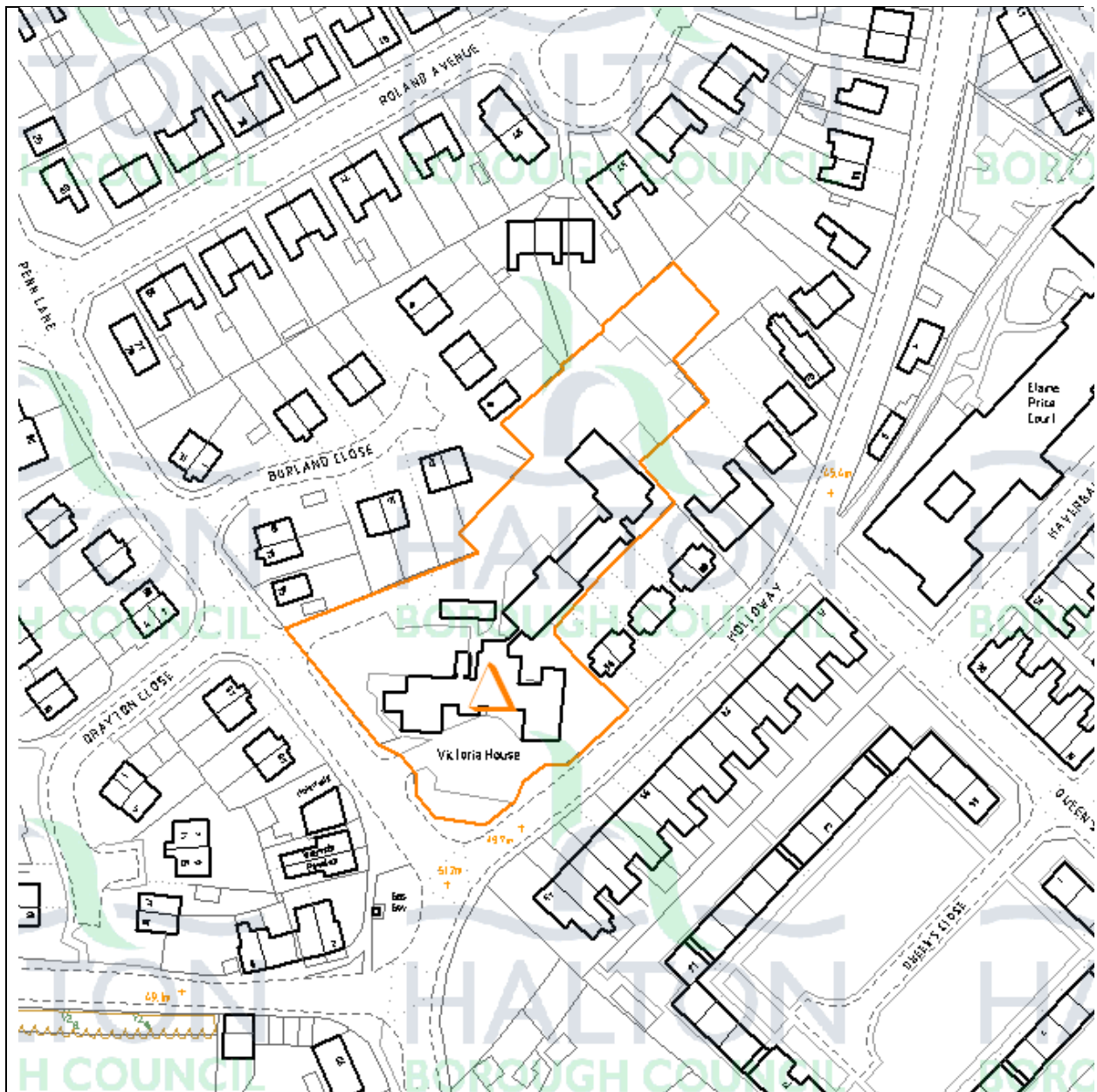


APPLICATION NO:	16/00069/FUL
LOCATION:	Victoria House, Holloway, Runcorn, Cheshire.
PROPOSAL:	Proposed development of 22 no. apartments and 6no. houses including change of use of existing building, selective demolition and associated landscaping.
WARD:	Mersey
PARISH:	None
AGENT(S) / APPLICANT(S):	Halton Housing Trust.
DEVELOPMENT PLAN ALLOCATION:	Primarily Residential Area
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:	75 representations were received from the initial publicity given to the application back in February. Following the receipt of amended plans and the publicity undertaken, an additional 20 representations have been received from persons who originally made representations.
KEY ISSUES:	Principle of Residential Development, Impact on the Character of the Area, Design, Amenity, Affordable Housing, Open Space, Access.
RECOMMENDATION:	Grant planning permission subject to conditions.
SITE MAP	



MEMBERS WILL RECALL THAT THIS APPLICATION WAS DEFERRED AT DEVELOPMENT CONTROL COMMITTEE ON 16TH MAY 2016 TO ALLOW THE APPLICANT TO FURTHER CONSIDER ISSUES RAISED IN REPRESENTATIONS AND UNDERTAKE FURTHER CONSULTATION.

1. APPLICATION SITE

1.1 The Site

The site subject of the application is located at the junction of Penn Lane and Holloway in Runcorn. The site comprises of the former Victoria Memorial Cottage Hospital and attached office buildings. The site is 0.47 ha in area.

The surrounding area is predominantly residential in nature with there being properties of a variety of ages and styles.

The entire site is within a Primarily Residential Area designation in the Halton Unitary Development Plan.

2. THE APPLICATION

2.1 The Proposal

The application proposes the development of 22no. apartments and 6no. houses including change of use of the existing building, selective demolition and associated landscaping.

2.2 Documentation

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

- Design and Access Statement;
- Drainage Statement for Planning;
- Local Community Consultation Statement;
- Phase I Desk Study Report;
- Phase II Site Appraisal Report;
- Bat and Bird Report;
- Arboricultural Impact Assessment;
- Demolition Asbestos Report.

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 Primarily Residential 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;
- BE15 Local List of Buildings and Structures of Architectural and Historic Interest;
- BE22 Boundary Walls and Fences;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodlands;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;
- 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 is raised subject to the attachment of a number of conditions and informatives.

4.2 Lead Local Flood Authority

It is understood that the access and road within the site has not been designed to adoptable standard, contrary to the claims made in the drainage information, and this needs to be made clear. It is noted that United Utilities (UU) are willing to accept connections to existing combined sewers with the maximum discharge rate limited to 42 l/s, split between the Holloway sewer

(30 l/s) and the Penn Lane sewer (12 l/s) and that drainage will be pumped to allow connection. It is not clear whether UU are willing to accept maintenance responsibility for the rising main and pumping station, and this would need to be clarified. Flows in excess of the maximums suggested would need to be dealt with on site, and it is noted that UU have recommended further investigation into the use of soakaways.

Whilst the supporting information suggests that the site may be suitable for infiltration, and soakaways have been used to drain the site in the past, the report recommends that the existing soakaways would not be suitable as they have been connected to positive drainage in the past, due to fears over flooding of the adjoining houses. Infiltration testing has been carried out but at the rates shown it is envisaged that soakaways would need to be too large and would not meet the appropriate requirements for distance from buildings and roads. In line with NPPF the developer should demonstrate why SUDS attenuation has not been put forward, and whilst it is apparent that there is limited suitable space available within the site, techniques such as permeable paving do not appear to have been investigated.

Whilst it is claimed in the supporting information that adequate underground storage (oversize pipes) and flow control can be used to achieve the required discharge rates in the design storm event (1 in 100 year plus climate change), no calculations have been submitted, and it is noted that there will still be above ground flooding in this event. Further information is required to indicate extent of flooding/overland flow, together with supporting calculations. This (and the points above) may be dealt with via condition.

4.3 Open Spaces – Trees

There are no trees within the boundary of the property that are afforded statutory protection and the site sits just outside of a designated Conservation Area. Tree T1 oak is a significant tree and is worthy of Statutory Protection if under threat of removal.

A number of trees have already been removed and pruned at this site, the work appearing to be in conjunction with this application.

The submitted Design and Access Statement states:

“There are a number of trees within the site boundary. To facilitate this development a number of these are to be lost, which is regrettable as they add to the character of the site. However their proximity to the existing building and retaining structure adjacent to the public highway is such that they need to be removed to ensure they cause no further damage to the structures. The applicant intends to replace the lost trees at rate of 2:1.”

It is not clear how many replacement trees are to be planted and there does not appear to be a landscape proposal plan to reference.

The proposed Geoweb construction system proposed for sections of pathway that encroach into the RPA's of retained trees is an accepted method.

4.4 Contaminated Land

The following reports are submitted in support of the application;

- Phase 1 Site Appraisal (Desk Study), GRM Development Solutions, July 2015, Ref. GRM/P7060/DS.1
- Phase 2 Site Appraisal Investigation, GRM Development Solutions, 21st August 2015, Ref. P7060
- Revised Phase 2 Site Appraisal Investigation, GRM Development Solutions, 30th March 2016, Ref. P7060

Remediation will be required due to pervasive elevated concentrations of lead within the made ground. The remedial proposals are for a cover layer of 600mm of clean imported subsoil and topsoil in private garden areas. Removal of a large proportion of the made ground will be required in order to allow for the placement of the imported soils. The report also refers to a requirement for a clean capping layer of subsoil and topsoil in the existing soft landscaped areas surrounding Victoria House although the proposed depth of this is not stated. The level of site investigation, the refined conceptual site model and the outline remedial proposals are satisfactory.

In accordance with the requirements of the planning condition we will however require a more detailed standalone remediation strategy setting out the remedial objectives in more detail along with the means of verification. Once this has been received the pre-commencement elements of the relevant planning condition will have been addressed and the final requirement will be for a validation report to be submitted upon completion of remediation.

4.5 Conservation Advisor – Comments on Original Proposal.

It is noted that Historic England decided this building was not of sufficient special architectural or historic interest to add it to the List. The building is located outside but adjacent to the boundary of Higher Runcorn Conservation Area. The building is not locally listed. However, as demonstrated within the applicant's Design & Access Statement, the building does have local interest and is, therefore, an undesignated heritage asset. As such, paragraphs, 131 and 135 of NPPF apply.

Given that the former Victoria Memorial Cottage Hospital is not subject to special protection, it is refreshing that the developer has submitted proposals which incorporate and convert the historic building. However, since pre-application stage, two canted wings have been added which replace modest, flat-roofed extensions. In terms of scale and height, these wings are large and do compete with the front elevation.

At the rear, the proposed additional new build apartment block appears to have added another floor since pre-application stage. This makes the new build element overly dominant on the original building. Currently, the proposed new-build element has taken the same ridge line as the existing building, which does not provide a legible distinction between new and original

buildings. The scheme would benefit significantly by even a slight reduction in height of the ridge line, and the lowering of the gable which presents to the rear elevation. The use of a more sympathetic facing material (eg render or timber, as found on the original building) would also help to reduce the impact of the new-build element and harmonise it with the original.

The proposed use of a considerable area of fibrous cement tile hanging is not consistent with the quality of materials normally found in conjunction with a heritage asset and is inappropriate in this location. Careful use of render, for example, would have been more appropriate. (This comment also applies to the 'cottage style apartments'). However, issues of materials can be covered by condition. A hierarchy of windows (double for living rooms / single for bedrooms) within this central bay would be desirable, as it would offer relief to regularity of the appearance.

Whilst the proposed scheme has shortcomings which could definitely be improved upon, the existing building is not subject to special protection, being neither listed, locally-listed nor in a conservation area. In this context, of key importance is the applicant's desire to retain the existing building at all, which is definitely to be welcomed as is the restriction of alterations to the building's key elevation. The weight which the design flaws can be given in the context of the buildings undesignated status is, therefore, limited as outlined by NPPF para.135. For the main elevation, the character of the building has been maintained and, therefore, accords with Policy BE15.

4.6 Ecological and Waste Advisor

Ecology

The applicant has submitted a Bat & Bird survey report in accordance with Local Plan policy CS20 (Victoria House: Bat & Bird Report, Kingdom Ecology, September 2015). The survey is acceptable and will be forwarded to Cheshire rECOrd via Merseyside BioBank.

The report has limitations because:

- a data search with Cheshire rECOrd was not undertaken;
- the report only covers birds and bats, no other species were considered; and
- Non-native species are not covered.

However, on this occasion, the report is acceptable because there is little habitat on site that is suitable for use by other protected species and the site is well maintained and recently vacated, therefore making the presence of invasive species unlikely.

As the proposed development falls within the qualifying category 'All planning applications' Natural England must be consulted on the planning application **prior to determination**. However, there is unlikely to be an impact on the Mersey Estuary SSSI as a result of the proposed development.

Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected. No ground clearance or building works are to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings and trees are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected would be required. This can be secured by a suitably worded planning condition.

As mitigation for the loss of breeding bird habitat for swifts, swift nesting boxes should be provided as a mitigation measure. This can be secured by a suitably worded planning condition.

As the mature trees on site provide significant habitat on site for breeding birds and a range of other species, they should be retained as part of the final scheme. This can be secured by a suitably worded planning application.

The report states that no evidence of bats use or presence was found within the buildings or trees on site. The Council **does not** need to consider the proposals against the three tests (Habitats Regulations) or consult Natural England.

Habitats on site or adjacent to the site may provide foraging and commuting habitat for bats. Lighting for the development may affect the use of these areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the areas in line with NPPF (paragraph 125). This can be secured by a suitably worded planning condition. It would be helpful for the applicant to refer to the document Bats and Lighting in the UK, Bats and the Built Environment Series, Bat Conservation Trust and Institute for Lighting Engineers.

The applicant, their advisers and contractors should be made aware that if any European protected species are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.

Waste

The proposal involves demolition and construction activities and policy WM8 of the Joint Merseyside and Halton Waste Local Plan (WLP) applies. This policy requires the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

The applicant has provided sufficient information (Design & Access Statement, John McCall Architects, January 2016 and Victoria House, Runcorn: Proposed Site Plan, John McCall Architects, January 2016, Drawing No. L.03A) to demonstrate compliance with policy WM9 of the Joint Merseyside and Halton Waste Local Plan.

4.7 Natural England

Natural England has no comments to make on this application.

4.8 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 is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Halton.

HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

4.9 United Utilities

No objection to the proposed development subject to the attachment of conditions relating to drainage. Their other observations can be attached as an informative.

5. **REPRESENTATIONS**

5.1 The application was originally advertised by a press advert in the Widnes & Runcorn World on 25/02/2016, two site notices posted on 19/02/2016 (Penn Lane) and 48 neighbour notification letters sent on 18/02/2016.

5.2 Seventy-five representations were received from the publicity given to the application. The observations raised are summarised below:

- The access in and out of the site is too narrow.
- The proposal would add to the existing parking problems in the area.
- Where will visitors to the development park?
- The proposal would be detrimental to highway safety – especially for pedestrian accessing schools etc.
- Parking for residents on Holloway should be incorporated into the development.
- Holloway should be one-way.
- It would have a negative impact on the character of the neighbourhood.
- The historic building should be kept and enhanced and not extended in an unsympathetic manner.
- An application to list the building has been made to Historic England.
- The proposal would not integrate with the surrounding area.
- Victoria House is within a Conservation Area.
- The overbearing visual impact from rear by virtue of the height and massing of the proposed extension.

- Overdevelopment of the site.
- Overlooking and loss of light for existing properties especially given level differences.
- The proposal does not meet the Council's guidelines with regard to privacy, nor does it offer any ingenious design to demonstrate how privacy will be achieved.
- The guidelines state that where minimum distances are not met, a 25 degree rule applies.
- Why was the 45 degree rule not applied in this case as the proposed extension appears contrary to it?
- The material choice is inappropriate.
- The building is of great sentiment
- Not social housing.
- Lack of amenities or play areas in the vicinity.
- Where will children who reside in the proposed development go to school?
- Noise and disturbance during construction.
- Noise levels could be detrimental to neighbouring houses.
- The proposal would compromise the extension of an existing property adjacent to the site.
- Why have the sycamore and pear trees been cut down contrary to the tree survey?
- Access across the site to existing properties would be lost.
- Why can't the building have another community use?
- The issue of drainage and flooding has been sidestepped.
- What noise and pollution would result from the proposed pumping station?
- Toxic and medical waste was buried at the site.
- The proposal would have a negative impact on the value of surrounding properties.
- How is the Code for Sustainable Homes met?

5.3 Following the receipt of amended plans on 27/05/2016, 107 neighbour notification letters were sent (This includes all those originally notified and any person who had made a representation on the application) giving them an opportunity to make any further representations.

5.4 Twenty representations were received from the further publicity given to the application. All additional representations received are from persons who originally made representations. The observations raised are summarised below:

- The plans have hardly changed.
- There would be no privacy for the surrounding properties.
- The development would be too close to properties on Burland Close.
- The proposal would appear out of character with the area.

- The frontage of the hospital would be destroyed.
- Heritage and history should be put first.
- This is a conservation area.
- It is a travesty that Victoria House is not a listed building.
- It will have an impact on house prices.
- Several houses have been put up for sale.
- This area of Runcorn does not need more houses or apartments.
- Social housing does not belong in this location.
- Parking is already a nightmare in the area.
- Danger from construction traffic.
- There is no change to the number of car parking spaces.
- A legal right of way would be taken away.
- No plans for green space within the proposal.
- There has been a lack of further consultation by the applicant.
- The hospital building should be used for local business use.
- The green space behind Holloway would be lost.
- There is a lack of consideration in relation to the pumping station and drainage.
- No landscaping proposal has been provided.
- How will contaminated soil be removed without contaminating the gardens, houses and air in the surrounding area?
- Not enough school places to accommodate extra children.
- Potential effect on wildlife in particular birds.
- The building only used to operate during the daytime on weekdays and the proposal will have an impact on surrounding properties.
- Why can't the main building be redeveloped into two storey houses?
- When will there be a mysterious fire to make way for a more dense development?

6. **ASSESSMENT**

6.1 Principle of Residential Development

The site is designated as a Primarily Residential Area on the proposals map of the Halton Unitary Development Plan. This clearly acknowledges that the predominant land use in this area is residential and as such the principle of residential development is acceptable.

6.2 Housing Supply and Locational Priorities

Policy CS3 of the Halton Core Strategy Local Plan states that a minimum of 9,930 new additional homes should be provided between 2010 and 2018 to ensure an adequate supply of suitable housing for the Borough's existing communities and to accommodate projected growth in the Borough's population.

The proposal for much needed affordable housing would contribute to the Borough's housing requirements.

The proposal would be in compliance with Policy CS3 of the Halton Core Strategy Local Plan.

6.3 Impact on the Character of the Area

The building is located outside but adjacent to the boundary of Higher Runcorn Conservation Area. The building is not locally listed, however, is of local interest.

It is noted that during the processing of this application, an application has been made to Historic England to include both the Victoria Memorial Cottage Hospital and the adjacent Almshouses (which are outside the application site) to the List of Buildings of Special Architectural or Historic Interest. It is acknowledged that the building is of great sentiment for local people.

The result of this was that Historic England have not been recommended them for listing for the following reasons:

- Design; the design does not display the high level of quality and interest expected for a site of this relatively recent date, where greater selectivity is required;
- Alteration: the buildings have undergone a degree of alteration which has eroded their architectural interest in a national context;
- Association: there is no evidence that the design of the hospital was nationally influential. The associations with James Wilding, Sir Fredrick Norman and William Shaw are considered to be of local rather than national significance.

Given that the former Victoria Memorial Cottage Hospital is not subject to special protection and that the proposal is to incorporate and convert the historic building this should be welcomed.

Since the deferral of the application at Development Control Committee on 16th May, further design amendments have been made by the applicant. The fourth floor element of the rear extension has been deleted and a legible distinction between the original building and the proposed extension has now been created with the extension now being lower in height.

It is considered that the current proposal now incorporates the majority of the observations made by the Conservation and Design Advisor and based on the building's undesignated status, the weight which could be given to the other observations made at paragraph 4.5 (of this report) are limited as outlined by paragraph 135 of NPPF.

The main elevation of the building would be retained which would ensure that the character of this building of local interest is also maintained in accordance with Policy BE15. The applicant has provided some artist impressions which clearly show how the appearance of the main elevation would be maintained. Artist impressions are also provided for Penn Lane and they show the removal of some unsympathetic flat roof extensions and their replacement

with additions of a higher design quality, thus having a positive impact on the character of the area.

The area is characterised by a variety of different property types (terraced, semi-detached and detached properties) built at different times which include the application building and properties on Holloway which are in excess of 100 years old to the more recent developments on Burland Close and Drayton Close.

As stated above, the retention of the Victoria Memorial Cottage Hospital is welcomed. In terms of extending the building, this is in principle acceptable in residential locations such as this and matters such as appearance and amenity will be considered below. The proposed cottage style apartments and two storey semi-detached dwellings would not be dissimilar to those more recently constructed dwellings in the locality and the view taken is that the proposed development would not appear out of character with the locality.

6.4 Layout

A number of the representations have been received which raise issues regarding the proposal being overbearing, loss of light and privacy. These comments are mainly focused on the proposed extension to the rear of Victoria House, however, each resultant relationship will be considered in turn. Following the deferral of the application, the applicant has provided a site plan which clearly shows the relationships between buildings and the distances involved. Members should consider these to be approximate.

It is acknowledged that the proposed development would have an impact on the existing dwellings adjacent to the site, however, is this impact acceptable or is it significantly detrimental to residential amenity which would warrant the refusal of the application? The privacy distances for residential development set out in the Design of Residential Development Supplementary Planning Document (SPD) provide guidance on relationships which are considered to be acceptable in terms of both light and privacy.

In respect of privacy distances, the SPD contains four diagrams three of which look at situations where habitable room windows directly face each other with the fourth diagram relating to a habitable room window facing a blank gable elevation. The SPD does not provide any guidance where habitable room windows are located at an angle to each other, however, it is considered reasonable where there is a change in orientation of habitable room window openings that a reduction in separation distance can be appropriate and still ensure that privacy is not unduly compromised. The greater the angle, the more appropriate a reduction in separation becomes as any privacy issue then diminishes to the point at which a habitable room is facing a blank gable.

Relationship of the proposed extension on the rear elevation of Victoria House with no.14 Burland Close.

Considering the positioning of the proposed extension to the rear of Victoria House, the nearest residential property would be no.14 Burland Close. It is noted that this particular property has a rear conservatory and the annotated site plan shows that there would be a 20.243m separation distance between the rear elevation of the conservatory and the closest part of the proposed extension.

A conservatory is within the definition of a habitable room (Page 25 of the Design of Residential Development SPD), however guidelines in respect of privacy are more applicable to those relationships above ground floor level where a boundary wall/fence do not provide the same level of protection. For example, the same levels of separation would not be required with bungalows etc. nor would a single storey extension be resisted on separation distances in exactly the same way as a two storey extension.

Even though the conservatory in question is screened by a boundary fence which also happened to be elevated by approximately 1m due to increasing ground levels, the relationship with a 20.243m separation distance will be considered in relation to the guidance set out.

Since the deferral of the application at Development Control Committee on 16th May, the applicant has taken out three window openings on the part of the building closest to no.14 Burland Close and has sited the habitable room for the living area / kitchen in these apartments so that they face down the access road towards Penn Lane to avoid any interaction with the openings in the rear elevation of no.14 Burland Close. The bedrooms in the closest apartments have been inset slightly and angled (by 20 degrees) to face the blank elevation on the cottage style apartments proposed. The proposed habitable room windows are now at an angle in excess of 45 degrees to ensure no privacy issues with no.14 Burland Close.

Based on the rear openings at no.14 Burland Close not directly facing any habitable room windows in the proposed extension to Victoria House, it is considered reasonable to apply the guidance on separation distances in the SPD as if it were facing a gable. The usual requirement is 13m, however based on there being a site level difference of 2m, the guidance indicates that an additional 4m of separation would be required resulting in 17m. As the proposed extension would be three storey, it is considered appropriate to add an additional 3m of separation as used in other parts of the guidance resulting in a total of 20m. This indicates that a solid continuous gable at a 20m separation distance would be appropriate and it is noted that the distance in the case marginally exceeds 20m and that it is a corner point of the extension with separation increasing as you move in both directions. When you move to the first floor windows in the rear elevation of no.14 Burland Close where the relationship becomes more important as there is no boundary screen, the separation distance to the corner of the proposed extension is over 23m which is considered appropriate in relation to the Council's adopted guidance and Officer judgement.

One of the representations received made reference to a 25 degree assessment not being undertaken. The SPD states “in any case where it may be accepted that the development does not satisfy the minimum separation distances, the Council will utilise the 25 degree assessment to ensure suitable daylight is maintained to any habitable rooms within developments”. This involves drawing a line of 25 degrees from the horizontal from the centre of the existing lowest habitable room window (rear conservatory at no.14 Burland Close). If the proposed development does not cut this line, it is considered that suitable daylight would be maintained. As concluded above, the proposal is considered to satisfy the minimum separation distances in the SPD and on this basis a 25 degree assessment is not considered to be required and has not been requested from the applicant. Based on the representations received, the applicant has chosen to produce this assessment to accompany the planning application. This shows that the proposed extension is acceptable in this regard and that suitable daylight would be maintained to habitable rooms at no.14 Burland Close and further demonstrates the suitability of the proposed relationship.

Based on the above detailed consideration of the relationship of the proposed extension on the rear elevation of Victoria House with no.14 Burland Close, it is considered to be acceptable for the reasons outlined.

Relationship of the proposed extension on the rear elevation of Victoria House with no.12 Burland Close.

It is necessary to consider the relative positioning of the proposed extension to the rear of Victoria House and no.12 Burland Close. It is noted from the annotated site plan that the separation significantly increases due to the property stagger on Burland Close and the orientation of Victoria House. The dimension shown on the annotated site plan is 32.930m, however there is part of the proposed extension which would be closer than this but would still be in excess of 30m.

The part of the proposed extension to the rear of no.12 Burland Close would again have window openings which have been inset slightly and angled (by 20 degrees) to face the south western elevation on the cottage style apartments proposed and ensure no privacy issues with no.12 Burland Close.

At a distance of in excess of 30m, a direct relationship between habitable room windows would be more than appropriate with the guidance for this situation being 28m (21m + 3m (increase from two storey to three storey) + 4m (where there is a 2m difference in land levels), however the applicant again has chosen to design out any overlooking between habitable room windows and provide separation in excess of the guidelines in the SPD.

Based on the above detailed consideration of this particular relationship, it is considered to be acceptable for the reasons outlined

Relationship of the proposed extension on the rear elevation of Victoria House and plot 8 with no.11 Burland Close.

Firstly considering the relationship with the proposed extension on the rear elevation of Victoria House, it is noted from the annotated site plan that the separation significantly increases due to the property stagger on Burland Close and the orientation of Victoria House. The dimension shown on the annotated site plan is 35.145m, however, there is part of the proposed extension which would be closer than this but would still be in excess of 33m.

At a distance of in excess of 33m, a direct relationship between habitable room windows would be more than appropriate with the guidance for this situation being 28m (21m + 3m (increase from two storey to three storey) + 4m (where there is a 2m difference in land levels)). The separation provided is therefore in excess of the guidelines in the SPD and considered to be acceptable.

Secondly, considering the relationship between habitable room windows in the rear elevation of no.11 Burland Close and the proposed habitable room windows in the front elevation of plot 8, the annotated site plan shows that the separation distance would be 21.387m. If there were a direct relationship between windows (two storey to two storey) 21m would be required and based on a site level difference of 2m, a further 4m of separation required resulting in 25m. However, the windows are at an angle to each other with the windows in the rear elevation of no.11 Burland Close facing the proposed extension on the rear of Victoria House and it is not considered that this relationship would be seriously detrimental to residential amenity and the siting of plot 8 is considered to be an appropriately struck balance on a difficult site by virtue of its shape and dimension.

Based on the above detailed consideration of these particular relationships, on balance it is considered to be acceptable for the reasons outlined.

Relationship between the proposed dwellings (plots 5-8) and the existing properties on Holloway (no's 80-90).

The semi-detached dwellinghouses proposed (plots 5-8) would not provide the 21m separation distance to the existing bungalows on Holloway (no's 80-90). As detailed on the annotated site plan, separation to the existing two storey building on the application site is as low as 11.001m currently. The redevelopment of this part of the site would remove a two storey building which is much closer to the residential properties on Holloway and build two storey dwellings, which would be approximately 18m from the bungalows thus resulting in an increase in separation of up to 7m. Acknowledging that this is below the 21m guideline, the applicant is proposing an innovative internal layout to design out this reduction in separation distances. This has involved designing a house type of limited depth and limiting the habitable room windows in the rear elevation at first floor to a second bedroom window in a through bedroom alongside a bathroom window. This relationship is considered to be acceptable and would enhance the existing situation in

respect of light by moving the proposed development up to 7m further away than the current building resulting in a considerable improvement to the benefit of residential amenity.

Based on the above detailed consideration of these particular relationships, on balance it is considered to be acceptable for the reasons outlined.

Relationship between the proposed dwellings (plots 5-6) and the proposed cottage style apartments (plots 3-4).

The distance between the front elevation of plots 5-6 and the cottage style apartment block (plots 3-4) is marginally below the 13m guideline (11.300m rising to 12.650m) between a habitable room window and a gable wall (only containing secondary window openings).

It should also be noted that this proposed relationship is within the proposed development rather than relating to an existing property. The SPD states that “a much greater degree of flexibility will be allowed within new developments where the Local Planning Authority is satisfied that the separation distances can be justified through quality urban design and an innovative approach”. The layout proposed is considered to be an innovative design which has regard for the site constraints (size and shape), whilst ensuring that this relationship would not be seriously detrimental to residential amenity.

Relationship between the proposed cottage style apartments (plots 3-4) and no.10 Burland Close.

The siting of the proposed cottage style apartments is not directly to the front of any habitable room windows at no.10 Burland Close. The proposed building is staggered from no.10 Burland Close and the suitability of this need to be considered.

Whilst the 45 degree rule may not feature in the Design of Residential Development SPD, it does within the House Extensions SPD and is used to consider staggers, as too great of a stagger results in two properties being detrimental to each other in terms of light and outlook. The House Extensions SPD states, “the Council uses the ‘45-degree rule’ to help assess impact upon the amenities of the neighbouring properties and to protect from overshadowing or obstruction, caused by large extensions on or close to the boundary”. It involves drawing a 45 degree line from the middle of the nearest habitable room window. If the proposed extension/building does not cut a 45 degree line, it is considered to be appropriate in terms of light and outlook and not unduly detrimental to residential amenity.

In this case, the proposed cottage style apartment block is positioned in a manner which ensures that a 45 degree line drawn from the rear elevation of the nearest habitable room window at no.10 Burland Close is not cut. It is considered that the relationship would not be seriously detrimental to residential amenity.

Other resultant relationships.

The other resultant relationships within the scheme are considered to accord with the guidance contained with the Council's Design of Residential Development Supplementary Planning Document and would ensure sufficient separation for light, privacy and flexible living.

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

The Design of Residential Development Supplementary Planning Document indicates that a usable private outdoor space for apartments of 50sqm per unit should be provided as a guide. This scheme falls below this standard, however, space for cycle storage, bin storage and some amenity space would be provided and this shortfall is considered to be appropriate in this instance and would not be unduly detrimental to residential amenity.

In terms of Housing Mix, the proposal seeks to deliver a range of property sizes including 1 and 2 bedroom properties with the property types including houses and apartments. In terms of tenure, all the properties would be affordable rented units for which there is a significant demand. There is considered to be properties to meet a variety of needs on site.

It is noted that a number of the proposed apartments would be single aspect units which would be north facing which is not desirable in terms of solar orientation; however, this proposal is designed around the retention of the Victoria Memorial Cottage Hospital which is considered to be an undesignated heritage asset. On balance, it is not considered that this issue would warrant the refusal of this application and is a principle which could be afforded more weight on a larger site where the scope for implementation would be much greater.

The layout of the proposed development is considered to be acceptable and compliant with Policies BE1 & BE2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan. In terms of Housing Mix, the proposal is considered to be compliant with Policy CS12 of the Halton Core Strategy Local Plan.

6.5 Scale

In respect of scale, a number of the representations received have stated that the proposed extension would be overbearing and out of character with the surrounding area.

It is noted that Victoria House is a large building which is three storey in height and the extension proposed would also be large. The extension has been designed so that it appears subordinate to the existing building with the ridge

level being lower. The relationships with neighbouring properties have been considered above and are acceptable. Whilst the proposed extension is large, it has regard for the scale of the building on which it would be located as well as forming an acceptable relationship with the surrounding buildings. On this basis, the scale of the proposed extension is considered to be acceptable.

The two storey buildings (semi-detached dwellinghouses and cottage style apartment block) are considered to reflect the character of the area and appropriate in terms of scale.

The proposal is considered to be acceptable in terms of scale and compliant with Policy BE1 of the Halton Unitary Development Plan.

6.6 Appearance

Some of the representations received make reference to the overbearing visual appearance and that inappropriate materials are proposed.

The Conservation and Design Advisor has made observations in relation to the external appearance of this undesignated heritage asset, these are set out below.

Two canted wings have been added which replace modest, flat-roofed extensions. In terms of scale and height, these wings are large and do compete with the front elevation.

The new build element at the rear is overly dominant on the original building. Currently the proposed new-build element has taken the same ridge line as the existing building, which does not provide a legible distinction between new and original buildings. The scheme would benefit significantly by even a slight reduction in height of the ridge line, and the lowering the gable which presents to the rear elevation. The use of a more sympathetic facing material (eg render or timber, as found on the original building) would also help to reduce the impact of the new-build element and harmonise it with the original.

The proposed use of a considerable area of fibrous cement tile hanging is not consistent with the quality of materials normally found in conjunction with a heritage asset and is inappropriate in this location. Careful use of render, for example, would have been more appropriate. (This comment also applies to the 'cottage style apartments'). However, issues of materials can be covered by condition. It is a pity that the hierarchy of windows (double for living rooms / single for bedrooms) hasn't been adopted within this central bay, as it would offer relief to regularity of the appearance.

It is acknowledged that the appearance of the extension to the rear of Victoria House has been improved on again since the deferral of the application at

Development Control Committee on 16th May and the majority of the design observations made by the Conservation and Design Advisor have now been taken on board.

The weight which the other design issues can be given in the context of the buildings undesignated status is limited. The proposal does ensure that the main elevation of the building is maintained which is welcomed in terms of appearance as viewed from both Holloway and Penn Lane.

In conclusion, the overall appearance of the scheme is acceptable. The proposed elevations show that buildings would have some variety in materials to add interest to the overall external appearance. The submission of precise external facing materials for approval would be secured by condition.

This would ensure compliance with Policies BE1 & BE2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

6.7 Landscaping & Trees

The application is accompanied by an Arboricultural Impact Assessment. There are no Tree Preservation Orders in force at this site and the site does not fall within a designated Conservation Area.

Tree T1 (oak) is a significant tree which contributes to the character of the area and its retention within the scheme is welcomed. A condition which secures the retention of the remaining trees within the site is suggested.

A number of trees have already been removed and pruned at the site with the work appearing to be in conjunction with this application.

The Design and Access Statement acknowledges that there are a number trees within the site boundary which would be lost as a result of the proposed development. This is due to proximity to the existing building and retaining structure adjacent to the public highway, however, the applicant intends to replace the lost trees at rate of 2:1. This needs to be followed through to a detailed landscaping plan which would be secured by condition.

Details of hard landscaping and boundary treatments have been submitted. This includes a number of different boundary types according to the location within the site and is considered to ensure that satisfactory levels of privacy and appearance. A condition securing the implementation of the approved scheme and implementation thereafter is considered reasonable.

This would ensure compliance with Policies BE1 and GE27 of the Halton Unitary Development Plan.

6.8 Site Levels

The application is accompanied by a topographical survey of the site (within the Arboricultural Impact Assessment) and a plan showing proposed site

levels. The layout has been considered in paragraph 6.4 which acknowledges the varying site levels and discusses the resultant relationships within the scheme. The conclusion is that the resultant relationships would be acceptable and it is considered reasonable to attach a condition which secures the implementation of the proposed site levels and their subsequent implementation.

This would ensure compliance with Policy BE1 of the Halton Unitary Development Plan.

6.9 Highway Considerations

The application site is located within the urban area with the surrounding area having a wide range of facilities (including schools) and attractions to serve residents needs within walking and cycling distance. It is inevitable that the development would have some impact on traffic levels in the locality, however given the scale of the development (less than 50 dwellings), the applicant is not required to demonstrate the suitability of the proposal through the undertaking of a Transport Statement or a Transport Assessment and the highway impact of the development would not be severe.

It is noted that the site has previous history as a medical and office site. If the site were to be brought back into use within the permitted use class, the vehicle movements would be higher and sustained over longer time periods than that of residential development which although would have peak time movements similar to previous use would not have the continued movements during the day. The demand for parking provision for the permitted use would also be greater with the surrounding highway likely having to cater for the turnover of movements.

In terms of car parking, there is sufficient provision across the scheme (both for dwellinghouses and apartments) to accord with UDP requirements. It should be noted that the scheme actually provides for in excess of the UDP requirement which would accommodate for some additional visitor parking which is desirable in this case given the parking issues which have been raised in the representations. In terms of parking, the proposal is better compared to the permitted use and it not considered that this would exacerbate existing parking issues in the locality. As the site would remain within the control of Halton Housing Trust, it would benefit from a parking management plan which clearly shows how the parking within the scheme (especially the communal parking provision) would be managed. This can be secured by condition.

No cycle parking is proposed for the houses, however, there is sufficient space within the curtilage of each property to provide such provision if the occupier of the dwelling requires this. There is provision within the curtilage of the apartment block for cycle parking which increases sustainable transport options for residents.

Some of the representations received state that the access in and out of the site is too narrow. The internal road network within the site has demonstrated that there is sufficient space for vehicles (including a refuse vehicle) to enter and exit the site in forward gear. It is noted that due to design constraints that this road would not be subject to Highway Authority adoption. No widening to the site access is proposed in order to ensure that the existing oak tree which contributes to the character of the area is retained.

Appropriate pedestrian links from the proposed development would be available.

It is acknowledged that a number of the properties on Holloway do not benefit from off-road parking with the situation being historic and it would not be reasonable to expect this development to make such provision. This development would provide sufficient parking provision for the amount of development proposed which is the key consideration with this application.

In respect of the issue raised in the representations stating that Holloway should be one-way, this issue is an issue for the Highway Authority to consider and not material to the determination of this application.

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, TP6, TP7, TP12 & TP 14 of the Halton Unitary Development Plan.

6.10 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.

All 28 of the proposed dwellings would be affordable which would be in excess of the 25% of units sought by the policy.

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

6.11 Open Space

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

The Open Space Requirement Calculator has identified that there is a deficit of Parks & Gardens, Amenity Greenspace and Provision for Children and Young Persons and Formal Playing Fields in this particular neighbourhood.

As the open space requirements are not being proposed to be met on site, the policy indicates that a commuted sum in lieu of on-site provision is required. This has been sought from the applicant.

Paragraph 173 of the NPPF relating to ensuring viability and deliverability states that “to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable”.

The applicant has submitted viability information which demonstrates that the payment of this commuted sum would compromise the deliverability of the scheme and it is on this basis that this development is acceptable without the payment of a commuted sum in lieu of on-site open space provision in order to facilitate the development of this now vacant site including the retention of the undesignated heritage asset with much needed housing to meet the needs of local people. It is also noted that the site is located in close proximity to Runcorn Hill which provides a variety of recreational uses.

6.12 Ground Contamination

The application is accompanied by a Phase 1 Site Appraisal (Desk Study) and a Phase 2 Site Appraisal Investigation. Remediation will be required due to pervasive elevated concentrations of lead within the made ground. A more detailed standalone remediation strategy setting out the remedial objectives along with the means of verification is required. The submission of this for approval along with the subsequent submission of a validation report should be secured by condition.

One of the representations makes reference to toxic and medical waste being buried at the site. Another representation asks how the contaminated soil will be removed without contaminating the gardens, houses and air in the surrounding area. As set out above, remediation of the site will deal with any such issues to ensure that the site is suitable for a sensitive end use such as residential.

This would ensure that the proposal is compliant with Policy PR14 of the Halton Unitary Development Plan.

6.13 Flood Risk and Drainage

The application site is located in Flood Zone 1 and is at low risk from flooding. The application is accompanied by a letter relating to drainage matters and email response from United Utilities. This document has been reviewed by the Lead Local Flood Authority. The provision and implementation of a surface water regulation system can be secured by condition.

A submersed pumping station forms part of the drainage solution for this site. This is predominantly underground and is not an uncommon feature nor should it be significantly detrimental in terms of noise and pollution.

This would ensure compliance with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

6.14 Biodiversity

The application is accompanied by a Bat & Bird survey report. Our Ecological Advisor has confirmed that this report is acceptable. Conditions which secure breeding bird protection, swift nesting boxes and the retention of the mature trees on site have been suggested.

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

6.15 Sustainable Development and Climate Change

Policy CS19 of the Halton Core Strategy Local Plan outlines some principles which will be used to guide future development.

NPPF paragraph 35 which states that to further enhance the opportunities for sustainable development any future developments should be located and designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles.

The incorporation of facilities for charging plug-in and other ultra-low emission vehicles has been put to the applicant and they would be happy to accept a condition requiring the provision of future charging points for ultra-low emission vehicles.

One of the principles referred to in the policy is Code for Sustainable Homes. Whilst it is desirable to meet such a standard given links with Sustainable Development and Climate Change, following the Government's Written Ministerial Statement in March 2015, it is no longer for Local Authorities to secure the implementation of a particular level of Code for Sustainable Homes by planning condition.

The proposal is compliant with Policy CS19 of the Halton Core Strategy Local Plan.

6.16 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. The submission of a Site Waste Management Plan / Waste Audit should be secured by condition. 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.

6.17 Issues raised in representations not addressed above

In respect of the proposal resulting in an over development of the site, the proposal would deliver an acceptable site layout in respect of relationships between buildings, amenity space provision, access and car parking provision etc. as well as being an efficient use of land within the urban area.

Some of the representations received have stated that the scheme should not be social housing. As set out earlier in the report, there is a requirement for affordable housing and who may reside in a property (owner, tenant etc.) is not material to the determination of the application.

Some representations make reference to other / amended proposals for the site. It is the suitability of this proposal that has to be considered.

As with most development proposals, some form of noise and disturbance during construction is inevitable. The purpose of the construction management plan condition referred to earlier in the report is to ensure that any disruption is kept to a minimum.

With regard to the proposal development compromising the extension of an existing property adjacent to the site, this application has to be considered on its merits based on the situation which currently exists and cannot pre-empt future development proposals adjacent to the application site.

It is noted that some of the existing properties adjacent to the site have been accessing their properties using the application site. Unless they have a legal right of access across the site, the applicant is not duty bound to make access provision for them.

Planning applications need to be dealt with based on the proposal submitted. This site has been purchased by Halton Housing Trust and their proposal to develop the site for residential purposes has to be considered on its merits. In relation to site being used for another community use, the site has no protection as a community facility in planning terms and the reason that Halton Clinical Commissioning Group disposed of the site was due to it being surplus to requirements.

Some observations have been made regarding the lack of further consultation by Halton Housing Trust following the deferral of the application at Development Control Committee on 16th May. There is no requirement for them to do further consultation, however I am aware that they have met with the spokesperson to discuss amendments to the scheme. All persons who were originally notified and those making representations have been written to by the Local Planning Authority and given the opportunity to make further representations based on the amended plans.

The planning system does not exist to protect the private interests of one individual against another and the issue of property values is not material to the determination of the application.

When a mysterious fire will start is again an issue which is not material to the determination of the application.

7. CONCLUSIONS

In conclusion, the development would result in the development of a vacant site which was surplus to requirements for Halton Clinical Commissioning Group come forward for residential use in an area which is predominantly residential in nature.

The retention of the Victoria Memorial Cottage Hospital and its conversion to residential is welcomed as it is a building of local interest. It considered that the proposal would not have a detrimental impact on the character of the area.

In respect of residential amenity, both the conversion of the existing building, the extension proposed and the new build elements of the scheme are considered to be appropriate in terms of separation for both light and privacy and it should be noted that the applicant has made further alterations to the scheme in order to design out some of the privacy concerns raised by the occupiers of adjacent properties. Appropriate levels of private amenity space would be provided within the scheme.

The highway impact of the development would not be severe. Both vehicle movement to and from the site and demand for parking provision would be greater with the permitted use than with the residential development proposed. There would be sufficient parking provision for both for dwellinghouses and apartments to accord with UDP requirements and it not considered that this proposal would exacerbate existing parking issues in the locality.

In respect of design and external appearance, since the deferral of the application at Development Control Committee on 16th May, the proposal has been improved on again and the majority of the design observations made by the Conservation and Design Advisor have now been taken on board and the overall scheme is acceptable.

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. Implementation of Proposed Site Levels (Policy BE1)
4. Facing Materials to be Agreed (Policies BE1 and BE2)
5. Submission of Detailed Soft Landscaping Scheme, implementation and subsequent maintenance - (Policy BE1)
6. Implementation of Submitted Hard Landscape and Boundaries Layout and subsequent maintenance - (Policy BE1)
7. Breeding Birds Protection – (Policy GE21)
8. Submission of a Swift Nesting Boxes Scheme, implementation and subsequent maintenance – (Policy GE21)
9. Retention of Trees – (Policy GE21)
10. Submission of a Lighting Scheme designed to protect ecology – (Policy GE21)
11. Hours of Construction – (Policy BE1)
12. Removal of Permitted Development – All Dwellings – (Policy BE1)
13. Submission of a Construction Management Plan - (Policy BE1)
14. Provision & Retention of Parking for Residential Development (Curtilage) – (Policy BE1)
15. Provision & Retention of Parking for Residential Development (Not in Curtilage) – (Policy BE1)
16. Submission of Cycle Parking Scheme for Apartments and Subsequent Implementation – (Policy BE1)
17. Implementation of Access and Servicing Provision – (Policy BE1)
18. Implementation of Off Site Highway Works (Site Access Points from Penn Lane) – (Policy BE1)
19. Submission of a Parking Management Plan and subsequent implementation – (Policy BE1)
20. Submission of a Surface Water Regulatory System for approval and subsequent implementation – (Policy PR16)
21. Foul and Surface Water on Separate Systems – (Policy PR16)
22. Ground Contamination – Remediation Strategy and Site Completion Report – (Policy PR14)
23. Submission of a Waste Audit – (Policy WM8)
24. Submission of a scheme for the provision of future charging points of ultra-low emission vehicles – (Policy CS19)

Informatives

1. Highway Informative – S38 / S278/184 – Above Ground Apparatus Requirements.
2. United Utilities Informative.
3. Ecology Informative.
4. Waste 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) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

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.