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| APPLICATION NO: | 14/00543/FUL |
| LOCATION: | Land to the South West of 123 Percival Lane, Runcorn. |
| PROPOSAL: | Proposed erection of 16no. 2.5 storey townhouses. |
| WARD: | Heath |
| PARISH: | None |
| CASE OFFICER: | Jeff Eaton |
| AGENT(S) / APPLICANT(S): | AGENT – Hardie Brack Chartered Surveyors. APPLICANT – DS & Co. Developments Ltd. |
| DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013) | Primarily Residential Area. |
| DEPARTURE | No |
| REPRESENTATIONS: | One representation received from the publicity given to the application. |
| KEY ISSUES: | Principle of Development, Design, Amenity, Affordable Housing, Open Space, Highways, Ground Contamination. |
| RECOMMENDATION: | Grant planning permission subject to conditions. |
| SITE MAP | |



1. APPLICATION SITE

1.1 The Site

The site subject of the application is located to the South West on no.123 Percival Lane in Runcorn. The site is predominantly vacant and is currently used for some informal car parking. The site is of a significant width but has a limited depth. The site is designated as being within a Primarily Residential Area on the Halton Unitary Development Plan Proposals Map.

Located to the north of the site on the opposite side of Percival Lane are recently developed residential properties which comprise a mixture between houses and apartments. Located to the north east of the site is an established manufacturing business followed by residential properties. The surrounding area is of a mixed use nature. Located to the South East of the site is a railway line which is located on an embankment.

2. THE APPLICATION

2.1 The Proposal

The application proposes the erection of 16no. 2.5 storey townhouses. They would be arranged in one block providing direct frontage onto Percival Lane. Each property would have two parking spaces located in an undercroft arrangement. Private amenity space would be provided in the form of a roof garden at the rear.

2.2 Documentation

The planning application is supported by a Design and Access Statement, a Preliminary Risk Assessment (Phase 1 Desk Study), Phase 2 Site Investigation, Construction Site Management Plan, Environmental Noise Report, Drainage Layout Plan and a Network Rail Letter relating to Japanese Knotweed.

3. POLICY CONTEXT

3.1 National Planning Policy Framework

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

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

3.2 Halton Unitary Development Plan (UDP) (2005)

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

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- GE18 Protection of Sites of National Importance for Nature Conservation;
- 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;
- TP12 Car Parking;
- 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 observations received at the time of writing this report.

4.2 Environmental Health – Ground Contamination

With the reports submitted, there are some limitations and the requirement for a bit more assessment work, however there is sufficient information to demonstrate that viable and practical remedial solutions exist and there is nothing that would preclude residential development on this site. No objection to the proposed development is raised subject to the attachment of a condition which would secure a site investigation, remediation plan and a completion statement.

4.3 Environmental Protection

No observations received at the time of writing this report.

4.4 United Utilities

No objection to the proposed development subject to the attachment of drainage related conditions.

4.5 Natural England

Natural England advises that if the development is carried out in strict accordance with the details of the application, it is not likely to have a significant effect on the interest features for which Mersey Estuary SPA and Ramsar Site has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.

In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Mersey Estuary SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

5. REPRESENTATIONS

5.1 The application has been advertised by a press advert in the Widnes & Runcorn World on 15/10/2014, a site notice posted on Percival Lane on 17/10/2014 and 35 neighbour notification letters sent on 09/10/2014.

5.2 One representation has been received from the publicity given to the application. A summary of the issues raised is below:

- Potential parking issues for the adjacent business in terms of parking for employees and customers and the existing parking issues on Percival Lane through use by persons who reside in the apartments adjacent.
- A service alleyway between no.123 Percival Lane and the proposed development would be required.

6. ASSESSMENT

6.1 Principle of Development

The site is allocated as a Primarily Residential Area in the Halton Unitary Development Plan.

The site history has revealed that the site previously benefitted from an outline planning permission for residential development (05/00910/OUT) as part of a wider site which including the land on the opposite side of Percival Lane.

A reserved matters application for 6 townhouses and 8 apartments for just the site subject of this application was submitted in 2007 (07/00605/REM) and was granted on 09/11/2007. This permission was never implemented.

Based on the site's allocation in the Halton Unitary Development Plan, the fact that the principle of developing this site for housing has previously been established, the principle of development is considered to be acceptable.

6.2 Highway Considerations

In terms of car parking, each dwellinghouse proposed would have two car parking spaces accommodated in an undercroft arrangement which would accord with the Council's standards. This is considered to be an innovative solution to car parking on this site which has very limited site depth and would create a parking solution which would be attractive in terms of usage over the parking court solution on the previous permission for this site.

Parking issues in the locality have been raised in the one representation received and whilst this may be an issue by virtue of the lack of off-street parking further up Percival Lane, this proposal provides a level of off-street parking provision which accords with the Council's standards.

The parking area for each property would be over 11.5m in length which is more than sufficient to accommodate two cars in a tandem arrangement. In terms of width, the rear element would be 2.65m with this widening to 3.3m at the front. This is considered to be a workable solution and the increased width at the front would also allow for some bin storage in an accessible location.

By virtue of the limited site depth, the units would not ensure any setback from the back of the footway, however they have been designed with an open porch to the front which ensures sufficient visibility is available when exiting the parking areas. The implementation and maintenance of pedestrian visibility splays should be secured by condition.

The application is accompanied by a Construction Management Plan. Observations on this from the Highway Officer are awaited. The implementation of an appropriate Construction Management Plan should be secured by condition.

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

6.3 Layout

The proposed site layout would result in an efficient use of the site with a development density of over 100 units per hectare.

By virtue of the linear nature of the proposed development, separation in accordance with the privacy distances for residential set out in the Design of Residential Development Supplementary Planning Document would be provided.

In terms of relationship with the adjacent railway embankment, the issue of noise will be discussed later in this report.

The Design of Residential Development Supplementary Planning Document states that 3 bedroom dwellinghouses should have a private outdoor space of 70sqm. Due to the site depth which is a significant constraint of this site, achieving such a level of amenity space would be difficult. In this case, each property would have a roof garden which would provide a private amenity space of 30sqm which is significantly below the 70sqm standard.

This is by no means ideal, however considering this shortfall in relation to the opportunity of this vacant unattractive site coming forward for development, the particular constraints of this site and the elevated nature of the private amenity space proposed in terms of its improved relationship to the railway

embankment, the reduction in private outdoor space is considered to be acceptable in this instance and would not be to the significant detriment of residential amenity. In order to protect the level of private amenity space proposed, it is considered reasonable in this instance to attach a condition which removes permitted development rights to preclude any alterations or extensions to the properties.

The scheme would create a frontage to Percival Lane, however the lack of an active frontage at ground floor is not desirable from a design perspective. However given the site constraints, a development which provides an appropriate level of car parking provision which is not dominant in the streetscene, private amenity space of 70sqm per unit and an active frontage at ground floor would be very difficult to achieve without a significant drop in density which would impact on the viability of the scheme.

The layout solution proposed is considered to balance the site constraints well and would deliver an appropriate layout for the site subject of the application.

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

6.4 Scale

The townhouses proposed are two and a half storey in height and would not be dissimilar in height to the many of the other residential properties located in the surrounding 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

Some indicative landscaping details are shown on the proposed site plan. Whilst there is limited potential for soft landscaping within the scheme particularly on the site frontage, it is still considered reasonable to attach a condition which secures the submission of a detailed scheme for approval.

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

6.7 Site Levels

The application is accompanied by a topographical survey of the site and proposed site levels. These have been considered and would result in an acceptable development in terms of appearance and relationships to existing roads. It is considered reasonable to attach a condition which secures implementation in accordance with the proposed site levels.

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

6.8 Noise

The application site is located within a predominantly residential location as acknowledged by the Halton Unitary Development Plan Proposals Map and the principle of residential development on the site has previously been established.

The rear of the dwellinghouses would be adjacent to a railway line which is located on an embankment and the noise implications are considered in the Environmental Noise Assessment which accompanies the application. The resultant relationship would not be dissimilar to other residential properties located further up Percival Lane, nor would it be significantly different to previous scheme granted on this site in terms of noise.

Observations from the Environmental Protection Officer are awaited, however it is considered that a satisfactory solution can be achieved to ensure that residential amenity is not unduly compromised. Appropriate noise mitigation measures should be secured by condition.

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

6.9 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 4 of the 16 units would be affordable with 2 being social rented and 2 being intermediate housing which would accord with the 25% 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.

6.10 Open Space

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

As with the previous proposal for this site, no on-site open space provision is being proposed. The previous planning records for this site show that a commuted sum in lieu of on-site open space provision was paid in 2008. Based on this, there would be no further requirement which would need to be secured by this application.

The proposal is therefore considered to be compliant with Policy H3 of the Halton Unitary Development Plan.

6.11 Ground Contamination

The application is accompanied by a Preliminary Risk Assessment (Phase 1 Desk Study) and a Phase 2 Site Investigation. With the reports submitted, there are some limitations and the requirement for a bit more assessment work, however there is sufficient information to demonstrate that viable and practical remedial solutions exist and there is nothing that would preclude residential development on this site. No objection to the proposed development is raised subject to the attachment of a condition which would secure a site investigation, remediation plan and a completion statement. This would ensure compliance with Policy PR14 of the Halton Unitary Development Plan.

6.12 Flood Risk & Drainage

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.

In relation to drainage, a drainage layout plan accompanies the application. Some further details / clarifications will be needed before the drainage strategy can be agreed. The implementation of the drainage strategy can be secured by condition.

The proposal is considered to be compliant with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

6.13 Biodiversity

The application site is not considered to be of a high ecological value, however the trees which would need to be removed to facilitate the development should not be removed during breeding bird season and this should be secured by condition.

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

6.14 Mersey Estuary SPA / Ramsar Site / SSSI

Natural England have advised that if the development is carried out in accordance with the details of the application, it is not likely to have a significant effect on the interest features for which Mersey Estuary SPA and Ramsar Site has been classified and that an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives is not required.

In addition, Natural England is satisfied that the proposed development being carried out in accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Mersey Estuary SSSI has been notified and that this SSSI does not represent a constraint in determining this application.

Based on the above, the proposal is considered to be compliant with Policy GE18 of the Halton Unitary Development Plan.

6.15 Waste Prevention/Management

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

7. CONCLUSIONS

In conclusion, the principle of residential development has previously been established and the proposal would develop a vacant unattractive site and have a positive impact on the locality and provide homes of mixed tenure.

The proposal would provide off-street parking provision which accords with the Council's standards in a location which would be attractive to use which is not considered to exacerbate the existing parking situation in the locality.

The layout solution proposed is considered to balance the site constraints well and would deliver an appropriate layout for the site subject of the application.

From an amenity perspective, it is considered that a satisfactory solution can be achieved which will deal with noise from the adjacent railway line.

The proposal is considered to be of an appropriate design with the elevations indicating 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.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Site Levels - (Policy BE1)
4. Facing Materials - (Policies BE1 and BE2)
5. Landscaping & Boundary Treatments Scheme – (Policy BE1)
6. Breeding Birds Protection – (Policy GE21)
7. Removal of Permitted Development – All Dwellings – (Policy BE1)
8. Hours of Construction – (Policy BE1)
9. Implementation of the Construction Management Plan (Highways) – (Policy BE1)
10. Provision of Affordable Housing – (Policy CS13)
11. Noise Mitigation Measures – (Policy PR2)
12. Ground Contamination - (Policy PR14)
13. Pedestrian Visibility Splay (Policy BE1)
14. Provision & Retention of Parking - (Policy BE1)
15. Closure of Existing Access Points on Percival Lane and 2m wide Footway Provision with Dropped Crossings – (Policy BE1)
16. Drainage Strategy – (Policy PR16)

Informatives

1. United Utilities Informative.

10. SUSTAINABILITY STATEMENT

As required by:

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

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