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Development Control Committee

Monday, 21 May 2007 6.30 p.m.
Civic Suite, Town Hall, Runcorn



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

NB: The Members of the Development Control Committee are to be agreed by Annual Council on 18th May 2007.

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, 11 June 2007

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

Part I

Item No.	Page No.
1. MINUTES	1 - 10
2. DECLARATION OF INTERESTS	
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.	
3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	11 - 36
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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, 16 April 2007 at Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), Blackmore, Hignett, Leadbetter, Morley, Osborne, Polhill, Rowan, Sly and Whittaker

Apologies for Absence: (none)

Absence declared on Council business: (none)

Officers present: P. Watts, A Farrell, P Baragwanath, R. Cooper, J. Farmer, A. Pannell, A. Plant, N Renison, J. Tully and L. Cairns

Also in attendance: Councillors Findon and Swift, and 10 Members of Public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

	<i>Action</i>
DEV71 MINUTES	
<p>The Minutes of the meeting held on 14th March 2007, having been printed and circulated, were taken as read and signed as a correct record.</p>	
DEV72 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described.</p>	
DEV73 - PLAN NO. 06/00950/HBCFUL - PROPOSED ERECTION OF GATES AT ENTRANCE TO ALLEYWAYS AT LAND ADJOINING 40/48 HIGHFIELD ROAD, 2/4/32/34 ADDISON SQUARE AND 128/130 LEIGH AVENUE, WIDNES	
<p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that five letters of representation had been received, details of which were outlined in the report.</p>	
<p>The Committee was advised that Cheshire Fire Authority and United Utilities had confirmed that they raised</p>	

no objections in principle to the proposal.

RESOLVED: That the application be approved subject to conditions relating to:

1. Specifying amended plans; and
2. Requiring colour coating Dark Green (BE22).

DEV74 - PLAN NO. 07/00072/FUL - DEMOLITION OF EXISTING BUILDINGS AND RE-DEVELOPMENT TO FORM MIXED-USE DEVELOPMENT COMPRISING 400 SQUARE METRES OF COMMERCIAL SPACE (A1/A2/B1 USE CLASSES) TOGETHER WITH 77 NO. ONE AND TWO BED APARTMENTS WITH CAR PARKING AND LANDSCAPING TO 79-83 HIGH STREET, RUNCORN

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that the Environment Agency had no objections, in principle to the proposed development and recommended conditions relating to

- a) contaminated land desk survey;
- b) drainage (two conditions); and
- c) demolition.

United Utilities had confirmed that they raised no objections to the proposals.

A letter of objection had been received from a neighbour, details of which were outlined in the report. The Manchester Ship Canal Company's objections were also outlined; however, the Planning Officer confirmed that the objection relating to the demolition phase had been withdrawn. Although the objection relating to the redevelopment phase remained, it was considered that these concerns should be addressed by the proposed under condition 15.

In addition, it was advised that The Theatres Trust; Cinema Theatre Association had since objected to the demolition of the frontage to 79 High Street. Mr Diggle, the applicant's agent, attended the meeting and spoke in favour of the proposal.

Mr Renison, Senior Planning Officer, confirmed that the developer had undertaken a survey of the façade and it had been concluded that to maintain it would be complex and, in any event, could not be guaranteed. Although some Members expressed their disappointment in this, it was

noted that that the previous proposal was no longer before the Committee and it was considered that the current proposal would continue the renovation of the canal side.

Amended plans have been received dealing with minor details of the applications. This includes more attention paid to the suite boundary at the eastern side where the development would interface with the adjacent public house. Additionally the scheme had been revised to enable more convenient waste and recycling collection and servicing of the development. This has resulted in a decrease in the amount of ground floor commercial space from 400 sqm to 359 sqm.

(NB Councillor Morley requested that it be minuted that he was a Member of the Bridgewater Canal Trust. Councillor Morley was advised by the Legal Officer present that he did not need to declare a personal interest in this respect.)

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

A) The applicant entering into a legal agreement in relation to the payment of a commuted sum for the:

1. Provision and improvement of off-site open space;
 2. Provision of Bridgewater Way towpath improvement scheme;
 3. Provision of an off-site local tree planting scheme;
- and

B) Conditions relating to the following:

1. Condition specifying amended plans (BE1);
2. Materials condition, requiring submission and approval of materials to be used (BE2);
3. Provision of appropriate waste and recycling bins for use by the occupiers and facilitation of recycling through the provision of recycling separation bins within every kitchen (BE1);
4. Submission and agreement of both a hard and soft landscaping scheme including replacement trees (BE2);
5. Submission and agreement of an external lighting scheme (BE2);
6. Prior to commencement a noise survey shall be submitted with appropriate remediation measures and approved by the Council (BE1);
7. No installation of satellite dishes or other antenna without further approval (BE2);

8. Vehicular entrance gates must be set back at least 5.5 metres from the carriageway edge and electrically operated by remote control (TP17);
9. Construction traffic wheel cleansing facilities to be submitted and approved in writing (BE1);
10. Reconstruction of main highway following drainage and utilities connection to satisfaction of the Council (TP17);
11. Dropped crossings with tactile paving should be installed at all appropriate desire line points to the satisfaction of the Council (TP17);
12. Submission and agreement of shop front façade, including standardised advertisement design, and incorporation of internal see-through lath shutters (BE2);
13. Boundary Treatments will be submitted and approved in writing (BE22);
14. Prior to commencement structural elements of the scheme which may have an implication for the integrity of the Highway is subject to HBC's formal process for the technical approval of highways structures (TP17);
15. Prior to commencement the Council requires that they have sight of, and opportunities to comment on, the protective measures to be undertaken by the developer in respect of the canal and its towpath during demolition and construction and in the longer term (GE29);
16. Restriction of Retail (A1) to sale of non-food goods only (TC10 and TP17);
17. Restriction of Business (B1) to B1a only (BE1);
18. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
19. Submission and approval of a sustainable design and construction method statement demonstrating how the Sustainability Statement set out with Appendix A of the Design and Access Statement has been incorporated at the detailed design stage (BE2);
20. Prior to commencement construction and delivery route to be agreed with the Local Planning Authority (BE1);
21. Prior to commencement a scheme of building recording of 79 High Street is undertaken to the satisfaction of the Local Planning Authority (BE1);
22. Site investigation for contamination, including mitigation, to be submitted and approved in writing by the Council (PR14);
23. Surface water drainage from car park areas shall pass through a suitable oil interceptor - roof water

shall not pass through the interceptor (GE29);
24. Prior to commencement submission and approval of a scheme for the disposal of foul and surface water (BE1);

C) That if the legal agreement is not executed within a reasonable period of time, authority is delegated to the Operational Director - Environmental and Regulatory Services, in consultation with the Chairman or Vice Chairman, to refuse the application on the grounds that it fails to comply with UDP Policy S25 Planning Obligations; and

D) The following extra conditions:

1. Condition seeking increase in number of secure cycle spaces within parking area (TP6).
2. Standard condition for provision for vehicular access, servicing and parking prior to occupation of either commercial or residential.
3. Standard site levels condition (BE1).
4. Restricting opening hours to ground floor commercial premises (BE1).
5. Restriction of delivery hours to ground floor commercial premises (BE1).
6. Condition 21 relating to car parking allocation to be addressed within S106 rather than as a condition. As this relates to a matter of ownership.
7. Condition requiring that prior to commencement, the developer shall submit to the planning authority a scheme of forecourt and footway improvements (including kerb renewal), for the whole site frontage from Doctors Bridge up to and including the old bank chambers frontage (TP8).
8. A Grampian style condition relating to approval and implementation of a scheme of forecourt and footway improvements (including kerb renewal), for the whole site frontage from Doctors Bridge up to and including the old bank chambers frontage (TP8).
9. Removal of commuted sum from S106 for off-site highways and streetscapes works.

OFFICES AND ERECTION OF 1 NO. 3 STOREY AND 1 NO. 2 STOREY RESIDENTIAL BLOCK CONTAINING 38 NO. DWELLINGS TO THE LAND AT APPLETON VILLAGE, WIDNES

The Committee was advised that this application had been withdrawn.

DEV76 - PLAN NO. 07/00111/OUT - OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR THE DEVELOPMENT OF UP TO 320 RESIDENTIAL DWELLINGS TO THE LAND AT SANDYMOOR SOUTH, RUNCORN.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that comments had been received from residents, details of which were outlined in the report. In addition, it was reported that the Environment Agency had withdrawn its objection.

The Committee was advised that the application had to be referred to Government Office: subject to it not being called in, a decision notice would be issued.

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

1. Reserved matters condition for the submission of and approval prior to the commencement of development (in accordance with the Town & Country Planning Act 1990);
2. Time limit for the submission of reserved matters (in accordance with the Town & Country Planning Act 1990);
3. Time limit for the commencement of development (in accordance with the Town & Country Planning Act 1990);
4. Reserved matters to be submitted and carried out as approved (in accordance with the Town & Country Planning Act 1990);
5. The number of final dwelling dependant upon the scheme satisfying all the conditions and restrictions imposed on the outline permission (H2, BE1 and BE2 – New Residential Guidance and Sandymoor Masterplan SPD);
6. Prior to commencement the provision of an agreed traffic calming system to be provided along Walsingham Drive (BE1 and TP17);
7. Prior to commencement the details of vehicle

- access to be agreed (including off site works) (BE1 and BE2);
8. Prior to commencement written details and agreement of construction vehicle access routes and construction car parking (BE1);
 9. Development to be in accordance with the approved design guide where this does not conflict with Council policy (H2, BE1 and BE2, New Residential Guidance and Sandymoor Masterplan SPD);
 10. Suitable provision of car parking including disabled parking in accordance with Council policy (BE1 and BE2);
 11. Prior to commencement provision of pre-development site levels and proposed finished floor levels (BE1);
 12. Existing tree survey and measures for protection during construction (BE1 and GE27);
 13. Prior to commencement detailed landscaping scheme to be submitted and approved (BE1 and GE27);
 14. Prevention of any tree felling without consent (BE1 and GE27);
 15. Prior to commencement terrestrial habitats survey and necessary mitigation measures (BE1, GE21 and GE25);
 16. Prior to commencement a scheme of protective measures for wildlife during the course of construction to be submitted and approved (BE1, GE21 and GE25);
 17. Prior to commencement a survey for ground nesting birds to be submitted and approved (BE1 and GE21);
 18. Prior to commencement provision of a scheme showing 6m wide strip between the proposed development and Sandymoor Main Ditch to be approved and implemented prior to commencement (BE1 and GE21);
 19. Prior to commencement provision of scheme of boundary treatment and landscaping scheme to Sandymoor Main Ditch to be approved and installed prior to commencement on site (BE1 and GE21);
 20. Prior to commencement provision of mitigation scheme for great crested newts to be implemented prior to commencement on site (BE1 and GE21);
 21. Prior to commencement ground investigations for potential pollutants and remediation scheme where necessary (BE1 and PR6);

22. Prior to commencement provision of a drainage scheme to be submitted and approved (BE1);
23. Prior to commencement details of protection during development of adjacent woodland to be submitted and approved (BE1, GE21 and GE27);
24. Prior to commencement provision and use of wheel cleansing facilities during course of construction to be submitted and approved (BE1);
25. Restricted hours of development and deliveries related to development during construction period (BE1);
26. Provision of required bin storage facilities for all individual dwellings at developer's expense (BE1).

DEV77 - PLAN NO. 07/00132/FUL - PROPOSED ERECTION OF 3 NO. TWO STOREY UNITS MIXED USE (B1, B2 AND B8) HYBRID UNITS AND 7 NO. TWO STOREY UNITS (B1) OFFICE UNITS TO THE LAND TO THE SOUTH OF DENNIS ROAD AT JUNCTION WITH EARLE ROAD, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

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

1. Standard commencement condition;
2. Submission of good quality materials (Policy BE2);
3. Car parking and layout (Policy BE1);
4. Boundary treatment (Policy BE2);
5. Landscape details (Policy BE2);
6. Remediation plan following site investigation (PR14);
7. Provision of green travel plan (TP16);
8. Provision of bin storage/waste disposal (BE1);
9. Restriction on external storage (BE2);
10. Use restrictions (BE1);
11. Restriction on HGV's using certain areas of the site (BE1);
12. Use of wheelwash during construction (BE1).

DEV78 - PLAN NO. 07/00133/FUL - PROPOSED INSTALLATION OF 2 NO. (3M X 3M) JUMBRELLAS WITH EXTERNAL SMOKING AREA AND INSTALLATION OF NEW UP/DOWN LIGHTS TO THE MAIN FACADE AT THE UPTON TAVERN, UPTON LANE, WIDNES

The consultation procedure undertaken was outlined

in the report together with background information in respect of the site. It was noted that 10 letters of objection had been received, details of which were outlined in the report. Since then, 3 further objections had been received, as well as a letter of objection from a Ward Councillor. Ms Wynne and Councillor Findon addressed the Committee against the proposal.

The Planning Officer advised that the use outside the building would not change: the application related to permanent structures. Therefore, although there were reservations over the noise this proposal would create, it was not considered to be more than would be caused if the application was refused. In addition, the Legal Officer confirmed that the licensed area was the footprint of the building, which meant that patrons could drink anywhere in that area within the licensed hours subject to the landlord/owner's consent.

The Committee noted that the officer recommendation was to grant conditional permission for a period of three years. It was confirmed that this timeframe was not dictated by planning law and could be amended by the Committee if so desired.

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

1. The floodlights shall at no time exceed the Institution of Lighting Engineers guidance (PR4);
2. The floodlights shall be removed within one month of them no longer being required (BE1); and
3. The structure shall be removed after a period of 12 months.

DEV79 MISCELLANEOUS ITEMS

It was reported that the following applications had been withdrawn:

06/00455/HBCFUL Proposed single storey modular office building (canteen/showers/kitchen), single storey maintenance garage and outside storage bays at Landscape Services New Depot, Ditton Road, Widnes, Cheshire, WA8 0TH

06/00693/COU Proposed change of use of first

	floor to 1 No. bedsit accommodation and 1 No. flat and alterations to shop front at 71 - 71A Albert Road, Widnes, Cheshire, WA8 6JS
06/00700/FUL	Proposed installation of 2 No. air conditioning units at Holiday Inn, Wood Lane, Beechwood, Runcorn, Cheshire, WA7 3HA
06/00707/FUL	Proposed first floor rear extension at 149 Birchfield Road, Widnes, Cheshire, WA8 9EG
06/00850/S73	Application to remove condition No.2 on original planning permission to include A5 (i.e from A3 to A5) at 8 Church Street, Runcorn, Cheshire, WA7 1LT
06/00959/HBCFUL	Proposed new multi use games area with fencing and hardstanding at Castle Rise Park, Castle Rise, Runcorn, Cheshire
07/00009/COU	Proposed change of use and alteration to mixed use (offices and residential) at Former Job Centre, 5 Widnes Road, Widnes, Cheshire, WA8 6AB
07/00015/FUL	Proposed two storey side extension/single storey garage and demolition of existing garage at 33 Regency Park, Widnes, Cheshire, WA8 9PH
07/00075/FUL	Proposed single storey side/rear extension at 62 Holloway, Runcorn, Cheshire, WA7 4TQ

(NB At the close of the meeting, the Chairman reported that this was to be Councillor Whittaker's last meeting and thanked him for his work on the Committee.)

Meeting ended at 7.23 p.m.

REPORT TO: Development Control Committee

DATE: 21st May 2007

REPORTING OFFICER: Strategic Director – Environment

SUBJECT: Planning applications to be determined by the Committee

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: 06/00972/FUL

APPLICANT: Cheshire Fire Authority/ McInerney Homes

PROPOSAL: Residential development consisting of 43 No. dwellings

ADDRESS OF SITE: Former Fire Station, Heath Road, Runcorn.

WARD: Heath

SUMMARY RECOMMENDATION:

Approve with conditions

CONSULTATION AND REPRESENTATION:

The application was advertised by way of a site notice, a press notice and the neighbouring properties and Ward Councillors were also consulted.

59 letters of representation have been received from a total of 47 properties raising concerns regarding the proposed density being too high, properties being 'crammed into site', over-development of the site, blocking sunlight into surrounding properties, decrease in property values, increase in traffic movements, detrimental to highway safety, height of building too high, proposal out of character with surrounding, safety hazard for local school children, no demand in the area for apartments, layout of the proposal is further forward than existing, increase in numbers parking on Bellingham Drive, damage to boundary fence of property adjacent, presence of asbestos on the site, protections of trees on the site, errors on plans, overlooking, inadequate drainage, no family housing provided, access not suitable, fumes and noise from car park, and light pollution.

Representations raising similar concerns and supporting residents have also been received from a Ward Councillor and local MP.

The Health and Safety Executive and United Utilities have been consulted, and do not raise any objections.

The Council's Highways Engineer, Environmental Health Officer, Trees and Woodland Officer and Waste Management Services have also been consulted and any issues raised will also be discussed in the Observations and Issues section of this report.

SITE/LOCATION:

The site is the existing Runcorn Fire Station Site and is located at the corner of Heath Road and Bellingham Drive. The site is currently accessed from Bellingham Drive, with access and egress for emergency vehicles on Heath Road. The site falls within an established residential area.

RELEVANT HISTORY:

None directly relevant although a number of previous planning permissions have been granted predominantly for telecommunications equipment and extensions or adaptations relating to the existing fire station use.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as within a residential area in the Halton Unitary Development Plan (UDP) and the key policies, which relate to the development, are: -

H2: Design and Density of New Residential Development

H3: Provision of Recreational Greenspace

BE1: General Requirements for Development

BE2: Quality of Design
TP12: Car Parking

The Council's New Residential Development Guidance Note is also of relevance.

OBSERVATIONS AND ISSUES:

The application is for 43 dwellings consisting of 2 no. 3 bedroom houses, 2 no. 4 bedroom houses, 6 no. 1 bedroom apartments and 33 no. 2 bedroom apartments.

Design & Access Statement Principles

The proposal comprises 43 dwellings, with 39 apartments in two blocks, and four terraced houses, covering a larger footprint than the existing fire station on the site.

i) Design- The proposed buildings are of attractive design and reflect the style and character of dominant buildings on the same side of the road. By incorporating features characterised on some of the surrounding dwellings such as timber and render, the buildings will add to and enhance the general street scene.

ii) Access- It is proposed that vehicles will access the site from Bellingham Drive, and pedestrians will access the site via the same entrance, or via a pedestrian access from the frontage on Heath Road that divides the two apartment blocks.

Residential and Visual Amenity

The existing site when viewed in cross section varies considerably in level from nearby and adjacent dwellings, which in themselves are of generally one and two storey in height. As a consequence, the siting of the proposed building blocks, the fenestrative detailing and general massing all required specific and careful consideration. As originally submitted, the buildings proposed were considered to be unacceptably sited and did require change.

In relation to these issues, amended plans have been agreed to by the applicant to reduce the apartment block to 2.5 storeys, and to reposition the apartment block adjacent to 120 Heath Road in order to preserve the amenity of the neighbouring property.

The development includes an area of on site amenity space for use by future residents of the proposed scheme. The amenity space will be to the rear of the proposed buildings, separating the apartments from the car parking area.

Density

This type of development by its very nature provides a high density solution. However, having regard to the levels of parking and amenity space which can be provided on site, and that the buildings can be positioned without detrimental impact on the neighbouring properties on Heath Road, Bellingham Drive and Abbots Close the density can be deemed appropriate to the site.

Open Space and Landscaping

The developer will pay a commuted sum in respect of off-site open space provision.

Currently Heath Road is lined with mature trees at intervals, and the proposal includes the planting of trees at regular spaced intervals along the road frontages, along with grassed areas, shrub and hedge planting at various points within the site.

There is an existing tree within the curtilage of the site adjacent to the boundary with 120 Heath Road, and one nearby on the boundary, both are subject to a Tree Preservation Order.

The scheme has been amended to pay regard to these trees.

Contaminated Land

The Council's Environmental Health Officers have commented that the proposal is particularly sensitive to contamination, and as recommended in PPS23 the possibility of contamination should be assumed. The use of the site as a fire station with diesel storage tanks means hydrocarbon contamination is possible. These issues will be dealt with by way of conditions.

Highways Issues

Whilst the Council's Highways Engineer has confirmed that no significant highway objections are raised in principle, the application as submitted raises minor concerns relating to parking provision and the width of the footway along the frontage of the site, however it is felt that these matters can be resolved.

The above issues are still subject to discussion, and will be reported orally to the Committee.

Conclusion

The proposed use is considered to be acceptable. The proposed buildings are of a scale, character and quality considered to be in keeping with surrounding residential area, and will present attractive frontages on Heath Road. The buildings will be surrounded by amenity space, and planting schemes enhance the development. A number of issues have however been raised as outlined above, and negotiations are ongoing. It is considered that those

matters can be resolved satisfactorily through amendments to the current scheme and/ or additional information and Members will be updated fully. It is considered that all other matters can be adequately controlled by condition and, on that basis, the application is recommended for approval.

RECOMMENDATION:

Approve subject to the following conditions:-

A) The applicant entering into a legal agreement in relation to the payment of a commuted sum for the provision and improvement of off-site open space.

B) Conditions relating to the following;

- 1) Standard commencement condition.
- 2) Condition specifying amended plans (BE1).
- 3) Construction hours (BE1).
- 4) Wheel cleansing facilities to be submitted and approved in writing. (BE1)
- 5) Materials condition, requiring the submission and approval of the materials to be used (BE2)
- 6) Boundary treatments to be submitted and approved in writing. (BE2)
- 7) Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
- 8) Conditions relating to restriction of permitted development rights relating to boundary fences, extensions and enclosures and windows, (BE1)
- 9) Site investigation, including mitigation to be submitted and approved in writing. (PR14)
- 10) Landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting. (BE2)
- 11) Drainage condition, requiring the submission and approval of drainage (BE1)
- 12) Conditions relating to tree protection during construction and lifetime of development (BE1)
- 13) Submission and agreement of finished floor and site levels. (BE1)
- 14) Condition to ensure that windows on the east elevation (adjacent to 120 Heath Road) are obscure glazed.

C) That if the legal agreement is not executed within a reasonable period of time authority be delegated to the Operational Director- Environmental and Regulatory Services in consultation with the Chairman or Vice Chairman to refuse the application on the grounds that it fails to comply with UDP Policy S25 Planning Obligations.

PLAN NUMBER:

07/00086/COU

APPLICANT: Crazy Kidz, C/o P2P, Suite 16, 275
Deasngate, Manchester, M3 4EL

PROPOSAL: Full application for change of use to parent supervised children's play centre

ADDRESS OF SITE: Unit 2, Aragon Court, Manor Park, Runcorn,
WA7 1SP

WARD: Daresbury

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, the Health & Safety Executive and the Council's Highway have all been consulted.

No comments have been received from local residents at the time of the writing of this report. Any comments received will be reported orally.

The local MP and Ward Councillor have written in support of the application. Their supporting comments relate to; - the need for this development in the Halton area; the health benefits for children of this type of development; the benefits to the local economy; the benefits to social inclusion; good re-use of a unit which has been vacant for 12 months; permission for leisure uses at 'Venture Fields' in Widnes.

SITE/LOCATION:

Site is an employment unit within one of the court locations in the Manor Park Primarily Employment Area. The proposal is to change the use of the unit to a 'parentally supervised children's play area' within the corner unit (2) of Aragon Court, Manor Park, measuring 2,400 square metres in areas.

RELEVANT HISTORY:

The planning history relates to the use of the site as an employment area and is of no particular relevance to this current planning application.

DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The following Unitary Development Plan policies are relevant to this application; S2 The Built Environment; S13 Transport; BE1 General Requirements for Development; BE2 Quality of Design; E3 – Primarily

Employment Areas; E4 – Complementary Services and Facilities within Primarily Employment Areas; LTC3 – Development of Major Leisure and Community Facilities in Out of Centre Locations; TP1 Public Transport Provision as Part of New Development; TP7 Pedestrian Provision as part of New Development; TP12 Car Parking; TP16 Safe Travel for AI; TP17 Safe Travel for All.

OBSERVATIONS AND ISSUES:

The main issues and material planning considerations arising as a result of the proposal are: - Application of Primarily Employment Policies of UDP; impact on existing town centres; highway safety; need.

Application of Primarily Employment Policies of UDP

The related policies of the UDP, which apply to this site, are related to the site's designation as a Primarily Employment Area and are in place to protect the site for uses, which are for predominantly employment purposes. Other uses may be considered acceptable, however these would need to be proved to be complementary and compatible with the employment area and support those existing employment uses in order to comply with E4 of the UDP. In this case, the use is considered a D2 – Assembly and Leisure use, with some A3 – Restaurants & Cafes. The application states the proposed operational times as 9.00am to 8.00pm Monday to Sunday. The nature of the facility would be as a 'family' based activity and as such assumed to be an evening and weekend use. It is considered that the facility would have little use during the normal working week Monday to Friday 9.00am to 6.00pm and would not be a logical supportive use for the majority of the remainder of the primarily employment area.

The justification to Policy E4 states that complementary services and facilities may be acceptable where they are needed to serve the workforce or to help the employment area function well. There is no evidence that this proposal will meet this test.

In this regard the proposal fails the test of policy E4 of the Halton UDP.

Impact on existing town centres

The Council would expect this type of leisure use to be delivered within existing town centres where there is opportunity for linked visits and the opportunity to maximise the use of public transport. The applicant has failed to demonstrate that this facility will not adversely harm the potential for this use to be provided within existing town centres in the Borough. As such the proposal conflict with Policy LTC3 of the Halton Unitary Development Plan and the principles of PPS6 – Town Centres.

Need

The applicant has not demonstrated that there is need in the locality for such a use in accordance with Policy E4. Neither does it show that a sequential approach has been applied in selecting the location of the site.

The application is supported with evidence of a search for available locations through the Halton Property Portfolio. This shows that there was no unit registered with the Portfolio available within the town centre locations, which the applicant found appropriate for the use. There is no full explanation of the reasons for the rejection of the three Trident Park units, other than one being under offer, or 2 available sites in Runcorn Old Town.

Members should be aware that a planning application has been approved under the Council's delegated system, Ref: 06/00914/COU on 9th January 2007, for this type of facility at a unit in the Trident Retail Park, Runcorn, which is due to open in the near future. The size of this unit is 264 square metres and fully complies with Town Centre policy and will provide the Borough with a children's commercial play facility, which it has previously lacked within an appropriate and sustainable location.

In this regard this current proposal fails to comply with LTC3 of the Halton UDP.

Highway safety

The scheme shows car parking to the front of the site, however there is potential for additional car parking to take place informally to the rear in what is the service and parking area for the court of businesses, which already exist. This will result in conflict between servicing of the businesses and the arrival and departure of young children and families.

Highway Engineers have confirmed that the use is unsatisfactory as it fails to provide: - Safe pedestrian access to the site; appropriate levels of car parking; a resolution to the juxtaposition with the existing employment service areas to the rear; an appropriate travel plan. As such the proposal is contrary to policies BE1, TP1, TP7, TP12, TP16 and TP17.

Conclusion

This type of children's play facility is one which the Council's Community Strategy supports in principle for the reasons reflected in the comments from the local MP i.e. the need for this development in the Halton area; the health benefits for children of this type of development; the benefits to the local economy; the benefits to social inclusion. The development approved by Committee at 'Venture Fields', Widnes was assessed against the Widnes Waterfront Action Area Policy RG3 and Supplementary Planning Document, which allows a mix of uses which includes D2 leisure.

However, the location of this particular proposal is inappropriate, raising policy inconsistencies and serious highway safety issues where young children will be involved.

RECOMMENDATION

Refuse: The application is recommended for refusal due to the unsuitability of the use and location within a Primarily Employment Area and the likely adverse impact on the existing and potential town centre indoor childrens play facilities; the undesirable potential conflict with existing uses and unacceptable highway safety implications. The proposal therefore conflicts with policies policies BE1, LTC3, E3, E4, TP1, TP7, TP12, TP16 and TP17 of the Halton UDP and PPS6.

PLAN NUMBER: 07/00093/FUL

APPLICANT: Riverside Truck Rental Ltd

PROPOSAL: Proposed single storey truck servicing facility and associated site infrastructure.

ADDRESS OF SITE: Land off Brown Street, Widnes

WARD: Halton View

SUMMARY RECOMMENDATION:

Approve with conditions

CONSULTATION AND REPRESENTATION:

The proposal has been advertised by a site notice and a press notice. The neighbouring businesses have also been consulted.

The Health & Safety Executive, Environment Agency and United Utilities have been consulted and do not raise any objections.

The Council's Highways Engineer, and Environmental Health Officer have also been consulted and any issues raised will also be discussed in the Observations and Issues Section of this report.

SITE/LOCATION:

The site is 1.0 ha in area and located off Brown Street in the Widnes Waterfront Economic Development Zone Area. This is the part of the former Clariant site and St Modwens have developed the majority of it as a business park.

RELEVANT HISTORY:

The planning application of relevance is application no.06/00168/FUL, which was for 1 no production building (700 sqm) for B2 use, 1 no. storage unit (700 sqm) for B8 use and access, approved in May 2006.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated for Primarily Employment Use and Policy E5 New Industrial and Commercial Development of the Halton Unitary Development Plan is of relevance.

The Widnes Waterfront Supplementary Planning Document and the Planning Policy Statement 23 Planning and Pollution Control are also of relevance.

OBSERVATIONS AND ISSUES:

The proposal is for a single storey building to provide a truck servicing facility of 1660 m². It also includes staff welfare facilities, offices, reception area and parts storage.

Design

The unit proposed on the site is 55m in length and 30m wide, and 7.5m in height to the eaves.

The materials proposed are red brick to 2.1m and the remainder is metal cladding in different shades of grey and blue. Glazing is proposed around the reception area to create the entrance feature of the building. This will be the full height of the building.

The surface area will be hard surfaced to accommodate the HGV traffic. There is no soft landscaping proposed, as the site is within the larger employment site with no entrance features.

Access

Access is proposed off Brown Street and Tan House (road to Plasmor). The visibility splay of 4.5m x 70m can be accommodated, and a condition can be added accordingly. This will involve the demolition of a small derelict building near to the entrance.

The Brown Street access is proposed for the HGV's and the cars and pedestrians will access the site from the Tan House Road area, nearest to the car park and reception area.

The site is essentially flat and level allowing access to external pedestrian routes from car park areas and the wider development site.

Other Highways Issues

There is adequate car parking provided as part of the scheme, and the disabled car parking is provided adjacent to the entrance area.

It states within the Design and Access Statement that the cycle parking is to be provided within the units; a condition needs to be included to ensure this along with motorcycle parking is provided.

Ground Conditions

A site investigation was provided with the application. It suggests that this part of the site can be remediated accordingly. Therefore a condition is required to ensure that remediation measures are submitted and carried out appropriately.

Conclusion

The proposal is an appropriate development and complies with policy and fulfils the objectives set out in the Widnes Waterfront Supplementary Planning Document. It complements the wider scheme, currently being developed as a business park and is therefore recommended for approval.

RECOMMENDATION:

Approve subject to the following conditions: -

- 1) Standard commencement condition,
- 2) Amended Plans condition,
- 3) Submission of materials (BE2 Quality of Design)
- 4) Site investigation, remediation plan (PR14 Contaminated Land)
- 5) Cycle parking details (TP6 Cycling provision as Part of New Development)
- 6) Car parking layout maintained as part of this scheme (BE1 General Requirements for New Development)
- 7) Provision of bin storage/waste (BE1 General Requirements for New Development)
- 8) No outside storage (BE1 General Requirements for New Development)
- 9) Wheelwash during construction (BE1 General Requirements for New Development)
- 10) Visibility Splay (BE1 General Requirements for New Development).

PLAN NUMBER:	07/00102/FUL
APPLICANT:	Mr Stratford
PROPOSAL:	Proposed erection of 4 No. two storey dwellings with additional attic accommodation and demolition of existing buildings.
ADDRESS OF SITE:	5 Holt Lane, Runcorn

WARD: Castlefields

SUMMARY RECOMMENDATION:

Refuse

CONSULTATION AND REPRESENTATION:

The application has been advertised by site notices and a number of local residents have been consulted.

United Utilities, Environmental Health, Highways and the Historic Environment Officer have all been consulted.

United Utilities have no objections to the proposal. The Council's Environmental Health Officer has no objections but require a ground investigation and remediation condition.

SITE/LOCATION:

The site is located off Holt Lane, and is bounded by terraced properties to the North and open space to the South. The site is also adjacent to the Halton Village conservation area.

RELEVANT HISTORY:

A recent application for the erection of 5 dwellings on the site (06/00820/FUL) was withdrawn in December 2006. Prior to the 2006 application, being submitted, pre application advice had been given outlining the issues with the development of the site.

DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as within a residential area in the Halton Unitary Development Plan (UDP) and the key policies, which relate to the development, are: -

- BE1: General Requirements for Development
- BE2: Quality of Design
- BE12: General Development Criteria – Conservation Areas
- PR14: Contaminated Land
- TP12: Car Parking
- H2: Design and Density of New Residential Development
- H3: Provision of Recreational Green Space

Also of relevance is the Council's Supplementary Planning Guidance on New Residential Development.

OBSERVATIONS AND ISSUES:

The application is a full application for the erection 4 No. 4 bed dwellings on land at 5 Holt Lane.

Design and Character of the Area

Currently the site is occupied by a single bungalow fronting Holt Lane. The proposal is to demolish the existing property and erect 4 No. 2.5 storey detached properties. The proposed properties are shown to front a private drive with the properties located away from Holt Lane. The site borders the Halton Village Conservation Area. Holt Lane is a key approach to the Conservation Area and therefore any development on the road would need to be of a high quality scheme that forms an attractive gateway to the Conservation Area. The most common form of street frontage in the immediate area of the site is for the buildings to abut the pavement, with the main elevations facing Holt Lane. The proposed development does not respect this historic street frontage, as the proposed properties are staggered within the site, with the main elevations facing the rear elevations of the properties on Main Street. This built form is not appropriate adjacent to the Conservation Area.

The current dwelling on the site doesn't abut the pavement, but does front Holt Lane.

Residential Amenity

In assessing proposals for the development of the site, the Council will require appropriate provision of on site garden areas. This is in order to ensure that a scheme has fundamental qualities to achieve a sustainable development, which will allow future occupiers the opportunity to enjoy outdoor space. PPS3 Housing lists matters to consider when assessing design quality. This includes: "Provides, or enables good access to, community and green and open amenity space (including play space) as well as private outdoor space such as residential gardens, patios and balconies." The developer has shown garden areas that are not in proportion with the size of the 4 bedroom dwellings proposed. The layout of the private gardens gives the appearance of over development and is out of character with the surrounding area.

Trees

The site is adjacent to open space with trees along the boundary. The applicant has not provided a tree survey or a plan accurately plotting the location of the trees and their crown spreads.

Highway Safety

The access to the site is to be provided alongside 3 Holt Lane. The visibility sightlines down the hill (to the left when exiting the site) are not adequate for a 30 mph road.

Conclusion

The layout of the proposed scheme is out of character for the surrounding area and the proposal does not take account of the adjacent Conservation Area. Due to the layout, the garden areas shown are not in proportion with the size of the 4 bedroom dwellings proposed. The layout of the private gardens gives the appearance of over development and is out of character with the surrounding area.

RECOMMENDATION:

Refuse on the grounds that the proposal is contrary to Policy BE1, BE2, BE12, H2, the Council's Supplementary Planning Guidance on New Residential Development and PPS 3. In particular:

1. The layout of the proposed scheme is out of character for the surrounding area and the proposal does not take account of the adjacent Conservation Area
2. The layout of the properties does not provide garden areas that are in proportion with the size of the 4 bedroom dwellings proposed. As such the layout of the private gardens give the appearance of over development and are out of character with the surrounding area.
3. In addition there is insufficient information relating to the effect the development on neighbouring trees
4. Inadequate junction visibility and would be detrimental to highway safety.

PLAN NUMBER:	07/00126/FUL
APPLICANT:	Property Alliance Group
PROPOSAL:	Proposed B1, B2 and B8 industrial development with associated servicing and parking
ADDRESS OF SITE:	Land off Dennis Road, Widnes
WARD:	Riverside

SUMMARY RECOMMENDATION:

Approve with conditions

CONSULTATION AND REPRESENTATION:

The proposal has been advertised by a site notice and a press notice. The neighbouring businesses have also been consulted.

The Health & Safety Executive, Environment Agency and United Utilities have been consulted and do not raise any objections. However, the Environment Agency has suggested that conditions should be added about the discharge of water and the submission of a site investigation report.

The Council's Highways Engineer, and Environmental Health Officer have also been consulted and any issues raised will also be discussed in the Observations and Issues Section of this report.

SITE/LOCATION:

The site is 0.55 hectares in area and is part of a larger site currently being developed as a B&Q store off Dennis Road, in the Economic Development Zone, Widnes Waterfront.

RELEVANT HISTORY:

The planning application of relevance is proposed bulky goods retail warehouse, builders yard and garden centre (6876 sq m), 3 no. units (totalling 4785 sqm) for class B (c), B2 and B8 industrial development, servicing and parking. This application is for part of that site where planning permission was previously granted for a single industrial unit.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated in the Widnes Waterfront Action Area where Policy RG3 Action Area 3, and E5 New Industrial and Commercial Development of the Halton Unitary Development Plan are of relevance.

The Widnes Waterfront Supplementary Planning Document and the Planning Policy Statement 23 Planning and Pollution Control are also of relevance.

OBSERVATIONS AND ISSUES:

The proposal is for 6 no. units for B1, B2 and B8 industrial use, totalling 2231 square metres of floor space. The proposed scheme is to provide speculative employment units, where the previous application was for a single larger unit.

Design

The positioning of the existing access road, to the other units, and the elongated nature of the site dictates the layout of the site. Therefore, the proposed layout has been developed to maximise the efficient use of the site.

The size of the building provides a change in proportion and scale between the two neighbouring developments (B&Q and industrial unit currently under construction). The units are 9.6m in height to the apex, and 89m in length and 26m wide.

The materials are a mix of cladding, glazing and brick to reflect those already used on the remainder of the site and the other development in the surrounding Widnes Waterfront Area. This provides a common theme, which meets the objectives set out in the Supplementary Planning Document for Widnes Waterfront.

The service areas and car parking layout is provided outside each unit. This forms the hard landscaping area, with some soft landscaping provided to define the individual units and their loading areas and create more attractive site entrance points and screening from Fiddlers Ferry Road.

Any directional or information signage will be designed to match the signage for the other units on the site. The incoming tenants will provide their own signage where appropriate.

Access

As mentioned above there is an existing access road into the larger development site, and this development branches off from that.

It states in the Design and Access Statement that the design of the site, building and facades positively address all issues related to the disabled, to ensure a user-friendly environment for all occupants and visitors.

The site is essentially flat and level allowing less than 1:20 gradients to external pedestrian routes from car park areas and the wider development site.

Other Highways Issues

There is adequate car parking provided as part of the scheme, and the disabled car parking is provided adjacent to the front entrances/doors.

It states within the Design and Access Statement that the cycle parking is to be provided within the units; a condition needs to be included to ensure this along with motorcycle parking is provided.

Ground Conditions

A site investigation was provided for the previous application, which was the wider development site. However, there have been no site investigation report or remediation measures submitted with this application. The other part of the site has been successfully remediated and development has been implemented, therefore it suggests that this part of the site can be remediated accordingly.

A condition is required to ensure that an appropriate site investigation and remediation measures are submitted.

Conclusion

The proposal although changed from the previously approved part of the wider scheme, is a good quality development and fulfils the objectives set out in the Widnes Waterfront Supplementary Planning Document. It complements the wider scheme, currently on site and is therefore recommended for approval.

RECOMMENDATION:

Approve subject to the following conditions: -

- 1) Standard commencement condition,
- 2) Amended Plans condition,
- 3) Submission of materials (BE2 Quality of Design)
- 4) Site investigation, remediation plan (PR14 Contaminated Land)
- 5) Cycle parking details (TP6 Cycling provision as Part of New Development)
- 6) Car parking layout maintained as part of this scheme (BE1 General Requirements for New Development)
- 7) Provision of Green Travel Plan (TP16 Green Travel Plans)
- 8) Provision of bin storage/waste (BE1 General Requirements for New Development)
- 9) No outside storage (BE1 General Requirements for New Development)
- 10) Wheelwash during construction (BE1 General Requirements for New Development)
- 11) Environment Agency conditions (BE1 General Requirements for New Development)

PLAN NUMBER: 07/00154/FUL

APPLICANT: Rowland Homes Ltd

PROPOSAL: Full application for erection of 35 dwellings of up to 2 1/2 storeys in height including access and parking

ADDRESS OF SITE: Land Nicolford Hall, Norlands Lane, Widnes

WARD: Farnworth

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 Council's Highway Engineers and Environmental Health Officer and Landscapes Officer have all been consulted.

Comments have been received from three local residents at the time of the writing of this report relating to;- the process of demolition and possibility of asbestos dust on adjacent property; disturbance from on site working during the demolition period; dust deposits as a result of the demolition work. Any further comments received will be reported orally.

The Environment Agency have requested that the applicant submit a Flood Risk Assessment and the applicant is discussing these matters with the Agency.

SITE/LOCATION:

Site is an open area of land, with the former Nicolford Hall now demolished. The demolition was the subject of an application to Halton Borough Council under Building Regulations, Ref: 06/00568/DEMOL and the works would have been governed by those requirements. Planning permission was not required for the demolition of the building. The proposal seeks to provide the details of the scheme following permission granted in outline in 2004, Ref: 04/00873/OUT. None of the buildings on site were listed, however, there are several protected trees to the front and side of the site.

RELEVANT HISTORY:

There are numerous applications on the land relating to the existing use for offices and related activities and the previous use as an educational establishment. None of the previous history relating to the Hall and its previous uses are of particular relevance to this application. However following the granting of outline planning permission Ref: 04/00873/OUT in 2004 for 42 dwellings of no more than 2 and half storey in height; a reserved matters application Ref: 06/00260/REM which was withdrawn; a further re-submission of this application Ref: 06/00758/REM was refused in 2007 which is now the subject of an Appeal to the Secretary of State.

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; S2 The Built Environment; S13 Transport; S18 Provision of Land for Housing; S25 Planning Obligations; BE1 General Requirements for Development; BE2 Quality of Design; GE21 Species Protection; GE27 Protection of Trees and Woodland; PR6 Land Quality; TP1 Public Transport Provision as Par of New Development; TP7 Pedestrian Provision as part of New Development; TP12 Car Parking; TP16 Safe Travel for All; H1 Housing Land Allocations; H3 Provision of Recreational Greenspace; H4 Design and

Density of New Residential Development; and the Council's Supplementary Planning Document – Designing for Community Safety.

OBSERVATION AND ISSUES:

This application seeks to obtain a planning permission from the Council for 35 dwellings. The main issues arising from this application are; design quality; provision of private amenity space; highway safety; residential amenity; and tree protection.

Design Quality

The proposed house types are a mix of large detached; semi-detached; one row of 3 townhouses and an apartment block of 10 units. The layout shows four large detached dwellings on the Norlands Lane frontage, which establish a strong suburban frontage development, reflecting the existing character of the area in this regard.

The design includes features, which ensure a high quality of development, such as entrance features, strong boundary treatments within the scheme, protection of existing mature trees.

It is considered that the design of the external appearance of the house types and apartment block is of a high standard. However design quality is subject to the tests in PPS3 Housing which are described below.

Provision of Amenity Space

The New Residential Development Guidance Supplementary Planning Guidance 1999 has a policy on garden provision. It states that the minimum standard of provision for non town centre dwellings is 80 square metres of private garden space and for flats is 25 square metres per unit of open space/ landscaping. More recently the new Government Planning Policy Statement on Housing (PPS3) has given increased emphasis to achieving higher design quality. It lists the matters to consider when assessing design quality (paragraph 16). This includes the following:

- Provides, or enables good access to, community and green and open amenity and recreational space (including play space) as well as private outdoor space such as residential gardens, patios and balconies.
- Particularly where family housing is proposed it will be important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens, play areas and informal play space. These should be well designed, safe, secure and stimulating areas with safe pedestrian access.

The layout of the scheme provides dwellings with inappropriate levels of private amenity space in the form of rear gardens for some houses and provision of communal space for apartments. On 13 of the plots, the design of

the layout has produced a dense arrangement, which has allowed for the width and type of the proposed dwelling dictating narrow gardens. On these 13 plots the private garden provision is less than the Council standard of 80 square metres, having an approximate average of only 57.75 square metres per dwelling.

The communal space provided for the apartments amounts to 105 square metres. Whereas the requirement according to the Council's standard of 25 square metres per flat should equate to 250 square metres. Therefore it is considered considerably short of the Council guidance. There is provision at the front of the site for an area of public open space, however this is for the benefit of the entire community, rather than off-setting inadequacies of provision for the apartment block. On this basis the scheme fails the tests for good design as outlined in PPS3 and creates an unacceptable development.

Highway Safety

The layout requires some minor amendments to ensure that the scheme achieves the Council's design requirements for highway safety. However the main access into the site is acceptable and would be subject to conditions ensuring that adequate visibility splay is achieved.

Residential Amenity

The proposed house types on plots 1, 5 and 6 nearest to the existing residential properties have been sensitively designed to minimise any adverse impact on the privacy of the adjacent occupiers of No.1 and 3 St Aidans Drive. These existing properties have significant family room windows to the rear of their dwellings and require sympathetic design solutions in order to protect privacy when using these rooms and their private rear garden. The house types show only obscure glazed windows to the 1st floor and roof of the rear elevations, which are closest to No.'s 1 and 3 St Aidans Drive.

The proposed apartment block is shown as 13.5m from the rear elevation of No.'s 7 and 9 St Aidans Drive and is two storey at this end. There are only small kitchen windows on this elevation, which are classed as non-habitable rooms in terms of Council policy.

The proposed dwellings to the north of the site adjacent to No.'s 1 to 3 Nicolford Hall Drive are 24m from the rear elevations of these properties. There are dormer windows in the roof space. The Council's usual interface distance at 1st floor level is 21m, where a third floor is included, even where roof space is used as in this case for 2 and a half storey dwellings, the required interface is an additional 3m. The scheme complies with this standard.

Therefore, it is considered that the scheme provides an adequate level of protection for the existing residential occupiers and complies fully with the policies of the Council in this regard.

Tree Protection

There are several trees on the site, which are the subject of Preservation Orders. The scheme submitted has dealt satisfactorily with the relationship of the proposed dwellings on the protected trees. The exclusion zone around each tree has been adhered to and the scheme complies with the policies of the Council on this basis.

Conclusion

The application is recommenced for refusal on the basis of the insufficient provision of private and communal amenity space which results in poor design failing to comply with policies BE1 and BE2 of the Halton Unitary Development Plan, the New Residential Supplementary Planning Guidance and the principles of PPS1 and PPS3.

RECOMMENDATION:

REFUSED as the poorly designed layout results in the provision of insufficient provision of private and communal amenity space failing to comply with policies BE1 and BE2 of the Halton Unitary Development Plan, the New Residential Supplementary Planning Guidance and the principles of PPS1 and PPS3.

PLAN NUMBER:	07/00271/FUL
APPLICANT:	Whitfield & Brown/Beechtree Developments
PROPOSAL:	Demolition of existing offices and erection of 1 no; 3 storey and 1 no; 2 storey residential block containing 36 no. dwellings
ADDRESS OF SITE:	Land at Appleton Village, Widnes
WARD:	Appleton

SUMMARY RECOMMENDATION:

Approve

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, the Council's Highway Engineers and Environmental Health Officers have all been consulted.

There have been no comments received as a result of this consultation at the time of writing the report. Any comments will reported orally to Committee.

SITE/LOCATION:

The site is an existing builders offices and yard on land at Appleton Village, Widnes.

RELEVANT HISTORY:

There are five previous planning applications relating to the site. The most recent were the approved planning application for the redevelopment of doctor's surgery and builders yard with replacement two-storey surgery, two storey offices and 18 No. Category II flats in a three-storey block and the more recent application 07/00109/ful for 38 apartments in a three and two storey bock, which was withdrawn following discussions with Council officers. The oldest application was made in 1978 for 18 No. three storey flats (2/5332/F), which was withdrawn. Two later applications, which were approved, related to extensions to provide retail floorspace (2/13573/F) and the erection of gates (01/00247/HBC) (part of the alleygating scheme).

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; S2 The Built Environment; S13 Transport; S18 Provision of Land for Housing; S25 Planning Obligations; BE1 General Requirements for Development; BE2 Quality of Design; PR6 Land Quality; TP1 Public Transport Provision as Part of New Development; TP7 Pedestrian Provision as part of New Development; TP12 Car Parking; TP14 Transport Assessments; TP16 Safe Travel for All; H1 Housing Land Allocations; H3 Provision of Recreational Greenspace; H2 Design and Density of New Residential Development; and the Council's Supplementary Planning Document – Designing for Community Safety.

The proposal meets the sustainability objectives of the Council.

OBSERVATIONS AND ISSUES:

The main issues and material planning considerations arising as a result of the proposal are: -

- Compliance with the Halton Unitary Development Plan in the context of housing design and density quality;
- Provision of on site private amenity space
- Highway safety
- Impact on the amenity of the nearest residential properties;
- Interface with existing commercial properties;

Permission is sought for the erection of up to 36 apartment dwellings, including car parking and the provision of on site private amenity space for occupiers.

Design Quality and Density

The proposed density within the current proposal is approximately 116 dwellings per hectare. The Council will encourage development of 30 dwellings or more to the hectare in accordance with PPS3. The prevailing character of the area is relatively high density, terraced properties with provision of rear yard space and on street car parking and recently approved apartments to the east of the site boundary. The proposal therefore reflects, in general the density levels and character of the immediate surrounding area.

The existing residential built character of the area is quite traditional with use of in the main, red brick and grey slate and tile, many with architectural details enhancing the existing properties. The site is on land, which has a slight fall in level from the highest point nearest to the access road to the rear of Regent Road, sloping downwards towards the South and East of the site. Although not a conservation area, the area does have a distinctly mature character and is one of the main access routes through to Victoria Park to the North.

The proposal replaces the existing Appleton village frontage with a strong building line, which enhances the existing built form in the area. There is access to the rear 2-storey block via a side gated entrance. The elevation quality is acceptable in that it introduces design features such as Juliet balconies and a mix of brick and renders to break up the long elevations. The main brick and tile materials will be agreed through planning condition requirements and will be reflective of the character of the area.

The bin store to serve the properties is located in the middle of the site on the southern boundary. This is the most appropriate site due to its accessibility by residents and refuse collectors and is a far enough distance from the existing residential properties so as to protect these occupiers from any potential disturbance. The design and material of this will also be agreed through planning condition requirements.

On Site Private Amenity Space

The New Residential Development Guidance Supplementary Planning Guidance 1999 has a policy on garden provision. It states that the minimum standard of provision for flats is 25m² per unit of open space/ landscaping. More recently the new Government Planning Policy Statement on Housing (PPS3) has given increased emphasis to achieving higher design quality. It lists the matters to consider when assessing design quality (paragraph 16). This includes the following:

- Provides, or enables good access to, community and green and open amenity and recreational space (including play space) as well as private outdoor space such as residential gardens, patios and balconies.

- Particularly where family housing is proposed it will be important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens, play areas and informal play space. These should be well designed, safe, secure and stimulating areas with safe pedestrian access.

This development of 36 apartments would require 900m² of private amenity space on site. The current proposal shows approximately 450m². The proposal is therefore 450m² short of the suggested minimum standard. However, this space is arranged on the basis of two communal spaces, one large space to the east of the site adjacent to block 2 and one smaller area to the south of the site adjacent to block 1. In addition there is provision for private terrace areas serving three ground floor units in block 1 and four in block 2. Therefore it is considered that although somewhat short of the Council guidance, because 7 ground floor apartments have their own space and the remainder of communal space is formally arranged into practical and usable areas, that the scheme provides an appropriate and sustainable level of amenity space compliant with the objectives of PPS 3.

Highway Safety

There are no objections in principle to the proposal in relation to the capacity of the adjacent highway network. Any technical highway observations and requirements for planning conditions will be reported orally to Committee.

Residential Amenity

The nearest affected existing residential properties are those which have their rear windows facing the site, situated along Regent Road. Those specifically affected would be the first set of semi-detached properties, one currently called Reymead and the terraced properties adjacent to these from No's 2-28 (evens only) Regent Road. These properties currently overlook the site and have uninterrupted distant views across the River Mersey at first floor level. The rear boundary of these properties consists of a brick wall of over 2 m in height. The land immediately to the rear of these properties is a rear access way not included within the application site.

The individual properties most affected by the proposal are Reymead and No's 2-6 Regent road which are closest to the proposed 3 storey apartment block fronting Appleton Village and No's 14-20, whose rear windows directly face the side elevation of the proposed 2 and half storey apartment block proposed to the east of the site. In doing so, it is important to note the existing commercial use of the site, its poor visual appearance and disturbance potential and the overall improvement to the site that would result through its re-development and also that an objection based on the loss of a particular view is not material to the determination of a planning application.

The nearest property to the apartments fronting Appleton Village, Reymead, has rear facing habitable room windows, which are 20m from the side elevation of the building, with the rear boundary 12m from the elevation.

However the rear windows do not directly face the elevation and the building would be viewed at an oblique angle from these windows.

As a result when assessed purely against Policy H3 (New Residential Development), the minimum distance of 13 m from habitable room windows, is achieved by both the proposed apartments.

The nearest properties to the proposed apartment building to the east of the site side are No's 14-20 Regent Road, which directly face the side elevation of this block. The properties have rear kitchen windows at ground floor level that generally face the existing brick rear boundary wall. The applicant has amended the plans ensuring a reduction in the overall ridge height to 8.0m and the side blank elevation is shown at it's closest, 14m from the rear windows of the terraced properties on Regent Road. The Council's policy seeks to protect the visual amenity of existing residential properties by ensuring that new development, which has a blank elevation facing habitable room windows of properties, is at least 13 m distance from such windows. Kitchen windows are not considered as habitable rooms when applying this policy.

The new 2.5 no. storey apartment block adjacent to the site to the east has its side elevation 13m from the facing habitable room windows of the proposed apartments. However, there are only obscured bathroom windows in this elevation. As a result there is minimal harm to the amenity of the future occupiers of the proposed apartments, given that there are no habitable rooms facing and the windows of the proposed apartments face towards the side elevation of the existing block. On this basis the proposal satisfies the Council's interface standards.

In view of this, it is considered that on balance the effect of the proposed building to the east of the site will be acceptable in policy terms when all factors of the existing site circumstances are taken into account.

Interface with Existing Commercial Properties

Adjacent to the application site to the south, are the existing commercial premises of a glazing sales and manufacturer and enclosed garage. The proposed apartment blocks have no windows, which directly face the south of the site. It is considered that, given the orientation of windows and provision of substantial boundary treatment to the south, that the potential for disturbance to the future occupiers will be sufficiently minimised.

Details of the proposed boundary treatment will be dealt with through the attachment of a planning condition.

Conclusion

The proposed use is considered acceptable in principle. The proposed buildings are of a scale, character and quality considered to be in keeping with surrounding residential area. The development has adequate useable amenity

space and complies with the standards set out in the Council's Residential Guidance and is therefore recommended for approval.

RECOMMENDATION:

(A) The applicant entering into a Section 106 planning agreement in relation to the provision of a financial contribution towards off-site open space and the following conditions; -

(B) The following conditions,

- 1 Prior to commencement provision of pre-development site levels and proposed finished floor levels; (BE1)
 - 2 Prior to commencement all materials to be submitted and approved; (BE2)
 - 3 Prior to commencement details of all boundary treatment to be submitted and approved; (BE22)
 - 4 Prior to commencement detailed landscaping scheme to be submitted and approved; (BE1) x 3
 - 5 Prior to commencement details of tree protection to be approved and implemented prior to commencement; (BE1)
 - 6 Prior to commencement ground investigations for potential pollutants and remediation scheme where necessary; (BE1 and PR6)
 - 7 Prior to commencement provision of a drainage scheme to be submitted and approved; (BE1)
 - 8 Prior to commencement of development details of secure cycle storage and bin storage to be submitted and approved; (BE1 and BE2)
 - 9 Prior to commencement provision and use of wheel cleansing facilities during course of construction to be submitted and approved; (BE1)
 - 10 Prior to commencement of development details of lighting for the site to be submitted and approved; (BE1 and BE2)
 - 11 Prior to commencement of development details of the security gates to the site entrance to be submitted and approved; (BE1 and BE2)
 - 12 Restricted hours of development and deliveries related to development during construction period; (BE1)
 - 13 No damage to trees to be retained during course of construction; (BE1) x 3
 - 14 Access, car parking including disabled car parking, servicing areas shall be laid out in accordance with approved amended plans; (BE1)
 - 15 Insertion of windows pd removed; (BE1)
 - 16 Provision of required bin storage facilities for all individual dwellings at developer's expense. (BE1)
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REPORT TO: Development Control Committee
DATE: 21st May 2007
REPORTING OFFICER: Strategic Director – Environment
SUBJECT: Miscellaneous Items

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

- 06/00651/FUL Proposed two storey detached dwelling with turning space for service vehicles on Land Adjoining Casa Castana, The Common, Runcorn, Cheshire
- 06/00666/FUL Proposed first floor extension to rear and alteration of existing front dormer roof from flat to pitched at 2 Malin Close, Hale, Liverpool, L24 5RU

2) Appeals were lodged following the Council's refusal of the following applications:-

Decisions have been received as follows :-

- 06/00561/FUL Proposed two storey extension to front at 5 Wilsden Road, Widnes, Cheshire, WA8 7XS

This appeal was dismissed

- 06/00281/FUL Application for retention of boundary wall and gates at 13 Penrhyn Crescent, Runcorn, Cheshire, WA7 4XJ

This appeal was allowed

The inspector stated that the wall with its piers is not obtrusive or incongruous, and is not in a prominent location. It is also a location where it does not stand out in comparison with neighbouring low walls. It therefore does not seriously harm the appearance and character of this part of Penrhyn Crescent. In most other parts of this road, this type of wall, plus wrought iron fencing, would be inappropriate.

A key factor is that these piers and parts of the wall do not intrude into the street scene in a harmful way. Another factor is that there is some justification for a higher wall in this location for this corner plot with its very limited private rear garden. The higher wall would provide some privacy for additional garden and amenity space.

3) The following applications have been withdrawn: -

- 07/00095/FUL Proposed erection of 7 No. three storey townhouses on Land Opposite Lanark Gardens, Widnes, Cheshire

- 07/00109/FUL Proposed demolition of existing office/storage buildings and erection of 2 No. three storey residential blocks at Whitfield & Brown, Appleton Village, Widnes, Cheshire
- 07/00152/FUL Proposed two storey extension to rear of 5 Herons Way, Runcorn, Cheshire, WA7 1UH
- 07/00167/HBCFUL Proposed erection of gates at entrance to alleyway on Land Between 41 And 52 Levens Way, Widnes, Cheshire, WA8 8EY