

APPLICATION NO:	14/00633/HBCFUL
LOCATION:	Former Fairfield High School Site, Peel House Lane, Widnes.
PROPOSAL:	Proposed construction of a new cemetery, access road and junction with Peel House Lane and associated development.
WARD:	Appleton
PARISH:	None
CASE OFFICER:	Jeff Eaton
AGENT(S) / APPLICANT(S):	APPLICANT – Halton Borough Council.
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Greenspace – School Playing Fields.
DEPARTURE	Yes
REPRESENTATIONS:	One representation received from the publicity given to the application.
KEY ISSUES:	Principle of Development, Design, Amenity, Highways, Pollution and Flood Risk.
RECOMMENDATION:	It is requested that delegated powers are given to the Operational Director – Policy, Planning & Transportation in consultation with the Chair or Vice Chair of the Development Control Committee to make the decision once the details have been received and consulted on which demonstrate that the land is surplus to requirements to the satisfaction of Sport England. The application is recommended for approval subject to conditions.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

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

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

2. THE APPLICATION

2.1 The Proposal

The application proposes the construction of a new cemetery, access road and junction with Peel House Lane and associated development.

The new cemetery would be located towards the rear of the Former Fairfield High School Site. Access would be gained by a new road which would run from a new junction at the intersection of Peel House Lane and Lockett Road. The new junction would take the form of a roundabout.

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

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

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

2.2 Documentation

The planning application is supported by a Design and Access Statement, a Topographical Survey, Tree Survey, Tree Removal Plan, Landscape Proposals, Planting Plan, Proposed Site Levels, Drainage Plan, a Ground Water Pollution Potential Risk Assessment and a Flood Risk Assessment.

3. POLICY CONTEXT

3.1 National Planning Policy Framework

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

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

3.2 Halton Unitary Development Plan (UDP) (2005)

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

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- GE6 Protection of Designated Green Space;
- GE9 Redevelopment and Changes of Use of Redundant School Buildings;

- GE12 Protection of Outdoor Playing Space for Formal Sport and Recreation;
- PR14 Contaminated Land;
- PR15 Groundwater;
- PR16 Development and Flood Risk;
- TP1 Public Transport Provision as Part of New Development;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;

3.3 Halton Core Strategy (2013)

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

- CS2 Presumption in Favour of Sustainable Development;
- CS15 Sustainable Transport;
- CS18 High Quality Design;
- CS23 Managing Pollution and Risk.

3.4 Joint Merseyside and Halton Waste Local Plan (2013)

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

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

4. CONSULTATIONS

4.1 Highways and Transportation Development Control

There are currently some layout issues with the new access and roundabout proposed, however it is considered that a satisfactory solution can be achieved and no objection to the proposed development is raised subject to the attachment of a number of conditions. A condition which secures the submission of a scheme which provides precise details of the new access and roundabout to address the current issues is considered reasonable. The submission of a construction management plan should also be secured by condition.

4.2 Environmental Health – Ground Contamination

No objection to the proposed development.

4.3 Open Spaces Officer – Trees

The proposed development site does not contain any trees which are covered by Tree Preservation Order. Some of the trees highlighted for removal are part of an established line of mature trees that run adjacent to Peel House Lane. They are quite prominent in the landscape and it could be argued that their visual amenity is high, however it is considered that the planting proposal would adequately compensate for any loss. No objection is therefore raised.

4.4 Environment Agency

No objection in principle to the proposed development but they make the following comments:

They have reviewed the additional details and the site investigation records now supplied indicate that groundwater (the water table) is unlikely to be above or in close proximity to the base of the proposed burial pits, and the low concentration of contaminants in the soil samples appears unlikely to pose a risk of any significant contamination of water resources if disturbed by the excavation and redeposition on site.

4.5 United Utilities

No objection to the proposed development subject to the attachment of a drainage condition. Their observations should be attached as an informative.

4.6 Sport England

Sport England has raised a statutory objection. No evidence the playing fields and associated sports facilities are clearly demonstrated to be surplus to requirements as set out in an up to date and robust strategy. Neither is there evidence presented that the playing fields and associated sports facilities have been replaced elsewhere.

Sport England may withdraw the objection if one of the following can be clearly demonstrated:

1. An assessment of need clearly demonstrates the playing field and sports facilities are surplus to requirement to meet current and future needs. They are aware the PPS is being updated but are not aware if disused sites are being included and assessed.
2. It is clearly demonstrated the playing field and sports facilities have been replaced in their entirety on a new site i.e. a new area of playing field has been created. Quality improvements alone do not conform to either paragraph 74 of NPPF or Sport England policy exception E4.

Discussions with Sport England are currently ongoing to address this objection and an update will be provided to members in due course.

5. REPRESENTATIONS

5.1 The application has been advertised by a press advert in the Widnes & Runcorn World on 03/12/2014, two site notices posted on Peel House Lane and two site notices posted on Lytham Road on 08/12/2014 and 93 neighbour notification letters sent on 27/11/2014.

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

- This representation questioned the way in which the location of development was described as the site also includes Mersey Valley Forest.

6. ASSESSMENT

6.1 Requirement for Development

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

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

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

Following on from this, the planning application has been submitted. The whole of the Fairfield High School Site is not included within this application for the cemetery as the intention is to market the two parcels of land on the Peel House Lane frontage for residential development with this being enabling development for the proposed cemetery as well as funding a new all-weather pitch and IT improvements at Fairfield Infant and Junior School. The investment at Fairfield Infant and Junior School was a stipulation of the release by the Secretary of State.

6.2 Development on a designated Greenspace

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

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

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

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

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

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

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

6.3 Protection of Outdoor Playing Space for Formal Sport and Recreation

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

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

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

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

Sport England is a statutory consultee on all planning applications which affect playing field land. It is currently raising an objection to the proposed development on the basis that insufficient information has been submitted to demonstrate compliance with Paragraph 74 of the NPPF. Sport England does, however, outline a solution to this issue and discussions are ongoing to provide them with the information required. Based on the Secretary of State decision to release the land under Section 77 of the Academies Act 2010, it is considered that this issue can be resolved.

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

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

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

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

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

Sport England has been working with the Council on the production of a Playing Pitch Strategy (PPS) which is almost complete. This assessment would inform whether the land is surplus to requirements.

To conclude, it is considered that based on the Playing Pitch Strategy demonstrating that the land is surplus to requirements, the proposal would then be considered to be compliant with both paragraph 74 of the National Planning Policy Framework and Policy GE12 of the Halton Unitary Development Plan.

6.4 Highway Considerations

Access to the new cemetery would be gained by a new road which would run from a new junction at the intersection of Peel House Lane and Lockett Road. The new junction would take the form of a roundabout.

The Highway Development Division currently have some layout issues with the new access and roundabout proposed, however it feels that a satisfactory solution can be achieved and no objection to the proposed development is raised subject to the attachment of a number of conditions. A condition which secures the submission of a scheme which provides precise details of the new access and roundabout to address the current issues is considered

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

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

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

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

6.5 Design

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

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

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

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

6.6 Amenity

It is noted that part of the site is directly adjacent to residential properties. It is considered that the proposed use of the site as a cemetery would not have a significantly detrimental impact on the amenity of persons who reside in the locality and the land uses are compatible.

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

6.7 Landscaping & Trees

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

There are an established line of mature trees that run adjacent to Peel House Lane. These trees are quite prominent in the landscape and have a high amenity value. The application is accompanied by a tree survey. The alterations required to Peel House Lane to create the roundabout and access road to the cemetery would require the removal of a number of trees. A tree removal plan also accompanies the application and details the reasoning behind the proposed removal.

The Open Spaces Officer is of the view that the trees to be removed are mostly of poor/fair form and their longevity is questionable and that the proposed trees associated with the development would adequately compensate for the loss.

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

6.8 Site Levels

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

The site slopes from north to south with the difference in levels across the site being approximately 5 metres. The proposed site levels do indicate an increase in levels across the majority of the site with part of the reasoning being the minimum required depth of soil / clay for burials with a full grave with triple occupancy being 3.3m with the requirement for cremated remains being 1.75m. The increase in levels would be up to a maximum of 2m with the increase being greatest at the centre of the site where public gathering would take place with the increases adjacent to both the northern and southern boundaries of the site being lower.

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

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

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

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

6.9 Flood Risk & Drainage

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

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

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

A proposed drainage plan accompanies the application which indicates the intention to use SuDS in the Lytham Road Woodland. Further details would be needed before the overall drainage strategy can be agreed. The submission of a drainage strategy and its subsequent implementation of the can be secured by condition.

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

6.10 Groundwater

A Ground Water Pollution Potential Risk Assessment accompanies the application. The Environment Agency have reviewed the details submitted and are satisfied that groundwater (the water table) is unlikely to be above or in close proximity to the base of the proposed burial pits, and the low concentration of contaminants in the soil samples appears unlikely to pose a risk of any significant contamination of water resources if disturbed by the excavation and redeposition on site.

Based on the above, it is considered that the proposal is compliant with Policy PR15 of the Halton Unitary Development Plan.

6.11 Waste Prevention/Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, a construction management plan would deal with issues of this nature and based on the development cost, the production of a Site Waste Management Plan would be

required. In terms of waste management, there is sufficient space within the site to ensure that any waste generated by the cemetery use is dealt with appropriately.

7. CONCLUSIONS

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

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

In relation to the protection of outdoor playing space for formal sport and recreation, it is considered that based on the Playing Pitch Strategy demonstrating that the land subject of the application is surplus to requirements, the proposal would then be considered to be compliant with policy.

The new access road and roundabout at the junction with Peel House Lane and Lockett Road currently requires some minor alterations before a final design can be agreed, however the Highway Officer is of the view that a satisfactory scheme can be achieved. This would result in the removal of trees adjacent to Peel House Lane, however the proposed trees associated with the development would adequately compensate for the loss.

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

The application is recommended for approval subject to conditions.

8. RECOMMENDATIONS

It is requested that delegated powers are given to the Operational Director – Policy, Planning & Transportation in consultation with the Chair or Vice Chair of the Development Control Committee to make the decision once the details have been received and consulted on which demonstrate that the land is surplus to requirements to the satisfaction of Sport England.

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

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.

3. Implementation of Proposed Site Levels - (Policy BE1)
4. Implementation of Landscaping & Boundary Treatments Scheme – (Policy BE1)
5. Breeding Birds Protection – (Policy GE21)
6. Construction Management Plan (Highways) – (Policy BE1)
7. Precise Details of the New Access and Roundabout (Policy BE1)
8. Provision of Parking and Servicing (Policy BE1)
9. Detailed Surface Water and 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.