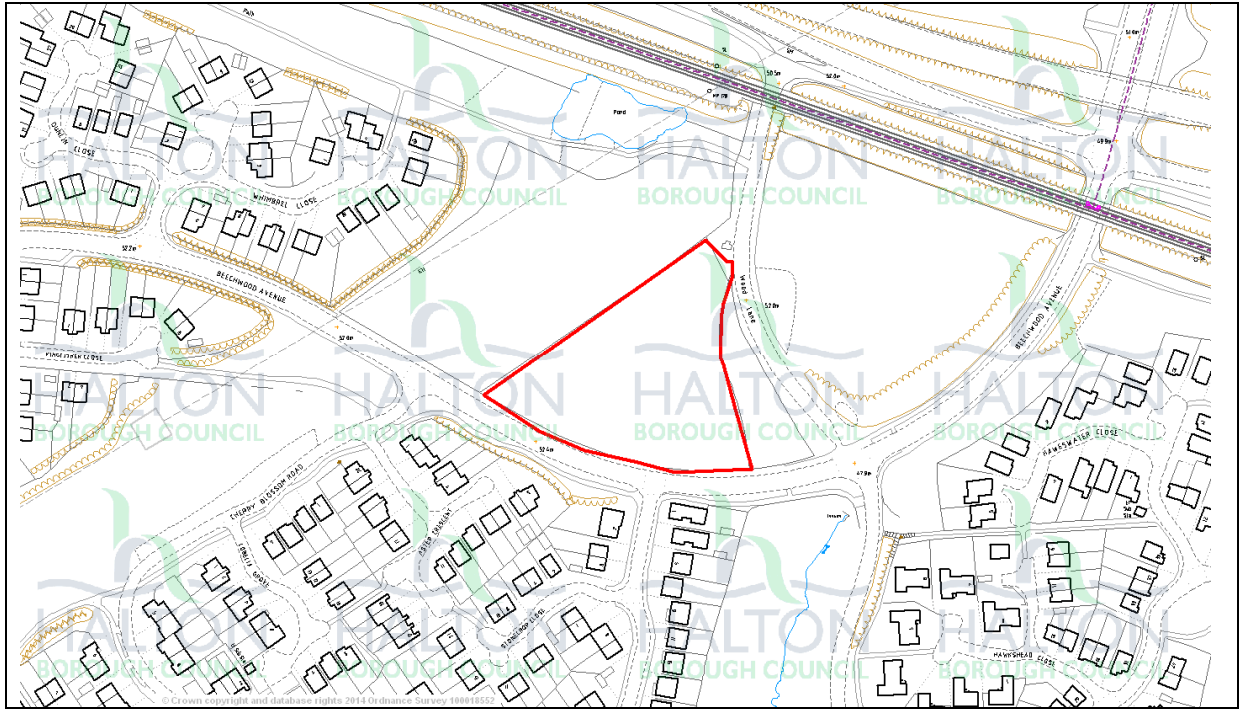


APPLICATION NO:	14/00087/FUL
LOCATION:	Land off Beechwood Avenue, Runcorn, Cheshire.
PROPOSAL:	Proposed residential development of 15no. three bedroom properties with associated infrastructure and landscaping.
WARD:	Beechwood
PARISH:	None
CASE OFFICER:	Jeff Eaton
AGENT(S) / APPLICANT(S):	AGENT – Soulla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



1. APPLICATION SITE

1.1 The Site

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

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

2. THE APPLICATION

2.1 The Proposal

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

2.2 Documentation

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

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

3. POLICY CONTEXT

3.1 National Planning Policy Framework

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

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

3.2 Halton Unitary Development Plan (UDP) (2005)

The site is designated as a phase 2 housing site in the Halton Unitary Development Plan. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodlands;
- PR2 Noise Nuisance;
- PR4 Light Pollution and Nuisance;
- PR12 Development on Land Surrounding COMAH Sites;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;
- TP14 Transport Assessments;
- H1 Provision for New Housing;
- H3 Provision of Recreational Greenspace;

3.3 Halton Core Strategy (2013)

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

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

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

3.4 Joint Merseyside and Halton Waste Local Plan (2013)

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

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

4. CONSULTATIONS

4.1 Highways and Transportation Development Control

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

4.2 Open Spaces Officer

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

4.3 Cheshire Wildlife Trust

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

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

4.4 Environmental Health – Ground Contamination

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

4.5 Environmental Protection

No objection to the proposed development.

4.6 Health & Safety Executive

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

4.7 United Utilities

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

4.8 Sabic

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

5. REPRESENTATIONS

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

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

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

6. ASSESSMENT

6.1 Principle of Development

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

6.2 Highway Considerations

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

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

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

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

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

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

6.3 Layout

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

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

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

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

6.4 Scale

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

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

6.5 Appearance

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

6.6 Landscaping

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

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

6.7 Noise

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

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

6.8 Affordable Housing

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

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

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

6.9 Open Space

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

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

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

6.10 Ground Contamination

The application is accompanied by a Combined Phase 1 Land Quality Assessment & Phase 2 Geo-Environmental Investigation. This has been reviewed by the Contaminated Land Officer and no objection has been raised subject to the attachment of a full contaminated land condition to ensure that any ground contamination is dealt with appropriately to ensure compliance with Policy PR14 of the Halton Unitary Development Plan.

6.11 Flood Risk

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

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

6.12 Biodiversity

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

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

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

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

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

6.13 Health & Safety

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

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

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

7. CONCLUSIONS

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

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

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

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

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

8. RECOMMENDATIONS

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

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

9. CONDITIONS

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

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

Informatives

1. United Utilities Informative

10. SUSTAINABILITY STATEMENT

As required by:

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

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