



Development Control Committee

**Monday, 18 May 2015 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 June Roberts
Councillor Carol Plumpton Walsh
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, 8 June 2015*

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

Part I

Item No.	Page No.
1. MINUTES	1 - 6
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.	
3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	7 - 41

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

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Tuesday, 14 April 2015 at The Board Room - Municipal Building, Widnes

Present: Councillors Nolan (Chairman), Morley (Vice-Chairman), Cole, R. Hignett, S. Hill, June Roberts, C. Plumpton Walsh, J. Stockton, Thompson and Woolfall

Apologies for Absence: Councillor Wainwright

Absence declared on Council business: None

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

Also in attendance: 19 Members of the Public

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

	<i>Action</i>
DEV52 MINUTES	
<p>The Minutes of the meetings held on 2 March 2015 and 9 March 2015 having been circulated, were taken as read and signed as a correct record.</p>	
DEV53 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p>	
DEV54 - 15/00013/FUL - PROPOSED DEVELOPMENT OF 53 NO. DWELLINGS WITH ACCESS FROM LIVERPOOL ROAD INCLUDING OPEN SPACE, LANDSCAPING AND BOUNDARY TREATMENTS AND - 15/00100/106/MOD - APPLICATION TO DISCHARGE CLAUSE 5.2 OF SECTION 106 AGREEMENT DATED 28/04/1995 BETWEEN LIVERPOOL ROMAN CATHOLIC ARCHDIOCESAN TRUSTEES INCORPORATED; CHESHIRE COUNTY COUNCIL; ICI CHEMICALS AND POLYMERS LTD AND HALTON BOROUGH COUNCIL ON LAND AT WIDNES RECREATION GROUND, LIVERPOOL ROAD, WIDNES, CHESHIRE	

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

It was noted that outline planning permission for up to 50 dwellings was granted on this site by the Committee in 2013; therefore the principle of residential development on the site was already established.

In relation to the first application, Officers advised that further to the representations referred to in the report; a Ward Councillor had requested that a green buffer of planting be introduced between the Foxley Heath Estate and the development site. Although Officers advised that this was not necessary, condition number 5 could be amended to secure the submission of a landscaping scheme if the Committee requested. Further, two additional independent material planning objections had been received since the production of the report. These representations raised no new issues to those already discussed in the report.

The second application proposed to discharge Clause 5.2 of Section 106 Agreement dated 28 April 1995, between Liverpool Roman Catholic Archdiocesan Trustees Incorporated; Cheshire County Council; ICI Chemicals and Polymers Ltd; and Halton Borough Council. The Clause related to the land which was attached to the Section 106 Agreement being used as greenspace only. The land subject of the full planning application fell within this area and therefore the discharge was requested.

The Committee was addressed by Mr Symes who objected to the development on behalf of local residents. He argued that no public consultation had been carried out in respect of the proposal and therefore the residents were not aware it. He stated that the area did not benefit from adequate sporting facilities as stated in the report and that the fields of the proposed site were well used by locals. He referred to a covenant in a Section 106 Agreement and objected to its removal. Also he said that brownfield sites should be used over greenfield sites and that the development would cause an increase in traffic on Liverpool Road and therefore an increase in pollution.

Mr Artis addressed the Committee on behalf of the applicant. He stated that he understood the concerns of local residents but reassured them that the applicant had worked closely with the Council and addressed all concerns raised by them. He also stated that Sports England had raised no objections to the application as stated in the

officer's report.

In response to Mr Symes' reference to a covenant on the land, the Council's Legal Representative informed the Committee that the covenant which had existed under the Section 106 Agreement no longer existed and was defunct. The wording was being removed for purely technical reasons.

Members considered the application, representations and updated information presented to them, and agreed that the application be approved subject to an amendment to condition number 5 to include the submission of a landscaping scheme.

RESOLVED: That

a) Application 15/00013/FUL – the application be approved subject to the following conditions:

1. Time limit – full permission;
2. Plans approved;
3. Site levels (BE1);
4. Facing materials to be agreed (BE1 and BE2);
5. Submission, implementation and maintenance of a landscaping scheme (BE1);
6. Implementation of boundary treatments scheme (BE1);
7. Implementation and management of Public Open Space (BE1);
8. Breeding birds protection (GE21);
9. Hours of construction (BE1);
10. Dust suppression during construction (BE1);
11. Construction Management Plan (Highways) (BE1);
12. Visibility splay (vehicles) – (BE1);
13. Provision and retention of parking for residential development (BE1);
14. Retention of garages (BE1);
15. Off-site highway improvements (BE1);
16. Construction of site access (BE1);
17. Speed camera relocation scheme (BE1);
18. Biodiversity enhancements (GE21);
19. Bat friendly lighting scheme (GE21);
20. Drainage strategy (PR16); and
21. Ground contamination (PR14).

b) Application 15/00100/106MOD – clause 5.2 of Section 106 Agreement between Liverpool Roman Catholic Archdiocesan Trustees Incorporated;

Cheshire County Council; ICI Chemicals and Polymers Ltd and Halton Borough Council be discharged.

To avoid any allegation of bias, Councillor R Hignett declared a Disclosable Other Interest in the following item as he was a Member of the PSJV Sci-Tech Daresbury Board.

DEV55 - 15/00059/FUL - PROPOSED EXCAVATION AND EARTHWORKS TO FORM DEVELOPMENT PLOT INCLUDING CONSTRUCTION OF RETAINING WALL; CONSTRUCTION OF A NEW VEHICULAR AND PEDESTRIAN ACCESS INTO AND THROUGHOUT THE SITE INCLUDING LIGHTING; DRAINAGE; AND SOFT LANDSCAPING WORKS TO FORM EXTENSION OF SITE CONNECTIVITY WORKS APPROVED UNDER PREVIOUS PLANNING PERMISSION AT DARESBUURY SCIENCE PARK, KECKWICK LANE, DARESBUURY, RUNCORN, WA4 4FS

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

Officers advised the Committee that the additional and amended information requested from the applicant with regards to highway matters, as mentioned in the officer's report, had not yet been received. They requested delegated authority to approve the application once this had been received.

Members approved the application subject to the above delegation and the conditions listed below.

RESOLVED: To delegate authority to the Operational Director, in consultation with the Chairman or Vice Chairman, to resolve outstanding issues and approve the application subject to the following conditions and a Section 106 Agreement for highway improvements:

1. Time limit – full permission;
2. Approved plans (BE1 and BE2);
3. Details of improvements of connectivity to Keckwick Lane South (BE1 and TP17);
4. Facing retaining wall materials (BE1 and BE2);
5. Landscaping scheme and implementation (BE1);
6. Boundary treatments scheme (BE22);
7. Tree protection measures (BE1 and GE27);
8. Breeding birds protection (GE21);
9. Details of bat and bird boxes (GE21);

10. Hours of construction (BE1);
11. Submission of a Construction Management Plan (Highways) (BE1);
12. Drainage strategy (PR16); and
13. Submission of details of future lighting (BE1 and GE21).

DEV56 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS

The Board was advised that a matter had arisen which required immediate attention by the Board (Minute 57 refers). Therefore, pursuant to Section 100 B (4) and 100 E and due to the timeframe for determination of the application, the Chairman ruled that the item be considered as a matter of urgency.

DEV57 - 15/00155/P3JPA - PROPOSED CHANGE OF USE FROM FORMER OFFICE BUILDING TO RESIDENTIAL (USE CLASS C3) CREATING 64 DWELLINGS COMPRISING 2 NO 1 BEDROOM APARTMENTS, 56 NO 2 BEDROOM APARTMENTS AND 6 NO 3 BEDROOM APARTMENTS, INCLUDING THE PROVISION OF 45 NO CAR PARKING SPACES AT GROSVENOR HOUSE, NORTHWAY, RUNCORN, CHESHIRE

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

It was noted that this application was not a full planning application and was permitted under Class J, subject to the condition that before beginning the development, the developer shall apply to the Local Planning Authority for a determination as to whether the prior approval of the authority would be required as to:

- Transport and highways impacts of the development;
- Contamination risks on the site; and
- Flooding risks on the site.

Officers advised that based on the above considerations the proposal was acceptable subject to the attachment of a condition which secured the submission of precise details relating to site access arrangements and parking provision and its implementation prior to the first use of the building for residential purposes.

Members considered the above matters and agreed

that the proposal was acceptable and that prior approval for change of use was required. The proposal was approved subject to a condition relating to parking provision.

RESOLVED: That the prior approval for the change of use from Class B1(a) offices to Class C3 (dwellinghouses) was required and was approved subject to a condition relating to parking provision.

Meeting ended at 7.10 p.m.

REPORT TO: Development Control Committee

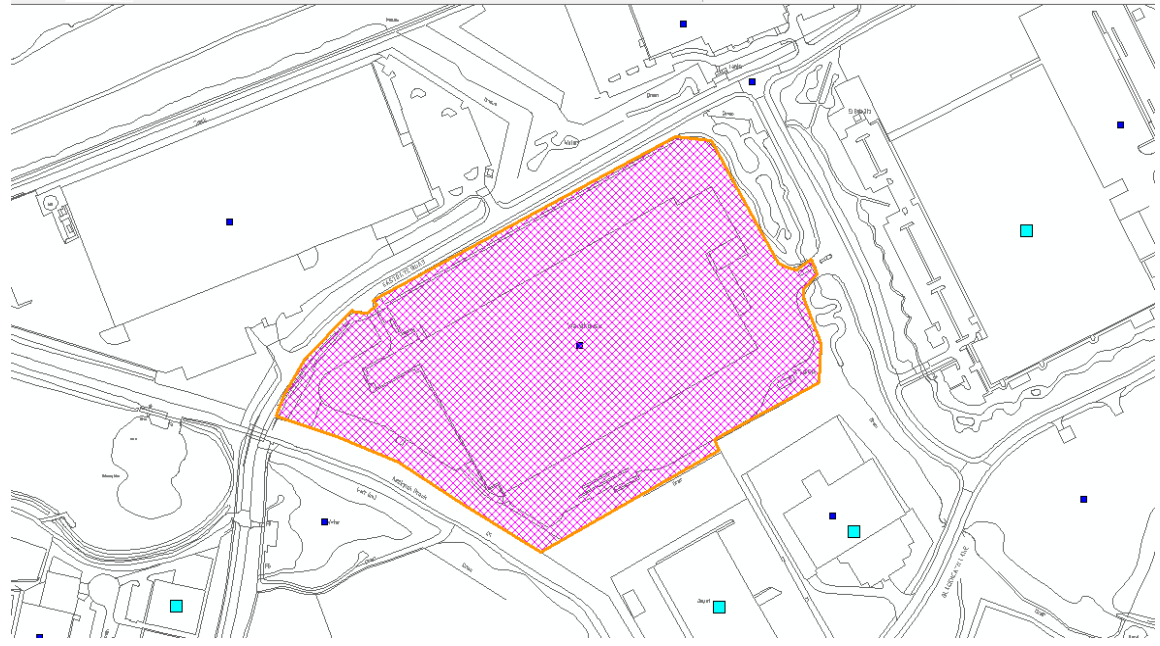
DATE: 18 May 2015

REPORTING OFFICER: Strategic Director- Policy and Resources

SUBJECT: Planning Applications to be Determined by the Committee

WARD(S): Boroughwide

Application No	Proposal	Location
15/00152/FUL	Proposed extension of existing B8 (storage and distribution) warehouse including ancillary works to hardstanding, car parking and site access.	LIDL Distribution Centre, Blackheath Lane, Manor Park, Runcorn
15/00175/FUL	Proposed single storey rear/side extension and pitched roof over existing garage (reduced in length to accommodate extension).	Number 40 Beaconsfield Crescent, Widnes
15/00138/HBCFUL AND 5/00171/HBCFUL	Proposed erection of single alley gates to either end of passageway. Proposed erection of double alley gates to either end of passageway.	Passageway between 2-16 Stanley Street and 3-15 Parker Street, Runcorn. Passageway between 44-78 York Street and 7-39 Victoria Road, Runcorn.

APPLICATION NO:	15/00152/FUL
LOCATION:	LIDL Distribution Centre, Blackheath Lane, Manor Park, Runcorn
PROPOSAL:	Proposed extension of existing B8 (storage and distribution) warehouse including ancillary works to hardstanding, car parking and site access.
WARD:	Daresbury
PARISH:	Daresbury
CASE OFFICER:	Glen Henry
AGENT(S) / APPLICANT(S):	Mr C Monkman
DEVELOPMENT PLAN ALLOCATION:	
Halton Unitary Development Plan (2005)	Primarily Employment Area
DEPARTURE REPRESENTATIONS:	No None
RECOMMENDATION:	Approve subject to objection of Environment Agency being withdrawn and subject to conditions.
SITE MAP	
	

1. APPLICATION SITE

The Site and Surroundings

Site of approximately 8.1 hectares. Site comprises the Lidl Regional Distribution Centre (RDC), car parking, access routes and areas of

hardstanding falling within the Manor Park Employment Area. The site is fronted by Eastgate Road and Blackheath Lane to the north and east. Green Wood lies to the south.

Planning History

None directly relevant.

Background

Full planning consent is sought for the development of the site in order to allow Lidl to expand their warehouse and distribution operations to meet growing consumer demand across the North West and North Wales, which the RDC serves. Most notably, the additional floorspace will assist Lidl in the storage of frozen goods. The proposed works will allow Lidl to continue operating at the site without need for relocation and it is expected that the additional floorspace and proposed alterations will secure the existing 310 full and part time jobs and generate 25 new jobs.

2. THE APPLICATION

Proposal Description

This application seeks full planning permission for an 'extension to existing B8 (Storage and Distribution) warehouse including ancillary works to hardstanding, car parking and site access'.

The following works are proposed as part of this planning application:

- An extension to south eastern corner of the RDC forming a new freezer storage chamber and associated buffer rooms. This will provide an additional 2,741sq.m floorspace.
- A new single-storey refrigeration plant room and enclosure alongside cat ladder access to a new flat roof and roof mounted refrigeration units. This will adjoin the proposed extension at the southern elevation of the RDC and will provide 203sqm floorspace.
- Erection of a flat roof over a new container platform extending from under the eaves of the main warehouse at its north eastern corner including new/extended finger docks. A new access ramp will also be provided.
- External alterations to the existing pedestrian access to the waste management area and cold hall platform.
- An extension to the existing substation with a new concrete pad foundation.
- Construction of a new external fire egress staircase including the removal of four car parking spaces.

- Existing blue external cladding panels to be replaced with new panelling to match existing.
- Existing office windows will be removed and replaced.
- A new T-junction in lieu of the existing roundabout with revised vehicle priorities including alterations to the existing road layout, kerb lines, speed humps, turning radii, lamp posts and fire hydrants. Proposed works will entail new, white line demarcation, directional signage, road markings, yellow lining indicating pedestrian circulation route, zebra crossing, wheel guides, trief kerbs, pedestrian bollards, vehicular bollards.
- The 16 HGV parking bays opposite the entrance will be relocated to the southern boundary. There is also room for an additional single HGV space at the southern boundary. The proposed relocation and additional single HGV space will result in the loss of the existing redundant fuelling area.
- The fixing/ relocation of 4 external storage containers to be located adjacent to the new HGV spaces.

Documentation

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

3. POLICY CONTEXT

National Planning Policy Framework

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

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

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

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

Halton Unitary Development Plan (UDP) (2005)

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

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

Unitary Development Plan

- BE1 General Requirements for Development
- BE2 Quality of Design
- GE21 Species Protection
- PR16 Development and Flood Risk
- E3 Primarily Employment Areas
- E5 New Industrial and Commercial Development
- TP6 Cycling Provision as part of New Development
- TP12 Car Parking

Halton Core Strategy (2013)

- CS1 Halton's Spatial Strategy
- CS2 Presumption in Favour of Sustainable Development
- CS18 High Quality Design
- CS19 Sustainable Development and Climate Change
- CS23 Managing Pollution and Risk

Joint Waste Local Plan 2013

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

Relevant SPDs

Design of New Commercial and Industrial Development SPD is of particular relevance

4. CONSULTATIONS

HBC Highways– No Objection in principle

HBC Open Spaces – No Objection in principle

Environment Agency – Objection due to absence of an acceptable Flood Risk Assessment (FRA). This issue is addressed later within this report.

5. REPRESENTATIONS

None to report.

6. ASSESSMENT

Principle of Development

The main structure of the RDC encompasses an ancillary B1 (office) use, however the majority of floorspace is occupied by a B8 (storage and distribution) use. The B8 use comprises of a large warehouse area, waste management area, charging station, chillers and racking areas. In total the RDC has a gross internal floor area of 37,996sq.m, of which 36,061sq.m is provided by the warehouse and 1,935sq.m is office floorspace. A small substation, plant and gas metre cupboard are also clustered together at the south side of yard. In terms of appearance, all new structures proposed on site will be designed to match the existing external finish of the RDC. Furthermore, all works are to be carried out whilst the RDC is kept operational.

The site lies entirely within an area designated as a Primarily Employment Area in the Halton Unitary Development Plan. In accordance with saved UDP Policy E3 the principle of development falling within use class B8 with ancillary B1 uses is therefore considered acceptable in principle. The proposed works will allow Lidl to continue operating at the site without need for relocation and it is expected that the additional floorspace and proposed alterations will secure the existing 310 full and part time jobs and generate 25 new jobs. It is considered that significant weight can be given to the merits of the scheme in terms of job protection and creation for the local area.

Design and Character

The overall layout has been determined to maximise the efficiency of the operations based on LIDL's operational requirements.

The design of the proposed extension is considered to be suitably in-keeping with the remainder of the warehouse. The elevations will be faced with a coloured metal cladding and the curved roof over the main warehouse will be extended over the proposed extension. The roof will be coated with a dark grey PVC single membrane system with new domed skylights, all to match the existing. The existing 'Lidl' sign will be repositioned from its existing siting to the new extension. The existing container platforms will be extended and covered by a new flat roof under the eaves of the main warehouse with 4 skylights installed in the roof. The pallet of materials and colours used to finish the proposed features are designed carefully to match the existing warehouse. The extension to the generator room and other alterations have all been designed to match and harmonise with the existing.

Despite a relatively large scale extension and other widescale external alterations it is not considered that the appearance of the existing RDC will be

significantly affected by the proposed works as the proposed extensions and external works will be viewed in the context of an existing substantial storage and distribution centre.

As such the proposed works are considered to accord with the with saved UDP Policies E5 and BE2, Core Strategy Policy CS18 and the guidance set out in the Design of New Commercial & Industrial Development SPD (2006).

Highways, Parking and Servicing

The application is supported by a detailed technical note to review staff numbers and parking, to ensure that the revised site layout provides sufficient parking to accommodate staff and HGVs both currently and in the future.

This concludes that staff vehicle parking will marginally reduce as a result of the development work, and HGV parking will increase slightly. Both changes are relatively minor and considered insignificant in the context of the wider facility. Accounting for an increase in staff numbers, the surveys demonstrate that even at maximum demand, there will be ample car parking provision on site.

With regards to staff travel patterns, 40 cycle stands are available for staff along with associated facilities such as showers and locker rooms. Approximately 20 members of staff are known to travel by bicycle to the site on a daily basis. As part of the proposed works, renovation of the existing showers, lockers and changing rooms will take place, thus potentially further encouraging cycling as a sustainable mode of transport to the distribution centre.

On this basis, and having regard to the proposed layout alterations it is considered that adequate provision can be made for highway circulation, servicing and parking and the Council's Highways Engineers raises no objection.

Ecology

The application submission includes a Phase 1 Ecological Appraisal. This report is based on fieldwork undertaken in February 2014 which included a desk study and site walkover. The site is assessed as having a low nature conservation value. The impact of development on all the species identified in the appraisal, including Water Vole, is considered to be low.

Although the impact on Great Crested Newt is assessed as being low, they are considered the only protected species potentially at risk from the proposed works. Although the pond located just outside the north east corner of the site has not been subject to a formal Habitats Suitability Index assessment, its physical features indicate that it could be a suitable breeding site. It is therefore suggested that Reasonable Avoidance Measures are implemented in the form of Temporary Amphibian Fencing during

construction. This can be secured through an appropriately worded planning condition.

The Council's Open Spaces Officer has confirmed that the proposed reasonable avoidance measure of a length of temporary amphibian fencing to be erected just outside of the boundary fencing is acceptable. He also confirms that the surrounding network of ponds and ditches is known to support a population of water voles however we do not have any recent recordings of Water Vole activity in the area adjacent to the current proposal. The effect of the proposed development on Water Vole, if they were present, is considered to be minimal.

Flood Risk

The majority of land within the Manor Park Industrial Estate, including the application site, lies within Zone 3a and 3b on Halton Borough Council's Strategic Flood Risk Assessment Map (2011) and the Environment Agency's Flood Zone Map. Given that the site is considered to be at a high risk of flooding a Flood Risk Assessment has been submitted with this application.

The Environment Agency has confirmed their opinion that the current FRA is not considered to comply with current requirements and, in particular, that it fails to demonstrate what impacts any loss of floodplain will have on flood risk elsewhere.

It is considered that this objection is likely to be resolved by way of update to the FRA which is underway and therefore capable of resolution. In order to avoid unnecessary delay in determining the planning application it is requested that authority be delegated to the Operational Director – Policy, Planning and Transportation in consultation with the Chair or Vice Chair of the Development Control Committee to approve the application subject to formal confirmation that the Environment Agency withdraws its objection and subject to any additional conditions they request. Members will be updated orally of any progress at the Committee.

Waste Prevention/Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, a construction management plan will deal with issues of this nature and based on the development cost, the developer would be required to produce a Site Waste Management Plan. In terms of waste management, the application includes provision for the better management of waste within the site and it is considered that there is sufficient space for the storage of waste including separated recyclable materials as well as access to enable collection.

7. Discussion and Conclusions

The review of the National Planning Policy Framework shows that there is a real focus on the need for sustainable economic development. National policy

is clear that there should be a presumption in favour of sustainable development, that economic growth is a high priority and that planning should encourage sustainable growth.

The site is currently occupied by Lidl UK GmbH Regional Distribution Centre (RDC). The majority of the RDC comprises a B8 land use whilst the remainder provides ancillary B1 (office) use. Lidl currently employs 220 members of staff in the warehouse and 90 members of staff in its offices. Securing planning consent for the application proposals is predicted to generate 25 jobs at the site and would make more efficient use of the site's occupied employment use.

Whilst a potential issue relating to Flood Risk has arisen through the application process and remains outstanding it is considered that this can be adequately resolved.

The scheme is considered to offer a good quality of development suited to the character of the site and the wider area. The proposed works are considered to accord with Governments policy objectives and the requirements and that the aspirations of UDP and Core Strategy policy and the Design of New Commercial and Industrial Development SPD are met.

8. **RECOMMENDATIONS**

(a) Approve subject to the Environment Agency confirming that they withdraw their objection and:

(b) Conditions relating to the following:

1. Standard 3 year permission (BE1)
2. Condition specifying plans (BE1)
3. Materials condition, requiring building and hardsurfacing materials to match the existing building/ hardsurfacing or in accordance with details submitted to and agreed in writing (BE2)
4. Submission and agreement of a scheme of temporary amphibian fencing (GE21)
5. Submission and agreement of a Construction Environmental Management Plan including wheel cleansing facilities (BE1)
6. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
7. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
8. Any additional conditions recommended by the Environment Agency (PR16/ CS23)

(c) That if the objection of the Environment Agency is not withdrawn within a reasonable period of time, authority be delegated to the Operational Director – Planning and Transportation in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.

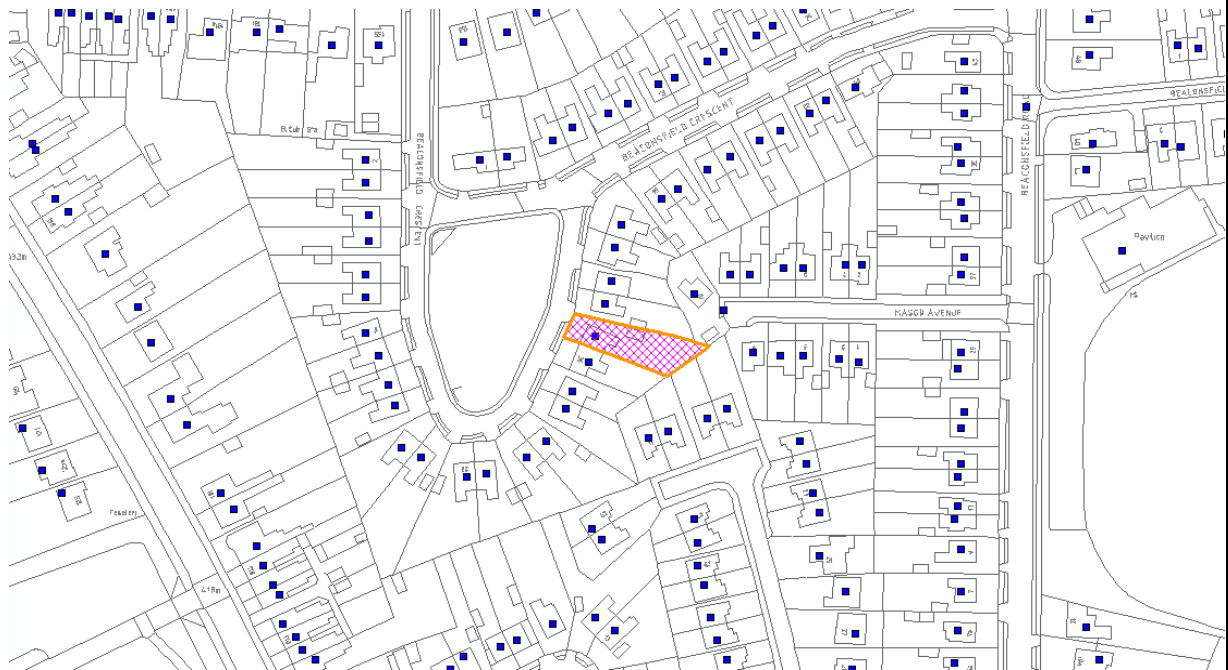
9. SUSTAINABILITY STATEMENT

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:	15/00175/FUL
LOCATION:	40 Beaconsfield Crescent, Widnes
PROPOSAL:	Proposed single storey rear/side extension and pitched roof over existing garage (reduced in length to accommodate extension)
WARD:	Farnworth
PARISH:	None
CASE OFFICER:	Adam Brennan
AGENT(S) / APPLICANT(S):	Glen Henry 40 Beaconsfield Crescent Widnes Cheshire WA8 9HP
DEVELOPMENT PLAN ALLOCATION:	Halton Unitary Development Plan (2005) National Planning Policy Framework (2012) House Extensions SPD (2007)
DEPARTURE REPRESENTATIONS:	No
KEY ISSUES:	No objections Impact on neighbours Access to rear
RECOMMENDATION:	Approve

SITE MAP

1. APPLICATION SITE

1.1 The Site

The application site relates to a semi-detached dwelling on Beaconsfield Crescent in the Farnworth area of Widnes. The dwelling is located in the middle of a row of semis within a large cul-de-sac (see location plan). The application proposes the demolition of an existing small extension and the erection of a wider extension, which wraps around to the side, in its place. Both immediate neighbours have extended to the rear.

2. THE APPLICATION

2.1 The Proposal

The application proposes the demolition of an existing small extension and the erection of a wider extension, which wraps around to the side, in its place. Both immediate neighbours have extended to the rear. The existing detached garage is to be part demolished to accommodate the extension.

2.2 Documentation

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

2.3 History

No relevant planning history.

3. POLICY CONTEXT

3.1 National Planning Policy Framework

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

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

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

adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF; or specific policies within the NPPF indicate that development should be restricted.

3.2 Halton Core Strategy (2012)

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

3.3 Halton Unitary Development Plan (UDP) (2005)

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

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

3.4 Household Extensions SPD

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

4. CONSULTATIONS

4.1 Highways

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

5. REPRESENTATIONS

There have been no representations received for this application.

6. ASSESSMENT

6.1 Policy - Single Storey Rear Extension

Part 6 of the House Extensions Supplementary Planning Document, which relates to rear extensions states that:

- An extension will not normally be allowed if it projects more than a 45 degree line from the middle of the nearest affected neighbouring window or exceeds a maximum of 4 metres.
- To comply with the 45-degree code, extensions should be designed so as not to cross the 45-degree line from the neighbours nearest habitable room (living, dining, conservatory or bedroom) window. The 45-degree line shall be drawn in the horizontal plane, and taken from the middle of the neighbour's window. The line will show the maximum width and / or depth that a proposed extension can build up to avoiding obstruction from light or views.

- The council when assessing single storey rear extension will consider the impact on the neighbouring property and take into account differences in land levels.
- The council will also take into consideration the height of a proposed extension when assessing an application.

Due to the extensions at neighbouring properties, the 45 degree rule is complied with. The projection of 4.6m is deemed to be acceptable as the impact on neighbours is minimal. The height is deemed to have minimal impact on the neighbouring property and harmonises well with the existing property. The extensions siting is deemed acceptable.

The side element does not compromise parking or access due to its minimal projection from the side elevation. The side element is not deemed to detrimentally impact on number 42. There are no issues with the proposed extension, as it complies with the guidance set out in the SPD.

6.2 Design in relation to existing dwellings

The proposed extensions are deemed to be of a size, which is acceptable to the application property. The materials to be used will need to match or closely harmonise with the existing in terms of colour. This can be secured by a condition. The design of the extension is complementary to the existing, and is not deemed to detract from the original character of the house. The design of the extension is deemed to complement the existing dwelling and deemed acceptable.

6.3 Amenity of neighbours

Given the location of the proposed extension in relation to neighbouring properties, it is considered that light would not be significantly restricted to the detriment of residential amenity. In terms of privacy, the rear extension would have ground level windows in the elevation, facing out into the rear garden. The proposed windows on ground floor level are not deemed to impact the privacy of surrounding residents. It is considered that the extension would not significantly compromise privacy to the detriment of residential amenity.

The extensions at neighbouring properties significantly reduce the impact of this proposal on neighbouring properties. There have been no neighbour objections to the proposal.

6.4 Summary and Conclusion

In summary, the proposed extension does not have a detrimental effect on the character and appearance of the original house or the streetscene, as it is set away towards the rear of the property. It is deemed that the design is of good quality and the extension does not compromise residential amenity due to its siting in relation to neighbouring properties. Therefore, the proposal is deemed acceptable.

7. RECOMMENDATIONS

Grant planning permission subject to conditions.

8. CONDITIONS

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

9. SUSTAINABILITY STATEMENT

As required by:

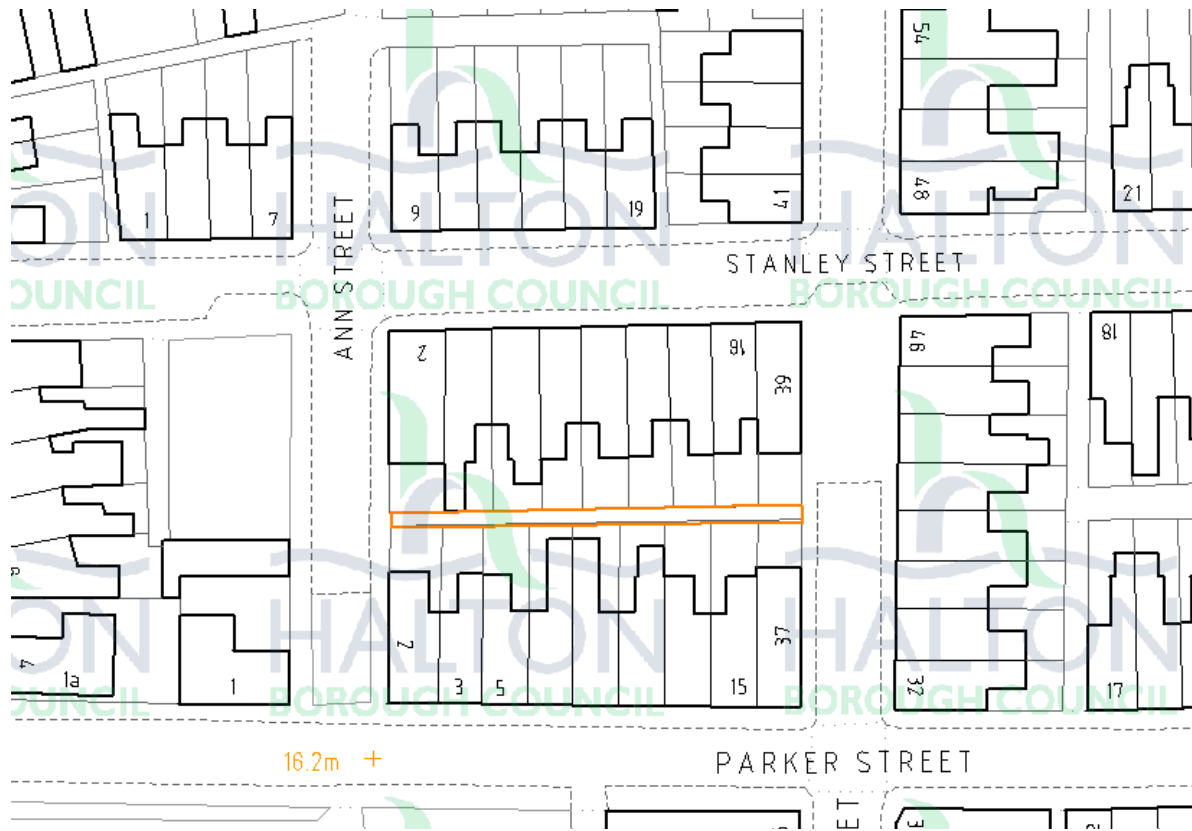
- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) (Amendment No.3) Order 2015; and

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 NOS:	15/00138/HBCFUL and 15/00171/HBCFUL
LOCATIONS:	15/00138/HBCFUL - Passageway between 2-16 Stanley Street and 3-15 Parker Street, Runcorn. 15/00171/HBCFUL - Passageway between 44-78 York Street and 7-39 Victoria Road, Runcorn.
PROPOSALS:	15/00138/HBCFUL - Proposed erection of single alley gates to either end of passageway. 15/00171/HBCFUL - Proposed erection of double alley gates to either end of passageway.
WARD:	Mersey
PARISH:	N/A
CASE OFFICER:	Rob Cooper
AGENT(S) / APPLICANT(S):	Halton Borough Council
DEVELOPMENT PLAN ALLOCATION:	Halton Unitary Development Plan (2005) Primarily Residential Area
DEPARTURE	No
REPRESENTATIONS:	One objection to 15/00171/HBCFUL
RECOMMENDATION:	Approve subject to Conditions.

SITE MAP

15/00138/HBCFUL



15/00171/HBCFUL



1. APPLICATION SITE

1.1 The Sites and Surroundings

15/00138/HBCFUL - Passageway between 2-16 Stanley Street and 3-15 Parker Street, Runcorn

15/00171/HBCFUL - Passageway between 44-78 York Street and 7-39 Victoria Road, Runcorn.

1.2 Planning History

There is no recent relevant planning history.

1.3 Background

The Executive Board gave approval for the implementation of a pilot alley gating scheme on 7th December 2000. Permission was granted in February 2001 (00/00771/HBC) for a small pilot scheme, which was later implemented, and a number of further permissions were then granted across the borough. New legislation (The Clean Neighbourhoods and Environment Act 2005) made new powers available, through the making of Gating Orders, to close alleyways without removing highway rights. In response to this, on 21st June 2007, the Executive Board adopted a policy on alleygating. It was resolved that 'the policy that requires all future proposed alleygates on public highways (which can include Public Rights of Way) to be supported by a Gating Order, made under the provisions of Section 129A of the Highways Act 1980 be adopted'.

However, as this has proven difficult to implement in practice, a more flexible policy was approved by the Executive Board on 31st March 2011, to allow the expectations, experience and views of the Community and Members to be better accommodated.

2. THE APPLICATION

2.1 Proposal Description

Permission is sought for the erection of the gates at the entrance of the passageways at the above locations following successful completion of earlier schemes.

15/00138/HBCFUL would consist of a single 1m wide gate, 2.1m in height alley gates, including a roll bar on top.

15/00171/HBCFUL would consist of double gate either end of the passageway, approximately 3m wide and 2.1m in height alley gates, including a roll bar on top.

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, previously NPPG) to complement the National Planning Policy Framework (NPPF).

3.2 Halton Unitary Development Plan (UDP) (2005)

The site lies entirely within a Primarily Residential Area.

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

3.3 Unitary Development Plan

BE1 General Requirements for Development
BE22 Boundary Walls and Fences

3.4 Halton Core Strategy (2013)

Policy CS13 Affordable Housing is of particular relevance.

3.5 Relevant SPDs

The "Design for Community Safety" SPD is also of relevance.

4 CONSULTATIONS

4.1 HBC Highways– No objections received.

5 REPRESENTATIONS

Planning application 15/00138/HBCFUL received no representations.

Planning application 15/00171/HBCFUL received one objection from the residents of no. 23 Victoria Road. The reason for the objection is that the objector's husband is disabled and uses the passageway as access for his mobility scooter to the rear of his house. The resident only has use of one arm and would find having to open the gates difficult. The objector has also raised concern in relation to the condition of the passageway and other residents leaving bins in the entry.

The applicant is aware of the objector's concern, and will be looking into how the gates locking mechanism can be made to open more easily, i.e. looking into whether a push bar system would be feasible.

With regards to the residents' concerns over the condition of the passages way and the bins being left out, the resident's letter has been forwarded on for the attention of the waste department to investigate.

6 ASSESSMENT

6.1 Justification for the Scheme

Gating of alleyways or "alleygating" has proved to be a very successful crime prevention measure in other areas contributing to reduced burglaries, criminal damage, graffiti and vandalism. The gates can furthermore act as a deterrent to fly tippers, limit dumping and associated litter nuisance.

To be an effective crime prevention measure, gates need to be of sufficient size and structure. Planning permission is required where an enclosure in excess of one metre in height fronts onto a highway.

The advantages offered by a Council supported scheme include:

- Preventing crime;
- Reducing litter/fly tipping;
- Improving the local environment; and
- Supporting residents through the Council continuing to maintain responsibility for the highways

The proposed gates are approximately 2 metres high, dark green in colour, and designed to be in keeping with others in the area. The design and appearance is considered to be acceptable.

6.2 Legal Issues

The Council presently maintains all the alleyways under consideration. Prior to the Gating Order Legislation introduced by the Clean Neighbourhoods and Environment Act 2005, if the alleyways were formally stopped up or closed the

highway rights would be removed. This would mean that liability for the maintenance and upkeep of the alleyways would fall upon the individual adjoining landowner.

Members also need to be aware that the legal position is complicated by the fact the Council has conflicting duties, on the one hand to do all that it reasonably can to prevent crime and disorder in its area and on the other hand it has a duty to prevent, as far as possible, the stopping up or obstruction of any highway for which it is responsible. It is recognised that:

- There will always be highways which the Council can never allow to be gated whatever the level of crime and disorder because of the over-riding importance of maintaining unimpeded access.
- Alleygating should not be allowed as a “quick fix” for problems which are unrelated to highways

Where evidence exists to justify gating orders to be made the provisions of Section 129A Highways Act 1980, regarding Gating Orders, should apply.

The policy adopted by the Executive Board in March 2011 is likely to result in some gates being erected with Gating Orders and some without. In either event the highway status would remain, but in the case of the latter the Council would support the schemes by resolving not to exercise its discretion to institute proceedings in relation to the encroachment constituted by the gates.

7 CONCLUSIONS

Building safer communities is a priority objective for the Council. The alley gating schemes have the potential to reduce crime, improve the environment, strengthen local communities and enhance social well-being. The gates are not felt to be intrusive and it is felt can be justified as a crime prevention measure. The proposals are therefore recommended for approval.

8 RECOMMENDATIONS

Approve both planning applications 15/00138/HBCFUL and 15/00171/HBCFUL subject to the following conditions:

1. Standards time limit for implementation
2. List of plans
3. Requiring colour coating Dark Green BE22.

9 SUSTAINABILITY STATEMENT

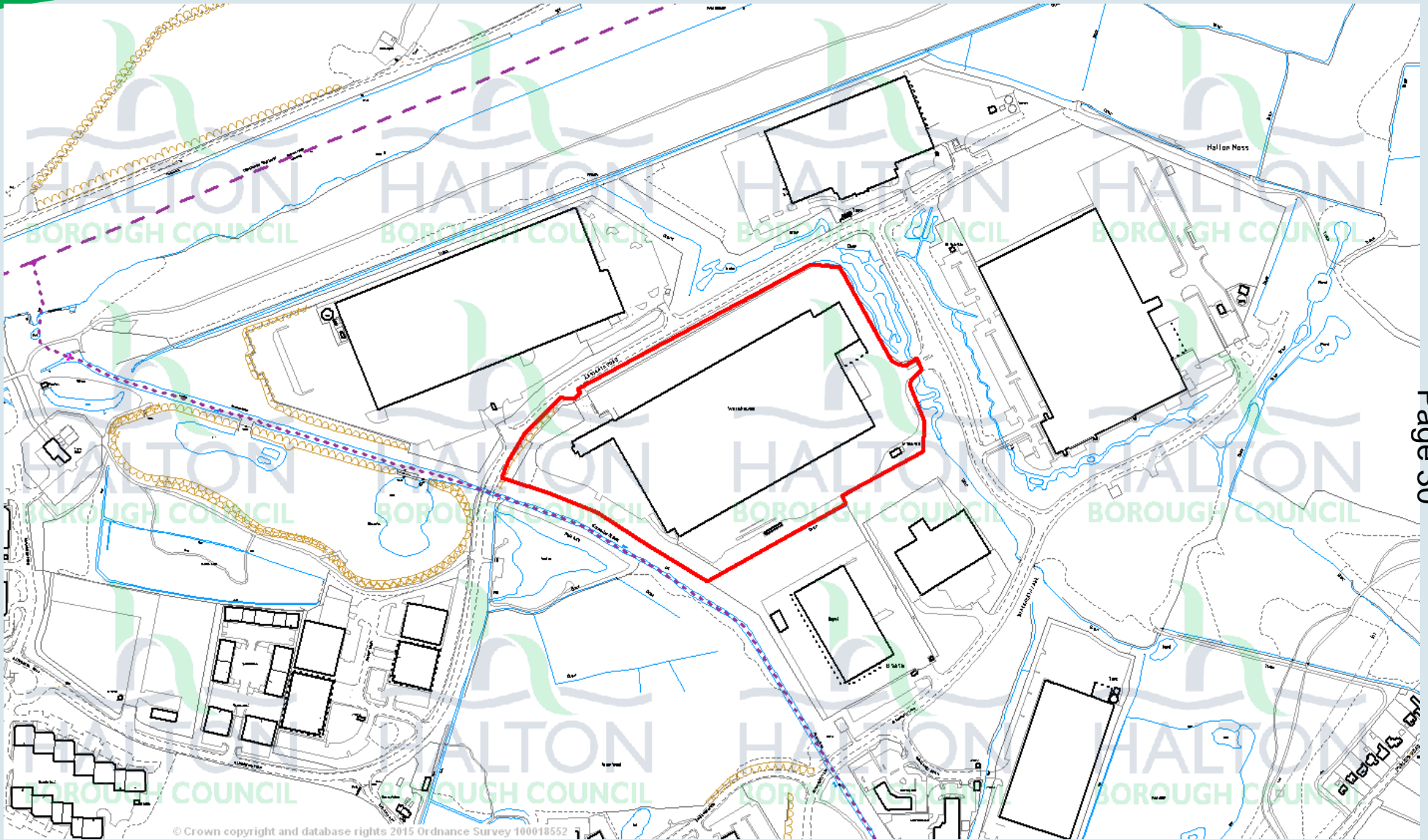
As required by:

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

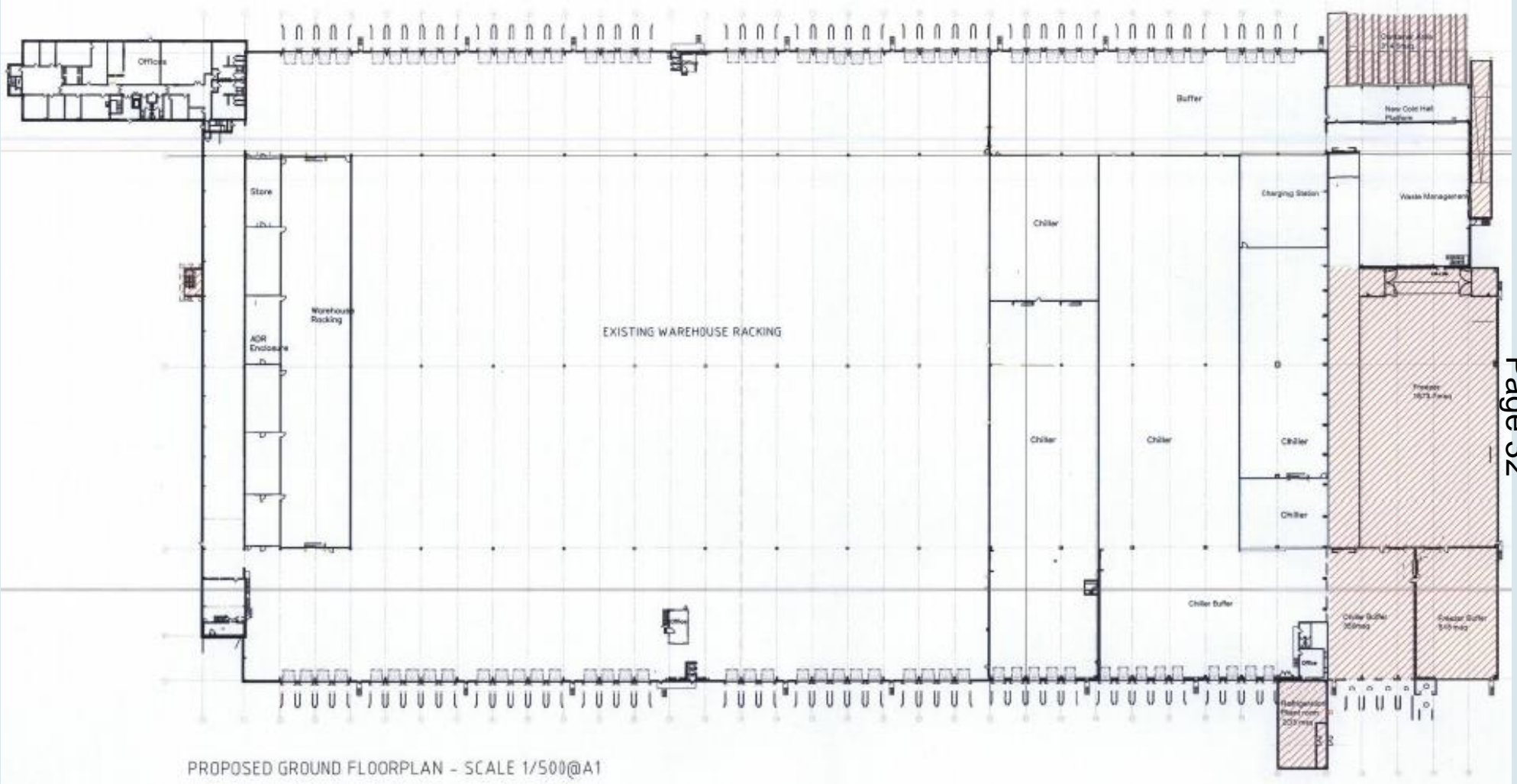
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012.

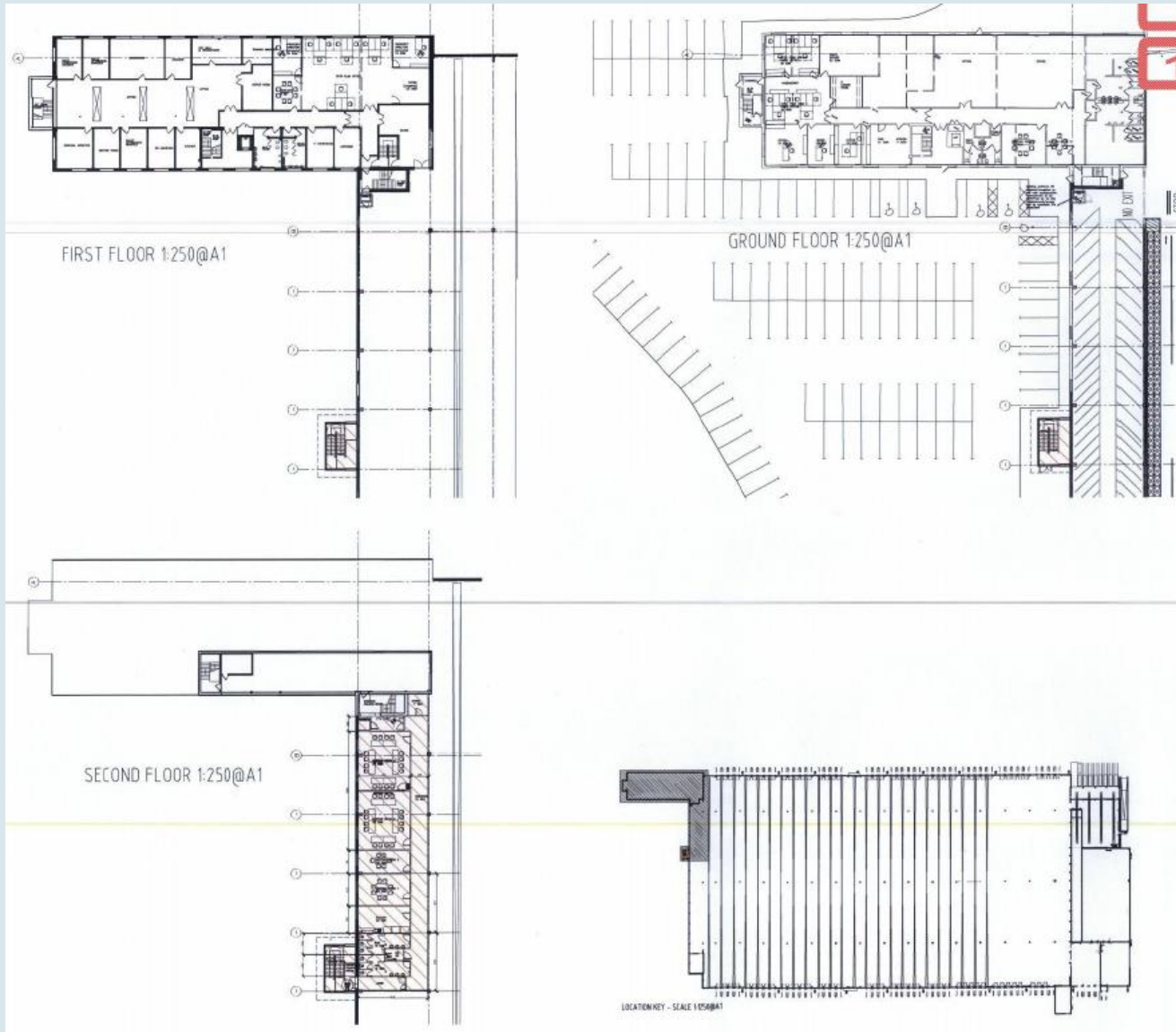
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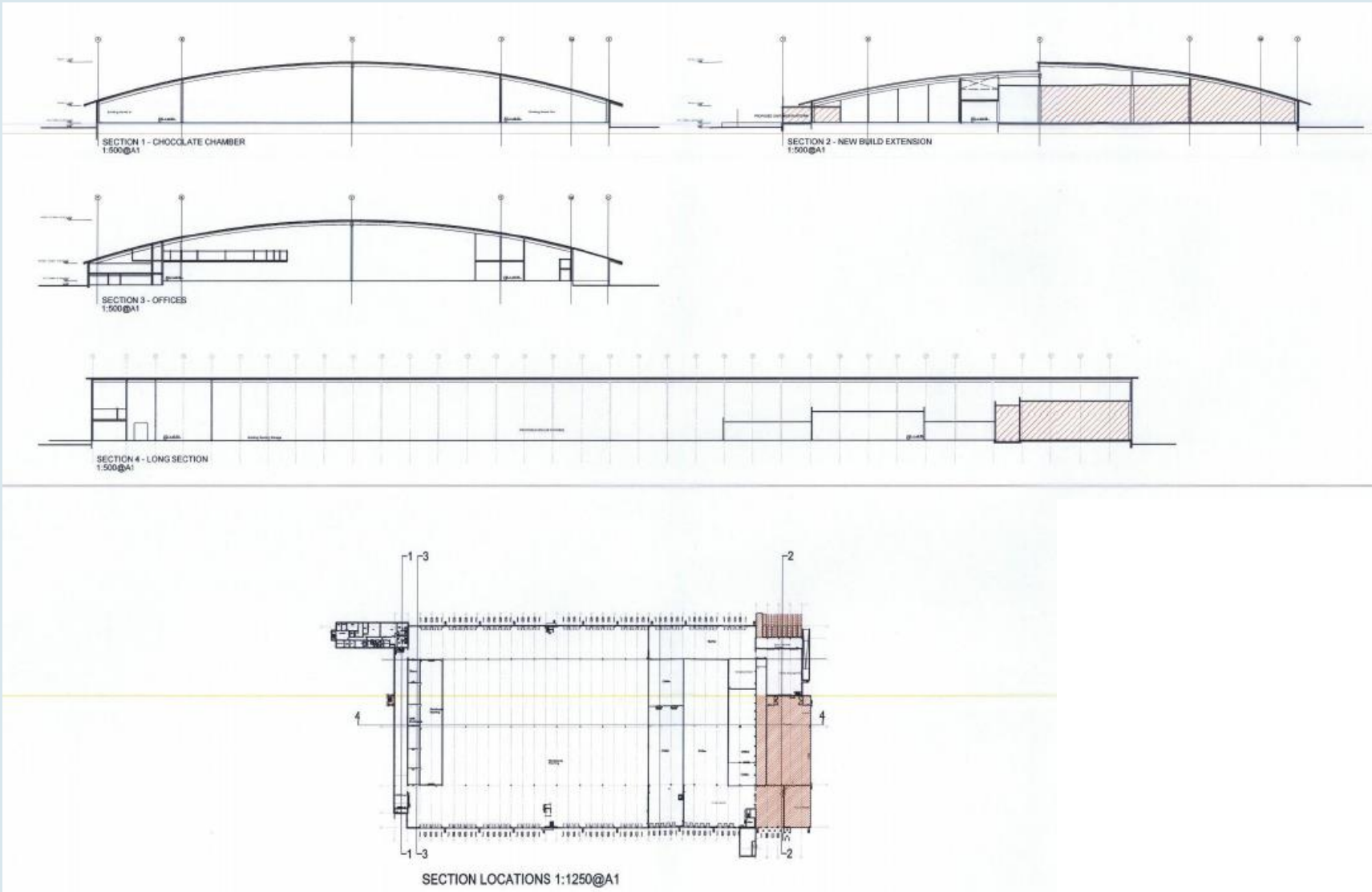


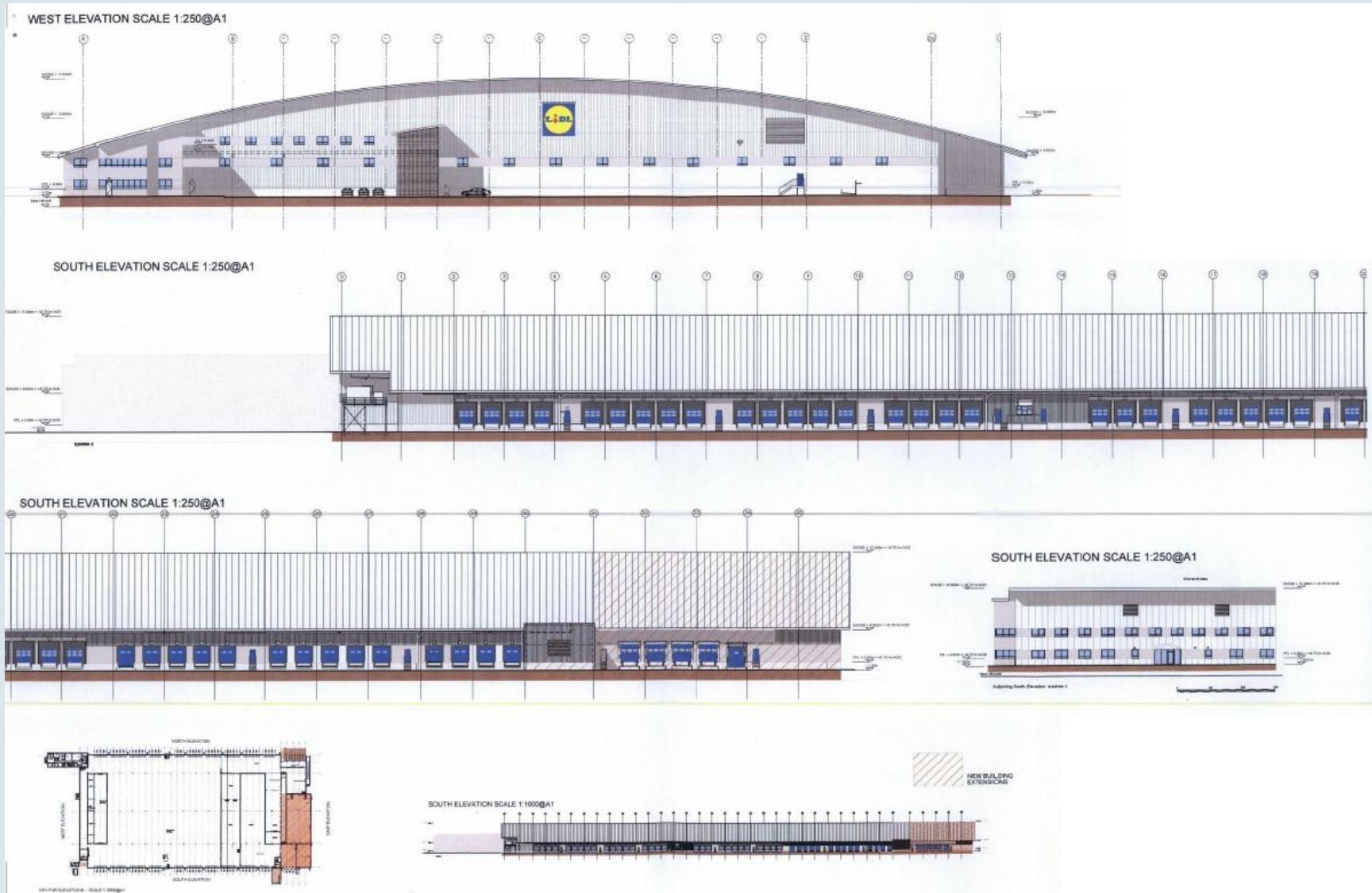


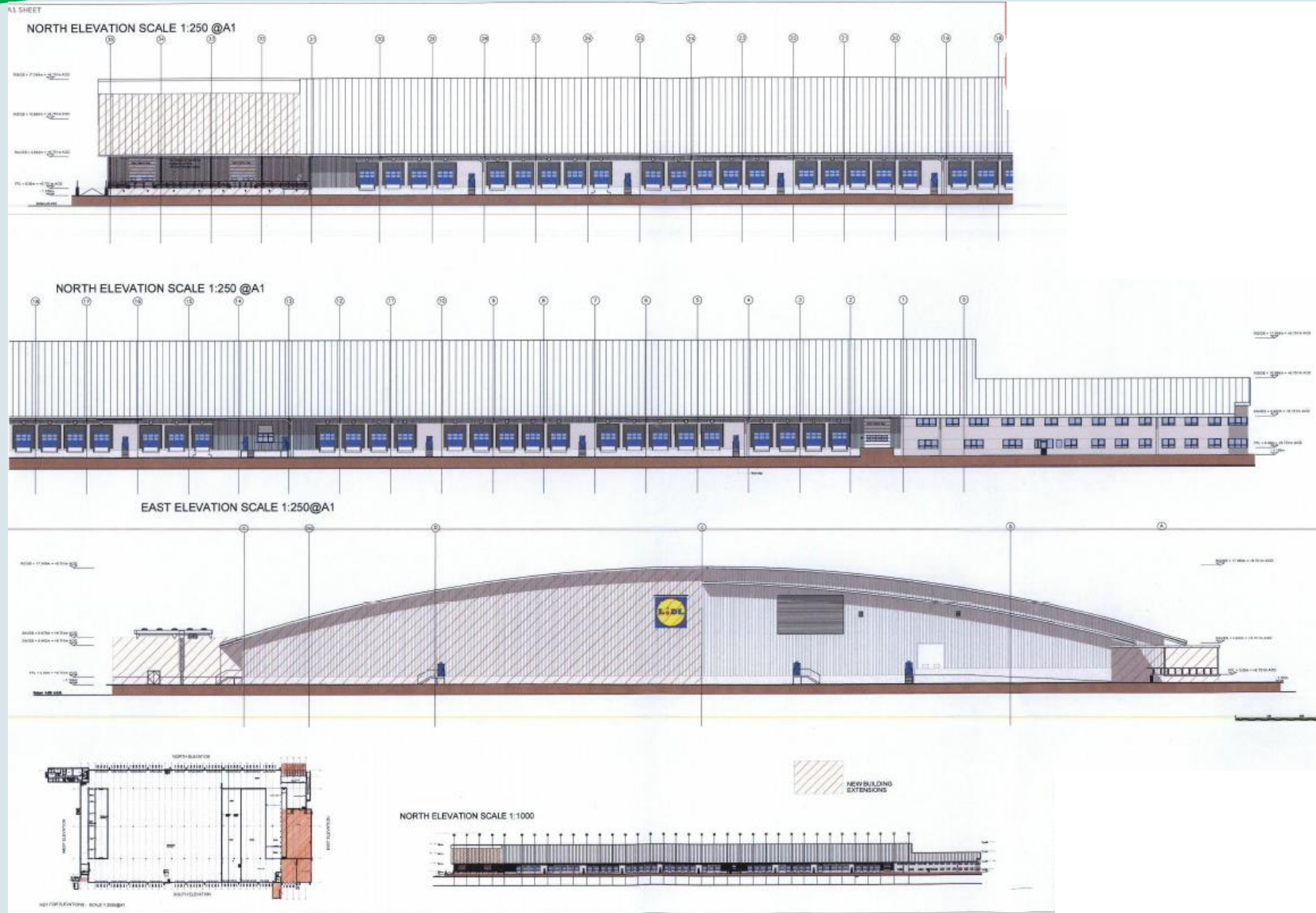






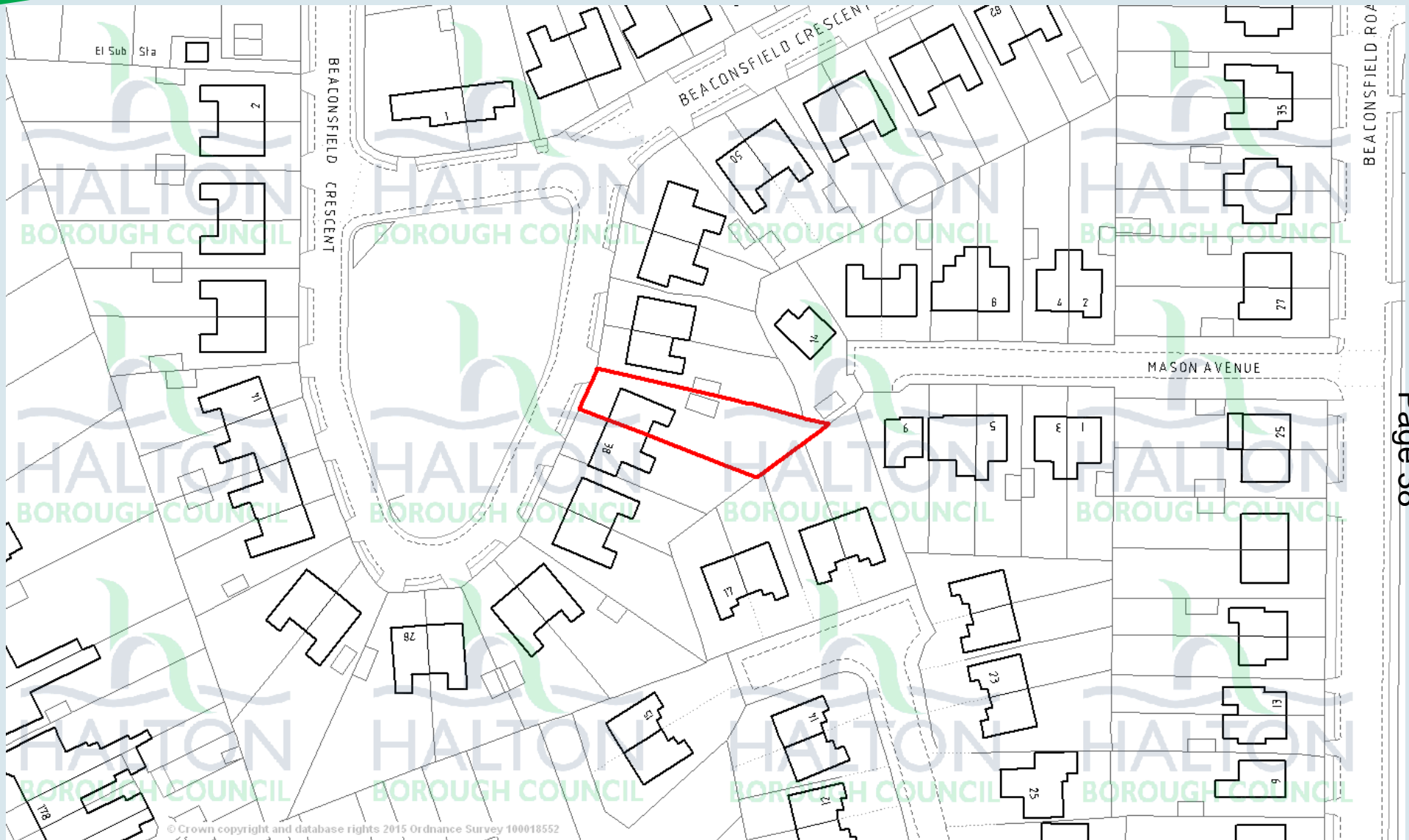




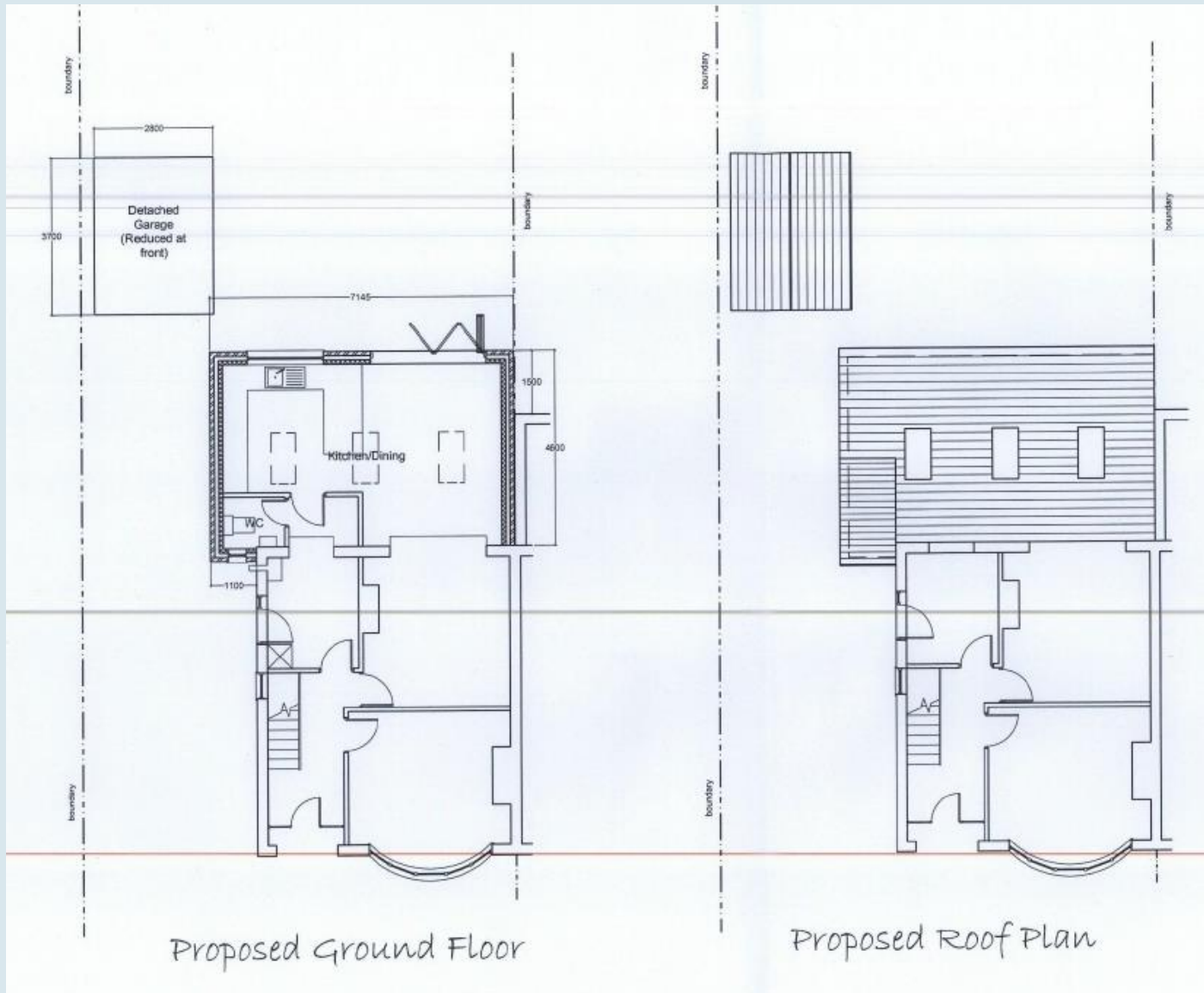




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