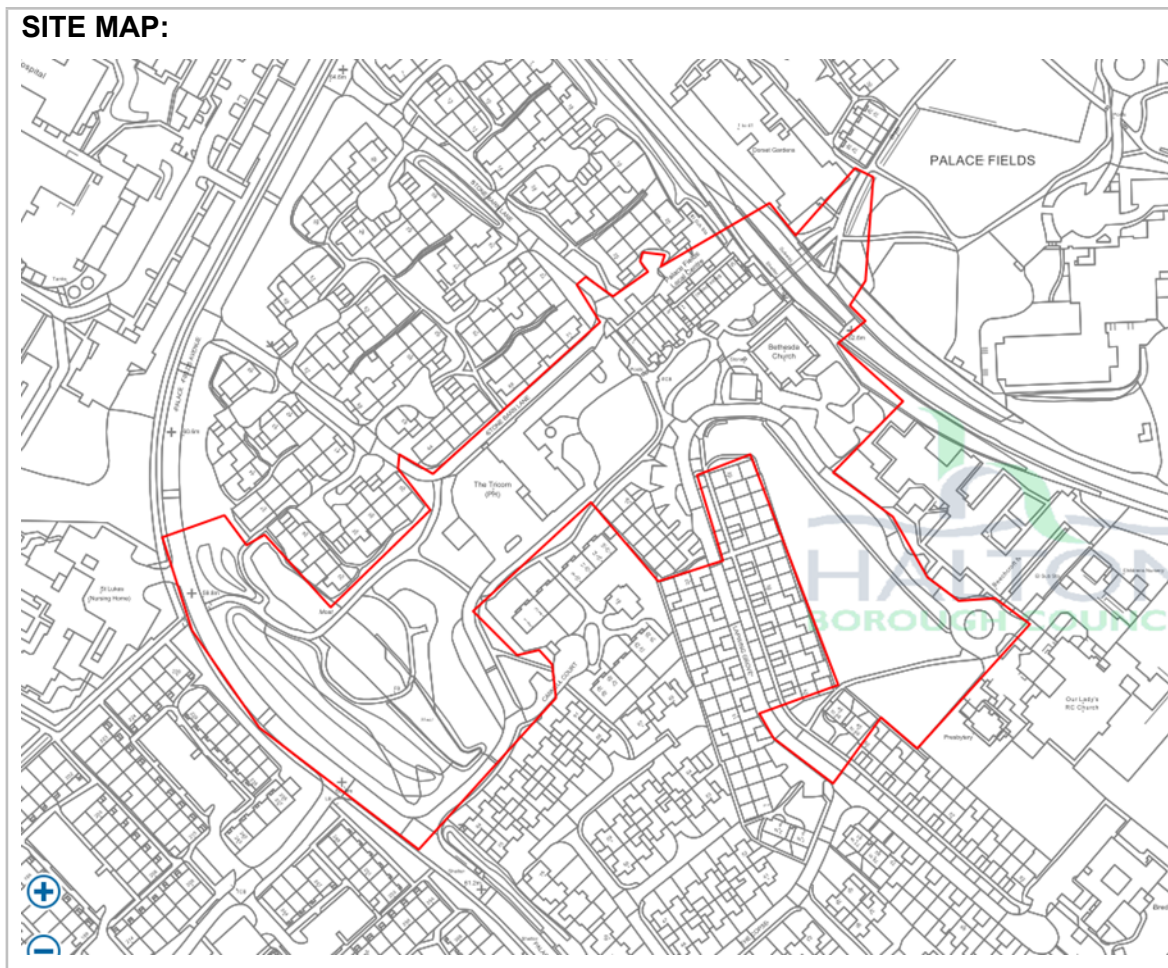


<b>APPLICATION NO:</b>	23/00128/FUL & 23/00129/LBC
<b>LOCATION:</b>	Land Within, Adjacent to and Surrounding The Uplands and Palacefields, Runcorn.
<b>PROPOSAL:</b>	<p>23/00128/FUL - Proposed demolition of existing buildings (including 26 existing dwellings, the existing local centre incorporating the Bethesda Church, and part of the Tricorn Public House), the infilling of the existing subway; the construction of a new local centre (comprising 63 extra-care dwellings, with associated communal facilities, ground floor retail floorspace (Use Class E) and 2 bungalows (extracare)); a replacement church / community facility (Use Class F1 / F2 / E ); the change of use of the retained Tricorn Public House and associated Stables into 10 dwellings; the erection of a further 59 dwellings together with improved public realm, play facilities, improvements to open space, hard and soft landscaping works; and other associated infrastructure and works</p> <p>23/00129/LBC - Application for listed building consent for the partial demolition of the former Tricorn Public House and works required to facilitate the conversion of the retained building and associated Stables into 10 dwellings (Use Class C3) including internal and external alterations to the buildings</p>
<b>WARD:</b>	Halton Lea
<b>PARISH:</b>	N/A
<b>APPLICANT:</b>	The Riverside Group Ltd
<b>AGENT:</b>	Lichfields
<b>DEVELOPMENT PLAN ALLOCATION:</b>	<p>National Planning Policy Framework (2021)</p> <p>Delivery and Allocations Local Plan ('DALP') (March 2022).</p> <p>Joint Merseyside and Halton Waste Local Plan (2013)</p>
<b>DEPARTURE</b>	No
<b>REPRESENTATIONS:</b>	Public objections received, details summarised in the report.
<b>KEY ISSUES:</b>	Principle of development, affordable housing, connectivity, layout, highway impact, residential amenity inc. impact of overlooking and impact on interfaces to existing residents, ecology, access, loss of greenspace, heritage.
<b>RECOMMENDATION:</b>	Approval subject to conditions.



## **APPLICATION SITE**

### **The Site**

The application site is designated as Primarily Residential, Greenspaces and Core Biodiversity Areas in the Halton DALP. The proposed development site measures approximately 3.7ha. The boundary consists of mature hedgerows and scattered broad leaved trees.

The site is bounded by Palacefields Avenue, the Palacefields busway, Our Lady's RC Primary School campus and the existing residential area of Cannell Court.

The application redline features an existing designated Local Centre, defined by the DALP Policies Map. That Local Centre currently features a Spar local shop, hair dressers and beauty salon, dentist and takeaway. The total provision of commercial floorspace is 407 SQM. In addition, Bethesda Church of Hallwood Ecumenical Parish is located within the proposed redline which is designated as a Community Facility.

The development site also features two heritage assets that comprised the former Tricorn Public House. The first being a Grade 2\* listed building, originally

built as a late 17<sup>th</sup> Century or early 18<sup>th</sup> Century mansion house for Thomas Chesshyre and a Grade 2 listed building that was originally built as the accompanying stable to the Tricorn mansion house. The garden area also forms part of the recorded listing, being located within the boundary of a sandstone wall.

In addition, the application red line contains 26 residential properties that are proposed to be demolished as part of the development proposals.

Access is proposed to be taken from Stone Barn Lane, the Tricorn access road and Lapwing Grove.

### **Planning History**

The application site is comprised of existing developed land and undeveloped land. There is no planning history relevant to the development proposal.

## **THE APPLICATION**

### **The Proposal**

23/00128/FUL - Proposed demolition of existing buildings (including 26 existing dwellings, the existing local centre incorporating the Bethesda Church, and part of the Tricorn Public House), the infilling of the existing subway; the construction of a new local centre (comprising 63 extra-care dwellings, with associated communal facilities, ground floor retail floorspace (Use Class E) and 2 bungalows (extracare)); a replacement church / community facility (Use Class F1 / F2 / E ); the change of use of the retained Tricorn Public House and associated Stables into 10 dwellings; the erection of a further 59 dwellings together with improved public realm, play facilities, improvements to open space, hard and soft landscaping works; and other associated infrastructure and works

23/00129/LBC - Application for listed building consent for the partial demolition of the former Tricorn Public House and works required to facilitate the conversion of the retained building and associated Stables into 10 dwellings (Use Class C3) including internal and external alterations to the buildings

### **Documentation**

The planning application was submitted with the following supporting documentation:

- Proposed Plans
- Noise Impact Assessment
- Great Crested Newt Survey
- Air Quality Assessment

- Flood Risk Assessment
- Bat Roost Survey
- Planning Statement
- Statement of Community Involvement
- Archaeological Assessment
- Heritage Impact Assessment
- Local Centre Economic Benefits
- Arboricultural Impact Assessment
- Biodiversity Enhancement Assessment
- Phase 1 Habitat Survey
- Tree Constraints Report
- Tricorn Schedule of Condition Report
- Travel Plan
- Transport Statement

### **Policy Context**

Members are reminded that planning law requires that development proposals be determined in accordance with the development plan, unless material considerations indicate otherwise.

### **Delivery and Allocations Local Plan ('DALP') (adopted March 2022)**

CS(R)1	Halton's Spatial Strategy
CS(R)3	Housing Supply and Locational Priorities
CS(R)5	A Network of Centres
CS(R)6	Green Belt
CS(R)7	Infrastructure Provision
CS(R)12	Housing Mix and Specialist Housing
CS(R)13	Affordable Homes
CS(R)15	Sustainable Transport
CS(R)18	High Quality Design
CS(R)19	Sustainable Development and Climate Change
CS(R)20	Natural and Historic Environment
CS(R)21	Green Infrastructure

CS(R)22	Health and Well-Being
CS23	Managing Pollution and Risk
CS24	Waste
RD1	Residential Development Allocations
RD4	Greenspace Provision for Residential Development
RD5	Primarily Residential Areas
C1	Transport Network and Accessibility
C2	Parking standards
HC1	Vital and Viable Centres
HC4	Shop Fronts, Signage and Advertising
HC5	Community Facilities and Services
HC10	Education
HE1	Natural Environment and Nature Conservation
HE2	Heritage Assets and the Historic Environment
HE4	Green Infrastructure and Greenspace
HE5	Trees and Landscape
HE7	Pollution and Nuisance
HE8	Land Contamination
HE9	Water Management and Flood Risk
GR1	Design of Development
GR2	Amenity
GR3	Boundary Fences and Walls
GR5	Renewable and Low Carbon Energy

Joint Merseyside and Halton Waste Local Plan (2013)

The following policies are of relevance:

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

**MATERIAL CONSIDERATIONS**

Below are material considerations relevant to the determination of this planning application.

### National Planning Policy Framework ('NPPF')

The last iteration of the National Planning Policy Framework (NPPF) was published in July 2021 and sets out the Government's planning policies for England and how these should be applied.

Paragraph 47 states that planning law requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 81 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

### National Planning Practice Guidance (NPPG)

Together, the National Planning Policy Framework and National Planning Practice Guidance set out what the Government expects of local authorities. The overall aim is to ensure the planning system allows land to be used for new homes and jobs, while protecting valuable natural and historic environments.

### Supplementary Planning Documents ('SPD')

- Design of Residential Development SPD
- Draft Open Spaces SPD
- Designing for Community Safety SPD
- Shop Fronts, Signage and Advertising SPD

### Other Considerations

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

## Equality Duty

Section 149 of the Equality Act 2010 created the public sector equality duty.

Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development that justify the refusal of planning permission.

## **CONSULTATIONS**

The application was advertised via the following methods: Site notice posted near to the site, press notice, and Council website. Surrounding properties were notified by letter.

The following organisations have been consulted and any comments received have been summarised below and in the assessment section of the report where appropriate:

### Environment Agency

No objection

### United Utilities

No objection

### Natural England

No objection

### Cheshire Police

No objection

### Sabic Petroleum

No objection

### Historic England

Discussions ongoing

Joint Committee National Amenity Society/ Georgian Group/ HBAP

## **Objection**

### **Council Services**

#### Archaeology

No objection - subject to use of condition as set out in the report.

#### Halton Health

No objection

#### Public Health

No objection

#### Waste Services

No objection

#### Highways

No objection – detailed comments are set out in the report.

#### HBC Contaminated Land

No Objection – subject to use of conditions as set out in the report.

#### Lead Local Flood Authority

No objection – subject to use of conditions as set out in the report.

#### MEAS – Ecology and Waste Advisor

No objection – subject to the use of planning conditions

#### Open Spaces

No objection

#### Environmental Health

No objection - subject to use of planning conditions as set out in the report.

## **REPRESENTATIONS**

A total of 19 representations have recorded as a result of the publicity undertaken for application 22/00128/FUL and 3 representations received for application 22/00129/LBC, the details of which are summarised below.

- Removal of a large green space
- Loss of privacy
- Increase in noise



- Increased congestion
- No compensation for disruption during construction
- Dust from construction
- Demolishing perfectly good brick homes
- Affected homeowners will wonder where they will now live
- I am against the forced purchase of people's homes
- The Applicant has neglected the Uplands and are not committed to decent housing
- We love the area as it is
- We have asked Applicant to improve the upkeep of their properties that are in decline, they blame HBC.
- Area needs improving but not at the cost of demolishing people's homes
- Applicant should be forced to maintain their existing properties.
- Not clear how these properties will be heated and powered given gas boiler phase out
- Project being pushed forward to avoid 2025 Future Homes Standard, cost and expense fall to new occupiers
- Very few people are aware that they are going to lose their home as a result of the development
- Demolishing a perfectly good building to build another church is ludicrous
- This Grade 2 listed building has been allowed to fall into disrepair on purpose. Council should refuse planning permission.
- Council has the power to force the owner of the listed buildings to bring them back to Grade 2 standard.
- Residents do not want to move, current houses are well built and affordable. New houses are out of people's financial range.
- Don't understand how some houses are staying and some are to be demolished
- The community centres should be moved and not go ahead
- Existing community centre is at the heart of the community, offering warm spaces and use by community groups, food storage and more
- Concerns from those that run community centre groups is that the new community centre will not be large enough, or its use too constricted to continue the same services.
- Object to any acquisition of Town Park
- There is a large amount of green space in the locality to not require a green linear park. This feature will result in unnecessary loss of people's homes.
- Applicant struggles to maintain existing land holding, concern that green corridor will not be maintained.
- Town Park has enough entrances
- Three storey properties will be imposing
- Detrimental to residential outlook with no form of compensation
- There are disabled and elderly people in the population that rely on local shop services, what provision will be made for them during the

- construction phase
- The footpath adjacent to 37 Stonebarn was closed with Police support due to ASB, reopening this path with bring back ASB.
- Removal of 148 trees is disgusting
- Existing residents just want the area maintaining
- This scheme is what Riverside wants not what the community wants
- Community wanted Tricorn to be a community use building not housing
- Overdeveloped scheme
- Three storey properties are out of keeping
- Object to development on green space areas
- Loss of trees will have negative impact on wildlife habitat and biodiversity which will never return to previous levels
- Community centre should not be moved to the new location
- Community centre in shared space will not have enough room for the different groups that use it and timetable clashes with the church
- Loss of trees will have negative impact on microclimate
- Long detours for local children who walk to school
- The new local centre will mean HGV movements will take place on roads and pedestrian routes as currently laid out.
- Why is the Tricorn not a phase one priority in the proposed development
- There are too many apartments being planned
- Expected improvements, not disruption to peoples lives and loss of peoples homes.
- Increase in traffic to an existing traffic problem

## **ASSESSMENT**

### Principle of Development

The development proposed by applications 22/00128/FUL and 22/00179/LBC (the Development Proposal) concerns the development of predominantly primarily residential land as shown on the Delivery and Allocations Plan Policies Map. An area of the proposed development application site is to take place upon land currently comprised of designated Amenity Green Space and incidental open space. The application redline includes an existing designated Local Centre and Bethesda Church of Hallwood Ecumenical Parish which is designated as a Community Facility defined by the DALP Policies Map.

There are areas of open space that will be lost as a result of the development. These areas are designated as amenity green space by the Council's DALP Allocations Map. DALP Policy HE4 'Green Infrastructure' applies.

Planning Policy HE4, Paragraph 4 (4a) states:

*Development that would result in the loss of an existing green infrastructure and green space identified on the Policies Map will only be permitted where the following criteria can be met:*

- a. *It can be demonstrated that the green infrastructure and green space is surplus to requirements against the Council's standards in accordance with policy RD4 and CS(R)21, and the proposed loss will not result in a likely shortfall during the plan period;*
- c. *It must be demonstrated that the loss of the green infrastructure and green space under criteria i. or ii. does not detract from the Borough's ability to divert recreational pressure away from sensitive European designated sites and does not result in an effective increase in recreational pressure within the European designated sites.*

The Council undertook a review of green space in 2021 as preparation for the adoption of the DALP [Halton Open Space Study 2021 (OSS)]. The OSS records that there is an over provision of amenity green space in the Halton Lea Ward. The OSS confirms a surplus of 254,769 square metres. The proposed loss of 18,935 square metres as a consequence of the proposed development would not result in a shortfall for the plan period. Therefore from the Council's own evidence it can be concluded, pursuant to para 4a above, that the proposed loss of amenity green space is considered to comply with the requirements of policy. The loss of this green space will enable the delivery of an urban renewal scheme comprised of affordable housing and other community benefits.

With regard to the requirements of DALP Policy HE4 paragraph c above, Natural England have confirmed a position of no objection in response to the applications consultation exercise. In their response of no objection they confirmed that based on the development proposal details, the development will not have a significant adverse impacts on statutorily protected nature conservation sites or landscapes. Furthermore, the Councils retained advisor has reviewed the development proposal and concluded that there will no impact on sensitive European designated sites as a result of recreational pressure. Further analysis is provided in the ecology section of the report.

Having regard for the assessment of DALP Policy HE4 paragraphs a and c above, it is considered that the benefits of the scheme outweigh the loss of green space and that the loss of the designated amenity green space can be justified when assessed in line with DALP Planning Policy HE4.

The proposed re-development for residential use on land identified as primarily residential on the Policies Plan is considered acceptable in principle. Matters relating to the development of Existing Services and Facilities are covered in more detail elsewhere within the report. The proposed new and relocated uses within the site are considered appropriate to a residential area. Having regard to the assessment relating to the loss of Green Space, the development as proposed is considered acceptable in principle.

#### Housing Mix

DALP Planning Policies CS(R)3 and CS(R)12 state that major housing proposals concerning 10 or more dwellings are encouraged to contribute to addressing

identified needs (size of homes and specialist housing) as quantified in the most up to date Strategic Housing Market Assessment, unless precluded by site specific constraints, economic viability or prevailing neighbourhood characteristics. The Mid-Mersey SHMA 2016 sets out the demographic need for different sizes of homes, identifying that the majority of market homes need to provide two or three bedrooms, with more than 50% of homes being three bed roomed. The policy justification recognises that a range of factors including affordability pressures and market signals will continue to play an important role in the market demand for different sizes of homes. Evidence from the Mid-Mersey Strategic Housing Market Assessment (SHMA) demonstrates that there is a need for a greater diversity of housing types and sizes across market housing as well as in affordable accommodation. The housing type profile in Halton currently differs from the national pattern with higher proportions of medium/large terraced houses and bungalows than the average for England and Wales. Consequently, there is under provision of other dwelling types, namely detached homes and also to a certain extent, flatted homes. The SHELMA (LCR) shows an above average representation of detached and semi-detached sales however does not breakdown for bedroom requirements. In Halton this is due to a particularly high proportion of new build sales that upwardly skew the figures for detached and semi-detached sales.

It is important to rebalance the type and size of housing across the Borough and to ensure that the most appropriate form of housing is provided by listening to the market to ensure the requirements are met for current and future residents.

The following table illustrates the proposed residential mix for the proposed development:

	Number of dwellings	% of total development
1 bed units	38	29%
2 bed units	92	69%
3 bed units	2	1.5%
4 bed units	2	1.5%
Total	134	

The table below provides the objectively assessed housing need breakdown as presented in the 2016 SHMA.

	Market	Affordable
1 bed units	6.5%	44.8%
2 bed units	30.4%	28.4%
3 bed units	52.7%	23.8%
4+ bed units	10.5%	3%

The Applicant has stated their intention is to deliver the proposed scheme as 100% social rent. On first read of the data expressed in the two tables, it would appear that the Applicant is over providing in two bedroomed properties and providing below the market expectance in 1/2/4 bedroomed properties. However, the SHMAA would not have foreseen a scheme concerning a proposed urban renewal scheme that centres on the delivery of an extra care scheme model, veteran village, small urban infill residential units and the redevelopment of a dilapidated listed building complex. It is of note that such forms of accommodation are by their nature small units with limited bedrooms. Given the intended occupancy of the site the overprovision of 2 bedroomed units is considered acceptable.

The proposal in respect of housing mix is considered to comply with the relevant parts of Policy CS(R)12 of the DALP.

### Affordable Housing

Policy CS(R)13 of the DALP states that all residential schemes including 10 or more dwellings (net gain), or 0.5 ha or more in size, with the exception of brownfield sites are to provide affordable housing at the following rates:

- b. Greenfield Development: Will be required to deliver 25% affordable housing requirement.

Para 2 of CS(R)13 sets out the Council's ambition for affordable housing delivery, at approximately 74% affordable or social rented housing and 26% intermediate housing where practicable and unless evidence justifies a departure from this provision.

The Government published a written Ministerial Statement and updated national guidance on the delivery of First Homes since the DALP adoption, which is a material consideration.

The NPPF is also a material consideration. Paragraph 65 of the NPPF requires that planning decisions relating to proposed housing development should expect at least 10% of the total number of homes to be available for affordable home ownership (unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups).

DALP Policy CS(R)13 states that an exception applies to brownfield application sites. Approximately 51% of the proposed development is to take place upon green space. The remaining 49% of proposed development will take place upon brownfield land and is therefore exempt from the requirements to provide affordable housing.

With respect to the affordable housing qualifying element of the scheme, the Applicant is a registered social housing provider. It is their stated intention to deliver 100% of affordable homes as part of the Proposed Development subject

to review of the displacement and accommodation of existing residents currently occupying properties that are to be demolished. The Applicant has stated a preference for social housing rent as part of the social housing delivery with consideration being given toward shared ownership to accommodate the relocation of existing occupiers.

From the above assessment, it is clear that the Applicant is not meeting the tenancy split requirements of Policy CS(R)13, or provision for First Homes and affordable home ownership having regard to national policy and guidance (both of which are material considerations). The adoption of policy CS(R)13 post-dates the publication of the NPPF (namely para 65) as amended in 2021. This policy does not secure 10% affordable home ownership as required.

However, this policy requirement does not anticipate an urban renewal scheme which aims to deliver 100% affordable housing on a scheme of 134 new dwellings. For the proposed quantum of development considered to take place entirely upon green space Policy CS(R)13 would expect delivery of 34 affordable units. On that basis, any deficiencies in the numbers of First Homes and affordable home ownership provision are considered small. On balance, the benefit of potentially up to 134 affordable housing units, predominantly comprised of social rent, is considered of significant benefit and would make a valuable contribution to the aspirations of Policy CS(R)13 and its focus on making greater provision for affordable rent .

The scheme does secure 25% affordable housing and having regard for the apparent policy conflicts, the proposed development is considered to be in broad compliance with the Development Plan and a refusal of planning permission cannot be sustained on these grounds.

#### Extra Care and Veteran Village

DALP Policy CS(R)12 states that, *proposals for new specialist housing for the elderly, including extra-care and supported accommodation, will be encouraged in suitable locations, particularly those providing easy access to local services and community facilities. Development proposals for specialist housing should provide adequate amenity space and parking.*

The justification to this policy at para 7.80 states that, *the need for extra care or supported housing in Halton is particularly pronounced because of low levels of existing provision. This level of need is anticipated to grow over the plan period given the Borough's ageing population. The Halton Housing Strategy indicates that there is a need to develop a wider range of housing options, including extra care and retirement housing across all tenures, to prevent over reliance on residential care.*

Para 7.81 goes on to state, *selecting appropriate locations for extra care and supported housing is important to ensure that residents are able to integrate with the surrounding community and retain maximum independence. Specific preferred locational criteria are set out within Halton's Commissioning Strategy*

*for Extra Care. Provision of extra care housing is hindered by the lack of developable or publicly owned land and the high costs associated with land purchase, remediation and conversion or demolition of an existing building. Where the Council has the opportunity to influence the type of housing provision on sites which meet a number of the criteria for extra care housing, the need for this specialist type of accommodation will be emphasised.*

The development proposal will deliver 63 no. extra care units. These units will be accommodated within a mixed use building with the ground floor comprising of local centre units. This will be located within an existing urban community. Nearby public transportation provide regular routes to the Halton Lea bus exchange with onward routes to communities in the Borough, as well as places of destination such as Chester, Liverpool, Warrington and beyond.

The planning application proposes the development of an extra care scheme in a sustainable location that retains existing community infrastructure. No evidence has been provided to demonstrate that this extra care facility would result in or exacerbate an oversupply.

The application also proposes a veteran village. This is considered to be a type of specialist housing in a sustainable location with access to local facilities as well as an appropriate level of amenity space and parking.

Having considered the above, it is considered that Policy CS(R)12 has been met with regard to the requirements for extra care living.

### Existing Services and Facilities

The proposal will result in the loss of an existing designated Local Centre and Community Facility in the form of the existing Bethesda Church. As previously stated the development proposal features a new local centre offering opportunities for replacement local amenities and services subject to investment. The application also proposes the replacement of the existing Bethesda Church.

Local Centre – The Applicant is proposing to demolish the existing local centre provision and develop a new local centre that will be delivered as part of the ground floor of the extra care development. Therefore Policy HC1 applies.

Policy HC1 paragraph 10 states, within local centres, the primary retail role will be safeguarded. Paragraph 11 goes on to state that replacement convenience retail units within or immediately adjacent to a defined local centre will be supported.

The existing local centre is situated within the allocated local centre, located adjacent to the busway. Due to the site layout, the units are not best suited in terms of orientation to passers by in the area. Currently the local centre provision totals 407 square metres of floor space. The proposed development will provide an additional 140 square metres of floor space, for the avoidance of doubt a total of 547 square metres.

The Applicant submits that the existing provision is not fit for purpose. In addition

to the discussed poor orientation, the buildings are inefficient in terms of their running costs. These issues will be addressed in the development of a new building that will improve such concerns. The appearance of the local centre at ground floor is consistent with modern urban local centre developments and is commensurate to the extra care element of the proposed development and the wider infill. The proportions, design details and material are a contrast to the existing building stock but together with the remaining elements of the proposed development are in keeping with a modern urban redevelopment. The mixed use local centre and extra care apartment block will be a land mark building in the community that will provide a high quality design offering an increased level of accommodation to service the local centre needs of the community. The new local centre provision is of a size and scale that is appropriate in terms of the Council's overall town and district centre hierarchy, it is considered that its delivery will enhance the local centre vitality.

The Applicant has given consideration to a phased delivery strategy that will allow the existing local centre use to remain trading whilst the new units are being constructed. Only after the replacement delivery would the existing local centre be demolished. On this basis, the Applicant's investment will sustain the existing local centre investments with the exception of the hot food takeaway which is not currently proposed to be accommodated within the new local centre.

With regard to the proximity of the proposed replacement local centre to that of the existing provision, it is considered that the new location is immediately adjacent to the existing provision. The loss of the hot food takeaway is considered acceptable, whilst such uses are typical of local centres, in this instance the investment of a hot food takeaway below extra care residential properties could give rise to the likely effects of noise, odour, litter, disturbance and potential vibration from plant equipment. Such negative impacts have the ability to either individually or collectively have a significant adverse impact on residential amenity of future site residents. Such a view is consistent with the Council's Hot Food Takeaway SPD.

It is considered that this element of the development proposal complies with planning DALP Policy HC1 and HC5.

Demolition of Existing Church – The Applicant proposes to demolish Bethesda Church. As previously noted this is a community facility. Policy HC5 applies.

Policy HC5 paragraph 5 states, that *proposals involving the loss of community facilities land or buildings will only be permitted where it is demonstrated that (b), the building or site is no longer suitable or viable to accommodate the current community use, or the use has already ceased, and the building or site cannot viably be retained or sensitively adapted to accommodate other community facilities.*

The Applicant submits that the existing church building is inefficient and not fit for purpose. The proposed alternatives would counter such concerns offering larger spaces to accommodate modern day services. Whilst the existing church building will be demolished, the existing community use will be retained on site. The



Applicant has given consideration to the phasing of this element of development, the existing church will only be demolished after the development of the new church building.

The Applicant has undertaken pre application discussions with the United Reformed Church (Mersey Province) Trust Limited, (the 'Church') concerning the redevelopment of the site and the development of a new church building. The Church is also a key landowner in the local land assembly that the application is comprised of. Therefore, in order for the proposed development to come forward, the Church has to be in agreement concerning the substitution of the existing church building with the new building shown on the proposed plans. No objection have been received from the Church.

A number of objections have raised concern regarding the loss of a community centre and the suitability of the church as a replacement facility. The community centre does not however form part of this application proposal. It is anticipated to form part of a later phase of redevelopment for which a subsequent planning application will be submitted and will be considered at that stage.

Having considered these observations, it is considered that the development complies with DALP policy HC5.

### Residential Amenity

The scheme will result in a change in appearance to the locality through the direct loss of designated amenity green space, associated local landscaping, mature trees and for some existing properties, result in direct impacts on residential outlook for some existing properties brought about through the creation of new built development.

There are a number of properties adjoining the application site boundary that will be impacted by reason of changes in outlook or an alteration to the existing interface arrangement. Those considered to be of particular note include the following existing properties:

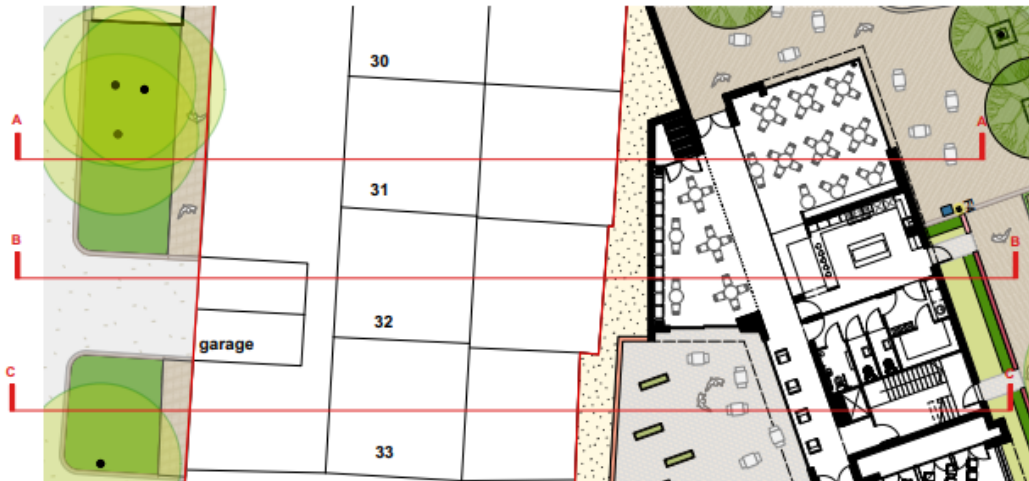
- Interface 1 – 23-33 Lapwing Grove
- Interface 2 – Existing properties terrace 41-43 Lapwing Grove
- Interface 3 – Existing properties 9-17 Cannell Court
- Interface 4 – Existing property 50 Lapwing Grove
- Interface 5 – Existing properties 30-31 Stone Barn Lane
- Interface 6 – Existing properties 25-28 Stone Barn Lane

The following provides a brief summary of the assessment undertaken with respect to each of those interface scenarios:

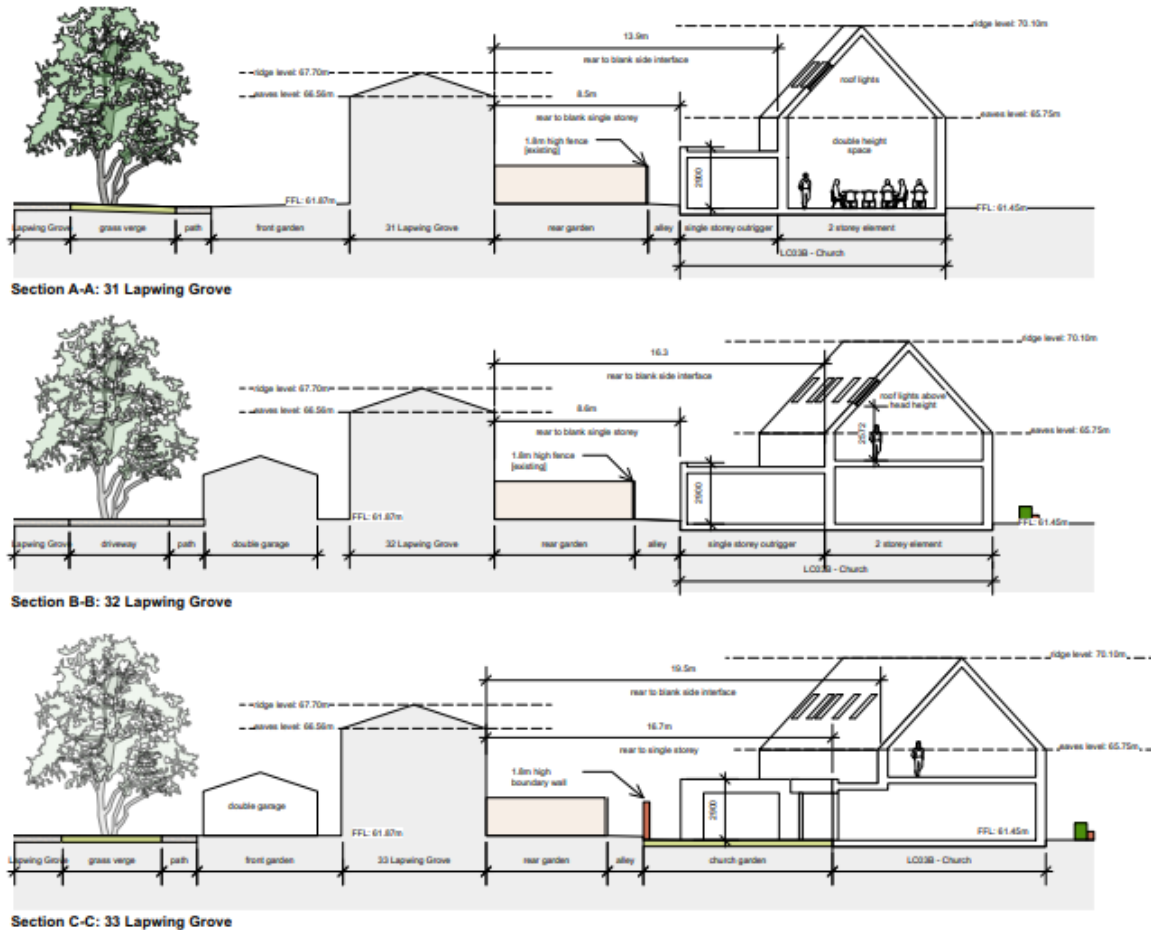
Interface 1.– Properties 31 and 32 Lapwing Grove are most affected in this terrace. The terrace currently has no interface backing onto a group of trees and open space. The rear elevations overlook the allocated amenity green space located between the Crescent layout of Lapwing Grove. The planning application proposes to develop a church upon this area of green space. The resultant interface is shown in the figures 1a and 1b below.

The diagrams shown in figures 1a and 1b demonstrate that the interface between the proposed church building and the existing properties 31 and 32 Lapwing Grove range from 8.5-8.6metres for the single storey element of the church and 16.3-19.5metres for the two storey element.

The single storey interface of the church is presented as a flat roof construction that has the appearance of a wall standing above the 1.8m height of the residential boundary that it is located across an alleyway. The Halton 'Design of Residential Development SPD (the SPD) provides guidance for the assessment of harms caused to the outlook of exiting dwellings. The SPD suggests that an interface of 13m should be expected. The 8.5-8.6 interface shown falls short of this expectation. However, it should be noted that the 13m interface as shown in the SPD [page 26] depicts a two storey wall rather than a single wall. Material consideration can be given to whether the proposed lower wall causes less harm than a two storey gable wall at 13m. In addition further consideration can be given to the slight difference in plot level heights that measure 420mm with the proposed church being shown at the lower level, which when included in calculations would reduce the perceived height of the church wall to 2.48m. Having weighed these additional matters, it is considered that the perceived height of the church wall standing 0.68m above the existing residential boundary fence across an alleyway is less harmful than the SPD guidance suggestion of a two storey interface at 13m.

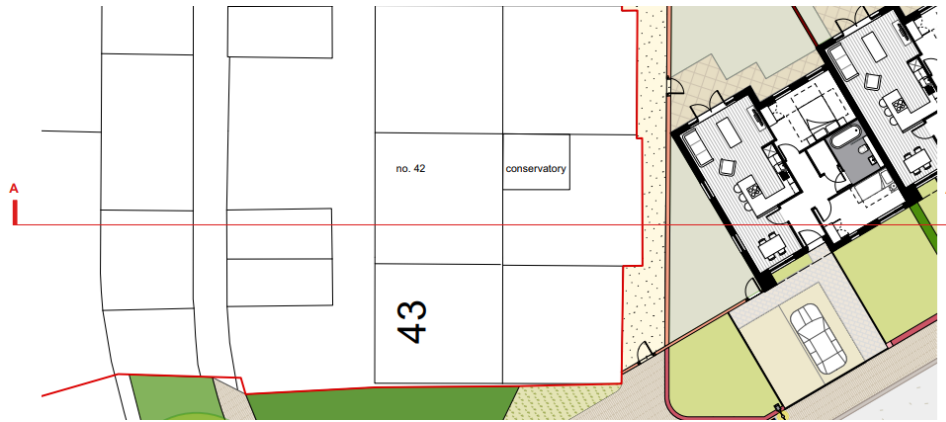


(Figure 1a)

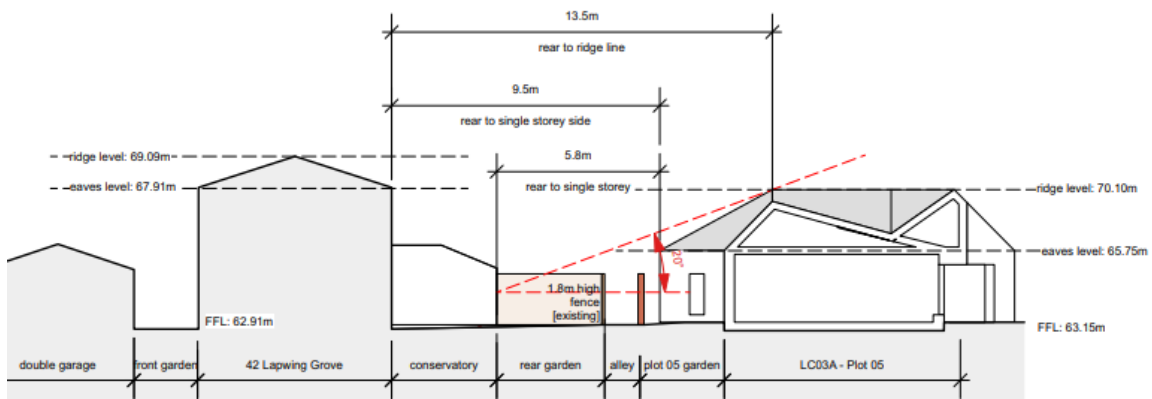


(Figure 1b)

Interface 2 –Existing properties 41-43 Lapwing Grove. These properties form part of a terrace of residential properties that look out over an existing area of open space that this planning application proposes to develop upon. The development proposes a single storey bungalow, the resultant interface is depicted in figures 2a and 2b. The interface shown in figure 2b demonstrates a measurement of 5.8 metres from the conservatory and 9.5m from the rear of the existing house. As previously stated the SPD provides a guide interface of 13m for interfaces of existing properties to blank gables. As stated above this guidance relates to directly facing 2 storey elements with no guidance provided for interface with bungalows as in this case. The SPD states that where shortfalls exist in interface distances, consideration will be given to a 25 degree line when measured from the center of the ground floor of the nearest existing habitable room window and the plain of the proposed roof slope. The depicted cross sections set out at figure 2b demonstrate that the 25 degree rule has been met.



(Figure 2a)



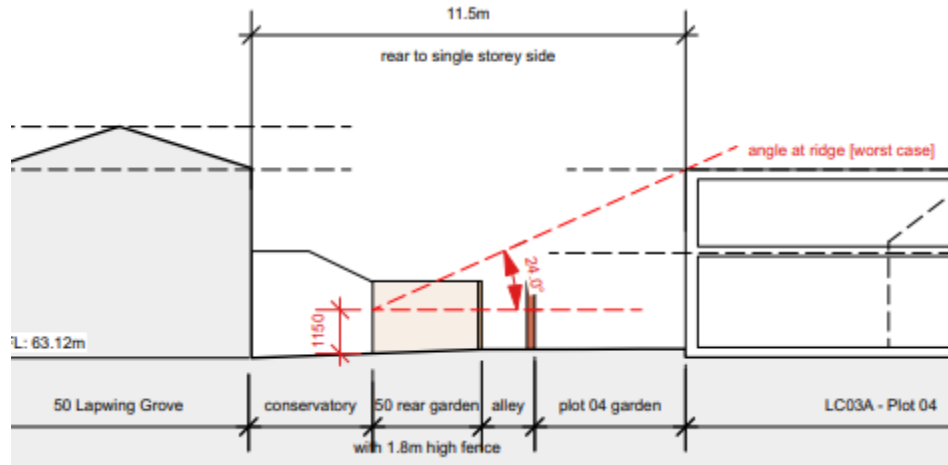
(Figure 2b)

Interface 3 – Existing properties 9-17 Cannell Court. The proposed interface is similar in its relationship to the existing interface of 23-28 Lapwing Grove. The existing and proposed interfaces are shown in Figure 3 below. The windows shown on the proposed plan are limited in number and are off centre bedroom windows or bathroom windows. This design together with the orientation of the proposed plots minimizes potential direct overlooking interface thereby minimizing impacts on the existing levels of privacy and amenity.



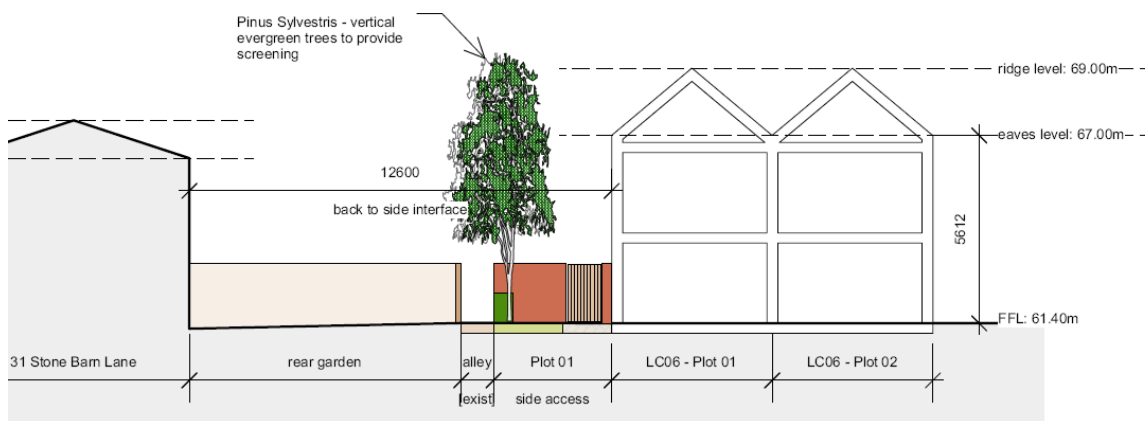
(Figure 3)

Interface 4 – The existing property at 50 Lapwing Grove will look out to a blank gable apex roof wall. The proposed interface measures 11.5metres on plan. This falls below the 13m interface guidance of the SPD. As per the assessment of interface 2, the SPD provides further guidance concerning a 25 degree line. The figure below demonstrates that the apex of the roof, being the worst point of visual intrusion is measured at 24 degrees. Either side of the ridge line the point of visual intrusion falls further below this measure.



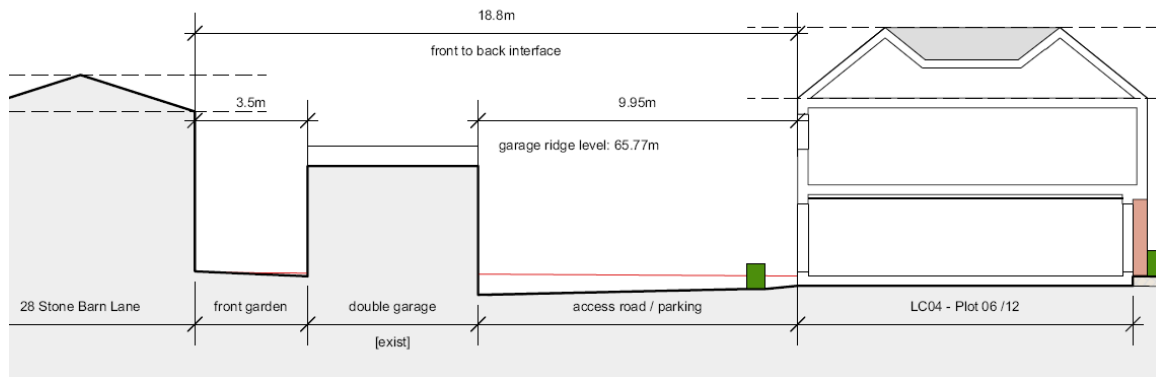
(Figure 4)

Interface 5 – Existing properties 30-31 Stone Barn Lane will look out on to the blank gable wall of a 2 storey town house. This interface is measured on plan to be 12.6m. The existing interface looks out on to existing mature trees. These will be removed and replaced as part of a landscaping scheme due to the poor longevity of the existing trees and to facilitate development. It is considered that the modest shortfall in the 13m guidance of the SPD is acceptable and would not adversely affect the 31-33 Stone Barn Lane to justify refusal of planning permission. .



(Figure 5)

Interface 6 – Existing properties 25-28 Stone Barn Lane look out to the rear of a two storey mixed use building comprising of retail units at ground floor and residential accommodation at first. The area immediately outside is used as an informal car park and bin store. Properties 25-28 occupy a staggered terrace. The existing interface measures 19.6-22m for the single storey element of the mixed use building and 24.2-27.5m for the second storey element. The proposed development will measure 18.8- 22.2m for these respective interfaces. Due to the staggering of the existing properties 25-27 Stone Barn Lane the proposed interface of 22.2m meets the guidance set out in the SPD. The interface with 28 Stone Barn Lane, set out at Figure 6, falls below the 21m interface by 2.2m. However, this interface is compromised to an extent by the existing garage that serves 27 and 28 Stone Barn Lane. The remaining outlook is screened for the most part by the mature vegetation that borders the busway. Having considered these additional observations the shortfall in interface as set out in the guidance of the SPD would not result in a significant impact upon 28 Stone Barn Lane that would be regarded as so severe as to result in a justified reason for refusal.



(Figure 6)

The Design of Residential SPD seeks to afford higher levels of protection with regards to protecting the amenity and outlook of existing neighbours adjoining development sites. Every effort has been made through negotiation with the applicant to minimise potential impacts where possible whilst maintain an appropriate quantum of development and amended plans have been secured to reflect those negotiations. The scheme does offer the potential for significant investment and regeneration of the area creating new residential properties including the delivery of extra care units and a veteran village, together with a new local centre, church and community facilities and potentially securing the future of the heritage assets. In that context it is considered that satisfactory provision has been made for ensuring appropriate levels of amenity for existing and future residents.

### Scale and massing

The proposed development comprises several areas of development that will be built out in separate phases. They range from bungalows, small houses and larger residential structures that accommodate apartments and extra care facilities. In addition there is a church building that will also feature a community purpose and café. The low rise structures of houses and bungalows, whilst different in appearance owing to the approximate fifty years separation in development era designs are of approximately equal scale and massing to the existing building stock and are considered acceptable.

The Church is of a mass and scale that is commensurate to an urban infill. The larger extra care scheme building will represent a landmark development for the area. Whilst this will represent a move away from the two storey properties in the locality, it is considered common for a development of its type seen elsewhere in the Borough. The building will be located on the site of the existing church grounds. It will neighbor the proposed apartment scheme to the west and the existing care home to the east. The busy way will be located to the north and further new build elements of the proposal will be located to the south. No existing residential properties will suffer a detrimental interface as a result of this four storey building.

It is considered that the proposed scheme will not cause a detrimental impact to the locality. The development proposal is considered to comply with DALP Policy GR1.

### Design and Appearance

The Applicant submits that the design of the existing build stock is of its era and is considered not fit for current purposes with particular emphasis on energy efficiency and inflexible spaces for community uses. The proposed development offers a higher quality design and modern materials that are commensurate to the expectation of a new urban development.

As a whole the scheme represents a noticeable change to the existing build stock. The overall impact will bring a more urbanized appearance to the respective streetscenes as a result of the loss of incidental open space and loss of mature landscaping that currently provides a break in the urbanized locality. The Applicant submits that this is necessary to maximize the developable area to ensure that sufficient residential units are developed to make the scheme viable. The Applicant has undertaken efforts to address this by incorporating mixed use highways and landscape planting throughout incidental areas.

The proposed design will present a juxtaposition between old and new. This is unavoidable given the multiple decades in design and build quality that separate the respective eras of development. Notwithstanding, the proposed development is of high quality with a bold modern design and accompanying materials pallet that will enhance the existing urban appearance of the locality and provide new modern housing to the local community.

### Greenspace Provision for Residential Development

Policies RD4, HE4 and HE5 of the Halton DALP set out the Council's

expectations for the provision of open space and green infrastructure in new developments. Policy RD4 underlines the importance at para 9.18 of the DALP where it states:

*The provision of greenspace underpins people's quality of life. The Council views such provision as being important to individual health and wellbeing, and to the promotion of sustainable communities.*

Paragraph 9.23 of the DALP goes on to say:

*The provision of attractive and functional open space has an important role to play in ensuring a satisfactory housing estate design. It is vital that it should be considered as an integral element of the overall residential layout. The type, location and amount of areas of open space must be one of the starting points in drawing up the design of a new development. However, it should be noted that not all residential development will create a need for all types of open space and the type and amount will be guided by site specific circumstances.*

Policy RD4 'Greenspace provision for residential development', states; all residential development of 10 or more dwellings that create or exacerbate a projected quantitative shortfall of greenspace or are not served by existing accessible greenspace will be expected to make appropriate provision for the needs arising from the development, having regard to the standards detailed in table RD4.1 The Halton Open Space Study 2020 (OSS) forms the evidence base for this policy.

The application site is located in the Beechwood Ward which forms part of 'Neighbourhood Area 5 within the (OSS). With regard to the open space provision within Neighbourhood Area 5, the OSS demonstrates a deficit in parks and gardens, natural and semi natural open space and allotments. However, the OSS presents a surplus for children's play space and amenity green space.

Amenity Green Space – The development proposal does not include development of new amenity green space. The development will result in the direct loss of amenity green space by reason of the new areas of development taking place upon it. Notwithstanding, there is a surplus of amenity green space in the locality.

Equipped Play - The proposed development will not result in the loss of equipped play. No equipped play is proposed. However, there is a surplus of childrens equipped play in the area.

The proposed development is not providing semi natural open space or allotments. As identified above the Council has a deficit in the locality with regard to the parks and gardens. This assessed level of deficit would require an off site financial contribution to improve existing areas of open space. As per the terms of DALP Policy HE4, paragraph 4, off site provision will only agreed unless a viability appraisal demonstrates otherwise. The Council is currently in discussions with the Applicant with regard to the viability impacts of the proposed financial contribution. Delegated authority will be sought to agree the terms of the financial



contribution in the event that the Committee accept the reports recommendation.

The Applicant is developing upon designated incidental open space. Planning policy RD4 allows for financial contributions toward off site provisions or financial contributions where there is no practicable alternative. Given the need to develop at this particular location it is considered that there are no practicable alternative to the proposed developments erosion of allocated green space. On this basis it is considered that the development complies with DALP Policy RD4.

### Heritage

As part of the consideration of the planning application, the Council has consulted its retained heritage advisor and Historic England.

The Council's retained adviser has confirmed that:

*The principle of the conversion scheme has always been supported and through detailed discussions with the applicant conclusions on the details have been reached.*

*This includes agreement on the level of interventions in to the roof scape of the barns to provide rooflights. This was agreed verbally at the meeting on 29<sup>th</sup> June. I can confirm that the details shown on drawing 1301-LC06-013 Tricorn Proposed Roof Plan accurately represent this.*

*It has been agreed that due to the access restrictions to the buildings at present that additional surveys, details, and recording will all be required by condition and provided pre-commencement.*

*It is concluded that the proposals set out under application 23/00129/LBC would not result in harm to the significance of the building. The following conditions are recommended.*

- *Updated Condition Survey;*
- *Detailed Structural Survey;*
- *Building Record (Level 3);*
- *Detailed Technical Drawings;*
- *Schedule of existing and replacement features including windows and doors;*
- *Schedule of existing and replacement materials and finishes;*
- *Detailed Schedule of works;*
- *Any necessary structural designs and reports for interventions such as retaining steelwork or portal frames;*
- *Method Statements for all works.*

*Application 23/00128/FUL proposes the construction of number of*

*dwellings to the rear of the Tricorn building. Concern has been expressed through the process about the impact of bringing development so close to the heritage asset. This concern is based on a consideration of the historic open setting of the Tricorn (formally Hallwood House) and that, despite huge compromises to its wider setting, retains an element of this openness. Furthermore, the LBC proposals offer a betterment to the asset by removing poor quality extensions and better revealing the elevation. This betterment would then immediately be compromised by the presence of the new development.*

*Detailed discussions have been had and the currently proposal of a single storey bungalow-type building is presented. This amendment has reduced the height of the built form in this one location but results in a larger spread of development immediately adjacent to the asset. As such, the concerns are not fully addressed.*

*This is considered to result in a less than substantial level of harm to the setting of the Grade II\* listed Tricorn. Therefore, public benefits of the proposal will need to outweigh this harm in accordance with Para 202 of the NPPF.*

Historic England have been involved with discussions concerning the development of the Grade 2\* Tricorn Mansion House. A formal response was received from Historic England on 14th July confirming their opinion that the development proposal would result in less than substantial harm. This opinion is consistent with that of the Council's retained heritage advisor. The response from Historic England is appended in full to this report.

As part of the consideration of this planning proposal, the Council consulted the Georgian Group and the Historic Building and Places (HBAP) who have provided objections to the proposed scheme. The last correspondence received from the Georgian Group is appended to this report (Appendix 3). It raised the following concerns:

- The Heritage Statement cannot be secured by way of condition as this document should form the foundation of submitted proposals. The lack of such a statement prevents the Georgian Group from making a full assessment of the impacts of the proposed scheme.
- The Application fails to meet the requirements of NPPF paragraph 194, and prevent the LPA from fulfilling its duty under NPPF paragraph 195. In addition the proposal fails to comply with paragraphs 199, 200 and 201 of the NPPF.
- Plot 17 bungalow adjacent to the Tricorn Mansion House should be removed. Next nearest plots should be rotated to defend the resulting public space from anti social behavior.
- There needs to be a reduction in the number of aperture openings in the

- principal facade of the stable building. Such reduction could be compensated for in the rear elevation which has less heritage value.
- Object to the subdivision of amenity space to front of stable building due to the associated visual clutter that will result from domestic use.
  - The LPA must have special regard to the desirability of preserving the building or its setting or an features of special architectural or historic interest which it possesses.
  - The Georgian Group formally objects to application 23/00129/LBC. Paragraph 5 of 'Arrangements for Handling Heritage Applications – Notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2021' requires that the application be referred to the Secretary of State prior to determination.

The heritage comments provided in response to the consultation exercise raise NPPF paragraphs 194, 195, 199, 200, 201, 202 as considerations for the assessment of this development proposal. These paragraphs are set out below.

*194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.*

*195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.*

*199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

*200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

*201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

*202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

The provided heritage advice concludes that there is an element of harm caused to the setting of the listed building, this is considered to be less than substantial. The opinions of the Council's retained heritage advisor and Historic England are accepted. The Council has considered the public benefits of the case pursuant to NPPF paragraph 202.

Significance of Heritage Assets – The Tricorn mansion house and associated stables are designated heritage assets. The condition of these buildings is such that it is not currently safe to enter to undertake the analysis as would be typically expected. This is due primarily to the presence of asbestos containing material (ACM). In addition elements of the structure are considered to be unsafe. The Applicant is not the owner of these buildings and as a result is not willing to undertake steps to deal with the ACM liability whilst the building is owned by a third party. Planning conditions will be imposed that will secure the assessment post decision. This approach has been reviewed by the Council's retained heritage advisor and Historic England. Whilst unorthodox, this approach is considered necessary to see the scheme delivered. Sufficient details exists to proceed to determine the applications. The use of planning conditions will secure details prior to development taking place.

Existing Use – The Tricorn was last used as a public house. Since its closure it has twice been sold at auction. Neither occasion was it purchased by an aspirational pub owner or brewery. Whilst the premises could be used again as a

public house, this is considered unlikely due to the scale of decay that has taken place since it was last used and issues affecting the current pub trade.

Existing Harms - It should be noted that there is at present existing harm to the heritage assets. This harm relates to the unsympathetic additions that are thought to date to the conversion of the Tricorn Mansion House to a pub during the new town era and in addition the prolonged period of neglect resulting in significant levels of decay.

Unsympathetic additions - These include the flat roofed single storey connection between the Grade 2\* Tricorn Mansion House with the Grade 2 listed building stable block, the single storey addition to the rear elevation of the Tricon Mansion House and wrap around wall to service yard area. The Applicants proposal will result in these harmful additions being removed. Such intervention will significantly reduce the existing harm to the principal elevation of the Tricorn building and Stable as well as the wider setting.

Optimum Viable Use (OVU). The Applicant has provided a robust position concerning the OVU of the site. The Applicant had given consideration toward moving the local centre commercial offering to the Tricorn heritage buildings. However to accommodate such a use would involve additional harms being introduced to the historical fabric of the heritage assets. The Applicant undertook discussions with the existing local centre investors including the convenience shop. These discussions provided a requirement of unbroken internal space that cannot be accommodated without detrimental harm to the building layouts. In addition, commercial adaptations such as large aperture insertions with company livery, advertisements, plant machinery, external lighting, and commercial scale bin stores would result in disproportionate harm to the setting of the heritage assets that would be counter intuitive to the efforts to preserve and enhance the heritage value of the site.

It is considered that the local centre location is best suited to the proposed location as shown on the layout plan. Being sited directly adjacent to a bus way and the proposed extra care scheme, the proposed location is more appropriate with regard to sustainable development credentials and better addresses the requirements of DALP policy HC1 'Vitality and Viability of Centres'.

Less Than Substantial Harm – Whilst the existing harms set out above will be removed by the proposal, an element of harm will be introduced at a lesser extent. This relates to the development of a residential unit in close proximity to the rear elevation of the Tricorn Mansion House. The Applicant has undertaken discussions with the heritage advisors over this plot. Alternative proposals including the loss of the plot were considered. However, the applicant has stated that loss of the plot would result in the scheme becoming unviable to the extent that the Applicant would unfortunately have had to withdraw interest in the Tricorn forming part of the urban renewal program.

Consideration of public benefit – The development proposal seeks to retain a pair of listed buildings that are in a serious state of disrepair as evident from the conclusions of the accompanying structural report and on site observations. Both

buildings are in obvious states of decline having suffered from a lack of maintenance and use leading to incursions of damp. Both buildings have also been subject to acts of vandalism and other criminal activity. It is of note that the Tricorn Mansion House features on the Historic England 'Heritage At Risk Register'.

The Tricorn site does not have an existing use. It is a property that has been left to deteriorate and is suffering significant levels of decay. The development proposal subject of this report is the first to be received for this site in the six years since the public house use of the site ceased. It is improbable that another scheme would be forthcoming that would present a means to restore the site with no impact on heritage.

The proposed development of the plot adjacent to the rear Tricorn elevation affords a degree of separation between the modern fabric development and the heritage asset. Whilst the setting of the Tricorn Mansion House could be improved with its deletion, it would result in the scheme being reported as unviable. Notwithstanding, it should be noted that there is an unsympathetic single storey building already attached to the rear elevation of the Tricorn Mansion House itself. Therefore, the scheme represents an improvement in this regard, albeit a modest one. A significant improvement is made to the front elevation of the Tricorn and stable with the removal of the unsympathetic additions.

Consideration should be given to the long term retention of the Tricorn. It is of significant public benefit that these heritage assets are retained within the local community. The alternative to the proposed scheme is a do nothing scenario which would put the heritage asset in peril. In a balance between less than substantial harm and given the perilous condition of the Tricorn, no heritage asset at all, it is considered that the development proposal is significantly superior. It is considered that an appropriate balance has been struck between viability and heritage constraints.

It is clear that there are benefits in the retention of the listed buildings. The retention of heritage value within the locality cannot be underestimated. Approval of the proposed scheme would secure the longevity of the local historic buildings and their potential future long term use.

Further restrictions - Unlike the remainder of the development proposed, the heritage assets are more vulnerable to the wants and expectations of a domestic setting. In order to protect the heritage assets, controls on development are considered necessary. Permitted development rights would allow modifications to the properties that surround the heritage assets to the extent that the buildings would cause greater harm and damage the setting of the listed buildings. Therefore restrictions will be imposed by planning condition(s) that will prevent inter alia the insertion of new windows and doors, replacement windows and doors, extensions, modifications to roofs, extensions to roofs, development of outbuildings and temporary structures on plots nearest the Tricorn heritage buildings. The Applicant has agreed to these controls.

The Council has considered the heritage concerns of its retained heritage advisor, Historic England, the Georgian Group and objectors. In the consideration of the heritage arguments the Council has had full regard to the details of DALP Policy HE2 and NPPF paragraphs 194, 195, 199, 200, 201, 202. The Council concludes that the public benefits of the scheme including securing the retention of the Tricorn mansion house and associated stables outweigh the harms brought as a result of the new residential units that surround it.

### Ecology

The proposed development site is located within the Natural England SSSI Impact Risk Zone. The proposals do not specifically trigger consultation with NE in terms of residential development. However, NE advise that residential developments in this area should consider recreational disturbance impacts on the coastal designated sites. With reference to Halton Council's Interim Approach to recreational disturbance the site is located outside the zones where recreational disturbance is considered an issue due to the distance from the coast and the difficulty in accessing the coast from this location. In accordance with Halton's Interim Approach it is considered highly unlikely that a net gain of 43 dwellings would cause significant disturbance to the coastal sites and Habitats Regulations Assessment is not considered necessary. Notwithstanding this assessment, the Council consulted Natural England (NE) as a precaution. NE responded with no objection.

As noted above, the Council's retained ecology advisor has issued a response of no objection. This opinion is dependent upon the use of a schedule of recommended planning conditions that will contribute toward off site mitigation to compensate on site losses.

The following comments are of note:

#### *Bats*

*A transitional bat roost was recorded in the Tricorn Public House. The information provided by the applicant enables the Council to complete the three test assessment (Habitats Regulations). This can be found in Appendix 1 below.*

*As the proposals involve the destruction of a bat roost, the applicant will require a Natural England European Protected Species licence prior to any demolition works commencing. To ensure this is in place the following planning condition is required:*

#### **CONDITION**

*Works will not commence unless the local planning authority has been provided with a copy of a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified development to go ahead or that evidence is provided that the site has been registered under the bat mitigation class licence (CL21).*

*To ensure that the mitigation is undertaken and that the three tests are met, I advise that the following planning condition is required:*

**CONDITION**

*The development shall only be carried out in accordance with all the recommendations for mitigation and compensation set out in the Mitigation and Enhancement Measures Statement in relation to bat species, Amenity Tree, 7 June 2023 which details the methods for maintaining the conservation status of bats, unless otherwise approved in*

*writing by the local planning authority or varied by a European Protected Species licence subsequently issued by Natural England.*

**Biodiversity net Gain/ No Net Loss**

*The applicant has identified a number of sites to deliver Biodiversity Net Gain (BNG) Due to the extent of land ownership of the applicant, it is considered acceptable to condition BNG. The applicant has suggested the following pre-commencement condition which is considered acceptable:*

*No development (excluding demolition, ground works and vegetation clearance) shall take place until a scheme and timetable for the achievement of Biodiversity Net Gain based upon the DEFRA Metric 4.0 has been submitted to and approved in writing by the Local Planning Authority which for the avoidance of doubt can include on-site or off-site mitigation or a combination thereof, and shall use an existing/baseline position as defined in the ecology reports submitted with the application hereby approved. The scheme shall thereafter be implemented in full in accordance with the approved details and agreed timetable and in any event prior to the occupation of the prior to the end of the first planting season following the occupation of the 120<sup>th</sup> dwelling.*

**REASON -** *To ensure that the proposals result in enhancement of biodiversity having regard to Policy CS(R)21 of the Halton Delivery and Allocations Local Plan, and paragraph 174 of the National Planning Policy Framework.*

In addition the Council's advisor has given consideration to terrestrial Mammals and great crested newts.

Terrestrial mammals – The habitats on site are suitable for badger and hedgehog. These are protected species, therefore Policy CS(R)20 applies. The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them:

- A pre-commencement check for badger and hedgehog;
- All trenches and excavations should have a means of escape (e.g. a



ramp);

- Any exposed open pipe systems should be capped to prevent mammals gaining access; and
- Appropriate storage of materials to ensure that mammals do not use them.

These measures can be addressed by way of a Construction Environmental Management Plan (CEMP). A CEMP can be secured by way of a suitably worded planning condition.

Great Crested Newts –The supporting ecology reports submitted with the application states 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). However, due to the potential presence of other amphibians, as a precaution, the Reasonable Avoidance Measures (RAMS) set out in Section 7 of the Great crested newt report should be included within a Construction Environmental Management Plan (CEMP) to be secured by planning condition.

With regard to soft landscaping within the application site boundary, the Applicant has addressed the observations raised by the Council's retained ecology advisors. The Applicant has updated the landscaping plan to accommodate the requested wetland planting details that will see a scheme delivery utilising native species to improve biodiversity contributions. Delivery will be secured by a suitable worded planning condition.

### Core Biodiversity Area

There are three areas within the planning application site boundary that are designated as core biodiversity woodland by the Liverpool City Region. This designation is carried through to the DALP Allocations Map. The three areas are considered core biodiversity areas.

The three areas are the 'Moat', the former beer garden of the Tricorn Mansion House, and the area of open space on the north corner of the crescent road arrangement of Lapwing Grove. The proposed development will lead to the loss of the land adjacent to Lapwing Grove. Therefore, DALP Policy HE1 applies.

Policy HE1 states '*any development which may affect a designated natural asset will be considered in line with the mitigation hierarchy*'. For the avoidance of doubt the hierarchy is as follows, avoidance, minimization mitigation compensation.

Paragraph 5 of Policy HE1 confirms that where significant harm cannot be avoided, adequately mitigated or compensated, planning permission should be refused.

The Applicant has identified the Moat as an area of improvement. There are detailed landscape plans that show improvements to the area creating landscape and habitat improvements to enhance its functionality from an ecological and

recreational perspective. The area in front of the Tricorn, comprising a designated priority habitat, currently contains a mix of amenity shrubland and broadleaf scattered trees. The area currently contains 12 trees. The landscaping proposals show that within this area, 8 trees will be retained. The scheme also incorporates 16 new trees. This will result in a net improvement to this particular area.

With regard to land at Lapwing Grove, development will result in the loss of the small Core Biodiversity Area. This is a small wooded area comprised of mature tree specimens that together form an urban copse.

The Applicant submits that the number of trees lost at Lapwing Grove will be compensated for by replacement planting elsewhere in the scheme including the neighbouring Moat core biodiversity area and urban street planting.

Notwithstanding, the loss of the copse will form part of the no net loss/BNG measures set out earlier in the ecology section of the report. On this basis it is considered that the development has been designed to avoid any adverse impacts resulting to this designated priority habitat, by appropriate forms of mitigation. The Council considers that the scheme complies with DALP Policy HE1.

In summary, the Applicant has given due consideration to the ecological impacts brought on as a result of this development, having measured the impacts in terms of the loss of biodiversity, including impacts on habitats and impacts on terrestrial species. These losses are to a certain extent inevitable due to development taking place upon undeveloped areas of green space. Where loss and impact has been identified the Applicant is prepared to provide suitable mitigation. Whilst details of that mitigation are not before the Council, the planning condition set out above will prevent development from taking place until such time that these details are agreed. It is considered that the development complies with DALP policies CSR20 and HE1.

### Highways

The development proposal has been reviewed by a highway engineer on behalf of the Local Highway Authority. Comments provided indicate that the Development will have an impact on the local highway network pursuant to the quantum of development sought. However this would not result in sufficient level of harm that would warrant a refusal of this planning application. The full comments of the Highways officer are set out below:

*Early engagement, as advocated by the NPPF, was enabled through Pre-Application (Ref 22/08039/PREAPP). Collaboration continued throughout the design process offering a development proposal consistent with, and contributing to, the implementation of HBC transport strategies and policies as well as local regional and national guidance, best practice, and policies.*

*The development design is considered to accord with, but not limited to, Halton Borough Council Delivery and Allocations Local Plan (DALP) Policies: C1 Transport Network and Accessibility; C2 Parking Standards; GR1 Design of Development; GR2 Amenity; CS(R)7 Infrastructure Provision; CS(R)15 Sustainable Travel; CS(R)18 High Quality Design; the SPD Design of Residential Development; Vehicle Crossing Guidance; Manual for Streets (MfS) and LTN 1/20.*

*This development application focuses on the regeneration of the Palacefields local centre, with replacement shops, church, and residential provision of various tenures.*

*Palacefields, as much of Runcorn, as a New Town, displays the Radburn design concept for [housing estates](#), borne about a century ago. The separation of vehicles and pedestrians was fundamental to the conceptual style, with residential layouts predicated on cul-de-sacs and often grade separated pedestrian facilities e.g., subways. However, instances of ASB, and a blur between public and private space arose from deserted frontages and sterile rears, and the design concept was largely discredited in term of its UK interpretation.*

*Extensive demolition will enable new areas of development to assimilate with the retention of certain elements, to the overall improvement for the community. Consideration to existing residents and services was fundamental during the design process to ensure there was no loss of function nor amenity; betterment was sought given the opportunity to do so.*

*Current thinking, for example LTN 1/20, in terms of user hierarchy and highway arrangement, to ensure vehicular and sustainable modes of transport compliment, not conflict, and the retention of the old merging with the new, necessitated balance for the development not to succumb to previous, or create new, issues.*

*The Design and Access Statement's pedestrian experience and Masterplans' ambitions have been delivered in terms of improved, clear, and direct pedestrian connection, between the local centre and the wider Palacefields area. Removing barriers to movement, e.g., closure of the underpass, in favour of an at grade crossing for pedestrians and cyclists, over the bus way, delivers the opportunities identified to promote walking, cycling and public transport, integral to the enhancement of the area, with rationalisation of key pedestrian and cycle routes as well as public realm improvements to maximise the opportunity for short journeys, by foot, cycle etc.*

*A new junction will be created about Stone Barn Lane and Lapwing Grove. This opens the site further to Palacefield Avenue, in terms of accessibility, permeability and route choice, for vehicles and sustainable modes, pedestrians and cyclists,*

*with enhanced crossing facilities. Lapwing Grove will become a connecting road, as will the road about the Tricorn and Moat area. Clearer and more direct routes will improve connectivity and wayfinding whilst helping traffic flow and safety.*

*A pragmatic approach to parking standards was taken; the existing situation, mitigation offered in terms of census data regarding car ownership, the ability for the Housing Association to manage tenants, and the ambitions to reduce carbon emissions, to promote and enable a modal shift to sustainable travel, were balanced. Agreeable levels of parking provisions for all modes is offered; all opportunities for additional parking spaces developed. Provision for Waste and Recycling as well as other servicing and delivery needs were central to highway considerations.*

*The wider local centre development will now be considered as several smaller areas, though inextricably interconnected, to understand some of the considerations, constraints and solutions offered.*

- *Local Centre LC01 & LC06 - The Moat and Tricorn residential units:*

*Sustainable accessibility with clear and safe adoptable routes, took priority to ensure permeability, route choice, and legibility along desire lines, between the various origins and destinations, balanced with the constraints of retaining the heritage assets of the Tricorn and associated buildings.*

*Collaboration with the Heritage/Conservation officers, with regards to respecting the sandstone wall, was undertaken to increased pedestrian route choice and improve permeability about and through this central gateway area.*

*A connecting vehicular route from the Moat to Lapwing Grove will be a shared surface design, with delineated, defensible pedestrian space; the constrained width, sufficient for two-way passage of cars, promotes slow speeds enhancing pedestrian safety. This is further aided with traffic calming and direct frontage access and gives the balance of priority to pedestrians, as per current best practice mentioned above.*

- *Local Centre LC02 - Lapwing Grove Apartments:*

*Parking, including disabled provision, and access were forefront to ensuring the new buildings offered sufficiency of provision and usability for new and existing residents and visitors, adding to the accessibility with the ground floor shops and services.*

- *Local Centre LC03 – new Bethesda Church and link road housing:*

*Making the linkage loop of Lapwing Grove a one-way route took into account both the local Primary School, and Church, as well as the adjacent Beechcroft Nursing Home to ensure accessibility and connection was maintained if not enhanced.*

*The new Church's parking area will be available for use during the school run to*

*alleviate perennial problems associated with the busy drop-off and pick-up times. Enhanced pedestrian provision, to promote and enable alternative to car use for such journeys, as well as additional on-street parking on the new Lapwing Grove linkage will enable traffic flow and capacity.*

- *Local Centre LC04 – Veterans Housing & LC05 – Extra-Care Residency, with ground floor commercial units:*

*Sufficiency of parking provision, for all modes; for residents (both existing and proposed), visitors, staff and customers was attained, as well as space for servicing and delivery of the commercial units, and Veteran’s Housing and Extra Care facility, to meet all needs.*

*Focusing sustainable routes on a more welcoming at grade crossing over the bus way and directly to the bus stops promotes multi modal travel options as well as connection to the green corridor with Town Park, and onward routes.*

*As is typical with complex major developments, there may be subsequent minor amendment at detailed design and/or S38 Adoption stages for buildability etc. but the proposal as submitted receives full Highway support.*

The Applicant has devised an urban renewal scheme that caters for new access of the new areas of development whilst maintaining and enhancing access arrangements for existing residents and the proposed areas of redevelopment. A balance has been struck between the expected levels of car ownership and overall need as a result of the commercial floorspace offering. The site is well served by public transport links being in close proximity to the local bus way. It is considered that the development complies with DALP Policy CSR7, C1, C2,

### Drainage and Flood Risk

The application is supported by a Flood Risk Assessment and drainage strategy site. This documentation has been reviewed by the Lead Local Flood Authority (LLFA). The LLFA have confirmed the following:

- *Fluvial flood risk*
  - *The site is located within flood zone 1, with no open watercourses in or near the development site.*
  - *The proposed development includes residential property which is appropriate within Flood Zone 1 subject to the need to avoid flood risk from sources other than main rivers and the sea.*
- *Surface water flood risk*
  - *This assessment indicates the majority of the site is at low risk from flooding due to surface water, there is an area of medium to high risk which is noted around the Moat and underpass and an area of medium risk adjacent to the Beechcroft Nursing Home.*

- *With regards to the surface water flood risk by the underpass, this is planned to be removed as part of the development proposal, likely reducing the risk in this area. The risk of surface water flooding at the Moat is likely to remain the same as the development does not encroach upon the pond and site levels should remain similar to those currently seen. The LLFA agrees with this assessment.*
- *The FRA comments the area of surface water flood risk adjacent to the Beechcroft Nursing Home is confined to its car park which is lower than the surrounding highway. As the proposals indicate either the nursing home to remain or a similar extra care facility in its place. The LLFA is concerned that mitigation for this risk has not been appropriately addressed. It would be beneficial to understand whether the flood risk is likely to affect the building, particularly in the future due to climate change and if so what mitigation is to be proposed to ensure safety of the residents and safe access and egress if it were to flood.*
- *Groundwater*
  - *The assessment identifies that flooding due to groundwater to be a low risk to the site.*
- *Flooding from artificial sources.*
  - *The LLFA is satisfied that the risk from sewers, canals and reservoirs would be low.*

#### *Drainage strategy*

- *The site comprises both brownfield and Greenfield land classification. The LLFA agrees the Moat and parkland surrounding it should be treated as Greenfield as it is not being altered as part of the proposed development. The remainder of the site should be treated as brownfield.*
- *Runoff rates*
  - *The drainage strategy indicates parts of the existing drainage network will be retained and where necessary diverted to facilitate the drainage. The LLFA has no objection to this.*
  - *The LLFA is not confident that the site is adhering to HBC drainage policy. Section 9.7 of the drainage strategy indicates the Qbar runoff rate has been calculated for the existing drainage network. Table 3 shows the Qbar and Qbar – 50% for what is called the north and south networks, however it's unclear if these calculations are only taking into account the drainage located in the LC01, LC02, LC04, LC05 and LC06 zones or include the remainder of the drainage within the red line boundary too.*
  - *The LLFA would class anything outside of the Moat as the brownfield site and would be required to reduce the discharge*

*runoff rate by a minimum of 50% of the existing rate and to Greenfield rate where practicable for this area. From the drainage strategy it's unclear at present exactly which areas of the site have been split into Greenfield and Brownfield and therefore if the calculations that have been undertaken make sense.*

- *It would be useful to have a plan showing what the applicant considers Greenfield and Brownfield. If the brownfield area is split into north and south for the calculations it would be useful to see which areas you are considering for each. The LLFA would expect to see the whole site covered not just the sections that are being redeveloped.*
- *It would also be useful to see the pre and post development Runoff rates for the 1 year, 30 year and 100 year storm events as well as for the Qbar event for the site overall, the greenfield areas and the brownfield areas.*
- *Discharge location*
  - *It is noted that infiltration and discharge to watercourse are not suitable options. Therefore, it is accepted that discharge of managed flows into surface water sewer is the most sustainable viable option.*
- *Assessment of SuDS*
  - *The strategy proposes to attenuate flows using a combination of large diameter pipes, cellular attenuation and permeable paving.*
  - *The rationale for the proposed attenuation features has not been provided and no assessment of the viability of more sustainable methods of controlling runoff (green roofs, rainwater harvesting etc) has been provided. Therefore, it is not clear whether the proposals are the most sustainable viable option.*
- *Drainage performance*
  - *Section 12.11 of the drainage strategy indicates micro drainage outputs identify that no flooding at the surface would occur during the 1% AEP +45% rainfall event. The LLFA would be accepting of this should the information requested above regarding runoff rates be provided along with the proposed attenuation volumes for the site.*
- *Water quality*
  - *A clear assessment has been provided relating to water quality which indicates the proposed system would adequately treat runoff to prevent impacts.*
- *Maintenance and management*
  - *The proposed system would have components that will be offered*

*for adoption under a section 38 or section 104 agreement to the relevant statutory undertaker and features that will be managed and maintained and who would be responsible for this by a management company set up to take care of the open spaces within the development (this would include the SuDS features in these areas).*

*In summary, the LLFA is satisfied that flood risk on site has been assessed adequately and agrees with the overarching principals of the drainage strategy. Further detail is required regarding access and egress to the extra care facility and how surface water flood risk in this area will be managed, along with a plan showing what the applicant considers Greenfield and Brownfield. If the brownfield area is split into north and south for the calculations it would be useful to see which areas you are considering for each. The LLFA would expect to see the whole site covered not just the sections that are being redeveloped. The pre and post development Runoff rates for the 1 year, 30 year and 100 year storm events as well as for the Qbar event for the site overall, the greenfield areas and the brownfield areas would also be required.*

*Therefore, the LLFA would suggest that a pre commencement condition be applied should the LPA be minded to approve this application for the applicant to provide an updated drainage strategy with the requested information above:*

*No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme in accordance with the SUDS hierarchy have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:*

- i. detail is required regarding access and egress to the extra care facility and how surface water flood risk in this area will be managed.*
- ii. Plans showing which areas of the site the applicant considers Greenfield and Brownfield. If the brownfield area is split into north and south for the calculations the areas considered for each should be clearly marked. The LLFA would expect to see the whole site covered not just the sections that are being redeveloped.*
- iii. Pre and post development Runoff rates for the 1 year, 30 year and 100 year storm events as well as for the Qbar event for the site overall, the greenfield areas and the brownfield areas.*
- iv. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by, or connection to any system adopted by, any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.*



- v. *attenuation structures and calculations to demonstrate a reduction in surface water runoff rate of a minimum of 50% of the existing brownfield rate or the greenfield rate.*

The flood risks have been assessed by the Lead Local Flood Authority. Planning conditions have been recommended. These have been agreed by the Applicant and form part of the schedule of planning conditions below. It is considered that the development proposal complies with DALP Policy HE9.

### Contaminated Land

As part of a package of supporting documentation, the Applicant has submitted a ground investigation report. This has been reviewed by the Council's contaminated land officer, the following observations from whom are of note.

*Having considered the application, and in particular the report listed below, I have the following comments to make.*

- *Phase I preliminary risk assessment at Lapwing Grove Palacefields Runcorn for Riverside Group Ltd, ref 31464-SUT-ZZ-00-RP-G-701-0001, Sutcliffe Ltd, Feb 2021*

*The report presents the findings of a desk study and site walk-over, along with a preliminary risk assessment.*

*The historical review finds that the site was predominately open agricultural land with a former manor house and gardens, prior to the construction of the current residential estate and the conversion of the house to a pub. Part of the historical house and gardens is a water feature marked as a moat.*

*The preliminary risk assessment concludes that there is a moderate to low risk of significant contamination, by virtue of lack of historical land uses that could give rise to contamination, and the sensitivity of the proposed end-use. There is a recommendation for a ground investigation to take place to fully characterise the site and to design foundation solutions.*

*I am broadly in agreement with the submitted reporting, but would make a couple of points. Whilst the site history does reveal major contaminative use on site, parts of the site have been in use for a significant period (pre-dating the oldest maps available) and such farm/manor houses often utilised ash and clinker from fires/boilers to make up hardstanding and there are other examples from within the borough where such deposits have posed significant contamination risks. There is also a little uncertainty regarding the historical moat. The current feature appears to be one side of what is assumed to have been a moat that surrounded the former manor house. It is not clear exactly where this feature would have been, but there is the possibility of filled ground within the bounds of the development that should*

*be included as a consideration during the design of any further site investigation and assessment.*

*Therefore, I have no objection to the scheme as long as further site investigations and assessments are required by condition. Remediation and verification reporting would also be a requirement, dependent upon the findings of the detailed risk assessment.*

The Council's Contaminated Land Officer (CLO) has examined the accompanying ground investigation reporting data submitted in support of the application. An oversight has been raised with regard to potential contamination owing to the age of the heritage assets on site and potential for made ground to exist in the area of the moat. In order to overcome this, the CLO has recommended a planning condition requiring further ground investigation work to be undertaken prior to development. This has been agreed by the Applicant and forms part of the schedule of conditions set out below. In addition two further conditions will be added. A condition in the event of unforeseen contamination being discovered, development ceasing until such time that testing. A condition, and verification report is submitted to the Council, and a validation reporting condition demonstrating that any identified contamination has been mitigated. The use of such planning conditions is routine and considered good practice by the Council. Having considered the opinion of the LCO, it is considered that sufficient mechanisms are in place to safeguard the safety of future land users from any potential land contamination. Therefore, the development complies with DALP Policy HE8.

### Noise

The application is supported by a Noise Impact Assessment reference 50-733-R2-1, dated 6<sup>th</sup> March 2023. This has been reviewed by the Council's Environmental Health Officer. They have provided the following comments.

*The impact of existing sources of noise that may affect the development site are assessed in order to ensure the that sound levels specified in BS 8233:2014 Guidance on Sound Reduction for Buildings can be achieved at all properties within the development site. This is an agreed assessment methodology.*

*The site has the potential to be affected by local traffic noise, including the nearby busway that runs to the north east of the development site. It is demonstrated within the assessment however that the noise levels specified BS 8233:2014 will not be breached, and therefore no scheme of mitigation is required in respect of any new build residential property.*

*This report and its conclusions are accepted, however the location of any fixed plant equipment in connection with the local centre will need to be considered to ensure that it does not cause a nuisance to any existing or new build residential properties.*

*We would also wish to ensure that the hours of development on this site are appropriately controlled.*

*Environmental Health has no objection to the application, subject to the following conditions being applied, in accordance with Policy GR2 of the Halton Delivery and Allocations Plan, paragraph 185 of the National Planning Policy Framework 2021 plan and in the interests of residential amenity;*

- The specification and location of any proposed external plant equipment needed to connection with the use of the new local centre shall be agreed in writing with the local planning authority*
- All construction activity should be restricted to the following hours;*
  - Monday – Friday                      07:30 to 19:00 hrs*
  - Saturday                                    07:30 to 15:00 hrs*
  - Sundays and Public Holidays       Nil*

The Applicant has undertaken an appropriate level of assessment with regard to potential noise impacts upon the proposed developments future occupants The assessment has been reviewed by the Council’s Environmental Health Officer who accepts the conclusions. The EHO has recommended a planning condition to safeguard existing residents during the development of the site. This condition is included in the schedule of conditions below.

#### *Air Quality*

The applicant has submitted an Air Quality Assessment in support of the application reference 6393r1, dated 8<sup>th</sup> March 2023. This has been reviewed by the Council’s Environmental Health Officer, their comments are set out below.

*The potential for off-site impacts from dust emissions during the construction phase of the development has been assessed, in accordance with The Institute of Air Quality Management Guidance on the Assessment of Dust form Demolition and Construction.*

*The Air Quality Assessment goes on to consider the increase in Annual Average Daily Traffic from the site once operational, and whether this increase is significant in terms of air quality, based on criteria taken from Land-Use Planning & Development Control: Planning for Air Quality produced by Environmental Protection UK and The Institute of Air Quality.*

*The report concludes that the impact from the operational phase is not significant.*

*However, given that this development involves the demolition of the existing local centre and some exiting housing, the report identifies that there is high risk to human health as a result of dust emissions without appropriate mitigation in place.*

*An appropriate scheme of mitigation is proposed, which if adopted in full reduces this risk so that it can be assessed as not significant.*

*The methodologies used in this report and its conclusions are accepted, however given the proximity of Our Ladies RC Primary School, Palacefields Primary Academy and existing residential properties, the proposed scheme of mitigation will need to be strictly implemented at all times.*

*In particular, regular communication with the management of both named schools will be particularly important to ensure that for example, demolition activities with a high risk of creating dust emissions do not take place at times when there is a large volume of pedestrian traffic due to school pick up / drop off times or when the external spaces of the school are planned to be in use.*

*Environmental Health has no objection to the application, subject to the following conditions being applied, in accordance with Policy GR2 of the Halton Delivery and Allocations Plan, paragraph 185 of the National Planning Policy Framework 2021 plan and in the interests of residential amenity;*

- *The scheme of dust mitigation as stipulated in Table 18 of Air Quality Assessment reference 6393r1, dated 8th March 2023 shall be implemented and strictly adhered to on site at all times.*

The conditions recommended by the Environmental Health Officer form part of the schedule of condition section of the report.

### Archaeology

As noted above the Council's retained advisors in these fields have considered the application and raised no objection. The archaeology comments are set out in full below.

*This application is supported by an archaeological desk-based assessment which has been prepared by Lichfields which considers the development of the site with reference to information held in the Cheshire Historic Environment Record, as well as an examination of aerial photographs, historic maps, and Lidar data. It concludes that the archaeological potential of much of the site is limited, given the disturbance associated with the development of the area in the 1970s. It does, however, recognise that there is some potential for the survival of archaeological remains from the later medieval and the early post medieval periods and that this interest is focussed on the former Tricorn public house and associated stable block, which may have developed from an earlier medieval moated site, one arm of which survives to the south of the house and stable blocks. The report concludes that this archaeological potential may be addressed during any re-development by*

*the maintenance of a programme of archaeological observation and recording during relevant works in the vicinity of Tricorn House and the stable block. Relevant works may be defined as any generalised ground reduction, the excavation of new foundations and major services, and any other significant groundworks which extend below the level of modern made ground.*

*It is advised that this represent an appropriate strategy and that the programme of archaeological work, which will include the production of a report, may be secured by condition, a suggested wording for which is given below:*

*No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.*

*The use of such a condition is in line with the guidance set out in Paragraph 205, Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (Revised 2021), published by the Department for Communities and Local Government and Managing Significance in Decision-Taking in the Historic Environment, Historic Environment Good Practice Advice in Planning: 2 (Historic England 2015). The Cheshire Archaeology Planning Advisory Service does not carry out archaeological work and the applicants will need to appoint an archaeological contractor to undertake the mitigation.*

The recommendations by the retained advisor are accepted. Given the age of Tricorn buildings, an area of archaeological interest has been determined necessitating the recommended planning condition. The recommended condition is accepted and features in the schedule of conditions below. It is considered that the proposed development meets the requirements of paragraph 9 of DALP Policy HE2.

### Sustainable Development and Climate Change

Sustainability - Policy CSR19 of the DALP addresses sustainable development and climate change. It requires all new development to be sustainable and be designed to have regard to the predicted effects of climate change. The policy recommends that developers consider the guidance as laid out within national guidance to ensure development is sustainable and appropriate to the location.

Policy GR1 states all major development proposals must demonstrate how sustainable design and construction methods will be incorporated to achieve efficiency and resilience to climate change in accordance with CSR19 taking into

account the site specific viability of the development where appropriate.

The Applicant submits that the development has been designed to meet or exceed the energy performance requirements of the building regulations current at the time, which will be dependent on phasing and the timing of delivery of each respective phase of development. This is likely to encompass the transition to the Future Homes Standard, which is expected to apply to all homes built from 2025. The anticipation is that the new housing around The Moat (LC01) and The Veterans Block (LC04) is likely to meet the requirements of the Future Homes Standard or the transitional period.

The dwellings proposed as part of LC02 (apartments), LC03A (bungalows and apartments) and LC05 (extra-care) are most likely to be constructed under the current Part L. The Church will also be built to the current standards for community buildings.

The applicant is yet to undertake a cost-analysis exercise on the package of measures that will optimise achieving the carbon reductions required under the standard for the best value for money. As a result, the exact measures to be implemented cannot be confirmed at this stage and will be determined on a case-by-case basis to achieve the maximum benefit to users and residents, factoring in a number of considerations including building orientation and likely energy usage. However, a fabric first approach will be adopted as a baseline, including improved insulation levels throughout and improved air-tightness. Other technological measures, including mechanical ventilation heat-recovery [MVHR], PV and Solar Panels, waste water heat recovery [WWHR] and Air Source Heat Pumps, will be considered either singularly or in combination to suit each property following detailed design. This will account for meeting the new Part L energy performance and Part O overheating requirements.

It is considered that an appropriate scheme can be secured by appropriately worded planning condition sufficient to demonstrate compliance with DALP Policy CS(R)19

### Conclusion

The application site is located within the existing residential area of Palacefields. In total this scheme represents £30m worth of development to a suburb of Runcorn that dates back to the New Town era. In addition it will £983k per year.

The benefits outlined in this report are the creation of 134 new residential properties (net 108) including the delivery of extra care units, a veteran village, and social rented housing.

In addition the scheme also features new civic amenity development including, a new church and a replacement local parade of shops. Further civic benefits involve the restoration and redevelopment of the Tricorn mansions house and associated stables. The Tricorn is a Grade 2\* listed building that features on the

Historic England Heritage at Risk register. This development proposal is the only likely means of securing the longevity of this heritage asset. The residential use of the Tricorn has been demonstrated by the Applicant to be the only option available to provide the associated buildings with a secured long terms use that will result in the least amount of harm to the physical.

In order to make the scheme viable, the Applicant has to deliver the stated quantum of development. A loss of a single unit would make the scheme unviable. The development is located within an area of land with limited availability of space. This has necessitated development upon allocated amenity green space. This loss of green space has been assessed and justified in the report.

The development fails to provide green space on site. The local area has a deficit of parks and gardens, natural and semi natural green space and allotments. DALP Policy HE4 states that a financial contribution toward off site payment is acceptable if no practicable alternatives exist. Given the loss of green space to the development it is practicable to seek off site financial contributions. The Council is in discussions with the Applicant regarding the financial viability of such concerns.

Subject to the outstanding matter of the off-site green space contribution, it is considered that the development proposal complies with the Halton Delivery and Allocations Plan.

## **RECOMMENDATION**

### **Planning application 23/00128/FUL**

Subject to resolution of the outstanding matter of green space contributions that the application be approved subject to the following:

- a) S106 agreement that secures off site financial contribution toward off site green space improvements as required (Members to be updated orally).
- b) Schedule of conditions set out below
- c) That if the S106 agreement is not signed within appropriate period of time, authority given to refuse this planning application.

### **Planning application 23/00129/LBC**

The application be approved subject to the following:

- a) Approved subject to conditions

## **CONDITIONS**

Application 23/00128/FUL

1. Time Limit – Full Permission.
2. Approved Plans
3. External Facing Materials
4. EV charge parking spaces to be detailed
5. Construction management plan including avoidance measures re habitat/ mammal/ bird nesting/ amphibians
6. Construction waste audit
7. Construction management plan
8. Landscape and environmental management plan
9. Hedgehog highway network measures
10. Lighting scheme to limit impact on nocturnal species
11. Ecological protection strategy
12. Ecological habitat management plan
13. Bat license
14. Bat mitigation
15. Bird and bat boxes details
16. Domestic refuse storage details
17. Suds verification report
18. Removal of GPDO Schedule 2, Part 1, Class F – no fences forward of front elevation.
19. Removal of permitted development rights for all dwellings on the site of the Tricorn buildings and car park.
20. LLFA – Sustainable drainage details
21. LLFA – validation report
22. Prior to development a noise impact assessment
23. Contaminated Land survey
24. Contaminated Land validation report
25. Contaminated land unforeseen contamination strategy
26. Landscape management plan
27. Archaeology
28. Demolition strategy
29. Local centre external plant details
30. Construction operating hours
31. Dust mitigation strategy
32. Wetland planting scheme
33. BNG no net loss off site delivery
34. Boundary treatment details
35. Updated condition survey
36. Detailed Structural Survey;
37. Building Record (Level 3);
38. Detailed Technical Drawings;
39. Schedule of existing and replacement features including windows and doors;
40. Schedule of existing and replacement materials and finishes;



41. Detailed Schedule of works;
42. Any necessary structural designs and reports for interventions such as retaining steelwork or portal frames;
43. Method Statements for all proposed development works.
44. Tricorn urgent stabilisation works to take place prior to development commencing.

#### Application 23/00129/LBC

1. Time Limit – Full Permission
2. Approved Plans
3. Boundary treatment details
4. Updated condition survey
5. Detailed Structural Survey;
6. Building Record (Level 3);
7. Detailed Technical Drawings;
8. Schedule of existing and replacement features including windows and doors;
9. Schedule of existing and replacement materials and finishes;
10. Detailed Schedule of works;
11. Any necessary structural designs and reports for interventions such as retaining steelwork or portal frames;
12. Method Statements for all proposed development works.

### **BACKGROUND PAPERS**

The submitted planning applications are background papers to the report. Other background papers specifically mentioned and listed within the report are open to inspection at the Council's premises at Municipal Building, Kingsway, Widnes, WA8 7QF in accordance with Section 100D of the Local Government Act 1972

### **SUSTAINABILITY STATEMENT**

As required by:

- The National Planning Policy Framework (2021);
- 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.