



Development Control Committee

**Monday, 9 October 2006 6.30 p.m.
Council Chamber, Runcorn Town Hall**

A handwritten signature in black ink, appearing to read 'David W R'.

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Paul Nolan (Chairman)
Councillor Dave Thompson (Vice-Chairman)
Councillor Sue Blackmore
Councillor Ron Hignett
Councillor Keith Morley
Councillor Dave Leadbetter
Councillor Shaun Osborne
Councillor Rob Polhill
Councillor Colin Rowan
Councillor Tim Sly
Councillor Ian Whittaker

*Please contact Michelle Simpson on 0151 424 2061 Ext. 1126 or
michelle.simpson@halton.gov.uk for further information.
The next meeting of the Committee is on Monday, 20 November 2006*

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

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Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda, no later than when that item is reached, and (subject to certain exceptions in the Code of Conduct for Members) to leave the meeting prior to discussion and voting on the item.	
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In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 11 September 2006 at the Council Chamber, Runcorn Town Hall.

Present: Councillors Thompson (Vice-Chair in the Chair), Blackmore, Morley, Osborne, Polhill, Rowan and Whittaker.

Apologies for Absence: Councillors Nolan, Leadbetter and Sly.

Absence declared on Council business: Councillor Hignett

Officers present: P. Watts, M. Simpson, L. Beard, A. Pannell, A. Plant, L Capper and M Hughes.

Members of the public: 12

**ITEM DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE BOARD**

DEV13 MINUTES

Action

The Minutes of the meeting held on 14th August 2006 having been printed and circulated, were taken and signed as a correct record.

RESOLVED: That the minutes be noted.

DEV14 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE

The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described.

(i) Plan No. 06/00436/FUL

Proposed erection of 10 No. courtyard houses to the land at Dawsons Dance Centre, Lunts Heath Road, Widnes.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that no representations had been

received to date.

The Committee was advised that the Council's Environmental Health Officer had submitted a full report on the existing buildings, it was noted that all the buildings were constructed of asbestos cement and were likely to deteriorate. The owners had indicated they could not afford to complete significant repair work. It was reported that the very special circumstances in the removal of the asbestos cement buildings were to be weighed against the thought that new housing in principal would be an inappropriate development in the Green Belt and was therefore contrary to local and national policy.

Members discussed highway safety and the access to and from the development and it was noted that land at the side of the current entrance/exit road had been bought in order to widen the road therefore making two-way traffic. This would increase visibility when leaving the junction.

RESOLVED: That the application be approved subject to the application not being called in by the Secretary of State following its referral under Green Belt direction and to the following conditions:

1. Standard condition relating to timescale and duration of the permission;
2. Wheel wash condition required for construction phase (BE1).
3. Parking conditions (2 separate conditions) to ensure access and parking is provided and maintained at all times. The use of the premises shall not commence until the vehicle access and parking has been laid out (TP12).
4. Landscaping condition is required to ensure comprehensive details are provided prior to the commencement of development (BE2).
5. Boundary treatment condition is required to ensure details are provided prior to the commencement of development (BE2).
6. Drainage condition, requiring the submission and approval of drainage details (BE1).
7. Construction hours to be adhered to throughout the course of the development (BE1).
8. Delivery hours to be adhered to throughout the course of the development (BE1).
9. Materials condition, requiring the submission and approval of the materials to be used (BE2).
10. Site investigation, including mitigation to be submitted and approved in writing (PR14).

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11. A condition and removing permitted developments from the property including extension, porches and roof alterations (BE1).
12. An agreed schedule for the removal of the existing buildings and contaminated materials.

Additional conditions to be added were as follows:

- (i) Details of right turning lane to be submitted to, agreed and constructed prior to commencement;
- (ii) Prior to the commencement of development details of existing site levels and finished floor levels to be submitted and agreed; and
- (iii) Boundary treatments and hard surfacing to be removed as part of the condition removing permitted development rights.

(ii) Plan No. 06/00461/FUL

Full application for erection of 101 No. 2 ½, 3 and 3 ½ storey residential dwellings to the land at Cameron Industrial Services Ltd, Cameron House, Hale Road, Halebank, Widnes.

It was noted that this application had been withdrawn.

(iii) Plan No. 06/00502/FUL

Proposed district centre, consisting of 1 No. single storey convenience store, 5 No. two storey retail units, 1 No. two storey public house and 1 No. three storey apartment block (comprising 12 No. two bed and 6 No. 1 bed) to the land opposite Motherwell Close, Lanark Gardens, Widnes.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that 33 letters of objection had been received on the grounds of which were detailed in the report.

The Committee heard objections from Mr Davidson who spoke on behalf of the residents of Upton Rocks and requested that the Committee withdraw or defer the application as it was felt that more flats would not benefit the community as at present there was a vast number of apartments which still had not been sold. In addition it was felt that there would be major traffic and parking problems if this development was to go ahead.

In reply it was noted that a link road would be built

creating some benefit and a local convenience store, retail units and public house would reduce traffic from local residents. In addition it was noted that there were no legal grounds in which to defer the planning application.

An amendment to the report was tabled informing the Committee that the Environment Agency had no objections and had recommended additional conditions to be added.

RESOLVED: That the application be approved subject to the following conditions: -

1. Standard condition relating to timescale and duration of the permission;
2. Specifying amended plans (BE1).
3. Wheelwash condition required for construction phase (BE1).
4. Parking conditions (2 separate conditions) to ensure parking and servicing areas is provided and maintained at all times. The use of the premises shall not commence until the vehicle access and parking has been laid out (TP12 & E5).
5. Landscaping condition is required to ensure comprehensive details are provided prior to the commencement of development (BE2).
6. Boundary treatment condition is required to ensure details are provided prior to the commencement of development (BE2).
7. Details of the design of the bin storage (BE2).
8. Drainage condition, requiring the submission and approval of drainage details (BE1).
9. Construction hours to be adhered to throughout the course of the development (BE1).
10. Delivery hours to be adhered to throughout the life of the permission (BE1).
11. Opening hours to be adhered to throughout the life of the permission (BE1).
12. Condition stating that there shall be no external flues on any units (BE2).
13. Condition stating that there shall be no external shutters on any units (BE2).
14. Materials condition, requiring the submission and approval of the materials to be used (BE2).
15. Condition requiring the entering into a legal agreement or other appropriate agreement prior to the commencement of development (BE1).
16. Details of equipment to control the emissions of fumes shall be submitted and agreed in writing (BE1 & PR3).
17. Condition that construction traffic is to use

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- Queensbury Way (BE1)
18. That the A5 use is restricted to Units 1 & 5.

Additional conditions to be added were as follows:

- (i) Deliveries to be taken off Queensbury Way (BE1)
- (ii) Construction of pedestrian access including 3m cycleway from Lanark Gardens to Upton Rocks Park. Prior to occupation (BE1).
- (iii) Chemical storage restriction (PR5).
- (iv) Amphibian survey prior to commencement (GE21).
- (v) Temporary fencing around the pond (GE21).
- (vi) Details of the recycling centre to be submitted prior to commencement (BE1).
- (vii) Noise conditions (2 separate conditions) to protect residential amenity and to ensure doors on the public house would have self closers (PR2).
- (viii) Prior to the commencement of development lighting details shall be submitted (PR4).

(iv) Plan No. 06/00540/OUT

Outline application for a two storey health centre/children's nursery including details of layout and means of access for approval to the land opposite Motherwell Close, Lanark Gardens, Widnes.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that nine letters of objection had been received on the grounds of which were detailed in the report.

Members discussed traffic and parking problems and the possibility of the need for a mini by-pass to re-direct the traffic. It was reported that the link road was in the process of being designed and the department was looking for further contributions with hope of commencement early next year.

In addition it was reported that the Environmental Agency had no objections.

RESOLVED: That the application be approved subject to the following conditions:-

- 1. Reserved matters condition, for the submission of and approval prior to the commencement of development.
- 2. Time limit for the submission of reserved matters.

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3. Time limit for the commencement of development.
4. Reserved matters to be submitted and carried out as approved.
5. Materials condition, requiring the submission and approval of the materials to be used (BE2).
6. Drainage condition, requiring the submission and approval of drainage details (BE1).
7. Landscaping condition, requiring the submission of both hard and soft landscaping (BE2).
8. Boundary treatments to be submitted and approved in writing (BE1).
9. Wheel cleansing facilities to be submitted and approved in writing (BE1).
10. Parking conditions (2 separate conditions) to ensure parking and servicing areas is provided and maintained at all times. The use of the premises shall not commence until the vehicle access and parking has been laid out (TP12).
11. Details of the design of the bin storage (BE2).
12. Construction hours to be adhered to throughout the course of the development. (BE1)
13. Delivery hours to be adhered to throughout the life of the permission. (BE1)
14. Condition that construction traffic is to use Queensbury Way (BE1)

Additional conditions to be added were as follows

- (i) Opening hours 07.00 – 21.00 for the life of the permission (BE1).
- (ii) Prior to the commencement of development lighting details shall be submitted (PR4).

(v) Plan No. 06/00542/HBC/FUL

Proposed erection of gates adjacent to 1 Ireland Street, Widnes.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that an objection had been received from the Highways Authority in relation to the use of Stopping Up Orders in such cases.

In addition comments had been received from United Utilities – no objection but require 24 hr access to a water main within the enclosed area. Should access be needed and no key available access would be gained through forced entry. United Utilities would not be held liable for the cost of repairing such damage.

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RESOLVED: That the application be approved subject to 1 condition requiring colour coating Dark Green BE22.

(vi) Plan No. 06/00543/HBCFUL

Proposed erection of gates to the rear of 74 and 77 Arley Drive, Widnes.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that an objection had been received from the Highways Authority in relation to the use of Stopping Up Orders in such cases.

RESOLVED: That the application be approved subject to 1 condition requiring colour coating Dark Green BE22.

(vii) Plan No. 06/00544/HBCFUL

Proposed erection of gates adjacent to 99 and rear of 119 Cradley, Widnes.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that an objection had been received from the Highways Authority in relation to the use of Stopping Up Orders in such cases.

RESOLVED: That the application be approved subject to 1 condition requiring colour coating Dark Green BE22.

(viii) Plan No. 06/00545/HBCFUL

Proposed erection of gates adjacent to 21 Andrew Close, Widnes.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that an objection had been received from the Highways Authority in relation to the use of Stopping Up Orders in such cases.

RESOLVED: That the application be approved subject to 1 condition requiring colour coating Dark Green BE22.

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(ix) Plan No. 06/00546/HBCFUL

Proposed erection of gates adjacent to 122 & 124 Mottershead Road, Widnes.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that an objection had been received from the Highways Authority in relation to the use of Stopping Up Orders in such cases.

RESOLVED: That the application be approved subject to 1 condition requiring colour coating Dark Green BE22.

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(x) Plan No. 06/00565/HBCFUL

Proposed erection of gates adjacent to 20 Boston Avenue and rear of 97 Morval Crescent, Runcorn.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that an objection had been received from the Highways Authority in relation to the use of Stopping Up Orders in such cases.

RESOLVED: That the application be approved subject to 1 condition requiring colour coating Dark Green BE22.

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(xi) Plan No. 06/00604/HBCFUL

Proposed erection of gates adjacent to 8 Vahler Terrace and rear of 16 Cartwright Street, Runcorn.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that an objection had been received from the Highways Authority in relation to the use of Stopping Up Orders in such cases.

RESOLVED: That the application be approved subject to 1 condition requiring colour coating Dark Green BE22.

DEV15 MISCELLANEOUS ITEMS

1) Appeals had been received following the Council's refusal of the following applications:-

04/01099/OUT Outline application for two storey

residential development consisting of a two storey block of 6 No. flats and associated vehicle parking at Ditton Church Hall, Liverpool Road, Widnes, Cheshire.

06/00460/FUL Proposed two storey detached house with basement area and detached garage at Original Site Of Hale Village Nursery, Cocklade Lane, Hale Village, Liverpool, L24 4BB.

06/00504/FUL Proposed conversion of existing stable building and erection of 9 No. apartments to provide 11 No. accommodation units at 35 Irwell Lane, Runcorn, Cheshire, WA7 1RX.

06/00511/FUL Proposed erection of 1 No. two storey detached dwellings at Land Adjacent to 248 Moorfield Road, Widnes, Cheshire, WA8 3HG.

06/00512/FUL Proposed single storey workshop building to the rear of existing warehouse with two storey amenity block to one end at Albion Chemicals Limited, Pickerings Road, Widnes, Cheshire, WA8 8XW.

06/00531/FUL Proposed conservatory to rear of 1 Swindon Close, Runcorn, Cheshire, WA7 6NF.

2) The following application had been returned :-

06/00529/FUL Conversion of garage to study/w.c. at 6 Kildare Close, Liverpool, Hale Village, Merseyside, L24 5SA

3) The following petitions had been received:-

05/00957/FUL Proposed erection of 5 no. four bedroom detached dwellings at Lawson House, Moughland Lane/Campbell

Avenue.

The petition contained 23 signatures where the objections were:

- 1) There had been no consultation on the outline plan for the whole of the Lawson House site;
- 2) The site density and type of dwellings proposed is totally out of character with existing housing in the area;
- 3) The partial development initially proposed effectively cuts off any access to the remainder of the site. The access may be required at a later date if a series of planning applications are made by Morris Homes;
- 4) Earlier planning applications for 4 executive style houses on the south side of the site was not pursued by the previous owners due to access problems near to the bend in Moughland Lane. A tenfold increase in traffic on the site with access in the same vicinity would cause even more problems;
- 5) Overloading of the suspect main drainage with additional drainage from such a high density development; and
- 6) Access problems for Emergency and Environmental vehicles.

Meeting ended at 7.00 p.m.

The following applications for planning permission are submitted to the Committee for consideration with a recommendation in each case. Those applications marked * are considered to have significant employment implications.

An Amendments List, containing the categorisation of planning applications, additional information and amendments to recommendations, will be circulated to Committee Members before the meeting together with plans showing the location of each application site. Those applications now before the Committee, where the planning issues are considered clear by the Chairman, will be included in List A. Unless a Member considers that additional information is required on a particular application in List A it is **RECOMMENDED** that each of the applications be determined (whether for approval or for refusal) in accordance with the conditions or the reasons printed in the Agenda and in the Amendments List previously circulated.

The remaining applications are included in List B. Together with those applications about which Members require further information, List B applications will be considered following determination of applications remaining in List A.

PLAN NUMBER	06/00469/OUTEIA
APPLICANT:	Widnes Golf Club/GL White Property
PROPOSAL:	Outline application for formation of 18-hole golf course together with club house, greens maintenance building, car park and associated facilities (joint application with Knowsley Council)
ADDRESS OF SITE:	Land bounded by Norlands Lane, M62 Motorway and Mill Lane, Pex Hill. Widnes
WARD:	Farnworth

SUMMARY RECOMMENDATION:

Approve with conditions

CONSULTATION AND REPRESENTATION:

The application was advertised by means of site and press notices, and the neighbouring properties were consulted by letter.

The Government Office, Environment Agency, Halton Friends of the Earth, English Nature, Countryside Commission, Cheshire County Council Archaeology and United Utilities have been consulted. The Council's Highways Engineer, Environmental Health Officer, Trees and Woodlands

Officer and Landscape Officer have also been consulted. Knowsley Council were consulted as an adjoining authority.

Knowsley Council raise no objections to the proposal subject to conditions that cover a full justification statement of the scale and size of the clubhouse building, a full justification of the proposed residential unit, restriction of the use of the clubhouse building to golf club players only i.e. not private functions, restriction of the hours of use of the clubhouse, a noise assessment relating to the operation of the clubhouse, car parking layout and boundary treatments-upon which KMBC will be consulted, and potential light pollution being added.

There have been 12 letters of objections, within which, a number of concerns have been raised by local residents, which are outlined below:

- The car park, club house and maintenance area will be situated directly adjacent to my property, all these will come with massively increased levels of vehicle and pedestrian traffic and associated noise which during the summer months would be late into the night.
- A licence to serve alcohol and functions could be applied for which would also lead to increased noise levels late into the night all year round.
- Given the available land the car park, clubhouse and maintenance area could and should be sited away from any residential area, thus minimising disturbance to residents and the local community.
- Concerns over the increased levels of traffic on Norlands Lane given that it is a no through road, and DATS building has been sold for housing.
- Query whether Norlands Lane with one entrance/exit can legitimately accommodate this volume of traffic safely.
- No objection to the course in itself the siting of the car park, clubhouse and maintenance area will only lead to disruption to local residents.
- Development should not be allowed as currently the area is open countryside and can be enjoyed by any member of the public using footpaths in the area. A golf club would be enjoyed exclusively by its members. Currently the area is one of few remaining rural locations, which are accessible to the public.
- This development would change the nature of the area forever and deprive the public of Widnes & Cronton of enjoyment of the area.
- Objection to the field where these are to be located, due to extensive number of birds species recorded over last 18 months some of which are being globally threatened according to IUCU criteria (The World Conservation Union), those whose population or range has declined rapidly in recent years, and those that have declined historically and are not showing a substantial recovery. Eight species recorded fall in this category.

- Other animal species have also been seen to live in the area and should be considered to have contributed to the biodiversity of the field in question to be developed.
- Species protected by The Wildlife and Countryside Act 1981 have been seen and a full survey should be undertaken to see if bats roost in the surrounding trees, some of which may have to be removed for the proposed access road.
- On the field there are two ponds that date back on old OS maps, these support frogs that have been seen on the field. A survey should be undertaken to see if these ponds support breeding great crested newts.
- It is obvious that this area is an important habitat to a variety of wildlife and any development of this land will impact on this diverse variety of wildlife deeply.
- The access road, car park and club house will create a high level of light pollution, noise and disturbance, is it not possible to locate these buildings and car parks to an alternative location to safeguard the habitat for future generations and still have the facility of the golf course.
- Prior to any decision being made on the planning application it is imperative that an independent full and conclusive environmental survey is carried out, and a legal requirement concerning the bat population and the results published for public viewing and recommendations followed and monitored.
- Although I live bordering the current golf course, my objection to these plans to build a new golf course on Pex Hill are because myself and friends regularly use the paths there. Due to the amount of building in Widnes over the last few years there are few places left where you can run/walk and have a feeling that you are in a 'little bit of country'.
- For the golf course to be able to afford their relocation to Pex Hill, they would have to redevelop their existing site for housing. This would destroy even more open space in Widnes, which is already over-developed, and would fly in the face of Halton's designation of the site as green land in its UDP.
- Golf course located in Green belt and would seek assurance that any such development would not act to dilute the strength of the Green belt status.
- Concerned about traffic nuisance, pollution and damage arising from HGV's and construction plant using Norlands Lane and other local roads and from golf club members and visitors.
- Concerned over impact on ecology and landscape and seek assurances that existing high quality and diversity of flora and fauna are conserved, but opportunities are taken to enhance and maintain it.
- Would like to see existing rights of way conserved and maintained. The private golf course would not be readily accessible to all groups of the community. This must surely compromise the case in favour

of (and significantly reduce the wider local need for) the scheme in the face of the relevant local planning policies.

- There are 6-7 existing golf courses within 2-3 miles of the site.

A letter has also been received from the Cronton and District Gun Club who raise concerns over their relocation and this not being included in the scheme. They ask that the Council do not agree to this application or at least only with the condition that the gun club are either accommodated within the development or be offered alternative suitable grounds with assistance towards the cost of re-locating. This is a private issue between the Gun Club and the applicants, and is not a material planning consideration.

One letter of support for the proposal was received.

There were other issues raised that the Golf Club is supposed to have consulted all its members, and about the general consultation procedures giving too short time to respond, which are not material planning considerations.

The issues raised following the consultations will be discussed later in the observations and issues section of the report.

SITE/LOCATION:

The application site is located off Norlands Lane, adjacent to the Norlands Farm residential area. This is a joint application as part of the overall site is located in Knowsley. The adjoining authority application is for consideration in part 4 of the agenda (06/00570/ADJ).

RELEVANT HISTORY:

There is no planning history on the site. The land is former agricultural land.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as Greenbelt in the Halton Unitary Development Plan, where Policies S21 Green Belt and GE1 Control of Development in the Green Belt are of relevance. Policy GE5 Outdoor Sport and Recreation Facilities in the Urban Fringe and Open Countryside is also of relevance.

Planning Policy Guidance Note 2: Greenbelts is the National Planning Policy of relevance.

OBSERVATIONS AND ISSUES:

An application has been submitted to both Halton and Knowsley MBC. It is an outline application for the formation of an 18-hole golf course together with clubhouse, greens maintenance building, car park and associated

facilities with access to be determined with this application. All other matters are reserved for future consideration.

The application, of relevance to Halton, seeks approval for the clubhouse, greens maintenance building, practice ground, car park and access. The plan submitted with the application shows the possible siting of these facilities.

An environmental impact assessment was submitted with this application.

OBSERVATIONS AND ISSUES-IMPACTS OF PROPOSED DEVELOPMENT:

The following impacts have been considered within the Environmental Impact Assessment.

Landscape and Visual Assessment
Transport and Access
Noise and Vibration
Air Quality
Land Use and Agriculture
Geology and Geomorphology
Water Resources
Archaeology and Built Heritage
Ecology and Nature Conservation

These considerations relate to the development as a whole. As the element of the application in Halton relates only to the clubhouse, car park, maintenance building and practice ground the following impacts will be looked at, as they are considered of most relevance to this part of the proposal. They are in no particular order of importance.

Landscape and Visual Assessment

The overall site is a combination of agricultural land, Pex Hill Country Park, urban fringe and road corridors. This 'Halton proposal' falls into a landscape designation referred to as agricultural land and urban fringe part of the landscape and visual assessment area.

It is acknowledged, in the Environmental Statement, that one of the areas most likely to experience visual change will be from Norlands Lane and public footpaths. There will be impacts in the surrounding area during the construction stage of the proposal. This will be seen from the rights of way and Norlands Lane area. Without mitigation these impacts would be high. However, the Environmental Statement highlights the mitigation measures such as good construction practice, careful siting of plant, machinery and materials and the appropriate use of hoardings. With these in place then it is claimed that the residual impacts on the landscape are low.

The long-term impacts on the landscape character, once the proposal is

complete are considered generally low, although the Environmental Statement acknowledges that the careful siting of the clubhouse and machinery building will be important. The Environmental Statement has assumed a 'worst case scenario' that the clubhouse is a two storey structure. However, to ensure that the visual impact of the clubhouse is lessened and that the openness of the Green Belt is maintained any permission given should and could be conditioned to restrict the clubhouse to single storey only. The principle should be applied to all other structures also. The detailed design, of the structures, is for consideration at the reserved matters stage.

United Utilities have also provided comments that they would not allow any building over the 18" and 12" mains on the east side of the reservoir, within a 10 metre easement of the mains. This will have an impact on the siting of any building as well and will have to be considered at the reserved matters stage.

A Landscape and Ecological Plan which includes a number of mitigation measures should also be implemented, as this would provide beneficial impacts. A condition should be added to ensure that this covers the Halton site.

Transport and Access

A Transport Assessment was submitted with the application, and the transport and access impacts have also been looked at in the Environmental Statement.

The development site is to be accessed from Norlands Lane with the majority of trips being by car. However, it is also stated that the site is accessible by bus, foot and bicycle.

During the construction stage it is estimated that there will be a maximum of 66 Heavy Goods Vehicles (HGV's) and 24 other vehicle movements by construction staff per day, and once operational there is a predicted increase of up to 20 vehicles per hour in the pm peak, which equates to a vehicle every 3 minutes, which the report refers to as a negative impact.

Additional information has been provided by the Highways consultants which shows that there is no significant impact on the highway network.

The Highways Engineer has suggested that a traffic count will be required to be carried out at the Norlands Lane roundabout, after the school holidays. This is to check that the figures provided in the report will provide a negative impact. The findings of the traffic count will be reported at Committee.

Noise and Vibration

The construction activities have the potential to create short-term noise

and vibration impacts from the plant. In order to mitigate these, appropriate contract conditions and control measures can be implemented. A temporary noise screen can be erected on the boundary of the site.

A condition can be added to control construction hours works to be carried out only during certain times to ensure residential amenity is not compromised.

Archaeology and Built Environment

There are no archaeological resources of local importance in the area. The access to the proposed development will encroach on the curtilage of Norlands Farm, which is a Grade II listed farmhouse. This was looked at in an additional report, as it was omitted from the Environmental Statement. The report mentions a possible impact on Norlands Farm from the car park. This will be looked at as part of the reserved matters application but it is assumed there could be an impact. Therefore to mitigate the impact on the listed building a condition regarding boundary planting along with the restriction on the height of the clubhouse is required.

Listed Building consent will be required to change the boundary wall, of the listed building.

Ecology and Nature Conservation

The ecological features that are likely to be affected have been looked at in the Environmental Statement. A Water Vole and Great Crested Newt Survey have been provided with the application. The further survey work was carried out following the initial Environmental Impact Assessment. There will be loss of some habitats during the construction stage. There are an extensive number of mitigation measures suggested, to offset the potential impacts.

The mitigation measures include a survey of the trees, clearance of the Japanese Knotweed, and fencing of the entire site. These can all be added as conditions.

There will be a change in the biodiversity in the area, and new habitats will be established. A Landscape and Ecological Management Plan will be required as part of the mitigation measures, and as previously mentioned can be conditioned to ensure that it covers this application.

OBSERVATIONS AND ISSUES-DETAILED COMMENTS:

The main issues that came out following the consultation exercise are:

Traffic Generation and Access

Norlands Lane used to be the main route leading to the M62, and was designed to carry a larger capacity of traffic than it currently does.

However, since the closure of this link the residents have been used to less traffic using this road.

The Highways Engineer has considered the proposal and feels that this proposal would have no significant impact on the highway network. However, there is a concern expressed that the golf course is to be moved from a more sustainable location in the centre of Widnes, to a far less sustainable location. This, however, does not form part of the current proposals and is not a reason for refusing the application.

The access is shown to be of adequate design and the visibility splays can be achieved. A condition can be added to ensure that adequate visibility shall be maintained at all times.

An amended plan has been received to show that the proposed footway is now located to the north of the roadway. This amendment has been made to enable the protection and retention of the trees (within Knowsley), which is on the edge of the existing public right of way and an important feature of the site. The amended plan shows that the proposed access arrangements can be incorporated without any conflict with the public right of way.

Noise and Light Pollution

This has been raised as an issue and is a concern of the local residents living on Norlands Park. The exact location of the clubhouse and other facilities are not to be considered as part of this application. However, there needs to be some comfort to the residents that their amenity is not compromised, and the noise and light pollution will be minimal. The use of conditions restricting operating hours, the use of screening as noise barriers and boundary treatment will ensure that the facilities will be screened. In addition to this a noise survey/assessment shall be conditioned. The careful siting of these facilities will need to be looked at during the reserved matters stage.

Change in Landscape

The area of this proposal is currently agricultural land, within Norlands Farm. The trees and hedgerows form part of the character of the area. The introduction of the proposed structures will change the character of the landscape to a certain extent, but providing the trees and hedges are retained then this will go some way to keeping the character of the area and minimising impacts.

The Council's Trees and Woodland Officer suggested that conditions are attached to ensure a full and detailed tree and hedgerow study are carried out, and that trees are retained and none are felled without consent in the future. Also there are replacement trees provided. It should also be included in any Landscape and Ecological Management Plan. As long as there is careful management of the area and replacement trees and

hedgerow planting provided then the impacts will be minimal in the area. This will ensure that any buildings are screened where necessary.

Nature Conservation Issues

The site has an extensive amount of wildlife. The Water vole and Great Crested Newt Survey has been carried out a condition should be added stating that should any further surveys be required then it should include the application that falls within Halton as well.

With careful management of the area, and with the surveys highlighting where the species are, it is considered that these can be accommodated successfully within the application site. Any Landscape & Ecological Management Plan should be developed with English Nature and conservation officers both in Halton and Knowsley.

Inaccessibility to the area

This area is accessible to the public and a number of objections have been in connection with the site not being accessible to the public if a golf course is built.

The public rights of way will be maintained and the area will still be accessible. The main right of way, which forms part of this application, will remain as it is and the access road will follow the line of this. The other rights of way, and routes are part of the Golf Course area, which is an issue for Knowsley Council to look into.

It is considered that the area will still be accessible. However, any security and health & safety issues have to be considered by the golf course as to how much access is allowed at certain times.

Policy

The proposal is located within the Green Belt and as such Policy GE1 is of relevance. It is agreed that a golf course is an acceptable use within the Green belt and it is recognised that certain facilities attached to such a use are essential. Notwithstanding, they must preserve the openness of the Greenbelt.

Planning Policy Guidance Note 2 Green Belts, states that the use of Green Belts to provide opportunities for outdoor sport and recreation is acceptable provided that the openness of the Green Belt is preserved. According to paragraph 3.5 of PPG2 buildings that provide essential facilities for outdoor sport and recreation should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it.

Golf courses generally have a clubhouse, car park, practice ground and maintenance ground. However, within this application a residential element

has been requested. The residential element is not classed as an essential facility and an assessment has to be made on whether this is acceptable in policy terms. The proposed residential element would be for security reasons, as some presence on site is seen as essential in maintaining site security overnight in particular preventing unauthorised access. This would have to be a small element of the clubhouse and be ancillary to the main building. A personal condition should be added to ensure that someone working for the golf course only occupies the residential element of the main clubhouse building.

This application is an outline application where siting, design etc are for future consideration therefore the detail, of the proposed buildings; car park and practice ground facilities will be looked at during the reserved matters stage. Similarly, the scale, size and exact location will have to be looked at during this stage. To ensure that the residential amenity and visual impact is not compromised the club house facility should be restricted to single storey only and should be used solely for the golf club use and not for private functions. This can be conditioned accordingly.

The other policy of relevance is GE5 Outdoor Sport and Recreation Facilities in the Urban Fringe and Open Countryside, in the Halton Unitary Development Plan. It states that the proposals for outdoor sport and recreation facilities in the urban fringe and open countryside will be permitted providing that all the criteria set out in the policy are met. Part of this policy states that buildings provided in association with outdoor sport and recreation uses should be sited close to existing building and blend in terms of design and materials.

It is not considered that the enjoyment or accessibility of the countryside would be spoilt as a consequence of this proposal. The traffic generation has been looked at and the small increase in traffic is considered acceptable. Norlands Lane will remain closed therefore there will be no change to the existing road arrangement.

Conclusion

It is accepted that the structures and features proposed are required in connection with the wider golf course proposal. The main impacts have been considered and with appropriate mitigation measures in place and through planning conditions it is considered that the impacts can be minimised.

The detailed design, including materials, and scale of the facilities will have to be looked at through a reserved matters application and carefully considered so as not to have an adverse impact on the residents.

The proposal complies with both local policy and national policy and through appropriate conditions can be controlled to ensure only limited impact. The proposal is therefore recommended for approval subject the conditions recommended below.

RECOMMENDATION:

Approve subject to the following conditions listed below: -

1. Standard condition relating to timescale and duration of permission
2. Reserved matters, layout, scale, appearance, and landscape for future consideration.
3. Amended Plans condition
4. Details of materials required prior to commencement (BE2)
5. Drainage details required prior to commencement (BE1)
6. Condition to show the levels details for the proposal and how it links in with the adjacent land uses (BE1)
7. Details of bin storage required (BE2)
8. Car parking layout prior to commencement (TP12)
9. Cycle parking (TP6)
10. Disabled parking (TP12)
11. Details tree and hedgerow survey prior to commencement (BE2 & GE24)
12. Bat survey mitigation measures need to be put in place prior to the commencement of development (GE21)
13. Great crested newts survey, mitigation measures need to be put in place (GE21)
14. Barn Owl survey carried out and any mitigation measures need to be put in place prior to commencement (GE21)
15. Badger survey carried out and any mitigation measures need to be put in place prior to commencement (GE21)
16. Landscape and ecological plan (GE19)
17. Lighting scheme plan, showing details of all lighting (BE2 & PR4)
18. Noise levels report and mitigation measures (BE2 & PR2)
19. Visibility splay required to be maintained at all times (BE1)
20. Boundary treatment condition required ensuring details are provided prior to the commencement of development (BE2)
21. Wheel wash condition required for construction phase (BE1)
22. Scheme for the disposal of Japanese Knotweed (BE1)
23. Hoardings to be provided during the construction phase, where appropriate (BE1)
24. Construction hours conditions (BE1)
25. Club house, and other structures, restricted to single storey only (BE2 & GE1)
26. Residential accommodation, which should be provided within main clubhouse, for person working on golf course only (BE1)
27. Operating hours (BE1)
28. Hour of illumination (BE1)

PLAN NUMBER:

06/00571/FUL

APPLICANT:

Charles Brierley-Jones

PROPOSAL: Full Application For Erection Of 24 No. Two Bedroom Apartments In A Three Storey Building With Associated Access, Car Parking And Landscaping

ADDRESS OF SITE: Land To Rear Of 353-363 Hale Road, Halebank, Widnes

WARD: Ditton

SUMMARY RECOMMENDATION:

Approve subject to conditions and Section 106

CONSULTATION AND REPRESENTATION:

The application was advertised in the local press and by a site notice displayed near to the site. The nearest affected occupiers of the adjacent and nearby residential and commercial properties were notified by letter. United Utilities, Environment Agency, the Health & Safety Executive, the Council's Highway Engineers and Environmental Health Officers have all been consulted.

The Health & Safety Executive and United Utilities have raised no objection to the proposal. The Environment Agency have raised no objection but have recommended conditions relating to investigations into ground conditions.

Comments have been received from 8 local residents at the time of the writing of this report raising concerns in relation to; ownership of land to the rear of No.363 Hale Road; possible removal of existing rear security gates; removal of asbestos from the current building on the site; need for further clarification of overall building height of 13m; impact on privacy of existing residents; height of proposed boundary wall; what security lighting is proposed; wish to retain a private access to existing properties separate to the proposed apartments; type of tenancy of apartments; narrowness of new road; potential increase in traffic levels; treatment of edge of landscape area adjacent to No.363 Hale Road to prevent damp problems; land ownership issues with a strip of land to the rear of No.'s 359-353 Hale Road; security of the site during construction if development is allowed.

Any further comments received will be reported orally.

SITE/LOCATION:

The site is located on the former Car Sales site, which lies between the rear of the Camerons site and Hale Road in Halebank, Widnes. The access to the site is shown to be gained from Hale Road.

RELEVANT HISTORY:

The current site has a planning history relating to the existing commercial use and is not of particular relevance to this current residential application.

DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The Council's Draft Supplementary Planning Document for Halebank Regeneration Action Area is relevant to this application and the Supplementary Planning Guidance for New Residential Development, as are the following key policies within the adopted Unitary Development Plan; S1 Regeneration; S25 Planning Obligations; RG5 Action Area 5 Halebank; BE1 General Requirements for Development; BE2 Quality of Design; BE3 Environmental Priority Areas; PR12 Development on Lane Surrounding COMAH Sites; PR14 Contaminated Land; PR16 Development and Flood Risk; TP16 Safe Travel for All; H3 Provision of Recreational Greenspace; H4 Design and Density of New Residential Development.

OBSERVATIONS AND ISSUES:

The main issues and material planning considerations arising as a result of the proposal are: - the relationship with the Halebank Regeneration Action Area Supplementary Planning Document (SPD); Highway Safety; Interface with Surrounding Commercial Areas; Design Quality; Residential Amenity; Flood Risk.

Relationship with Halebank Regeneration Action Area SPD

The overarching policy for the application site and wider Halebank area is the Halebank Regeneration Action Area Supplementary Planning Document (SPD). This document is at an advanced stage in the adoption process and was considered by the Executive Board on 21st September 2006. The significance of the SPD in relation to the application site is that the site is within an area identified for new residential development. Planning permission has already been granted for part of this new residential area on the former Asda supermarket site to the south of this site.

The aim of the SPD is to achieve environmental improvements to the wider area of Halebank. One of the mechanisms to achieve this, is the aspiration to construct a HGV Relief Road, which would provide a route for commercial heavy goods vehicles away from Hale Road, which runs through the Halebank residential area. The proposed HGV Relief Road scheme is proposed to link back into the highway network near to the railway bridge. Both the road and the linkage into the highway network will involve considerable engineering works and land take along the area to the north of the application site and in the area of Harrison Street.

As such there is difficulty in future developments providing access into the wider area of the remaining residential allocation from the north. In view of this, this current application site has increased significance as it could allow

the potential to provide an acceptable access into the remaining northern section of the residential allocation.

The current proposal shows a sub-standard access leading to the land directly to the east, which is part of the proposed residential designation within the Halebank SPD. This access route will be critical to the success of potential future residential proposals. The applicant has been requested to provide an appropriate access to the adjacent site to an adoptable standard and an alternative linkage to the rear of the adjacent row of terraces to allow for access for parking, to the south of the site.

It is an objective of the SPD to achieve comprehensive and co-ordinated regeneration of the residential area. If the scheme is amended successfully to provide connection to the adjacent proposed residential designation this will avoid piecemeal development of the area and fully comply with the policy aims and objectives of the Halebank SPD.

The applicant has agreed to provide amended plans to show this and these will be presented orally to Committee. The Council will seek formal agreement to allow free access through to the adjacent site without recourse to ransom, through a Section 106 Legal Agreement.

Highway Safety

The applicant has been requested to amend the current layout in relation to the wider requirements of the regeneration area. The Highway Engineer will comment on the amended plans and these will be reported orally to Committee.

Interface with Surrounding Commercial Areas

The applicant has not submitted a Noise Impact Assessment. The Council's Environmental Health Officer will provide comments on the relationship of the proposed development to the existing uses and suggest conditions in relation to the protection of future occupiers from potential noise disturbance. These comments will be reported orally to Members.

Design Quality

The proposed apartment block is formed with two blocks, which are integrated centrally with an access stairs and lift, which services the development from basement car parking. The scheme shows on site amenity space to serve the occupiers of the apartments.

The elevation design would benefit from improvements to achieve a greater detail, particularly at roof level in order to soften the visual appearance and reduce the institutional character of the design. In addition the applicant has been asked to show a better delineation of the private space shown at the entrance to the site and use quality boundary treatment to provide an attractive entrance feature to the development.

The applicant has been asked to amend the plans and the outcome of this process will be reported orally to Committee.

All boundary treatment details will be subject to a planning condition to provide details for approval post decision.

Residential Amenity

The proposed layout shows three-storey block of twenty-four, two bedroom apartments. The overall height of the building to the ridge is 12.5m and the density of 57.7 dwellings per hectare is appropriate for the size of the site.

Concerns have been raised by the nearest affected occupiers in relation to the impact of the height of the proposal and impact on privacy.

The nearest residential properties affected by the proposal are those of No.'s 353 to 363 Hale Road, which have rear boundary walls a minimum 17m from the proposed building. The nearest habitable bedroom windows are 36m from the building. The apartment block has windows of habitable rooms, living and bedrooms, which face the rear of the existing terraced properties. As these are a minimum of 36m from the rear habitable room windows of these properties, it is considered that, at ground floor the Council's standard of 21m is suitably met and the additional separation distance of 15m is appropriate to satisfy privacy interface at 2nd and 3rd floors, if an allowance of an additional 3m distance per additional storey is applied. This is the normal approach to the application of interface distances over 2 storey height. On balance it is considered that the privacy interface of the proposed development is satisfactory and complies with Policies BE1 and BE2.

The proposal has a width of 44.5m and will be visible from the existing terraces on Hale Road. However, the proposal has to be viewed in the context of the potential use of the existing site. Although the current buildings on the site are not as high as this, the permitted use has the potential to create a nuisance by virtue of the type of uses, which could continue without the need for planning permission. It is acknowledged that the building will be more visually dominant than that currently on site. However, it is considered that the overall gain from the improvement to the use of the site and the potential to allow further regeneration on the land to the rear if improvements to the highway were achieved, on balance the proposed scale of the building is acceptable.

Residents have raised concerns with regard to land ownership and the provision of a separate gates access to the rear of the terrace properties on Hale Road. The applicant has indicated that the land ownership matters have now been resolved and agreed to the attachment of a Grampian style condition to provide appropriate gates to the rear of these properties.

A further concern related to potential damp problems to the side of 363 Hale Road as a result of the proposed landscape works. The applicant has been

asked to provide amended plans showing an appropriate gap to the side of the landscaped area to ensure that soil and planting does not abut the side elevation of this property.

Residents have also raised a concern relating to the potential for the installation of security lighting on and around the building which would affect their amenity. The scheme does not show any proposed lighting and the installation of such will be the subject of a planning condition which will ensure that any proposed lighting within the site would need to be approved by the Council.

The proposal shows bin and cycle stores, the details of which will be submitted through the attachment of a planning condition and will be of a high standard and fully secured.

Flood Risk

The applicant has submitted a Flood Risk Assessment (FRA) and have been in discussion with the Environment Agency who are happy with the outcome of its findings. The Environment Agency has raised no objection to the proposal, but recommended conditions in relation to ground contamination.

Conclusion

It is considered that on balance and on the basis of amendments to the plans as stated above, that the proposed residential scheme conforms to the principles of policy RG5 and the Draft Halebank Regeneration Area SPD as it will provide a high quality residential development on the existing car sales site and in providing an adoptable access link to the adjacent site, will assist in achieving the consolidated and comprehensive residential development that the Council is seeking to encourage in this area.

RECOMMENDATION:

Approve subject to the following 18 Conditions including a Section 106 Legal Agreement for the provision of off site open space and free access through to the adjacent site without recourse to ransom.

- 1 The entering into a Legal Agreement for off-site open space provision and allowing free access through site to adjacent land. (Policy RG5 and H3)
- 2 In accordance with amended plans (Policy RG5 and BE1).
- 3 Prior to commencement the applicant to install security gates for the access to the rear of 353-363 Hale Road following approval of details by the Local Planning Authority (Policy BE1).
- 4 Prior to commencement the submission of material samples for approval (Policy BE2).
- 5 Prior to commencement the submission of details of all boundary treatments for approval (Policy BE22).

- 6 Prior to commencement the submission of details of a hard and soft landscaping scheme (Policy BE1).
- 7 Prior to commencement the submission of detailed species of soft landscaping for approval (Policy BE1).
- 8 Prior to commencement the submission of details of bin and cycle stores, to be secured, for approval (Policy BE2).
- 9 Prior to commencement the submission of a ground investigation and undertaking of any remedial works where required (Policy PR14).
- 10 Prior to commencement the submission of existing ground levels and proposed finished floor/ground levels for approval (Policy BE1).
- 11 Prior to commencement the submission of drainage details for approval (Policy BE1).
- 12 Prior to commencement the submission of details of wheel wash to be used throughout the course of the construction period (Policy BE1).
- 13 Landscaping scheme to be implemented during the course of development or next available planting season (Policy BE1).
- 14 Access, roads, car parking and service areas to be laid out prior to occupation of premises (Policy BE1, TP6, TP7, TP12 and TP17).
- 15 Windows to north and east elevations to be installed with triple glazing and trickle vents (Policy PR7).
- 16 No lighting to be installed within the site or on the building without further approval from the Local Planning Authority (Policy BE1 and PR4).
- 17 Restricted hours of construction (Policy BE1).
- 18 Provision of domestic refuse bins.

PLAN NUMBER: 06/00591/OUT

APPLICANT: Glebe (UK) Ltd

PROPOSAL: Outline application for up to 50 no. dwellings with all matters reserved

ADDRESS OF SITE: Former Glebe Garage Ltd, Lunts Heath Road, Widnes

WARD: Farnworth

SUMMARY RECOMMENDATION:

Refuse

CONSULTATION AND REPRESENTATION:

The application was advertised as a departure by means of site and press notices and the neighbouring properties and businesses were consulted.

The Environment Agency and United Utilities have both been consulted and have no objections to the proposal. However, the Environment Agency have suggested that a site investigation is carried out.

The Council's Highways Engineer and Environmental Health Officer have also been consulted and any issues raised following the consultation will be discussed later in the observations and issues section of the report.

There have been 9 letters of objection, 8 of which just say they object to the proposed building of houses on the former Glebe Garage and do not give any other reason.

The other letter of objection raises the issues that the industrial units are closed in the evening therefore is quiet, the property is not overlooked but would be by houses. With an entrance to the rear it could lead to anti-social problems and pollution problems with the increase in car traffic. The housing estate will generate at least 100 cars, turning onto Lunts Heath Road which is an 'accident black spot'. The new entrance will be a matter of yards away from the most recent fatal accident. In addition to the personal issues this development will cause there is the loss of jobs for local people.

There has also been an objection from the Lunts Heath Tyre and Exhaust firm who are concerned about the shortage of garage services and the loss of 50 jobs in total if this site is redeveloped. They understand the need for more houses but there are many new housing sites in Widnes therefore more not less garage services will be needed by the residents of these housing estates.

SITE/LOCATION:

The site is on the former Glebe Garage site, which is currently business units, on the corner of Lunts Heath Road and Derby Road in Widnes.

RELEVANT HISTORY:

There are no previous planning applications on the site related to residential development.

The most recent planning application is for change of use to showroom, offices and manufacturing plant (application no. 01/00446/COU), which was approved in August 2001.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as Primarily Employment Area in the Halton Unitary Development Plan, where Policy E3 is of relevance. The other policies of relevance are E4 Complementary Services and Facilities Within Primarily Employment Areas, H1 Provision for New Housing, H2 Design and Density of New Residential Development, and H3 Provision of Recreational Greenspace.

Planning Policy Guidance Note 3 (PPG3) Housing and Planning Policy Statement 3 (PPS3): Housing (draft) is the national planning policy of relevance.

The Council's Supplementary Planning Guidance on New Residential Development is also of relevance.

OBSERVATIONS AND ISSUES:

The application is an outline planning application for up to 50 dwellings with all matters reserved for future consideration.

There are three existing business tenants of the applicant operating on the premises. It is noted in the design, access and planning statement, accompanying the application that they were consulted prior to any planning application being submitted.

Planning Policy

The site has been advertised as a departure from the Halton Unitary Development Plan as the site is allocated as a Primarily Employment Area. Policy E3 Primarily Employment Area states that the appropriate uses are business (B1 use), general industrial (B2 use), storage and distribution (B8 use) and Sui Generis industrial uses. The justification for this policy highlights the need to retain land for business and industrial uses within these areas.

Policy E4 Complementary Services and Facilities within Primarily Employment Areas states that housing can form an integral part of a mixed use development. However, this will be permitted with the Primarily Employment Area only if located in or adjacent to a town centre. This site is not a town centre location.

Policy H1 Provision for New Housing (para 4) states that development on previously-used (brownfield) land in the existing urban area, will be permitted provided that it is in compliance with the policies in the Unitary Development Plan, irrespective of whether or not the land is allocated within Policy H1. As suggested above, the application is not in accordance with Policies E3 or E4, therefore it cannot be justified.

Policy H3 Provision of Open Space is also of relevance and the issues will be discussed in the Design Quality section of the report.

Planning Policy Guidance Note 3 (PPG3) Housing and the draft Planning Policy Statement 3 (PPS3): Housing provides the national context. The policy encourages Local Planning Authorities to consider favourably housing developments on land or buildings in industrial or commercial use which are no longer needed. The accompanying statement has not demonstrated that the site is no longer required for its current employment use, and has highlighted the need for the existing three businesses to relocate.

The adjoining site was previously owned by Glebe (UK) Ltd, for caravan storage and planning permission was granted for residential use by this Committee on 12 October 2005 (application no.05/00677/FUL). The proposal was approved and part of the justification was that it stated in the supporting statement that the vendor was proposing to use the monies from the sale of the land to fund improvements to the neighbouring employment zone, to the north, which he also owns. These proposed improvements were both to enhance existing facilities by upgrading the roof wall insulation etc. and increase employment by using disused space. This information above and the demonstration that the site was not in active employment use and did not contribute to the employment land portfolio of the Borough meant that the departure from the policy had been overcome.

The loss of the adjacent employment site has therefore put added pressure on maintaining this site, in this current active employment use. The policy objection cannot therefore be overcome for this site.

Design Quality

The proposal is for up to 50 dwellings and an illustrative layout has been provided. This shows a mix of housing with apartments, detached, semi detached and terraced properties.

Although only indicative, the privacy distances cannot be accommodated between plots 1 & 2 and 10 & 11. There is also an issue with plot 36 & 37 that the privacy distances cannot be met with the properties on the adjacent site as there is an apartment block proposed directly behind these two plots.

The issue of siting and layout is reserved for future consideration but as shown on the illustrative layout it has not been shown that 50 dwellings can be accommodated satisfactorily on the site.

Highway Issues

The Highways Engineer states that the access position should be moved to the south to avoid any conflict between a pair of vehicles turning right (i.e one into the site and the one onto the MOT bays opposite at the garage).

The junction radii should be 10m and the public right of way widened to 3.0m with the lamp columns relocated. These issues are reserved for future consideration.

Open Space Provision

There is no open space provision on site therefore when assessed under Policy H3 'Provision of Open Space' the application is deficient. The developer would therefore be required to enter into a legal agreement to provide a commuted sum to provide off site open space, if this objection was to be overcome.

Contaminated Land

The Council's Environmental Health Officer and the Environment Agency have suggested that a site investigation is carried out and any remediation measures would have to be implemented.

Conclusion

The proposal is a departure from the development plan and it has not been demonstrated that an exception to policy should be made. There are 3 existing businesses that would need relocating which acknowledges that the site is a successful and active employment site, which provides local employment. As it is operating as a successful employment site there is no reason in planning policy terms to change this.

The proposal is recommended for refusal on policy grounds.

RECOMMENDATION:

Refuse as an inappropriate use on an existing employment site within the Unitary Development Plan designated as primarily employment area and is not needed as a windfall site in order to contribute to the Borough's annual housing completion targets. As a result the proposal fails the policy tests of H1, E3 & E4 of the Halton Unitary Development Plan.

In addition there are insufficient privacy distances within the development site and adjacent site and therefore is contrary to Policies BE1 and BE2 of the Halton Unitary Development Plan and the provisions within the Council's Residential Guidance.

PLAN NUMBER:	06/00592/FUL
APPLICANT:	Mr R Godwin & Dr P Hurst
PROPOSAL:	Proposed residential development to provide 16 No. one bedroom, 34 No. two bedroom and 5 No. three bedroom apartments (total 55 No. units) in a single block between four and six stories over undercroft car parking
ADDRESS OF SITE:	Former Express Dairies Site, Perry Street, Runcorn
WARD:	Halton Brook
SUMMARY RECOMMENDATION:	

Refuse

CONSULTATION AND REPRESENTATION:

The application was advertised in the local press and by a site notice displayed near to the site. The nearest affected occupiers of the adjacent and nearby residential properties were notified by letter. United Utilities, Environment Agency, the Health & Safety Executive, the Council's Highway Engineers, Environmental Health Officers and Landscape Officers have all been consulted.

The Health & Safety Executive and United Utilities have raised no objection to the proposal. The Environment Agency have raised no objection but have recommended conditions relating to investigations into ground conditions.

One objection has been received from a local resident at the time of the writing of this report in relation to impact of height on character of the area and potential overlooking. Any further comments received will be reported orally.

SITE/LOCATION:

The site is located on the former Express Diaries site, which lies between the Expressway and Sewell Street in Runcorn. The access to the site would be gained from Sewell Street.

RELEVANT HISTORY:

The current site has a planning history relating to the existing commercial use and is not of particular relevance to this current residential application.

DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The Council's New Residential Supplementary Planning Guidance is relevant to this application, as are the following key policies within the adopted Unitary Development Plan; S1 Regeneration; S25 Planning Obligations; BE1 General Requirements for Development; BE2 Quality of Design; PR12 Development on Lane Surrounding COMAH Sites; PR14 Contaminated Land; TP9 the Greenway Network; TP16 Safe Travel for All; H3 Provision of Recreational Greenspace; H4 Design and Density of New Residential Development; and the Council's Supplementary Planning Document – Designing for Community Safety.

OBSERVATIONS AND ISSUES:

The main issues and material planning considerations arising as a result of the proposal are: - Highway Safety; Interface with Surrounding Residential Area; Design Quality and Density; Protection of Existing Residential Amenity.

Highway Safety

The building at 7 storeys is situated directly adjacent to the toe of the embankment supporting the Expressway. Although possible building/excavation methods are touched upon in the geotechnical report, little information is given over the required foundation type and what effect this will have on the structural stability, or the drainage of the embankment. It is also unclear how maintenance of the embankment would be carried out in the light of the proposal. The application is therefore deficient in this information (i.e. structural calculations and design) together with a construction method statement for the areas adjacent to the Expressway. The present 4.7m carriageway serving the development is less than the usual standard required to serve upward of 60 dwellings, as is the 12m radii. Improvements are also required at the junction of Sewell Street and Picton Avenue to improve sightlines.

The Highway Engineer has suggested further technical improvements, which be required for the scheme to become acceptable, however no amended plans have been received.

On the basis of the above, the proposal as it stands is unacceptable and fails to comply with Policies BE1 and TP16.

Interface with Surrounding Residential Area

The site is bordered to the east by traditional terraced properties on Picton Avenue, which have their rears facing the site. The remaining area to the east is a continual mix of terraced and semi-detached properties, traditional in character in the main.

Due to its scale and modernity, the character of the proposal does not sit well within the context of the existing and very traditional residential area. In this location the proposed building will result in an unacceptable juxtaposition with the surrounding traditional residential area. Whilst this may be appropriate in redeveloping City centres, it is problematic in smaller towns in this particular location.

Design Quality and Density

The resulting density of the stated 294 dwellings per hectare would be far in excess of what is expected on a site of this size and will result in an over development of the plot to the detriment of the character of the area. Due to the scale and proportions of the proposal, the design also lacks human scale and offers little in connectivity to the existing adjacent mature residential area. As a result, the proposal conflicts with Policies BE1 and BE2.

The elevation treatment for the ground floor 'upper parking' will create a particularly 'dead' zone, adjacent to a proposed footway and will result in an unacceptable hostile environment with potential as a location for anti-social elements. As such the proposal fails to comply with Policies BE1 and BE2 and

the principles of the Councils Supplementary Planning Document – Designing for Community Safety.

There is a requirement for a financial contribution through a Section 106 Legal Agreement towards off-site open space, which for this proposal has been calculated as £41,114.80 (or £747.54 per dwelling). At the time of writing the applicant has not confirmed agreement with this requirement.

Protection of Existing Residential Amenity

The Council's standards, which are included in the New Residential Guidance, relate only to interface distances for 2-storey dwellings and there is no set standard requirement for residential buildings higher than this. The Council therefore assesses this on a case-by-case basis. The proposed height of the scheme is unacceptable in view of the proximity of the terraced dwellings on Picton Avenue, to the east of the site. The proposed interface distances bringing habitable room windows within 33m of the adjacent 2-storey terraced properties and balcony areas within 42.5m of existing rear windows. The balconies are shown only 10m from the rear boundaries of these properties. This has an increased effect as the building rises over five storeys. As such the proposal will result in an unacceptable impact on the privacy of the occupiers of these existing dwellings.

By virtue of its height and mass, the proposal will result in an unacceptable visually oppressive and overbearing impact on the existing occupiers of the dwellings to the east. As a result of all the above the proposal fails the tests of Policies BE1 and BE2

CONCLUSION

In conclusion, whilst the Council accepts that the quality of the design of the proposed apartment block is in the main of a high standard, the constraints of the site particularly in relation to the existing residential occupiers to the east the building is out of context and will result in an unacceptable harm to local residents. In addition there are unacceptable highway conditions as a result of the proposal, which have not been addressed.

RECOMMENDATION:

Refuse

The application is refused as the impact of the scale and proximity of the building will result in; unacceptable harm to the nearest existing residential occupiers; create a hostile environment at ground floor level; and create unacceptable highway conditions. As a result the proposal is contrary to Policies BE1 and BE2 of the Halton Unitary Development Plan, the New Residential Guidance and the Councils Supplementary Planning Document – Designing for Community Safety.

PLAN NUMBER: 06/00594/OUT

APPLICANT: SOG Ltd

PROPOSAL: Proposed creation of up to 17,350 square metres of new B1 business accommodation across 8 No. individual sites (a maximum of three storeys) and car parking within.

ADDRESS OF SITE: The Heath Business and Technical Park, The Heath , Runcorn

WARD: Heath

SUMMARY RECOMMENDATION:

Approve with conditions and a Tree Preservation Order

CONSULTATION AND REPRESENTATION:

The application has been advertised by means of a site and press notice and the neighbouring properties have been consulted, United Utilities, Environment Agency, Ineos, Huntsman, Health and Safety Executive and the Council's Environmental Health, landscaping and Highways officers have been consulted. United Utilities raises no objection subject to a main being diverted and conditions relating to drainage on a separate system with foul drainage connected into the foul sewer.

Ineos has objected due to the proximity of pipelines. The applicant is currently speaking with Ineos and the outcome will be reported orally to Committee.

The Health and Safety Executive have advised against granting consent and have been given 21 days to call in the application. Members will be updated on this matter orally.

Twenty-six letters of objection (including a Ward Councillor) have been received on the following grounds:

- The use of three storey buildings.
- The proposed development of Site1
- That site 1 & 3 should be reduced in height
- Noise impacts that would be caused by proposed uses.
- Loss of view
- Loss of light
- Loss of privacy
- Increased traffic from proposal, noise and speeds
- Lighting and smells from proposal
- Loss of amenity
- Loss of green space
- Loss of ponds and its impact on protects species and wildlife.
- Poor transport links

- Use of B2 on the site
- Impacts on property values.

SITE/LOCATION:

The Heath is located to the North of Weston Village. The proposal is to develop 8 sites around the existing buildings, on existing car parking and landscaped areas.

RELEVANT HISTORY:

Proposed change of use of from B1 food experimental, to B2 food ingredient manufacturing, this application was withdrawn. Application 02/00730/FUL Proposed erection of 40 two-storey dwellings approved June 2003. The history of the site is extensive covering many years, none are directly relevant to this application.

DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as a Primarily Employment Area where Policy E3 Primary Employment Area in the Halton Unitary Development Plan (UDP) is of relevance.

The other key policies of relevance are BE1 General Requirements for Development, BE2 Quality of Design, E5 New Industrial and Commercial Development.

OBSERVATIONS AND ISSUES:

The proposal is for the erection of up to 17,350 square metres of new B1 business accommodation across 8 individual sites (with a maximum height of 3 storeys) and car park within. The application is in outline with all detailed matters reserved for future approval.

Policy

The Heath is currently a business and technical park located to the north of Weston Village, with direct access from the Weston Point Expressway. The current building houses a mix of small, medium and large enterprises and includes a conference centre. The current buildings are tightly grouped together such that the remaining land is currently used for either for car parking or is unused. The application was originally for the uses of B1 and B2, which includes industrial use, however the B2 element has since been excluded. B1 office type uses is considered acceptable within a residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash and dust.

The eight sites are mainly located to the South and West of the existing building. The buildings consist of 2 and 3 storey buildings.

The residents have raised concerns relating to Site 1 and Site 3. Site 1 is located alongside the boundary with Weston Crescent and the new properties to the south of Hamlin Close. The building on Site 1 is indicated as 3 storeys in height and is located at the closest point 25metres from the properties on Weston Road. This gap increases to 38 metres. This meets the Council's standards for privacy distances. The boundary between the proposed building and Weston Crescent would include landscaping in order to screen the building.

Site 3 is located on the boundary with Heath Road South. The building is shown as three storeys in height and is located 38 metres away from the two properties that directly face the site. This meets the Council's standards for privacy distances.

The standard outline time limits relating to the submission of reserved matters is that they should be submitted within 3 years of the grant of permission. It is recommended this be extended to 5 years due to the size and nature of the proposed development.

Landscaping and Wildlife protection

The proposal would involve the loss of a pond, which would be replaced elsewhere on the site. The Council's Nature Conservation Officer has assessed the information submitted with the application and has no objections in principle with the application and has recommended conditions. He has recommended that a Great Crested Newt mitigation package to be agreed prior to commencement including a replacement pond.

The Environment Agency has no objection in principle and recommends conditions relating to drainage and habitat protection.

If permission were granted the applicant would need to apply for a licence from DEFRA to deal with the Greater Crested Newts under regulation 44 of the Habitat Regulations.

The Council's Trees and Woodlands Officer has assessed the tree management assessment submitted with the application and has noted that the proposal would result in a major loss of trees, some of which have a short life expectancy. He has recommended a number of conditions relating to the submission of a full tree survey and method statement, no existing trees to be pruned and felled without prior consent and a comprehensive landscaping scheme. He also recommends a Tree Preservation Order be served on the trees specified to be retained and of significant value.

Highway Safety

The Council's Highway Engineer has assessed the submitted Traffic Impact Assessment and has noted that it states the access for the Heath site will remain as existing and will provide a parking ratio for the new developments of 1 space per 30 square metres of floor space. This is in accordance with the Council standards.

The Council's Highway Engineer has requested conditions relating to, submission of access and parking details, parking and cycling areas to be laid out prior to occupation, that construction traffic shall use the Weston Point Expressway and that off site highway improvements will be required.

Summary and Conclusions

The Heath Business and Technical Park is a regional significant facility. This application looks to increase the current operation on the site. The proposal is outline with all matters reserved. The proposed plan indicates that the proposed building can achieve the Council's standards with regards to the level of parking and privacy distances. The proposed use of the site is compatible with the existing use of the site and suitable adjacent to a residential area. The proposal also includes measures for the protection of the Greater Crested Newts.

RECOMMENDATION:

That authority be deferred to the Operational Director of Environmental & Regulatory Services in consultation with the Chairman subject to the application not being called in by the Health and Safety Executive to approve subject to the following 16 conditions listed below: -

1. Reserved matters condition, for the submission of and approval prior to the commencement of development.
2. Time limit for the submission of reserved matters.
3. Time limit for the commencement of development.
4. Reserved matters to be submitted and carried out as approved.
5. Materials condition, requiring the submission and approval of the materials to be used. (BE2)
6. Drainage condition, requiring the submission and approval of drainage details. (BE1)
7. Landscaping condition, requiring the submission of both hard and soft landscaping. (BE2)
8. Boundary treatments to be submitted and approved in writing. (BE1)
9. Wheel cleansing facilities to be submitted and approved in writing (BE1)
10. Parking conditions to ensure parking and servicing areas is provided and maintained at all times. The use of the premises shall not commence until the vehicle access and parking has been laid out (TP12).
11. Details of the design of the bin storage (BE2).
12. Construction hours to be adhered to throughout the course of the development. (BE1)
13. Delivery hours to be adhered to throughout the life of the permission. (BE1)
14. Condition that construction traffic is to use Weston Point Expressway (BE1)
15. To maintain the minimum distances to the residential properties (BE1)
16. The parking shall be provided to a ratio of 1 Space per 30sqm.
17. Subject to a travel plan being submitted and approved in writing (TP16)
18. A phasing agreement on the submission and implementation of the reserved matters to be submitted (BE1)
19. A traffic management scheme to be agreed and implemented (TP15)

20. No lighting to be installed within the site or on the building without further approval from the Local Planning Authority (Policy BE1 and PR4).
21. Prior to the commencement of development an amphibian survey is undertaken including remediation package and replacement pond.
22. Details of a soakaway system and oil interceptor.
23. No existing trees to be pruned or felled without consent
24. A full tree survey, arboricultural method statement and tree protection plan to be submitted.

PLAN NUMBER:	06/00612/FUL
APPLICANT:	Sigmatex
PROPOSAL:	Proposed single storey manufacture facility with ancillary mezzanine storage and internal two storey offices
ADDRESS OF SITE:	Land at Manor Farm Road, Runcorn
WARD:	Daresbury

SUMMARY RECOMMENDATION:

Approve subject to conditions

CONSULTATION AND REPRESENTATION:

Adjoining premises have been notified and the application advertised by means of site and press notices.

The Council's Highways, Environmental Health and Nature Conservation and Trees and Woodlands Officers have been consulted as have The Environment Agency, Health and Safety Executive, Huntsman Petrochemicals Ltd, United Utilities, and National Grid Co./ Manweb.

Any significant issues and comments are covered later within this report.

SITE/LOCATION:

Land to the rear of the Cheshire Constabulary Police Custody Suite, off Manor Farm Road within the existing Manor Park employment area.

RELEVANT HISTORY:

The site benefits from an existing Section 7(1) authorisation under the New Towns Act 1981 for employment use. No permissions of direct relevance relating to this development.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as a Proposed Employment Development Site for uses B1, B2 and B8 in the Halton Unitary Development Plan. Policies E1: Local and Regional Employment Land Allocations and E5: New Industrial and Commercial Development are of particular relevance. Supplementary Planning Document: Design of New Commercial and Industrial Development is also of relevance.

OBSERVATIONS AND ISSUES:

The application seeks permission for the erection of an industrial/ commercial production facility and ancillary 2 storey offices, parking, servicing and landscaping within the established Manor Park employment area.

The main building will be approximately 53.6m x 83.6m with a height of approximately 14m. The proposal would provide approximately 3820sq.m production area, 4274sq.m storage and 1008sq.m of integral office space over 2 stories. A new and separate access is proposed from Manor Farm Road and the existing Manor Park highway network.

The main industrial building will be constructed predominantly of flat panel cladding and glazed areas to the main entrance and office elevations. Space is shown within the scheme for car parking and loading and servicing.

The site is allocated within the Halton Unitary Development Plan for development falling with use classes B1, B2 and B8 and as such the proposed use is considered acceptable in principle. The scheme as currently proposed however raises a number of key issues which may be summarised as follows:

Building scale, Design and Orientation

The site is constrained by the available access, site levels, the adjoining woodland and high voltage power lines, and previous development of the Cheshire Constabulary Custody Suite on the adjoining site.

At approximately 14m high the building is larger than adjoining premises. The site levels are, however, substantially lower than the adjoining Custody Suite which it is considered will substantially reduce any potential significant detrimental impact. The scheme also currently provides its main frontage to the adjoining Daresbury Expressway to the south. This presents potential issues with regard to the treatment of the elevation of the building facing the main entrance to the site and Manor Farm Road to the north. Whilst it is acknowledged that the resultant design and orientation is dependant largely upon the requirements of the end-user and the constraints of the site discussions are ongoing with the developer to achieve the most satisfactory available design/ orientation solution. Whilst amendments may be required to

the current scheme it is at this stage considered that this issue can be resolved satisfactorily. Members will be updated orally.

Highways

Provision is made within the current scheme for access, parking and servicing. Consultation and negotiations with the Council's Highways Engineers are ongoing. Whilst amendments may be required it is considered at this stage that the outstanding issues relating to parking provision can be satisfactorily resolved. Members will, however, be updated. It is considered that requirements for off-site cycle and pedestrian links, on-site cycle parking and other requirements for a travel plan can be adequately achieved by condition.

Trees, Wildlife and Nature Conservation

The proposal requires the loss of a relatively small area of woodland in the south eastern corner of the site. The current land owner has agreed to carry out replacement planting and mitigation for the areas of woodland to be lost. The site is however surrounded by a number of important mature trees and a detailed tree survey has been requested to clearly demonstrate that adequate protection can be provided to the important trees and woodland to be retained up to the boundaries of the site.

The Council's Trees and Woodlands Officer and the Environment Agency have confirmed that they raise no objection in principle subject to satisfactory resolution of the above. Additional mitigation is also requested to include an ongoing management plan for all retained and replacement woodland. Whilst it is considered that this aspect can be satisfactorily achieved through condition Members will be updated accordingly on all outstanding tree matters.

Summary and Conclusions

The proposed uses are considered to be in accordance with UDP Policy E1. The proposed building is substantial but of a scale, character and quality considered to be in keeping with surrounding earlier developments in the wider Manor Park employment area.

Whilst a number of substantive matters remain under discussion it is considered that these could be satisfactorily resolved through amendments and all other issues controlled by condition. Members will be updated accordingly. On that basis the application is recommended for approval.

RECOMMENDATION:

Approve subject to the following conditions relating to the following:

1. Specifying amended plans (BE1)

2. Materials condition, requiring the submission and approval of the materials to be used (BE2)
3. Submission, agreement and implementation of site (BE1)
4. Submission, agreement and implementation of scheme for drainage (BE1)
5. Landscaping condition, requiring the submission of both hard and soft landscaping. (BE2)
6. Submission, agreement and implementation of woodland habitat management plan (GE19)
7. 6 conditions relating to protection of trees to be retained during construction (GE19)
8. Boundary treatments to be submitted and approved in writing. (BE2)
9. Wheel cleansing facilities to be submitted and approved in writing and used during construction. (BE1)
10. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
11. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use. (BE1)
12. Agreement and implementation of cycle parking provision (TP6)
13. Requiring implementation of agreed Travel Plan (TP16)
14. Restricting external lighting (BE1)
15. 2 conditions restricting external storage and external waste area to defined area (E5)
16. Agreement and implementation of cycle parking (TP6)
17. Grampian condition relating to off-site footpath/ cycleway provision (BE1) It is considered that this can be satisfactorily achieved through condition

PLAN NUMBER:	06/00640/HBCFUL
APPLICANT:	Halton Borough Council
PROPOSAL:	Retrospective application for the erection of alley gates
ADDRESS OF SITE:	Land Adjacent To 4 Mottershead Road, Widnes
WARD:	Kingsway
SUMMARY RECOMMENDATION:	
	Approve
CONSULTATION AND REPRESENTATION:	

All adjoining properties have been consulted and the application advertised by means of site notice. The Council's Highways and Waste Services, the Emergency Services and United Utilities have all been consulted.

The Council's Highways Engineer has commented that it is illegal to stop up a highway without an appropriate Stopping Up Order and that new legislation exists for use in such cases. The Highways Authority therefore objects to the granting of permission for this scheme.

The Council has received support for the scheme from one local resident and one objection from a local resident on the basis of; lack of need as main disturbances arise from residents in their own gardens; need for more clarity on the application submission; the prevention of speedy access from emergency services; potential for residents to be exposed to unsafe conditions when accessing gates alone, particularly women; problem, which already exists, of individual residents locking the gates by their own means (i.e. chain/lock). Any further representations will be reported orally at Committee. The comments raised by the objector have been forwarded to the Council's Property Services for comment.

Comments received from United Utilities – no objection but require 24 hr access to a water main within the enclosed area. Should access be needed and no key available access will be gained through forced entry, United Utilities will not be held liable for the cost of repairing such damage.

SITE/LOCATION:

Alleyway adjacent to 4 Mottershead Road, Widnes.

RELEVANT HISTORY:

Approval was given for the implementation of a pilot alley gating scheme by the Executive Board on 7th December 2000. Permission was granted in February 2001 (00/00771/HBC) for a small pilot scheme, which has been implemented. A number of further permissions have since been granted across the borough.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

All entrances/ alleyways to be gated are within a Primarily Residential Area in the Halton Unitary Development Plan. Policies BE1 General Requirements for Development, and BE22 Boundary Walls and Fences are particularly relevant. The "Design for Community Safety" SPD is also of relevance.

OBSERVATIONS:

Permission is sought for the erection of gates at the entrance of alleyways to the rear of terraced properties following successful completion of earlier schemes.

Justification for the Scheme

Gating of alleyways or "alley gating" has proved to be a very successfully crime prevention measure in other areas contributing to reducing burglaries, criminal damage, graffiti and vandalism. The gates can furthermore act as a deterrent to fly tippers, limit dumping and associated litter nuisance.

To be an effective crime prevention measure, gates need to be of sufficient size and structure. Planning permission is required where an enclosure in excess of one metre in height fronts onto a highway. The proposed gates are approximately 2 metres high.

The advantages offered by a Council supported scheme include:

- Preventing crime;
- Reducing litter/fly tipping;
- Improving the local environment; and
- Supporting residents through the Council continuing to maintain responsibility for the highways

Legal Issues

The alleyways under consideration are all presently maintained by the Council. Formerly if the alleyways were formally stopped up or closed the highway rights would be removed. This would mean that liability for the maintenance and upkeep of the alleyways would fall upon the individual adjoining landowner.

To avoid this outcome, it was resolved at Executive Board on 7th December 2000, that where the key criteria for an alley-gating scheme are met, the Council would support the schemes by resolving not to exercise its discretion to institute proceedings in relation to the encroachment constituted by the gates.

Members will be aware that under new legislation (The Clean Neighbourhoods and Environment Act 2005) powers are available to close alleyways without removing highway rights. This however requires demonstration of a crime case and the Council have not progressed this to date.

Members also need to be aware that the legal position is complicated by the fact the Council has conflicting duties, on the one hand to do all that it reasonably can to prevent crime and disorder in its area and on the other hand it has duty to prevent, as far as possible, the stopping up or obstruction of any highway for which it is responsible. Indeed the Councils Highways Engineers continue to object to such schemes. Whilst gating without an order is strictly unlawful, there are nevertheless strong policy grounds to justify the Council proceeding with this additional scheme.

Conclusions

Building safer communities is a priority objective for the Council. The alley-gating scheme has the potential to reduce crime, improve the environment, strengthen local communities and enhance social well being. The gates are not felt to be intrusive and it is felt can be justified as a crime prevention measure. The proposal is therefore recommended for approval.

RECOMMENDATION:

Approve, subject to 1 No. condition requiring colour coating Dark Green BE22.

PLAN NUMBER:	06/00646/HBCFUL
APPLICANT:	Halton Borough Council
PROPOSAL:	Full application for the erection of and re-positioning of alley gates
ADDRESS OF SITE:	Land Adjacent To 4 Squires Avenue & 11 Sinclair Avenue, Widnes
WARD:	Kingsway

SUMMARY RECOMMENDATION:

Approve

CONSULTATION AND REPRESENTATION:

All adjoining properties have been consulted and the application advertised by means of site notice. The Council's Highways and Waste Services, the Emergency Services and United Utilities have all been consulted.

The Council's Highways Engineer has commented that it is illegal to stop up a highway without an appropriate Stopping Up Order and that new legislation exists for use in such cases. The Highways Authority therefore objects to the granting of permission for this scheme.

Any further representations will be reported orally at Committee.

SITE/LOCATION:

Alleyway adjacent to 4 Squires Avenue & 11 Sinclair Avenue, Widnes.

RELEVANT HISTORY:

Approval was given for the implementation of a pilot alley gating scheme by the Executive Board on 7th December 2000. Permission was granted in February 2001 (00/00771/HBC) for a small pilot scheme, which has been implemented. A number of further permissions have since been granted across the borough.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

All entrances/ alleyways to be gated are within a Primarily Residential Area in the Halton Unitary Development Plan. Policies BE1 General Requirements for Development, and BE22 Boundary Walls and Fences are particularly relevant. The "Design for Community Safety" SPD is also of relevance.

OBSERVATIONS:

Permission is sought for the erection of gates at the entrance of alleyways to the rear of terraced properties following successful completion of earlier schemes.

Justification for the Scheme

Gating of alleyways or "alley gating" has proved to be a very successfully crime prevention measure in other areas contributing to reducing burglaries, criminal damage, graffiti and vandalism. The gates can furthermore act as a deterrent to fly tippers, limit dumping and associated litter nuisance.

To be an effective crime prevention measure, gates need to be of sufficient size and structure. Planning permission is required where an enclosure in excess of one metre in height fronts onto a highway. The proposed gates are approximately 2 metres high.

The advantages offered by a Council supported scheme include:

- Preventing crime;
- Reducing litter/fly tipping;
- Improving the local environment; and
- Supporting residents through the Council continuing to maintain responsibility for the highways

Legal Issues

The alleyways under consideration are all presently maintained by the Council. Formerly if the alleyways were formally stopped up or closed the highway rights would be removed. This would mean that liability for the maintenance and upkeep of the alleyways would fall upon the individual adjoining landowner.

To avoid this outcome, it was resolved at Executive Board on 7th December 2000, that where the key criteria for an alley gating scheme are met, the

Council would support the schemes by resolving not to exercise its discretion to institute proceedings in relation to the encroachment constituted by the gates.

Members will be aware that under new legislation (The Clean Neighbourhoods and Environment Act 2005) powers are available to close alleyways without removing highway rights. This however requires demonstration of a crime case and the Council have not progressed this to date.

Members also need to be aware that the legal position is complicated by the fact the Council has conflicting duties, on the one hand to do all that it reasonably can to prevent crime and disorder in its area and on the other hand it has duty to prevent, as far as possible, the stopping up or obstruction of any highway for which it is responsible. Indeed the Councils Highways Engineers continue to object to such schemes. Whilst gating without an order is strictly unlawful, there are nevertheless strong policy grounds to justify the Council proceeding with this additional scheme.

Conclusions

Building safer communities is a priority objective for the Council. The alley gating scheme has the potential to reduce crime, improve the environment, strengthen local communities and enhance social well being. The gates are not felt to be intrusive and it is felt can be justified as a crime prevention measure. The proposal is therefore recommended for approval.

RECOMMENDATION:

Approve, subject to 1 No. condition requiring colour coating Dark Green BE22.

PLAN NUMBER: 0600570/ADJ

APPLICANT: Widnes Golf Club/GL White Property

PROPOSAL: Adjoining authority outline application for the laying out of golf course, associated clubhouse and car parking, with access to be determined at this stage.

ADDRESS OF SITE: Land bounded by Mill Lane/M62 Motorway/ Norlands Lane and Pex Hill, Cronton, Knowsley

WARD: N/A

SUMMARY RECOMMENDATION:

No objections.

SITE/LOCATION:

The proposed golf course is situated on current agricultural land in Knowsley.

OBSERVATIONS AND ISSUES:

The proposal is an adjoining authority consultation by Knowsley Council, in respect of an 18-hole golf course. This proposal is also a joint application between Halton and Knowsley, which has been discussed in the Committee report 06/00469/OUTEIA, also on this agenda.

Application Context

The overall application site straddles the administrative boundary of Knowsley and Halton Borough Councils, and has been submitted to both authorities. The golf course is proposed to be located in Knowsley and the clubhouse, maintenance building, car park and access road proposed to be located in Halton (see report 06/00469/OUTEIA). This adjoining authority consultation concentrates on the golf course element.

The application site comprises 67 hectares of agricultural land, where the proposed golf course will have a total playable length of 5900 metres. An irrigation lake will be created to the north-eastern corner of the site. This will facilitate the irrigation of tees, greens, green approaches and fairways. The size of the lake has been assumed as larger than the size likely to be required, which will be determined at the reserved matters stage.

There will be five new water bodies created as part of the design of the golf course. However, the creation of the irrigation lake and the golf hole number 2 will require the removal of two existing ponds.

Landscape

Cronton Wood will be retained and incorporated within the design and layout of the proposed golf course. The retention of individual trees elsewhere within the site will be determined at the reserved matters stage.

There will be certain earthworks required to create the features of the golf course. There will be a maximum cut of 1 metre and maximum raise in levels of 1.5 metres that is a maximum level change of 2.5 metres.

Ecology and Nature Conservation

The proposal will involve the removal of existing grassland, terrestrial habitats, two ponds and trees. The creation of new water bodies, and the construction of fairways and rough will provide new habitats and a change in the biodiversity of the area.

Policy

According to Planning Policy Guidance Note 2 Green Belts, the use of Green Belts to provide opportunities for outdoor sport and recreation is acceptable provided that the openness of the Green Belt is preserved. According to Para. 3.5 of Planning Policy Guidance Note 2 new buildings that provide essential facilities for outdoor sport and recreation should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes including the land in it.

The visual amenities of the Green belt should not be injured by proposals for development within or conspicuous from the Green belt. There was a visual assessment sent in as part of the Environmental Statement, which looks at various views across the area.

Conclusion

The proposal is considered appropriate providing detailed conditions are attached to any decision and appropriate mitigation measures are taken. It is recommended that a letter be sent to Knowsley Council supporting the proposal.

RECOMMENDATION:

Halton Borough Council has no objections to the proposal.

1) The following applications have been withdrawn :-

06/00461/FUL	Proposed erection of 101 No. 2.5/ 3/ 3.5 storey houses and apartments with associated parking at Cameron Industrial Services Ltd. Hale Road Widnes Cheshire
06/00490/FUL	Proposed two storey side extension and associated works at 247 Ditchfield Road Widnes Cheshire
06/00553/OUT	Outline application for 3 No. two storey office blocks with details of siting / layout and means of access for approval at Clifton Road Sutton Weaver Runcorn Cheshire
06/00558/FUL	Proposed two storey side extension and vehicular access crossing at 2 Heralds Close Widnes Cheshire