope to ensure noise levels within habitable rooms are acceptable.

It is considered reasonable to attach a condition which secures the implementation of the recommendations set out in the report. This would ensure compliance with Policy PR 2 of the Halton Unitary Development Plan.

6.8 Affordable Housing

Policy CS13 of the Halton Core Strategy Local Plan states that affordable housing units will be provided , in perpetuity, on schemes including 10 or more dwellings (net gain) or 0.33 hectares or greater for residential purposes.

This application proposes that 100% of the units would be social rented which would be in excess of the 25% of units sought by the policy. The provision of affordable housing to accord with the policy should be secured by condition.

This would ensure compliance with Policy CS 13 of the Halton Core Strategy Local Plan and the Affordable Housing Supplementary Planning Document.

6.9 Open Space

The requirements for the provision of recreational greenspace within new residential developments are set out in Policy H3 of the Halton Unitary Development Plan. As there is no on-site provision proposed, a commuted sum in lieu of on-site open space provision is required and should be secured through a S106 agreement.

The applicant has submitted a financial viability report with the application in an attempt to demonstrate that the development would not be viable if the commuted sum in lieu of on-site open space were to be paid. Discussions over the financial viability report are still on-going. Members will be updated on the progress of these discussions regarding the requirement for a commuted sum in lieu of on-site open space provision.

6.10 Ground Contamination

The application is accompanied by a Phase I Geo-Environmental Investigation. This has been reviewed by the Contaminated Land Officer and no objection has been raised subject to the attachment of 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.

6.11 Flood Risk

The application site is less than 1ha in area in Flood Zone 1 and is in an area which is at low risk from flooding. Based on this, there is not a requirement for the application to be accompanied by a Flood Risk Assessment. The proposal is considered to be compliant with Policy PR16 of the Halton Unitary Development Plan and Policy CS14 of the Halton Core Strategy Local Plan.

6.12 Biodiversity

The application is accompanied by an Extended Phase 1 Habitat Survey and Arboricultural Assessment. Cheshire Wildlife Trust have reviewed this document and concur that the site has a low or negligible importance for bats, reptiles, invertebrates and flora and advise that the recommendations set out in the report are secured by condition.

Based on the above, it is considered that the proposal is compliant with Policy GE21 of the Halton Unitary Development Plan.

7. CONCLUSIONS

In conclusion, the applicant has justified the proposed residential development on this site which is allocated as being within a Primarily Employment Area.

An appropriate access to site from Page Lane would be achieved and the layout demonstrates sufficient space for movement within the site as well as an appropriate level of car parking.

The residential layout proposed demonstrates sufficient separation for both light and privacy and each property would have an appropriate amount of private amenity space.

The proposal is considered to be of an appropriate design with active frontages provided to both Page Lane and Warrington Road and the elevations indicate a mix of materials to add interest and result in well designed properties.

The application is recommended for approval subject to conditions.

8. RECOMMENDATIONS

Grant planning permission subject to conditions and the signing of a S106 agreement securing a commuted sum in lieu of on-site open space provision

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Site Levels (Policy BE1)
4. Facing Materials to be Agreed (Policies BE1 and BE2)
5. Landscaping & Boundary Treatments Scheme (Scheme to be agreed)
6. Breeding Birds Protection – (Policy GE21)
7. Protection of Trees – Construction Phase – (Policy BE1)
8. Hours of Construction – (Policy BE1)
9. Dust Suppression During Construction – (Policy BE1)
10. Construction Management Plan (Highways) – (Policy BE1)

11. Wheel Wash – (Policy BE1)
12. Removal of Permitted Development – All Dwellings – (Policy BE1)
13. Provision of Affordable Housing – (Policy CS13)
14. Implementation of Recommendations in Environmental & Intrusive Noise Study – (Policy PR2)
15. Ground Contamination - (Policy PR14)
16. Visibility Splay (Vehicles) - Junction with Page Lane – (Policy BE1)
17. Provision & Retention of In Curtilage Parking – Dwellings – Plots 19-39 – (Policy BE1)
18. Provision & Retention of Parking – Apartments – Plots 1-18 – (Policy BE1)
19. Provision of Cycle Parking – (Policy BE1)
20. Disposal of Surface Water to be agreed – (Policy PR16)
21. Japanese Knotweed
22. Biodiversity Enhancements – (Policy GE21)

Informatives

1. Bat Informative
2. Warrington Community Fire Protection Officer Informative
3. United Utilities Informative

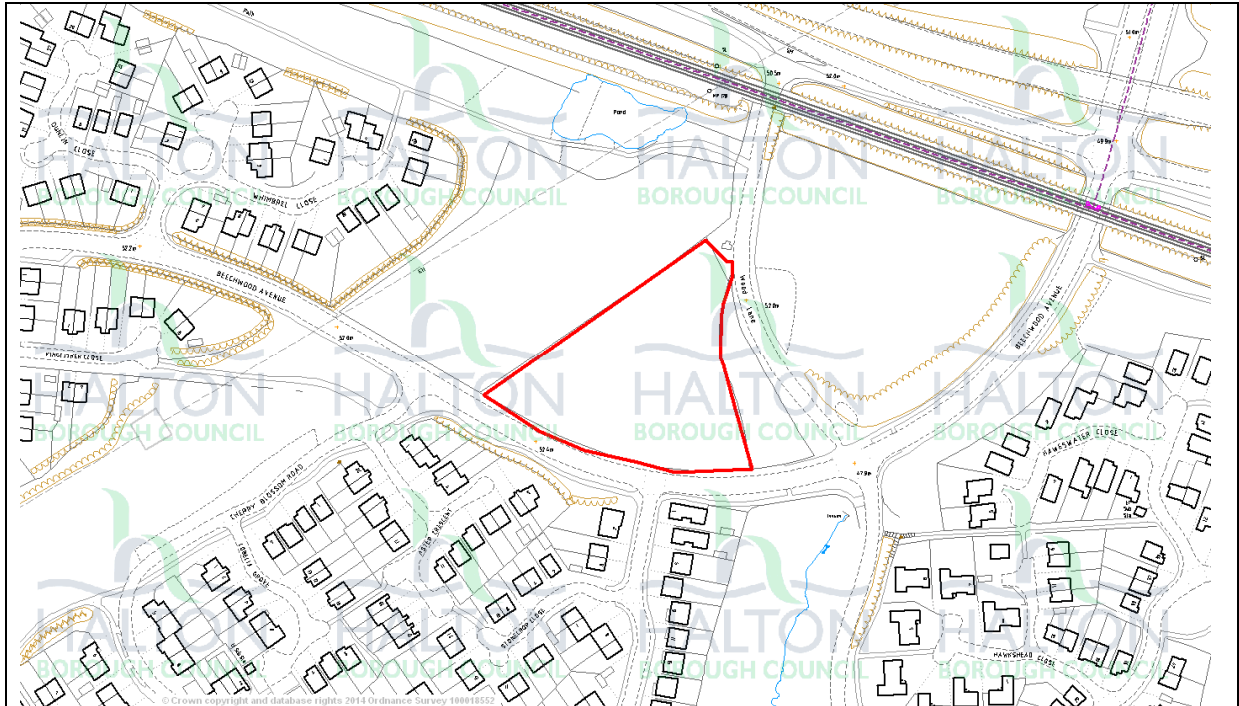
10. SUSTAINABILITY STATEMENT

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.

APPLICATION NO:	14/00087/FUL
LOCATION:	Land off Beechwood Avenue, Runcorn, Cheshire.
PROPOSAL:	Proposed residential development of 15no. three bedroom properties with associated infrastructure and landscaping.
WARD:	Beechwood
PARISH:	None
CASE OFFICER:	Jeff Eaton
AGENT(S) / APPLICANT(S):	AGENT – Soulla Rose, MPSL Planning & Design. APPLICANT – Brookhouse Homes
DEVELOPMENT PLAN ALLOCATION:	Phase 2 Allocated Housing Site
National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	
DEPARTURE	No
REPRESENTATIONS:	One representation received from the publicity given to the application.
KEY ISSUES:	Principle of Development, Design, Amenity, Affordable Housing, Open Space, Access, Ground Contamination, Biodiversity, Health & Safety.
RECOMMENDATION:	Grant planning permission subject to conditions and the signing of a S106 agreement securing a commuted sum in lieu of on-site open space provision.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site that is the subject of this application is located on the northern side of Beechwood Avenue in Beechwood, Runcorn. The site has not been developed previously and is an allocated housing site on the Halton Unitary Development Plan Proposals Map.

Located to the north west of the site is an area of open space. Located to the north east of the site on the opposite side of Wood Lane which provides both pedestrian and cycle linkages is an area of land which is currently used for grazing. Located to the south of the site on the opposite side of Beechwood Avenue is housing. The site is located in relative close proximity to both the Southern Expressway and the railway line which links Runcorn with both Liverpool Lime Street and London Euston.

2. THE APPLICATION

2.1 The Proposal

The application proposes residential development of 15no. three bedroom properties with associated infrastructure and landscaping.

2.2 Documentation

The planning application is supported by a Planning, Design and Access Statement, Flood Risk Assessment, Transport Statement, Ecological

Assessment and a Combined Phase 1 Land Quality Assessment & Phase 2 Geo-Environmental Investigation

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.

3.2 Halton Unitary Development Plan (UDP) (2005)

The site is designated as a phase 2 housing site 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;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodlands;
- PR2 Noise Nuisance;
- PR4 Light Pollution and Nuisance;
- PR12 Development on Land Surrounding COMAH Sites;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;
- TP14 Transport Assessments;
- H1 Provision for New Housing;
- H3 Provision of Recreational Greenspace;

3.3 Halton Core Strategy (2013)

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

- CS2 Presumption in Favour of Sustainable Development;
- CS3 Housing Supply and Locational Priorities;
- CS12 Housing Mix;
- CS13 Affordable Housing;
- CS18 High Quality Design;

- CS19 Sustainable Development and Climate Change;
- CS23 Managing Pollution and Risk.

3.4 Joint Merseyside and Halton Waste Local Plan (2013)

The following policies, contained within the Joint Merseyside and Halton Waste Local Plan are of relevance:

- WM8 Waste Prevention and Resource Management;
- WM9 Sustainable Waste Management Design and Layout for New Development.

4. CONSULTATIONS

4.1 Highways and Transportation Development Control

No objection to the proposed development subject to the attachment of a number of conditions.

4.2 Open Spaces Officer

There are no Tree Preservation Orders in force at this site and the area does not fall within a designated Conservation Area. Issues regarding the removal of trees were initially raised and the latest site plan provides some clarification in this regard.

4.3 Cheshire Wildlife Trust

Its observations on the proposal are as follows (see also section 6.12 on biodiversity):

- For clarification purposes the redline boundary needs to appear on the phase 1 habitat map.
- A species table with scores (using the DAFOR scale) for the different habitats (including any hedgerows that may be impacted) should be submitted. As the site is being revisited during the optimal habitat survey season (protected species surveys) I advise that the list should be updated with further botanical data. The surveyor suggests that the habitats are common and species poor however evidence should be provided to support this statement. Expansion of the species list will provide this evidence.
- Negative survey results (eDNA) for ponds P1 and P2 (if a re-visit to P2 suggests it may be suitable for Great Crested Newts) will be acceptable provided the methodology conforms to Natural England guidance.
- Bat survey acceptable.
- Once clarification is provided on the red line boundary in relation to the habitats it may be possible to agree a suitable buffer zone for the woodland which will also serve as a wildlife corridor. Bat sensitive lighting would also be advised adjacent to this buffer/corridor.

4.4 Environmental Health – Ground Contamination

No objection to the proposed development subject to the attachment of a condition which would secure a site investigation, remediation plan and a completion statement.

4.5 Environmental Protection

No objection to the proposed development.

4.6 Health & Safety Executive

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and also within at least one Consultation Distance, has been considered using PADHI+, HSE's planning advice software tool, based on the details input by Halton Borough Council. The assessment indicates that the risk of harm to people at the proposed development is such that HSE's advice is that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission in this case.

4.7 United Utilities

No objection to the proposed development subject to the attachment of two conditions relating to Foul Water and Surface Water. Its other observations are to be attached as an informative.

4.8 Sabic

From a construction point of view, Sabic will not be affected by the proposal. It is on the edge of the inner zone of 70 metres and they advise that the Council should consult with the HSE.

5. REPRESENTATIONS

5.1 The application has been advertised by a press advert in the Widnes & Runcorn World on 11/03/2014, a site notice posted on Beechwood Avenue on 13/03/2014 and 14 neighbour notification letters sent on 06/03/2014.

5.2 Following the receipt of amended plans, 14 neighbour notification letters were sent on 06/05/2014.

5.3 One representation has been received from the publicity given to the application. This representation posed questions relating to the tenure of the properties, loss of the green field and the cutting down of trees.

6. ASSESSMENT

6.1 Principle of Development

The site is allocated in the Halton Unitary Development Plan as a Phase 2 Housing Site and as such the principle of a residential development on the site is acceptable and its development at this point would not conflict with Policy H1 of the Halton Unitary Development Plan.

6.2 Highway Considerations

The application is accompanied by a Transport Statement to assess the transport implications of the proposed development.

The application proposes the creation of a new access from Beechwood Avenue. The Highway Officer raises no objection to the proposed access from a highway safety perspective and is satisfied with the visibility that would be achieved.

The internal road network within the site has demonstrated that there is sufficient space for the Council refuse vehicle to enter and exit the site in forward gear.

In terms of car parking, the 15no. dwelling houses proposed would each provide 2no. car parking spaces within the curtilage of each property in accordance with the Council standards with three of the properties also having an integral garage.

In order to promote more sustainable modes of travel, the proposed plan now shows the creation of a footway from Wood Lane to the bus stop to the north west of Cherry Blossom Avenue. This would improve the site's integration into the existing footway network and should be secured by condition.

The proposal is considered to be acceptable from a highway perspective compliant with Policies BE1, TP7, TP12 & TP 14 of the Halton Unitary Development Plan.

6.3 Layout

The proposed site layout has been amended during the processing of the application to provide improved separation for light, privacy and flexible living, private amenity spaces of a sufficient dimension and parking which does not dominate the street scene.

The layout now generally provides separation in accordance with the privacy distances for residential development set out in the Design of Residential Development Supplementary Planning Document. There is a minor shortfall in separation between the fronts of facing dwellings within the scheme, however, this is not considered to be to the significant detriment of residential amenity.

With regard to private outdoor space, the Design of Residential Development Supplementary Planning Document states that houses having 3 bedrooms shall have a minimum private outdoor space of 70sqm per unit. The scheme has been designed so that it now generally accords with this standard and would ensure that each dwelling house has a usable private outdoor space.

The layout of the proposed development is considered to be acceptable and compliant with Policies BE 1 & BE 2 of the Halton Unitary Development Plan.

6.4 Scale

The dwelling houses hereby proposed are two storey in height and would not be dissimilar in height to the many of the dwelling houses located in the Beechwood area and are considered acceptable in respect of scale.

The proposal is considered to be acceptable in terms of scale and compliant with Policy BE 1 of the Halton Unitary Development Plan.

6.5 Appearance

The elevations show that buildings proposed would be of an appropriate appearance with some variety in materials to add interest to the overall external appearance. The submission of precise external facing materials for approval should be secured by condition. This would ensure compliance with Policies BE 1 & BE 2 of the Halton Unitary Development Plan.

6.6 Landscaping

A landscaping and boundary treatments plan has been provided and has been amended during the processing of the application. The amendments relate to the provision of a 2m wide footway along the Beechwood Avenue frontage which would result in the removal of some trees. In terms of proposed planting, the scheme at this stage is indicative; however there is space within the scheme to achieve an appropriate soft landscaping scheme.

Given the space available, it is considered that a satisfactory detailed landscaping solution can be achieved and this should be secured by condition. This would ensure compliance with Policies BE 1 and GE 27 of the Halton Unitary Development Plan.

6.7 Noise

The Council's Environmental Protection officer has considered the proposal in terms of noise and does not raise an objection to the proposed development.

The proposal is considered to be compliant with Policy PR 2 of the Halton Unitary Development Plan.

6.8 Affordable Housing

Policy CS13 of the Halton Core Strategy Local Plan states that affordable housing units will be provided, in perpetuity, on schemes including 10 or more dwellings (net gain) or 0.33 hectares or greater for residential purposes.

The applicant has indicated that 4 of the 15 units on this site would be affordable housing units which would be in compliance with the 25% requirement and this provision should be secured by condition.

This would ensure compliance with Policy CS 13 of the Halton Core Strategy Local Plan and the Affordable Housing Supplementary Planning Document.

6.9 Open Space

The requirements for provision of recreational greenspace within new residential developments are set out in Policy H3 of the Halton Unitary Development Plan.

The applicant has confirmed that they are prepared to enter into a S106 agreement which would secure a commuted sum in lieu of on-site open space provision.

This would ensure compliance with Policy H3 of the Halton Unitary Development Plan and the recommendation to grant planning permission in this case would be subject to the S106 agreement.

6.10 Ground Contamination

The application is accompanied by a Combined Phase 1 Land Quality Assessment & Phase 2 Geo-Environmental Investigation. This has been reviewed by the Contaminated Land Officer and no objection has been raised subject to the attachment of 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.

6.11 Flood Risk

The application site is less than 1ha in area in Flood Zone 1 and is in an area which is at low risk from flooding. The application is accompanied by a Flood Risk Assessment which concludes that the site is located in Flood Zone 1 and suitable for residential development. It also not within a Critical Drainage Area as identified by the Halton Borough Council Strategic Flood Risk Assessment.

The proposal is considered to be compliant with Policy PR16 of the Halton Unitary Development Plan and Policy CS14 of the Halton Core Strategy Local Plan.

6.12 Biodiversity

Cheshire Wildlife Trust (CWT) has provided comments in relation to the biodiversity issues. The Ecological Assessment submitted with the application has identified one of the ponds within 500m of the site as having an average suitability for Great Crested Newts (GCN) and a further pond with a poor suitability. CWT has commented that the initial HSI assessment was undertaken at a suboptimal time of year and a full GCN survey is required for the pond with an average suitability and that a HSI assessment for the other pond should be re-evaluated at the appropriate time of the year. The outcome of the further surveys is awaited.

The habitat survey lacks specific detail and the Phase 1 habitat map is incomplete. This information has been requested from the applicant.

A bat survey for the Sycamore tree which has been identified as having bat roost potential needs to be undertaken. The results of this survey are awaited.

Discussions are on-going in relation to detailed requirements, however the surveys need to be provided prior to a decision being made. This would ensure that the Council has sufficient information to apply the three tests set out in the Habitat Regulations in relation to European Protected Species.

Based on the above, this would ensure that the proposal is compliant with Policy GE21 of the Halton Unitary Development Plan. Members will be updated in relation to awaited surveys.

6.13 Health & Safety

The Health and Safety Executive (PADHI+) has stated that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission. This is because the site falls within the inner/middle hazardous zone of the Sabic Trans Pennine Ethylene Pipeline as identified on the Health and Safety Executive maps.

However, in October 2009, Halton Borough Council adopted The Planning for Risk Supplementary Planning Document. This proposal would comply with this document and Policy PR 12 of the Halton Unitary Development Plan and the application cannot be refused on the grounds of safety as advised by the Health & Safety Executive.

If Members were minded to approve the application, it would need to be referred to the Health and Safety Executive to request whether or not they wish the application to be called in by the Secretary of State

7. CONCLUSIONS

In conclusion, the site is allocated in the Halton Unitary Development Plan as a Phase 2 Housing Site and as such the principle of a residential development on the site is acceptable.

An appropriate access to site from Beechwood Avenue would be achieved and the layout demonstrates sufficient space for movement within the site as well as an appropriate level of car parking.

The residential layout proposes demonstrates sufficient separation for both light and privacy and each property would have an appropriate amount of private amenity space.

There are still however, requirements in relation to the habitat survey, bat survey and Great Crested Newt survey that are required prior to the determination of the application.

It is on this basis that members as asked to approve the application but delegate the final decision to the Operational Director – Planning, Policy and Transportation in consultation with the chair or vice chair, to allow the submission of further information/surveys to ensure that the Council has sufficient information to apply the three tests set out in the Habitat Regulations in relation to European Protected Species.

8. RECOMMENDATIONS

It is therefore requested that the delegated powers are given to the Operational Director – Policy, Planning & Transportation in consultation with the Chair or Vice Chair of the Development Control Committee to make the decision once the details have been received and consulted on **AND** the application has been referred to the Health and Safety Executive to request whether or not they wish the application to be called in by the Secretary of State.

The application is recommended for approval subject to the following conditions and any additional conditions required in relation to biodiversity and the signing of a S106 agreement securing a commuted sum in lieu of on-site open space provision.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Site Levels (Policy BE1)
4. Facing Materials to be Agreed (Policies BE1 and BE2)
5. Landscaping & Boundary Treatments Scheme (Scheme to be agreed)
6. Breeding Birds Protection – (Policy GE21)
7. Protection of Trees – Construction Phase – (Policy BE1)

8. Hours of Construction – (Policy BE1)
9. Dust Suppression During Construction – (Policy BE1)
10. Construction Management Plan (Highways) – (Policy BE1)
11. Wheel Wash – (Policy BE1)
12. Removal of Permitted Development – All Dwellings – (Policy BE1)
13. Provision of Affordable Housing – (Policy CS13)
14. Ground Contamination - (Policy PR14)
15. Visibility Splay (Vehicles) - Junction with Beechwood Avenue – (Policy BE1)
16. Provision & Retention of In Curtilage Parking (Policy BE1)
17. Off Site Highway Works – Footway from Wood Lane to Bus Stop to the North West of Cherry Blossom Avenue (Policy BE1)
18. Carriageway, footway and highway verge to eastern boundary (Policy BE1)
19. Surface Water Drainage Scheme – (Policy PR16)
20. Foul Drainage Scheme – (Policy PR16)
21. Biodiversity Enhancements – (Policy GE21)

Informatives

1. United Utilities Informative

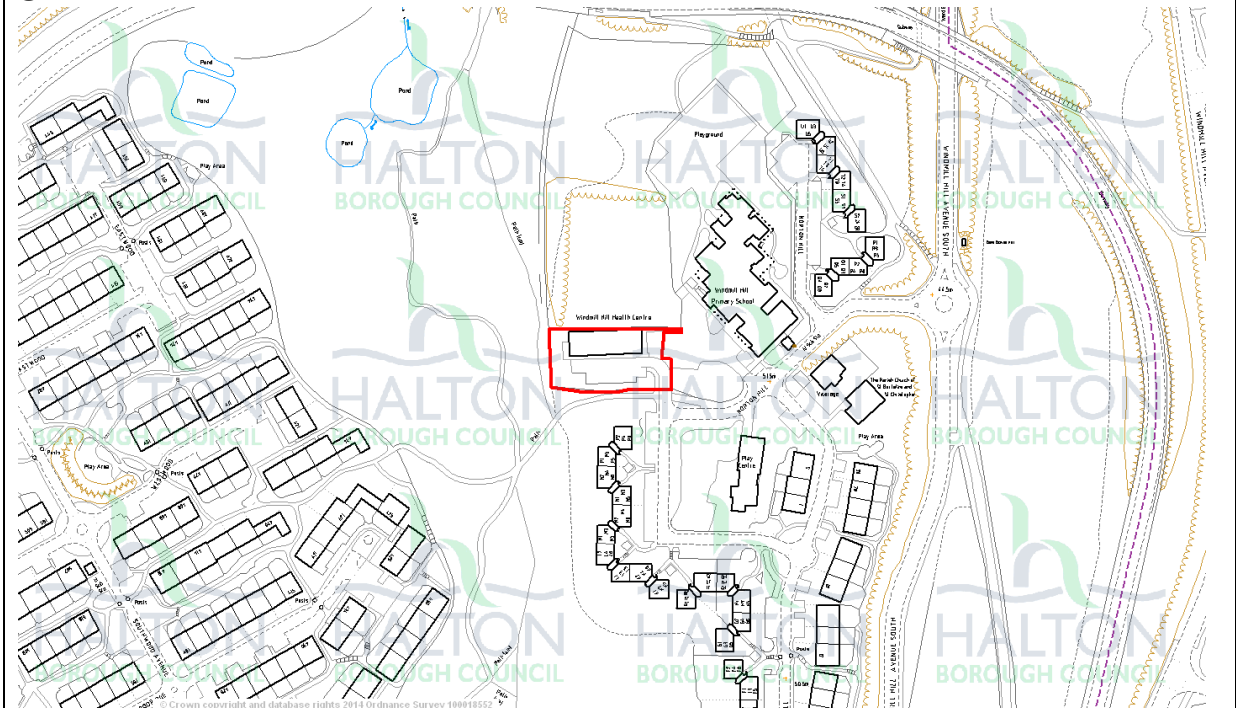
10. SUSTAINABILITY STATEMENT

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.

APPLICATION NO:	14/00151/FUL
LOCATION:	Land at Windmill Hill County Primary School, Norton Hill, Runcorn
PROPOSAL:	Siting of a modular building to provide a GP Surgery for a further temporary period of 3 years
WARD:	Windmill Hill
PARISH:	N/A
CASE OFFICER:	Rob Cooper
AGENT(S) / APPLICANT(S):	Mr Andrew Irving, J M Architects
DEVELOPMENT PLAN ALLOCATION:	National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013)
DEPARTURE REPRESENTATIONS:	Yes None
KEY ISSUES:	The site
RECOMMENDATION:	Approval

SITE MAP**APPLICATION SITE****The Site and Surroundings**

The temporary GP Surgery is on the edge of the school field at Windmill Hill County Primary School, off Norton Hill, Runcorn.

Planning History

09/00170/FUL - Proposed temporary siting of a modular building (for a period of 5 years) to provide a GP surgery with associated car parking and new access to Norton Hill.

The school itself has had extensions (05/00447/HBCFUL) and has previously had mobile classroom units located within the grounds and was removed in the 80's.

1. THE APPLICATION

Documentation

The application has been submitted with the requisite planning application form, a complete set of plans and supporting information including a design and access statement.

2. POLICY CONTEXT

Unitary Development Plan (2005)

The site is designated as protected green space. The following policies are relevant to this proposal:

Policy BE1 - General requirements for development

Policy BE2 - General design requirements

Policy GE6 – Green space

Policy GE8 - Development within Protected Green Space

Halton Core Strategy Local Plan (2013)

The Core Strategy provides the overarching strategy for the future development of the Borough, in this particular case the following Policies are of relevance

CS18 High Quality Design

CS22 Health and Well-Being

3. CONSULTATION AND REPRESENTATION

The application has been advertised as a departure by way of site notice, press notice, and letters have been sent to local residents notifying them of the application.

Sport England and Sabic have been consulted, as has the HSE through the PADHI+ system.

The HSE does not advise against the development.

Members will be provided with an oral update at the meeting including any further representations received.

4. ASSESSMENT

In 2009, planning permission 09/00170/FUL was granted for the temporary siting of a modular building to accommodate a GP surgery for up to a maximum of 5 years on land at Windmill Hill County Primary School, Runcorn. This proposal formed part of a large NHS initiative set up with £250m of government funding to provide at least 100 new general practices across the country, in areas identified as having particularly poor access to GP services.

The 300sqm2 building provides accommodation for a reception and waiting room, offices, GP consultation room, treatment room, staff toilets and store rooms. The surgery provides a link with Windmill Hill Primary School, as well as GP services to the wider Windmill Hill area as a whole.

In 2009, the applicant sought a temporary permission to enable them to carry on with a site search for a permanent facility within the Windmill Hill area. Unfortunately, no permanent site has been identified so the applicant is seeking permission to retain the site for a further three years.

The site is a former playing field, and located within an area designated as protected green space in the Halton Unitary Development Plan (Policies GE6, GE8 and GE812). Furthermore, as the site has formed part of a playing field within the last 5 years the application is considered to be a notifiable departure from the development plan under the Communities and Local Government Circular 02/2009. For this reason, Sport England has been consulted and the application has been advertised as a departure by site notice and local press. Under the Council's scheme of delegation, the application has to be determined by the Committee.

The building was constructed on the southernmost part of the playing field, in an area that was particularly underused. Siting the surgery in this location, allowed the junior football pitch and running track to be moved slightly northward. At the time of the original consent it was considered that the use of this location for a health centre would not lead to a loss of amenity or playing fields for local residents or for the school. On this basis, Sport England agreed the proposal on a temporary basis for 5 years and the proposal was considered to comply with the necessary criteria in part b of Policy GE12 of the UDP.

Sport England has been consulted again on the proposal to retain the surgery, and it is satisfied that this is acceptable provided it is only for another three years, confirmation that the junior pitch was relocated, and that a condition is attached for its removal and restoration of the land.

The Area Forum 5 Profile has the following statistics on health (<http://www4.halton.gov.uk/Pages/councildemocracy/pdfs/CensusandStatistics/AF5.pdf>):

Windmill Hill is one of the most deprived areas in Halton. The area performs worse than the Halton average for most of the health indicators. Deaths under 75 years of age due to cancer are higher than the Halton and England averages. Windmill Hill Alcohol-attributable and specific hospital admissions are higher than the Halton and England averages in Windmill Hill.

Clearly there is a strong need for accessible health care within this community. This need should be given significant weight in making this decision.

5. SUMMARY AND CONCLUSIONS

The proposal to retain the GP surgery for a further 3 years would not cause a detrimental loss of playing field or green space. The permission would be temporary and the site restored once the unit is removed. Secondly, the building would provide community benefits by providing much needed GP services to the area.

The proposal complies with Policies BE1, BE2, GE6, GE8, GE19, GE23 and GE30 of the Halton Unitary Development Plan and CS18 and CS22 of the Core Strategy.

6. RECOMMENDATIONS

The application is recommended for approval, subject to officers writing to the Secretary of State providing him with 21 days to consider whether the application should be called-in.

If the application is not called in, the decision notice is to be issued subject to the the following conditions listed below: -

1. Time limits – 3 year temporary period.
2. Conditon in relation to reinstatement of the pitch.
3. Restoration of the site back to playing field following the cessation of use and the removal of the building.

APPLICATION NO:	14/00162/FUL
LOCATION:	Former Dawsons Dance Centre, Lunts Heath Road, Widnes
PROPOSAL:	Proposed residential development of 13 no. detached houses, associated garages, private open space and private access road
WARD:	Farnworth
PARISH:	N/A
CASE OFFICER:	Rob Cooper
AGENT(S) / APPLICANT(S):	LMP Ltd / Pringle Homes
DEVELOPMENT PLAN ALLOCATION:	National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013)
DEPARTURE REPRESENTATIONS:	Yes
KEY ISSUES:	Green Belt (GE1) Access and Highway Safety
RECOMMENDATION:	Approval
SITE MAP	

APPLICATION SITE

The Site and Surroundings

The site is 0.7 hectares of land, which was formerly used as a dance hall, and for other social club uses. The site is located in the Green Belt on the northern outskirts of Widnes and is bounded to the south by the Church View Pub and

No's 44- 50 Lunts Heath Road.

Planning History

10/00279/FUL **(Approved)** Proposed development comprising 18 No. courtyard houses, detached garages, private access road and private open space. – This application was refused by the committee in March 2010 on the basis that the application was considered to be an overdevelopment.

10/00013/FUL **(Refused)** Proposed residential development comprising 18 No. courtyard houses, detached garages, private access road and private open space. This application was refused by the Council, the applicant appealed against this decision, but later withdrew it following the approval of 10/00279/FUL.

08/00569/FUL **(Approved)** Proposed erection of 1 No. single and 2 No. double detached garages (associated with 07/00555/FUL).

07/00555/FUL **(Approved)** Proposed erection of 16 No. courtyard houses, private access road and private open space.

06/00436/FUL **(Approved)** Proposed erection of 10 No. Courtyard Houses. The layout of this approved scheme is similar to that now proposed.

95/0000366/FUL **(Approved)** Application for a proposed rear single storey extension to provide bar cellar/ store, kitchen and shower room.

1. THE APPLICATION

Documentation

The application has been submitted with the requisite planning application form, a complete set of plans and supporting information including a design and access statement.

2. POLICY CONTEXT

The site is allocated as Green Belt in the Halton Unitary Development Plan (UDP) and the key policies, which relate to the development, are: -

BE1 General Requirements for Development,
BE2 Quality of Design,
GE1 Control of Development in the Green Belt,
GE28 The Mersey Forest,
PR14 Contaminated Land,
TP12 Car Parking,
TP15 Accessibility to New Development
H2 Design and Density of New Residential Development,
H3 Provision of Recreational Green space.

The other key policies of relevance are as follows:

Halton Core Strategy Local Plan (2013)

The Core Strategy provides the overarching strategy for the future development of the Borough, in this particular case the following Policies are of relevance

CS2 Presumption in Favour of Sustainable Development
CS6 Green Belt
CS12 Housing Mix
CS18 High Quality Design

Supplementary Planning Documents

The Council's New Residential Guidance Supplementary Planning Document and Draft Open Space Supplementary Planning Document are also of relevance.

3. CONSULTATION AND REPRESENTATION

The application has been advertised as a departure by means of a site notice, press notice and neighbouring properties have been consulted via letter. Consultation has been undertaken internally with the Highways Division, the Open Spaces Division, Contaminated Land Officer, Environmental Health Officer, Waste and Environmental Improvement Officer. Ward Councillors have also been consulted. Externally, the Environment Agency has been consulted.

4. ASSESSMENT

The site is currently vacant but was previously used as a dance hall and for other social club uses. A large part of the site is hard surfaced except for boundary hedging. The application is for the proposed erection of 13 No. detached dwellings.

Planning Policy

The site is located within the Green Belt and is identified as such in Policy GE1 of the UDP. Taking this into account, the current proposal would not accord with current adopted development plan policy, the application has therefore been advertised as a departure.

The main issue in relation to this case is whether considerations in support of the proposed dwellings are sufficient to outweigh the policy presumption against inappropriate development in the Green Belt, notwithstanding that the principle of development on this site has already been established by earlier grant of multiple consents.

The main difference between this scheme and the ones that have previously been permitted is that the developer has moved away from a rural courtyard

design, to one which is much more suburban in character. All of the dwellings would now be detached with their own private gardens and driveways.

The implications of this are that the footprint of the dwellings, parking, gardens and access road (but excluding the onsite open space) covers an area of approximately 4,500 sq.m, the same area as the previously approved scheme for 18 dwellings (10/00279/FUL).

The footprint of the buildings themselves (dwelling and detached garages) cover an area of approximately 1,200 square metres. This is a very slight increase when compared to the previously approved scheme (10/00279/FUL) which covered an area of approximately 1,170 square metres.

With regards to views in and out of the site and the potential impact of the openness of the Green Belt, the built form would be slightly spread out compared to the previously approved scheme as can be seen in figure 1 below.

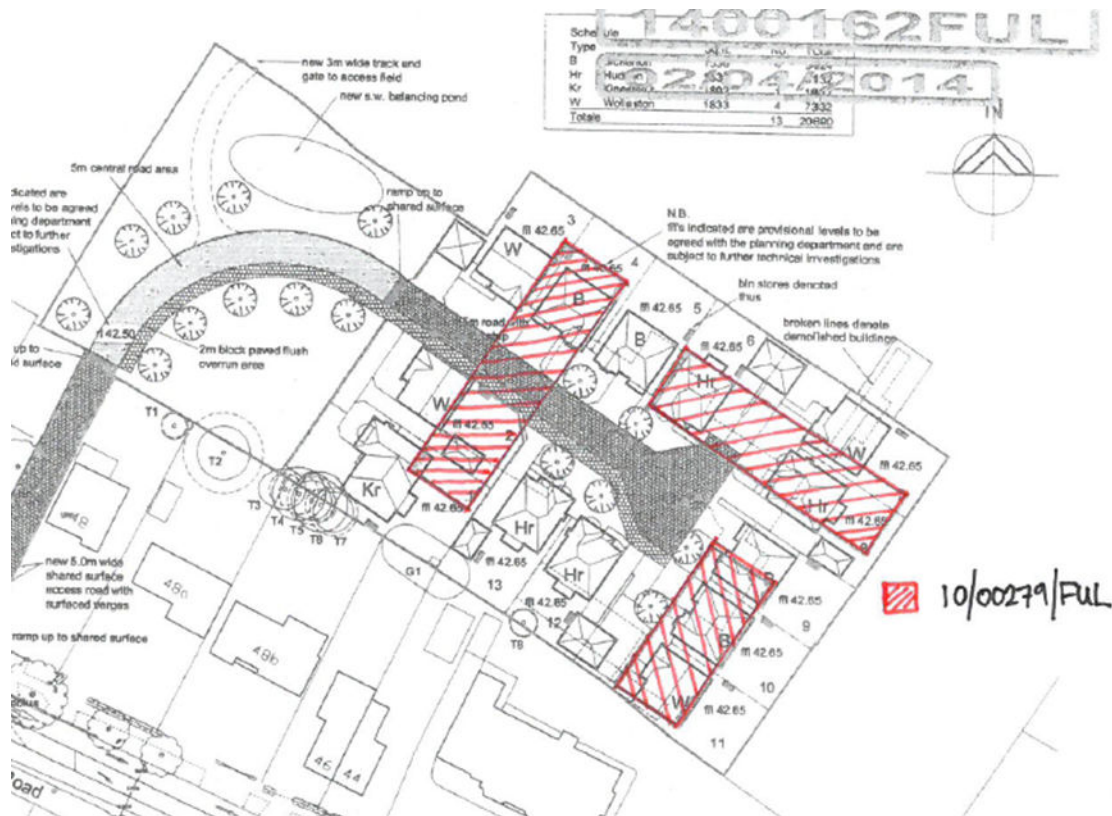


Figure 1: Overlay of previous scheme.

However, the previous scheme was made up of a mews style of development, consisting of three blocks around a court yard. The current scheme provides for separation between the dwellings, and therefore potential views across the site that did not exist previously. For these reasons, and in light of the previous approval, it would be difficult to uphold an objection on impact on the Green Belt.

Furthermore, the redevelopment of the site would facilitate the remediation of a contaminated brownfield site, as well as providing for 13 new high quality dwellings.

Design and Layout

The proposal is to build a small cul-de-sac development consisting of 13 detached dwellings, including 8 four bed dwellings and 5 five bed dwellings. The design, appearance and scale of the proposed house types is similar to those of existing properties in the area, and similar to those recently consented and currently being developed on nearby sites. The design is, therefore, considered to be in keeping with the surrounding area.

Furthermore, the density is considered to be consistent with development plan policy and in keeping with the character of the surrounding area.

The external materials will be similar to the adjoining existing residential properties and conditions are recommended to ensure that final external materials are approved by the local planning authority prior to commencement to ensure a good design and maintain the appearance.

The Council's New Residential Development SPD requires development interface distances to achieve the 21m separation (between habitable room windows) and 13m separation (between habitable room windows and blank/non habitable elevations) to be measured from the centre of any habitable room window.

It is considered that the proposed layout achieves the required interface standards as set out in the New Residential Development SPD and complies with Policy BE1 and BE2 of the Halton UDP.

Landscaping, Private Garden Space and Open Space

The site has been cleared, but the hard surfacing remains in place, and its appearance is increasingly deteriorating and starting to detract from the visual amenities of the area. Redevelopment of the site will facilitate the sites clear up and the development would improve the visual amenities of the area. Furthermore, a condition for the submission and approval of a detailed landscaping will ensure that a suitable planting scheme is implemented to soften the appearance of the site.

Policy H3 Provision of Recreational Green space states that sufficient recreational green space should be provided to meet the needs of local people living there. A formal area of open space is intended as part of the scheme, which will also provide a useful physical and visual link to the 2.5-hectare field to the north. The provision of open space onsite is considered to be acceptable and no contributions for off-site provision are considered necessary. In this respect the proposal is considered to comply with Policy H3 and the draft Open Space Supplementary Planning Document.

With regards to private amenity space, each of the individual dwellings will have their own private gardens, the sizes of which comply with the Design of New Residential Development SPD.

Highway Safety

The revised scheme has been submitted with a plan showing the tracking of a refuse vehicle within the site. This demonstrates that a refuse wagon can enter and satisfactorily turn within the site, and leave in a forward gear.

Whilst the highways engineer does not object to the proposal on this basis he did question whether the scheme would benefit from an additional turning head within the area of open space, in case cars were parked within the turning head.

However, the applicant has provided a turning head and demonstrated that it works with a tracking exercise, they have also met the relevant car parking standards for each dwelling. On this basis, the addition of a second turning head cannot be justified, and definitely could not be used as a reason for refusal.

The proposed new access road is intended to be private and not to be adopted by the Local Highway Authority. Due to the need to ensure that the access is maintained, and the site can be satisfactorily serviced, it is recommended that a Section 106 agreement be entered into that requires the applicant to set up a management company.

With regards to the detailed design of the access road, final details of the surfacing materials are required so as to distinguish between the carriageway and the pedestrian area of the shared surface. A condition is recommended to provide details of hard surfacing within the landscaping scheme.

Final design details of the access onto Lunts Heath Road and the offsite highways works will be required by condition prior to the commencement of development. The applicant would also need to enter into a Section 278 agreement with the highway authority.

Further conditions are recommended for details of wheel wash throughout construction phase, and the submission and approval of a construction traffic management plan.

Viability and affordable housing

This application includes a viability appraisal which includes details of the costs of remediation and the removal of asbestos from the site, the costs of the land and details of the change in housing market since the previous approvals. The details provide a detailed breakdown of costs and an analysis of how market conditions make the implementation of the earlier scheme no longer viable, it is also agreed that the assessment confirms that the provision of affordable housing on this site would not be viable.

Contaminated Land

The application has been submitted with a site investigation report with associated mitigation measures. The contaminated land officer has provided comments on the application and there are still some outstanding technical

matters that need to be addressed. Members will be updated on this matter at committee.

5. SUMMARY AND CONCLUSIONS

The proposal would achieve the earlier supported objective of allowing the site to be remediated and the general character of the green belt to be improved. On this basis approval of this amended scheme is recommended.

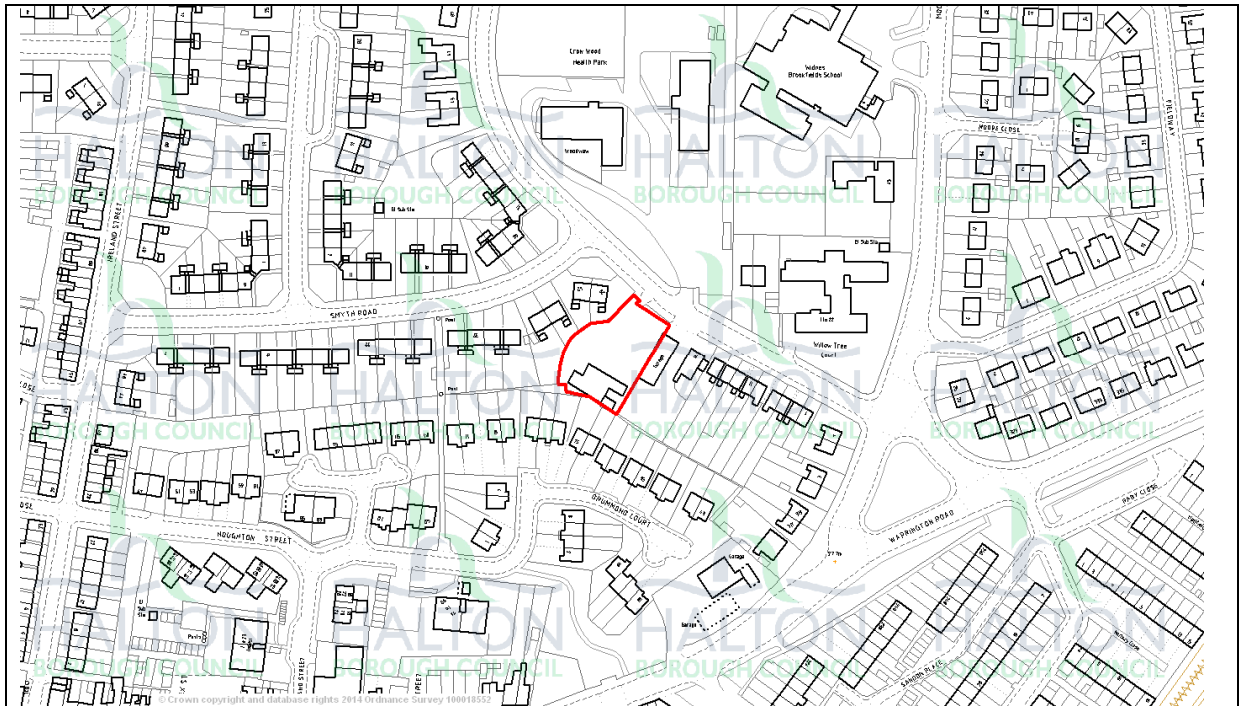
The application therefore complies with the NPPF, Unitary Development Plan Policies BE1, BE2, H2, H3, TP12, PR5, PR16, GE21, Policies CS1CS3, CS12, CS13, CS18 of the Core Strategy Local Plan and the Design of New Residential Development SPD.

6. RECOMMENDATIONS

Approval subject to the following conditions listed below: -

1. Standard condition relating to timescale and duration of the permission
2. Wheel wash condition required for construction phase (BE1)
3. Parking conditions (2 separate conditions) to ensure access and parking 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).
4. Landscaping condition(s) is required to ensure comprehensive development of the site (BE2).
5. Drainage condition, requiring the submission and approval of drainage details (BE1)
6. Construction hours to be adhered to throughout the course of the development. (BE1)
7. Delivery hours to be adhered to throughout the course of the development. (BE1)
8. Materials condition, requiring the submission and approval of the materials to be used. (BE2)
9. Remediation Strategy to be submitted and approved in writing.(PR14)
10. A condition and removing permitted developments from the property including extension, detached buildings, porches, boundary treatments, hard standing, roof alterations and garage conversions (BE1).
11. Details of offsite highway works, to include a refuge island and an extension to the ghost island, to be submitted to, agreed and constructed prior to commencement of development (BE1).

APPLICATION NO:	14/00168/FUL
LOCATION:	Land to the west of 19 Crow Wood Lane, Widnes.
PROPOSAL:	Proposed erection of 10 no. 1 bedroom apartments with individual access doors arranged in 2no. 2 storey height blocks with associated landscaping and parking.
WARD:	Halton View
PARISH:	None
CASE OFFICER:	Jeff Eaton
AGENT(S) / APPLICANT(S):	AGENT – Dave Dickerson, DK Architects. APPLICANT – Halton Housing Trust.
DEVELOPMENT PLAN ALLOCATION:	Greenspace.
National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	
DEPARTURE	Yes
REPRESENTATIONS:	No representations received from the publicity given to the application.
KEY ISSUES:	Principle of Development, Design, Amenity, Affordable Housing, Open Space, Highways, Ground Contamination, Biodiversity.
RECOMMENDATION:	Grant planning permission subject to conditions and the signing of a S106 agreement securing a commuted sum in lieu of on-site open space provision.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site subject of the application is located on Crow Wood Lane in Widnes. The site is overgrown and vacant and is an allocated greenspace site on the Halton Unitary Development Plan Proposals Map.

Located to both the north west and south west of the site are residential properties. Located to the south east of the site is a vacant commercial garage with residential properties located beyond this. The surrounding area is predominantly residential in nature.

2. THE APPLICATION

2.1 The Proposal

The application proposes the erection of 10no. 1 bedroom apartments with individual access doors arranged in 2no. 2 storey height blocks with associated landscaping and parking.

2.2 Documentation

The planning application is supported by a Design and Access Statement, and a Preliminary Risk Assessment (Phase 1 Desk Study).

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.

3.2 Halton Unitary Development Plan (UDP) (2005)

The site is designated as a Greenspace 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;
- GE6 Protection of Designated Greenspace;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodlands;
- PR2 Noise Nuisance;
- PR4 Light Pollution and Nuisance;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP12 Car Parking;
- H3 Provision of Recreational Greenspace;

3.3 Halton Core Strategy (2013)

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

- CS2 Presumption in Favour of Sustainable Development;
- CS3 Housing Supply and Locational Priorities;
- CS12 Housing Mix;
- CS13 Affordable Housing;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS23 Managing Pollution and Risk.

3.4 Joint Merseyside and Halton Waste Local Plan (2013)

The following policies, contained within the Joint Merseyside and Halton Waste Local Plan are of relevance:

- WM8 Waste Prevention and Resource Management;

- WM9 Sustainable Waste Management Design and Layout for New Development.

4. CONSULTATIONS

4.1 Highways and Transportation Development Control

No objection to the proposed development subject to the attachment of a number of conditions.

4.2 Open Spaces Officer

There are several trees scattered around the site which are mostly semi mature but of low amenity value. There are a few mature specimens (one holly and two fruit trees located in the centre of the site) but they appear to be in poor condition and again have limited value. The other notable feature on the site is the mature privet hedge to the front of the site but it is not long enough or diverse enough to qualify for hedgerow regs.

There is no vegetation worthy of retention on this site; however any clearance works should comply with current bird nesting legislation.

4.3 Environmental Health – Ground Contamination

No objection to the proposed development subject to the attachment of a condition which would secure a site investigation, remediation plan and a completion statement.

4.4 Environmental Protection

No observations received at the time of writing this report.

5. REPRESENTATIONS

5.1 The application has been advertised by a press advert in the Widnes & Runcorn World on 16/04/2014, a site notice posted on Crow Wood Lane on 23/04/2014 and 16 neighbour notification letters sent on 11/04/2014.

5.2 Following the receipt of amended plans, 16 neighbour notification letters were sent on 15/05/2014.

5.3 No representations have been received from the publicity given to the application.

6. ASSESSMENT

6.1 Principle of Development

The site is allocated as a Greenspace in the Halton Unitary Development Plan.

The site history has revealed that the site previously benefitted from an outline planning permission (07/00699/OUT & 10/00231/S73) for 2 pairs of semi-detached 3-bed properties and two 2-bed apartments between 2007 and 2013. The previous proposal noted that the site had previously been used as a small holding/private allotment and was not allocated as such on the Halton Unitary Development Plan Proposals Map probably due to the fact that it is in private ownership. It also noted the poor condition of the site and the fact that it was not used by the owner and that it would likely degrade in future years to the detriment of this residential area.

The above considerations are still considered to be relevant in that this is a vacant site in poor condition which does not make a positive contribution to the locality. Based on this and the fact that the principle of developing this site for housing has previously been developed, the principle of development is considered to be acceptable.

6.2 Highway Considerations

The application proposes some modifications to the access from Crow Wood Lane to serve the proposed development. The Highway Officer raises no objection to the proposed access from a highway safety perspective and is satisfied with the visibility that would be achieved.

The proposal has demonstrated that there is sufficient space for resident's cars to enter and exit the site in forward gear. The applicant is proposing that the site would be private and the bin access arrangements have been arranged to accommodate this.

In terms of car parking, the 10 no. apartments proposed would each have one car parking space which based on the proposal being for 1 bedroom apartments is considered to be acceptable in this instance.

The site plan shows some cycle parking provision within the scheme and it is suggested that a condition which secures the submission of precise details is attached.

The proposal is considered to be acceptable from a highway perspective compliant with Policies BE1, & TP12 of the Halton Unitary Development Plan.

6.3 Layout

The proposed site layout has been amended during the processing of the application to provide improved relationships in terms of light and outlook.

The layout now generally provides separation in accordance with the privacy distances for residential set out in the Design of Residential Development Supplementary Planning Document. There is a minor shortfall in separation between plots 5&6 and the side elevation of the vacant commercial garage building located on the adjacent site, however the applicant has looked to

redesign this part of the building to improve the outlook for persons who would reside in these units.

The Design of Residential Development Supplementary Planning Document indicates that a usable private outdoor space for apartments of 50sqm per unit should be provided as a guide. This scheme falls below this standard, however this is a guide and it is considered that on balance the amount of private amenity space provided would be acceptable and would not be unduly detrimental to residential amenity. The SPD states that the standards for outdoor space provision should relate to the character of the scheme designed and to the area. In this case the outdoor space is well designed and is considered suitable. Given the design and layout of the scheme it is not considered a refusal relating to outdoor space could be supported

The layout of the proposed development is considered to be acceptable compliant with Policies BE 1 & BE 2 of the Halton Unitary Development Plan.

6.4 Scale

The apartment blocks proposed are two storey in height and would not be dissimilar in height to the many of the other residential properties located in the surrounding area and are considered acceptable in respect of scale.

The proposal is considered to be acceptable in terms of scale and compliant with Policy BE 1 of the Halton Unitary Development Plan.

6.5 Appearance

The elevations show that buildings proposed would be of an appropriate appearance with some variety in materials to add interest to the overall external appearance. The submission of precise external facing materials for approval should be secured by condition. The scheme has been designed as to provide an active frontage to Crow Wood Lane which is considered to be an appropriate design solution. This would ensure compliance with Policies BE 1 & BE 2 of the Halton Unitary Development Plan.

6.6 Landscaping

Some landscaping details are shown on the proposed site plan which include tree planting within the scheme.

Given the space available, it is considered that a satisfactory detailed landscaping solution can be achieved and this should be secured by condition. This would ensure compliance with Policies BE 1 and GE 27 of the Halton Unitary Development Plan.

6.7 Noise

The application site is located within a predominantly residential location and it is considered that the proposed development would be acceptable from a noise perspective.

The proposal is considered to be compliant with Policy PR 2 of the Halton Unitary Development Plan.

6.8 Affordable Housing

Policy CS13 of the Halton Core Strategy Local Plan states that affordable housing units will be provided , in perpetuity, on schemes including 10 or more dwellings (net gain) or 0.33 hectares or greater for residential purposes.

This application proposes that 100% of the units would be social rented which would be in excess of the 25% of units sought by the policy. The provision of affordable housing to accord with the policy should be secured by condition.

This would ensure compliance with Policy CS 13 of the Halton Core Strategy Local Plan and the Affordable Housing Supplementary Planning Document.

6.9 Open Space

The requirements for provision of recreational greenspace within new residential developments is set out in Policy H3 of the Halton Unitary Development Plan.

The applicant has been made aware of this requirement and a S106 agreement would be required to secure a commuted sum in lieu of on-site open space provision.

This would ensure compliance with Policy H3 of the Halton Unitary Development Plan and the recommendation to grant planning permission in this case would be subject to the S106 agreement.

6.10 Ground Contamination

The application is accompanied by a Preliminary Risk Assessment (Phase 1 Desk Study). This has been reviewed by the Contaminated Land Officer and no objection has been raised subject to the attachment of 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.

6.11 Flood Risk

The application site is less than 1ha in area in Flood Zone 1 and is in an area which is at low risk from flooding.

The proposal is considered to be compliant with Policy PR16 of the Halton Unitary Development Plan and Policy CS14 of the Halton Core Strategy Local Plan.

6.12 Biodiversity

The application site is not considered to be of a high ecological value, however the trees which would need to be removed to facilitate the development should not be removed during breeding bird season and this should be secured by condition.

Based on the above, it is considered that the proposal is compliant with Policy GE21 of the Halton Unitary Development Plan.

7. CONCLUSIONS

In conclusion, the proposed residential development on the designated greenspace is considered to be justified and would have a positive impact on the locality and provide affordable homes.

An appropriate access to site from Crow Wood Lane would be achieved and the layout demonstrates sufficient space for movement for cars within the site as well as an appropriate level of parking for both cars and cycles.

The layout demonstrates sufficient separation for both light and privacy and there is considered to be an appropriate amount of private amenity space within the scheme.

The proposal is considered to be of an appropriate design with an active frontage to Crow Wood Lane and the elevations indicate a mix of materials to add interest and result in well designed properties.

The application is recommended for approval subject to conditions and the signing of a S106 agreement securing a commuted sum in lieu of on-site open space provision.

8. RECOMMENDATIONS

Grant planning permission subject to conditions and the signing of a S106 agreement securing a commuted sum in lieu of on-site open space provision.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Site Levels (Policy BE1)
4. Facing Materials to be Agreed (Policies BE1 and BE2)
5. Landscaping & Boundary Treatments Scheme (Scheme to be agreed)

6. Breeding Birds Protection – (Policy GE21)
7. Protection of Trees – Construction Phase – (Policy BE1)
8. Hours of Construction – (Policy BE1)
9. Dust Suppression During Construction – (Policy BE1)
10. Construction Management Plan (Highways) – (Policy BE1)
11. Wheel Wash – (Policy BE1)
12. Provision of Affordable Housing – (Policy CS13)
13. Ground Contamination - (Policy PR14)
14. Visibility Splay (Vehicles) - Junction with Crow Wood Lane – (Policy BE1)
15. Provision & Retention of Parking - (Policy BE1)
16. Provision of Cycle Parking – (Policy BE1)
17. Disposal of Surface Water to be agreed – (Policy PR16)

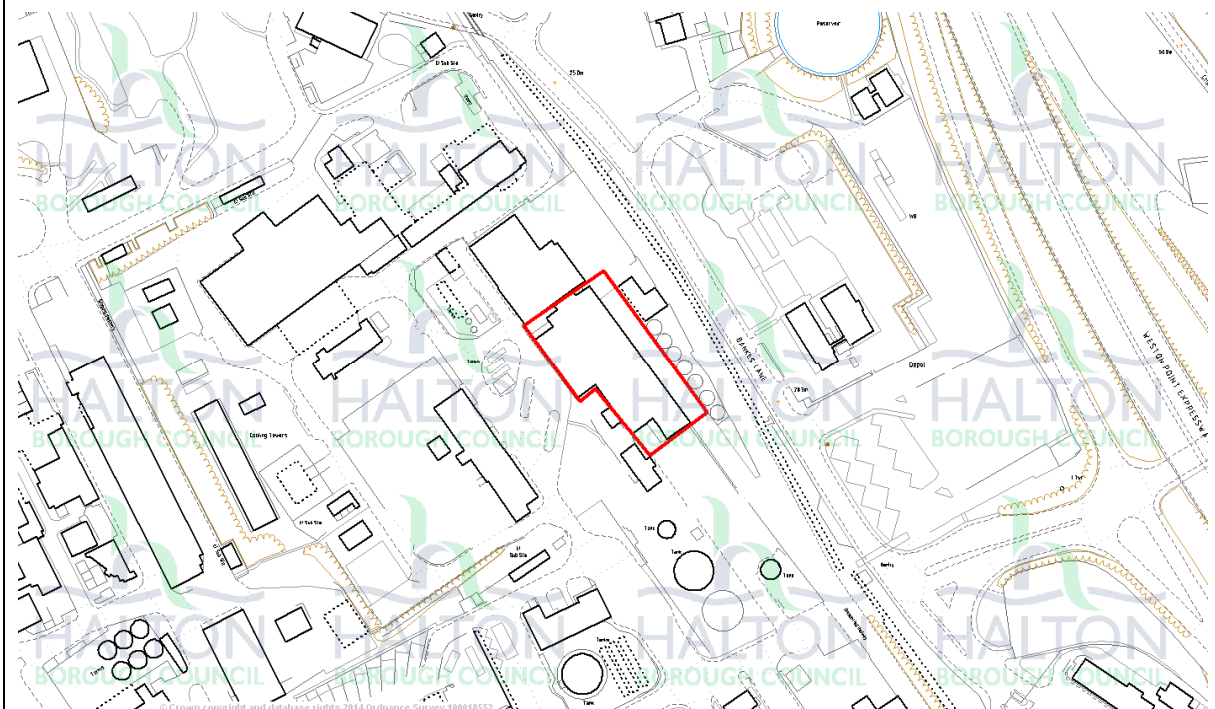
10. SUSTAINABILITY STATEMENT

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.

APPLICATION NO:	14/00192/FUL
LOCATION:	Ineos Chlor Vinyls, Castner Kellner, Runcorn
PROPOSAL:	Proposed erection of steel framed building on exiting concrete base
WARD:	Heath
PARISH:	N/A
CASE OFFICER:	Rob Cooper
AGENT(S) / APPLICANT(S):	Mr William Findlay
DEVELOPMENT PLAN ALLOCATION:	National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013)
DEPARTURE REPRESENTATIONS:	No None
KEY ISSUES:	Primarily Employment Area
RECOMMENDATION:	Approval

SITE MAP**APPLICATION SITE****The Site and Surroundings**

The proposed development site is located within the existing industrial site of Ineos Chlor Vinyls, Castner Kellner, Runcorn.

Planning History

There are no recent relevant planning permissions on the application site itself, but the site does fall within the wider Ineos site which was subject to recent Hazardous Substance Consents 13/00080/HSC and 13/00279/HSC.

1. THE APPLICATION

Documentation

The application has been submitted with the requisite planning application form, a complete set of plans and supporting information including a design and access statement.

2. POLICY CONTEXT

The site is allocated as a school site under Policy S24 in the Halton Unitary Development Plan (UDP) which is of relevance. Policy CS1 of the Halton Core Strategy Local Plan is also of relevance.

The National Planning Policy Framework is now a material planning consideration, in particular chapters 6 'Delivering High Quality Homes' and 7 'Requiring good design,' are of relevance.

The other key policies of relevance are as follows:

Unitary Development Plan (2005)

BE1 General Requirements for Development
BE2 Quality of Design
E3 Primarily Employment Area
E5 New Industrial and Commercial Development
TP12 Car Parking
PR14 Contaminated Land
PR15 Groundwater

Halton Core Strategy Local Plan (2013)

The Core Strategy provides the overarching strategy for the future development of the Borough, in this particular case the following Policies are of relevance

CS2 Presumption in Favour of Sustainable Development
CS18 High Quality Design

Supplementary Planning Documents

Design of New Commercial and Industrial Development SPD

3. CONSULTATION AND REPRESENTATION

The application has been advertised as a departure by means of a site notice, press notice and neighbouring properties have been consulted via letter.

Consultation has been undertaken internally with the Highways Division , the Contaminated Land Officer, Environmental Health Officer, and externally with the Environment Agency.

Due to the site's location within the Ineos COMAH area, the Health and Safety Executive (HSE) has been consulted through the Padhi+ system and it does not advise against.

4. ASSESSMENT

The applicant is seeking planning consent for the construction of a new steel framed industrial building, with associated processing plant, tank farm and external works. The building would be used to establish a new rubber devulcanising plant.

Devulcanisation of rubber is a process that breaks the sulphur bonds created by the vulcanisation process and transforms the rubber particles back into a reactive polymer that can replace the use of virgin rubber, and is therefore a means of recycling rubber.

The types of materials that would be brought onto the site would be crumbed / shredded tyres that have been processed elsewhere and transported to the site by heavy good vehicles.

The applicant has stated that the site will have 15 employees onsite, and would operate 24 hours a day.

Policy and Principle of Development

The site is located within a primarily employment area as designated in saved Policy E3 of Halton Unitary Development Plan. The proposed development is for an industrial building and a process falling with B2 use class 'General Industry' and is therefore is considered to be acceptable in principle.

Design, Character, and Amenity

In terms of scale, the new building would have a floor space just under 1,500m², the maximum height of the building would be 9.5m. Adjacent to the building is a tank farm, the maximum heights of the tanks would be 7.9m high.

With regards to the appearance of the building, this would be portal framed, and finished in profiled insulated cladding sheets, that would be similar in appearance to existing adjacent buildings.

In principle, the design is considered to be acceptable, but a condition is recommended for the approval of final materials prior to the commencement of development. It is, therefore, considered to comply with Policy E5 of the UDP and the Design of New Commercial and Industrial Development SPD.

With regards to residential amenity, the nearest residential properties would be approximately 250m north on Roscoe Crescent and Allen Road, whilst to the east the nearest residential properties would be 260m away on Cheshyres Lane. Taking into account the distances and the physical features in between, including adjacent industrial land and surrounding road networks, it is considered that the development would not have a detrimental impact on residential amenity.

Highways

The proposal would employ 15 members of staff. These would use the existing staff car park used by Ineos staff, which is currently located adjacent to the existing access off Bankes Lane. This access would also be used for deliveries of raw materials and for transporting finished product (devulcanised rubber) offsite. This is a security controlled access already designed to allow for the egress of HGV traffic, therefore it is considered suitable to also provide access to the proposed development, and there it would not have a detrimental impact on highway safety.

Contaminated Land

The application has been submitted with a Phase 1 Environmental Assessment (ABM Limited, 01 May 2014). This has been considered by the Council's Contaminated Land Officer. Whilst no objection is raised, conditions have been recommended for additional ground investigations and that would be subject to a planning condition.

5. SUMMARY AND CONCLUSIONS

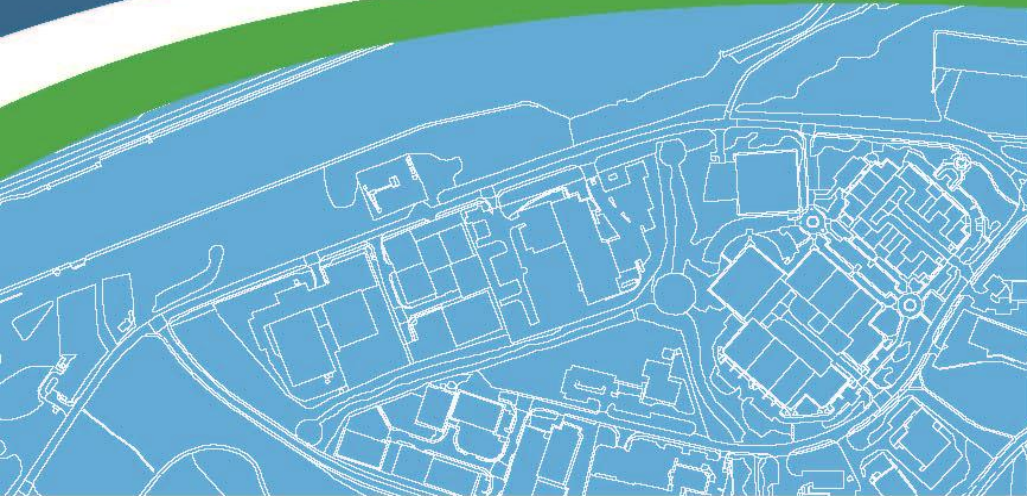
The proposed development is for an industrial building and a process falling within B2 use class 'General Industry' and is therefore is considered to be acceptable in principle. Furthermore the design and appearance is in keeping with the existing and surrounding industrial area.

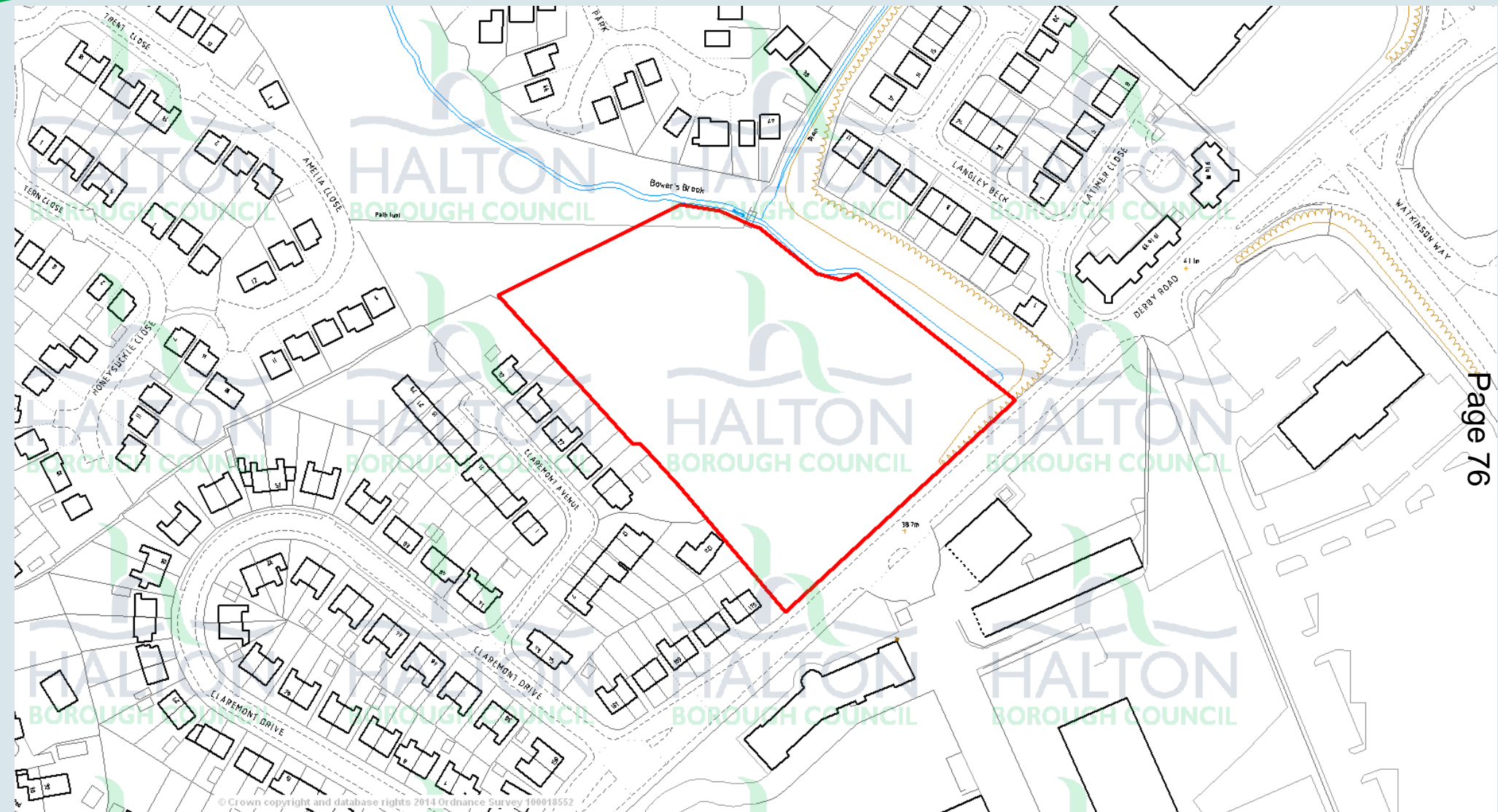
The application, therefore, complies with the National Planning Policy Framework, Unitary Development Plan Policies BE1, BE2, E3, E5, TP12, PR14, PR15, Policies CS2, CS18 of the Core Strategy Local Plan and the Design of New Residential Development SPD.

6. RECOMMENDATIONS

Approval subject to the following conditions listed below: -

1. Standard condition relating to time limit for commencement.
2. Condition listing all relevant plans / amended plans (BE1).
3. Wheel wash condition required for construction phase (BE1).
4. Submission of a construction traffic management plan (BE1)
5. Condition requesting submission and approval of materials (BE2).
6. Condition(s) in relation to contaminated land (PR15)



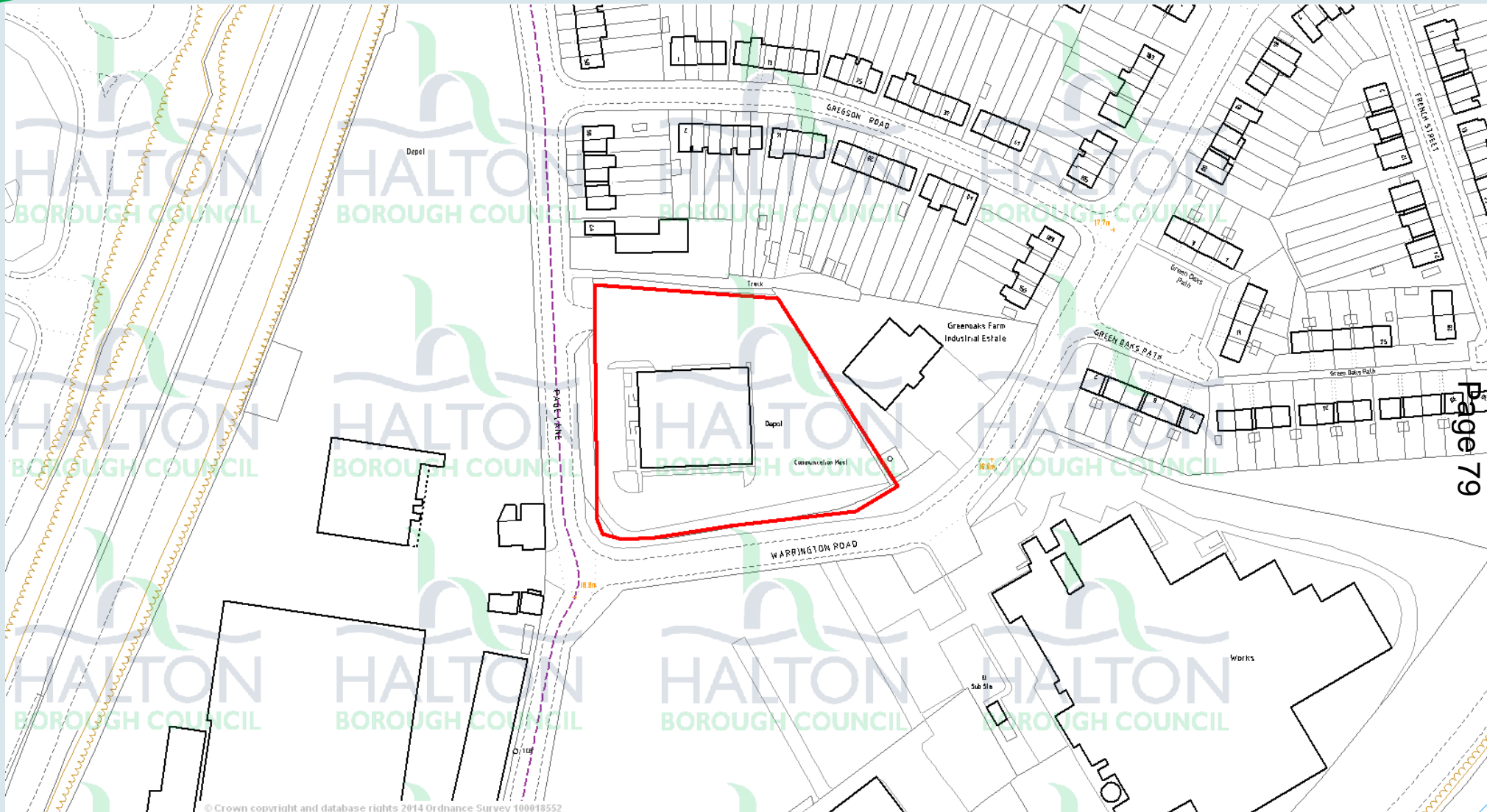


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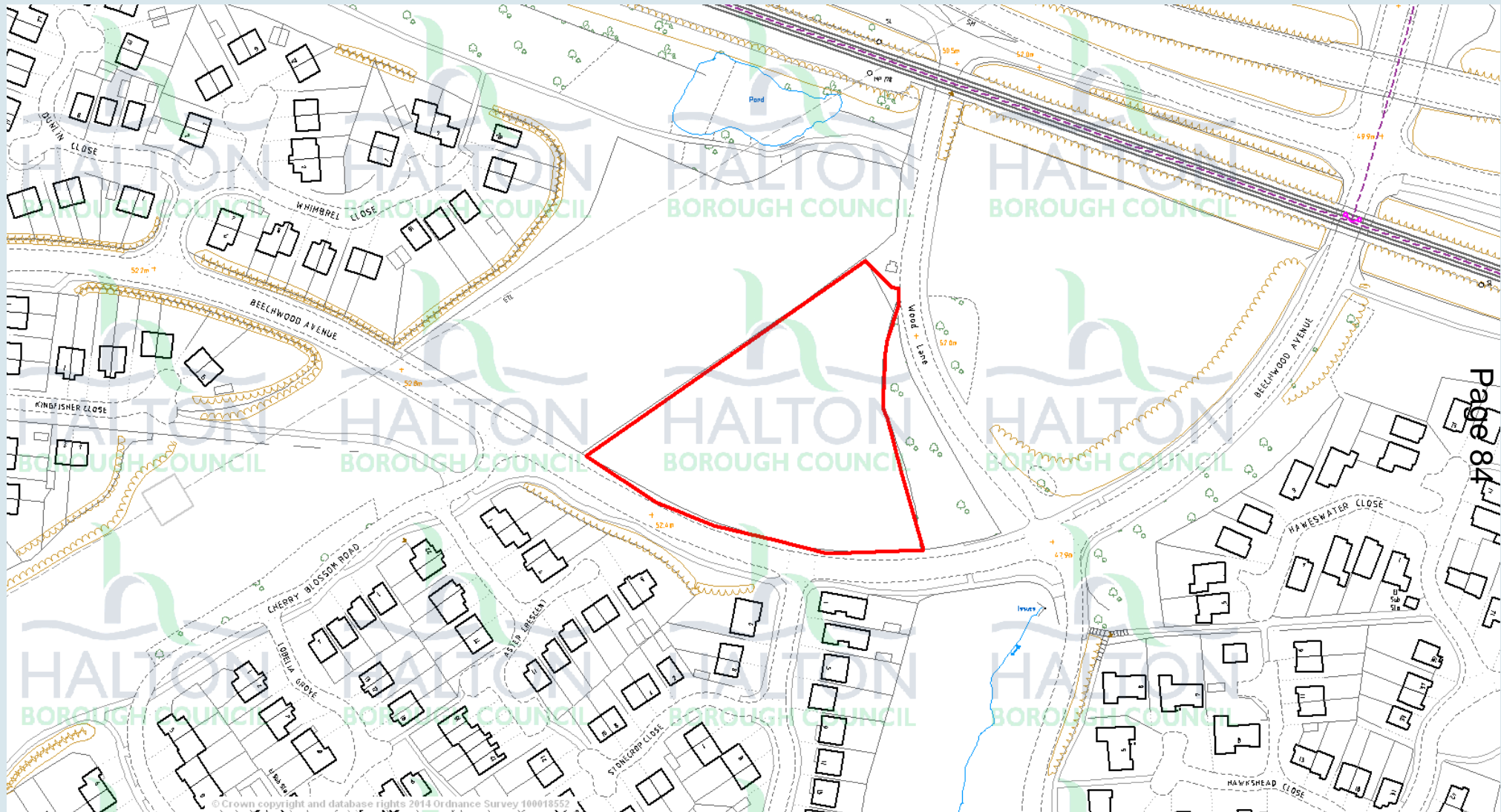






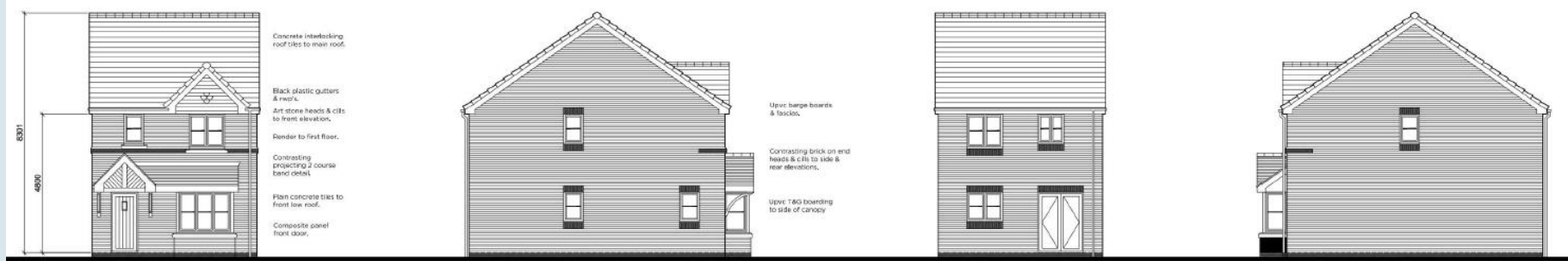






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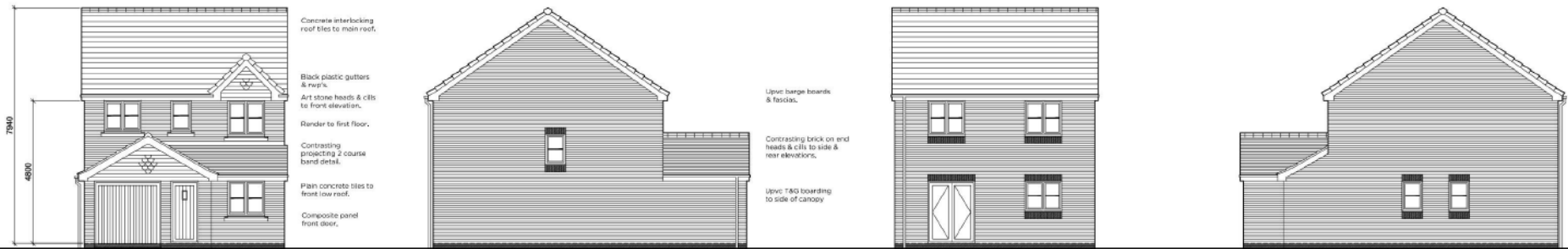


Front Elevation

Side Elevation

Rear Elevation

Side Elevation

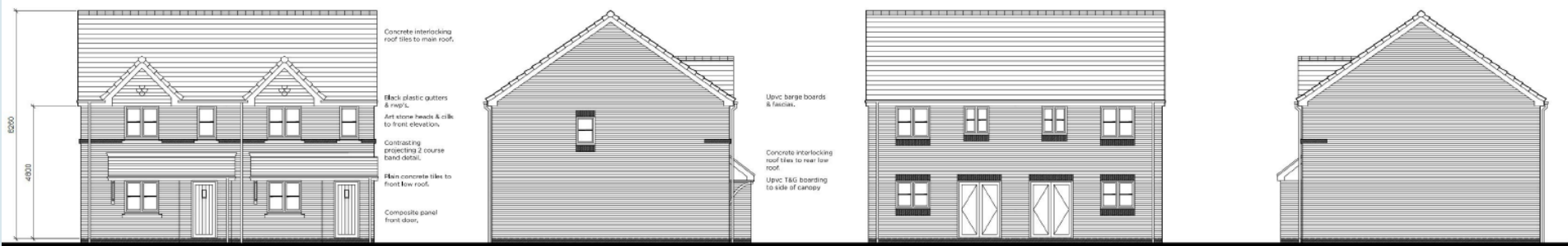


Front Elevation

Side Elevation

Rear Elevation

Side Elevation



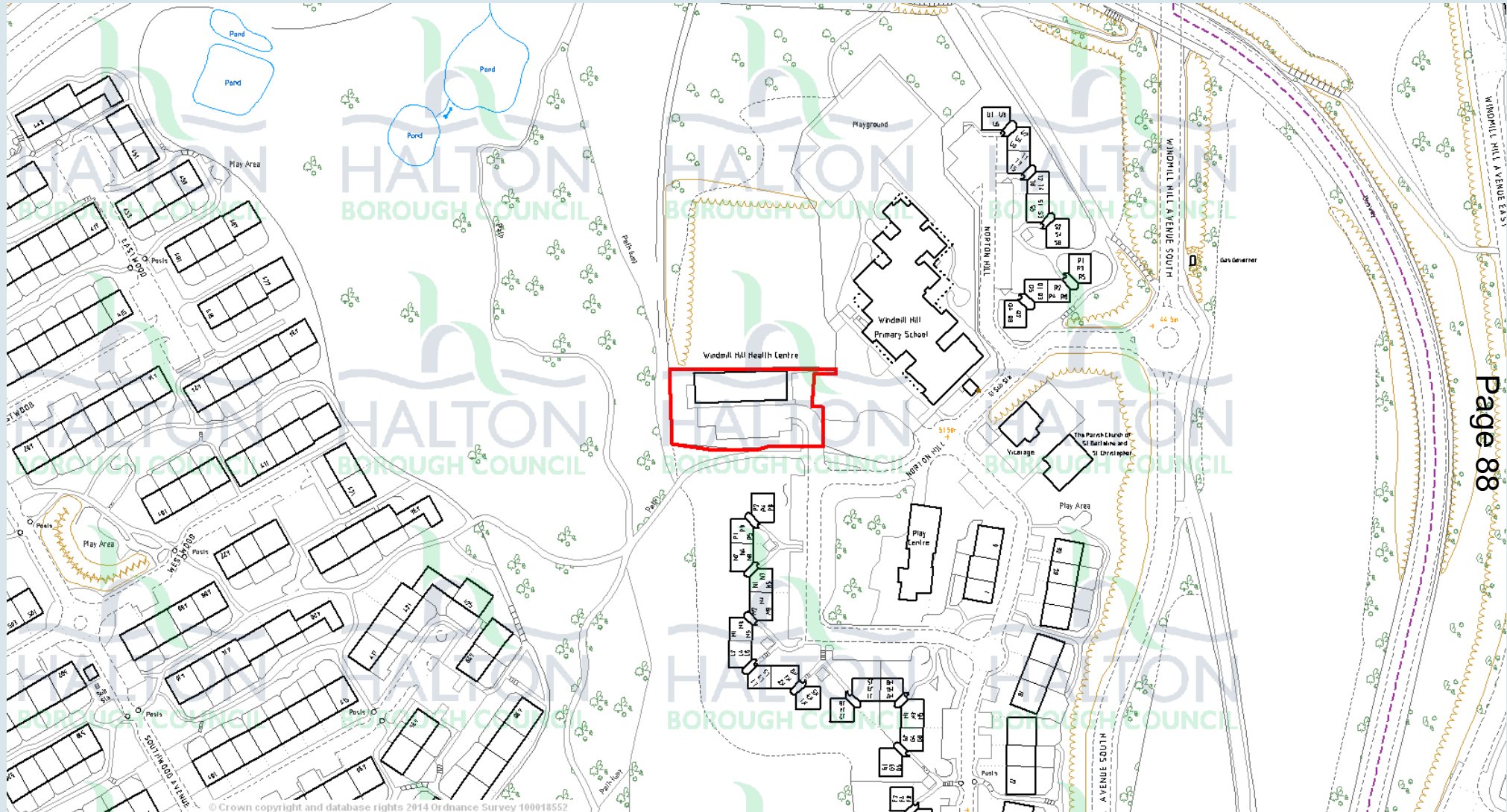
Front Elevation

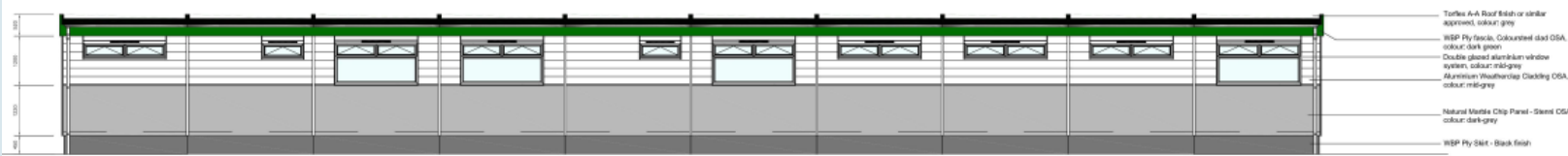
Side Elevation

Rear Elevation

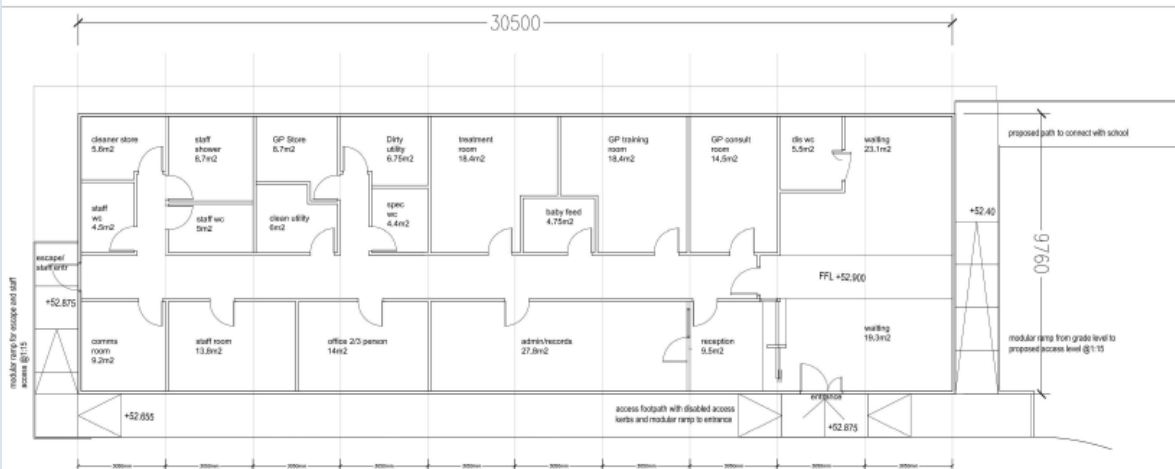
Side Elevation







proposed north elevation 1:50



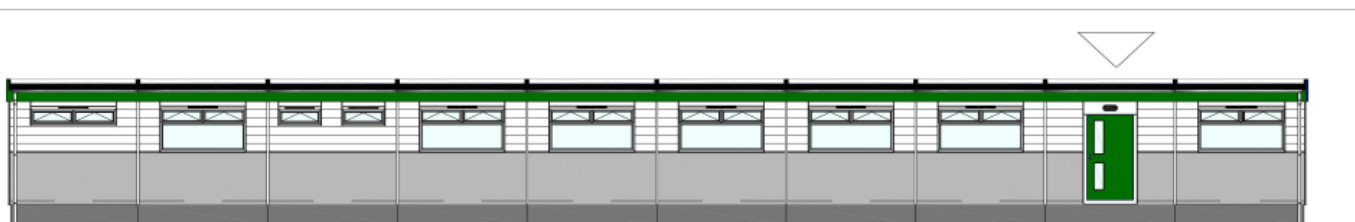
proposed plan 1:50



proposed west elevation 1:50

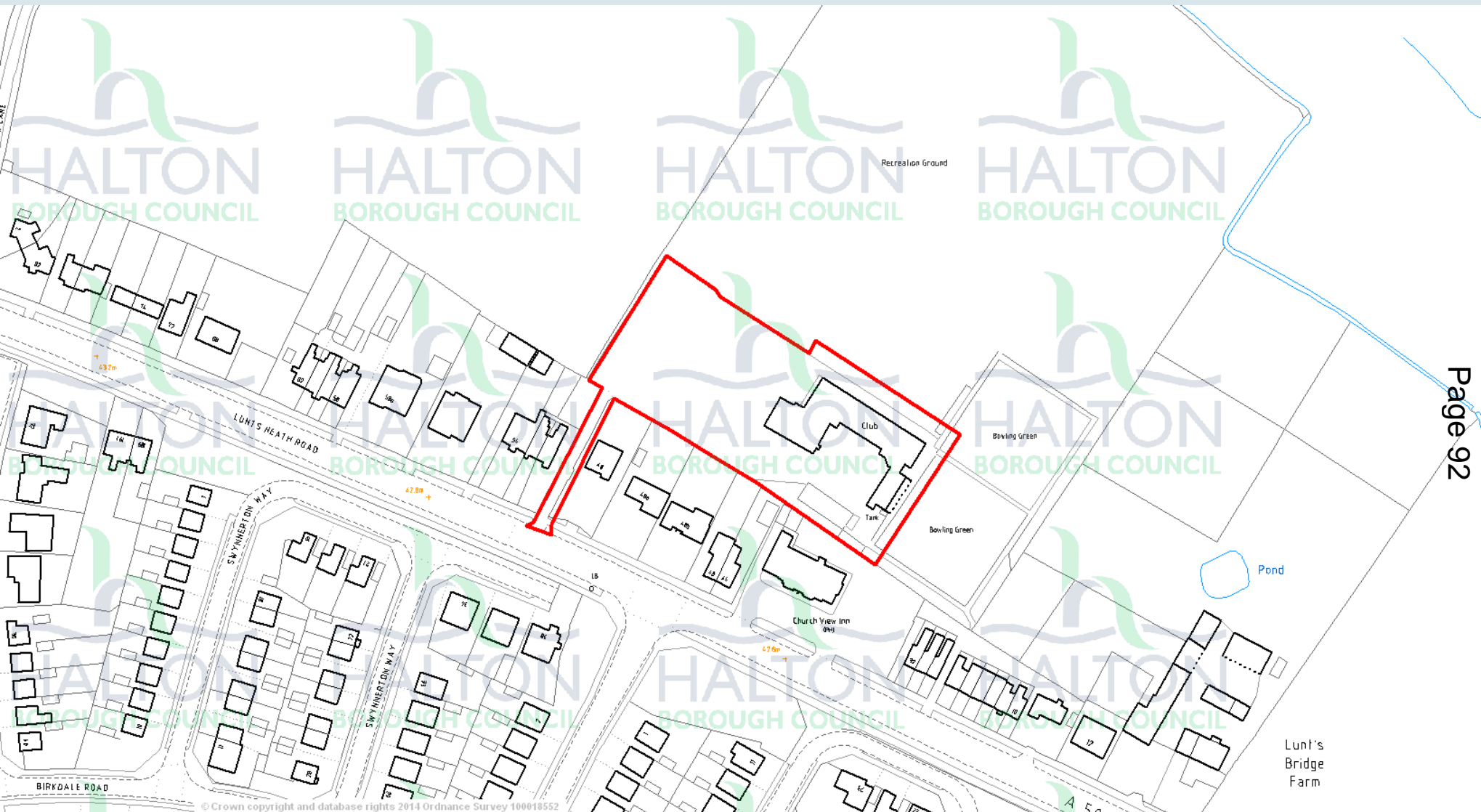


proposed east elevation 1:50

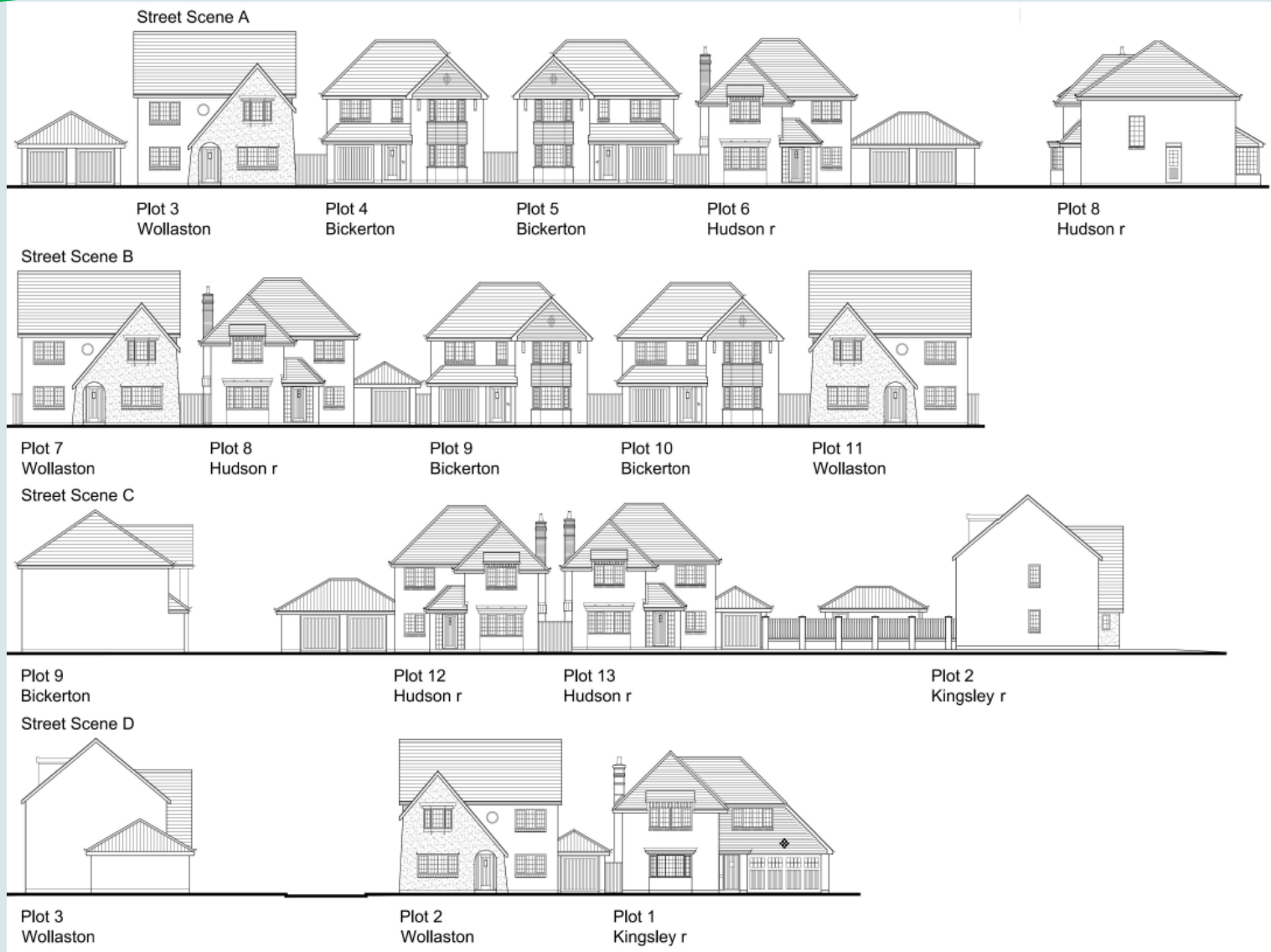


proposed south elevation 1:150

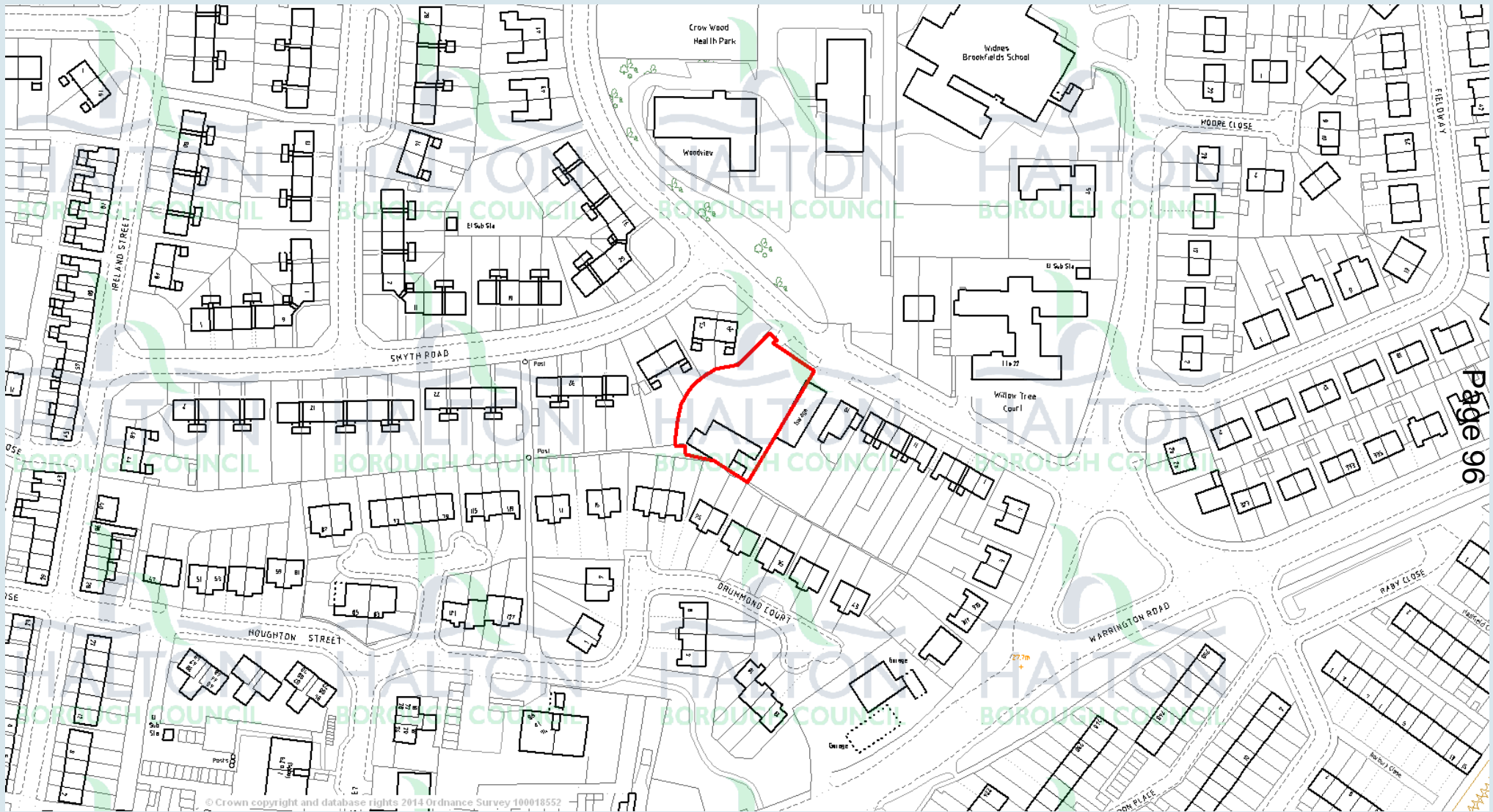














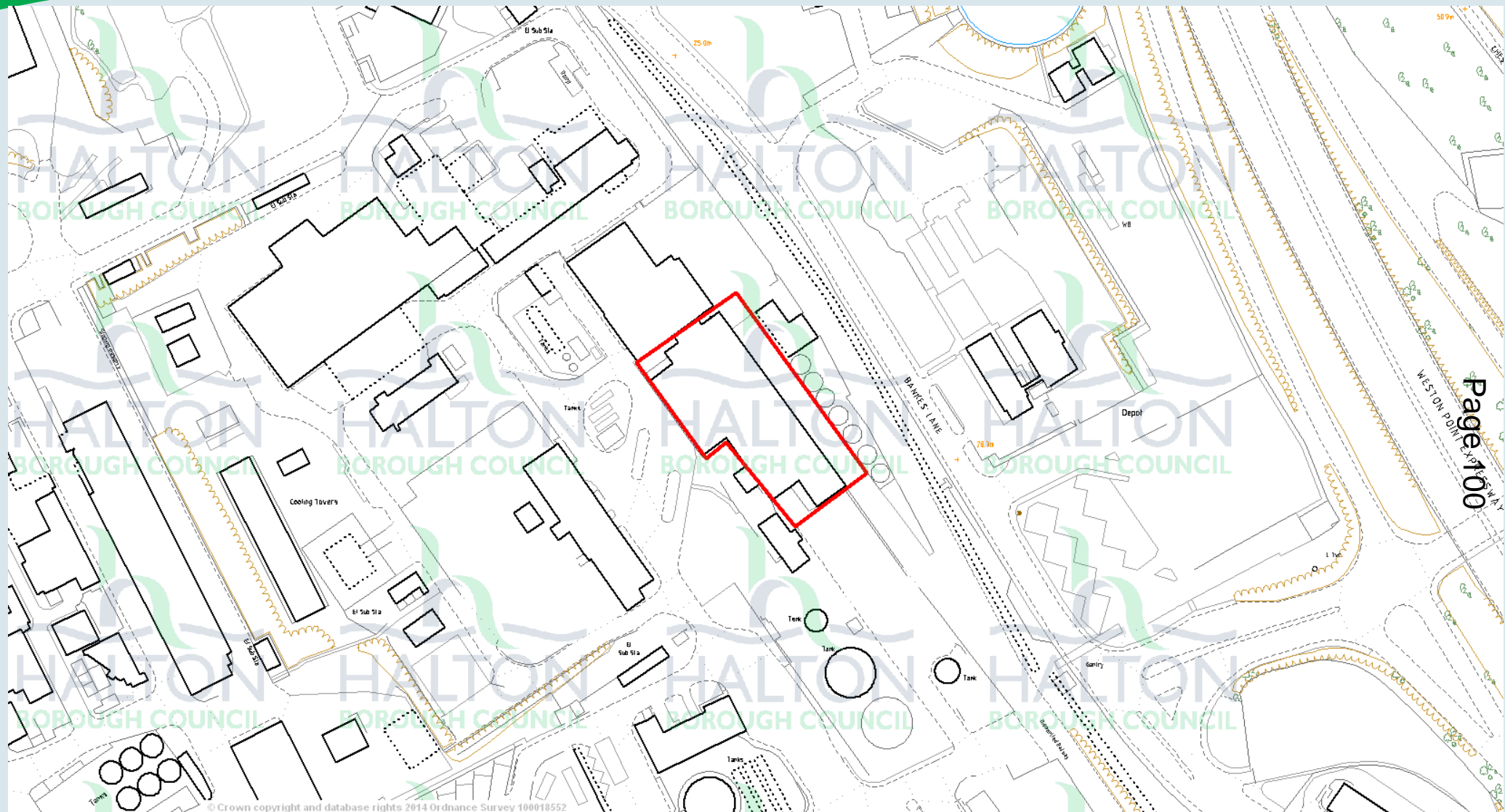
CROW WOOD LANE FACING ELEVATION

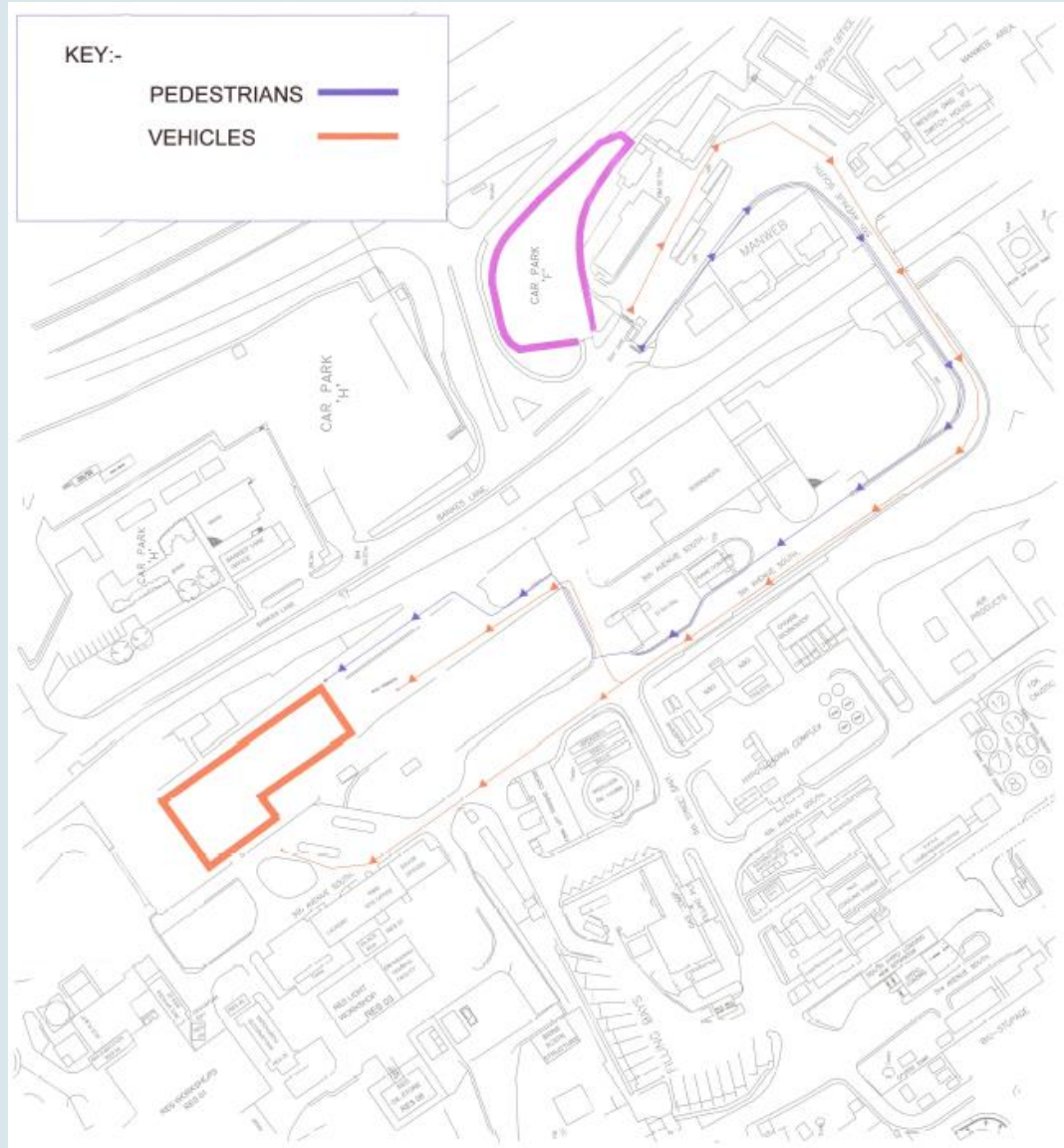


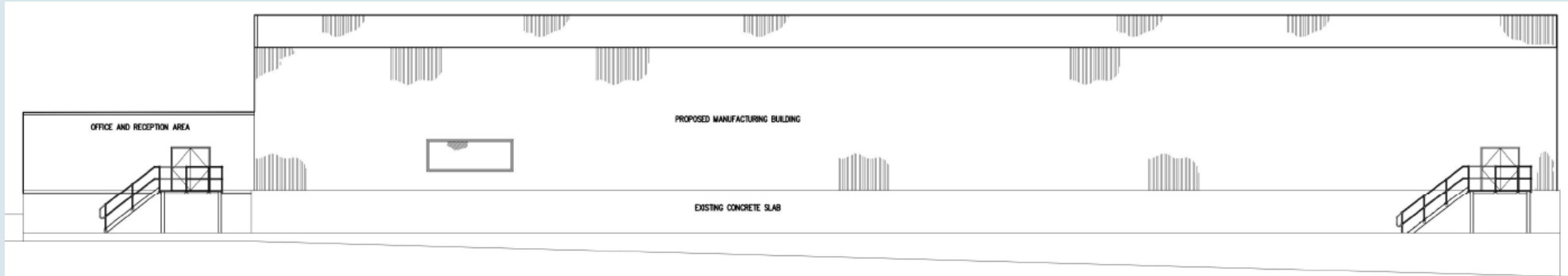
EAST FACING [PRIVATE ROAD] ELEVATION



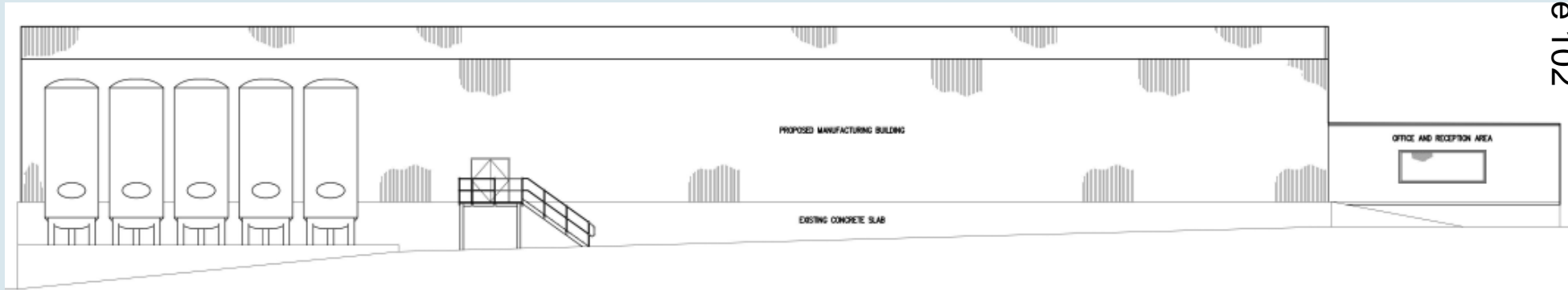
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REAR VIEW ON PROPOSED BUILDING
SCALE 1:100



FRONT VIEW ON PROPOSED BUILDING
SCALE 1:100



REPORT TO: Development Control Committee
DATE: 16 June 2014
REPORTING OFFICER: Strategic Director, Policy & Resources
SUBJECT: Miscellaneous Items
WARD(S): Boroughwide

The following applications have been withdrawn:

14/00082/COU

Proposed change of use of first floor from offices to residential apartment at 2 Midland Street Widnes Cheshire WA8 6JZ.

14/00126/FUL

Proposed single storey rear and two storey side extensions incorporating dormer window to rear roof elevation at 15 Nightingale Close Runcorn Cheshire WA7 3JJ.

14/00156/PLD

Application for Certificate of Proposed Lawful Development for single storey side and rear extension at 2 Heath Road Widnes Cheshire WA8 7NQ.

14/00180/TPO

Proposed works to reduce crown of tree in rear garden of 11 Lawson Road Runcorn Cheshire WA7 4RH.

13/00445/ADJ

Adjoining Authority consultation by St Helens Council for the construction of a 2.7km long 3m wide foot/cycle path along the former Runcorn Gap Railway from the Dream Sculpture at Sutton Manor to Bold Bridge, Warrington Road and then onwards to Mill Lane Widnes at Dismantled Railway from The Dream To Bold Bridge, Warrington Road Bold Heath.

13/00411/TPO

Proposed crown reduction by 50% of 2 No. Sycamore trees reducing height to around 6 metres at 36 Abbots Close, Runcorn, Cheshire, WA7 4UZ.

14/00124/FUL

Proposed two storey rear extension at 201 Moorfield Road, Widnes, Cheshire, WA8 3HQ

14/00147/FUL

Proposed single storey rear extension at 12 Pump Lane Runcorn Cheshire WA7 2BA

The following Appeals have been received / are in progress:

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.

Inquiry has been held, currently awaiting decision of the SoS.

13/00022/GNWORK (APP/D0650/C/13/2207343) - Enforcement notice issued for the construction of the area of hard-standing on land at Sandy Lane, Preston Brook, Runcorn, Cheshire, WA7 3AW.

Appeal Dismissed and Enforcement Notice upheld.

13/00278/FUL – (APP/D0650/V/14/2212165) Proposed redevelopment of existing high school comprising new school building, provision of new tennis courts, relocation of playing fields, new car parking and associated hard and soft landscaping and demolition of the existing school buildings at The Heath Specialist Technology College.

The Secretary Of State has called the application in for his consideration. This will now be heard by a public Inquiry later in the year.

14/00003/REFUSE – (APP/D0650/A/14/2213060) Outline application (with appearance, landscaping, layout and scale reserved) for erection of 4 No. detached dwellings on Land At Rose View Avenue, Widnes.

Appeal Allowed.

14/00002/REFUSE – (APP/D0650/A/13/2210716) Proposed demolition of existing building and erection of 10 No. dwellings with associated works at Site Of St Johns Presbyterian Church, Victoria Road, Runcorn.

Appeal Dismissed.