

Public Document Pack



Development Control Committee

Monday, 7 March 2016 6.30 p.m.
Civic Suite, Town Hall, Runcorn

A handwritten signature in blue ink, appearing to read 'David W R', is positioned above a rectangular stamp area.

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Paul Nolan (Chairman)
Councillor Keith Morley (Vice-Chairman)
Councillor John Bradshaw
Councillor Arthur Cole
Councillor Ron Hignett
Councillor Stan Hill
Councillor Carol Plumpton Walsh
Councillor June Roberts
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 Tuesday, 12 April 2016*

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

Part I

Item No.	Page No.
1. MINUTES	1 - 7
2. DECLARATIONS OF INTEREST	
<p>Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting prior to discussion and voting on the item.</p>	
3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	8 - 112

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, 8 February 2016 at The Board Room - Municipal Building, Widnes

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

Apologies for Absence: None

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: 4 members of the public

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

DEV29 MINUTES

The Minutes of the meeting held on 11 January 2016, having been circulated, were taken as read and signed as a correct record.

DEV30 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.

To avoid any allegation of bias in the following item Councillors Nolan and Morley (Chairman and Vice Chairman) left the room during debate and took no part in the vote as they were both patients at the applicant's surgery which was the subject of the application. The Chairmanship for this item was delegated to Councillor Thompson.

DEV31 - 15/00343/FUL - PROPOSED CONSTRUCTION OF TWO STOREY MEDICAL CENTRE INCORPORATING PHARMACY AND CAR PARKING ON LAND OPPOSITE MOTHERWELL CLOSE, LANARK GARDENS, WIDNES

Action

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

It was reported that a re-consultation had been carried out with neighbouring residents on the amended car parking layout. One representation was received raising concerns in relation to the proposed access onto Lanark Gardens, suggesting that it should be from within the Local Centre site. A previous representation was received from a resident in Lanark Gardens raising similar concerns over cars and bikes speeding in the area. It was reported that the Council's Highways Engineer has already been consulted and was satisfied that the access was acceptable.

Members discussed the parking provision and raised concerns that it fell short of what was required for this development. It was confirmed that the Local Centre car park could be used for the overspill, however as this was a private car park there was no guarantee of this as there was no undertaking from the car park owner that he would allow this. Members' concerns were noted and officers advised that a redesign of the building or car parking areas was unlikely to improve the situation due to lack of space.

The Committee agreed to approve the application subject to the conditions mentioned below.

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

1. Standard condition relating to timescale and duration of the permission;
2. Condition listing approved plans (BE1, BE2);
3. Submission of materials (BE2);
4. Details and provision of secure cycle parking (TP6);
5. Access and parking/layout, cycle parking provision (BE1);
6. Details of final drainage scheme (BE1);
7. Condition(s) for full details of hard and soft landscaping, and maintenance (BE1);
8. Conditions specifying construction hours and hours of deliveries for building material (BE1);
9. Construction traffic management plan and wheel wash facilities (BE1);
10. Details of final site levels (BE1);
11. Submission and approval of bin storage details (BE1);
12. Condition relating to details of external lighting (PR4);
13. Submission of a green travel plan (TP16); and
14. Condition for the design details of the vehicular and

pedestrian access off Lanark Gardens (BE1).

In order to avoid any allegation of bias on the part of Councillor J Stockton in respect of the following item (as he knew the applicant) he did not take part in the debate and did not vote on the item.

Councillor J Bradshaw did not take part in the debate or vote on this item as he wished to address the Committee in his capacity as Ward Councillor, objecting to the application.

DEV32 - 15/00515/FUL - RETROSPECTIVE APPLICATION FOR RETENTION OF SUMMER HOUSE IN REAR GARDEN AT 55 RUNCORN ROAD, MOORE

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

It was noted that this was a retrospective application to retain the timber shed that had been constructed in the rear of the property which was a total height of 3.55m which exceeded the requirements of Class E permitted development.

The Committee was addressed by Mr Peter Rhodes, the applicant. He advised that he was not aware of the need for planning permission for the summer house. He added that to reduce the height of the building would make no difference to the neighbouring properties and the wood would mature and darken over time. He argued also that to remove the building would be costly.

Councillor J Bradshaw then addressed the Committee in his capacity as local Ward Councillor, objecting to the application. He commented that the size of the structure was well in excess of what it should be and was being used as a two storey building; one floor as a playroom and one floor for storage. He commented that the summer house was contained within a narrow garden with the apex of the roof higher than the roofline of the existing house. He passed around photographs taken from the footpath of Bridgewater Canal to show this. He also disagreed with the assessment information contained in section 6 of the report, particularly 6.1, 6.2 and 6.4.

Taking the information presented into consideration and hearing the representations, Members agreed to approve the application.

RESOLVED: That the application be approved.

DEV33 - 15/00563/OUT - OUTLINE APPLICATION, WITH ALL MATTERS RESERVED, FOR DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF UP TO 53 DWELLINGS WITH ASSOCIATED ACCESS, LANDSCAPING AND ANCILLARY WORKS AT FORMER WAREHOUSE, HALTON COURT, RUNCORN

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

Since publication of the report National Grid had requested that the contractor contact them before any works were carried out to ensure their apparatus was not affected by any of the proposed works. It was noted that this would be attached to the decision notice as an informative for the applicant. A further objection was received from a resident on Halton Court in relation to increased traffic, which was addressed in the report.

RESOLVED: That the application be approved subject to:

- a) The applicant entering into a Legal Agreement in relation to the payment of a commuted sum for offsite open space and affordable housing.
- b) Conditions relating to the following:
 1. Standard outline conditions for the submission of reserved matters applications x 3 conditions (BE1);
 2. Plans condition listing relevant drawing i.e. site location / red edge (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 materials (BE1 and CS11);
 6. Condition(s) for submission of hard and soft landscaping (BE1);
 7. Prior to commencement submission of a construction / Traffic Management plan which would include wheel cleansing details (TP17);
 8. Avoidance of actively nesting birds (BE1);
 9. Prior to commencement details of on-site biodiversity action plan for measures to be incorporated in the scheme to encourage wildlife

(GE21);

10. Prior to commencement details of a landscape proposal and an associated management plan to be submitted and approved (BE1, GE21);
11. Prior to commencement details of boundary treatments (BE22);
12. Provision of a Site Waste Management Plan (WM8); and
13. Provision of bins (WM9).

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

DEV34 - 15/00583/FUL - PROPOSED DEVELOPMENT OF A 1300 SQUARE METRE LABORATORY BUILDING AND ADDITIONAL CAR PARKING FACILITIES WITHIN THE EXISTING COLLEGE AT CRANTON SIXTH FORM COLLEGE, CRANTON LANE, WIDNES

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

Since the publication of the agenda officers advised that:

- Knowsley MBC had raised no objections;
- The College had provided further information to explain how the STEM building would be operated as detailed in the update list;
- The Council's Highway Engineers had raised no objections providing that sufficient car parking was provided to accommodate the impact on student and staff growth as a result of the new unit;
- They had requested a condition to agree an increase in the number of disabled sized spaces and cycle parking on the site to accord with the remainder of the car parking provision;
- The College was in discussions in relation to the provision of electric vehicle charging points; and
- An additional condition was recommended regarding the avoidance of nesting birds.

It was noted that the Environment Agency (EA) had been consulted in relation to the proximity of Alder Brook

which ran under the car parking areas of the site. The EA had no objection in principle to the development but stated that under the terms of the Water Resources Act 1991 and the North West Land Drainage, prior consent was required for any proposed works or structures in, under, or over to within 8 metres of the top of the bank/foreshore of the Alder Brook, designated a main river.

An additional condition was recommended in relation to Disabled parking and condition / informative in relation to nesting birds.

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

1. Time limit for implementation (BE1);
2. Drawing numbers (BE1);
3. Materials submission (BE2);
4. Submission of ground investigation (PR14);
5. Submission of a detailed surface water drainage strategy and design detailing how additional SW runoff would be attenuated and discharged (BE1);
6. Submission of plans to demonstrate that surface water run-off exceedance flow paths would not affect flood risk of adjacent properties (BE1);
7. Submission of Construction Management Plan (BE1 and TP17);
8. Submission of updated Travel Plan (TP16);
9. Foul and surface water shall be drained on separate systems (BE1);
10. Submission of a surface water drainage scheme – in accordance with comments received from United Utilities and in accordance with the Non-Statutory Technical Standards for Sustainable Drainage System (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly (BE1);
11. Disabled and cycle parking; and
12. Nesting birds.

DEV35 MISCELLANEOUS ITEMS

The following appeals had been received / were in progress:

15/00005/REFUSE – 15/00115/COU

Proposed Change of Use to residential caravan site for up to 8 caravans including the laying of hardstanding and erection

of three amenity blocks at former Ivy House Marsh Lane, off Brindley Road, Runcorn, Cheshire, WA7 1NS.

To be dealt with by way of a public inquiry (date to be confirmed).

15/00006/REFUSE – 14/00656/FUL

Proposed construction of single storey convenience store with associated car parking, landscaping and ATM machine at Wellington Hotel Car Park, 23 Town Lane, Hale, Liverpool, L24 4AG.

To be dealt with by written representation.

15/00007/REFUSE – 15/00461/FUL

Proposed single storey rear and two storey side extension at 94 Hale Road, Hale, Liverpool, L24 5RF.

To be dealt with by written representation.

Meeting ended at 7.20 p.m.

REPORT TO: Development Control Committee

DATE: 8 March 2016

REPORTING OFFICER: Strategic Director – Community and Resources

SUBJECT: Planning Applications to be Determined by the Committee

WARD(S): Boroughwide

Application No	Proposal	Location
15/00430/FUL	Proposed residential development comprising 116 dwellings, roads, open space, substation and all associated works.	Former Marley Eternity Site, Derby Road, Widnes
15/00551/FUL	Proposed development comprising 162 no. dwellings with associated access roads, landscaping and infrastructure.	Former Fairfield High School Site, Peel House Lane, Widnes
15/00552/FUL	Proposed construction of access road providing access to cemetery and housing development including landscaping.	Former Fairfield High School Site, Peel House Lane, Widnes
15/553/HBCFUL	Proposed construction of a new cemetery, access road and maintenance depot with associated infrastructure.	Former Fairfield High School Site, Peel House Lane, Widnes
15/00584/OUT	Proposed hybrid application seeking full planning permission for development comprising: Town Centre Car Park, Public House/Restaurant (Use Class A4) with ancillary managers accommodation, access roads, parking and servicing areas and landscaping and outline permission (with all matters	Land bounded by Bridgewater Canal, Daresbury Expressway and Greenway Road, Runcorn, Cheshire.

	reserved) for a commercial unit of up to 195 square metres (Use Class A1, A3, A5).	
15/00027/FUL	Proposed two storey annexe extension to existing hotel to create an additional 27 letting rooms including ancillary services, car park alterations, cycle parking and internal alterations to the main hotel to create 2 new fully accessible rooms.	Premier Inn, Chester Road, Preston Brook, Runcorn, Cheshire, WA7 3BA.

APPLICATION NO:	15/00430/FUL
LOCATION:	Former Marley eternity Site, Derby Road, Widnes
PROPOSAL:	Proposed residential development comprising 116 dwellings, roads, open space, substation and all associated works
WARD:	Farnworth
PARISH:	N/A
AGENT(S) / APPLICANT(S):	Bellway Homes Ltd
DEVELOPMENT PLAN ALLOCATION:	Primarily Employment Area
Halton Unitary Development Plan (2005)	
DEPARTURE REPRESENTATIONS:	Yes 2
RECOMMENDATION:	Approve subject to conditions
SITE MAP	

APPLICATION SITE

The Site and Surroundings

The site comprises the central part of the former Marley Eternit site fronting onto Derby Road, Widnes. The site is approximately 5.24Ha which is broadly rectangular in shape. Earlier residential development of part of the wider site by the same developer lies to the west. Land to the east has been previously cleared and remediated to make way for potential future commercial development. A public footpath and railway line run to the south of the site.

Planning History

Planning permission (12/00517/FUL) was approved for the proposed development of two retail units, a 375m² unit for A1 use class and a 93m² unit for A1, A2 or A3 use class together with associated parking, servicing and site access on part of the site fronting Derby Road. Later approval (13/00312/DEM) was given for the proposed demolition of phase one (with phase two to follow by later submission) of industrial buildings on the site.

The following planning permissions have been previously approved for the wider site:

09/00406/OUT- Proposed construction of industrial units (use class B1 and B2) and hotel (use class C1) up to 9350 sq.m. with associated roads parking and service areas and landscaping.

09/00407/FUL – Proposed residential development comprising 116 No. residential dwellings, road, open space and all associated works.

09/00493/FUL – Proposed remediation of land by demolition of existing buildings and other structures and infilling with and non-inert waste materials

13/00158/OUT – Application for new planning permission to replace extant planning permission 09/00406/OUT

THE APPLICATION

Proposal Description

The application seeks full planning permission for proposed residential development comprising 116 dwellings, roads, open space, substation and all associated works. The proposed dwellings comprise a mix of 74 three bed and 42 four bed dwellings all of which are two storey properties. The houses are predominately detached with a small number of semi-detached properties. Access is proposed from Derby Road.

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.

Paragraph 22 of the Framework states that:

“Planning policies should avoid long term protection of sites allocated for employment use where there is no reasonable prospect of the site being used for that purpose...Where there is no reasonable prospect of a site being used for allocated employment use, applications for alternative uses of land or buildings should be treated on their merits have regard to market signals and relative need for different land uses to support sustainable local communities.”

Paragraph 47 identifies a need to boost the supply of housing. In order to achieve this it advises local planning authorities to:

“Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework.”

Halton Unitary Development Plan (UDP) (2005)

The site is identified as falling within a Primarily Employment Area and Environmental Priority Area in the Halton Unitary Development Plan.

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

BE1	General Requirements for Development
BE2	Quality of Design
BE3	Environment Priority Areas
PR14	Contaminated Land;
TP6	Cycle Provision as Part of New Development
TP7	Pedestrian Improvement as Part of New Development

TP12 Car Parking
TP17 Safe Travel for All

Halton Core Strategy (2012)

CS2 Presumption in Favour of Sustainable Development;
CS3 Housing Supply and Location Priorities;
CS4 Employment Land Supply and Locational Priorities;
CS7 Infrastructure Provision;
CS12 Housing Mix;
CS13 Affordable Housing;
CS18 High Quality Design; and,
CS19 Sustainable Development and Climate Change.
CS15 Sustainable Transport;
CS20 Natural and Historic Environment;
CS21 Green Infrastructure;
CS23 Managing Pollution and Risk.

Relevant SPDs

Supplementary Planning Documents including those relating to New Residential Development, Provision of Open Space and Provision of Affordable Housing are also considered of relevance.

Joint Waste Local Plan 2013

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

CONSULTATIONS

HBC Highways– No objection
HBC Open Spaces – No objection
HBC Contaminated Land- No objection
HBC Environmental Health- No objection
United Utilities- No objection
Environment Agency- No objection
Network Rail- No objection

REPRESENTATIONS

2 letters of representation have been received in relation to the application. The principle issues raised relate to the following:

One states full support for the application as it will “improve the local area, make use of an unused brownfield site, clean up a contaminated site, and at the same time provides high quality homes that will bring economic benefit to the local area” and complement the existing adjoining Bellway development.

A further letter has been received on behalf of a developer with interest in the adjoining commercial land confirming that, whilst raising no objection, querying whether the access design was capable of accommodating likely future HGV to their site which would share the access. That access has now been remodelled in accordance with advice from the Council's Highways Engineer to accommodate such vehicles.

ASSESSMENT

The application seeks full planning permission for proposed residential development comprising 116 dwellings, roads, open space, substation and all associated works. The proposed dwellings comprise a mix of 74 three bed and 42 four bed dwellings all of which are two storey properties. The houses are predominately detached with a small number of semi-detached properties. Access is proposed from Derby Road.

The proposals are aimed at disposing of land now surplus to the Company's requirements enabling them to fund the reclamation of the contaminated sites following closure of the production facility.

Policy Considerations

All parts of the site are identified as within a Primarily Employment Area in the Halton Unitary Development Plan, which seeks to reflect its current use. The use of housing on the site therefore constitutes a departure from Halton's Development Plan. In accordance with the Development Management Procedure Order 2015 the application has therefore been advertised in the local press and by site notice, as a departure. Notwithstanding this, the proposals are not a 'notifiable departure' and, as such, are not required to be referred to the Secretary of State.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 196 of the NPPF, state that planning is a plan led system. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise.

In accordance with Core Strategy Policy CS4 the applicant has provided a statement regarding the wider employment land situation in the Borough and a housing need statement to support its application and justify why the site should be considered for housing and not safeguarded for employment use.

The identification of the application site as a Primary Employment Area is historic and reflects its previous use as a manufacturing facility. The adjoining commercial development site has been remediated and marketed with the benefit of outline planning permission but remains undeveloped.

In these circumstances paragraph 22 of the NPPF has particular significance, and therefore significant weight as a material consideration:

“Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”

The site is contaminated. The costs associated with doing so are prohibitive and it is considered that only a land use with a high value, such as residential would now be viable on the application site.

The applicant's housing supply statement confirms that the site, has the potential to make a significant contribution towards the 5 year housing land supply. The Council assesses 5 year land supply through the production of the Strategic Housing Land Availability Assessment (SHLAA). The last SHLAA was in 2012 which showed a 5 year supply. Work is ongoing on the 2015 report and based on this work, the Council considers it can demonstrate a five year land supply for housing. However, the Local Planning Authority has been monitoring the delivering of housing, shows that in the period 2010~15 the borough saw a net dwelling gain of 1,629 units, some 1,131 units behind the policy target.

The wider benefits of the overall development must be balanced as material considerations in determining applications against the designated land use. The site is identified as falling within an Environmental Priority Area in the Halton Unitary Development Plan. Policy BE3 seeks to significantly raise environmental standards in such areas and the proposals could be argued to make a potentially significant contribution in this regard. It provides an opportunity for significant improvement to the area bringing back into beneficial use areas of under-used, contaminated brown field sites in line with national, regional and local policy. Given the residential nature of surrounding land uses, particularly to the west and Derby Road frontage, the opportunity exists to enhance the character of the area through the development of quality housing. The availability of a house builder also offers the opportunity to make a significant contribution to meeting the Council's identified housing need for new dwellings.

Given the residential development that has already been established that is immediately adjacent, it is not considered reasonable to resist the residential development of the remainder of the site further on planning policy grounds. In this case it is considered that strong justification is provided that the sacrifice of such an area of potential employment land could be outweighed by the wider benefits schemes.

Design, Character and Amenity

The scheme seeks full planning permission and proposes a mix of two-storey family housing of fairly traditional brick, render and tiled roof construction. The scheme has a predominance of detached houses with some semi-detached properties. It is considered that appropriate provision is made within the scheme in terms of privacy and amenity and that the requirements of the adopted New

Residential Development SPD can be met. The scheme is considered to provide an opportunity to provide a quality development suited to the character of the area in keeping with the earlier phase of development by the same developer and existing residential properties in the area.

Highways and Parking

The scheme is shown to be accessed off Derby Road with a revised access for the proposed residential development which will be shared to serve the proposed adjoining future commercial development land.

In spite of detailed pre-application discussion the application as originally submitted raised a number of relatively minor and technical issues relating to highways and parking design, accessibility throughout the scheme and access for emergency vehicles. The application has therefore been amended in line with officer advice including remodelling of the main access, improvements to parking design and capacity and to pedestrian and cycle links to future development land and the wider network.

It is acknowledged that there exists a highway capacity issue relating to the Derby Road/ Farnworth junction. A financial contribution commensurate with that provided in relation to the Phase 1 residential development, has been agreed by the developer. This will be secured by Unilateral Undertaking currently being prepared by the applicant. The remainder of the outstanding contributions for works to mitigate these capacity issues will be expected to be borne by the future development of the remaining commercial land.

On this basis the Council's Highways Engineer has confirmed that no highway objections are raised.

Trees and Ecology

The application is supported by an ecological survey, which identified no statutorily protected sites or habitats on site. As such it is not considered that any further need for survey work or mitigation is required nor is it considered to justify refusal of planning permission on these grounds. The survey does however identify measures for due care carrying out the development and potential through the development to secure improved wild life habitat through appropriate landscaping schemes and inclusion of bird and bat boxes within the scheme. It is considered that this can be adequately secured by condition.

A Tree Survey Report has been prepared to accompany the application. The survey covers the site itself as well as trees that are adjacent to the site. No significant trees are identified within the site. Five groups of trees are identified outside of the site but adjacent to the south west / southern boundary. It is proposed that all five tree groups are retained to act a natural screen to surrounding areas.

The Council's Open Spaces Officer has confirmed that no objections are raised in these regards.

Flooding and Drainage

The site is not considered to be at risk from flooding. The site area is however in excess of 1 Ha and a Flood Risk Assessments (FRA) has therefore been produced for the scheme to ensure that the development itself does not add unduly to run-off rates and potential flooding in the wider area. On that basis the Environment Agency and Council's Drainage Engineer acting as Lead Local Flood Authority have confirmed that they raise no objections.

The Council's Open Spaces Officer has raised a query regarding appropriate levels of filtration prior to discharge of surface water to Bowers Brook and members will be updated as required. United Utilities have however confirmed that they raise no objection.

Noise

The application is supported by a Noise and Vibration Impact Assessment. A series of Noise Surveys have been completed in order to measure the impact of road traffic and rail traffic noise upon the proposed residential development. A vibration survey has been completed for the railway line to measure any vibration generated by passing commuter trains upon the proposed development.

The Vibration Impact Assessment has shown that the level of vibration generated by passenger trains falls below the "low probability of adverse comment" criteria specified in the appropriate guidance. A number of mitigation measures are proposed with respect to road and rail noise, including the erection of a number of acoustic fences (ranging from 1.7m-2.0m) for certain dwellings in proximity to Derby Road and trickle vents/ mechanical ventilation to potentially affected rooms. It is considered that this can be adequately secured by appropriate planning condition and that on this basis no conflict arises with Unitary Development Plan Policy BE1 or Core Strategy Policy CS23. The Council's Environmental Health Officer raises no objection.

Viability, Open Space and Affordable Housing

For any housing scheme of such a scale, provision and/ or contribution would be required for open space in accordance with the Council's adopted SPD on Open Space. Affordable housing provision would also be required in accordance with Core Strategy Policy CS13.

A detailed Viability Appraisal has been prepared which concludes that, even with no contributions, the development is marginal in terms of return to both the landowner and developer and the imposition of such contributions would mean that the scheme was undeliverable. As such, none are proposed in this case.

NPPF states:

“Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development.”

Furthermore, the Framework states that:

“Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-making ... to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements, when taking into account of the normal cost of development and mitigation, provide competitive returns to a willing landowner and willing developer to enable the development to be deliverable.”

The viability appraisal has been reviewed by the Council's Property Services Officer. Based on further interrogation and further information supplied it has been advised that the assessment provided is reasonable and that the scheme would not appear to viable if such contributions were required.

Contamination and Site Remediation

The applications are for residential development and works relating to site preparation are all on parts of the former Turners Asbestos Cement works. The works manufactured a wide range of asbestos containing cement products from 1916 up until 1999. The proposed redevelopment covers the central part of the former works that until recently was occupied by Marely Eternit Ltd who manufactured building products. The onsite buildings have already been surveyed and stripped of asbestos under controlled conditions, and the majority of those buildings have now been demolished.

As much of the operations on site pre-dated most environmental restrictions and controls there is a high risk of contamination that could have an adverse impact on the proposed developments, particularly the residential element. The presence of asbestos, as well as other contaminants, also poses a potential risk during the redevelopment process itself. Taking these factors into account there has been a requirement for the applicant to produce detailed site investigations, risk assessments and a strategy for the safe remediation and development of the site in advance of a decision being made on the application.

In support of the application the following documents have been reviewed;

- REC Ltd - Phase I and II geo-environmental site investigation, ref 44879p2r0, October 2013.
- E3P Ltd – Supplementary geo-environmental assessment, ref 10-218-r1, December 2014
- E3P Ltd – Remediation and enabling works strategy, ref 10-218-r2, December 2014
- E3P Ltd – Supplementary ground investigation and remediation and enabling works strategy, ref 10-218-r3-revC January 2016

A full remediation method statement and management plan has been produced and submitted to the Council. These documents set out how the development site is to be managed in terms of environmental issues, including the remediation plans for each part of the site and the monitoring and control measures to be employed. The key aspect to the remediation strategy is how it will safely deal with the identified asbestos contamination.

The site assessments have identified a number of scenarios where asbestos containing materials are present within the ground.

- Infilled pits and chambers – these sit below the current floor slab and are infilled with a mix of asbestos containing cement products and other cement bound wastes from the production process.
- Hardcore under the concrete floor slab – in the northern part of the site the concrete floor slab was cast onto hardcore that includes broken asbestos cement product.
- Asbestos containing materials found within the thin layer of made ground beneath the site, where it has been used to level the site during the development of the factory.

Other contaminants include areas of hydrocarbon impact (associated with the use of fuels and lubricants) and metals and PAHs within ash/cinders containing soils.

The remediation strategy is designed to ensure that the development will be suitable for the proposed use, i.e. residential and public open space, and as a minimum meet the requirements set out in the NPPF, namely that following completion the site will not meet the definition of Contaminated Land as set out in the Environmental Protection Act 1990.

The details of the scheme are:

- Formation of a deep deposition area along the eastern site boundary (within the proposed open space).
- Stabilisation of materials within the infilled pits and tanks with a slurry grout to allow excavation and processing in the deep deposition area.
- Excavation and management of made ground soil, including the assessment and characterisation in terms of asbestos impact. The made ground is then either placed within the deep deposition area or re-used beneath a 1m cover system, dependent on the asbestos content (above or below the level of quantification of 0.001%).
- Delineation and removal of hydrocarbon impacted soils
- Excavation and processing of surface slab and hard materials
- Winning of clean material from excavation of deposition areas.
- Provision of 600mm or 1000mm clean cover with geotextile to all garden and landscaped areas.
- Installation of ground gas protection measures to the new properties
- Validation testing to ensure compliance with the remedial scheme.
- Control measures and ambient air monitoring to demonstrate no impact on air quality from asbestos.

In summary the applicant has presented a scheme whereby asbestos contamination will be made safe by either depositing the impacted materials at depth in the deep excavation under the POS – bulk asbestos cement products and wastes and soils where asbestos concentration are identified as being above the laboratory limit of quantification of 0.001%, or, where only trace levels can be detected (below the 0.001% quantification limit) these soils will be deposited within designated areas overlain by a geotextile layer and 1m of cover system, comprising clean sub and top soils (the sub-soils will be generated from onsite excavations and the top soil will be imported as part of the construction phase of the development).

The applicant has included details of the phasing of activities on site in terms of site clearance, handling of clean and contaminated material, crushing of concrete, excavation and deposition of clean and contaminated materials and the creation of the correct levels for the proposed development.

The scheme also includes details of the dust and fibre monitoring to be conducted throughout the works, both at boundary locations and specific working areas onsite. This includes sampling and onsite analysis to the Health and Safety Executive's guidance note HSG248 standard and additional sampling at high volume flow rates to achieve a lower detection limit than that set by HSG248. There is also the option of additional assessment thorough off-site analyst using scanning electron microscopy.

Risks to controlled waters, particularly the aquifer present at depth within the underlying sandstone have been determined to be low, however there is a requirement to further assess the extent of hydrocarbon impact. The applicant has committed to this through the delineation of the extents of the areas identified through site investigation to date and to dealing with any additional areas encountered as the concrete slabs and made ground is excavated.

Contaminated Land Officers have reviewed and commented extensively on the submitted information and are broadly in agreement with the scheme. There is some ongoing discussion regarding elements of the proposed site works, particularly focused on the identification and classification of the trace level of asbestos in soils and their subsequent re-use on site. At this stage, Officers are satisfied that these outstanding matters can be dealt with by addendum to the submission however confirmation is awaited by the applicant. On the basis that such agreement is received the Council's Contaminated Land Officers have confirmed that they raise no objection subject to conditions. Members will be updated accordingly.

An update on the position in relation to this issue will be made to Committee.

Summary and Conclusion

The application seeks permission for proposed residential development comprising 116 dwellings with access proposed from Derby Road. The proposals are aimed at disposing of land now surplus to the Company's requirements

enabling them to fund the reclamation of the contaminated sites following closure of the production facility.

It is considered that a sustainable argument can be made for allowing the loss of employment land for residential development in this case. Issues surrounding ground contamination and the safe remediation of the site in preparation for residential use are also considered to merit particular attention. Through ongoing discussions Council Officers are satisfied that through the detailed remediation strategy and materials management plan this can be achieved without undue risk of escape of fibres and risk to human health. It is considered that appropriate protection methods and controls can be achieved including ongoing sample monitoring and access to records to provide the necessary assurances. Whilst a number of matters remain outstanding in this regard it is considered that these are matters which can be dealt with by way of addendum to the submission and members will be updated as required. Members also need to be aware that the developers and remediation specialists will also be subject to a significant number of wider legislative controls relating to asbestos and the control of pollution and health and safety of workers carrying out the remediation to ensure that they are not adversely affected.

The scheme is considered to offer an opportunity for significant improvement to the area as well as providing much needed family housing in the area. It is considered that all outstanding matters can be satisfactorily resolved and/ or secured by condition and that the scheme offers the potential for a quality of development suited to the character of the site and the wider area and that the requirements and aspirations of national, regional and local policy can be met.

RECOMMENDATION:

The application be approved subject to the following:

- a) a legal or other appropriate agreement relating to financial contributions towards off site highway improvements.
- b) Conditions relating to the following:
 1. Specifying amended/ approved plans.
 2. Conditions relating to ground investigation and mitigation (PR14)
 3. Environment Agency conditions relating to preliminary risk assessment, site investigation, remediation and verification. (PR14)
 4. Environment Agency condition relating to discovery of unidentified contamination
 5. Environment Agency condition restricting infiltration of surface water drainage to contaminated land.

6. Materials condition, requiring development be carried out as approved (BE2)
 7. Landscaping condition, requiring development be carried out as approved.(BE2)
 8. Requiring submission and agreement of hard surfacing materials (BE2)
 9. Boundary treatments requiring development be carried out as approved. (BE2)
 10. Requiring detail relating to sound attenuation fencing, trickle ventilation and other means of ventilation in accordance with the submitted noise report and implementation prior to occupation(BE1)
 11. Wheel cleansing facilities to be submitted and approved in writing. (BE1)
 12. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
 13. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
 14. Finished floor and site levels condition requiring development be carried out as approved . (BE1)
 15. Conditions relating to tree protection during construction (BE1)
 16. Requiring Development be carried out in accordance with the approved FRA and mitigation measures (PR16)
 17. Submission and agreement of ecology/ habitat enhancement features including bird/ bat boxes (GE21)
- c) That if the S106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director – Environmental and Regulatory Services in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.

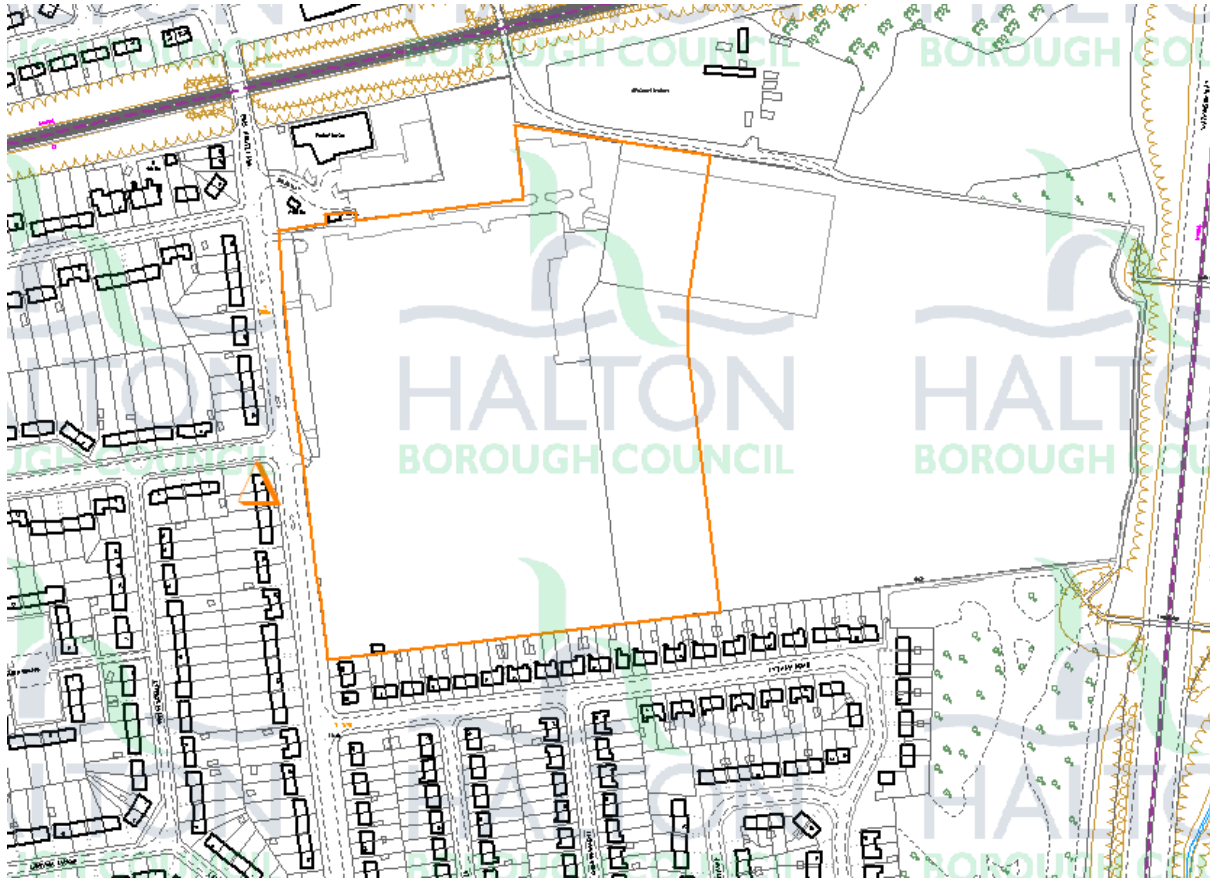
SUSTAINABILITY STATEMENT

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:	15/00551/FUL
LOCATION:	Former Fairfield High School Site, Peel House Lane, Widnes.
PROPOSAL:	Proposed development comprising 162 no. dwellings with associated access roads, landscaping and infrastructure.
WARD:	Appleton
PARISH:	None
AGENT(S) / APPLICANT(S):	Miller Homes Ltd – North West.
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Greenspace – School Playing Fields.
DEPARTURE	Yes
REPRESENTATIONS:	Two representations received from the publicity given to the application.
KEY ISSUES:	Principle of Residential Development, Development on a designated Greenspace, Design, Amenity, Affordable Housing, Highways, Open Space, Access, Drainage, Flood Risk & Ecology.
RECOMMENDATION:	The application is recommended for approval subject to the conditions suggested.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site subject of the application is part of the Former Fairfield High School Site which is located on Peel House Lane in Widnes. The former school buildings which were located in relative close proximity to the Peel House Lane frontage have now been demolished. The site is now vacant. The site is designated as being within a Greenspace – School Playing Fields on the Halton Unitary Development Plan Proposals Map. The application site includes the western part of the former school site which directly fronts onto Peel House Lane and includes the location of the former school buildings as well as part of the school playing field previously used for both formal and informal recreation.

The surrounding area is predominantly residential with other notable features being the Beaconsfield Primary Care Centre on Bevan Way to the north of the site and the A557 – Watkinson Way located to the east of the site.

2. THE APPLICATION

2.1 The Proposal

The application proposes the development of 162no. dwellings with associated access roads, landscaping and infrastructure.

Access would be gained by a new road which would run from Peel House Lane. This is subject to a separate planning application (15/00552/FUL).

2.2 Related Planning Applications

This application has been submitted at the same time as two other planning applications which also relate to the overall redevelopment of the former Fairfield High School Site.

- 15/00552/FUL – Proposed construction of access road providing access to cemetery and housing development.
- 15/00553/HBCFUL – Proposed construction of a new cemetery, access road and maintenance depot with associated infrastructure.

2.3 Documentation

The planning application is supported by the following plans and documents:

- Site Location Plan;
- Design and Access Statement;
- Planning Layout;
- Route of Build Plan;
- Streetscenes;
- House Types;
- Landscape Layout;
- Tree Constraints Plan;
- Tree Survey Report;
- Ecology Report;
- Assessment of the potential of the trees for bats;
- Phase 2 Intrusive Investigation;
- Supplementary Site Investigation;
- Remediation Strategy;
- Transport Assessment;
- Travel Plan;
- Swept Path Analysis;
- Visibility Check;
- Driveway Access Analysis;
- Drainage Strategy;
- Proposed Drainage Layout;
- External Works Plan;
- Flood Risk Assessment;
- Noise Impact Assessment;
- Air Quality Assessment;

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 allocated as a Primarily Residential Area in the Halton Unitary Development Plan. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- BE22 Boundary Walls and Fences;
- GE6 Protection of Designated Green Space;
- GE9 Redevelopment and Changes of Use of Redundant School Buildings;
- GE12 Protection of Outdoor Playing Space for Formal Sport and Recreation;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodland;
- PR1 Air Quality;
- PR8 Noise Sensitive Developments;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP1 Public Transport Provision as Part of New Development;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;
- TP14 Transport Assessments;
- 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;
- CS15 Sustainable Transport;
- 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 conditions.

4.2 Lead Local Flood Authority

The Planning Practice Guidance (PPG) requires applicants for planning permission to discharge surface water runoff according to a hierarchy of runoff destinations. The PPG states that 'sustainable drainage systems should be provided unless demonstrated to be inappropriate' and 'the aim should be to discharge surface run off as high up the hierarchy of drainage options as reasonably practicable.' The hierarchy for surface water runoff destinations is as follows:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer, highway drain, or another drainage system;
- to a combined sewer.

Investigation of the alternative runoff destinations that may be available to the site needs to be demonstrated to comply with the above hierarchy.

A response which demonstrates this is awaited from the applicant.

4.3 Environmental Health – Ground Contamination

No objection to the proposed development subject to the attachment of a condition which secures the submission of a remediation completion report.

4.4 Environmental Health

The Air Quality Assessment indicates that there will be an increase in nitrogen dioxide at the bottom end of Peel House Lane where we currently have an air quality management area. It is recommended that all houses are provided with an electrical vehicle charging point to mitigate the air quality impact on sensitive receptors within the air quality management area. This should be secured by condition.

The Noise Impact Assessment indicates that the majority of properties will be able to comply with the internal noise levels specified in BS8233 with windows both open and closed. The exception to this is those properties with bedrooms with a direct line of sight to Peel House Lane. It is acknowledged that this unlikely to be achieved without significant changes to the proposed layout.

4.5 Open Spaces Officer – Trees

The site contains no TPO's and does not fall within a Conservation Area. The site contains trees and small areas of scrub and therefore any vegetation clearance works should consider nesting birds.

4.6 Merseyside Environmental Advisory Service

The application is accompanied by an ecological survey report in accordance with Local Plan policy CS20 (*Ecological Appraisal - Land off Peel House Lane, Widnes, Cheshire, Leigh Ecology Ltd, 6 October 2015, DEP/15-006*). Notwithstanding the conclusions of the survey report regarding bats and trees, they advise that the survey is acceptable and will be forwarded to Cheshire Record via Merseyside BioBank. Further information on the bat roosting potential of the trees was requested at this point and has since been provided with the conclusion that the seven trees are Category 3 (trees with no potential to support bats). They advise that further bat surveys will not be required in relation to this application and the Council does not need to consider the proposals against the three tests (Habitats Regulations).

Conditions which secure an ecological mitigation strategy, bird nesting boxes and breeding bird protection, waste audit and a Construction Environmental Management Plan are suggested.

4.7 Environment Agency

They confirmed that they have no comments to make on this application.

4.8 Sport England

The cemetery proposal was subject to a similar application in 2014 (14/00633). It is this application that primarily impact on the playing field area but Sport England raised no objection, satisfied that the school playing field was surplus to requirements in the light of the Playing Pitch Strategy and that

elements of pitch provision had be re-provided off site to meet curricular needs elsewhere (therefore meeting Exceptions E1 and E4 of our policy to protect playing fields).

The new cemetery proposal (15/00553) has a similar impact and the housing development (15/00551) affects primarily the built element of the old school site. The access and infrastructure proposals are largely integral to the two developments (15/00552). Overall the proposals do not increase/change the impact on playing fields and our position relating to application 14/00633 is applicable to all three applications.

Further to the above assessment, Sport England does not wish to raise an objection to any of the three applications on the basis that they will meet Exceptions E1 and E4 of our policy and are compliant with NPPF Par. 74 for the same reasons.

5. REPRESENTATIONS

5.1 The application has been advertised by a press advert in the Widnes & Runcorn Weekly News on 26/11/2015, two site notices posted on Peel House Lane and one site notice posted on Lytham Road on 26/11/2015 and 96 neighbour notification letters sent on 19/11/2015.

5.2 Following the receipt of further supporting documentation, 96 neighbour notification letters were sent on 27/01/2016.

5.3 Two representations have been received from the publicity given to the application. A summary of the issues raised is below:

- The overall development will leave 3 properties surrounded by roads (Peel House Lane to the front, Lytham Road to the left and the new access road to the right).
- The noise and disruption during construction would be unbearable.
- Why couldn't the access be positioned at the northern side of the site?
- The decision should be made by the Committee.
- What will the construction hours be?
- The Maintenance Depot would now be closer to residential properties creating more noise and disturbance.
- Neighbouring properties will suffer from traffic noise as a result of the position of the new access road.

6. ASSESSMENT

6.1 Requirement for Development

The Design and Access Statement states that the residential development forms part of a wider scheme at the Fairfield High School site. The basis and driver for which is to provide a new cemetery for Widnes. The cemetery would be situated on the rear of the site with the residential to the frontage. The current cemetery at Birchfield Road is almost at capacity, the former

Fairfield High School site was identified as the most appropriate site for a new Widnes Cemetery as it is central, easily accessible and within the ownership of the Council. In order to meet the required delivery date of Summer 2016 for the operation of a new cemetery, preparatory work has been undertaken by Halton Borough to progress the cemetery development.

In the absence of any internal or external budget for the works the sale of the frontage of the site for residential would enable the cemetery work by providing a capital receipt for both the cemetery and necessary transport links, in addition to the advance work already undertaken including demolition, investigation and design. The Council has also undertaken the necessary process for an alternative use of the school site and playing pitches under Section 77 of the Academies Act 2010. As dictated by this process an element of the capital receipt would be used to improve educational facilities specifically at Fairfield Infant and Primary School. The process was completed in October 2014.

6.2 Development on a designated Greenspace

Within Policy GE6 of the Halton Unitary Development Plan, there is a presumption against development within a designated greenspace unless it is ancillary to the enjoyment of the greenspace.

There are exceptions set out in the policy where the loss of amenity land is adequately compensated for.

Exception (d) states that "In all exceptional cases there would have to be clear and convincing reasons why development should be permitted or that loss of amenity value could be adequately compensated".

A significant percentage of the proposed residential development would be located on the location of the former schools buildings adjacent to the site frontage and there is provision within Policy GE9 of the Halton Unitary Development Plan for redevelopment of these areas of redundant school buildings on the condition that they cover a similar built area and of a similar bulk. Part of the residential proposal is considered acceptable in principle having regard for Policy GE9.

In respect of the remainder of the residential proposal which would encroach onto designated greenspace, the requirement for the development is set out in paragraph 6.1 and the delivery of a new cemetery for Widnes is of key importance for the borough and the proposed residential development is enabling development to ensure that this provision is delivered. This is considered to be a clear and convincing reason why the development should be permitted in compliance with exception (d) within Policy GE6.

The proposal is therefore considered to be compliant with Policy GE6 of the Halton Unitary Development Plan.

6.3 Protection of Outdoor Playing Space for Formal Sport and Recreation

Paragraph 74 of the National Planning Policy Framework (NPPF) sets out the national planning policy in relation to open spaces and sports and recreational buildings and is set out below.

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Policy GE12 of the Halton Unitary Development Plan outlines the presumption against the loss of outdoor playing space for formal sport and recreation.

Sport England is a statutory consultee on all planning applications which affect playing field land. Sport England raises no objection and they are satisfied that the school playing field is surplus to requirements in the light of the Playing Pitch Strategy and that elements of pitch provision had been re-provided off site to meet curricular needs elsewhere (therefore meeting Exceptions E1 and E4 of their policy to protect playing fields).

The proposal would inevitably result in the loss of the outdoor playing space for formal sport and recreation.

The closure of Fairfield High School in 2013 was as a result of the amalgamation of Fairfield High School and Wade Deacon High School. Wade Deacon High School benefitted from the Government's Building Schools for the Future programme with the new facilities opening in April 2013 which coincided with the closure of Fairfield High School. The new facilities included upgraded sports pitches and a new 6 court sports hall.

Wade Deacon High School now benefits from enhanced facilities but this would not provide replacement provision in terms of quantity for that which would be lost.

As referred to above, stipulation of the release of the site for non-educational development by the Secretary of State in relation to the Section 77 of the Academies Act 2010 would secure the provision of a new all-weather playing pitch at the nearby Fairfield Infant and Junior School which would be a further enhancement to facilities in the area.

As the proposal would not result in replacement provision in terms of quantity and size, the proposal has demonstrated that the land is surplus to requirements through a Playing Pitch Strategy to accord with both paragraph

74 of the National Planning Policy Framework and Policy GE12 of the Halton Unitary Development Plan.

6.4 Highway Considerations

As previously stated, the access road from Peel House Lane to the residential development is under consideration by application 15/00552/FUL and the subsequent granting of this application would need to be subject to a condition which secures that the access road is implemented prior to the first occupation of any dwelling house which is not accessed directly from Peel House Lane.

The application site is located within the urban area with the surrounding area having a wide range of facilities and attractions to serve residents needs with walk and cycle distance. It is inevitable that the development would have some impact on traffic levels in the locality, however given the scale of the development the application is accompanied by a Transport Assessment to demonstrate the suitability of the proposal from a highway perspective.

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.

There is a Greenway located to the north east of the site and the proposed layout has made provision for a 3m wide footway / cycleway which would provide the necessary link to the Greenway to improve access for pedestrians and cyclists.

The layout also makes provision for two pedestrian links to the proposed cemetery via the main access road (being considered by application 15/00552/FUL) and through the centre of the application site to a pedestrian gate which could be used as a secondary access to the cemetery in the future.

Based on the size of the development, emergency access provision is made on the northern side of the site which is considered appropriate.

In terms of car parking, there is sufficient provision across the scheme to accord with the Unitary Development Plan requirement of 2 spaces per dwelling for family dwellings. The scheme comprises of a mix between 2, 3 and 4 bedroomed properties with all provision being in curtilage. Garage dimensions are 6m x 3m to ensure that their usability for the storage of a car is not compromised.

No cycle parking is proposed for the houses other than those with garages, however there is sufficient space within the curtilage of each property to provide such provision if the occupier of the dwelling requires this.

To ensure the development is carried out in an appropriate manner, it is considered reasonable to attach a condition which secures the submission of a construction management plan and its subsequent implementation.

Based on all the above, 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 and Policy CS15 of the Halton Core Strategy Local Plan.

6.5 Layout

The scheme has generally been designed having regard for the privacy distances for residential development set out in the Design of Residential Development Supplementary Planning Document and the resultant relationships are considered to be acceptable in terms of both light and privacy.

The site is constrained by the Vyrnwy Aqueduct which runs through the site and the associated easement. This has allowed for a well overlooked pedestrian route to be created through the development which has the potential to be a secondary pedestrian access point to the proposed cemetery in the future.

In terms of creating active frontages, some attempts have been made to create dual aspect properties on corner plots which have regard to the two frontages. The development site has a direct frontage with Peel House Lane and a varied and active frontage is proposed.

With regard to private outdoor space, the Design of Residential Development Supplementary Planning Document states that houses having 2 bedrooms shall have a minimum private outdoor space of 50sqm per unit with properties with 3 bedrooms having a minimum private outdoor space of 70sqm per unit and properties with 4 bedrooms having a minimum private outdoor space of 90sqm per unit. The scheme has been designed so that it generally accords with this standard and would ensure that each house has a usable private outdoor space.

In terms of Housing Mix, the proposal seeks to deliver a range of property sizes including 2, 3 and 4 bedroom properties with the property types. In terms of tenure, all the properties would be market housing. Affordable housing is to be considered at paragraph 6.11. There is considered to be properties to meet a variety of needs on site.

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 and Policy CS18 of the Halton Core Strategy Local Plan. In terms of Housing Mix, the proposal is considered to be compliant with Policy CS12 of the Halton Core Strategy Local Plan.

6.6 Scale

The scheme comprises of a mixture between two and two and a half storey buildings which are a mixture of mews, semi-detached and detached properties. It is considered that this reflects the character of the area and the proposed development would not appear out of character with the locality.

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

6.7 Appearance

It is considered that the proposed elevations show that buildings 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 and Policy CS18 of the Halton Core Strategy Local Plan

6.8 Landscaping & Trees

The application is accompanied by some indicative landscape proposals. A fully specified scheme is currently awaited. It is considered reasonable to attach a condition which secures the submission of a detailed scheme for approval and its subsequent implementation and maintenance.

This would ensure compliance with Policies BE 1 and GE 27 of the Halton Unitary Development Plan would be achieved.

6.9 Site Levels

Some proposed levels are indicated on the proposed planning layout which appears to result in acceptable relationships.

There is a note stating that these are currently indicative so it is considered reasonable to attach a condition which secures the submission of existing and proposed levels for approval.

This would ensure compliance with Policy BE 1 of the Halton Unitary Development Plan.

6.10 Flood Risk & Drainage

The application site is located in Flood Zone 1 and is therefore in an area which is at low risk from flooding. As the site is in excess of 1ha in area, in order to accord with the National Planning Policy Framework, the application is accompanied by a site-specific flood risk assessment.

The conclusion of the site-specific flood risk assessment is that there are no grounds for objection to the proposed redevelopment on the basis of flood risk providing that the recommendations in the report are followed.

The Planning Practice Guidance (PPG) requires applicants for planning permission to discharge surface water runoff according to a hierarchy of runoff destinations. The PPG states that 'sustainable drainage systems should be provided unless demonstrated to be inappropriate' and 'the aim should be to discharge surface run off as high up the...hierarchy of drainage options as reasonably practicable.' The hierarchy for surface water runoff destinations is as follows:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer, highway drain, or another drainage system;
- to a combined sewer.

Investigation of the alternative runoff destinations that may be available to the site needs to be demonstrated to comply with the above hierarchy. This is currently awaited.

Once the necessary confirmations have been received, the proposal would then be compliant with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan. The implementation of an appropriate drainage scheme for the site should be secured by condition.

6.11 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 proposed scheme would exceed this threshold, however no affordable housing is proposed. Based on the requirement for development set out in paragraph 6.1, this proposal is enabling development for the cemetery and the requirement for affordable housing would reduce the value of land thus resulting in the requirement for a larger parcel of land to be sold to deliver the necessary funds required to deliver the project.

6.12 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.

The proposed scheme does not proposed any on-site recreational greenspace to accord with the policy requirement, however it is noted that the site is located in close proximity to Victoria Park which a substantial facility for formal and informal recreation. Based on the requirement for development

set out in paragraph 6.1, this proposal is enabling development for the cemetery and the requirement for on-site recreational greenspace would reduce the value of land thus resulting in the requirement for a larger parcel of land to be sold to deliver the necessary funds required to deliver the project.

6.13 Ground Contamination

The application is accompanied by a Phase 2 Intrusive Investigation, Supplementary Site Investigation and a Remediation Strategy.

The Contaminated Land Officer raises no objection to the proposed development subject to the attachment of a condition which secures the submission of a remediation completion report.

The proposal is considered to be compliant with Policy PR14 of the Halton Unitary Development Plan.

6.14 Air Quality

The application is accompanied by an Air Quality Assessment.

The Council's Environmental Health Officer has commented that the Air Quality Assessment indicates that there will be an increase in nitrogen dioxide at the bottom end of Peel House Lane where there is currently an air quality management area.

It is recommended that all houses are provided with an electrical vehicle charging point to mitigate the air quality impact on sensitive receptors within the air quality management area to ensure compliance with Policy CS23 of the Halton Core Strategy Local Plan.

The introduction of facilities for charging plug-in and other ultra-low emission vehicles should be designed into developments where practical as stated in paragraph 35 of the NPPF and further supports this being incorporated into this development. A scheme which looks at the incorporation of facilities for charging plug-in and other ultra-low emission vehicles should be secured by condition.

6.15 Noise

The application is accompanied by a Noise Impact Assessment.

The Noise Impact Assessment indicates that the majority of properties will be able to comply with the internal noise levels specified in BS8233 with windows both open and closed. The exception to this is those properties with bedrooms with a direct line of sight to Peel House Lane. The Environmental Health Officer has acknowledged that this unlikely to be achieved without significant changes to the proposed layout and the creation of an active frontage to the development site as viewed from Peel House Lane is important. The Noise Impact Assessment recommends the use of an

alternative ventilation system for the dwellings which have direct line of sight to Peel House Lane in the interest of controlling internal noise levels. Based on this it is considered that a condition which secures the submission of a scheme which details an alternative ventilation system for those properties which have bedrooms with a direct line of sight to Peel House Lane.

The imposition of the suggested condition would ensure that the proposal is compliant with Policy PR8 of the Halton Unitary Development Plan.

6.16 Biodiversity

The application is accompanied by an Ecological Appraisal and further information on the bat roosting potential of the trees.

Our Ecological Advisor – Merseyside Environmental Advisory Service have advised that the survey work undertaken is acceptable.

Conditions have been suggested in relation to an ecological mitigation strategy, bird nesting boxes and breeding bird protection.

The proposal is compliant with Policy GE21 of the Halton Unitary Development Plan.

6.17 Sustainable Development and Climate Change

Policy CS19 of the Halton Core Strategy Local Plan outlines some principles which will be used to guide future development.

One of these principles is Code for Sustainable Homes. It would be desirable for all properties to be built to the standard set out in the policy; however this is something which is encouraged rather than a requirement. The proposal is compliant with Policy CS19 of the Halton Core Strategy Local Plan.

6.18 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 would deal with issues of this nature and based on the development cost, the production of a Site Waste Management Plan would be required. In terms of waste management, there is sufficient space within the site to ensure that any waste generated by the cemetery use is dealt with appropriately.

6.19 Issues raised in representations not addressed above

With most forms of development, there will inevitably be some form of disruption during construction. In order to manage this in an appropriate manner, conditions which restrict the hours of construction and require the submission of a construction management plan for approval.

This application has been submitted by Miller Homes based on a layout which they would like to build and it has to be considered on its merits.

7. CONCLUSIONS

It is noted that the existing cemetery in Widnes is nearing full capacity and a new burial ground in the town is urgently needed.

The purpose of this application for residential development is enable funds to be raised for the implementation of a new cemetery, necessary transport links, in addition to the improved educational facilities specifically at Fairfield Infant and Primary School as dictated by the release for non-education use under Section 77 of the Academies Act 2010.

In relation to the protection of outdoor playing space for formal sport and recreation, Sport England raises no objection and they are satisfied that the school playing field is surplus to requirements in the light of the Playing Pitch Strategy and that elements of pitch provision had be re-provided off site to meet curricular needs elsewhere.

The site is located in a sustainable location and has demonstrated suitable access by a variety of different means. The layout demonstrates sufficient space for movement within the site as well as an appropriate level of car parking.

The residential layout is considered to be appropriate in terms of 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 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

The application is recommended for approval subject to the conditions suggested.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Submission of Proposed Site Levels (Policy BE1)
4. Facing Materials to be Agreed (Policies BE1 and BE2)
5. Submission of Detailed Soft Landscaping Scheme, implementation and subsequent maintenance - (Policy BE1)

6. Implementation of Submitted Hard Landscape and Boundaries Layout and subsequent maintenance - (Policy BE1)
7. Breeding Birds Protection – (Policy GE21)
8. Hours of Construction – (Policy BE1)
9. Removal of Permitted Development – All Dwellings – (Policy BE1)
10. Submission of a Construction Environmental Management Plan - (Policy BE1)
11. Implementation of Remediation Method Statement and submission of a completion report - (Policy PR14)
12. Provision & Retention of Parking for Residential Development (Curtilage) – (Policy BE1)
13. Retention of Garages – (Policy BE1)
14. Implementation of Site Access from Peel House Lane (linked to application 15/00552/FUL) – (Policy BE1)
15. Implementation of Access and Servicing Provision – (Policy BE1)
16. Traffic Calming Scheme – (Policy BE1)
17. Off Site Highway Works Scheme – (Policy BE1)
18. Submission of Drainage Strategy for approval and subsequent implementation – (Policy PR16)
19. Scheme for Electrical Vehicle Charging Points – (Policy CS23)
20. Noise Mitigation Measures Scheme – (Policy PR8)
21. Scheme for Bird Nesting Boxes – (Policy GE21)
22. Ecological Mitigation Strategy – (Policy GE21)
23. Submission of a Waste Audit – (Policy WM8)

Informatives

1. Highway Informative – S38 / S278/184.
2. United Utilities Informative.
3. European Protected Species.

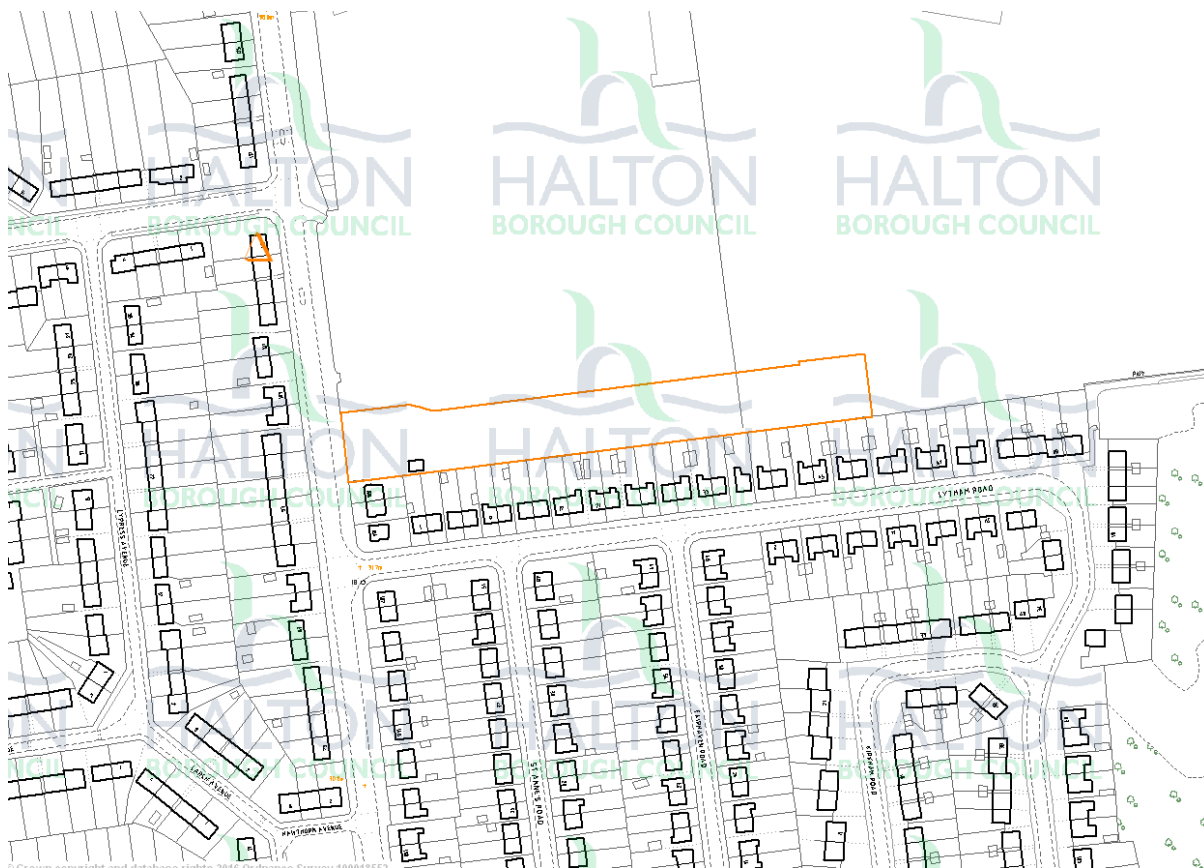
10. SUSTAINABILITY STATEMENT

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:	15/00552/FUL
LOCATION:	Former Fairfield High School Site, Peel House Lane, Widnes.
PROPOSAL:	Proposed construction of access road providing access to cemetery and housing development including landscaping.
WARD:	Appleton
PARISH:	None
AGENT(S) / APPLICANT(S):	Miller Homes Ltd – North West.
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Greenspace – School Playing Fields.
DEPARTURE	Yes
REPRESENTATIONS:	Two representations received from the publicity given to the application.
KEY ISSUES:	Development on a designated Greenspace, Design, Amenity, Access, Drainage & Ecology.
RECOMMENDATION:	The application is recommended for approval subject to the conditions suggested.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site subject of the application is part of the Former Fairfield High School Site which is located on Peel House Lane in Widnes. The former school buildings which were located in relative close proximity to the Peel House Lane frontage have now been demolished. The site is now vacant. The site is designated as being within a Greenspace – School Playing Fields on the Halton Unitary Development Plan Proposals Map. The application site includes part of the southern section of the former school site and includes the location of the former school buildings as well as part of the school playing field previously used for both formal and informal recreation.

The surrounding area is predominantly residential with other notable features being the Beaconsfield Primary Care Centre on Bevan Way to the north of the site and the A557 – Watkinson Way located to the east of the site.

2. THE APPLICATION

2.1 The Proposal

The application proposes the construction of access road providing access to cemetery and housing development including landscaping.

2.2 Related Planning Applications

This application has been submitted at the same time as two other planning applications which also relate to the overall redevelopment of the former Fairfield High School Site.

- 15/00551/FUL – Proposed development comprising 162no. dwellings with associated access roads, landscaping and infrastructure.
- 15/00553/HBCFUL – Proposed construction of a new cemetery, access road and maintenance depot with associated infrastructure.

2.3 Documentation

The planning application is supported by the following plans and documents:

- Site Location Plan;
- Planning Layout;
- Landscape Layout;
- Tree Constraints Plan;
- Tree Survey Report;
- Ecology Report;
- Assessment of the potential of the trees for bats;
- Phase 2 Intrusive Investigation;
- Supplementary Site Investigation;
- Remediation Strategy;
- Swept Path Analysis;
- Visibility Check;
- Drainage Strategy;
- Proposed Drainage Layout;
- External Works Plan;

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 allocated as a Greenspace – School Playing Fields 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;
- BE22 Boundary Walls and Fences;
- GE6 Protection of Designated Green Space;
- GE9 Redevelopment and Changes of Use of Redundant School Buildings;
- GE12 Protection of Outdoor Playing Space for Formal Sport and Recreation;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodland;
- PR8 Noise Sensitive Developments;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP1 Public Transport Provision as Part of New Development;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development.

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;
- CS15 Sustainable Transport;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;

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 conditions.

4.2 Lead Local Flood Authority

The Planning Practice Guidance (PPG) requires applicants for planning permission to discharge surface water runoff according to a hierarchy of runoff destinations. The PPG states that 'sustainable drainage systems should be provided unless demonstrated to be inappropriate' and 'the aim should be to discharge surface run off as high up the...hierarchy of drainage options as reasonably practicable.' The hierarchy for surface water runoff destinations is as follows:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer, highway drain, or another drainage system;
- to a combined sewer.

Investigation of the alternative runoff destinations that may be available to the site needs to be demonstrated to comply with the above hierarchy.

A response which demonstrates this is awaited from the applicant.

4.3 Environmental Health – Ground Contamination

The proposed access road forms part of the housing development covered by application 15/00551/FUL. Ground investigations undertaken in support of this application did not identify any significant contamination issues although the made ground was found to contain occasional elevated concentrations of heavy metals and PAH's necessitating a basic cover system in proposed gardens. However, there are no particular remedial requirements in relation to the proposed road construction.

I will therefore be seeking no conditions in relation to this application.

4.4 Open Spaces Officer – Trees

The site contains no TPO's and does not fall within a Conservation Area. The site contains trees and small areas of scrub and therefore any vegetation clearance works should consider nesting birds.

4.5 Merseyside Environmental Advisory Service

The application is accompanied by an ecological survey report in accordance with Local Plan policy CS20 (*Ecological Appraisal - Land off Peel House Lane, Widnes, Cheshire, Leigh Ecology Ltd, 6 October 2015, DEP/15-006*). Notwithstanding the conclusions of the survey report regarding bats and trees, they advise that the survey is acceptable and will be forwarded to Cheshire Record via Merseyside BioBank. Further information on the bat roosting potential of the trees was requested at this point and has since been provided with the conclusion that the seven trees are Category 3 (trees with no potential to support bats). They advise that further bat surveys will not be

required in relation to this application and the Council does not need to consider the proposals against the three tests (Habitats Regulations).

Conditions which secure breeding bird protection, waste audit and a Construction Environmental Management Plan are suggested.

4.6 Environment Agency

They confirmed that they have no comments to make on this application.

4.7 Sport England

The cemetery proposal was subject to a similar application in 2014 (14/00633). It is this application that primarily impact on the playing field area but Sport England raised no objection, satisfied that the school playing field was surplus to requirements in the light of the Playing Pitch Strategy and that elements of pitch provision had be re-provided off site to meet curricular needs elsewhere (therefore meeting Exceptions E1 and E4 of our policy to protect playing fields).

The new cemetery proposal (15/00553) has a similar impact and the housing development (15/00551) affects primarily the built element of the old school site. The access and infrastructure proposals are largely integral to the two developments (15/00552). Overall the proposals do not increase/change the impact on playing fields and our position relating to application 14/00633 is applicable to all three applications.

Further to the above assessment, Sport England does not wish to raise an objection to any of the three applications on the basis that they will meet Exceptions E1 and E4 of our policy and are compliant with NPPF Par. 74 for the same reasons.

5. **REPRESENTATIONS**

5.1 The application has been advertised by a press advert in the Widnes & Runcorn Weekly News on 26/11/2015, two site notices posted on Peel House Lane and one site notice posted on Lytham Road on 26/11/2015 and 96 neighbour notification letters sent on 19/11/2015.

5.2 Following the receipt of further supporting documentation, 96 neighbour notification letters were sent on 27/01/2016.

5.3 Two representations have been received from the publicity given to the application. A summary of the issues raised is below:

- The overall development will leave 3 properties surrounded by roads (Peel House Lane to the front, Lytham Road to the left and the new access road to the right).
- The noise and disruption during construction would be unbearable.
- Why couldn't the access be positioned at the northern side of the site?

- The decision should be made by the Committee.
- What will the construction hours be?
- The Maintenance Depot would now be closer to residential properties creating more noise and disturbance.
- Neighbouring properties will suffer from traffic noise as a result of the position of the new access road.

6. ASSESSMENT

6.1 Requirement for Development

The access road, which forms the basis of this application, is part of a wider scheme at the former Fairfield High School site to provide a new cemetery for Widnes. The cemetery would be situated on the rear of the site with the residential to the frontage. The current cemetery at Birchfield Road is almost at capacity, the former Fairfield High School site was identified as the most appropriate site for a new Widnes Cemetery as it is central, easily accessible and within the ownership of the Council. In order to meet the required delivery date of Summer 2016 for the operation of a new cemetery, preparatory work has been undertaken by Halton Borough to progress the cemetery development.

In the absence of any internal or external budget for the works the sale of the frontage of the site for residential would enable the cemetery work by providing a capital receipt for both the cemetery and necessary transport links (the access road being considered by this application), in addition to the advance work already undertaken including demolition, investigation and design. The Council has also undertaken the necessary process for an alternative use of the school site and playing pitches under Section 77 of the Academies Act 2010. As dictated by this process an element of the capital receipt would be used to improve educational facilities specifically at Fairfield Infant and Primary School. The process was completed in October 2014.

6.2 Development on a designated Greenspace

Within Policy GE6 of the Halton Unitary Development Plan, there is a presumption against development within a designated greenspace unless it is ancillary to the enjoyment of the greenspace.

There are exceptions set out in the policy where the loss of amenity land is adequately compensated for.

Exception (d) states that "In all exceptional cases there would have to be clear and convincing reasons why development should be permitted or that loss of amenity value could be adequately compensated".

A significant percentage of the proposed access road would be located on the location of the former schools buildings adjacent to the site frontage and there is provision within Policy GE9 of the Halton Unitary Development Plan for redevelopment of these areas of redundant school buildings on the condition

that they cover a similar built area and of a similar bulk. The access road on this part of the site is considered acceptable in principle having regard for Policy GE9.

In respect of the remainder of the access road which would encroach onto designated greenspace, the requirement for the development is set out in paragraph 6.1 and the delivery of a new cemetery for Widnes is of key importance for the borough and the proposed residential development and the access road required to serve both developments is enabling development to ensure that this provision is delivered. This is considered to be a clear and convincing reason why the development should be permitted in compliance with exception (d) within Policy GE6.

The proposal is therefore considered to be compliant with Policy GE6 of the Halton Unitary Development Plan.

6.3 Protection of Outdoor Playing Space for Formal Sport and Recreation

Paragraph 74 of the National Planning Policy Framework (NPPF) sets out the national planning policy in relation to open spaces and sports and recreational buildings and is set out below.

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Policy GE12 of the Halton Unitary Development Plan outlines the presumption against the loss of outdoor playing space for formal sport and recreation.

Sport England is a statutory consultee on all planning applications which affect playing field land. Sport England raises no objection and they are satisfied that the school playing field is surplus to requirements in the light of the Playing Pitch Strategy and that elements of pitch provision had be re-provided off site to meet curricular needs elsewhere (therefore meeting Exceptions E1 and E4 of their policy to protect playing fields).

The proposal would inevitably result in the loss of the outdoor playing space for formal sport and recreation.

The closure of Fairfield High School in 2013 was as a result of the amalgamation of Fairfield High School and Wade Deacon High School. Wade Deacon High School benefitted from the Government's Building Schools for the Future programme with the new facilities opening in April 2013 which

coincided with the closure of Fairfield High School. The new facilities included upgraded sports pitches and a new 6 court sports hall.

Wade Deacon High School now benefits from enhanced facilities but this would not provide replacement provision in terms of quantity for that which would be lost.

As referred to above, stipulation of the release of the site for non-educational development by the Secretary of State in relation to the Section 77 of the Academies Act 2010 would secure the provision of a new all-weather playing pitch at the nearby Fairfield Infant and Junior School which would be a further enhancement to facilities in the area.

As the proposal would not result in replacement provision in terms of quantity and size, the proposal has demonstrated that the land is surplus to requirements through a Playing Pitch Strategy to accord with both paragraph 74 of the National Planning Policy Framework and Policy GE12 of the Halton Unitary Development Plan.

6.4 Highway Considerations

The access road has demonstrated that there is sufficient space for the Council refuse vehicle and a limousine accessing the cemetery to pass when entering/exiting the access road from Peel House Lane and is therefore of a dimension suitable to serve both the residential development proposed by planning application 15/00551/FUL and the cemetery proposed by 15/00553/HBCFUL.

Appropriate pedestrian provision adjacent to the access road to serve the adjacent proposed cemetery and residential development.

In terms of junction spacing on Peel House Lane, sufficient space would exist between Lytham Road and the proposed access road to ensure that no highway safety issues would result.

To ensure the development is carried out in an appropriate manner, it is considered reasonable to attach a condition which secures the submission of a construction management plan and its subsequent implementation.

Based on all the above, the proposal is considered to be acceptable from a highway perspective compliant with Policies BE1, TP1, TP6 and TP7 of the Halton Unitary Development Plan and Policy CS15 of the Halton Core Strategy Local Plan.

6.5 Layout

The vision for the access road is to create a tree lined boulevard leading to the cemetery with roads off this to serve the residential development. This is considered to create an attractive entrance to both the adjacent developments

proposed and form an acceptable relationship with the existing residential properties located on Lytham Road.

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 and Policy CS18 of the Halton Core Strategy Local Plan.

6.6 Landscaping & Trees

The application is accompanied by a detailed landscaping proposal. It is considered that this would result in satisfactory appearance. A condition which secures the implementation of the scheme and its subsequent maintenance is suggested.

This would ensure compliance with Policies BE 1 and GE 27 of the Halton Unitary Development Plan would be achieved.

6.7 Site Levels

In order to ensure acceptable relationships with the existing residential properties, it is considered reasonable to attach a condition which secures the submission of existing and proposed levels for approval.

This would ensure compliance with Policy BE 1 of the Halton Unitary Development Plan.

6.8 Drainage

The Planning Practice Guidance (PPG) requires applicants for planning permission to discharge surface water runoff according to a hierarchy of runoff destinations. The PPG states that 'sustainable drainage systems should be provided unless demonstrated to be inappropriate' and 'the aim should be to discharge surface run off as high up the...hierarchy of drainage options as reasonably practicable.' The hierarchy for surface water runoff destinations is as follows:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer, highway drain, or another drainage system;
- to a combined sewer.

Investigation of the alternative runoff destinations that may be available to the site needs to be demonstrated to comply with the above hierarchy. This is currently awaited.

Once the necessary confirmations have been received, the proposal would then be compliant with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan. The implementation of an appropriate drainage scheme for the site should be secured by condition.

6.9 Ground Contamination

The application is accompanied by a Phase 2 Intrusive Investigation, Supplementary Site Investigation and a Remediation Strategy.

The Contaminated Land Officer notes that there are no particular remedial requirements in relation to the proposed road construction. No conditions in respect of ground contamination for this application are suggested.

The proposal is considered to be compliant with Policy PR14 of the Halton Unitary Development Plan.

6.10 Noise

The representations received raise issues with noise and disturbance as a result of the proposed development. With most forms of development, there will inevitably be some form of disruption during construction. In order to manage this in an appropriate manner, conditions which restrict the hours of construction and require the submission of a construction management plan for approval.

In terms of the resultant relationship with a tree lined boulevard being located to the rear of the existing residential properties on Lytham Road, this is not an unusual relationship nor is it considered that it would be significantly detrimental to residential amenity.

The proposal is considered to be compliant with Policy PR8 of the Halton Unitary Development Plan.

6.11 Biodiversity

The application is accompanied by an Ecological Appraisal and further information on the bat roosting potential of the trees.

Our Ecological Advisor – Merseyside Environmental Advisory Service have advised that the survey work undertaken is acceptable.

A condition has been suggested in relation to breeding bird protection.

The proposal is compliant with Policy GE21 of the Halton Unitary Development Plan.

6.12 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 would deal with issues of this nature and based on the development cost, the production of a Site Waste Management Plan would be required. In terms of waste management, the submission of a waste audit is

required to ensure that any waste generated by the access road is dealt with appropriately.

7. CONCLUSIONS

It is noted that the existing cemetery in Widnes is nearing full capacity and a new burial ground in the town is urgently needed.

The purpose of this application is to provide an access road which would serve both the proposed cemetery and the proposed residential development. The residential development is to enable funds to be raised for the implementation of a new cemetery, necessary transport links which take the form of the proposed access road, in addition to the improved educational facilities specifically at Fairfield Infant and Primary School as dictated by the release for non-education use under Section 77 of the Academies Act 2010.

In relation to the protection of outdoor playing space for formal sport and recreation, Sport England raises no objection and they are satisfied that the school playing field is surplus to requirements in the light of the Playing Pitch Strategy and that elements of pitch provision had be re-provided off site to meet curricular needs elsewhere.

The access road is of a dimension which is sufficient to accommodate the cemetery and residential development which it would serve and would create an attractive tree lined boulevard which would ensure satisfactory appearance.

The application is recommended for approval subject to conditions.

8. RECOMMENDATIONS

The application is recommended for approval subject to the conditions suggested.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Submission of Proposed Site Levels (Policy BE1)
4. Implementation of Detailed Soft Landscaping Scheme and subsequent maintenance - (Policy BE1)
5. Implementation of Submitted Hard Landscape and Boundaries Layout and subsequent maintenance - (Policy BE1)
6. Breeding Birds Protection – (Policy GE21)
7. Hours of Construction – (Policy BE1)
8. Submission of a Construction Environmental Management Plan - (Policy BE1)
9. Implementation of Access and Servicing Provision – (Policy BE1)

10. Submission of Drainage Strategy for approval and subsequent implementation – (Policy PR16)

11. Submission of a Waste Audit – (Policy WM8)

Informatives

- Highway Informative – S38 / S278/184.
- European Protected Species.

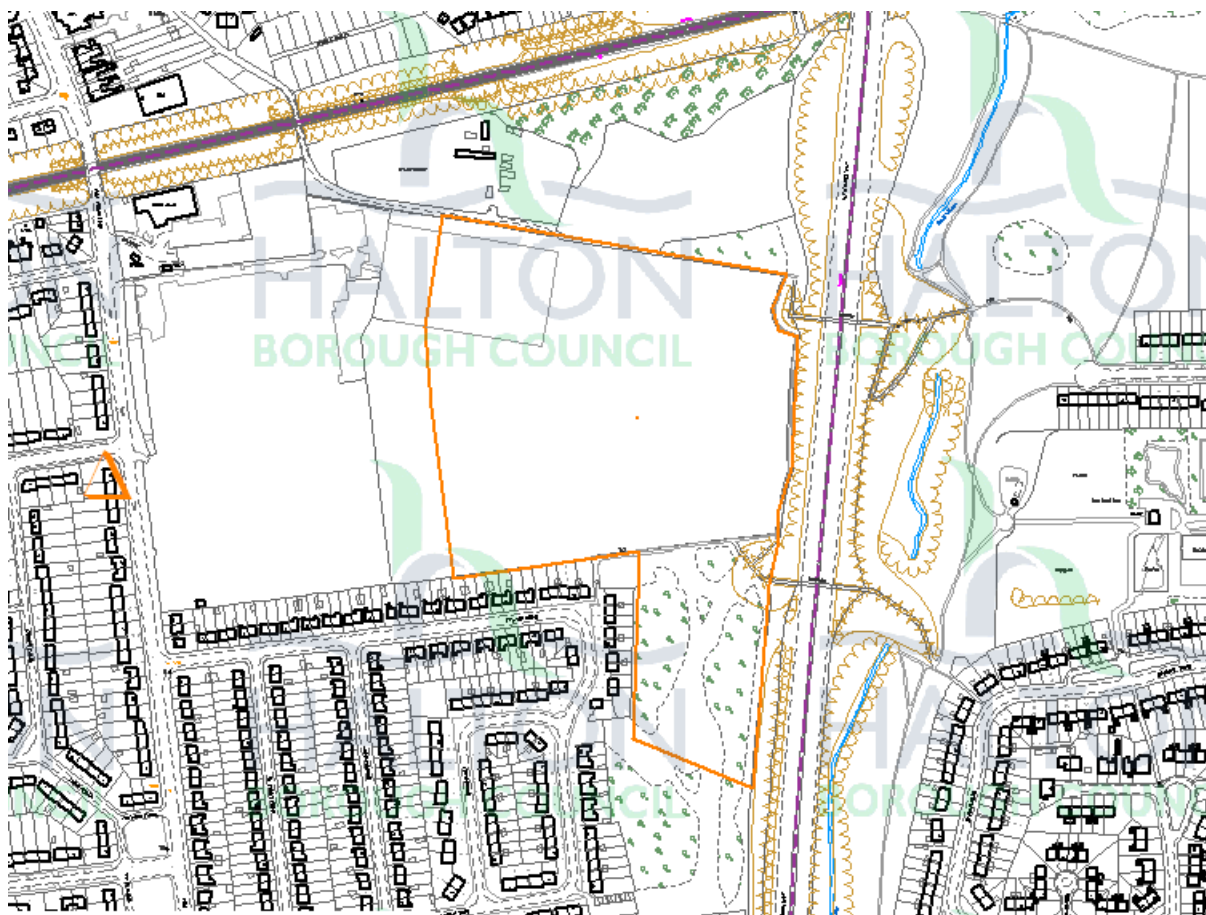
10. SUSTAINABILITY STATEMENT

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:	15/00553/HBCFUL
LOCATION:	Former Fairfield High School Site, Peel House Lane, Widnes.
PROPOSAL:	Proposed construction of a new cemetery, access road and maintenance depot with associated infrastructure.
WARD:	Appleton
PARISH:	None
AGENT(S) / APPLICANT(S):	Halton Borough Council.
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Greenspace – School Playing Fields.
DEPARTURE	Yes
REPRESENTATIONS:	Two representations received from the publicity given to the application.
KEY ISSUES:	Principle of Development, Design, Amenity, Highways, Pollution and Flood Risk.
RECOMMENDATION:	It is requested that 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 drainage design has been amended to the satisfaction of the Environment Agency and the Lead Local Flood Authority. The application is recommended for approval subject to the conditions suggested and any additional conditions required following the submission of further information and subsequent consultation.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site subject of the application is part of the Former Fairfield High School Site which is located on Peel House Lane in Widnes. The former school buildings which were located in relative close proximity to the Peel House Lane frontage have now been demolished. The site is now vacant. The site is designated as being within a Greenspace – School Playing Fields on the Halton Unitary Development Plan Proposals Map. The application site also includes part of Peel House Lane itself and part of the Lytham Road Woodland which also falls within the Greenspace designation.

The surrounding area is predominantly residential with other notable features being the Beaconsfield Primary Care Centre on Bevan Way to the north of the site and the A557 – Watkinson Way located to the east of the site.

2. THE APPLICATION

2.1 The Proposal

The application proposes the construction of a new cemetery, access road and maintenance depot with associated infrastructure.

The new cemetery would be located towards the rear of the Former Fairfield High School Site. Access would be gained by a new road which would run from Peel House Lane. This is subject to a separate planning application (15/00552/FUL).

The cemetery would have a space for public gathering at the centre of the site which would be encircled by an access road which would provide a one-way circulation route for vehicles and would have parking spaces provided on the edge of this.

A series of radial footpaths would lead outwards from the parking areas to the burial grounds with the intention being to utilise the north western part of the cemetery site for cremated remains with the remainder being used for full depth burials.

Part of the Lytham Road Woodland has been included within the application site for the reason that there is an intention to have a sustainable drainage system in this area. The access road shown on the plan which links with the southern boundary of the site is for future maintenance of the Lytham Road Woodland.

2.2 Related Planning Applications

This application has been submitted at the same time as two other planning applications which also relate to the overall redevelopment of the former Fairfield High School Site.

- 15/00551/FUL – Proposed Development comprising 162no. dwellings with associated access roads, landscaping and infrastructure.
- 15/00552/FUL – Proposed Construction of access road providing access to cemetery and housing development.

2.3 Documentation

The planning application is supported by the following plans and documents:

- Design and Access Statement;
- Site Location Plan;
- General Arrangement Plan;
- Proposed Drainage Plan;
- SUDS Proposals Plan;
- Water Supply and Service Ducts Plan;
- Hard Surfaces and Signage Plan;
- Planting Plan;
- Contemplation Garden Plan;
- Columbaria Garden and Seating Plan;
- Concrete Grave Plinths Plan;
- Surfacing and Street Furniture Plan;

- Maintenance Depot Plan;
- Main Gates and Piers Plan;
- Perimeter Wall Plan;
- Footpath Construction Plan;
- Resin Bound Gravel Paving Plan;
- Bin Store and Water Point Railings;
- Easement Railings and Gates Plan;
- Steel Pergola Plan;
- Cross Section – Grave Pits and Land Drains;
- Ground Water Risk Assessment;
- Desk Study Report (Contamination);
- Phase 2 Intrusive Investigation;
- Trial Pitting Letter Report;
- Flood Risk Assessment and Addendum;
- Extended Phase I Habitat Survey.

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 allocated as a Greenspace – School Playing Fields 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 Green Space;
- GE9 Redevelopment and Changes of Use of Redundant School Buildings;
- GE12 Protection of Outdoor Playing Space for Formal Sport and Recreation;
- PR14 Contaminated Land;
- PR15 Groundwater;
- PR16 Development and Flood Risk;
- TP1 Public Transport Provision as Part of New Development;
- TP6 Cycle Provision as Part of New Development;

- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;

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;
- CS15 Sustainable Transport;
- CS18 High Quality Design;
- 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 conditions.

4.2 Lead Local Flood Authority

Some concerns have been raised with regard to the proposed filter drain system and its potential to draw groundwater from the area of the site and possibly beyond. Whilst we can calculate what the theoretical greenfield runoff might be, this figure is likely to be exceeded when the additional groundwater is taken into account.

4.3 Environmental Health – Ground Contamination

The site has had no apparent historical use other than playing fields to the adjacent school and public open space with associated footpaths. The proposed development is not of particular sensitivity to contamination. A groundwater pollution potential risk assessment submitted in support of the previous permission (14/00633/HBCFUL) demonstrated that the use of the site as a burial ground would not pose a risk to controlled waters. Site investigations completed to support this assessment found the ground conditions to comprise topsoil underlain by glacial clay and sandstone with no evidence of contamination.

No conditions are being sought.

4.4 Open Spaces Officer – Trees

The site contains no TPO's and does not fall within a Conservation Area. The site contains trees and small areas of scrub and therefore any vegetation clearance works should consider nesting birds.

4.5 Merseyside Environmental Advisory Service

The application is accompanied by an ecological survey report in accordance with Local Plan policy CS20 (*Extended Phase 1 Habitat Survey, CES Ecology, January 2016, 1244/01-16NF*). The survey was undertaken in January 2016, outside of the optimum period for the undertaking of extended phase 1 habitat surveys. However, this is not considered to be a significant constraint due to the limited nature of habitats present upon the site. Notwithstanding this, the survey is acceptable and will be forwarded to Cheshire Record via Merseyside BioBank.

Conditions which secure protection for the woodland habitat whilst the drainage works are being undertaken and breeding bird protection are suggested.

4.6 Environment Agency

They currently raise an objection to the proposed development. They anticipate that currently the proposed drainage design is likely to be ineffective in the collection of either surface water or groundwater, and that if the carrier pipe did convey a significant amount of water, there is a risk it could contribute to localised saturation of the ground near some graves. The current proposal does not conform to our normal advice that permeable piped drains should be at least 10 metres away from burial pits.

4.7 Sport England

The cemetery proposal was subject to a similar application in 2014 (14/00633). It is this application that primarily impact on the playing field area but Sport England raised no objection, satisfied that the school playing field was surplus to requirements in the light of the Playing Pitch Strategy and that elements of pitch provision had be re-provided off site to meet curricular needs elsewhere (therefore meeting Exceptions E1 and E4 of our policy to protect playing fields).

The new cemetery proposal (15/00553) has a similar impact and the housing development (15/00551) affects primarily the built element of the old school site. The access and infrastructure proposals are largely integral to the two developments (15/0052). Overall the proposals do not increase/change the impact on playing fields and our position relating to application 14/00633 is applicable to all three applications.

Further to the above assessment, Sport England does not wish to raise an objection to any of the three applications on the basis that they will meet Exceptions E1 and E4 of our policy and are compliant with NPPF Par. 74 for the same reasons.

5. REPRESENTATIONS

5.1 The application has been advertised by a press advert in the Widnes & Runcorn Weekly News on 26/11/2015, two site notices posted on Peel House Lane and one site notice posted on Lytham Road on 26/11/2015 and 96 neighbour notification letters sent on 19/11/2015.

5.2 Following the receipt of further supporting documentation, 96 neighbour notification letters were sent on 27/01/2016.

5.3 Two representations have been received from the publicity given to the application. A summary of the issues raised is below:

- The overall development will leave 3 properties surrounded by roads (Peel House Lane to the front, Lytham Road to the left and the new access road to the right).
- The noise and disruption during construction would be unbearable.
- Why couldn't the access be positioned at the northern side of the site?
- The decision should be made by the Committee.
- What will the construction hours be?
- The Maintenance Depot would now be closer to residential properties creating more noise and disturbance.
- Neighbouring properties will suffer from traffic noise as a result of the position of the new access road.

6. ASSESSMENT

6.1 Requirement for Development

The Design and Access Statement indicates that Widnes cemetery is nearing full capacity and a new burial ground is urgently needed.

As referred to in the site description, the site was vacated in April 2013 and the school buildings were demolished with site clearance being completed in December 2013.

The Council identified this site as being an appropriate location for a new cemetery and subsequently made an application to the Department for Education, under Section 77 of the Academies Act 2010, to release the site for non-educational development. The release was granted by the Secretary of State on 3rd October 2014.

Following on from this, a planning application was submitted (14/00633/HBCFUL) for a new cemetery which was granted on 03/03/2015. The whole of the Fairfield High School Site is not included within this

application for the cemetery as the intention was to market the land on the Peel House Lane frontage for residential development with this being enabling development for the proposed cemetery as well as funding a new all-weather pitch and IT improvements at Fairfield Infant and Junior School. The investment at Fairfield Infant and Junior School was a stipulation of the release by the Secretary of State.

The reason for this further application is due to issues with the implementation of the access road from Peel House Lane originally granted. The new access road from Peel House Lane now proposed is being considered by application 15/00552/FUL and the cemetery layout has changed as a result of this.

6.2 Development on a designated Greenspace

Within Policy GE6 of the Halton Unitary Development Plan, there is a presumption against development within a designated greenspace unless it is ancillary to the enjoyment of the greenspace.

The last use of the site as school playing fields is a greenspace use as is the proposed use as a cemetery, however the use of this site as a cemetery would not be ancillary to the last use of the site as a playing field and there would be a loss in amenity value which led to its designation as a school playing field.

There are exceptions set out in the policy where the loss of amenity land is adequately compensated for.

Exception (d) states that "In all exceptional cases there would have to be clear and convincing reasons why development should be permitted or that loss of amenity value could be adequately compensated".

This proposal would result in the loss of amenity value as a school playing field; however this would be compensated for in the form of a cemetery which is another accepted greenspace use. The cemetery proposal by virtue of the landscape proposals would enhance the wildlife and landscape interest of the site and it is considered that the proposal would enhance the overall attractiveness of the area.

The above justifies the proposal in terms of exception (d) with the fact that Widnes cemetery is nearing full capacity and a new burial ground is urgently needed adding further weight to the need for the development.

The proposal is considered to be compliant with Policy GE6 of the Halton Unitary Development Plan.

6.3 Protection of Outdoor Playing Space for Formal Sport and Recreation

Paragraph 74 of the National Planning Policy Framework (NPPF) sets out the national planning policy in relation to open spaces and sports and recreational buildings and is set out below.

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Policy GE12 of the Halton Unitary Development Plan outlines the presumption against the loss of outdoor playing space for formal sport and recreation.

Sport England is a statutory consultee on all planning applications which affect playing field land. Sport England raises no objection and they are satisfied that the school playing field is surplus to requirements in the light of the Playing Pitch Strategy and that elements of pitch provision had be re-provided off site to meet curricular needs elsewhere (therefore meeting Exceptions E1 and E4 of their policy to protect playing fields).

The proposal would inevitably result in the loss of the outdoor playing space for formal sport and recreation.

The closure of Fairfield High School in 2013 was as a result of the amalgamation of Fairfield High School and Wade Deacon High School. Wade Deacon High School benefitted from the Government's Building Schools for the Future programme with the new facilities opening in April 2013 which coincided with the closure of Fairfield High School. The new facilities included upgraded sports pitches and a new 6 court sports hall.

Wade Deacon High School now benefits from enhanced facilities but this would not provide replacement provision in terms of quantity for that which would be lost.

As referred to above, stipulation of the release of the site for non-educational development by the Secretary of State in relation to the Section 77 of the Academies Act 2010 would secure the provision of a new all-weather playing pitch at the nearby Fairfield Infant and Junior School which would be a further enhancement to facilities in the area.

As the proposal would not result in replacement provision in terms of quantity and size, the proposal has demonstrated that the land is surplus to requirements through a Playing Pitch Strategy to accord with both paragraph 74 of the National Planning Policy Framework and Policy GE12 of the Halton Unitary Development Plan.

6.4 Highway Considerations

As previously stated, the access road from Peel House Lane to the cemetery gates is under consideration by application 15/00552/FUL and the subsequent granting of this application would need to be subject to a condition which secures that the access road is implemented prior to the first use of the cemetery.

The cemetery itself would have an access road which would provide a one-way circulation route for vehicles and would have parking spaces provided on the edge of this. The level of parking provision proposed is considered to be acceptable.

In terms of sustainable transport options, cycle parking provision is proposed within the proposed cemetery site as well as safe pedestrian access to the cemetery site on the proposed footways adjacent to the proposed access road. Peel House Lane is a bus route and there are bus stops within walking distance of the site which increases travel options.

The submission of a construction management plan should also be secured by condition.

This would ensure that the proposal is acceptable from a highway perspective compliant with Policies BE1, TP1, TP6, TP7, TP12 of the Halton Unitary Development Plan and Policy CS15 of the Halton Core Strategy Local Plan.

6.5 Design

The proposed cemetery would not have any buildings located on it and would essentially comprise of a space for public gathering at the centre of the site which would be encircled by an access road and a series of radial footpaths would lead outwards to the burial grounds. Native woodland planting is proposed along the site boundaries.

The intention is to achieve a tree lined boulevard leading to the cemetery and space for a grass verge adjacent to the access road and footway is available. The cemetery frontage would comprise of a boundary wall with steel access gates.

The overall design of the scheme is considered to be acceptable and would enhance the appearance of the site.

The proposal is considered to be acceptable in terms of design compliant with Policy BE 1 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

6.6 Amenity

It is noted that part of the site is directly adjacent to residential properties. It is considered that the proposed use of the site as a cemetery would not have a

significantly detrimental impact on the amenity of persons who reside in the locality and the land uses are compatible.

In terms of amenity, the proposal is considered to be compliant with Policy BE1 of the Halton Unitary Development Plan.

6.7 Landscaping & Trees

The application is accompanied by a landscape proposals plan and a planting plan which provide a fully specified scheme for the cemetery site. The detail within this scheme is considered to be acceptable and would enhance the appearance of the site.

Based on the implementation of the submitted landscaping and planting proposals which can be secured by condition, compliance with Policies BE 1 and GE 27 of the Halton Unitary Development Plan would be achieved.

6.8 Site Levels

The application is accompanied by a topographical survey of the site and proposed site levels.

The site slopes from north to south with the difference in levels across the site being approximately 5 metres. The proposed site levels do indicate an increase in levels across the majority of the site with part of the reasoning being the minimum required depth of soil / clay for burials with a full grave with triple occupancy being 3.3m with the requirement for cremated remains being 1.75m, however these changes are not significant.

It is considered that the proposed site levels would result in an acceptable development in terms of appearance and relationship to its surroundings.

Increasing site levels would inevitably involve the importation of material and the construction management plan suggested would ensure that this is undertaken in an appropriate manner.

It is considered reasonable to attach a condition which secures implementation in accordance with the proposed site levels shown on the drainage plan.

This would ensure compliance with Policy BE 1 of the Halton Unitary Development Plan.

6.9 Flood Risk & Drainage

The application site is located in Flood Zone 1 and is therefore in an area which is at low risk from flooding. As the site is in excess of 1ha in area, in order to accord with the National Planning Policy Framework, the application is accompanied by a site-specific flood risk assessment.

The conclusion of the site-specific flood risk assessment is that there are no grounds for objection to the proposed redevelopment on the basis of flood risk providing that the recommendations in the report are followed.

The assessment acknowledged that the proposed cemetery development would increase the impermeable areas on-site and in turn surface water run-off from the site and recommend the run-off from the site is controlled through a sustainable drainage system (SuDS). This would ensure that there is no increase in flood risk to receiving watercourses or sewers or areas surrounding the site.

Some concerns have been raised by the Lead Local Flood Authority with regard to the proposed filter drain system and its potential to draw groundwater from the area of the site and possibly beyond. Whilst we can calculate what the theoretical greenfield runoff might be, this figure is likely to be exceeded when the additional groundwater is taken into account. Further details would be needed before the overall drainage strategy can be agreed. The implementation of an appropriate drainage strategy can be secured by condition.

This would ensure that the proposal is compliant with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

6.10 Groundwater

A Ground Water Pollution Potential Risk Assessment accompanies the application. The Environment Agency currently raises an objection to the proposed development. They anticipate that currently the proposed drainage design is likely to be ineffective in the collection of either surface water or groundwater, and that if the carrier pipe did convey a significant amount of water, there is a risk it could contribute to localised saturation of the ground near some graves. The current proposal does not conform to our normal advice that permeable piped drains should be at least 10 metres away from burial pits.

A technical solution to the issues raised will exist and in order for a decision to be issued in a timely manner following the resolution of the issue, it is requested that 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 drainage design has been amended to the satisfaction of the Environment Agency and Lead Local Flood Authority.

Based on the above, it is considered that the proposal will be compliant with Policy PR15 of the Halton Unitary Development Plan on receipt of an acceptable drainage scheme.

6.11 Biodiversity

The application is accompanied by an Extended Phase 1 Habitat Survey.

Our Ecological Advisor – Merseyside Environmental Advisory Service have advised that the survey is acceptable.

Conditions have been suggested in relation to breeding bird protection and woodland habitat protection.

The proposal is compliant with Policy GE21 of the Halton Unitary Development Plan.

6.12 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 would deal with issues of this nature and based on the development cost, the production of a Site Waste Management Plan would be required. In terms of waste management, there is sufficient space within the site to ensure that any waste generated by the cemetery use is dealt with appropriately.

7. CONCLUSIONS

It is noted that the existing cemetery in Widnes is nearing full capacity and a new burial ground in the town is urgently needed and the former Fairfield High School site was granted a release for non-education use by the Secretary of State under Section 77 of the Academies Act 2010.

This proposal would result in the loss of amenity value as a school playing field; however this would be compensated for in the form of cemetery which is another accepted greenspace use.

In relation to the protection of outdoor playing space for formal sport and recreation, Sport England raises no objection and they are satisfied that the school playing field is surplus to requirements in the light of the Playing Pitch Strategy and that elements of pitch provision had be re-provided off site to meet curricular needs elsewhere.

The site is located in a sustainable location and has demonstrated suitable access by a variety of different means.

In terms of design, it is considered that the proposed cemetery scheme would enhance the appearance of the site and have an acceptable relationship with surrounding residential properties.

Both the Environment Agency and the Lead Local Flood Authority have raised issues with the drainage design which is outstanding however a technical

solution to the issues raised will exist and delegated authority is sought to address this technical issue.

The application is recommended for approval subject to conditions.

8. RECOMMENDATIONS

It is requested that 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 drainage design has been amended to the satisfaction of the Environment Agency and the Lead Local Flood Authority.

The application is recommended for approval subject to the conditions suggested and any additional conditions required following the submission of further information and subsequent consultation.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Implementation of Proposed Site Levels - (Policy BE1)
4. Implementation of Landscaping & Boundary Treatments Scheme – (Policy BE1)
5. Breeding Birds Protection – (Policy GE21)
6. Protection of Woodland Habitat – (Policy GE21)
7. Construction Management Plan (Highways) – (Policy BE1)
8. Implementation of access road under application 15/00552/FUL (Policy BE1)
9. Provision of Parking and Servicing within cemetery (Policy BE1)
10. Implementation of Drainage Strategy – (Policy PR16)

Informatives

1. United Utilities Informative.

10. SUSTAINABILITY STATEMENT

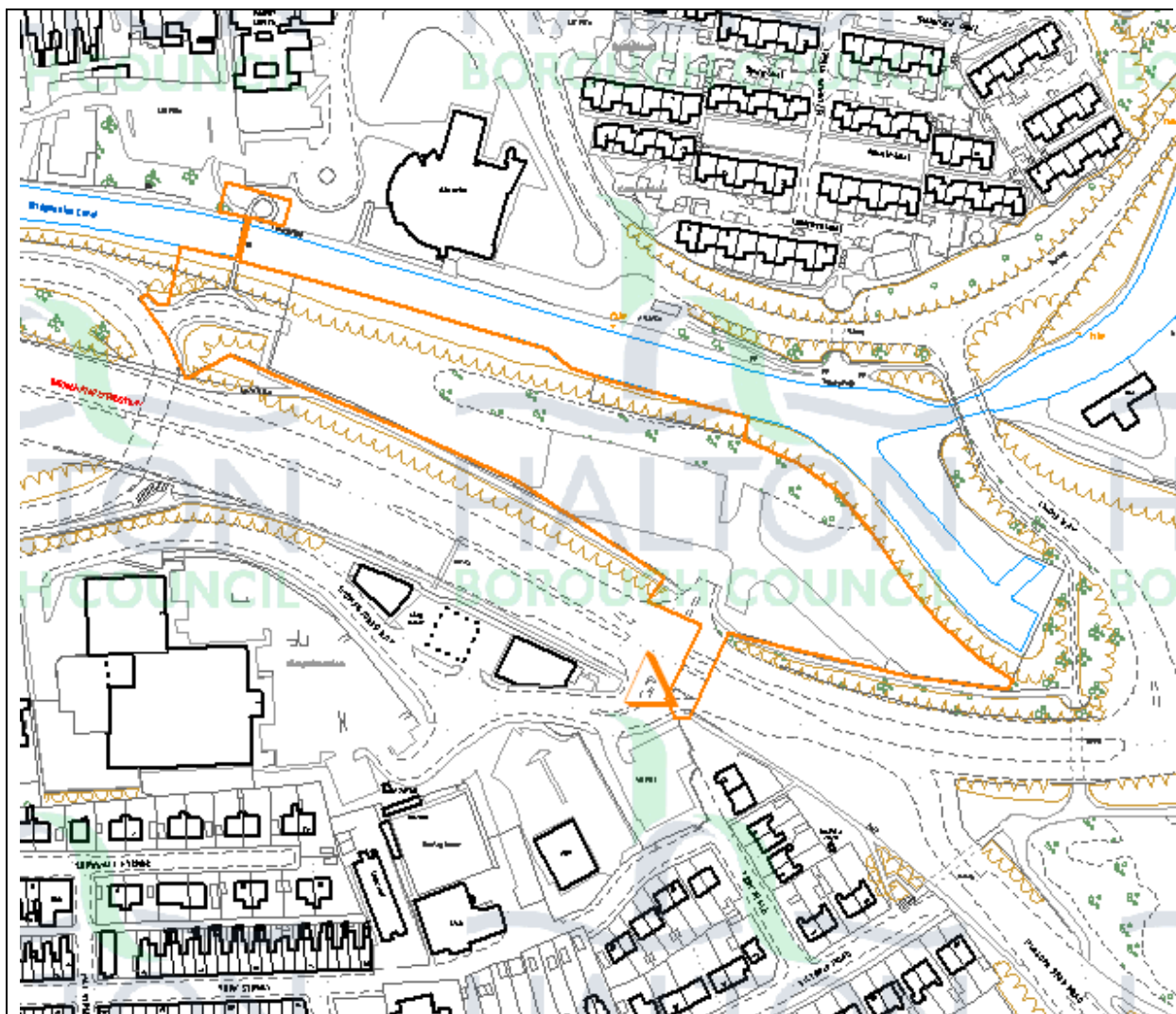
As required by:

- 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:	15/00584/OUT
LOCATION:	Land bounded by Bridgewater Canal, Daresbury Expressway & Greenway Road, Runcorn, Cheshire.
PROPOSAL:	Proposed hybrid application seeking full planning permission for development comprising; Town Centre Car Park, Public House/Restaurant (Use Class A4) with ancillary managers accommodation, access roads, parking and servicing areas and landscaping and outline permission (with all matters reserved) for a commercial unit of up to 195 square metres (Use Class A1, A3, A5).
WARD:	Mersey
PARISH:	None
AGENT(S) / APPLICANT(S):	Neptune Projects Ltd, Halton BC, Marstons Estates Ltd & Wildgoose Construction.
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Retail and Leisure Allocation (Site 7 – Crosville Bus Depot – Runcorn Old Town – Leisure (D2), food and drink (A3).
DEPARTURE	No
REPRESENTATIONS:	Two representations have been received from the publicity given to the application.
KEY ISSUES:	Retail & Leisure Allocations, West Runcorn Key Area of Change, Design, Access.
RECOMMENDATION:	It is requested that 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 ecological issue raised by Merseyside Environmental Advisory Service is addressed. The application is recommended for approval subject to the conditions

	suggested and any additional conditions required following the submission of further information and subsequent consultation.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site subject of the application is bounded by Bridgewater Canal, Daresbury Expressway and Greenway Road in Runcorn. The site is currently vacant and was last used as a bus depot for Crosville.

Located to the north of the site is the Bridgewater Canal with Runcorn Old Town located beyond this. Access to the Runcorn Old Town is gained by the pedestrian bridge over the Bridgewater Canal. Runcorn Old Town is designated as a District Centre in the Halton Core Strategy Local Plan with it

being a focus for convenience, local and niche comparison and service retail and leisure uses.

Located to the south of the site is the Daresbury Expressway with the Bridge Retail Park located opposite the application site. Located on the retail park is a B&M Home Store, Pure Gym, a Starbucks Coffee House and a BP Petrol Filling Station which has a Spar, Subway and Greggs outlet within.

The site is designated as a Retail & Leisure Allocation in the Halton Unitary Development Plan. Within Policy TC1 of the Halton Unitary Development Plan, the application site is referred to as Site 7 – Crosville Bus Depot – Runcorn Old Town with Leisure (D2), food and drink (A3) being appropriate uses.

2. THE APPLICATION

2.1 The Proposal

This is a hybrid application seeking full planning permission for development comprising; Town Centre Car Park, Public House/Restaurant (Use Class A4) with ancillary managers accommodation, access roads, parking and servicing areas and landscaping and outline permission (with all matters reserved) for a commercial unit of up to 195 square metres (Use Class A1, A3, A5).

2.2 Documentation

The planning application is supported the following documents/plans:

- Design and Access Statement prepared by IBI Group;
- Flood Risk Assessment prepared by Enzygo;
- Transport Assessment prepared by JMP;
- Arboricultural Survey prepared by Outline Trees;
- Preliminary Ecological Appraisal prepared by Torc Ecology;
- Ecological Impact Assessment prepared by Torc Ecology;
- Drainage Strategy prepared by ABA;
- Desk Study Report prepared by GEA;
- Phase 2 Site Investigation Survey prepared by GEA;
- Remediation Strategy Statement prepared by GEA;
- Topographical Survey prepared by SEP;
- Lighting Details prepared by Jenks Associates;

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 Retail and Leisure Allocation 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;
- BE18 Access to New Buildings Used by the Public;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodlands;
- PR12 Development on Land Surrounding COMAH Sites;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP1 Public Transport Provision as Part of New Development;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;
- TP15 Accessibility to New Development;
- LTC2 Development of Major Leisure and Community Facilities on the Edge of Designated Shopping Centres;
- TC1 Retail & Leisure Allocations.

3.3 Halton Core Strategy (2013)

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

- CS1 Halton's Spatial Strategy;
- CS2 Presumption in Favour of Sustainable Development;
- CS5 A Network of Centres;
- CS7 Infrastructure Provision;
- CS10 West Runcorn;
- CS15 Sustainable Transport;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS22 Health and Well-Being;
- 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 objections to the proposed development subject to conditions.

4.2 Lead Local Flood Authority

Based on an agreement being made with Peel Holdings to discharge the flows from the site into the Bridgewater Canal, no objection is raised.

4.3 Open Spaces – Trees

None of the trees on the application site are afforded statutory protection and the site is not located within a Conservation Area.

The site has been subject to vegetation clearance in the recent past, and now only contains trees on the steep embankment that leads down to the Bridgewater Canal. The remaining trees are not of great significance or in particularly good condition so could be removed and compensated for with replacement planting.

4.4 Contaminated Land

No objection subject to a condition with respect to the submission and agreement of a detailed remedial implementation plan, including method trials and a verification report upon completion.

4.5 Environmental Health

No observations received at the time of writing this report.

4.6 Street Lighting

No observations received at the time of writing this report.

4.7 Environment Agency

No objection in principle to the proposed development, however a number of conditions and informatives are suggested.

4.8 Merseyside Environmental Advisory Service

The Preliminary Ecological Appraisal survey report has limitations because it has not been undertaken in accordance with current best practice and is not in accordance with current best practice and is not acceptable. They advise that two emergence and/or re-entry bat surveys are required **prior to determination**. Conditions have been suggested in relation to a lighting scheme that protects ecology, breeding bird protection, water vole protection and Japanese Knotweed eradication.

4.9 Natural England

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected nature conservation sites or landscapes. Standing Advice is provided in relation to Protected Species, Green Infrastructure, Local Sites, Biodiversity Enhancements and Landscape Enhancements.

4.10 National Grid

Their observations should be attached as an informative to any subsequent planning permission.

4.11 Health & Safety Executive

The application site is within the consultation distance of a major hazard site and the Health & Safety Executive is a statutory consultee. The application details have been inputted into the HSE's planning advice web app (PADHI+) and they do not advise on safety grounds against the granting of planning permission in this case.

4.12 United Utilities

United Utilities have no objection to the drainage strategy being proposed. A number of informatives are suggested.

5. REPRESENTATIONS

5.1 The application has been advertised by a press advert in the Widnes & Runcorn World on 31/12/2015, three site notices posted on 18/12/2015 along the site frontage and 16 neighbour notification letters sent on 17/12/2015.

5.2 Two representations have been received from the publicity given to the application.

5.3 One representation has been received from a member of the public who resides in the locality. A summary of the issues raised is as follows:

- HBC wasting money on a useless development.

- How are people from the town centre going to access the site or is it just for passing trade?
- The top row of houses in Ellesmere Street could be knocked down to facilitate a new shopping complex being built alongside the canal.

5.4 One representation has been received from the Bridgewater Canal Company Limited (BCCL) which is part of the Peel Group and owns and operates the Bridgewater Canal. A summary of the issues raised is as follows:

- Firstly considering the Physical Relationship between the Proposals and the Bridgewater Canal, they are seeking assurances regarding the integrity and safety of the Bridgewater Canal and also would like to consider the finer detail of the works to the existing pedestrian bridge to ensure it would not impact on the Bridgewater Canal or its users.
- The intention of the applicant to discharge surface water from the application site into the Bridgewater Canal via new outfalls is noted and discussions in relation to the consenting of any discharge are ongoing.
- Secondly considering the Use and Setting of the Bridgewater Canal, BCCL consider that new developments around the Bridgewater Canal is West Runcorn fully embrace the positive strategic opportunities that the Canal, its corridor and its setting present.
- The scheme has areas of green space fronting onto the southern bank of the Bridgewater Canal and that views across the Canal are to be opened up and enhanced. They note that improvements to the pedestrian bridge over the canal are proposed. These principles are welcomed.
- It is however likely that this development and improvement works will increase the usage of the canal towpath and increase BCCL's maintenance costs. They consider that the applicant should make appropriate contributions to the Canal's future maintenance and management in line with adopted policy objectives.

6. ASSESSMENT

6.1 This is a hybrid planning application which essentially means that some parts of the proposal are being applied for in detail (Town Centre Car Park, Public House/Restaurant (Use Class A4) with ancillary managers accommodation, access roads, parking and servicing areas and landscaping) and other parts of the proposal (a commercial unit of up to 195 square metres (Use Class A1, A3, A5)) in outline format to establish the principle of these uses on the central part of the site as shown on the submitted plans.

6.2 Full Planning Permission - Town Centre Car Park, Public House/Restaurant (Use Class A4) with ancillary managers accommodation, access roads, parking and servicing areas and landscaping.

Suitability of the Uses Proposed.

The site is designated as a Retail & Leisure Allocation in the Halton Unitary Development Plan.

Within Policy TC1 of the Halton Unitary Development Plan, the application site is referred to as Site 7 – Crosville Bus Depot – Runcorn Old Town with Leisure (D2), food and drink (A3) being appropriate uses. This particular policy was adopted back in 2005 at which point all the uses which now fall within Use Class A3 (Restaurants and Cafés), Use Class A4 (Drinking Establishments) and Use Class A5 (Hot Food Takeaways) were all within Use Class A3 (Food and Drink).

Firstly considering the Public House / Restaurant proposed which falls within Use Class A4, this is one of the appropriate uses referred to in the policy TC1 and is therefore a suitable use for the site and acceptable in principle.

Secondly considering the Town Centre Car Park proposed, the site is located on the edge of Runcorn Old Town as defined by the Unitary Development Plan Proposals Map and is connected to the Old Town by a footbridge over the Bridgewater Canal to which improvement works are proposed as part of this application. The proposed use is considered to be complementary to the Runcorn Old Town which is a focus for convenience, local and niche comparison and service retail and leisure uses. The creation of this additional car parking would also assist the future regeneration of the Runcorn Old Town. The proposed Town Centre Car Park is therefore considered to be acceptable in principle.

The detailed elements of this proposal are considered to be compliant with Policy TC1 of the Halton Unitary Development Plan.

6.3 Outline Planning Permission (with all matters reserved) for a commercial unit of up to 195 square metres (Use Class A1, A3, A5).

Suitability of the Uses Proposed.

The site is designated as a Retail & Leisure Allocation in the Halton Unitary Development Plan.

The aspiration from the information submitted with the application appears to be for a national coffee shop operator to deliver a drive through unit on the site. The explanation behind the Use Classes sought is the mixed use nature of a coffee shop. The planning statement also indicates that the fallback position would be for a drive through fast food restaurant to be delivered on the site which would also fall within the Use Classes sought.

Policy TC1 indicates that uses which currently fall within Use Classes A3 and A5 are appropriate uses on the site however this does not extend to Use Class A1 which is also being sought by this application.

Policy CS5 of the Halton Core Strategy Local Plan designates Runcorn Old Town as District Centre and the application site as previously stated is adjacent to this. The policy states that “new retail or other town centre uses should be located within or on the edge of a defined Primary Shopping Area or Local Centre, appropriate to the scale of the proposal”. This proposal would fall within this definition and based on the limited amount of floorspace proposed (less than 200sqm), neither a sequential or impact assessment would be required in this case.

The outline element of the proposal is considered to be compliant with Policy TC1 of the Halton Unitary Development Plan and Policy CS5 of the Halton Core Strategy Local Plan.

6.4 Location within West Runcorn Key Area of Change

Policy CS10 of the Halton Core Strategy Local Plan sets out how the development and regeneration of West Runcorn will be achieved over the Core Strategy period.

Through the improvements to the footbridge over the Bridgewater Canal linking the site to Runcorn Old Town and the new pedestrian crossing over the Daresbury Expressway, the proposal would improve accessibility and connectivity to the sustainable transport network in line with one of the principles of development set out in the policy.

The development of the application site would significantly enhance its appearance and improve relationships with the adjacent Daresbury Expressway and Bridgewater Canal.

The proposal seeks to make advantage of its location adjacent to the Bridgewater Canal through the positioning of the beer garden which is part of the public house proposal and the improved pedestrian links along with the footbridge improvements would have the potential to increase the leisure and recreational potential of the Bridgewater Canal.

A representation has been received from the Bridgewater Canal Company Limited (BCCL) who own and operate the Bridgewater Canal. This makes reference to Policy CS10 and considers that new developments around the Bridgewater Canal in West Runcorn should fully embrace the positive strategic opportunities that the Canal, its corridor and its setting present.

They welcome the improvements to the pedestrian bridge and the creation of the areas of green space fronting the southern bank of the Bridgewater Canal which would open up and enhance views across the Canal.

They consider that this development and the associated improvement will increase the usage of the canal towpath and will increase BCCL's maintenance cost. They therefore consider that the applicant should make appropriate contributions to the Canal's ongoing enhancement and maintenance. They note that this type of approach is endorsed in the Council's 2014 Infrastructure Plan.

Policy CS7 'Infrastructure Provision' of the Halton Core Strategy Local Plan is relevant. It is considered that this development proposal is located in a sustainable location which does generally make benefit of the existing infrastructure and seeks to make necessary improvements in the form of a new pedestrian crossing on Daresbury Expressway and improvements to the pedestrian bridge over the Bridgewater Canal. These improvements are within the application site and the developer would look to implement these. It is considered appropriate to secure the implementation of these improvements by condition.

It is acknowledged that the Council's 2014 Infrastructure Plan makes reference to "Improvements to the Bridgewater Canal at West Runcorn" and that this could be secured by Section 106 contributions from development / Community Infrastructure Levy. In respect of Community Infrastructure Levy, the Council has not introduced a charging schedule, however the use of Section 106 contributions remains an option where it is justified.

The purpose of the infrastructure provision is to encourage the increased use of the canal corridor for leisure and exercise. It is considered that the development proposal coupled with the infrastructure improvements which are part of the application would meet the purpose of the infrastructure provision set out in the Council's 2014 Infrastructure Plan and would ensure compliance with Policies CS7 and CS10 of the Halton Core Strategy Local Plan.

6.5 Highway Considerations

The application is accompanied by a Transport Statement which considers the highway impact of the proposed development.

The Daresbury Expressway / Thomas Jones Way junction provides vehicular access to the site. The signalised junction currently operates as a three armed junction with the northern stub access arm to the site being blocked. The signal junction has been designed so that signal heads and a right turn lane have already been installed to be utilised when the application site becomes active.

The site is well located for access by private car and as such is in an ideal location for a car park development with good pedestrian links to Runcorn Old Town. Although, by the nature of the development, the majority of customers will visit the site by car, the site is also accessible by sustainable modes.

Opportunities to cross the Daresbury Expressway in the vicinity of the site are limited and the proposal includes the creation of a new pedestrian crossing across the Daresbury Expressway which would link the Bridge Retail Park with the proposed uses on the application site and on to Runcorn Old Town.

The internal road layout is designed in a manner which ensures that users of the site including associated servicing can occur as justified by tracking drawings and no highway safety issues would result.

In relation to car parking, the Transport Statement acknowledges there is an over provision of car parking (59 spaces provided with 49 spaces being the maximum standard), however they seek to justify this on the basis that some customers may also make a walking trip to the town centre leaving their car in the pub car park and that the pub also has a significant outdoor dining area which the calculation regarding parking standards does not take account of. If the outdoor area were to be included, the maximum parking standard would not be exceeded. The Transport Statement also alludes to the fact that Marston's have hundreds of similar operations across the country and have an understanding regarding the demand for such parking provision. Based on the case made, it is considered that the level of parking provision proposed for the public house is acceptable.

Cycle parking in the form of 5no. Sheffield type stands is provided adjacent to the entrance of the Public House which be sufficient for cycle borne demand.

Access is reserved for future consideration on the outline application for the commercial unit of up to 195 square metres (Use Class A1, A3, A5), however the Transport Statement demonstrates that the proposed development (both outline and detailed proposals) can be accommodated without causing any highway issues.

The Council's Highway Officer concurs with the conclusions in the Transport Assessment and the detailed element of the proposal is considered to be acceptable from a highway perspective.

The introduction of Electric Charging Points or the necessary infrastructure should be considered in line with paragraph 35 of the National Planning Policy Framework. This has been put to the applicant for consideration.

The proposals are considered to be compliant with policies BE1, TP1, TP6, TP7, TP12 and TP15 of the Halton Unitary Development Plan and Policy CS15 of the Halton Core Strategy Local Plan.

6.6 Ground Contamination

The application is accompanied by a Desk Study Report, Phase 2 Site Investigation Survey and a Remediation Strategy Statement. Both the Environment Agency and the Contaminated Land Officer raise no objection to the proposed development subject to the attachment of a number of conditions.

The proposal is considered to be compliant with Policy PR14 of the Halton Unitary Development Plan.

6.7 Flood Risk and Drainage

The application site is located in Flood Zone 1 and is at low risk from flooding. The application is accompanied by a Drainage Statement. This document

has been reviewed by the Lead Local Flood Authority and is considered to be acceptable and has regard for the drainage hierarchy. The requirement for a detailed drainage strategy can be secured by condition.

This would ensure compliance with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

6.8 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, there is sufficient space for the storage of waste as well as access to enable collection.

6.9 Biodiversity

The application is accompanied by a Preliminary Ecological Appraisal and an Ecological Impact Assessment.

The Local Planning Authority's (LPA's) Ecological Advisor – Merseyside Environmental Advisory Service - have advised that both surveys are acceptable, however the survey report has limitations because two of the trees that will be removed are identified as having bat roost potential. In line with Government guidance two emergence and/or re-entry bat surveys are required prior to determination. The survey and report are essential to determine if the Local Planning Authority needs to assess the proposals against the three tests (Habitat Regulations).

Conditions have been suggested in relation to the submission of a lighting scheme designed to protect ecology, breeding bird protection, water vole protection and Japanese Knotweed eradication.

Once the bat roost potential issue has been addressed, it is considered that the proposal would be compliant with Policy GE21 of the Halton Unitary Development Plan.

6.10 Scale

The public house proposed would be part single storey and part two storey to accommodate the ancillary manager's accommodation at first floor. Based on the scale of the building proposed in this case, it is not considered that this would appear out of character with the surrounding area.

The detailed elements of the proposal are considered to be compliant with Policy BE1 of the Halton Unitary Development Plan.

In respect of the outline application for the commercial unit of up to 195 square metres (Use Class A1, A3, A5), scale is reserved for future consideration.

6.11 Appearance

The proposed elevations for the public house show that it would be of an appropriate appearance with some variety in materials to add interest to the overall external appearance. A detailed palette of materials has been provided upfront with the application which is considered to be acceptable and it would be reasonable to attach a condition which secures the implementation of the scheme in accordance with the submitted details.

In terms of the Town Centre Car Park, this would be functional in appearance. Some provision has been made for shrub and tree planting adjacent to the parking area which would soften its appearance and is considered to be appropriate. The full detail of soft landscaping in this area has yet to be provided and its submission for approval would need to be secured by condition.

The detailed elements of the proposal are considered to be compliant with Policies BE 1 & BE 2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

In respect of the outline application for the commercial unit of up to 195 square metres (Use Class A1, A3, A5), it is noted that some indicative elevations have been provided, however the appearance of the unit is reserved for future consideration.

6.12 Landscaping & Trees

There are no Tree Preservation Orders on the application site and the only trees which remain are those located on the steep embankment which leads down to the Bridgewater Canal. It is indicated that these trees would be removed which would open up views of the canal. Replacement planting within the new scheme is proposed, however a detailed scheme is only provided for the public house and not for the Town Centre Car Park. The detailed landscaping scheme for the public house is considered to be appropriate and its implementation and maintenance should be secured by condition. The indicative landscaping scheme for the Town Centre Car Park is considered to be acceptable in principle and a condition which secures the submission of a detailed scheme for approval and its subsequent implementation and maintenance.

The detailed elements of the proposal are considered to be compliant with Policies BE 1 & GE27 of the Halton Unitary Development Plan.

In respect of the outline application for the commercial unit of up to 195 square metres (Use Class A1, A3, A5), both hard and soft landscaping associated with the unit is reserved for future consideration.

6.13 Site Levels

The application is accompanied by a topographical survey showing the existing site levels and plans which show proposed site levels. No significant changes to existing levels are proposed. Given the scale of the public house proposed and its relationship to the site boundary, it is considered that acceptable relationships would result and the site levels proposed are acceptable. It is suggested that a condition be attached securing the implementation in accordance with the proposed site levels.

The site levels for the detailed elements of the proposal are considered to be compliant with Policies BE 1 & GE27 of the Halton Unitary Development Plan. In respect of the outline application for the commercial unit of up to 195 square metres (Use Class A1, A3, A5), indicative site levels are shown on the submission, however this finer detail is reserved for future consideration.

6.14 Issues raised in representations not addressed above

Bridgewater Canal Company Limited (BCCL) are seeking assurances regarding the integrity and safety of the Bridgewater Canal and also would like to consider the finer detail of the works to the existing pedestrian bridge to ensure it would not impact on the Bridgewater Canal or its users. Some of the detail referred to would be secured by other conditions suggested and the developer has been forwarded their observations so they can liaise with BCCL as appropriate. An informative detailing BCCL's observations should be attached for information.

How the development is being funded is not material to the determination of this planning application.

The comment in relation to the top row of houses in Ellesmere Street could be knocked down to facilitate a new shopping complex being built alongside the canal is noted, however this application which proposes a new development on an existing Retail and Leisure allocation has to be considered on its merits.

Once the ecological issue raised in paragraph 6.9 is addressed, the application is recommended for approval subject to conditions.

7. RECOMMENDATIONS

It is requested that 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 ecological issue raised by Merseyside Environmental Advisory Service is addressed.

The application is recommended for approval subject to the conditions suggested and any additional conditions required following the submission of further information and subsequent consultation.

8. CONDITIONS

The suggested conditions are linked to the Illustrative Phasing Plan (Drawing Number 50351_SP90)13).

Conditions applicable to all parts of the proposal.

- Remediation Strategy – (Policy PR14);
- Verification Report – (Policy PR14);
- Unidentified Contamination – (Policy PR14);
- No piling or other foundation design using penetrative methods – (Policy PR14);
- Detailed Drainage Strategy – (Policy PR16 and CS23);
- Implementation of pedestrian crossing phase – (Policy BE1);
- Breeding Bird Protection – (Policy GE21);
- Lighting scheme to protect ecology – (Policy GE21);
- Water Vole Protection – (Policy GE21);
- Japanese Knotweed Eradication – (Policy GE21);
- Bridge works over Bridgewater Canal – (Policy BE1).

Conditions – Tenant Phase 1 – Public House.

- Time Limit – Full Permission;
- Approved Plans;
- Facing Material – (Policy BE1);
- Hard Landscaping and Boundary Treatments – (Policy BE1);
- Soft Landscaping – (Policy BE1);
- Construction Management Plan – (Policy BE1);
- Implementation of Parking and Servicing – (Policy BE1);
- Implementation of Cycle Parking – (Policy BE1);
- Implementation of Bridgewater Access Phase – (Policy BE1);
- Site Levels – (Policy BE1).

Conditions – Tenant Phase 2 – Outline application for Commercial Unit.

- Time Limit – Outline Permission;
- Submission of Reserved Matters;
- Implementation of Bridgewater Access Phase and Western Access Phase – (Policy BE1)

Conditions – Town Centre Car Park and Western Access Phase.

- Time Limit – Full Permission;

- Approved Plans;
- Hard Landscaping and Boundary Treatments – (Policy BE1);
- Soft Landscaping – (Policy BE1);
- Site Levels – (Policy BE1);
- Construction Management Plan – (Policy BE1);
- Implementation of Bridgewater Access Phase and Western Access Phase before first use of Town Centre Car Park – (Policy BE1).

Informatives

- Environment Agency Informative;
- National Grid Informative;
- United Utilities Informative;
- Bridgewater Canal Company Limited Observations.

9. SUSTAINABILITY STATEMENT

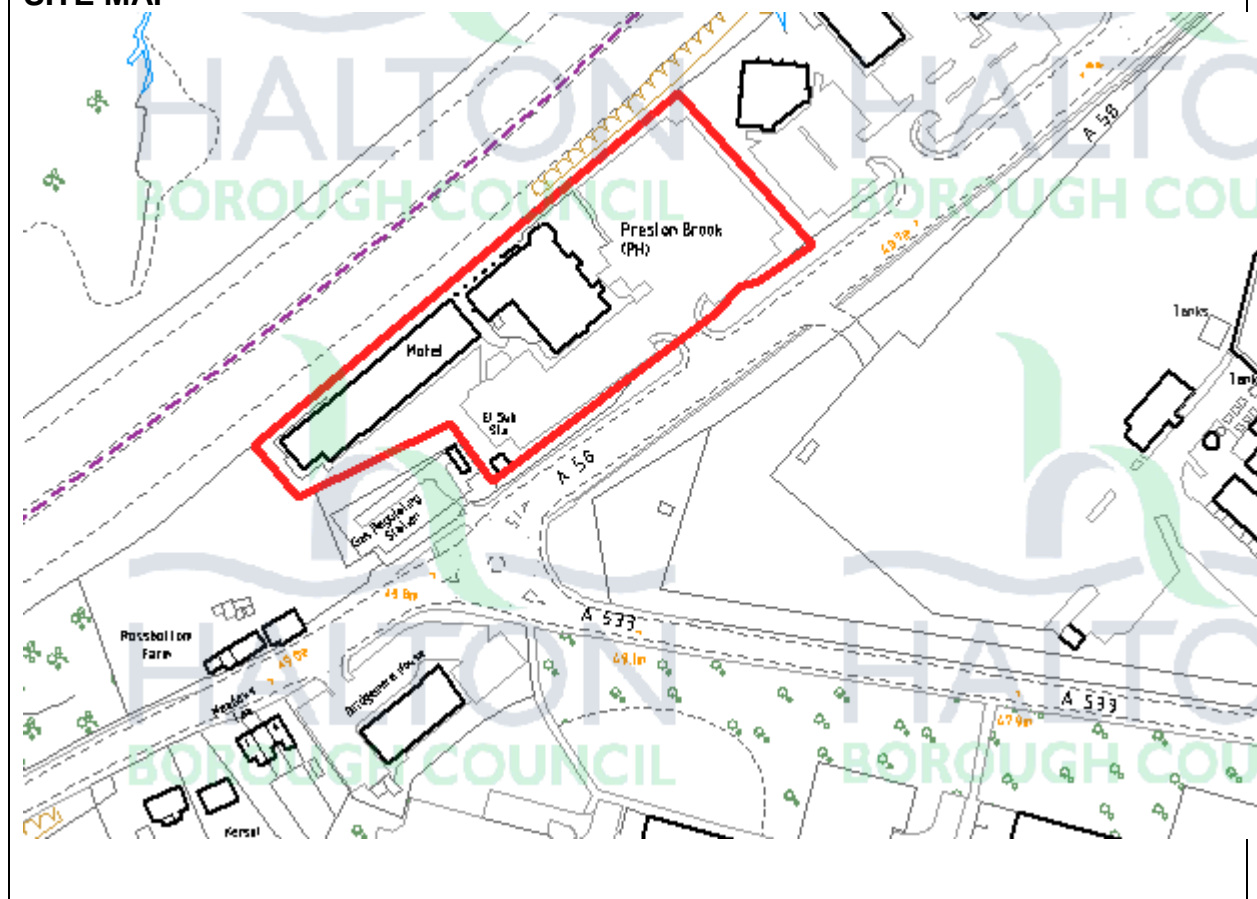
As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

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:	16/00027/FUL
LOCATION:	Premier Inn, Chester Road, Preston Brook, Runcorn, Cheshire, WA7 3BA
PROPOSAL:	Proposed two storey annexe extension to existing hotel to create an additional 27 letting rooms including ancillary services, car park alterations, cycle parking and internal alterations to the main hotel to create 2 new fully accessible rooms
WARD:	Daresbury
PARISH:	N/A
AGENT(S) / APPLICANT(S):	Miss Emma Warren, CBRE
DEVELOPMENT PLAN ALLOCATION:	National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013)
DEPARTURE REPRESENTATIONS:	No Yes
KEY ISSUES:	Access, parking and Highway Safety
RECOMMENDATION:	Approval

SITE MAP



1. APPLICATION SITE

The Site and Surroundings

The Premier Inn site is on Chester Road (A533/A56). The Site forms part of the western boundary of Whitehouse Industrial Estate and is bound by commercial units to the north, east and south-east. Rosbottom Farm is located directly south of the Site.

The Site totals 0.80ha in size and also comprises a 'Beefeater Grill' pub and restaurant. Access to the Site, via the A56 (Chester Road), is shared with the Beefeater pub and restaurant.

Planning History

94/00365/FUL approved in 1994 for a two storey "Travel Inn" Hotel, with first floor business centre, single storey "Brewers Fayre" restaurant with bar area, children's "Fun Factory" play area, and first floor manager and assistant manager's accommodation.

07/00492/FUL approved in 2007 for a proposed two storey side extension to existing hotel.

08/00133/ADV approved in 2008 proposed erection of 2 No. internally illuminated totem signs, 1 No. internally illuminated logo sign and 1 No. non-illuminated wall mounted entrance sign.

14/00297/ADV approved in 2014 for the proposed installation of 1 no. internally illuminated pole sign 7 metres high.

2. THE APPLICATION

Documentation

The application has been submitted with the requisite planning application form, a full set of plans including a site plan, layout and elevations, supporting information including a planning statement and travel plan.

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.

Halton Unitary Development Plan

BE1 General Requirements for Development

BE2 Quality of Design

E3 Primarily Employment Area

E4 Complementary facilities within Primarily Employment Areas

TP6 Cycle Provision as Part of New Development

TP7 Pedestrian Provision as Part of New Development

TP12 Car Parking

TP14 Transport Assessments

TP15 Accessibility to New Development

TP17 Safe Travel for All

LTC9 Tourism Development

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

CS5 A Network of Centres

CS15 Sustainable Transport

CS18 High Quality Design

CS19 Sustainable Development and Climate Change

Joint Waste Local Plan 2013

WM8 Waste Prevention and Resource Management

WM9 Sustainable Waste Management Design and Layout for New Development

3. CONSULTATION AND REPRESENTATION

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

Consultation has been undertaken internally with the Highways and Environmental Health services.

The Highways Agency, National Grid and the Health and Safety Executive (via the PADHI+ app) have also been consulted.

No comments have been received from the Highways Agency. National Grid has identified that it has apparatus in the vicinity of the development and would like to be notified of the decision. The applicant will need to contact National Grid to discuss the works prior to starting development.

The Health and Safety Executive has been consulted through the PADHI + system which does not advise against the development.

ASSESSMENT

It is proposed to extend the hotel to increase the number of rooms from 61 to 88. This will be achieved through erecting a three storey stilted annex building in the north-eastern car park. The three storeys would comprise of undercroft car parking on the ground level and two floors of accommodation on the 1st and 2nd floors.

The annex will contain an additional 28 new bedrooms (loss of one in the main hotel through the alterations to achieve 2 Universal Access rooms) will result in 27 bedrooms being created in total. Proposals also comprise three linen rooms, a team (staff) room and a plant room.

Planning Policy

The site is identified in the Unitary Development Plan as falling within a 'Primarily Employment Area'. Policy E3 (Primarily Employment Area) states that development falling within Uses Classes B1 (Business), B2 (General Industry), B8 (Storage and Distribution) and Sui Generis industrial uses will be permitted in the Primarily Employment Areas identified on the Proposal Map.

Policy E4 (Complimentary Services and Facilities within Primarily Employment Areas) supports development that provides a service or facility, which is complementary to and compatible with the surrounding industrial uses and for which there is a demonstrable need.

The site is already in a hotel and pub/restaurant use. The proposal is therefore considered to be acceptable in principle.

A hotel use is considered to be a town centre use therefore policy CS5 of the Halton Core Strategy Local Plan is of relevance for new leisure uses. However, this is an existing hotel; therefore there are location specific needs for the extension to be at the existing Premier Inn as part of its future expansion plans in order to best provide for its customers.

The Site, in its current location is considered to be well placed for guest travel, being located in close proximity to several major highway links, including the M56, A56, A533, M53 and the M6 as well as Runcorn Town Centre. Additionally the site benefits from access to a range of public transport infrastructure.

From a review of the in centre and edge of centre sequentially preferable sites of Runcorn Town Centre, it has been identified that, in contrast to the application

Site, the Former Crossville Bus Depot is not available and that there are no other available, suitable or viable sites.

In summary, given that this is an extension to an existing site and that no other site would be sequentially preferable, the proposal is considered to comply with policy CS5.

Employment and Tourism Development

The proposed increase in bedrooms (27) will enable an additional 7 jobs to be created to ensure operating standards and customer experience is maintained. This will result in a total of 25 job positions at this Premier Inn site.

These additional jobs are likely to be filled from the local community who will be able to easily access the Site as their place of work and may utilise sustainable transport modes to travel to work, either through walking or public transport.

In the short term, construction jobs will be created in order to deliver the development both in terms of on site and also through the ordering and securing of materials and detailed designing of the extensions.

The proposed development will therefore support and enhance the job market within this area to the benefit of the community in which the Site is located.

Furthermore the proposed development would enhance tourism potential of the Borough by improving an existing hotel site and increasing provision of accommodation in accordance with policy LTC9 of the Unitary Development Plan.

Design and Layout

The proposed extension is a stilted annex which will be located in the centre of the north- eastern car park. Three existing bedrooms in the main hotel will be reconfigured to provide two Universal Access bedrooms. The annex will create accommodation over two floors providing an additional 28 family and double bedrooms. There will therefore be an increase of 27 bedrooms.

The hotel entrance lobby and reception is currently located at the northern end of the main hotel block. This access point will remain as existing. Resident's staying in the annex will be able to walk around the Beefeater restaurant on a pedestrian walkway to the main entrance. Additional linen rooms and a team room are proposed within the new extension in addition to a stairwell at the end of the new extension.

The proposal has been designed with consideration of the existing building, using similar materials. In selecting the materials for the development consideration has been made to the sustainable aspirations of the applicant and also timescale benefits that materials can deliver.

Overall the proposals are considered to fully support the high quality design standards required for new development are therefore in accordance with Core Strategy Policy CS18.

Parking and Highway Safety

The proposal is to maintain the existing access arrangements off Chester Road so as to ensure safe and convenient access for both guests and staff.

The existing car park provides a total of 141 parking spaces. The proposal will result in the loss of 2 parking spaces due to the siting of the stilted annex. The design of the extension has been configured in such a way to mitigate the car parking loss.

The layout of the revised car park will increase the number of disabled spaces from 7 to 9, whilst the existing pedestrian walkway across the car park will be retained. Additionally, cycle spaces are proposed in front of the hotel entrance where they are clearly accessible and benefit from natural surveillance, a condition is recommended for the details of these.

Three car parking spaces in front of the main hotel entrance are allocated as drop off bays which is an improvement on the current parking position.

Contaminated land, Flood Risk and Drainage

The site does not fall within an area identified as potentially contaminated, the applicant consulted with the Contaminated Land Officer prior to submitting the application, and it was decided that a contaminated land report was unnecessary.

The site fall within a strategic flood zone one therefore a flood risk assessment was not required for the proposal, any additional drainage details can be adequately dealt with by condition.

6.SUMMARY AND CONCLUSIONS

The overall design and appearance of the proposed hotel annex is considered to be acceptable, would be in keeping with the existing hotel and fully support the high quality design standards required for new development Core Strategy Policy CS18. The proposal is considered to comply with policy E4, by providing complementary facilities to business and industrial users within the Preston Brook Primarily Employment Area and beyond.

The proposal is to maintain the existing access arrangements off Chester Road so as to ensure safe and convenient access for both guests and staff. A total of 139 car parking spaces will be provided for the extended hotel and existing pub/restaurant. The access and parking is considered to be acceptable.

The proposed development could potentially enhance the tourism potential of the Borough by improving an existing hotel site and increasing provision of accommodation in accordance with policy LTC9 of the Unitary Development Plan.

it would also create employment opportunities by enabling an additional 7 jobs to be created.

7. RECOMMENDATIONS

That the application be approved subject to the following conditions:

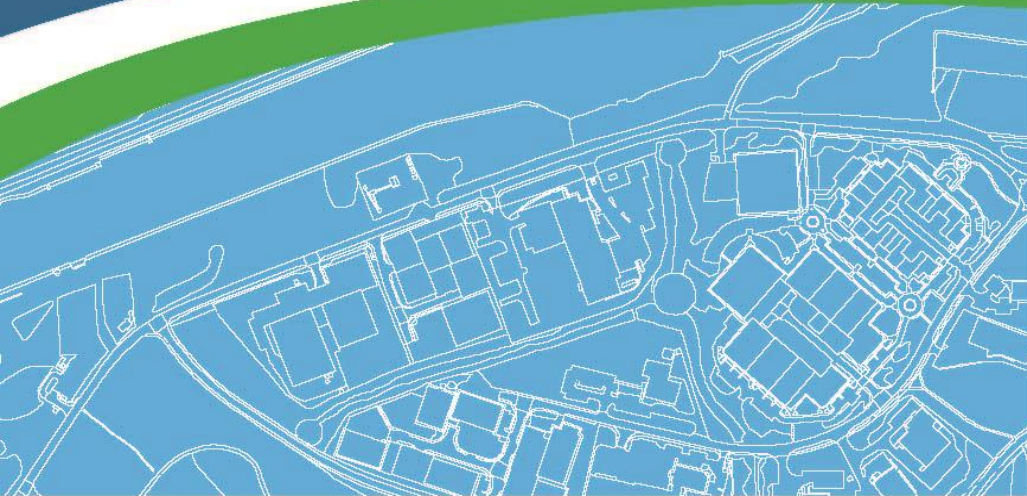
1. Standard condition relating to timescale and duration of the permission.
2. Condition listing approved plans (BE1, BE2)
3. Submission of materials (BE2)
4. Details and provision of secure cycle parking (TP6)
5. Access and parking/layout, cycle parking provision to be implemented as approved (BE1)
6. Details of final drainage scheme (BE1)
8. Conditions specifying construction hours and hours of deliveries for building materials. (BE1)
9. Construction traffic management plan and wheel wash facilities (BE1)
10. Details of existing final site levels (BE1)
13. Submission of a green travel plan (TP16)

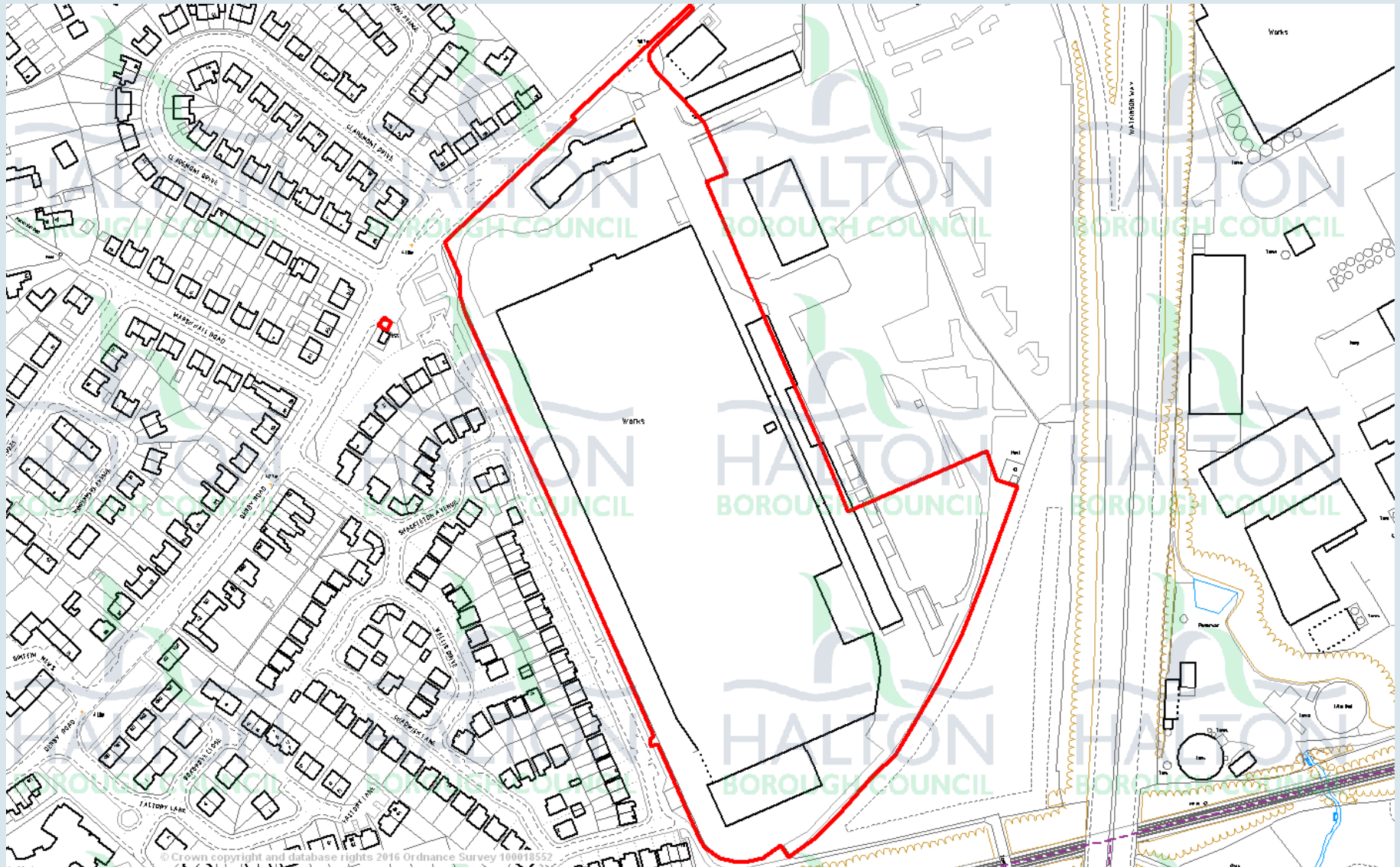
SUSTAINABILITY STATEMENT

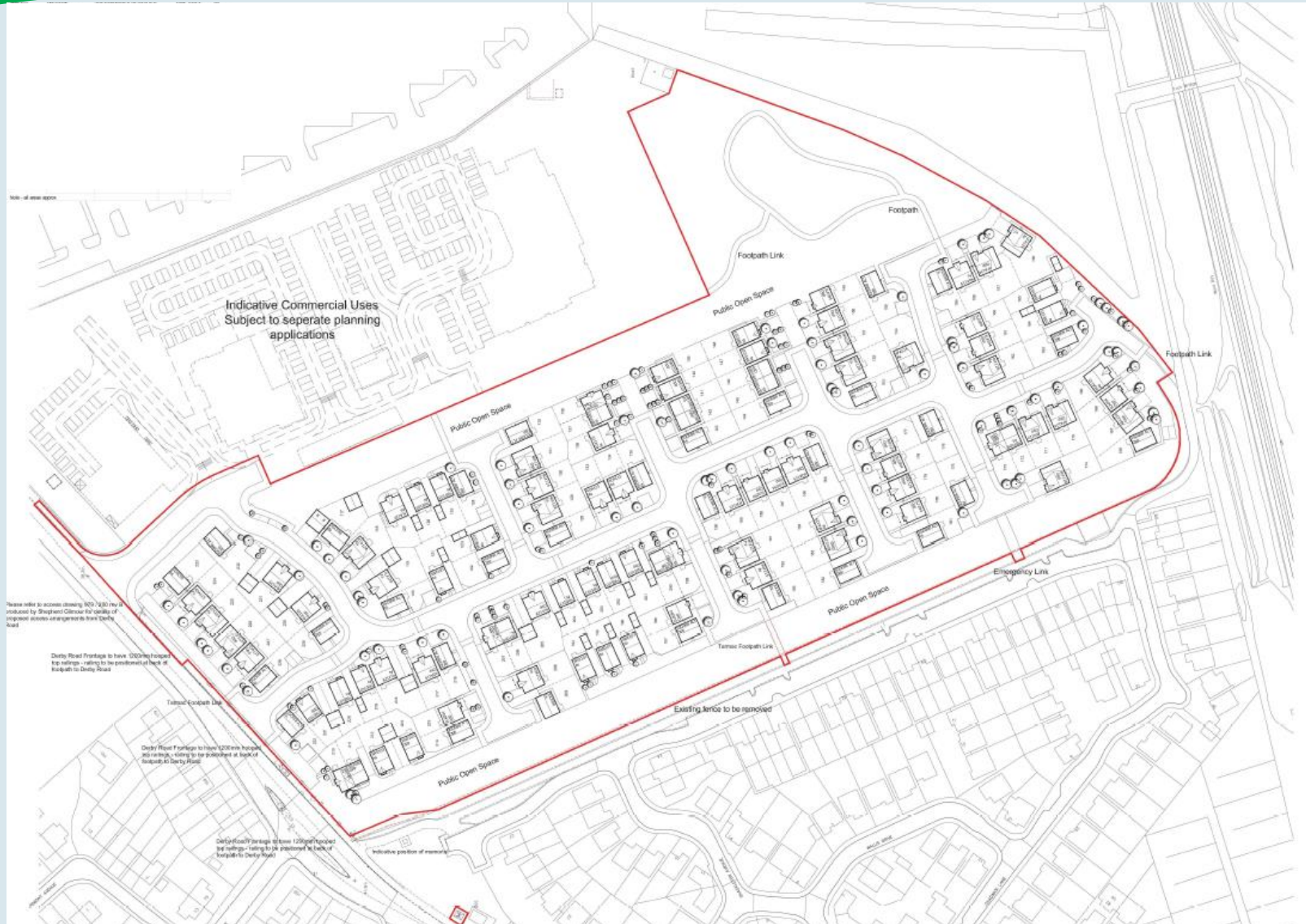
As required by:

- 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.







SECTION AA



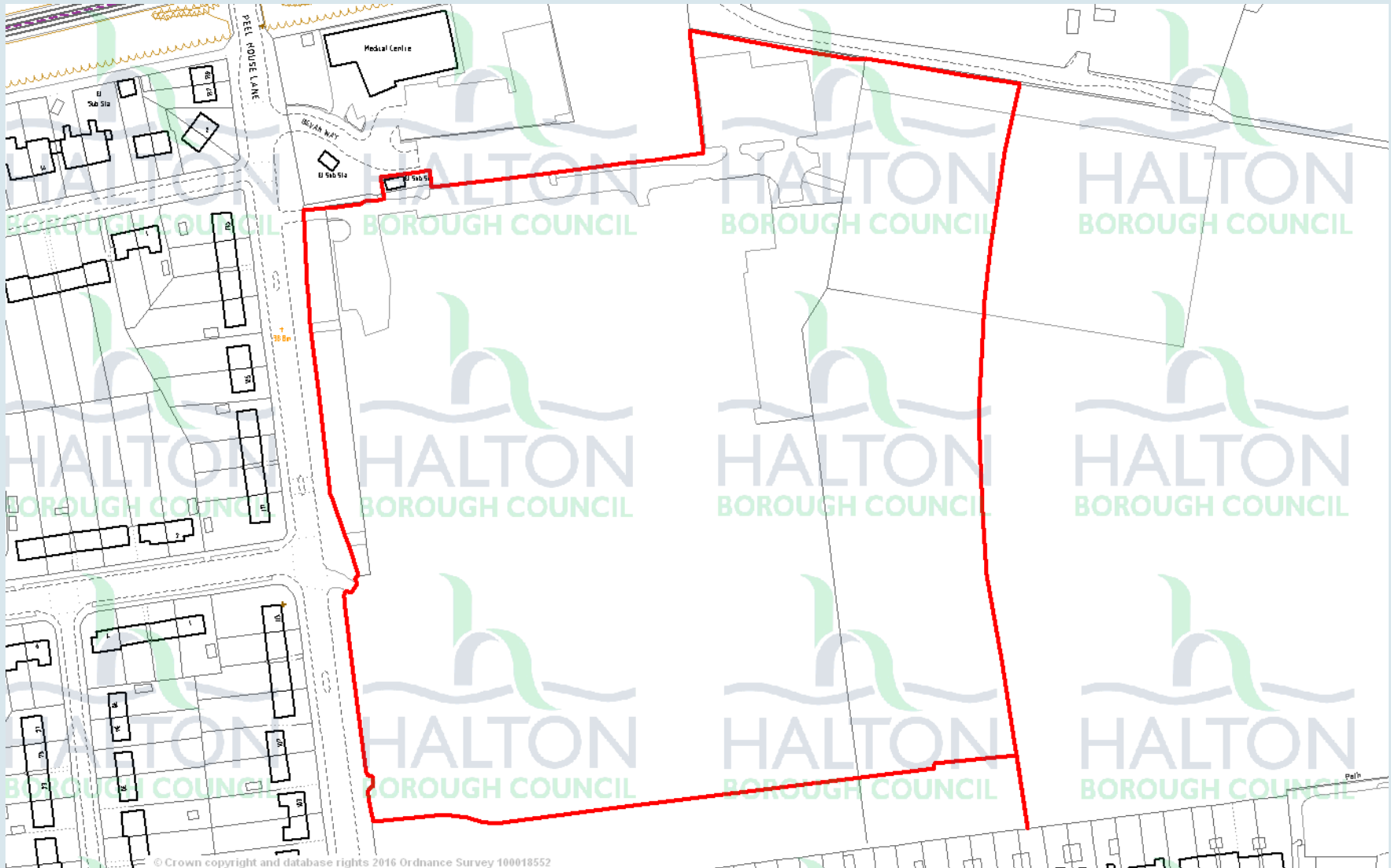
SECTION BB



SECTION CC

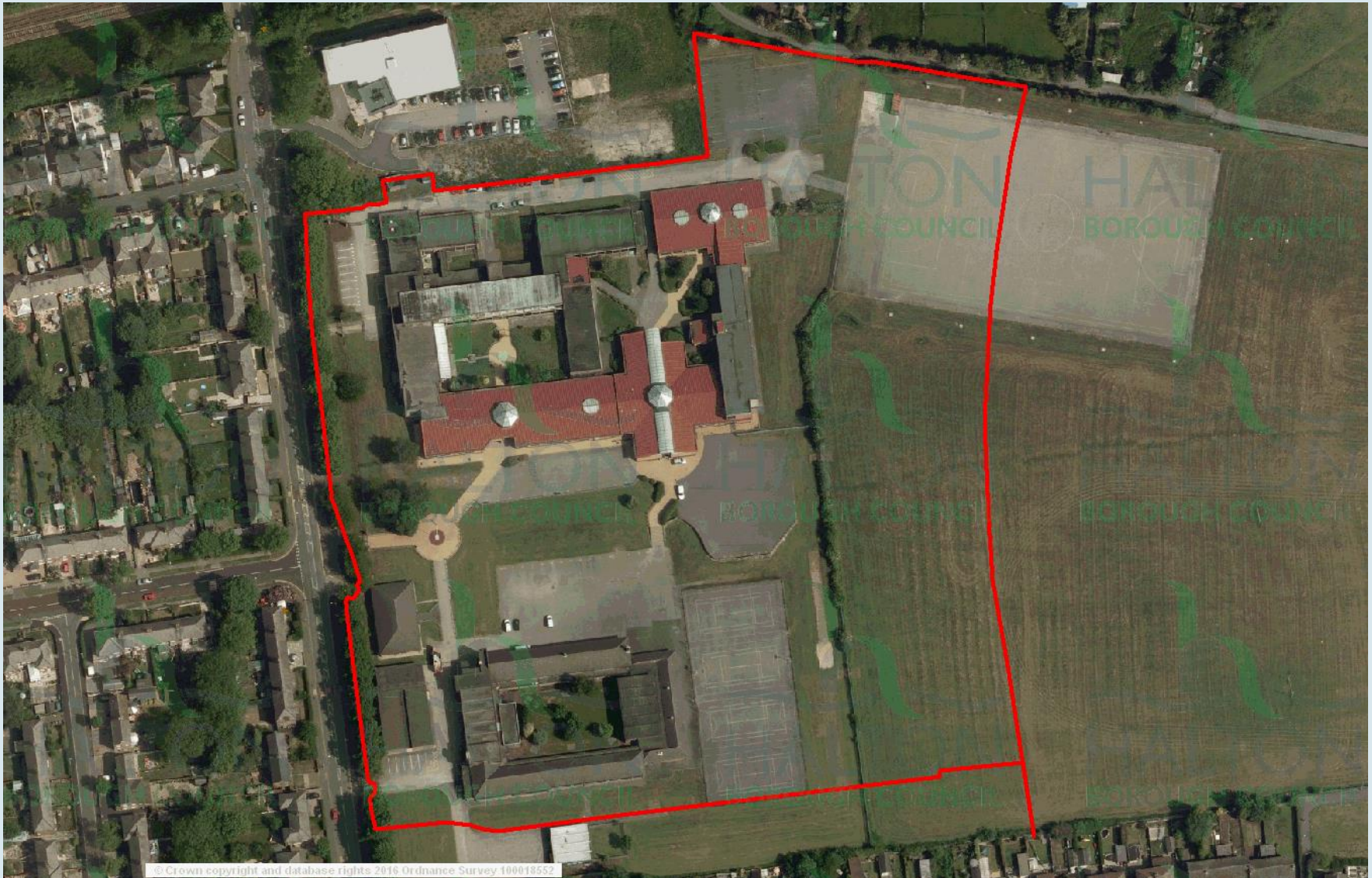


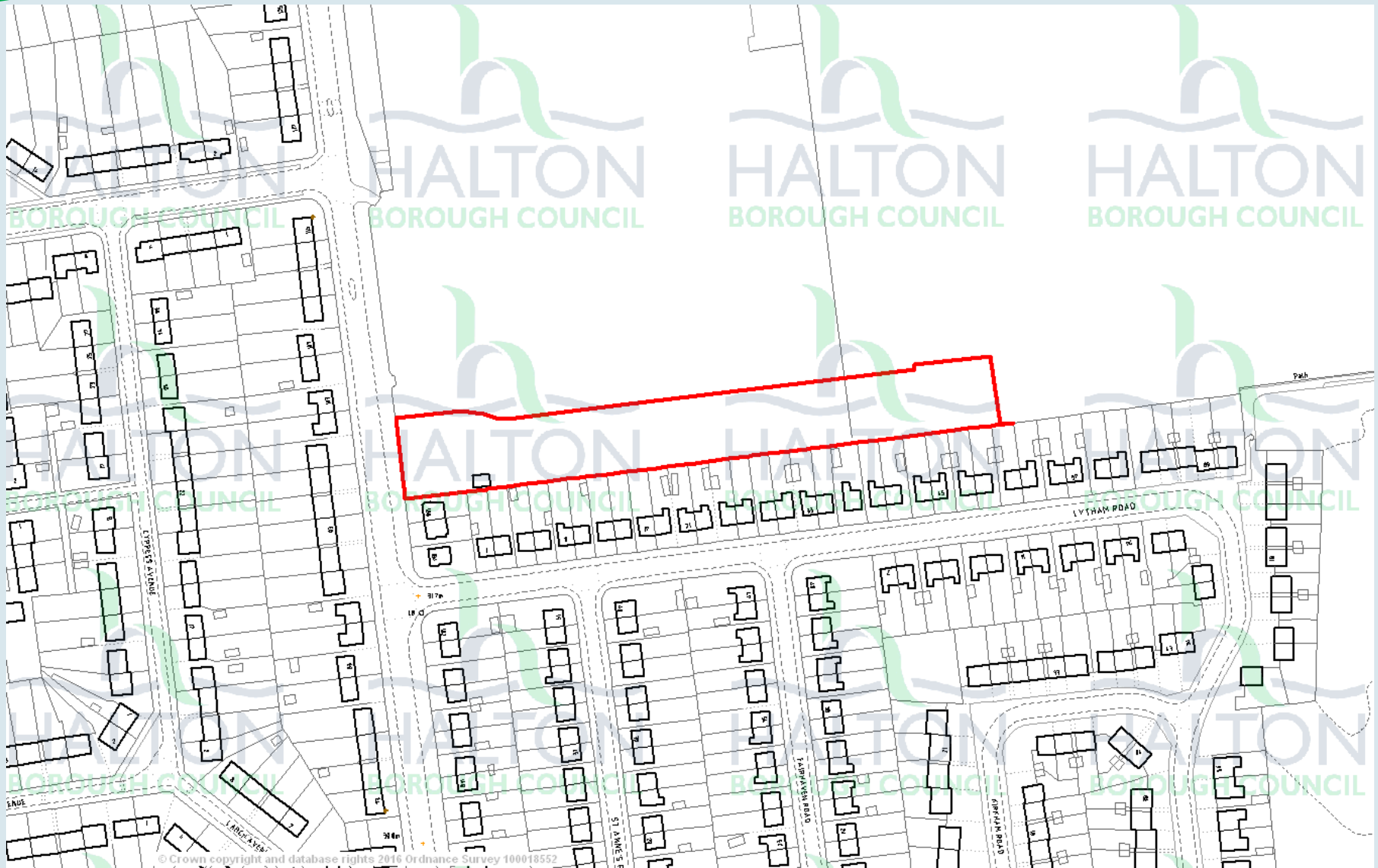






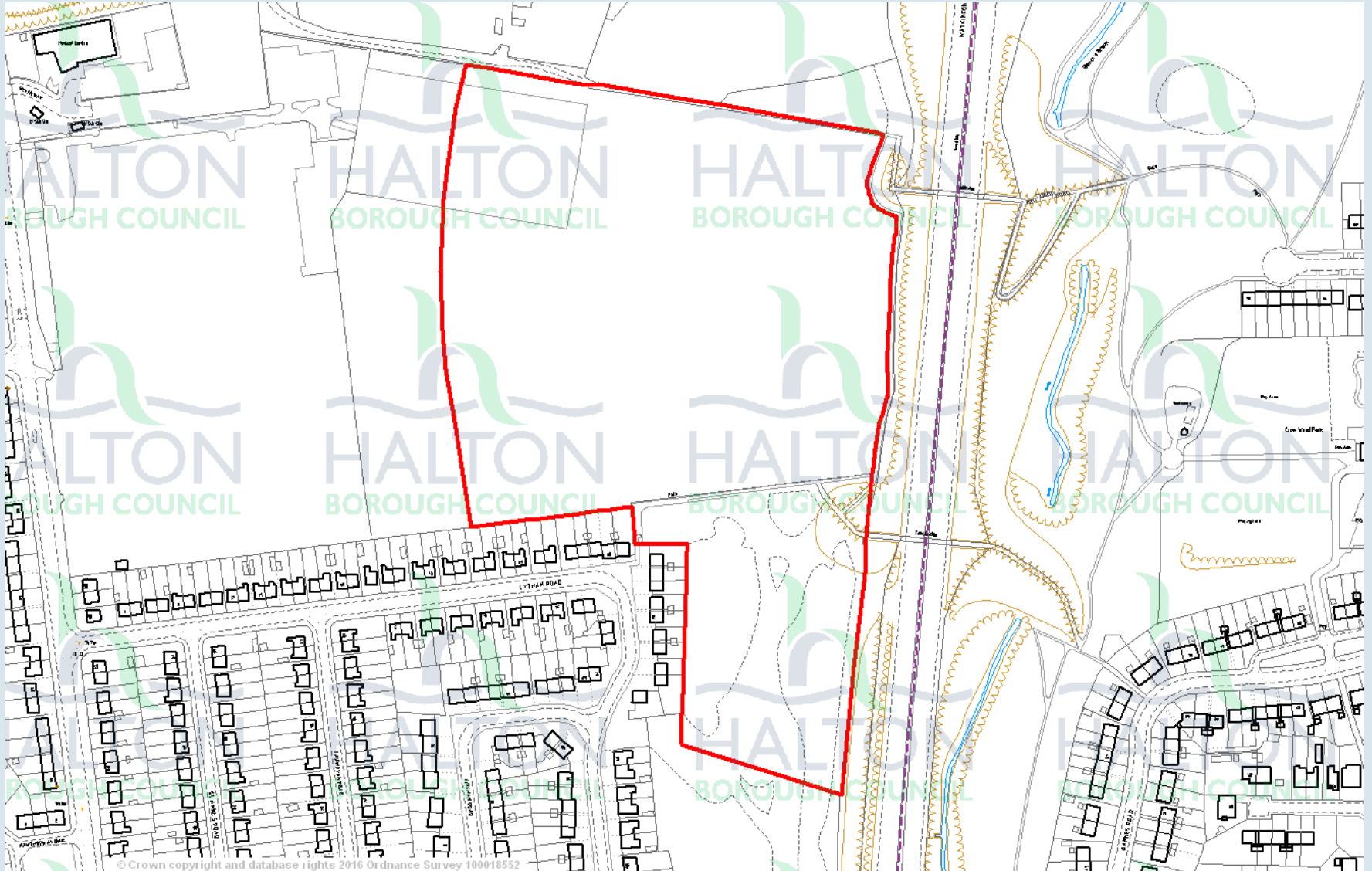




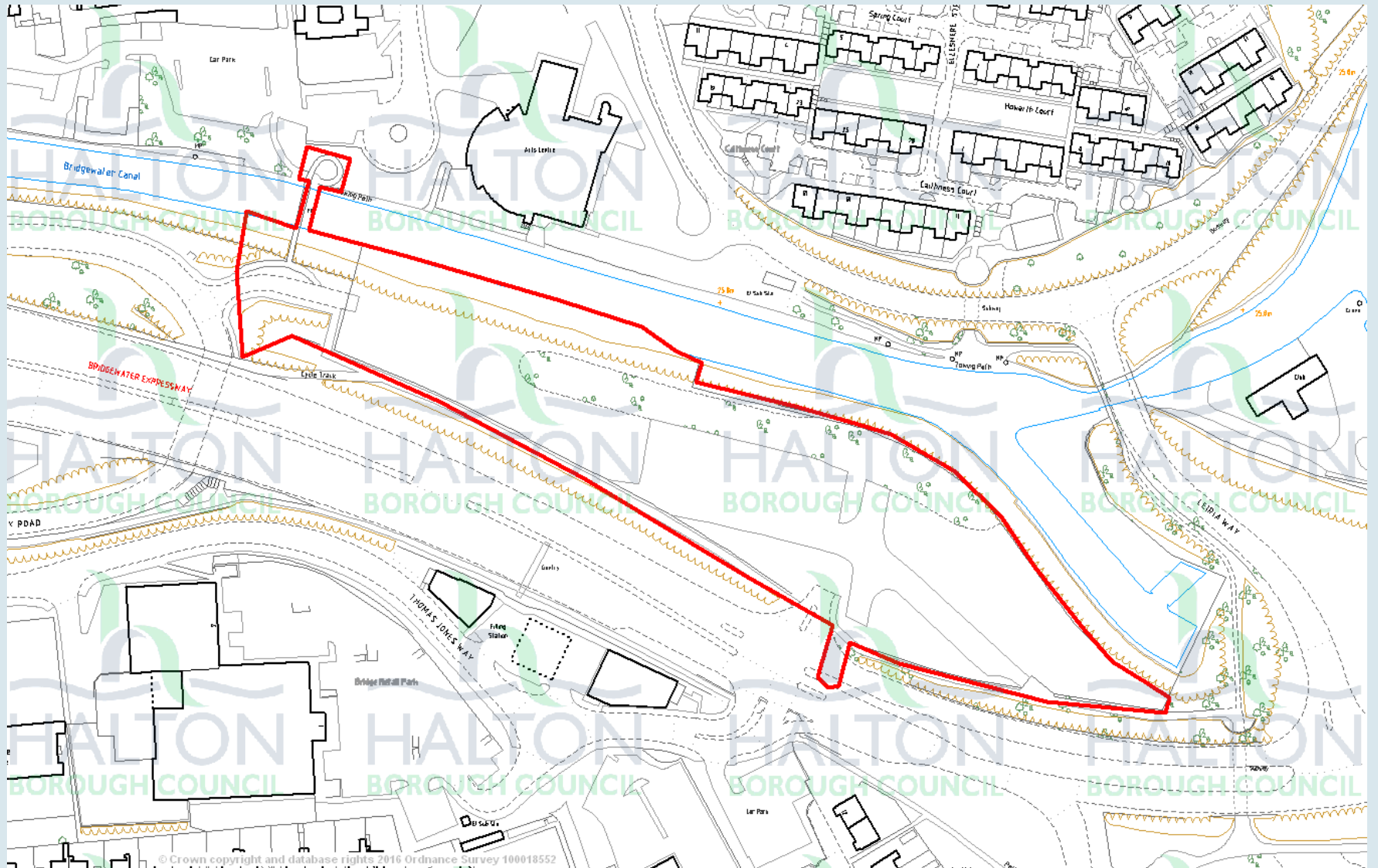


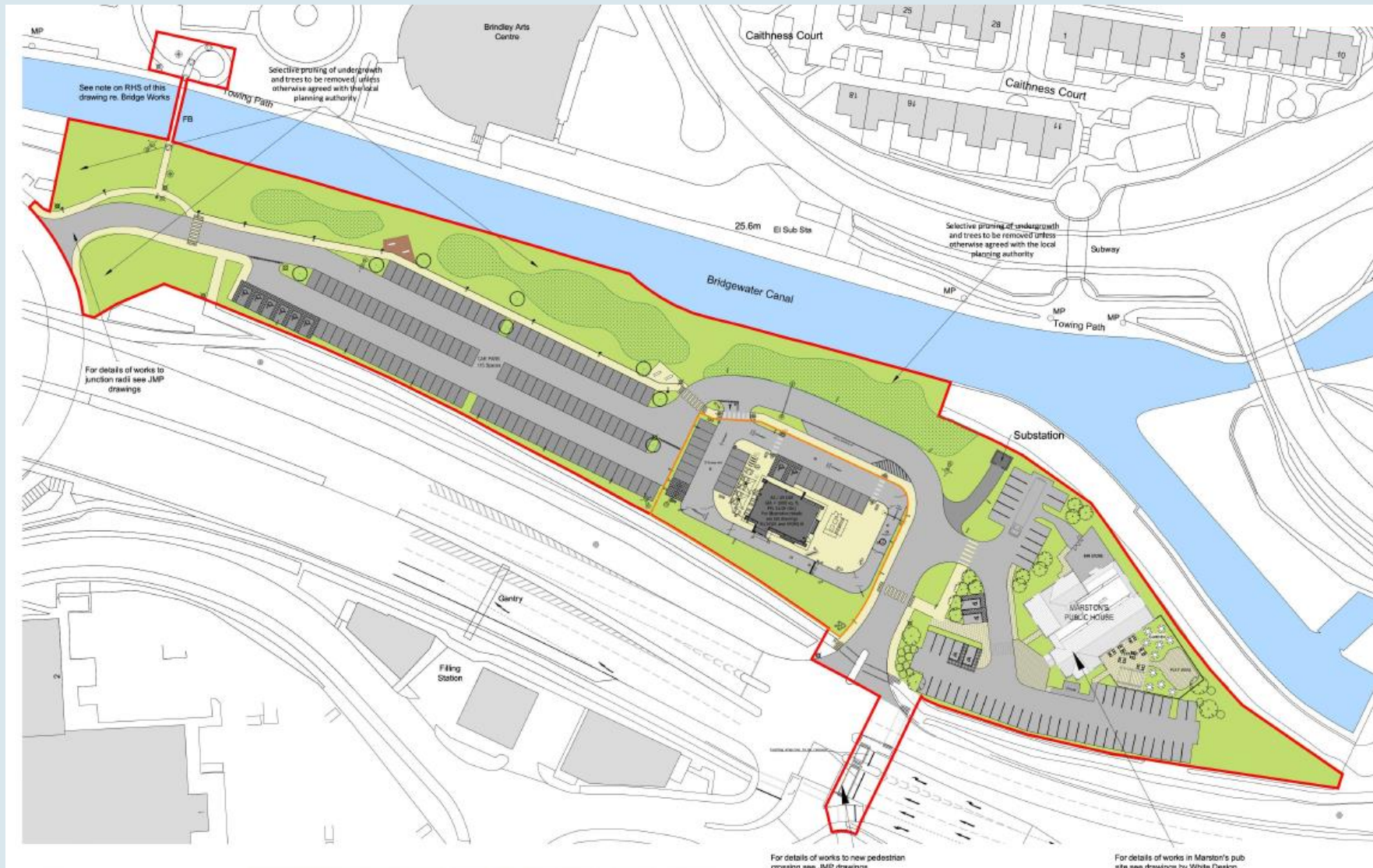


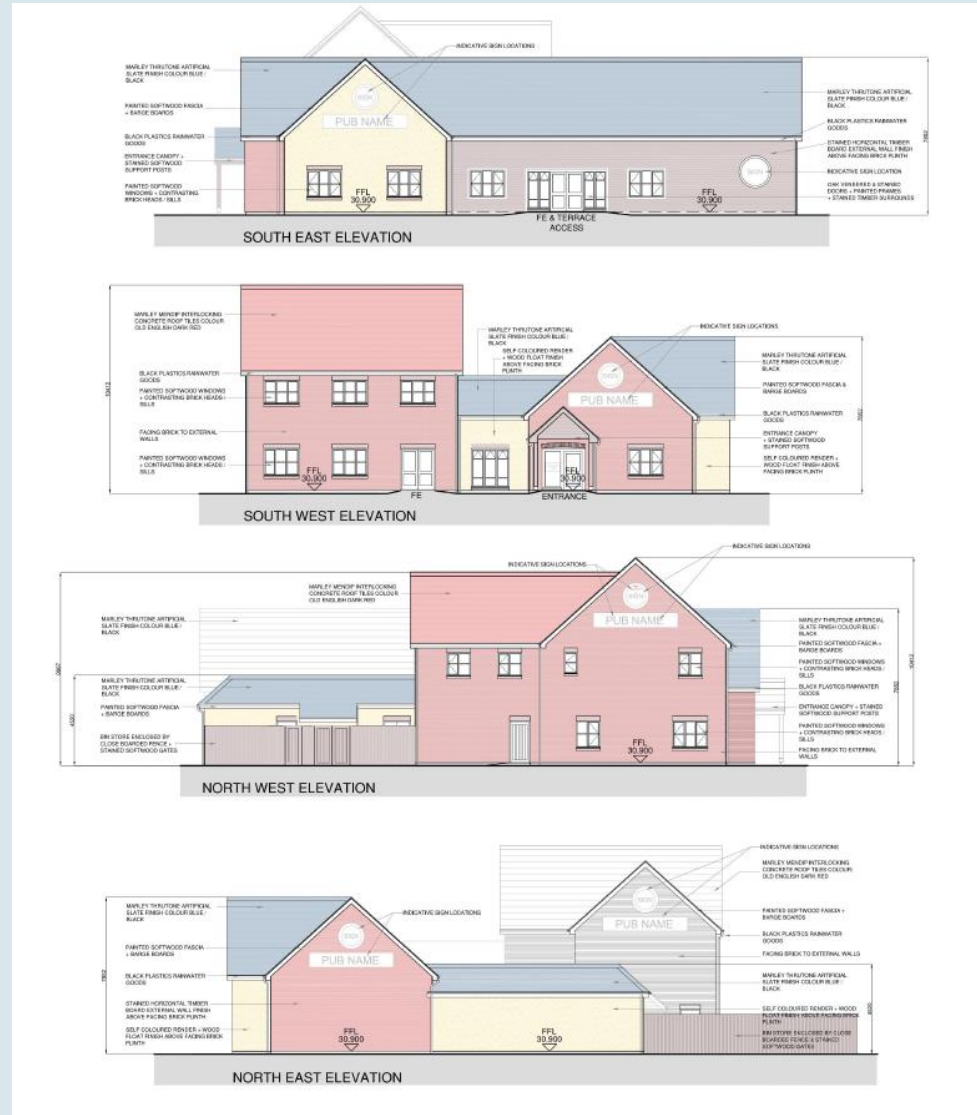


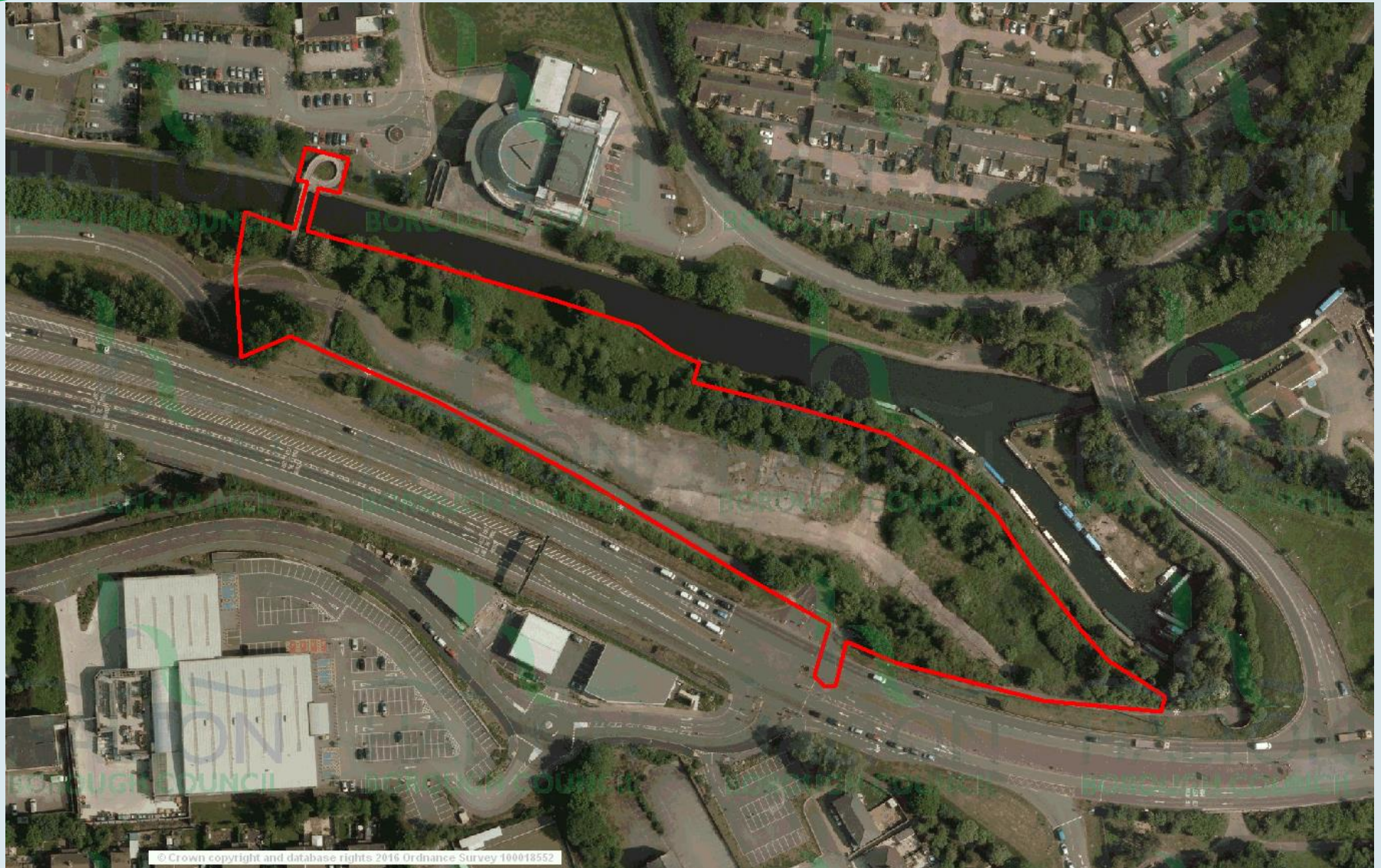


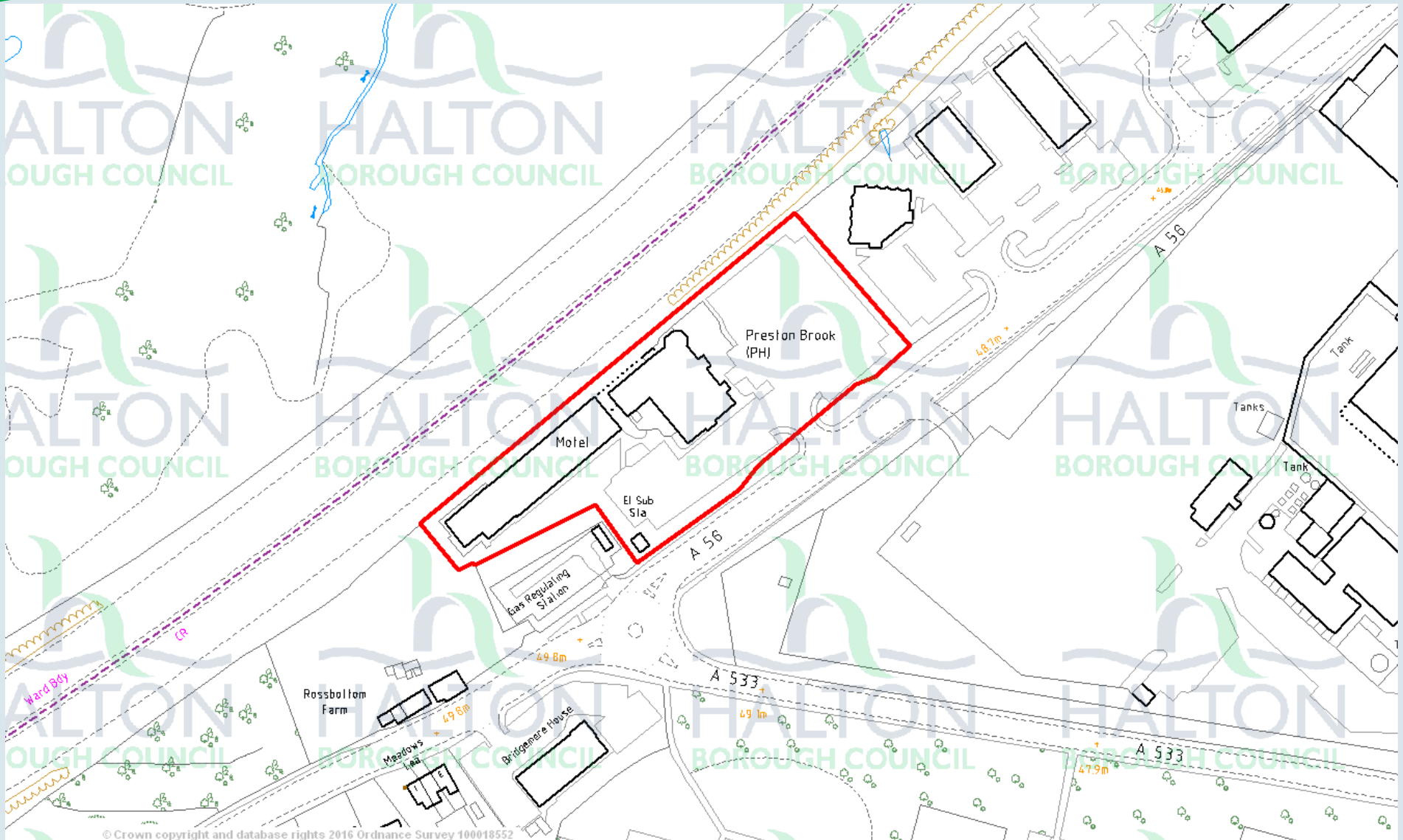












© Crown copyright and database rights 2016 Ordnance Survey 100018552

