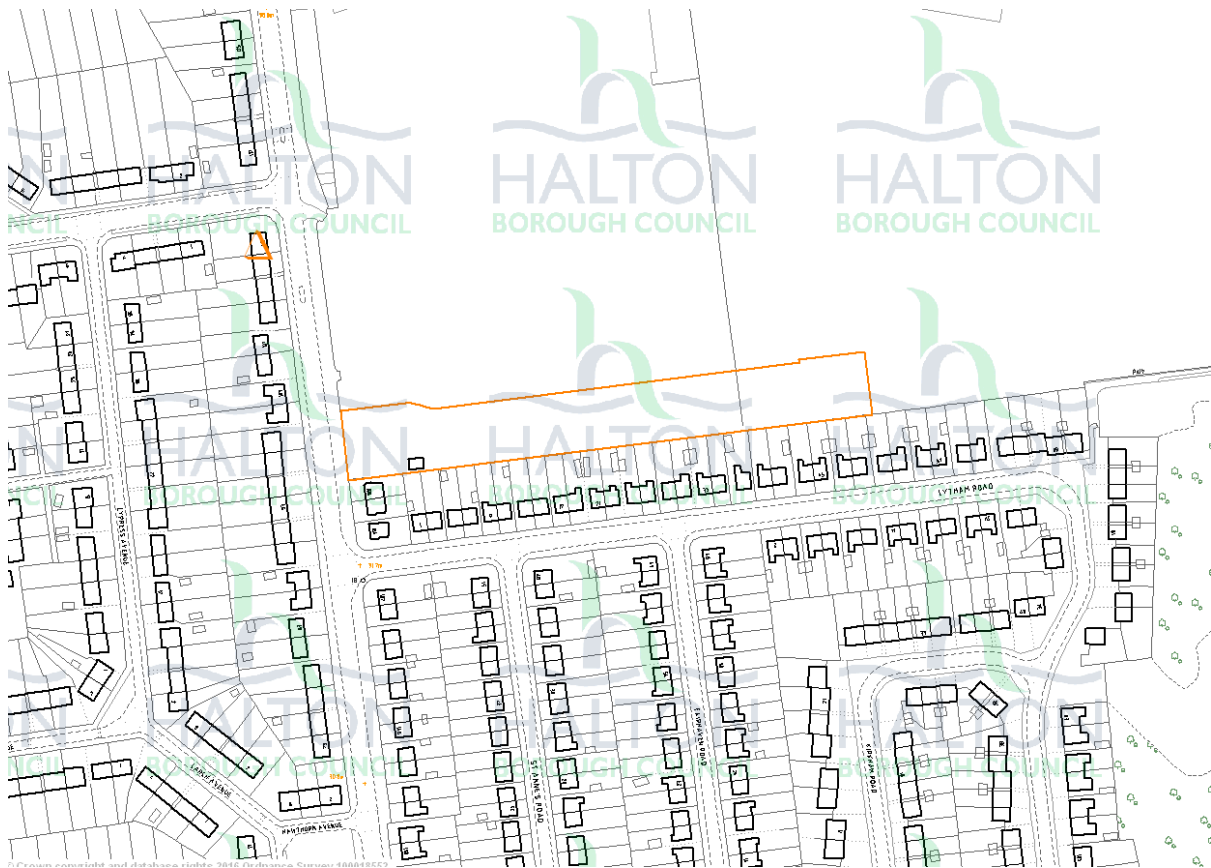


APPLICATION NO:	15/00552/FUL
LOCATION:	Former Fairfield High School Site, Peel House Lane, Widnes.
PROPOSAL:	Proposed construction of access road providing access to cemetery and housing development including landscaping.
WARD:	Appleton
PARISH:	None
AGENT(S) / APPLICANT(S):	Miller Homes Ltd – North West.
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:	Two representations received from the publicity given to the application.
KEY ISSUES:	Development on a designated Greenspace, Design, Amenity, Access, Drainage & Ecology.
RECOMMENDATION:	The application is recommended for approval subject to the conditions suggested.
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 includes part of the southern section of the former school site and includes the location of the former school buildings as well as part of the school playing field previously used for both formal and informal recreation.

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 access road providing access to cemetery and housing development including landscaping.

2.2 Related Planning Applications

This application has been submitted at the same time as two other planning applications which also relate to the overall redevelopment of the former Fairfield High School Site.

- 15/00551/FUL – Proposed development comprising 162no. dwellings with associated access roads, landscaping and infrastructure.
- 15/00553/HBCFUL – Proposed construction of a new cemetery, access road and maintenance depot with associated infrastructure.

2.3 Documentation

The planning application is supported by the following plans and documents:

- Site Location Plan;
- Planning Layout;
- Landscape Layout;
- Tree Constraints Plan;
- Tree Survey Report;
- Ecology Report;
- Assessment of the potential of the trees for bats;
- Phase 2 Intrusive Investigation;
- Supplementary Site Investigation;
- Remediation Strategy;
- Swept Path Analysis;
- Visibility Check;
- Drainage Strategy;
- Proposed Drainage Layout;
- External Works Plan;

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 Greenspace – School Playing Fields 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;
- BE22 Boundary Walls and Fences;
- 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;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodland;
- PR8 Noise Sensitive Developments;
- PR14 Contaminated Land;
- 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.

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;
- CS19 Sustainable Development and Climate Change;

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 conditions.

4.2 Lead Local Flood Authority

The Planning Practice Guidance (PPG) requires applicants for planning permission to discharge surface water runoff according to a hierarchy of runoff destinations. The PPG states that 'sustainable drainage systems should be provided unless demonstrated to be inappropriate' and 'the aim should be to discharge surface run off as high up the...hierarchy of drainage options as reasonably practicable.' The hierarchy for surface water runoff destinations is as follows:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer, highway drain, or another drainage system;
- to a combined sewer.

Investigation of the alternative runoff destinations that may be available to the site needs to be demonstrated to comply with the above hierarchy.

A response which demonstrates this is awaited from the applicant.

4.3 Environmental Health – Ground Contamination

The proposed access road forms part of the housing development covered by application 15/00551/FUL. Ground investigations undertaken in support of this application did not identify any significant contamination issues although the made ground was found to contain occasional elevated concentrations of heavy metals and PAH's necessitating a basic cover system in proposed gardens. However, there are no particular remedial requirements in relation to the proposed road construction.

I will therefore be seeking no conditions in relation to this application.

4.4 Open Spaces Officer – Trees

The site contains no TPO's and does not fall within a Conservation Area. The site contains trees and small areas of scrub and therefore any vegetation clearance works should consider nesting birds.

4.5 Merseyside Environmental Advisory Service

The application is accompanied by an ecological survey report in accordance with Local Plan policy CS20 (*Ecological Appraisal - Land off Peel House Lane, Widnes, Cheshire, Leigh Ecology Ltd, 6 October 2015, DEP/15-006*). Notwithstanding the conclusions of the survey report regarding bats and trees, they advise that the survey is acceptable and will be forwarded to Cheshire Record via Merseyside BioBank. Further information on the bat roosting potential of the trees was requested at this point and has since been provided with the conclusion that the seven trees are Category 3 (trees with no potential to support bats). They advise that further bat surveys will not be

required in relation to this application and the Council does not need to consider the proposals against the three tests (Habitats Regulations).

Conditions which secure breeding bird protection, waste audit and a Construction Environmental Management Plan are suggested.

4.6 Environment Agency

They confirmed that they have no comments to make on this application.

4.7 Sport England

The cemetery proposal was subject to a similar application in 2014 (14/00633). It is this application that primarily impact on the playing field area but Sport England raised no objection, satisfied that the school playing field was surplus to requirements in the light of the Playing Pitch Strategy and that elements of pitch provision had be re-provided off site to meet curricular needs elsewhere (therefore meeting Exceptions E1 and E4 of our policy to protect playing fields).

The new cemetery proposal (15/00553) has a similar impact and the housing development (15/00551) affects primarily the built element of the old school site. The access and infrastructure proposals are largely integral to the two developments (15/00552). Overall the proposals do not increase/change the impact on playing fields and our position relating to application 14/00633 is applicable to all three applications.

Further to the above assessment, Sport England does not wish to raise an objection to any of the three applications on the basis that they will meet Exceptions E1 and E4 of our policy and are compliant with NPPF Par. 74 for the same reasons.

5. **REPRESENTATIONS**

5.1 The application has been advertised by a press advert in the Widnes & Runcorn Weekly News on 26/11/2015, two site notices posted on Peel House Lane and one site notice posted on Lytham Road on 26/11/2015 and 96 neighbour notification letters sent on 19/11/2015.

5.2 Following the receipt of further supporting documentation, 96 neighbour notification letters were sent on 27/01/2016.

5.3 Two representations have been received from the publicity given to the application. A summary of the issues raised is below:

- The overall development will leave 3 properties surrounded by roads (Peel House Lane to the front, Lytham Road to the left and the new access road to the right).
- The noise and disruption during construction would be unbearable.
- Why couldn't the access be positioned at the northern side of the site?

- The decision should be made by the Committee.
- What will the construction hours be?
- The Maintenance Depot would now be closer to residential properties creating more noise and disturbance.
- Neighbouring properties will suffer from traffic noise as a result of the position of the new access road.

6. ASSESSMENT

6.1 Requirement for Development

The access road, which forms the basis of this application, is part of a wider scheme at the former Fairfield High School site to provide a new cemetery for Widnes. The cemetery would be situated on the rear of the site with the residential to the frontage. The current cemetery at Birchfield Road is almost at capacity, the former Fairfield High School site was identified as the most appropriate site for a new Widnes Cemetery as it is central, easily accessible and within the ownership of the Council. In order to meet the required delivery date of Summer 2016 for the operation of a new cemetery, preparatory work has been undertaken by Halton Borough to progress the cemetery development.

In the absence of any internal or external budget for the works the sale of the frontage of the site for residential would enable the cemetery work by providing a capital receipt for both the cemetery and necessary transport links (the access road being considered by this application), in addition to the advance work already undertaken including demolition, investigation and design. The Council has also undertaken the necessary process for an alternative use of the school site and playing pitches under Section 77 of the Academies Act 2010. As dictated by this process an element of the capital receipt would be used to improve educational facilities specifically at Fairfield Infant and Primary School. The process was completed in October 2014.

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.

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".

A significant percentage of the proposed access road would be located on the location of the former schools buildings adjacent to the site frontage and there is provision within Policy GE9 of the Halton Unitary Development Plan for redevelopment of these areas of redundant school buildings on the condition

that they cover a similar built area and of a similar bulk. The access road on this part of the site is considered acceptable in principle having regard for Policy GE9.

In respect of the remainder of the access road which would encroach onto designated greenspace, the requirement for the development is set out in paragraph 6.1 and the delivery of a new cemetery for Widnes is of key importance for the borough and the proposed residential development and the access road required to serve both developments is enabling development to ensure that this provision is delivered. This is considered to be a clear and convincing reason why the development should be permitted in compliance with exception (d) within Policy GE6.

The proposal is therefore 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. Sport England raises no objection and they are satisfied that the school playing field is surplus to requirements in the light of the Playing Pitch Strategy and that elements of pitch provision had be re-provided off site to meet curricular needs elsewhere (therefore meeting Exceptions E1 and E4 of their policy to protect playing fields).

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 has demonstrated that the land is surplus to requirements through 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.

6.4 Highway Considerations

The access road has demonstrated that there is sufficient space for the Council refuse vehicle and a limousine accessing the cemetery to pass when entering/exiting the access road from Peel House Lane and is therefore of a dimension suitable to serve both the residential development proposed by planning application 15/00551/FUL and the cemetery proposed by 15/00553/HBCFUL.

Appropriate pedestrian provision adjacent to the access road to serve the adjacent proposed cemetery and residential development.

In terms of junction spacing on Peel House Lane, sufficient space would exist between Lytham Road and the proposed access road to ensure that no highway safety issues would result.

To ensure the development is carried out in an appropriate manner, it is considered reasonable to attach a condition which secures the submission of a construction management plan and its subsequent implementation.

Based on all the above, the proposal is considered to be acceptable from a highway perspective compliant with Policies BE1, TP1, TP6 and TP7 of the Halton Unitary Development Plan and Policy CS15 of the Halton Core Strategy Local Plan.

6.5 Layout

The vision for the access road is to create a tree lined boulevard leading to the cemetery with roads off this to serve the residential development. This is considered to create an attractive entrance to both the adjacent developments

proposed and form an acceptable relationship with the existing residential properties located on Lytham Road.

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 and Policy CS18 of the Halton Core Strategy Local Plan.

6.6 Landscaping & Trees

The application is accompanied by a detailed landscaping proposal. It is considered that this would result in satisfactory appearance. A condition which secures the implementation of the scheme and its subsequent maintenance is suggested.

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

6.7 Site Levels

In order to ensure acceptable relationships with the existing residential properties, it is considered reasonable to attach a condition which secures the submission of existing and proposed levels for approval.

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

6.8 Drainage

The Planning Practice Guidance (PPG) requires applicants for planning permission to discharge surface water runoff according to a hierarchy of runoff destinations. The PPG states that 'sustainable drainage systems should be provided unless demonstrated to be inappropriate' and 'the aim should be to discharge surface run off as high up the...hierarchy of drainage options as reasonably practicable.' The hierarchy for surface water runoff destinations is as follows:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer, highway drain, or another drainage system;
- to a combined sewer.

Investigation of the alternative runoff destinations that may be available to the site needs to be demonstrated to comply with the above hierarchy. This is currently awaited.

Once the necessary confirmations have been received, the proposal would then be compliant with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan. The implementation of an appropriate drainage scheme for the site should be secured by condition.

6.9 Ground Contamination

The application is accompanied by a Phase 2 Intrusive Investigation, Supplementary Site Investigation and a Remediation Strategy.

The Contaminated Land Officer notes that there are no particular remedial requirements in relation to the proposed road construction. No conditions in respect of ground contamination for this application are suggested.

The proposal is considered to be compliant with Policy PR14 of the Halton Unitary Development Plan.

6.10 Noise

The representations received raise issues with noise and disturbance as a result of the proposed development. With most forms of development, there will inevitably be some form of disruption during construction. In order to manage this in an appropriate manner, conditions which restrict the hours of construction and require the submission of a construction management plan for approval.

In terms of the resultant relationship with a tree lined boulevard being located to the rear of the existing residential properties on Lytham Road, this is not an unusual relationship nor is it considered that it would be significantly detrimental to residential amenity.

The proposal is considered to be compliant with Policy PR8 of the Halton Unitary Development Plan.

6.11 Biodiversity

The application is accompanied by an Ecological Appraisal and further information on the bat roosting potential of the trees.

Our Ecological Advisor – Merseyside Environmental Advisory Service have advised that the survey work undertaken is acceptable.

A condition has been suggested in relation to breeding bird protection.

The proposal is compliant with Policy GE21 of the Halton Unitary Development Plan.

6.12 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, the submission of a waste audit is

required to ensure that any waste generated by the access road 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.

The purpose of this application is to provide an access road which would serve both the proposed cemetery and the proposed residential development. The residential development is to enable funds to be raised for the implementation of a new cemetery, necessary transport links which take the form of the proposed access road, in addition to the improved educational facilities specifically at Fairfield Infant and Primary School as dictated by the release for non-education use under Section 77 of the Academies Act 2010.

In relation to the protection of outdoor playing space for formal sport and recreation, Sport England raises no objection and they are satisfied that the school playing field is surplus to requirements in the light of the Playing Pitch Strategy and that elements of pitch provision had be re-provided off site to meet curricular needs elsewhere.

The access road is of a dimension which is sufficient to accommodate the cemetery and residential development which it would serve and would create an attractive tree lined boulevard which would ensure satisfactory appearance.

The application is recommended for approval subject to conditions.

8. RECOMMENDATIONS

The application is recommended for approval subject to the conditions suggested.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Submission of Proposed Site Levels (Policy BE1)
4. Implementation of Detailed Soft Landscaping Scheme and subsequent maintenance - (Policy BE1)
5. Implementation of Submitted Hard Landscape and Boundaries Layout and subsequent maintenance - (Policy BE1)
6. Breeding Birds Protection – (Policy GE21)
7. Hours of Construction – (Policy BE1)
8. Submission of a Construction Environmental Management Plan - (Policy BE1)
9. Implementation of Access and Servicing Provision – (Policy BE1)

10. Submission of Drainage Strategy for approval and subsequent implementation – (Policy PR16)

11. Submission of a Waste Audit – (Policy WM8)

Informatives

- Highway Informative – S38 / S278/184.
- European Protected Species.

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.