

<b>APPLICATION NO:</b>	16/00320/OUT
<b>LOCATION:</b>	Land to the west of Heath Road South, North of Heathside Nursery, Runcorn, Cheshire.
<b>PROPOSAL:</b>	Outline application, (with access reserved for future consideration) for a development comprising 30 bed hotel with function room and restaurant.
<b>WARD:</b>	Heath
<b>PARISH:</b>	None
<b>AGENT(S) / APPLICANT(S):</b>	Mr John Lewis – SOG Pension Fund.
<b>DEVELOPMENT PLAN ALLOCATION:</b>  National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Greenspace & Area of Special Landscape Value.
<b>DEPARTURE</b>	Yes.
<b>REPRESENTATIONS:</b>	92 representations received from the publicity given to the application in 2016. As a result of further publicity undertaken, 22 representations have been received from the publicity given to the application in 2017.
<b>KEY ISSUES:</b>	Development on a Greenspace, Impact on the area of Special Landscape Value, Impact on the Local Nature Reserve, Ground Contamination, Biodiversity, Risk.
<b>RECOMMENDATION:</b>	Grant outline planning permission with conditions subject to the application not being called in by the Secretary of State following referral to the Health and Safety Executive.
<b>SITE MAP</b>	



## **1. APPLICATION SITE**

### **1.1 The Site**

The site is located to the west of Heath Road South and to the north of Heathside Nursery in Runcorn. The site is 1.21ha in area.

The site is designated as a Greenspace and part of an area of Special Landscape Value in the Halton Unitary Development Plan.

Located to the north and west of the site is heathland which is designated as a Greenspace and part of an area of Special Landscape Value in the Halton Unitary Development Plan

Located to the east of the site on the opposite side of Heath Road South is the Heath Business and Technical Park which is key employment site in the Borough and is designated as a Primarily Employment Area.

Located to the north east of the site on the same side of Heath Road South as the application site is the Heath Playing Fields. They also have the same designations in the Halton Unitary Development Plan.

## **2. THE APPLICATION**

### **2.1 The Proposal**

This outline planning application seeks to establish the principle of the development of a 30 bed hotel with function room and restaurant with access reserved for future consideration.

## 2.2 Documentation

The outline planning application is supported by a Design, Access and Planning Policy Statements, Outline Arboricultural Impact Assessment, Phase I Preliminary Risk Assessment, Ecological Assessment, Badger Walkover Survey Report, Compliance with Policy GE23 (Clause C), Impact Assessment in relation to Runcorn Hill LNR, Flood Risk Assessment, Advice on the implications of COMAH Installations on proposed hotel development.

## **3. POLICY CONTEXT**

### 3.1 National Planning Policy Framework

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

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

### 3.2 Halton Unitary Development Plan (UDP) (2005)

The site is designated as a Greenspace and an Area of Special Landscape Value 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;
- BE18 Access to New Buildings Used by the Public;
- BE22 Boundary Walls and Fences;
- GE6 Protection of Designated Greenspace;
- GE8 Development within Designated Greenspace;
- GE10 Protection of Linkages in Greenspace Systems;
- GE20 Protection and Creation of Local Nature Reserves;
- GE21 Species Protection;
- GE23 Protection of Areas of Special Landscape Value;
- GE27 Protection of Trees and Woodlands;
- PR2 Noise Nuisance;
- PR12 Development on Land Surrounding COMAH Sites;

- 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;
- TP12 Car Parking;
- E4 Complementary Services and Facilities.

### 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;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS20 Natural and Historic Environment;
- CS23 Managing Pollution and Risk.

### 3.4 Supplementary Planning Documents

- Planning for Risk Supplementary Planning Document (2009)

### 3.5 Other Relevant Documents

- Halton Landscape Character Assessment (2009)

### 3.6 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

#### Layout/Highway Safety

The site appears to offer good visibility from its position on Heath Road South providing good access for service vehicles and its proximity to the nursery leaves an appropriate distance (40m) between accesses.

There are no details of pedestrian access through the site and on a full application we would require details of safe pedestrian and disabled access to the hotel entrance.

There are also some concerns over the speeds on this road and we would require speed readings in advance of an approval to be taken to adequately assess what measures may be necessary in regard to highway safety. Given this issue, and the proximity to the public right of way adjacent to the site, we would like to see measures implemented in line with the application to allow safe pedestrian accesses across Heath Road South.

Dropped crossings with tactile paving should be installed at all appropriate desire line points (ie where it is safe or advised for pedestrians to cross roads or major access points).

We would require appropriate signage providing advance warning of the access and 'slow' markings added to the existing highway.

The applicant will be required to enter into a section 278 agreement with the Council in respect of any works required within the Council's adopted highway.

### Parking

The UDP requires that the maximum parking standard for a proposal within the C1 use class as 1 space per bedroom (therefore in this case 30 car parking spaces). The floor space indicated in the application for the restaurant is 500 square metres. Based on the most common standard ratio of 60/40 in favour of dining for restaurant layouts we would base the parking standard on an approximation of 300 square metres of dining space which requires a maximum parking allocation of 60 spaces. The application proposes 83 spaces which we would consider to be sufficient. Therefore the Highway Authority would have no objections to the parking numbers.

### Fra/drainage

The main highway will need to be reconstructed to highway authority satisfaction following drainage connections etc.

Any new or extended hardstanding (flags, block paving, tarmac, concrete) within the property boundary shall be constructed in such a way as to prevent surface water runoff from the hardstanding onto the highway.

### Levels/Highway sections/retaining walls.

There are some significant differences in levels across the site. Designs for any retaining walls or barriers required as a result of the works should be submitted for approval prior to commencement on site.

### Access by sustainable modes

A bus service exists every 30 minutes on Heath Road South within 400m. We would also require electric vehicle charging points in line with the application in dedicated electric charging parking bays.

## Construction Phase Considerations

All construction traffic to be parked off highway.

## Recommended conditions

We would require speed readings to be taken to adequately assess what measures may be necessary in regard to highway safety.

We would like to see measures implemented in line with the application to allow safe pedestrian access across Heath Road South.

## 4.2 Lead Local Flood Authority

I would like to comment on the outline planning application for hotel development at land off Heath Road South, Runcorn, WA7 4QR.

The existing site is greenfield and the developer will be expected to mimic the existing drainage conditions. There is a proposed increase in impermeable area and flows generated will have to be attenuated to greenfield runoff rates. The drainage hierarchy, as described in Part H of the Building Regulations, shall be used. It should be noted that United Utilities will expect to see proof that the drainage hierarchy has been considered before allowing any discharges to the public sewer. The LLFA will also want to see this evidence in any detailed drainage strategy.

The site is sloping so any drainage strategy will have to show how any overland flows or exceedance routes stay within the site and do not flood adjacent properties. This should be described in the full flood risk assessment.

## 4.3 Environmental Protection

No comments to make on the application.

## 4.4 Contaminated Land

The application is supported by the following document;

- Land at Heath Road South Runcorn, Phase 1 preliminary risk assessment, ref LKC 16 1274, LK Consult Ltd, July 2106.

The report sets out a preliminary conceptual site model based on a review of desk top information and site reconnaissance. Whilst the report does an effected job of reviewing the information gathered, and identifies the site as previously undeveloped with adjacent quarrying and subsequent landfilling, it does not have the important and specific details of the nature of the landfilling (the infilling with chlorinated hydrocarbon contaminated lime wastes from the former ICI Castner-Kellner works) and the associated land contamination problems.

The report does recognise landfill gas as a high risk issue for the development, although this is based on methane and carbon dioxide being the risk drivers, as associated with general waste landfills. It concludes that site investigation is required to fully assess the site, sampling of near surface soils and ground gases, but it recommends that this is appropriate to be controlled by condition if planning permission is granted.

The applicant must take into account the details of the landfilling and the local geology (which has a major impact on the zone influence of the gases diffusing from the waste mass) when designing the investigation phase. Plans indicate that the eastern edge of the quarry is a reasonably well defined boundary and that the development is not over the former quarry area, situated on unquarried, solid sandstone. Unlike the western boundary of the former quarry, this is confused by the deposit of quarry spoil (sandstone blocks, cobbles and sand). This is where the transport of chlorinated hydrocarbon vapours through the spoil necessitated the demolition of a large number of properties along Weston Road. Therefore, the risk that the development site will be adversely affected by vapours from the former quarry is low, but this must be confirmed by site investigation. Plans for the investigation will need to be reviewed and agreed by the LPA before any such works are undertaken, along with the associated risk assessment and, if necessary, mitigation/remediation measures.

In summary, there is a potential risk from ground gases from the adjacent infilled quarries, as well as a need to determine the near surface soil quality, however, I agree with the conclusions within the applicant's consultant's report that this can be appropriately assessed and controlled by a pre-commencement condition.

#### 4.5 Open Spaces

Previous comments have been submitted for this development proposal and are still relevant. On review of the latest submitted information, I would draw attention to the following:

##### TEP document Compliance with Policy GE23 (Clause C)

Section 2.38 of this submitted document lists the Landscape Guidelines identified in the HBC Runcorn Hill and Heath Parkland Local Character Assessment. Point 6 of this list states "Enhance the recreational character of the area", however I can find no such statement in the Council document. Also point 7 states "Enhance the open space by ensuring built development does not marginalise or fragment the green corridor". The Council document actually states "Conserve the open space by ensuring built development does not marginalise or fragment the green corridor".

Section 2.57 and 2.58 (Summary) of this submitted document states the site: "does not make a strong contribution to the character of the Runcorn Hill ASLV. The site largely comprises horse-grazing pasture that continues to the west beyond the Site boundary and which is in context of horse grazing

pasture to the north. It does not demonstrate the highly distinctive qualities of the Runcorn Hill ASLV identified in the review of policy GE23 and the Halton Landscape Character Assessment 2009.”

However, the Key Characteristics listed in Halton Borough Councils Landscape Character Assessment for Runcorn Hill and Heath Parkland includes (point 9):

“Frequent horse grazing paddocks”.

The statement offered by TEP appears to be contradictory to the HBC document.

Section 3.13 of the submitted document lists Landscape Guidelines identified for the Runcorn Hill and Heath Parkland LCA relevant to the site and the wider Runcorn Hill ASLV and states:

(point 5) “Enhance and restore the character and condition of the horse grazing paddocks” however the HBC document does not mention the word “restore”.

Point 6 again quotes “Enhance the recreational character of the area” but I cannot find this statement in the HBC document.

Point 7 repeats the miswording of “Enhance the open space by ensuring built development does not marginalise or fragment the green corridor” instead of “Conserve the open space ...”.

Point 9 states “Enhance the quality and range of recreational facilities ensuring that they integrate and respect their surroundings” however I cannot find this statement in the HBC document.

Section 4.4 of the submitted TEP document Compliance with Policy GE23 (Clause C) again uses the word “enhancing open space by ensuring...” when the HBC document uses the word “Conserve open space by ensuring...”.

Section 4.4 goes on to state:

“The description for this LCA also notes that an increase in the amount of development in this area would change the character of the area, and could, marginalise or fragment existing land cover and land use”.

The HBC document does not include the word “could”, it clearly states:

“an increase in the amount of development would change the character of the area and marginalise or fragment existing land cover and land use”.

There are a number of discrepancies within the text of the TEP document that, when referencing the HBC LCA document, appear incorrect and could be interpreted as favouring the proposed development.

The HBC LCA document for Runcorn Hill and Heath Parkland, section “Main Threats or Threats to the Landscape” states:

“Loss of open space and agricultural land at the margins of the area due to urban expansion weakens the field pattern and put additional pressure on the remaining green space”.

Section 4.6 of the submitted TEP document states however:

*“The Proposed Development would be adjacent to existing development and would not fragment green space or weaken the field pattern within the southern extent of the Runcorn Hill ASLV, and this part of the Runcorn Hill and Heath Parkland LCA”.*

*It should be clarified at this point that the proposed development site is included in the Runcorn Hill and Heath Parkland LCA and therefore the statement in the HBC document applies to the application site. It is my opinion that this development would clearly disrupt the field pattern. The Capacity to accommodate change section of the HBC document also states that change “should reflect the character of built form, which is of low and scattered density”. The construction of a 30 bed hotel with function room and restaurant hotel does not appear to comply with this statement?*

Section 3.20 of the submitted TEP document proposes to translocate specimen turves from Runcorn Hill LNR to the development site as part of the landscape proposal. This is not something that HBC would want to happen. There should be no impact on the LNR in relation to this proposal.

The supplied TEP badger survey, section 5.4, states that the presence of a badger sett within the nearby fenced off pond area cannot be ruled out, but it seems unlikely. Given that in 2016 it was noted that there was a suspected sett in this location, I would have expected TEP to gain permission/access to this location (if possible) to clarify the presence/absence for certain.

#### 4.6 Ecological Advisor

##### Ecology

The applicant has submitted the following report in accordance with Local Plan Policy CS20:

- Ecological Assessment report (Ecological Assessment: The Heath, Runcorn, TEP, July 2016, Ref: 5822.002);
- Great Crested Newt eDNA Survey report (Great Crested Newt eDNA Survey: Heath Road South, Runcorn, TEP, June 2015, Ref: 5030.005); and
- Outline Arboricultural Impact Assessment (Outline Arboricultural Impact Assessment, The Heath – Hotel Development, Runcorn, TEP, July 2016, Ref: 5822.003).

I advise the surveys are acceptable and will be forwarded to Merseyside BioBank.

The Ecological Assessment report has limitations because:

- It identifies the need for further survey for “national and European protected” invertebrates, these are Priority Species under the NERC Act. No further survey is required, although consideration should be given to the potential for these species to be present in the design of the proposals; and

- Further survey is recommended to determine whether badgers are using the site which should have been undertaken as part of the Ecological Assessment.

On this occasion the report is acceptable provided that further protected species surveys are carried out, and the Reasonable Avoidance Measures for reptiles are submitted for approval. **2017 UPDATE – Based on the Badger Walkover Survey Report submitted – No further surveys are required.**

#### Great crested newt

The report states that no evidence of great crested newt use or presence was found. The Council **does not** need to consider the proposals against the three tests (Habitats Regulations) or consult Natural England.

#### Bats

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

#### Reptiles

The Common Lizard is known to be present within this area (specifically within the Runcorn Hill Local Wildlife Site, which is close to the proposed development site) and is protected. Additionally, there is suitable foraging habitat within the proposed development site. Therefore, I advise that the applicant submits Reasonable Avoidance Measures to prevent harm to reptiles for approval. This can be secured through a suitably worded planning condition. Further advice on Reasonable Avoidance Measures for reptiles can be found in Part Two.

#### Breeding Birds

Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected. No tree felling, hedgerow clearance, ground clearance and/or building works is 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, trees and hedgerows 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.

#### 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 details required within the waste audit or similar mechanism is provided in Part Two.

The applicant has not provided sufficient information to demonstrate compliance with policy WM9 of the Joint Merseyside and Halton Waste Local Plan. I advise that the information set out in policy WM9 of the Waste Local Plan is required and can be secured by a suitably worded condition.

#### 4.7 Liverpool John Lennon Airport

No observations received.

#### 4.8 Natural England

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

#### 4.9 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. Their assessment indicates that the risk to harm to people at the proposed development site is such that HSE's advice is that there are sufficient reasons on safety grounds, for advising against the granting of planning permission in this case.

#### 4.10 United Utilities

United Utilities will have no objection to the proposed development provided that conditions relating to foul water, surface water and sustainable drainage systems. Their other observations should be attached as an informative.

#### 4.11 Sabir UK Petrochemicals

SABIC will not be affected by the proposed works as the proposed development would fall outside the outer zone of the above Major Accident Hazard Pipeline as defined by the HSE development control guidelines (PADHI – HSE’s Land Use Planning Methodology document).

### **5. REPRESENTATIONS**

5.1 In 2016, the application was advertised by a press advert in the Widnes & Runcorn World on 11/08/2016, a site notice was posted on Heath Road South on 05/08/2016 and 20 neighbour notification letters sent on 04/08/2016.

5.2 92 representations (89 in objection and 3 in support) were received from this period of publicity given to the application. The observations received are summarised below:

- The proposal would have a detrimental effect on all local businesses.
- It would impact on wildlife.
- There would be no net gain in biodiversity.
- The site is ecologically unacceptable for development.
- The beauty of the area would be taken away.
- The site is located on a dangerous bend.
- The road network is insufficient to cater for the proposed development.
- The speed of traffic on Heath Road South is a concern.
- There would be heavy construction traffic.
- Safeguarding issues would result with the proposal being next to a children’s nursery.
- No benefit for the residents of Runcorn.
- Profit for the Council and developers at the expense of the community.
- No need for a hotel.
- Heath offices should not have got rid of Lawson House if there is a need for a hotel.
- Any hotel requirements should be catered for on a brownfield site.
- There are four public houses within 5 minutes’ walk of the site all of which serve food.
- Investment should be made in the Old Town of Runcorn.
- Restrict and spoil views over the Mersey Estuary.
- Loss of an area to walk dogs.
- Loss of a public space.
- Takes away grazing land for horses.
- This does not fit with protecting and enhancing where appropriate to expand the boroughs green infrastructure.

- How will there be a net increase in Greenspace accessible to the public?
- Loss of more Greenspace in Runcorn.
- This is Green Belt land.
- The site is in a Conservation Area will be affected by the proposed development.
- The land contains hazardous waste contamination which is harmful to human life and wildlife.
- Gas is being released from the tip.
- The land is next to a nature reserve.
- This is one of the few remaining heathlands in Cheshire.
- Light pollution would result at night.
- There are restrictions on the title to the land.
- How does the proposal deal with drainage?
- Mere lip service has been paid to public consultation by the applicant.
- The proximity to COMAH (Control of Major Accident Hazards) sites.
- Would replace the missed dining facility at Lawson House.

5.3 Further submissions have recently been made to accompany the application and the description has been amended to reflect the matters under consideration. The updated application was advertised by a press advert in the Widnes & Runcorn World on 17/08/2017, a site notice was posted on Heath Road South on 09/08/2017 and 117 neighbour notification letters (letters to those originally notified and those who made representations) sent on 10/08/2017.

5.4 22 representations (21 in objection and 1 in support) were received from this period of publicity given to the application. The observations received are summarised below:

- This is greenfield land and should not be used for this purpose.
- This is another Level Fields, Halebank.
- There are brownfield sites that could be used.
- Spare land in the Heath Business Park should be used instead
- A hotel in the local area has been converted into housing in recent years.
- A hotel is not needed.
- The area is well served by hotels.
- A hotel should not be put next to a nursery.
- Safeguarding of children who attend the nursery.
- The field is a wildlife haven used by walkers and has equestrian facilities.
- Weston is a quiet village and will be spoilt by heavy traffic.
- Increased traffic flow on a dangerous bend. A full traffic survey needs to be completed.

- Access should not be reserved for future consideration.
  - No development should be considered on land adjacent to a piece of land which is still being monitored for chemicals (HCBP). It is too risky to disturb this field and expose likely contamination.
  - The development is oversized and out of character with surrounding area.
  - The Health and Safety Executive will not support the proposed development.
  - No public notices have been displayed.
  - It would have a detrimental impact on the local environment and nature reserve (Runcorn Hill is a Green Flag award winning nature reserve).
  - Air quality would be reduced further.
  - It would have an adverse visual impact.
  - There would be increased noise from numerous sources.
  - The rural setting of the nursery would be compromised.
  - Are the Inland Revenue aware of this speculative development by the pension fund?
  - This development would compromise existing businesses in the local area.
  - Invest money into the Old Town.
  - There are no benefits for the community.
- A hotel and a good restaurant in this area would be welcomed.

## **6. ASSESSMENT**

### **6.1 Designation - Greenspace**

The site is designated as a Greenspace on the Proposals Map accompanying the Halton Unitary Development Plan. This is a much wider designation including land located to north, west and south of the application site. There is a presumption to protect designated Greenspaces. Policy GE6 of the Halton Unitary Development Plan is relevant. This proposal seeks to develop on a designated Greenspace. In terms of local policy, 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.

When considering whether one of the exceptions in policy GE6 has been met, assessing the current amenity value of the site as a Greenspace is key.

- Its value in providing an important link in the greenspace systems;

The site is bounded by built form to both the south and the east and is located at the edge of the greenspace system rather than being a important link or compromising links with adjacent greenspace.

- Its value in providing an important link in the strategic network of greenways;

The site is not considered to be an important link in the strategic network of greenways. To the north of the site is a proposed greenway linking Runcorn Hill and Heath Road South. Further to the west of the site is a potential greenway linking Cheshyre's Lane with Runcorn Hill.

- Its value for organised sport and recreation;

The site does not offer any value in terms of organised sport and recreation.

- Its value for informal or unorganised recreation;

The site offers no value for informal or unorganised recreation.

- Its value for children's play, either as an equipped playing space or more casual or informal playing space;

The site offers no value for children's play.

- Its value as an allotment;

The site is not used as an allotment.

- Its wildlife and landscape interest;

The ecological assessment which accompanies the application is acceptable. The site does not contain any protected or notable habitats or plant species. This is considered in more detail at section 6.?? The site is located within an Area of Special Landscape Value as designated by the Halton Unitary Development Plan and based on this designation has value in this regard. This is considered in more detail at section 6.??

- Its value for an existing or potential role as part of the Mersey Forest;

Tree cover is limited on this site. The site is considered to have a limited role as part of the Mersey Forest.

- Its value for environmental education;

The site offers nothing in this regard.

- Its visual amenity value (such as providing a visual break or visual variety in an otherwise built-up area);

The site does appear as a green open space in the urban area and therefore does provide a visual break.

- Its structural value, such as defining local communities or providing a buffer between incompatible uses (such as noise attenuation zones);

The site does form part of a much larger greenspace which provides a buffer between Higher Runcorn and Weston Village.

- Its value in enhancing the overall attractiveness of the area;

The site does have some value in terms of contributing to the overall attractiveness of the area.

- Its contribution to the health and sense of well-being of the community.

The site offers some value in this respect.

After considering the amenity value of this designated Greenspace, whilst not being a publicly accessible site, the site does have a number of amenity values.

The case made by the applicant is that the proposal would raise the overall amenity of the greenspace and that exception (a) in Policy GE6 applies.

*Exception (a) states that loss of amenity value may be compensated for where development on part of the site would fund improvements that raise the overall amenity value of the greenspace, as measured against the criteria for designation of greenspace set out in the justification to this policy. In assessing whether a proposal would raise the overall amenity value of the site, consideration will also be given to the extent to which accessibility to and through the site, including linkages with other greenspaces, would be improved.*

The applicant is seeking to develop this private non-accessible land into a site whose landscape and habitat qualities are enhanced as well as the provision of facilities and public access to the amenity views available to the west over the Mersey Estuary.

One of the amenity values of this designated Greenspace is its landscape value and the applicant has commissioned a detailed landscape review and has designed a scheme which seeks to integrate and enhance this designated Greenspace. The impact of the proposed development on the Area of Special Landscape Value is to be considered in detail at section 6.2.

## 6.2 Designation - Area of Special Landscape Value.

The site is designated as an Area of Special Landscape Value on the Proposals Map accompanying the Halton Unitary Development Plan. This is a much wider designation including Runcorn Hill Local Nature Reserve and land which is located adjacent. As with Greenspaces, there is a presumption to protect designated Areas of Special Landscape Value. Policy GE23 of the Halton Unitary Development Plan is relevant. It states that *development*

*within Areas of Special Landscape Value will not be permitted if it would have an unacceptable effect on the visual and physical characteristics for which an area was designated as having special landscape value.*

The policy then goes to state that *Development in Areas of Special Landscape Value should be capable of meeting all of the following criteria:*

- a) It is in character with the Area, sensitively sited and designed, and constructed of appropriate materials.
- b) It is integrated and landscaped to a high standard.
- c) It can be accommodated without affecting the overall quality of the area.

In the Halton Landscape Character Assessment (2009) which looked at the landscape and visual character of Halton Borough as part of the evidence base for the Local Development Framework, the application site is located within the Runcorn Hill and Heath Parkland Landscape Character Area.

This notes the landscape strength as being moderate with the landscape condition being moderate – poor. The landscape guidelines are to ENHANCE and RESTORE with the emphasis placed on restoring the condition of the unique landscape around Runcorn Hill Local Nature Reserve and protecting the views from the rocky viewpoints. Further restoration of hedgerows would strengthen the landscape condition. Enhancement of planting around the peripheries would strengthen the landscape character of the area.

The applicant has commissioned a report which seeks to demonstrate compliance with policy GE23.

The applicant notes that the proposed development is in the southern periphery of the Runcorn Hill Area of Special Landscape Value adjacent to and in the context of existing development including larger scale built development at the Heath Business and Technical Park to the east of the site (beyond Heath Road South) and including the Heathside Day Nursery immediately to the south of the site.

The applicant also notes that proposed development would be adjacent to existing development and would not fragment green space or weaken the field pattern within the southern extent of the Runcorn Hill Area of Special Landscape Value and this part of the Runcorn Hill and Heath Parkland Landscape Character Area.

The applicant details aspects of the proposal including its landscaping scheme that would assist in minimising its effects on the wider Runcorn Hill Area of Special Landscape Value as listed below:

- Retention of mature trees within the north-eastern corner of the site and woodland proposed to the south and west of these trees would provide filtering and screening of new development on site..
- The proposed hotel and restaurant building would be on lower ground within the western extent of the site and would be sympathetically

designed to accommodate the sloping landform, incorporating three terraces comprising hotel rooms.

- The proposed hotel and restaurant building would incorporate 'green' or 'brown' roofs and 'green walls' each comprising vegetation and natural materials, which would assist in integrating the proposed built-form in the landscape.
- Tree planting proposed within new native hedgerow alongside new timber post and rail fencing defining the site's northern boundary would provide filtering and screening of the proposed development in views from the north, in particular from higher ground on Runcorn Hill within the Local Nature Reserve.

Landscape features that contribute to the high scenic value of the Runcorn Hill Area of Special Landscape Value including red sandstone walling along the eastern boundary, red sandstone boulders within raised ground at the site entrance; gorse, heather and birch at the site entrance and within the new greenspace in the north-western corner of the site; heath grassland to the east and north of the site; and new timber post and rail fencing and native hedgerow to the site's northern and western boundaries with adjacent horse-grazing pasture.

The proposed development would be constructed of appropriate materials, including red sandstone cladding, and green walls; would incorporate green or brown roofs; and would include hard and soft landscape elements of a high standard.

The proposed development, including Proposed Landscape Scheme, can be accommodated without detrimentally affecting the overall quality of the Runcorn Hill Area of Special Landscape Value.

The applicant considers that the scheme design and proposed landscape scheme ensure compliance with Policy GE23 and their future implementation can be secured by condition.

### 6.3 Impact on the Runcorn Hill Local Nature Reserve / Local Wildlife Site

The Runcorn Hill Local Nature Reserve / Local Wildlife Site is located approximately 150m from the application site at its closest point.

Policy GE20 of the Halton Unitary Development Plan states that development will not be permitted if it is likely to have an unacceptable impact on existing and proposed Local Nature Reserves, as defined on the Proposals Map.

Policy GE19 of the Halton Unitary Development Plan states that development and land use change will not be permitted if it is likely to have a significant effect on a Site of Importance for Nature Conservation, as defined on the Proposals Map, unless it can be clearly demonstrated that there are reasons for the proposal that outweigh the need to safeguard the substantive nature conservation of the site.

In all cases where development or land use change is permitted which would damage the nature conservation of the site or feature, such damage will be kept to a minimum. Where appropriate, the authority will consider the use of conditions or planning obligations to provide compensatory measures.

New sites identified during the Plan period will receive the same protection as those identified on the Proposals Map.

The applicant has commissioned an impact assessment in relation to the impact on the Runcorn Hill Local Nature Reserve / Local Wildlife Site.

The applicant notes that the grassland habitat on site is sub-optimal semi-improved neutral grassland and, as such, offers little to functionally support the acidic grassland and lowland heath on the Local Nature Reserve for which it is designated.

The applicant also notes that combined with the distance from the Local Nature Reserve and the lack of connectivity to it, they consider that the development would have a negligible impact on the Local Nature Reserve.

They also state that biodiversity enhancements linked to the ecological priorities of the Nature Improvement Area would be incorporated into the landscape design. This would complement the local sandstone features, hedges and woodland with improvements made to introduce heathland species and to translocate bluebell.

#### 6.4 Principle of Development on Designated Greenspace and Area of Special Landscape Value in close proximity to the Runcorn Hill Local Nature Reserve / Local Wildlife Site.

The relevant policy considerations pertaining to these considerations are set out in sections 6.1, 6.2 and 6.3. These considerations need to be considered as a whole due to their interrelated nature. With the site designations (Greenspace and Area of Special Landscape Value), it is a matter of whether the proposal meets the exceptions / criteria in the policies.

Considering the site's designation as a Greenspace, the proposal would inevitably result in the loss of some of the amenity values highlighted in section 6.1; however one of the exceptions in the policy is that if the proposal provides compensation which raises the overall amenity value of the site.

Based on the proposal developing this private non-accessible land into a hotel, function room and restaurant which would be accessible to members of the public combined with the enhancement of the sites landscape and habitat qualities proposed by the applicant as detailed in the report are enhanced which raises the overall amenity value of the site, exception a) in Policy GE6 of the Halton Unitary Development Plan is considered to be met. The proposal is also considered to accord with Policies GE8 and GE10 of the Halton Unitary Development Plan.

Considering the site's designation as part of the Runcorn Hill Area of Special Landscape Value and its location within the Runcorn Hill and Heath Parkland Landscape Character Area the proposal would inevitably have an impact on this landscape. The question is whether it would have an unacceptable effect on the visual and physical characteristics for which it was designated. There is a criterion for development in Policy GE23 of the Halton Unitary Development Plan and meeting these criteria would confirm that the proposal would not have an unacceptable effect on the visual and physical characteristics of this landscape.

The landscape guidelines contained in the Halton Landscape Character Assessment for this particular Landscape Character Area / Area of Special Landscape Value are to ENHANCE and RESTORE with the emphasis placed on restoring the condition of the unique landscape around Runcorn Hill Local Nature Reserve and protecting the views from the rocky viewpoints.

Members will note that the Council's Open Spaces Officer has made some observations on the proposal in respect of the impact of the proposal on the Area of Special Landscape predominantly in relation to the wording used in the document which has been submitted by the applicant to support the application.

The recommendations on the compliance of the proposal with Policy GE23 of the Halton Unitary Development Plan is below.

The proposed development would be adjacent to existing development and would not fragment green space or weaken the field pattern within the southern extent of the Runcorn Hill Area of Special Landscape Value and this part of the Runcorn Hill and Heath Parkland Landscape Character Area. The proposal includes a comprehensive landscaping scheme (including tree planting to screen views of the building from the Runcorn Hill Local Nature Reserve) and the introduction of landscaping features to enhance the landscape. It is considered that this proposal fits with the guidelines to ENHANCE AND RESTORE this Landscape.

Linking this back to the policy wording, criteria a) is the development needs to be in character with the area, sensitively sited and designed, and constructed of appropriate materials. As referred to above, the site is at the southern end of the Area of Special Landscape Value adjacent to existing development on two sides. Based on the siting and design of the proposal and its relationship with existing developments, it is considered that the proposal meets criteria a).

Criteria b) require development to be integrated and landscaped to a high standard. The building has been carefully designed to integrate into the sloping landform and the proposal is accompanied by a comprehensive scheme of hard and soft landscaping to ensure that it enhances the landscape in which this site is located. It is considered that the proposal meets criteria b).

Criteria c) require development to be accommodated without affecting the overall quality area. As stated above, the scheme has been designed to a high quality with a well-designed building which integrates into the sloping landform and a comprehensive scheme of hard and soft landscaping. It is considered that this proposal would not affect the overall quality of the area and meets criteria c).

Based on the above, it is considered that the proposal would not have an unacceptable effect on the visual and physical characteristics of this landscape and meets the criteria for development in an Area of Special Landscape Value in accordance with Policy GE23 of the Halton Unitary Development Plan.

Considering the impact of the proposed development on the Runcorn Hill Local Nature Reserve / Local Wildlife Site, the lack of connectivity along with the sub-optimal semi-improved neutral grassland and, as such, offers little to functionally support the acidic grassland and lowland heath on the Local Nature Reserve for which it is designated and the biodiversity improvements proposed, the proposal would not have an unacceptable impact on the Local Nature Reserve / Local Wildlife Site. The proposal is considered to comply with Policies GE19 and GE20 of the Halton Unitary Development Plan.

To conclude, the principle of locating the proposed hotel, function room and restaurant on this designated Greenspace and Area of Special Landscape Value in relative close proximity to the Runcorn Hill Local Nature Reserve / Local Wildlife Site is considered to be acceptable.

## 6.5 Risk

Policy PR12 of the Halton Unitary Development Plan is relevant to the determination of the application. It states that *development on land within consultation zones around notified COMAH sites will be permitted provided that all of the following criteria can be satisfied:*

- a) The likely accidental risk level from the COMAH site is not considered to be significant.*
- b) Proposals are made by the developer that will mitigate the likely effects of a potential major accident so that they are not considered significant.*

The justification for the above policy indicates that the accidental risk level from the COMAH site is not considered to be significant where an individual accidental risk level does not exceed 10 chances per million in a year.

Appendix D of the Planning for Risk Supplementary Planning Document includes maps which identify this risk and this site is inside of the area affected by an individual accidental risk of in excess of 10 chances per million in a year.

On this basis, the individual accidental risk would be considered significant. Part b) of the policy indicates that proposals will be permitted where the

developer would mitigate the likely effects of a potential major accident so that they are not considered significant.

In an attempt to satisfy this policy, the applicant has commissioned a Land Use Planning Risk Assessment which advises on the implications of COMAH installations on the proposed hotel development.

The applicant notes that the proposed development is at the edge of the area where Halton Borough Council exercises development control because of the risk from the Ineos Mexichem Complex. The part of the development nearest to the Ineos Mexichem Complex is subject to a risk of 29 chances per million in a year of death.

The applicant advises that if practicable measures were incorporated into the design of the hotel, the risk to the most exposed person could be reduced to as low as 5 chances per million which would be at a level which would not be considered significant in terms of Policy PR12.

The process of quantitative risk assessment gives numerical estimates of risk; these predictions are subject to uncertainty. Two of the major uncertainties in the prediction of risk from the Ineos Mexichem Complex results from the exclusion of the impacts of the difference in elevation (the site of the development is 74m above ordnance datum while Ineos Mexichem Complex is 13m above ordnance datum) and the process changes at the Complex between 2005/6 and 2017. They consider it likely that if a new 10 chances per million line were to be calculated which considered topographical features around the Ineos Mexichem Complex and the process changes since 2005/6, the proposed hotel development would lie outside this line and so would not be subject to development control as the risk would not be considered significant.

Based on the assessment undertaken by the applicant, it considered that the accidental risk level is not significant due to topographical features around the Ineos Mexichem Complex and the process changes since 2005/6 likely to show that the site is outside of the 10 chances per million line if it were to be recalculated. Even when considering the proposed development on the map which identifies individual accidental risk of in excess of 10 chances per million in a year in Appendix D of the Planning for Risk Supplementary Planning Document, there are mitigation measures in the form of reducing the air infiltration rate to the buildings which would could reduce the accidental risk level to 5 chances per million which again is not considered significant.

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of major Hazard sites / pipelines. Their assessment indicates that the risk (societal risk) to harm to people at the proposed development site is such that HSE's advice is that there are sufficient reasons on safety grounds, for advising against the granting of planning permission in this case.

If the Council is minded to grant permission, the Local Planning Authority is required to give the HSE 21 days' notice to consider whether to request that the Secretary of State for Communities and Local Government call-in the application for their own determination.

In terms of risk, for the reasons outlined above, it is considered that the proposal is in compliance with the Council's adopted policies in Policy PR12 of the Halton Unitary Development Plan, Policy CS23 of the Halton Core Strategy Local Plan and also the Council's Planning for Risk Supplementary Planning Document.

## 6.6 Access

Access is reserved for future consideration.

In the applicant's Design, Access and Planning Statements, they allude to the fact that access to the site would be gained from a new access off Heath Road South. They also comment that access to public transport and pedestrian routes can be found in the same location. They also note that easy access would be gained to the Heath Business and Technical Park and the café and visitor centre at Runcorn Hill.

The Highway Officer has commented that the site appears to offer good visibility from its position on Heath Road South and would likely provide good access for vehicles.

Both the Highway Officer and members of the public have raised concerns over the speeds on this road and it would be important to adequately assess what measures may be necessary with regard to highway safety to deal with this issue. Measures would also need to be implemented to allow safe pedestrian accesses across Heath Road South.

The application proposes that 83 parking spaces would be available which the Highway Officer considers to be sufficient for the amount of development sought.

Based on the above, the Highway Officer has concluded that the 30 bed hotel with function room and restaurant proposed is acceptable from a highway perspective and the finer access details would be dealt with through a subsequent reserved matters application.

Access which covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site would be considered as part of a reserved matters application.

The Highway Officer has noted that it will be necessary to provide details of how the unit is to be serviced for deliveries, waste and emergency vehicles. Tracking details will be necessary illustrating how a service vehicle can enter and exit the site in forward gear. Details on safe pedestrian access into the

site would also be required. These observations should be attached as an informative to inform any subsequent reserved matters application.

One of the representations raises the issue of construction traffic. This is common place with all development proposal and could be managed appropriately through a planning condition securing the submission of a construction management plans and its implementation throughout the construction period.

## 6.7 Site Layout

Layout is one of the matters being considered by this reserved matters application. As considered at sections 6.2 and 6.4, the layout of the site has been designed having regard for the site characteristics, constraints and designations. Having had regard for the site's designation as an Area of Special Landscape Value, the applicant has sympathetically designed the building to integrate into this sloping landform. The site's layout has been designed around the retention of mature trees within the north-eastern corner of the site and the creation of further woodland areas to enhance the periphery of this Area of Special Landscape Value in line with the Halton Landscape Character Assessment and also screen the building when viewed from the Runcorn Hill Local Nature Reserve / Local Wildlife Site.

Additional landscape features such as red sandstone walling along the eastern boundary, red sandstone boulders within raised ground at the site entrance; gorse, heather and birch at the site entrance and within the new greenspace in the north-western corner of the site; heath grassland to the east and north of the site; and new timber post and rail fencing and native hedgerow to the site's northern and western boundaries with adjacent horse-grazing pasture to contribute the high value of the landscape in this location.

From a highway perspective, the site layout makes sufficient parking provision for the amount of development sought and a suitable access point from Heath Road South can be achieved to ensure a severe highway impact would not result. The finer detail of access would be considered as part of a reserved matters application.

Considering the site layout in relation to adjacent land uses, the proposed development is sufficiently distant from the Heathside Day Nursery and the Heath Business and Technical Park in order not to have a significantly detrimental impact on amenity and the proposed land use is considered compatible with the existing adjacent land uses.

The proposed site layout is considered to be acceptable and in compliance with policies BE1, BE2, BE18 and BE22 of the Halton Unitary Development Plan.

## 6.8 Scale

As noted above, the proposal has been designed to integrate into the Area of Special Landscape Value and has regard for the sloping landform in an attempt to ensure that the proposal appears of an appropriate scale and is not unduly prominent.

The applicant is proposing a three storey building, however it would only present a 1 ½ storey height to Heath Road South with the opposite side of the building being stepped to have regard for the site contours to disguise its apparent height. It is also noted that the ground floor level of building would be lower than Heath Road South by approximately 1m again reducing its prominence.

The applicant is seeking to build a 30 bed hotel with a function room and restaurant on a site which is 1.21 ha in area. The built form would only occupy a modest amount of the site and makes sufficient space for enhancements to be made to this designated Area of Special Landscape Value and Greenspace as previously detailed.

The scale of the proposed development is considered to be acceptable and is compliant with policies BE1 and BE2 of the Halton Unitary Development Plan.

## 6.9 Appearance

The proposed building is of a high quality and distinctive design and regard has been given to the way in which it would be viewed from all sides in terms of the way it presents itself to Heath Road South on the south eastern elevation as a modest 1 ½ storey height building, its stepped nature on the north western elevation which reflect how it would be viewed from the adjacent lower land.

The proposed building would be constructed of appropriate materials, including red sandstone cladding, green walls and would incorporate green or brown roofs resulting a high quality appearance. The finer detail as to the materials to be used can be secured by planning condition.

Appearance of the proposal extends to the hard and soft landscape elements all of which are considered to be of a high standard.

The appearance of the proposed development is considered to be acceptable and is compliant with policies BE1 and BE2 of the Halton Unitary Development Plan.

## 6.10 Landscaping and Trees

The application is accompanied by an Outline Arboricultural Impact Assessment. The proposal has been designed around the existing trees all of which have a long contribution to make from the Arboricultural Survey undertaken.

The application is also accompanied by a Landscaping Scheme which contains a significant amount of detail on both hard and soft landscaping within the site. Additional tree planting is proposed within new native hedgerow alongside new timber post and rail fencing defining the site's northern boundary which would provide filtering and screening of the proposed development in views from the north, in particular from higher ground on Runcorn Hill within the Local Nature Reserve. New tree planting is not confined to the northern boundary of the site with planting proposed across the whole site which would provide a number of functions including screening views of the Heathside Day Nursery as well as delivering landscape enhancements in the Runcorn Hill and Heath Parkland Landscape Character Area and Runcorn Hill Area of Special Landscape Value.

Whilst the landscape scheme is detailed, more information on species and specifications is required and the submission of this detail along with subsequent implementation can be secured by planning condition.

A detailed tree protection scheme and its implementation during the construction period would also need to be secured by condition.

The proposal is considered to accord with Policies BE1, BE22 and GE27 of the Halton Unitary Development Plan.

#### 6.11 Ground Contamination

The application is supported by a Phase 1 preliminary risk assessment.

The Contaminated Land Officer acknowledges that there is a potential risk from ground gases from the adjacent infilled quarries, as well as a need to determine the near surface soil quality, however agrees with the conclusions within the submitted report that this can be appropriately assessed and controlled by a pre-commencement condition.

The attaching of the suggested condition would ensure that the proposal is compliant with Policy PR14 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

#### 6.12 Ecology

The application is accompanied by an Ecological Assessment report and a Great Crested Newt eDNA Survey report. It is recommended that these documents are accepted as an accurate assessment of the current ecological content. Our Ecological Advisor advises that these reports are acceptable and that no further surveys are required. In relation to the badger survey undertaken and the requirement to undertake additional survey work, the comments made by the Council's Open Spaces Officer are discounted as the Council's Ecological Advisor who is appropriately qualified in this field has provided observations which ensure regulatory compliance.

The reports confirm that there is no evidence of Bats or Great Crested Newts and therefore, the Council does not need to consider the proposals against the three tests (Habitats Regulations) or consult Natural England.

No objection to the proposed development is raised from an ecological perspective subject to the attachment of conditions which secure breeding bird protection and the submission of Reasonable Avoidance Measures to prevent harm to reptiles.

Based on the above, it is considered that the proposal is compliant with Policy GE21 of the Halton Unitary Development Plan and Policy CS20 of the Halton Core Strategy Local Plan.

#### 6.13 Noise

The site is located adjacent to the Heath Business and Technical Park and Heathside Day Nursery. The proposed use is considered to be both complementary and sympathetic to surrounding land uses. The Council's Environmental Health Officer raises no objection to the proposed development on noise grounds.

The proposal is considered to be compliant with Policy PR 2 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

#### 6.14 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 Flood Risk Assessment.

The existing site is greenfield and the developer will be expected to mimic the existing drainage conditions. The site is sloping so any drainage strategy will have to show how any overland flows or exceedance routes stay within the site and do not flood adjacent properties. A condition securing the submission of a detailed drainage strategy and its subsequent implementation is suggested.

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

#### 6.15 Complementary Facilities

This site is located adjacent to the Heath Business and Technical Park which is designated as a Primarily Employment Area in the Halton Unitary Development Plan. Within a Primarily Employment Area, there is provision for complementary facilities within Policy E4 of the Halton Unitary Development Plan. Whilst just being on the opposite side of Heath Road South to the Heath Business and Technical Park and the designated Primarily Employment Area, it is considered that a hotel, function room and restaurant

in the location could be a complementary facility which would help the employment area function well.

#### 6.16 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 could be realistically achieved for a hotel development and a condition requiring investigation into the provision of future charging points for ultra-low emission vehicles is considered reasonable.

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

#### 6.17 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 and a Sustainable Waste Management Design should be secured by condition.

The proposal is compliant with Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan.

#### 6.18 Issues raised in representations not addressed above

With regard to there being no benefit for the residents of Runcorn, the consideration with this planning application is compliance with the Council's adopted policies and guidelines which are in place to guide development in the borough.

In respect of there being no requirement for a hotel, market forces must prevail.

The Council acknowledges that the development should ideally focused on brownfield sites ahead of greenfield sites however this proposal has been submitted for this particular site and it has to be considered on its merits.

This is not a Council proposal, nor would the Council receive profit from the development.

With regard to the proposal having a detrimental effect on all local businesses, the planning system does not exist to protect the private rights of one individual against another nor would competition constitute a reason for refusing the application.

The site owner has submitted a planning application for this site and it has to be considered on its merits. Applications in the Old Town of Runcorn would also be considered on their merits.

With regard to the site being lost for dog walkers and the loss of a public space, it should be noted that this is a private site and access to the site by members of the public is a matter for the site owner.

The site is not designated as Green Belt in the Halton Unitary Development Plan.

The site is not located within a Conservation Area and is approximately 650m from the Higher Runcorn Conservation Area.

There would inevitably be lights associated with the proposed development but it is not considered that this issue would be significantly detrimental to warrant the refusal of the application.

In respect of air quality, the Council's Environmental Health Officer has not requested an air quality assessment be undertaken nor have they raised an objection to the application.

In respect of safeguarding issues arising from locating a hotel next to a day nursery, the requirement for the day nursery for safeguarding and promoting the welfare of children is noted, however in land use planning terms, the uses are considered compatible and would have an appropriate relationship. It is noted that the applicant is proposing some additional planting to provide some additional screening for the Heathside Day Nursery.

Any restriction on the title to the land is a legal issue rather than a planning issue.

Whether the Inland Revenue is aware of this speculative development or not is not material to the determination of this planning application.

Whilst public consultation prior to the submission of planning application is encouraged, this is not mandatory and not a reason why a planning application could be refused.

## **7. CONCLUSIONS**

In conclusion, the principle of locating the proposed hotel, function room and restaurant on this designated Greenspace and Area of Special Landscape Value in relative close proximity to the Runcorn Hill Local Nature Reserve / Local Wildlife Site is considered to be acceptable.

The proposal would develop this private non-accessible land into a hotel, function room and restaurant which would be accessible to members of the public combined with the enhancement of the sites landscape and habitat qualities which raise the overall amenity value of this designated Greenspace.

It would not have an unacceptable effect on the visual and physical characteristics of this landscape and meets the criteria for development in an Area of Special Landscape Value.

Based on the lack of connectivity with the Runcorn Hill Local Nature Reserve / Local Wildlife Site along with the sub-optimal semi-improved neutral grassland and, as such, offers little to functionally support the acidic grassland and lowland heath on the Local Nature Reserve for which it is designated and the biodiversity improvements proposed, the proposal would not have an unacceptable impact on the Local Nature Reserve / Local Wildlife Site.

The site is located within a consultation zone around notified COMAH sites. Appendix D of the Planning for Risk Supplementary Planning Document includes maps which identify risk. This site is inside of the area affected by an individual accidental risk of in excess of 10 chances per million in a year which is considered significant.

The applicant has undertaken an assessment to demonstrate that the level of risk is not significant. After reviewing the assessment, the accidental risk level is not considered to be significant due to topographical features around the Ineos Mexichem Complex and the process changes since 2005/6 likely to show that the site is outside of the 10 chances per million line if it were to be recalculated. Even when considering the proposed development on the map which identifies individual accidental risk of in excess of 10 chances per million in a year in Appendix D of the Planning for Risk Supplementary Planning Document, there are mitigation measures in the form of reducing the air infiltration rate to the buildings which would could reduce the accidental risk level to 5 chances per million which again is not considered significant.

The Highway Officer has commented that the site appears to offer good visibility from its position on Heath Road South and would likely provide good access for vehicles.

The application proposes that 83 parking spaces would be available which the Highway Officer considers to be sufficient for the amount of development sought.

Based on the above, the Highway Officer has concluded that the 30 bed hotel with function room and restaurant proposed is acceptable from a highway perspective and the finer access details would be dealt with through a subsequent reserved matters application.

The proposal is considered to be of an appropriate layout, scale and design have regard for its location and would be sympathetic to neighbouring land uses.

The Contaminated Land Officer acknowledges that there is a potential risk from ground gases from the adjacent infilled quarries, as well as a need to determine the near surface soil quality, however agrees with the conclusions within the submitted report that this can be appropriately assessed and controlled by a pre-commencement condition.

## **8. RECOMMENDATIONS**

Grant outline planning permission with conditions subject to the application not being called in by the Secretary of State following referral to the Health and Safety Executive.

## **9. CONDITIONS**

1. Time Limit – Outline Permission.
2. Submission of Reserved Matters.
3. Development Parameters.
4. Plans Approved.
5. Site Levels (Policy BE1)
6. Facing Materials to be Agreed (Policies BE1 and BE2)
7. Breeding Birds Protection – (Policy GE21)
8. Reasonable Avoidance Measures – Reptiles – (Policy GE21)
9. Landscaping Scheme – (Policy BE1)
10. Tree Protection – (Policy BE1)
11. Ground Contamination – (Policy PR14)
12. Construction Management Plan (Highways) – (Policy BE1)
13. Electric Vehicle Charging Points – (Policy CS19)
14. Site Waste Management Plan – (Policy WM8)
15. Sustainable Waste Management Design – (Policy WM9)
16. Surface Water Regulatory Scheme – (Policy PR16)

### Informatives

1. Highway Informative.
2. Ecology Informative.
3. 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) (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.