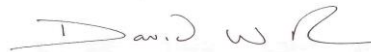


# Public Document Pack



## Development Control Committee

Monday, 9 April 2018 6.30 p.m.  
The Board Room - Municipal Building,  
Widnes



**Chief Executive**

### **COMMITTEE MEMBERSHIP**

Councillor Paul Nolan (Chair)
Councillor Keith Morley (Vice-Chair)
Councillor John Bradshaw
Councillor Chris Carlin
Councillor Robert Gilligan
Councillor Ron Hignett
Councillor Carol Plumpton Walsh
Councillor June Roberts
Councillor Dave Thompson
Councillor Bill Woolfall
Councillor Geoff Zygadlo

*Please contact Ann Jones on 0151 511 8276 Ext. 16 8276 or  
ann.jones@halton.gov.uk for further information.  
The next meeting of the Committee is on Monday, 14 May 2018*

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

**Part I**

<b>Item No.</b>	<b>Page No.</b>
<b>1. MINUTES</b>	<b>1 - 3</b>
<b>2. DECLARATIONS OF INTEREST</b>	
Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting prior to discussion and voting on the item.	
<b>3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE</b>	<b>4 - 60</b>

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

**DEVELOPMENT CONTROL COMMITTEE**

*At a meeting of the Development Control Committee on Tuesday, 6 March 2018 at Civic Suite, Town Hall, Runcorn*

Present: Councillors Nolan (Chair), Morley (Vice-Chair), J. Bradshaw, Carlin, Gilligan, R. Hignett, C. Plumpton Walsh, June Roberts, Thompson, Woolfall and Zygadlo

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, A. Plant and P. Peak

Also in attendance: 3 members of the public

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

*Action*

DEV35 MINUTES

The Minutes of the meeting held on 5 February 2018, having been circulated, were taken as read and signed as a correct record.

DEV36 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.

*In order to avoid any allegation of bias, Councillor R. Hignett did not take part in the debate or vote on the following item due to his involvement with the scheme as an Executive Board Member.*

DEV37 - 17/00455/FUL - PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 67 NO DWELLINGS (3 NO. 2 BED BUNGALOWS, 19 NO. 2 BED HOUSES, 41 NO. 3 BED HOUSES, 4 NO. 4 BED HOUSES) WITH ASSOCIATED INFRASTRUCTURE AND NEW ACCESS FROM PICOW FARM ROAD ON FORMER PLAYING FIELDS AND CAR PARK, PICOW FARM ROAD, RUNCORN, CHESHIRE

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

Officers advised the Committee that further to the outline permission already granted for this development, this proposal included an additional 5 dwellings to the original plan, so they now totalled 67.

It was reported that Sports England were not a statutory consultee on the application and the policies relating to the protection of outdoor playing space for formal sport and recreation were no longer considered to apply. It was also noted that this development was in the West Runcorn Key Area of Change and would cross subsidise the development of Council driven priority regeneration schemes in compliance with Policy CS10 of the Core Strategy.

The Committee was addressed by Mr Bill Fulster, a representative of MCI Developments. He advised them that Halton Housing Trust had received a grant of £1.775m from Homes England towards the construction of the site and the regeneration of Runcorn Town Centre would benefit from the development. He stated this development was unique in that it would contain a mix of homes including homes for rent, shared ownership homes and rent to buy homes. He concluded saying that the proposal complied with all planning and highway policies and urged the Committee to approve.

Clarity was provided to Members on the easement areas of the development shown on the plans which included an unused bus turning area. The parking arrangements within the site were clarified. The Committee agreed that the application be approved subject to the conditions listed.

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

1. Time limit – full permission;
2. Approved plans;
3. Proposed site levels (BE1);
4. Facing Materials (BE1 and BE2);
5. Breeding birds protection (GE21);
6. Soft landscaping (BE1);
7. Hard landscaping and boundary treatments (BE1);
8. Tree protection (BE1);
9. Hours of construction (BE1);

10. Construction management plan (Highways) (BE1);
11. Provision of parking and servicing (BE1);
12. Off-site highway works (BE1);
13. Implementation of the Landscape and Ecological Management Plan (GE21);
14. Reasonable avoidance measures – hedgehogs (GE21);
15. Bird nesting boxes (GE21);
16. Bat boxes (GE21);
17. Site waste management plan (WM8);
18. Japanese knotweed method statement;
19. Invasive species validation report;
20. Bat friendly lighting scheme (GE21);
21. Foul water (PR16);
22. Surface water regulatory scheme (PR16);
23. Investigation of suitability of infiltration (PR16);
24. Final discharge rates (PR16);
25. Models showing overland flow routes (PR16);
26. Ground contamination (Phase 2 site investigation, remediation strategy, validation report) (PR14);
27. Noise mitigation measures (PR2); and
28. Electric vehicle charging points (CS19).

DEV38 MISCELLANEOUS ITEMS

The following applications had been withdrawn:

17/00596/TPO

Application to fell 1 no. Sycamore and 1 no. Ash protected within group G3 of TPO 024 within property boundaries at 14 Redacre Close, Cheshire, WA4 4JU.

17/00300/TPO

Proposed felling and subsequent replacement of 1 no. Sycamore Tree protected under TPO 17, at Whitehouse Farm, Barkers Hollow Road, Preston Brook, Warrington, Cheshire, WA4 4LW.

*Meeting ended at 6.45 p.m.*

**REPORT TO:** Development Control Committee

**DATE:** 9 April 2018

**REPORTING OFFICER:** Strategic Director – Enterprise, Community and Resources

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

**WARD(S):** Boroughwide

<b>Application No</b>	<b>Proposal</b>	<b>Location</b>
18/00018/FUL	Proposed demolition of existing buildings and erection on a new warehouse / manufacturing facility (use class B1/B2/B8) with associated car parking and service road.	Manor Park Industrial Estate, Stuart Road, Runcorn.
18/00021/FUL	Proposed development of 28 no. apartments in 3 storey blocks with associated car parking and ancillary development.	Sporting Ford, 64 Hough Green Road, Widnes.

<b>APPLICATION NO:</b>	18/00018/FUL
<b>LOCATION:</b>	Manor Park Industrial Estate, Stuart Road, Runcorn
<b>PROPOSAL:</b>	Proposed demolition of existing buildings and erection of a new warehouse/ manufacturing facility (use class B1/ B2/ B8) with associated car parking and service road
<b>WARD:</b>	Daresbury
<b>PARISH:</b>	Sandymoor
<b>AGENT(S) / APPLICANT(S):</b>	Sandon Global Engraving Technology Ltd
<b>DEVELOPMENT PLAN ALLOCATION:</b> National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)	Primarily Employment Area
<b>DEPARTURE REPRESENTATIONS:</b>	No 1 letter received
<b>KEY ISSUES:</b>	Principle of development; Loss of undesignated green space, Tree/ habitat and ecology issues, Design, Flooding and Drainage, Highways, Employment Retention and Creation
<b>RECOMMENDATION:</b>	Approve Subject to Conditions
<b>SITE MAP</b>	

## **THE APPLICATION SITE**

### The Site

Site of approximately 0.87 hectares within a Primarily Employment Area as defined by the Halton Unitary Development Plan. Site of former Betabyte Hydraulics facility the site is now vacant. An existing commercial building lies to the south west with shared access. The site fronts Stuart Road and is bounded by Longbenton Way to the rear/ south east. A public footpath link connecting Longbenton Way and Stuart Road runs along the north east boundary of the site with woodland beyond. The site includes a linear planted strip of land along this boundary between the original site and the adjoining footpath which is currently in the ownership of Halton Borough Council.

### Planning History

None directly of relevance.

## **THE APPLICATION**

### The proposal

The proposed development comprises the demolition of the existing buildings and erection of a new warehouse/ manufacturing facility (use class B1/ B2/ B8) with associated car parking and service road. The proposals will provide for approximately 2963m<sup>2</sup> of manufacturing and warehousing floor space and 1054m<sup>2</sup> of office space over two floors. The new building will accessed via the existing shared access road from Stuart Road for staff and visitors. HGV deliveries and servicing are proposed from a new one way service road accessing from Stuart Road and exiting onto Longbenton Way to the rear of the site.

### Documentation

The applicant has submitted a planning application, drawings and the following reports:

- Tree Survey
- Preliminary Ecological Appraisal
- Bat Survey Report
- Transport Statement
- Phase 1 Desk Study and Phase 2 Geoenvironmental Report
- Drainage Strategy and Soakaway Report
- Planning Statement and Design and Access Statement.



## **POLICY CONTEXT**

### **National Planning Policy Framework**

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

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

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

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

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

The following Unitary Development Plan policies and policy documents are relevant to this application: -

BE1 General Requirements for Development

BE2 Quality of Design

GE11 Protection of Incidental Greenspaces

PR6 Development and Flood Risk

TP12 Car Parking

TP16 Green Travel Plans

E3 Primarily Employment Area

E5 New Industrial and Commercial Development

Halton Core Strategy Local Plan (2013)

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

- CS1 Halton's Spatial Strategy
- CS2 Presumption in Favour of Sustainable Development
- CS4 Employment Land Supply and Locational Priorities
- CS18 High Quality Design
- CS23 Managing Pollution and Risk

Joint Waste Local Plan 2013

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

Supplementary Planning Documents (SPD)

Design of New Industrial and Commercial Development SPD

CONSULTATIONS

The application has been advertised via the following methods: site notices posted near to the site, press notice, and Council website. Surrounding residents and businesses have been notified by letter.

The following organisations have been consulted and any comments received have been summarised below in the assessment section of the report:

United Utilities – No Objection in Principle

SABIC UK – Confirmed No Observations

Council Services:

HBC Highways – No Objection in Principle

HBC Drainage – No Objection in Principle

HBC Open Spaces – No Objection in Principle

HBC Contaminated Land - No Objection in Principle

## REPRESENTATIONS

1 letter of representation has been received from an adjoining business. This raises the following issues/ queries around how the following will be managed:

*“1.Segregation of work vehicles and associated disruption.*

*2.Noise levels and how they will be controlled.*

*3.Contaminates to air, dust, hazardous substances etc.*

*4.Asbestos - could we see a copy of the asbestos register, if the building does contain asbestos then obviously we need assurance about its safe removal before demolition starts.*

*5.Fencing off of the area*

*6.Detail around how the building will be demolished.*

*7.Any anticipated disruption to building services i.e. power*

*8.Anticipated time scale for the work*

*9.Any other measures that will be taken to ensure minimal disruption”*

A response has been provided that it is common for any planning permission for development of this scale to be subject to a condition requiring submission and agreement of a Construction Environmental Management Plan. Whilst this would cover a number of the issues raised to demonstrate how consideration can be given by the developer to minimising associated impacts, the Council's powers in this regard are considered limited. Many of the issues raised are covered by alternative legislation including for example Construction Design Management Regulations, Control of Asbestos Regulations and Health and Safety legislation. No further comment or response has been received.

## ASSESSMENT

### Background

Sandon Global was founded in 2004 and is currently based a Boleyn Court in Manor Park, Runcorn. They are manufacturers of new and refurbished specialist rolls, sleeves and cylinders for the print industry. This includes an isolated Engineering Department and Laser Engraving facility, with state of the art high definition Thermal Optic Lasers. These lasers are housed in a clean room condition environment which is climate controlled, plus includes anti-vibratory foundation flooring to ensure quality and consistent engravings are produced.

Sandon Global have seen significant growth year on year since launch and is now successfully developing its worldwide export markets. The current premises are no

longer sufficient to meet the needs of the company and they have identified this site and are now proposing a purpose built facility.

### Principle of Development

The site is designated as a Primarily Employment Area in the Halton Unitary Development Plan (UDP). UDP policy E3 provides that development falling within uses B1, B2 and B8 will be permitted in such areas. The proposals are therefore considered acceptable in principle.

### Design and Character

The proposal is for a modern industrial building for B1, B2 and B8 uses with gross external area of 4,017 square metres including 1,054square metres of offices to the first and second floors. The building measures 77m by 38.5m with a height to the ridge of 12.7 metres.

The building will be of classic portal frame construction and the external materials will comprise a mix of cladding not dissimilar to a number of other units in existence in the area and across the Borough. The front elevation is shown to be a significant proportion of glazing giving a modern character to the building. The glazing is shown to be full height to the ground floor to allow the company to showpiece the high quality laser machines to be seen from outside. Detailed materials are to be agreed by condition.

The Site Layout Plan shows two separate entrances. Staff and visitors will utilise the existing access from Stuart Road with car parking shown for 44 spaces. There will be a number of spaces allocated for electric vehicles. A new and separate HGV and servicing access road is proposed from Stuart road, along the north east side of the building. This will exit onto Longbenton Way providing a left out only arrangement. No hours of use have been proposed but it is not considered that any significant issues should arise if the unit would operate 24 hours a day, 7 days a week. It is not therefore proposed to restrict hours of use.

The proposals as originally submitted proposed the loss of all trees and planting from the rear of the site fronting Longbenton Way. This was to allow for regrading of the embankment and replacement planting was proposed. Given the character of this road with substantial planting along almost its entire length it was considered that, given the harm resulting from the loss of this planting and the length of time required for replacement planting to mature, such loss could not be accepted. The applicant has therefore amended the proposals to reduce the need for regarding in this area by incorporating a retaining wall structure. This should minimise the need for loss of trees and planting and allow a degree of retention along the land directly adjoining Longbenton Way thereby lessening the immediate harm. The proposals as amended are considered an acceptable compromise.

The building and wider development is considered to be of a quality appropriate to the site and wider area and, notwithstanding the loss of green space and planting, will represent a significant improvement on the existing development at the site. Issues relating to loss of greenspace, planting etc are addressed elsewhere within this report.

## Highways

The Site Layout Plan shows two separate entrances. Staff and visitors will utilise the existing access from Stuart Road with car parking shown for 44 spaces. There will be a number of spaces allocated for electric vehicles. A new and separate HGV and servicing access road is proposed from Stuart Road, along the north east side of the building. This will exit onto Longbenton Way providing a left out only arrangement. The new service road is argued by the applicant as being integral to the delivery and servicing needs of the business. The land required to deliver the access road is currently under the ownership of Halton Borough Council. Agreement to transfer ownership of that land is to be dealt with parallel to the planning process. The new service road is proposed to remain private and will not form part of the adopted highway. It has been designed to be one way and controlled at either end by gates or barriers.

The application is supported by a Transport Statement. The site is argued to be in a sustainable location with suitable walking and cycling links and links to public transport. The proposals as amended also include provision to improve footpath links from the building to the existing network on Stuart Road which can be required by Grampian style planning condition. The proposals are considered likely to have a negligible impact on the wider highway network. Whilst numerous amendments have been required, it is considered that the scheme demonstrates appropriate provision can be made for access, servicing and parking. On that basis Councils Highways Engineer has confirmed that they raise no objections in principle.

## Drainage and Flooding

The application site is identified as lying within Flood Risk Zone 1. It is also below 1 Ha in area and, as such, no detailed Flood Risk Assessment is required. In accordance with national and local policy the proposed development is considered to be located within an area of low flood risk. The application is supported by a drainage strategy/ surface water drainage plan. A soakaway report has also been supplied demonstrating that this would not provide a suitable means of drainage. The application states that it is intended that the site will be drained to existing foul and surface water systems.

United Utilities has confirmed that they raise no objections in principle. They have however also recommended conditions relating to submission and agreement of a plan for drainage management and maintenance. They have stated that they are not in a position to comment on any future submission in this regard. It is not considered

that such a recommended condition relating to drainage maintenance and management plan can be justified with respect to the application of the 6 tests contained within the NPPF.

The LLFA, whilst raising no objection in principle, has queried the level and means of attenuation. This has been queried with the applicant and members will be updated should any issues arise or this cannot be satisfactorily addressed.

### Loss of Trees, Incidental Open Space and Ecology

The proposals will result in the loss of a number of trees and other vegetation from the site. In order to facilitate the construction of the new service road a linear hedgerow and area of incidental green space will be lost from the north east boundary of the site. Issues relating to the loss of trees and planting to the embankment adjoining Longbenton Way have been addressed above.

The Council's Open Spaces Officer has confirmed that there are no trees afforded Statutory Protection at this location and the site is not situated within a Conservation Area. It is acknowledged that the proposal appears to require the removal of a significant number of trees and hedgerow to facilitate the build, however the affected trees/hedgerow do not appear to be worthy of statutory protection. They do however provide an element of ecological connectivity for species at Manor Park.

Of primary concern is the loss of the hedgerow and green space along the north east boundary of the site and the resultant loss of screening currently provided by the vegetation to be lost in this area. This will mean that the proposed new service road and servicing areas will be particularly visible from the footpath which will be retained running through the retained open space. The site will not contain enough remaining space to mitigate the loss of trees, hedgerow and habitat replacement and there is no suitable public open space nearby to accommodate such a replanting programme. Some scope for replacement planting has been identified adjoining the exit of the new service road to Longbenton Way which will provide limited mitigation and screening at this point. Whilst such loss of screening and visibility of service areas is normally resisted, it is considered that the impact on the wider area will be limited with harm largely limited to views from the adjoining footpath as a belt of woodland, trees to be retained fronting Longbenton Way and the proposed development will largely screen such areas from any wider public vantage point. The retention of trees/ planting to the boundary with Longbenton Way, the woodland to the north east and limited scope for replanting are also considered to retain a degree of ecological connectivity. Such harm must also be balanced against the wider economic and employment benefits of the scheme.

The Council's Open Spaces Officer has confirmed that there are no formal ecological constraints associated with the proposal. Whilst recommended that all works comply with current bird nesting legislation, it is confirmed that the appropriate surveys have been carried out for bats. The Council's retained adviser has acknowledged that the

submitted bat report sets out proposals to avoid and mitigate impacts on the local bat population. Mitigation with respect to bird nesting boxes and further mitigation with respect to transplanting orchids and treatment of invasive species (*Rhododendron ponticum* and *Cotoneaster horizontalis*) are also recommended. It is considered that such details and measures can be secured by appropriately worded planning condition.

### Employment Benefits

The proposal reports to result in a number of employment benefits to the Borough. The applicant has stated that:

*“Sandon was established in Halton in 2004. Beginning with 3 employees the company has grown to a position where it currently has 56 full time employees including 5 apprentices. Over the next 5 years they anticipate increasing staff levels to 75 full time employees. Therefore the proposals will create approximately 20 new jobs in the next 5 years. The proposed new build headquarters is being deigned to accommodate this number of staff on day one but with allowance for significantly more staff in the future as it is anticipated that this will be Sandon’s headquarters for decades to come.*

*Sandon manufacture highly technical and sophisticated engineering products. The purpose of our new site is to become their new global headquarters containing Research and Development, Manufacturing, Engineering, UK & European Sales and Administration functions. The jobs being retained and created are therefore good quality engineering, sales and administrative roles including apprenticeships. This development will help to secure and retain highly skilled jobs in Halton, and as mentioned earlier help the highly specialised metal powder processing industry in Halton to grow even more jobs.*

*It should be noted that Sandon spent 12 months looking for suitable HQ premises within the borough and surrounding areas and were unable to find any suitable properties. The Betabite site on Stuart Road is the only viable option in the borough and it is only viable if they can secure the adjacent strip of land. It is therefore clear that this development represents the only realistic prospect for the expansion of Sandon Global within Halton.”*

The company also currently has 6 apprentices and this is reportedly expected to rise to 8 by April. Job creation, retention and the wider economic benefits of the scheme are a material consideration and can be afforded not insignificant weight in this case.

### Contamination

The application is supported by both Phase 1 (desk study and preliminary assessment) and Phase 2 (intrusive investigation and risk assessment) reports. These have been reviewed by the Council’s Contaminated Land Officer who has confirmed that there has been provided limited information regarding the previous

site uses and potential areas, sources of contamination or the rationale for the distribution of sampling locations. Notwithstanding that, the sampling has identified an impact across the site by hydrocarbon contamination, possibly as a result of failure of the bunding around an oil storage area. The report concludes that the identified contamination will require remediation, and it acknowledges that further site investigation will be required to fully characterise the area of impact before a detailed remedial strategy can be developed. The Contaminated Land Officer has confirmed broad agreement with the recommendations for further investigation and a remediation strategy (with associated verification reporting). On that basis no objection is raised in principle. Given that it would be appropriate to undertake the further site investigation after the clearance of the current buildings on site, it is advised that further phases of investigation, an appropriate remediation strategy and subsequent validation can be adequately secured by appropriately worded planning condition if permission is to be granted.

### Waste

The proposal involves construction activities and policy WM8 of the Joint Merseyside and Halton Waste Local Plan (WLP) applies. This policy requires the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

The applicant has not provided information with respect to provision of on-site waste storage and management to demonstrate compliance with policy WM9 of the Joint Merseyside and Halton Waste Local Plan. It is considered that this can be secured by a suitably worded condition.

### Summary and Conclusions

The proposed development comprises the demolition of the existing buildings and erection of a new warehouse/ manufacturing facility (use class B1/ B2/ B8) with associated car parking and service road. The proposals will provide for approximately 2963m<sup>2</sup> of manufacturing and warehousing floor space and 1054m<sup>2</sup> of office space over two floors. The new building will be accessed via the existing shared access road from Stuart Road for staff and visitors. HGV deliveries and servicing are proposed from a new one way service road accessing from Stuart Road and exiting onto Longbenton Way to the rear of the site.

This element of the scheme raises particular issues with respect to the loss of incidental open space, tree and hedgerow planting and associated character and ecological impacts. The loss of screening to servicing areas means such elements will undoubtedly become more visible and prominent. The applicant has argued that the new service road is integral to the delivery and servicing needs of the business.



Given the justification as outlined above it is considered that the economic and employment benefits for the Borough can be argued to outweigh any harm resulting

It is considered that the development will for a good quality building offering potential employment opportunities and should therefore be welcomed. The proposals are considered to be of a quality suited to the site in keeping with the area and adjoining developments. It is considered that issues raised as a result of the original submission have been adequately addressed and that any outstanding issues in can be resolved by way of oral update and/ or appropriately worded planning conditions.

### RECOMMENDATION

The application be approved subject to Conditions relating to the following:

1. Standard 3 year timescale for commencement of development
2. Specifying approved and amended plans
3. Requiring submission and agreement of a Construction Environmental Management Plan including wheel wash
4. Materials condition(s), requiring the submission and approval of the materials to be used (BE2)
5. Landscaping condition, requiring submission and approval both hard and soft landscaping. (BE1/2)
6. Submission and agreement of boundary treatment including gates/ barriers (BE2)
7. Submission and agreement of scheme of biodiversity features including bat and bird boxes.
8. Condition requiring development be carried out in accordance with the approved Ecological Appraisal and bat survey reports and recommendations, mitigation and avoidance measures contained therein(GE21)
9. Condition restricting construction and delivery hours audible at site boundary. (BE1)
10. Submission and agreement of detailed lighting scheme including measures to minimise impacts on foraging and commuting bats (PR4/GE1)
11. Detailed site investigation, including mitigation to be submitted and approved in writing. (PR14)
12. Submission and agreement of detailed retaining wall design and special working methods to minimise bank excavation/ loss of trees/ vegetation
13. Conditions relating to tree protection during construction (BE1)
14. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
15. Requiring submission and agreement of cycle parking details (TP6)
16. Requiring submission and agreement of electric vehicle parking and charging point(s) details (NPPF)
17. Condition relating to discovery of unidentified contamination (PR14)

18. Condition requiring surface water/ highway drainage be carried out as approved (BE1/ PR5)
19. Requiring development be carried out in accordance with the approved site and finished floor levels. (BE1)
20. Submission and agreement of Site Waste Management Plan (WM8)
21. Submission and agreement of a sustainable waste management plan (WM9)
22. Requiring submission and agreement of onsite waste storage (WM9)
23. Conditions restricting external storage and working (E5)

#### SUSTAINABILITY STATEMENT

As required by:

Paragraph 186 – 187 of the National Planning Policy Framework;

The Town and Country Planning (Development Management Procedure) (England) Order

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.

<b>APPLICATION NO:</b>	18/00021/FUL
<b>LOCATION:</b>	Sporting Ford, 64 Hough Green Road, Widnes
<b>PROPOSAL:</b>	Proposed development of 28 no. apartments in 3 storey block with associated car parking and ancillary development
<b>WARD:</b>	Hough Green
<b>PARISH:</b>	N/A
<b>AGENT(S) / APPLICANT(S):</b>	BLM Ltd
<b>DEVELOPMENT PLAN ALLOCATION:</b> National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)	Primarily Residential Area
<b>DEPARTURE</b>	No
<b>REPRESENTATIONS:</b>	2
<b>KEY ISSUES:</b>	Principle of Development; Loss of Public House, Open Space, Ecology, Design, Flooding and Drainage, Parking, Waste, Trees, Residential Amenity, Contamination,
<b>RECOMMENDATION:</b>	Approve Subject to Conditions

**SITE MAP**

## **THE APPLICATION SITE**

### The Site

Site of approximately 1,579m<sup>2</sup>/ 0.39 acre currently occupied by the remains of the former Sporting Ford pub and detached betting office and associated car park. The pub was reportedly vacant and has recently been severely damaged by fire.

The site is rectangular in shape fronting Hough Green Road. It is within a Primarily Residential Area in the Halton Unitary Development Plan but within an area that includes a children's nursery, community sports hall, local centre and medical centre.

### Planning History

None directly relevant.

## **THE APPLICATION**

### The proposal

Proposed demolition of existing buildings and development of 28 no. apartments in 3 storey block with associated car parking and ancillary development.

### Documentation

The applicant has submitted a planning application, drawings and the following reports:

Design and Access Statement

Phase 1 Environmental Assessment Report

Transport Statement

## **POLICY CONTEXT**

### National Planning Policy Framework

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

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

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

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

Halton Unitary Development Plan (UDP) (2005)

The site lies entirely within a Primarily Residential Area in the Halton Unitary Development Plan. The following policies are considered to be of particular relevance: -

- BE1 General Requirements for Development
- BE2 Quality of Design
- GE21 Species Protection
- LTC5 Protection of Community Facilities
- H3 Provision of Recreational Greenspace
- TP6 Cycling Provision as Part of New Development
- TP12 Car Parking
- TP17 Safe Travel for All
- PR6 Development and Flood Risk
- PR14 Contaminated Land

Halton Core Strategy Local Plan (2013)

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

- CS1 Halton's Spatial Strategy
- CS2 Presumption in Favour of Sustainable Development
- CS12 Housing Mix
- CS18 High Quality Design
- CS23 Managing Pollution and Risk

Joint Waste Local Plan 2013

WM8 Waste Prevention and Resource Management

WM9 Sustainable Waste Management Design and Layout for New Development

Supplementary Planning Documents (SPD)

New Residential Development SPD

Draft Open Space Provision SPD

Designing for Community Safety SPD

CONSULTATIONS

The application has been advertised via the following methods: site notice posted near to the site, press notice, and Council website. Surrounding residents and landowners have been notified by letter.

The following organisations have been consulted and, where relevant, any comments received have been summarised below in the assessment section of the report:

United Utilities – No Objection in Principle

Cheshire Fire & Rescue – Comments made about the benefits of sprinklers which will be attached as an informative to any planning permission.

Cheshire Constabulary – No Objection in Principle

Council Services:

HBC Contaminated Land – No Objection in Principle

HBC Highways – No Objection in Principle

HBC Drainage – No Objection in Principle

REPRESENTATIONS

2 letters of objection have been received from nearby resident. These raise the following issues:

- Proposed building is not in keeping with existing buildings or the local area
- Crammed development, will look like an office block in the countryside, out of scale and materials not in keeping
- Loss of light to house and garden
- Loss of privacy from overlooking/ impact on outlook by unsightly building
- Lack of need for additional flats

- Questioning purported security benefits
- Impact on existing health conditions/ health deterioration
- Light pollution from cars
- Increased traffic volume/ parking problems being pushed into surrounding residential streets

### ASSESSMENT

#### Principle of Development

Permission is sought for the proposed demolition of a former pub and adjoining betting office and development comprising 28 No. apartments with ancillary development. The site lies within a Primarily Residential Area in the Halton Unitary Development Plan and as such proposals for residential development are considered acceptable in principle.

#### Design, Character and Residential Amenity

The proposal is for demolition of the existing pub and betting office and the erection of a modern apartment block over 3 storeys with a flat roof. The proposals provide for a total of 28 apartments with 10 No. one bed and 18 No. two bed. Whilst the building will appear as 3 storey it will comprise a central block with first and second floor wings either side to provide undercroft parking. The submitted drawings indicate that the elevations will be broken up by the use of a mix of materials. No details of the proposed materials are given but it is anticipated that this could include a mix of brick, render and or modern cladding materials, details of which can be secured by appropriately worded planning condition.

Despite the proposed apartment block being 3 storeys it adjoins an existing relatively modern block of apartments which themselves appear as 3 storey incorporating a pitched roof. There are also a number of buildings in the local area including a number of 3 storey apartment blocks and a local community sports building which appear of similar scale. In this context it is considered that the proposed apartment building is of a character, scale and massing suited to the site and in keeping with the character of the area.

Neighbours have raised issues relating to overlooking, overshadowing and loss of privacy to adjoining properties and gardens. However, the proposed apartment block sits somewhat to the south of the potentially affected properties and gardens. The proposed and affected properties are also separated by a public road. Whilst some degree of overlooking to gardens may occur, relative separation distances will be between approximately 30m and 40m. Such distances exceed the separation distances set out within the Council's adopted Supplementary Planning Document. The building and facing windows are considered sufficiently removed from existing habitable room windows and private gardens. It is not considered that refusal of planning permission could be sustained on these grounds.

### Highway Considerations

The scheme will be accessed from Hough Green Road. As detailed above parking and servicing will be provided either side of a central block predominantly below first and second floor wings to provide undercroft parking. That parking will extend to land within the site to the front and rear of those wings. The Council Highway Engineers advise that they would normally expect parking provision at a rate of 1.25 spaces which for the current scheme of 28 apartments would equate to provision of 35 spaces. The scheme as submitted however provides for provision of 1 space per apartment and is therefore deficient in this regard.

The application red line boundary as originally submitted included land to the rear fronting Cherry Sutton but this area included no development proposals. Whilst this land would ideally have provided scope for additional and more generous parking and servicing arrangements, it has been revealed that this land is not within the control of the applicant. The plans have therefore now been amended to exclude that land.

The application is supported by a Transport Statement. This has sought to justify the proposed parking levels based on factors including reported car ownership levels in the Hough Green Area and accessibility of the site by other modes including walking, cycling and public transport. It is not considered that refusal of planning permission could be sustained on these grounds and the Council's Highway Engineers have therefore confirmed that they raise no objection in principle.

Notwithstanding the deficiency in parking numbers, parking and servicing within the site is constrained. The scheme has been amended from that originally submitted, however, issues are still raised with respect to ensuring that suitable parking arrangements, cycle parking and servicing can be accommodated. In order to minimise delay in determining the application the report has been prepared in anticipation that these outstanding matters will be resolved. Members will be updated accordingly.

### Taxi Rank Relocation/ Removal

There is currently a statutory taxi rank in front of the development which will need to be moved/ removed because the construction traffic may need to cross it and, when the development is complete, it would be outside residential properties and the access/exit would cut across the rank. The Council's Taxi Officer has confirmed that there appears to be no suitable space in the immediate vicinity where the rank could be safely moved. Therefore it will likely need to be removed.

To remove the rank requires *inter alia* a statutory advert to be made and the road markings and pole to be removed. It is advised that the removal of the taxi rank and the steps required to facilitate it be required by a Grampian style planning condition.



### Loss of Public House

The proposals will result in the loss of a Public House. CAMRA (Campaign for Real Ale) has spearheaded a campaign to protect pubs. Para.70 of NPPF provides that in order “to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should .....guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs”. UDP Policy LTC5 seeks to prevent (without compensation) the loss of community facilities where they “serve an important local need”. No objection has been received from local residents or from CAMRA. It is not considered that refusal of planning permission could be sustained on these grounds.

The building is not listed or included on any local list as a heritage asset.

### Flood Risk and Drainage

The proposed development lies in flood zone 1 and is less than 1 Ha in area so a flood risk assessment is not required. The Council’s Drainage Engineer acting as Lead Local Flood Authority (LLFA) advises that the development does not lie within a critical drainage area but it is on a site that has been previously developed. It is therefore expected that the site drainage strategy will result in a reduction of 50 per cent in surface water discharge rates from the new development.

It is advised that there is a public combined sewer in Hough Green Road but the developer will be expected to have demonstrated the use of the drainage hierarchy, as described in Part H of the Building Regulations, before approaching United Utilities for a sewer connection.

United Utilities has also stipulated this requirement but confirmed that in the event of surface water draining to public sewer, appropriate attenuation will be required. The LLFA and United Utilities raise no objection in principle. It is considered that an appropriate drainage strategy and attenuation can be secured by appropriately worded planning condition.

### Contaminated Land

The application is supported by the following document;

Phase I desk study report for land at the former Sporting Ford, ref CCG-C-17-9956 CCG Ltd, October 2017

The proposals have been reviewed by the Council’s Contaminated Land Officer who confirms that the report contains the results of a basic desk study and site walkover and presents a preliminary conceptual site model.

Whilst the historical plans do not highlight much in the way of potential sources of contamination, a significant potential feature in the vicinity of the site has been missed, namely the infilled subway immediately to the east of the site boundary.

The report concludes that possible made ground from the development of the plot and the surrounding area, along with ground gases from infilled ponds could lead to significant pollutant linkages that would impact on the proposed development and therefore phase 2 works are proposed.

A number of queries have been raised by the Contaminated Land Officer regarding the submitted proposals for the proposed future site investigation. Notwithstanding that, an appropriate site investigation and risk assessment will be required to ensure that the site is suitable for the proposed use. It is advised that it would be most relevant to undertake such site works after the clearance of the current buildings.

No objection is raised to the proposed development proposals but it is recommend that if permission is granted it should be conditioned to require the submission of an appropriate investigation and risk assessment, remedial strategy and supporting validation reporting.

### Waste

The proposal involves construction activities and policy WM8 of the Joint Merseyside and Halton Waste Local Plan (WLP) applies. This policy requires the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

The applicant has provided sufficient information with respect to provision of on-site waste storage and management to demonstrate compliance with policy WM9 of the Joint Merseyside and Halton Waste Local Plan.

### Open Space Provision

The scheme is considered deficient with regards open space provision when measured against UDP Policy H3. In accordance with the Councils adopted Provision of Open Space SPD financial contributions for off-site provision have been calculated. The applicant has agreed in principle and it is considered that this can be adequately secured by legal agreement or other appropriate agreement.

### Designing Out Crime

The Cheshire Constabulary Designing Out Crime Officer has made the following comments on the scheme:

Good points re development:-

- Reference to fencing improvements
- Proposed new residential development will encourage natural surveillance in the areas
- Full alarm system
- Discussions regarding remote security

Points to be considered:-

- Access Control to lobby area and to undercroft area
- Compartmentalisation to ensure tenants only have access to areas needed
- Ensure trees do not obscure natural surveillance
- Consider low level defensible planting to restrict access to any ground floor windows

The submitted Design and Access Statement confirms that overall detailed security features are to be discussed and agreed with the relevant police liaison officers. The above can be attached as an informative to any grant of planning permission.

### Conclusions

Permission is sought for the development of 28 No. apartments with ancillary development over three storeys. The site lies within a Primarily Residential Area in the Halton Unitary Development Plan and as such proposals for residential development are considered acceptable in principle.

At the time of writing there remain a number of outstanding detailed matters in relation to bin storage, parking and servicing. In order to minimise delay in determining the application the report has been prepared in anticipation that these outstanding matters will be resolved. Members will be updated accordingly. Notwithstanding those outstanding issues, it is considered that the development will provide for a good quality building offering much needed housing in the Borough and that any outstanding issues can be resolved by way of oral update and appropriately worded planning conditions.

### RECOMMENDATION

The application be approved subject to the following:

- a) a legal or other appropriate agreement relating to securing financial contributions to Open Space.
- b) Conditions relating to the following:
  1. Standard 3 year permission to commence development (BE1)
  2. Condition specifying approved and amended plans (BE1)
  3. Requiring submission and agreement of a Construction Management Plan including vehicle access routes and construction car parking; (BE1)

4. Materials condition, requiring the submission and approval of the materials to be used (BE2)
5. Landscaping condition, requiring the submission and approval of landscaping details. (BE2)
6. Boundary treatments to be submitted and approved in writing. (BE2)
7. Wheel cleansing facilities/ strategy to be submitted and approved in writing. (BE1)
8. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
9. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
10. Condition relating to the implementation of bin store provision (BE1)
11. Requiring submission and agreement of site and finished floor and site levels (BE1)
12. Site investigation, including mitigation/ validation to be submitted and approved in writing. (PR14)
13. Condition relating to the implementation of cycle store provision in accordance with details to be submitted and approved (TP6)
14. Submission and agreement of biodiversity enhancement features including bird/ bat boxes, insect/ hedgehog houses etc (BE1 and GE21)
15. Requiring submission and agreement of foul and surface water drainage including attenuation (PR16)
16. Submission and agreement of Site Waste Management Plan (WM8)
17. Requiring submission and agreement of electric vehicle parking and charging point(s) details (NPPF)
18. Grampian style condition requiring removal of taxi rank.

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 – Policy, Planning and Transportation 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) Order

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.

<p><b>APPLICATION NUMBERS &amp; PROPSALS:</b></p>	<p><b>18/00129/P3JPA</b> – Prior notification for proposed change of use of first and second floor from offices (Use Class B1) to 16no. studio apartments (Use Class C3) (<b>PRIOR APPROVAL APPLICATION</b>);</p> <p><b>18/00130/P3MPA</b> – Prior notification for proposed change of use of part of ground floor from former bank (Use Class A2) to 4no. studio apartments (Use Class C3) (<b>PRIOR APPROVAL APPLICATION</b>);</p> <p><b>18/00131/P3PPA</b> – Prior notification for proposed change of use of basement from storage and distribution (Use Class B8) to 5no. studio apartments (Use Class C3) (<b>PRIOR APPROVAL APPLICATION</b>);</p> <p><b>18/00132/FUL</b> – Proposed external alterations to insert new windows and entrance doors (<b>PLANNING APPLICATION</b>);</p> <p><b>18/00133/P3JPA</b> – Prior notification for proposed change of use of ground floor from offices (Use Class B1) to 4no. studio apartments (Use Class C3) (<b>PRIOR APPROVAL APPLICATION</b>).</p>
<p><b>LOCATION:</b></p>	<p>Victoria Buildings, High Street, Runcorn, Cheshire.</p>
<p><b>WARD:</b></p>	<p>Mersey</p>
<p><b>PARISH:</b></p>	<p>None</p>
<p><b>AGENT(S) / APPLICANT(S):</b></p>	<p>Titan Property Investments Ltd.</p>
<p><b>SITE MAP</b></p>	

Members should note that all five applications relate to the same building and are to be determined by the Development Control Committee due to the cumulative number of residential units being proposed. Four of the five applications are prior approval applications under Schedule 2, Part 3, of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended). The fifth application is a full planning application for the external changes required to facilitate the changes of use proposed. Due to the interrelated nature of the applications, they are presented as one report.

### **CONSIDERATION OF APPLICATIONS 18/00129/P3JPA AND 18/00133/P3JPA.**

These applications both propose a change of use from Class B1(a) offices to Class C3 (dwellinghouses) which is permitted development under Schedule 2, Part 3, Class O of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended).

There are a number of instances set out below where this change of use is not permitted development.

Development is not permitted by Class O where—

- (a) the building is on article 2(5) land; THIS IS LAND WHICH IS EXCLUDED FROM PERMITTED DEVELOPMENT RIGHTS ALLOWING CHANGE OF USE OF A PROPERTY FROM CLASS B1(A) OFFICE USE TO CLASS C3 RESIDENTIAL. **DOES NOT APPLY**
- (b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order immediately before 30th May 2013 or, if the building was not in use immediately before that date, when it was last in use; **DOES NOT APPLY**
- (d) the site is or forms part of a safety hazard area; THIS LAND IS NOT WITHIN THE CONSULTATION ZONE OF A MAJOR HAZARD SITE OR PIPELINE. **DOES NOT APPLY**
- (e) the site is or forms part of a military explosives storage area; **DOES NOT APPLY**
- (f) the building is a listed building or is within the curtilage of a listed building; **DOES NOT APPLY**
- (g) the site is, or contains, a scheduled monument. **DOES NOT APPLY**

None of the above instances apply to these proposals.

These proposals are therefore permitted by Class O subject to the condition that before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

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

- (c) **flooding risks on the site;**
- (d) **impacts of noise from commercial premises on the intended occupiers of the development,**

and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

As the proposals are permitted development, the principle of development is accepted and the only considerations relevant to the determination of this prior approval application are the **four considerations** set out above.

### **Transport and highway impacts of the development**

The procedure for dealing with prior approval applications makes clear that the National Planning Policy Framework is relevant to the subject matter of the prior approval. In respect of transport impacts, it states that “development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”.

The property is in a town centre location and adequate local parking is available. It is also noted that there is a bus stop within easy access of the site.

It is not considered that the proposal would have a severe transport and highway impact.

The proposals are therefore considered acceptable in this regard.

### **Contamination risks on the site**

The Contaminated Land Officer has reviewed the proposal in respect of contamination risks and whilst the development is for new residential units, the nature of the conversion with no new construction or external space and a lack of historical potentially contaminative land uses mean that there is no requirement for detailed land contamination assessment for the site.

Based on the above, it is not considered that as a result of the proposed change of use, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990 and the proposal is acceptable in this regard.

### **Flooding risks on the site**

The site subject of the application is located within Flood Zone 1 and has a low probability of river or sea flooding (less than 1 in 1000 annual probability). The proposal is therefore considered acceptable in this regard.

### **Impacts of noise from commercial premises on the intended occupiers of the development**

The site is located in the centre of Runcorn in a mixed use area which includes residential properties. This part of High Street is becoming more residential in nature and there have been a number of similar proposals changing the use to residential. The proposed residential use is considered to be compatible with the adjacent land uses and it is not considered that the impacts of noise from commercial premises would have a significantly detrimental impact on residential amenity.

### Conclusion

Based on the four considerations with these prior approval applications, the proposals are acceptable and prior approval is not required.

<b>RECOMMENDATION - (18/00129/P3JPA – 16NO. STUDIO APARTMENTS &amp; 18/00133/P3JPA – 4NO. STUDIO APARTMENTS)</b>
<b>It is recommended that prior approval for the change of use from Class B1(a) offices to Class C3 (dwellinghouses) is not required.</b>
<b>Condition:</b>
<b>Development under Class O is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.</b>

### CONSIDERATION OF APPLICATION 18/00130/P3MPA

This application proposes a change of use from Class A2 (financial and professional services) to Class C3 (dwellinghouses) which is permitted development under Schedule 2, Part 3, Class M of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended).

There are a number of instances set out below where this change of use is not permitted development.

Development is not permitted by Class M if—

- (a) the building was not used for one of the uses referred to in Class M(a)—
  - (i) on 20th March 2013, or
  - (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use; **DOES NOT APPLY**
- (b) permission to use the building for a use falling within Class A1 (shops) or Class A2 (financial and professional services) of the Schedule to the Use Classes Order has been granted only by this Part; **DOES NOT APPLY**
- (c) the cumulative floor space of the existing building changing use under Class M exceeds 150 square metres; **DOES NOT APPLY**
- (d) the development (together with any previous development under Class M) would result in more than 150 square metres of floor space in the building having changed use under Class M; **DOES NOT APPLY**
- (e) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point; **DOES NOT APPLY**



- (f) the development consists of demolition (other than partial demolition which is reasonably necessary to convert the building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order); or **DOES NOT APPLY**
- (g) the building is—
  - (i) on article 2(3) land; **DOES NOT APPLY**
  - (ii) in a site of special scientific interest; **DOES NOT APPLY**
  - (iii) in a safety hazard area; **DOES NOT APPLY**
  - (iv) in a military explosives storage area; **DOES NOT APPLY**
  - (v) a listed building; or **DOES NOT APPLY**
  - (vi) a scheduled monument. **DOES NOT APPLY**

None of the above instances apply to this proposal. The requirement for the development to be completed within 3 years of the prior approval date should be conditioned.

This proposal is therefore permitted by Class M subject to the condition that before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) **transport and highways impacts of the development,**
- (b) **contamination risks in relation to the building,**
- (c) **flooding risks in relation to the building,**
- (d) **whether it is undesirable for the building to change to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order because of the impact of the change of use—**
  - (i) **on adequate provision of services of the sort that may be provided by a building falling within Class A1 (shops) or Class A2 (financial and professional services) of that Schedule or, as the case may be, a building used as a launderette, but only where there is a reasonable prospect of the building being used to provide such services, or**
  - (ii) **where the building is located in a key shopping area, on the sustainability of that shopping area, and**
- (e) **the design or external appearance of the building,**

and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

As the proposal is permitted development, the principle of development is accepted and the only considerations relevant to the determination of this prior approval application are the considerations set out above.

#### **Transport and highway impacts of the development**

The procedure for dealing with prior approval applications makes clear that the National Planning Policy Framework is relevant to the subject matter of the prior approval. In respect of transport impacts, it states that “development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”.

The property is in a town centre location and adequate local parking is available. It is also noted that there is a bus stop within easy access of the site.

It is not considered that the proposal would have a severe transport and highway impact.

The proposals are therefore considered acceptable in this regard.

### **Contamination risks on the site**

The Contaminated Land Officer has reviewed the proposal in respect of contamination risks and whilst the development is for new residential units, the nature of the conversion with no new construction or external space and a lack of historical potentially contaminative land uses mean that there is no requirement for detailed land contamination assessment for the site.

Based on the above, it is not considered that as a result of the proposed change of use, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990 and the proposal is acceptable in this regard.

### **Flooding risks on the site**

The site subject of the application is located within Flood Zone 1 and has a low probability of river or sea flooding (less than 1 in 1000 annual probability). The proposal is therefore considered acceptable in this regard.

### **Desirability of the building to change to a use falling within Class C3 (dwellinghouses)**

There is considered to be adequate provision of services in respect of Class A2 (financial and professional services) in the locality. The site is located the Runcorn Town Mixed Use Area and the relevant policy relating to this indicates the suitability of a Class C3 use in this area. It is concluded that the proposal would not compromise the sustainability of the Runcorn Old Town shopping area. The proposal is therefore considered acceptable in this regard.

### **Design or external appearance of the building**

The current proposal involves the conversion of some of the existing windows into entrance doors. It is noted that there is provision in this particular class to undertake building operations necessary to convert the building. These alterations are not considered to respect the character of the building which has strong design features

in its outward facing elevations. The resultant external appearance is not considered to be acceptable, however a solution could be achieved through designing a layout which only utilises existing access points to the building.

### **Conclusion**

Based on the considerations with this prior approval application, the proposal is not currently acceptable due to the resultant external appearance of the building.

**RECOMMENDATION - 18/00130/P3MPA – 4NO. STUDIO APARTMENTS.**  
**Prior approval is required and refused because based on the plans provided to accompany the application, the proposed external alterations would result in the conversion of an existing window into an entrance door which would not respect the character of this attractive building which contains strong design features and detailing.**

The applicant has been given the opportunity to change the scheme to ensure that the character of the building is not compromised. Should suitable amendments be made to the scheme in advance of the determination of the application, delegated authority is sought to determine the application in line with the following recommendation:

It is recommended that prior approval for the change of use from Class A2 (financial and professional services) to Class C3 (dwellinghouses) is not required.

Conditions:

Development under Class P is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.

A building which has changed under Class M is to be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as such a dwellinghouse.

### **CONSIDERATION OF APPLICATION 18/00131/P3PPA**

This application proposes a change of use from Class B8 (storage or distribution centre) to Class C3 (dwellinghouses) which is permitted development under Schedule 2, Part 3, Class P of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended).

There are a number of instances set out below where this change of use is not permitted development.

Development is not permitted by Class P if—

- (a) the building was not used solely for a storage or distribution centre use on 19th March 2014 or in the case of a building which was in use before that date but was not in use on that date, when it was last in use; **DOES NOT APPLY**
- (b) the building was not used solely for a storage or distribution centre use for a period of at least 4 years before the date development under Class P begins; **DOES NOT APPLY**
- (c) the prior approval date falls on or after 10<sup>th</sup> June 2019; **DOES NOT APPLY**
- (d) the gross floor space of the existing building exceeds 500 square metres; **DOES NOT APPLY**
- (e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; **DOES NOT APPLY**
- (f) less than 1 year before the date the development begins—
  - (i) an agricultural tenancy over the site has been terminated, and
  - (ii) the termination was for the purpose of carrying out development under this Class, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural purposes; **DOES NOT APPLY**
- (g) the building is within—
  - (i) an area of outstanding natural beauty; **DOES NOT APPLY**
  - (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981; **DOES NOT APPLY**
  - (iii) the Broads; or **DOES NOT APPLY**
  - (iv) a National Park; **DOES NOT APPLY**
  - (v) a World Heritage Site; **DOES NOT APPLY**
- (h) the site is, or forms part of—
  - (i) a site of special scientific interest; **DOES NOT APPLY**
  - (ii) a safety hazard area; **DOES NOT APPLY**
  - (iii) a military explosives storage area; **DOES NOT APPLY**
- (i) the building is a listed building or is within the curtilage of a listed building; **DOES NOT APPLY**
- (j) the site is, or contains, a scheduled monument; or **DOES NOT APPLY**
- (k) the development is not completed within a period of 3 years starting with the prior approval date. **CONDITION SHOULD BE ATTACHED STATING THIS**

None of the above instances apply to this proposal. The requirement for the development to be completed within 3 years of the prior approval date should be conditioned.

This proposal is therefore permitted by Class P subject to the condition that before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- i. **impacts of air quality on the intended occupiers of the development;**
- ii. **transport and highways impacts of the development,**
- iii. **contamination risks in relation to the building,**
- iv. **flooding risks in relation to the building,**
- v. **noise impacts of the development, and**
- vi. **where the authority considers the building to which the development relates is located in an area that is important for providing storage or**

**distribution services or industrial services or a mix of those services, whether the introduction of, or an increase in, a residential use of premises in the area would have an adverse impact on the sustainability of the provision of those services,**

and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

As the proposal is permitted development, the principle of development is accepted and the only considerations relevant to the determination of this prior approval application are the considerations set out above.

#### **Impact of air quality on the intended occupiers of the development**

The site subject of the application is not located in an air quality management area. It is not considered that impact of air quality on the intended occupiers of the development would be seriously detrimental.

The proposal is considered acceptable in this regard.

#### **Transport and highway impacts of the development**

The procedure for dealing with prior approval applications makes clear that the National Planning Policy Framework is relevant to the subject matter of the prior approval. In respect of transport impacts, it states that “development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”.

The property is in a town centre location and adequate local parking is available. It is also noted that there is a bus stop within easy access of the site.

It is not considered that the proposal would have a severe transport and highway impact.

The proposals are therefore considered acceptable in this regard.

#### **Contamination risks on the site**

The Contaminated Land Officer has reviewed the proposal in respect of contamination risks and whilst the development is for new residential units, the nature of the conversion with no new construction or external space and a lack of historical potentially contaminative land uses mean that there is no requirement for detailed land contamination assessment for the site.

Based on the above, it is not considered that as a result of the proposed change of use, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990 and the proposal is acceptable in this regard.

### **Flooding risks on the site**

The site subject of the application is located within Flood Zone 1 and has a low probability of river or sea flooding (less than 1 in 1000 annual probability). The proposal is therefore considered acceptable in this regard.

### **Noise impacts of the development**

The site is located in the centre of Runcorn in a mixed use area which includes residential properties. This part of High Street is becoming more residential in nature and there have been a number of similar proposals changing the use to residential. The proposed residential use is considered to be compatible with the adjacent land uses and it is not considered that the impacts of noise would have a significantly detrimental impact on residential amenity.

### **Sustainability of key areas for storage and distribution / industrial services**

The site is not located in one of the borough's key locations for storage and distribution / industrial services and therefore not detrimental in this regard.

### **Conclusion**

Based on the considerations with this prior approval application, the proposal is acceptable and prior approval is not required.

<b>RECOMMENDATION - 18/00131/P3PPA – 5NO. STUDIO APARTMENTS.</b>
<b>It is recommended that prior approval for the change of use from Class B8 (storage or distribution centre) to Class C3 (dwellinghouses) is not required.</b>
<b>Condition:</b>
<b>Development under Class P is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.</b>

### **CONSIDERATION OF APPLICATION 18/00132/FUL**

This application proposes external alterations to insert new windows and entrance doors in connection with the proposed change of use of the building.

### **Design**

The current proposal involves the conversion of some of the existing windows into entrance doors. These alterations are not considered to respect the character of the building which has strong design features in its outward facing elevations. The resultant external appearance is not considered to be acceptable; however a solution could be achieved through designing a layout which only utilises existing access points to the building. Alterations in the other elevations which do not face High Street or Devonshire Place are considered to be acceptable.

### **Amenity**

Given the location of the proposals in relation to neighbouring properties, it is considered that light would not be significantly restricted to the detriment of amenity. Given the location of the proposed openings in relation to neighbouring properties, it is considered that they would not significantly compromise privacy to the detriment of amenity.

### **Highway Considerations**

It is not considered that any significant highway implications result from the proposed external alterations to the building.

### **Conclusion**

The proposal is not currently acceptable due to the resultant external appearance of the building.

**RECOMMENDATION - 18/00132/FUL – PROPOSED EXTERNAL ALTERATIONS TO INSERT NEW WINDOWS AND ENTRANCE DOORS – REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASON:**

**The proposed external alterations would result in the conversion of existing windows into entrance doors in the main outward facing elevations to both High Street and Devonshire Place which would not respect the character of this attractive building which contains strong design features and detailing. To allow the proposal would be contrary to the provisions of Policy BE2 of the Halton Unitary Development Plan.**

The applicant has been given the opportunity to change the scheme to ensure that the character of the building is not compromised. Should suitable amendments be made to the scheme in advance of the determination of the application, delegated authority is sought to determine the application in line with the following recommendation:

Grant planning permission subject to the following conditions:

1. Time Limit
2. Approved Plans
3. External Facing Materials

### **SUSTAINABILITY STATEMENT**

As required by:

Paragraph 186 – 187 of the National Planning Policy Framework;

The Town and Country Planning (Development Management Procedure) (England) Order

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.

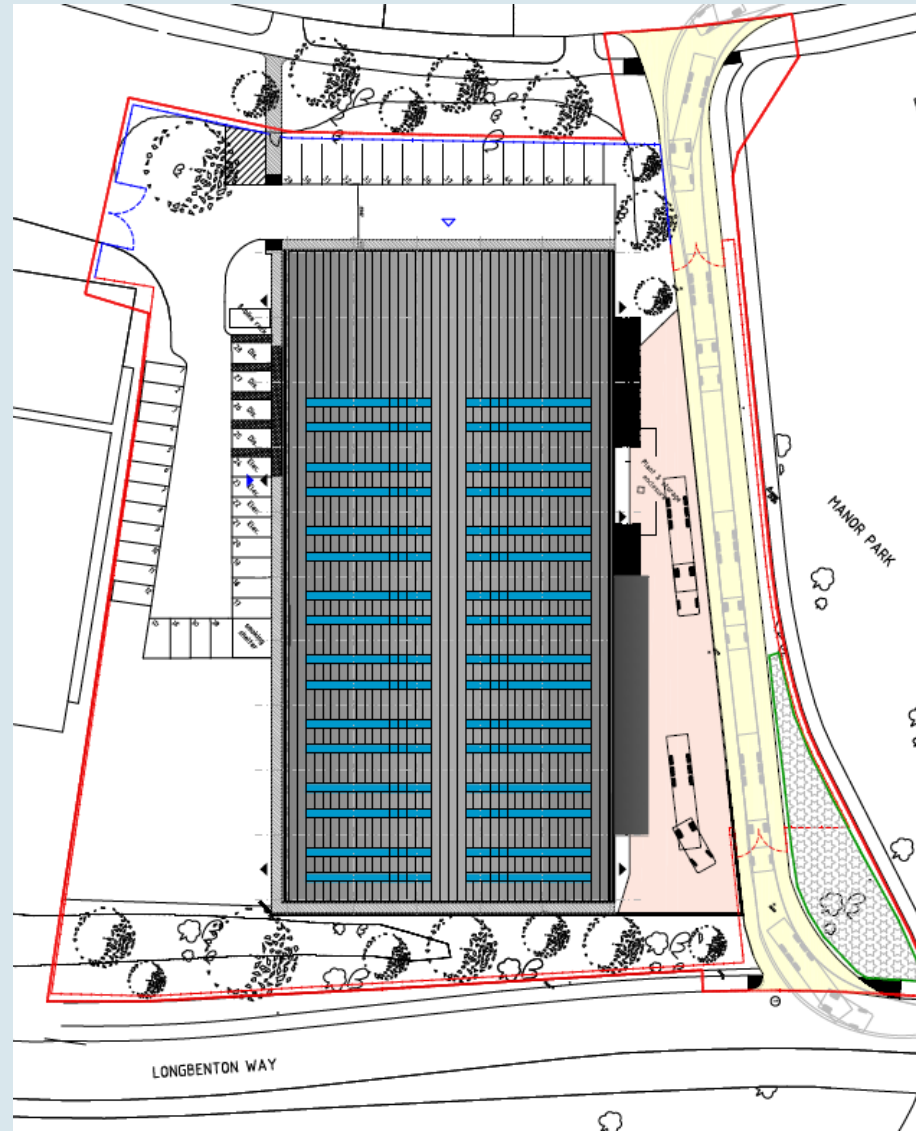
**DELEGATED AUTHORITY SOUGHT**

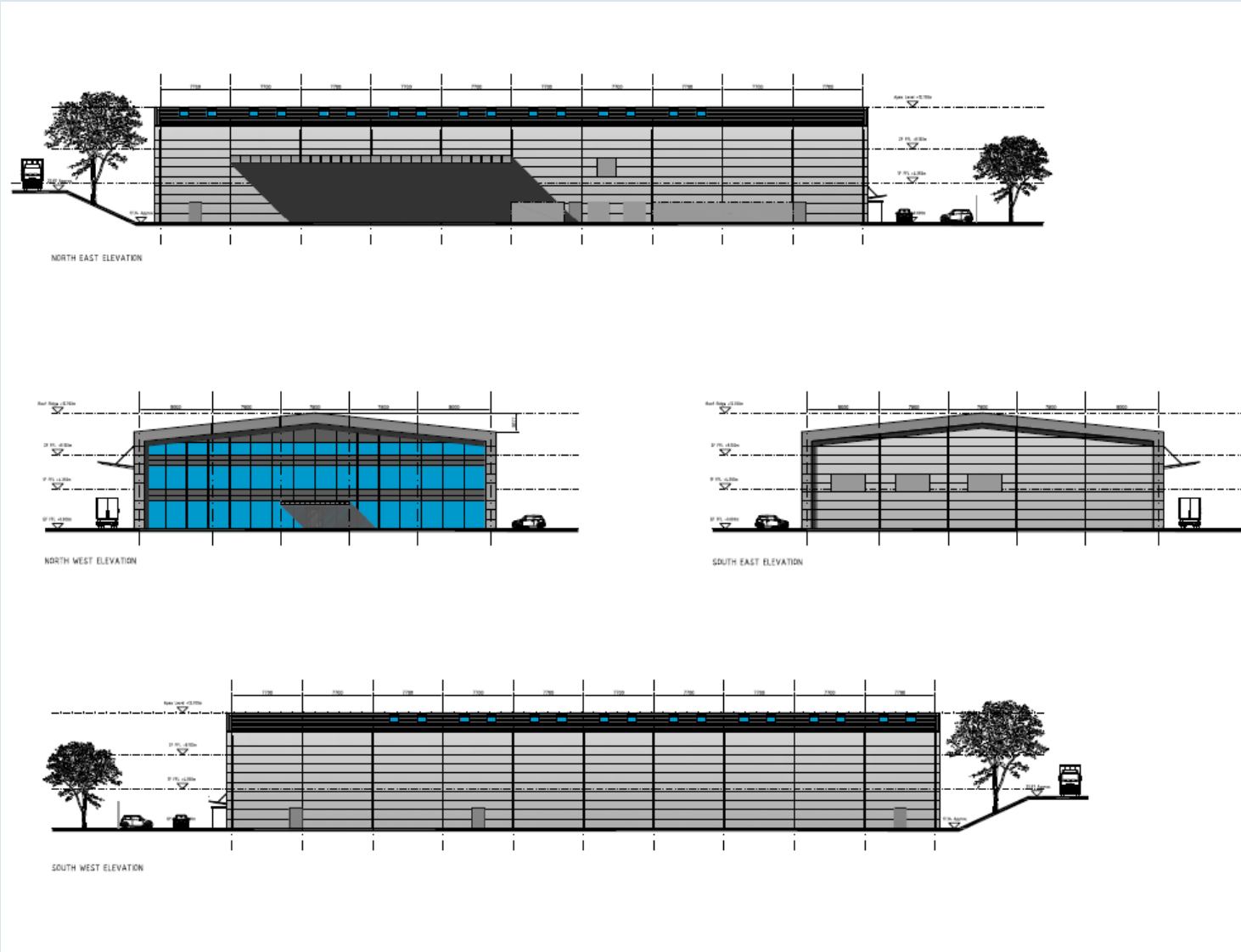
**DUE TO NEED TO ISSUE A DECISION WITHIN A 56 DAY PERIOD ON PRIOR APPROVAL APPLICATIONS, DELEGATED AUTHORITY FOR THE OPERATIONAL DIRECTOR – PLANNING, POLICY AND TRANSPORTATION TO DETERMINE THE APPLICATIONS FOLLOWING THE EXPIRY OF THE PUBLICITY, THE CONSIDERATION OF ANY REPRESENTATIONS RECEIVED WHICH ARE RELEVANT TO THE CONSIDERATIONS OF THE APPLICATIONS AS SET OUT IN THE REPORT AND CONSIDERATION OF ANY AMENDED PLANS RECEIVED WHICH ATTEMPT TO ADDRESS THE ISSUES RAISED IN THIS REPORT IS SOUGHT.**

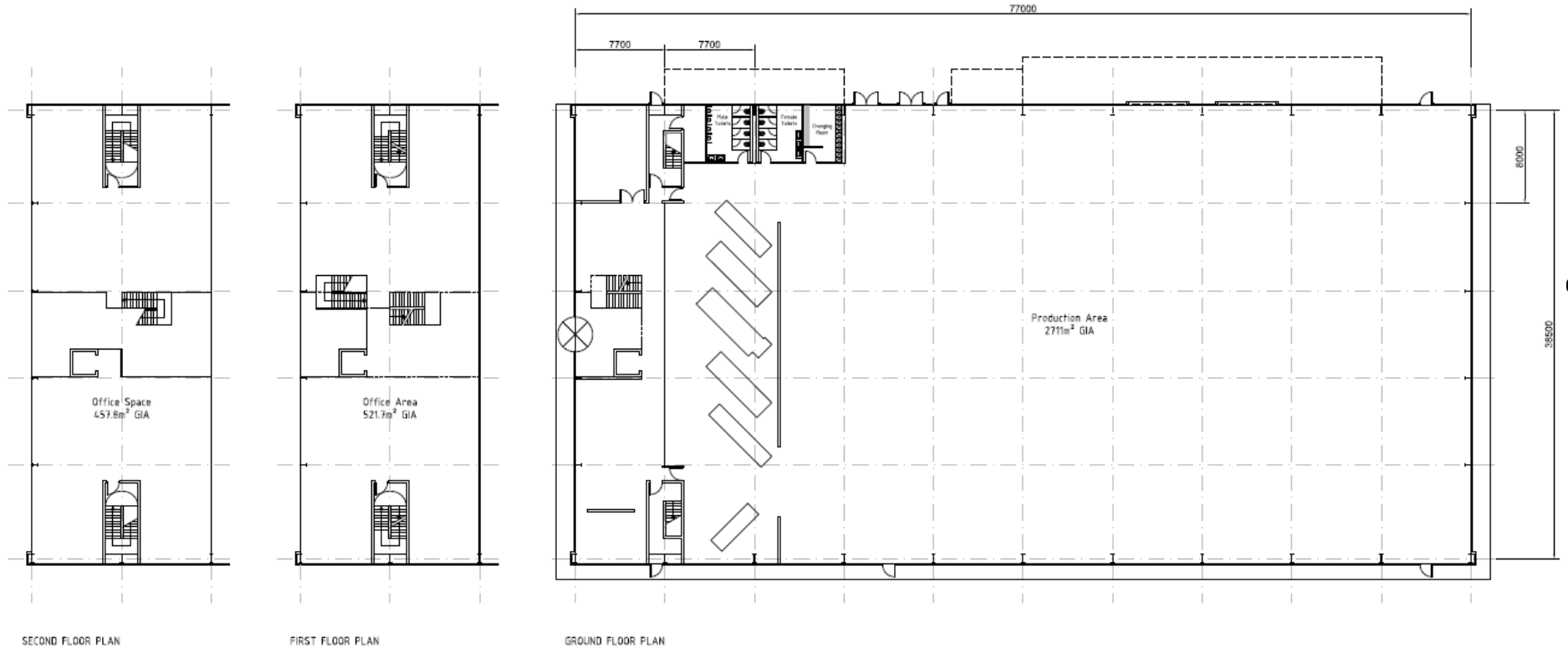




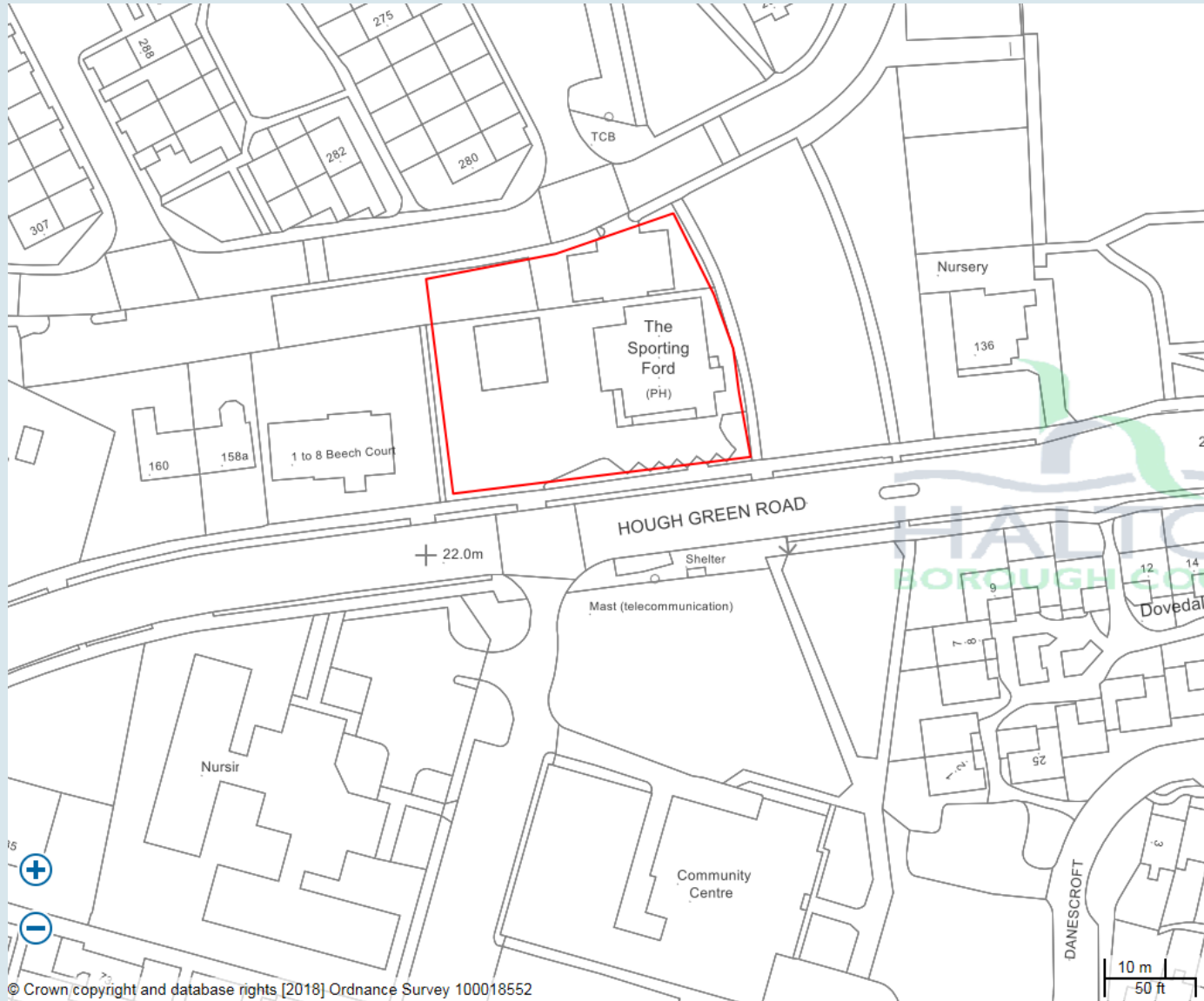
























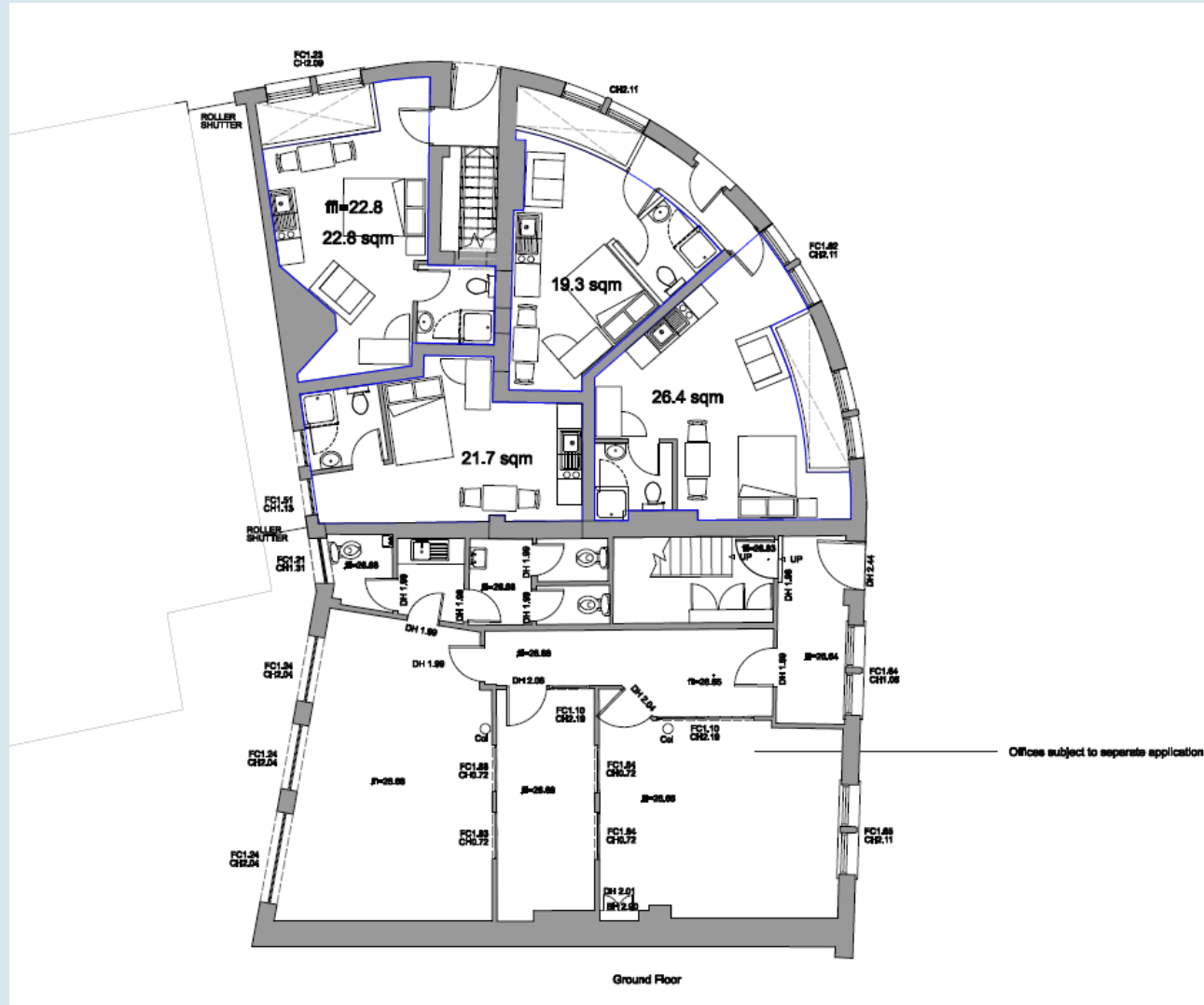
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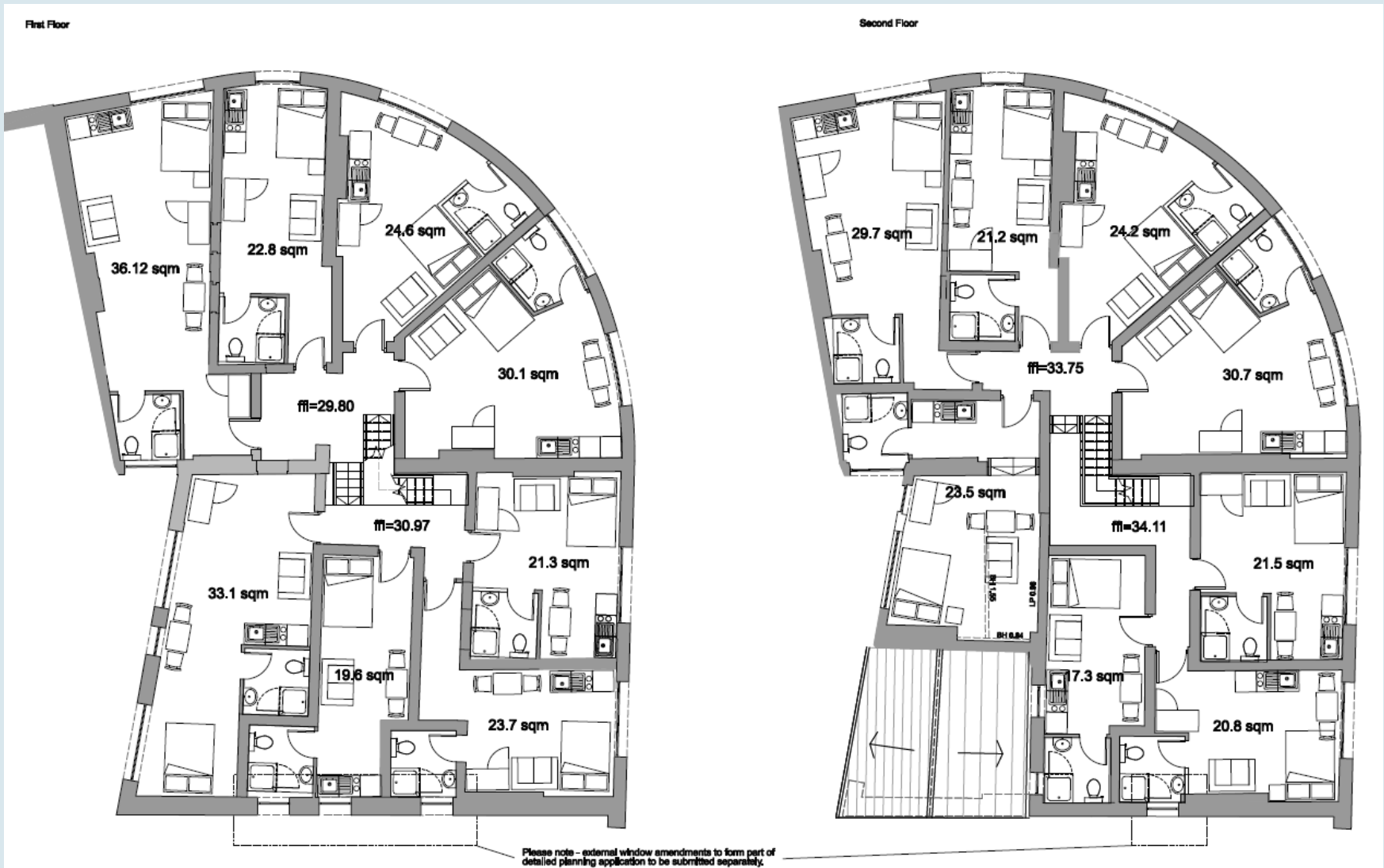


Proposed Second Floor Plan  
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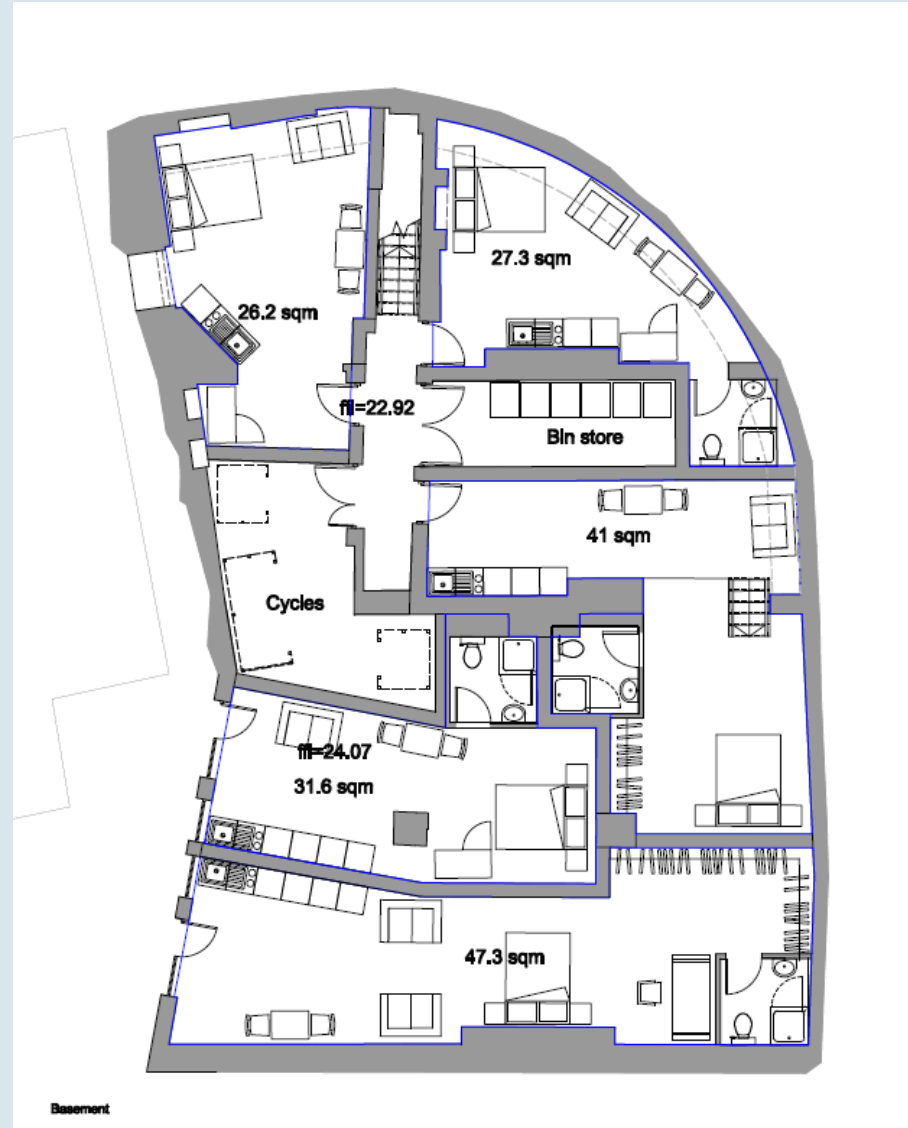






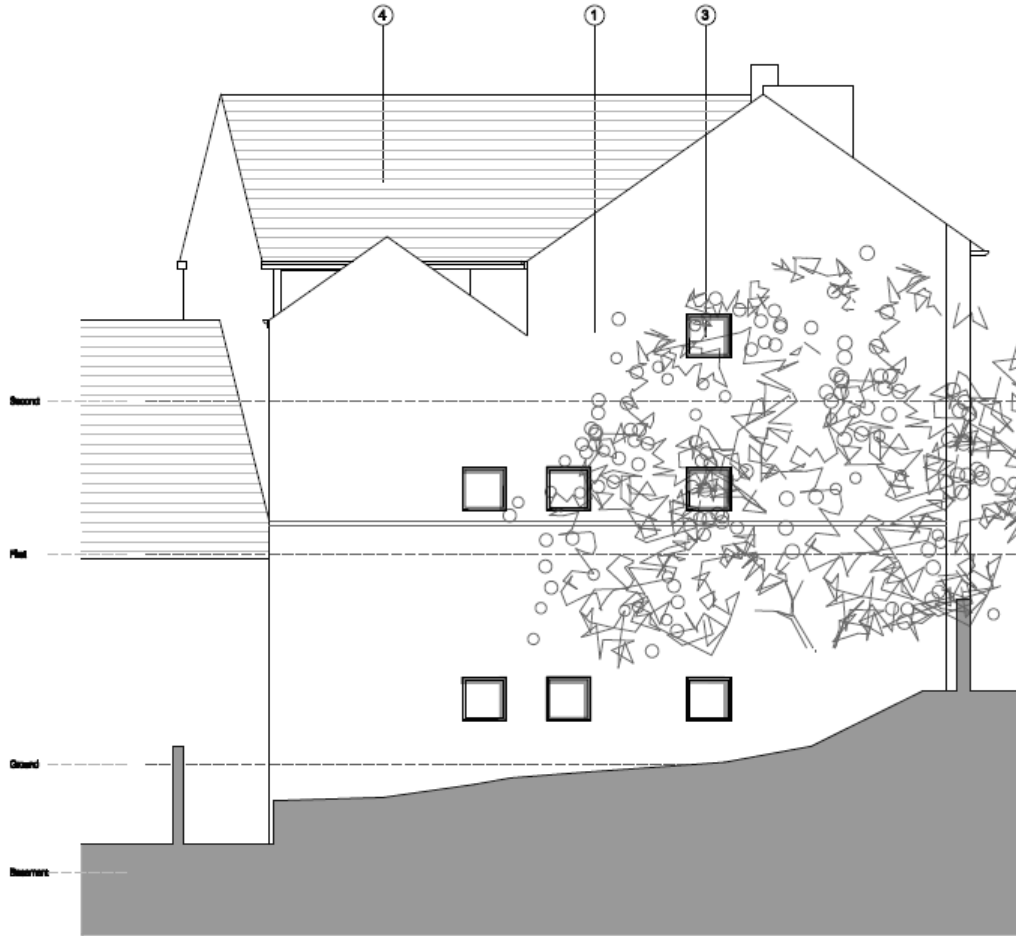












Canal side Elevation



High Street Elevation

