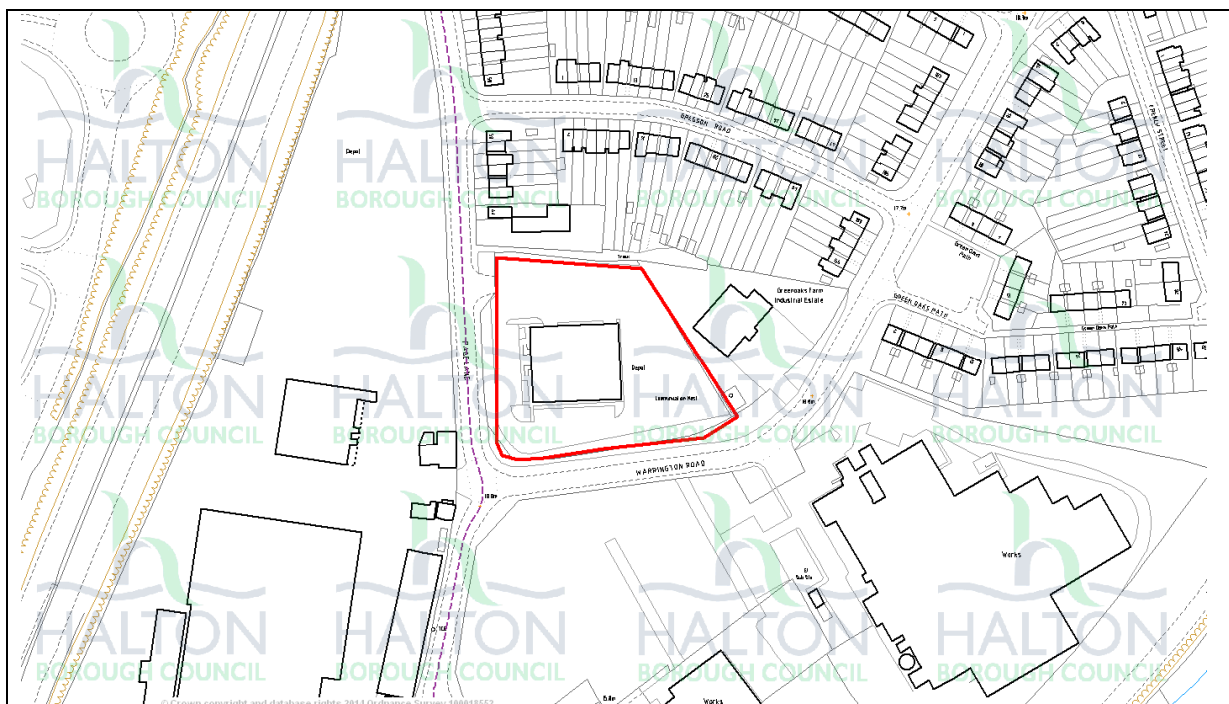


<b>APPLICATION NO:</b>	14/00075/FUL
<b>LOCATION:</b>	Land to the north east of junction between Warrington Road and Page Lane, Widnes, Cheshire.
<b>PROPOSAL:</b>	Proposed demolition of existing industrial warehouse unit and construction of 21 no. two bed four person houses and an apartment block comprising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



## **1. APPLICATION SITE**

### **1.1 The Site**

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

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

## **2. THE APPLICATION**

### **2.1 The Proposal**

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

### **2.2 Documentation**

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

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

### **3. POLICY CONTEXT**

#### **3.1 National Planning Policy Framework**

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

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

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

The site is designated as a Greenspace in the Halton Unitary Development Plan. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodlands;
- PR2 Noise Nuisance;
- PR4 Light Pollution and Nuisance;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;
- TP14 Transport Assessments;
- H3 Provision of Recreational Greenspace;
- E3 Primarily Employment Areas.

#### **3.3 Halton Core Strategy (2013)**

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

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

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

#### 3.4 Joint Merseyside and Halton Waste Local Plan (2013)

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

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

## 4. **CONSULTATIONS**

### 4.1 Highways and Transportation Development Control

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

### 4.2 Open Spaces Officer

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

### 4.3 Cheshire Wildlife Trust

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

### 4.4 Warrington Community Fire Protection Officer

Its observations should be attached as an informative.

### 4.5 Ground Contamination Team

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

### 4.6 Environmental Protection

No observations received at the time of writing this report.

#### 4.7 Cheshire Police Architectural Liaison Officer

No observations received at the time of writing this report.

#### 4.8 United Utilities

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

### 5. **REPRESENTATIONS**

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

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

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

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

### 6. **ASSESSMENT**

#### 6.1 Residential Development in a Primarily Employment Area

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

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

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

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

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

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

## 6.2 Highway Considerations

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

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

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

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

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

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

## 6.3 Layout

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

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

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

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

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

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

#### 6.4 Scale

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

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

## 6.5 Appearance

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

## 6.6 Landscaping

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

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

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

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

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

## 6.7 Noise

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

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



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

#### 6.8 Affordable Housing

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

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

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

#### 6.9 Open Space

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

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

#### 6.10 Ground Contamination

The application is accompanied by a Phase I Geo-Environmental Investigation. This has been reviewed by the Contaminated Land Officer and no objection has been raised subject to the attachment of a full contaminated land condition to ensure that any ground contamination is dealt with appropriately to ensure compliance with Policy PR14 of the Halton Unitary Development Plan.

#### 6.11 Flood Risk

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

## 6.12 Biodiversity

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

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

## 7. CONCLUSIONS

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

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

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

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

The application is recommended for approval subject to conditions.

## 8. RECOMMENDATIONS

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

## 9. CONDITIONS

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

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

#### Informatives

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

### **10. SUSTAINABILITY STATEMENT**

As required by:

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

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