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Development Control Committee

Tuesday, 17 July 2007 6.30 p.m.
Civic Suite, Town Hall, Runcorn



Chief Executive

COMMITTEE MEMBERSHIP

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

*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, 13 August 2007*

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

Part I

Item No.	Page No.
1. MINUTES	1 - 3
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	4 - 35
4. MISCELLANEOUS ITEMS	36 - 37

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 June 2007 at Civic Suite, Town Hall, Runcorn

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

Apologies for Absence: Councillors Leadbetter and Rowan

Absence declared on Council business: (none)

Officers present: P. Watts, M. Simpson, L. Beard, J. Tully and R. Cooper

Also in attendance: Cllr Murray and 1 member of the public

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

	<i>Action</i>
DEV11 MINUTES	
<p>The Minutes of the meeting held on 21st May 2007, having been printed and circulated, were taken as read and signed as a correct record.</p>	
DEV12 PLANNING APPLICATION TO BE DETERMINED BY THE COMMITTEE	
DEV13 - PLAN NO. 06/00972/FUL - PROPOSAL FOR RESIDENTIAL DEVELOPMENT CONSISTING OF 40 NO. DWELLINGS TO THE LAND AT THE FORMER FIRE STATION, HEATH ROAD, RUNCORN.	
<p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was reported that 59 letters of representation had been received from 47 properties, details of which were outlined in the report. An additional 11 letters had been received following consultation on the amended plans details of which were also outlined in the report. Representations had been received from Ward Councillors and the local MP.</p>	
<p>The Committee was advised that a letter had been</p>	

received by email today stating that the applicants had lodged an appeal against non-determination due to the length of time taken to reach a decision. Therefore this matter would now be dealt with by the planning inspectorate.

DEV14 APPLICATION TO BE DETERMINED BY ADJACENT AUTHORITIES

PLAN NO. 03/00034/ADJ - Adjoining authority consultation on the amended description of development for planning application P/2003/0005 (St. Helens MBC): Extraction of 2.43 million cubic metres of sand/sandstone to a depth of 15 metres above ordnance datum (AOD) (previously 2.6m cubic metres to 13m AOD). Progressive backfilling with construction, demolition and excavation materials. Restoration of the landscape to original topography for use in agricultural including implementation of a 5 year aftercare plan to the land at Bold Health Quarry, Mill Green Lane, Bold Health St Helens.

This recent consultation related to an amendment to the description originally submitted in 2003 and further information that had been received by St Helens Council.

It was reported that details of this application were provided through a standard neighbour notification exercise. Nine individual letters and emails objecting to the planning application had been received, details of which were outlined in the report. The Committee heard how a further 33 letters of objection had been received. The issues related to the previous enforcement action taken by St Helens, restoration, noise and dust on roads, contaminated waste, impact of HGVs on roads and the access on to Derby Road.

The Committee was advised of the main aspects of the application and were given the reasons given for the Councils objections to the application as follows:

- It was felt that the applicant had not fully justified why the inert materials proposed should be disposed of by land filling;
- The proposal would be contrary to national Planning Policy Statement 10;
- Whether the site would be completed within the stated timescales;
- The potential for the type and amount of inert waste to run out due to increased technology for re-use and recycling; and
- The increase in traffic

Cllr Peter Murray made representations against the application on behalf of Farnworth Ward.

RESOLVED: That the Borough Council objects to the proposal for the reasons outlined in the report.

DEV15 MISCELLANEOUS ITEMS

It was reported that the following applications had been withdrawn:

07/00157/FUL Proposed demolition of existing factory unit and erection of three storey block containing 14 No. apartments at 5 Thomas Street Street Widnes.

07/00175/FUL Proposed demolition of four storey hotel and erection of 16 No. self contained flats in a four storey block at Panorama Hotel Castle Road Runcorn.

07/00188/FUL Proposed subdivision and conversion of existing dwelling house swimming pool and landscape to form two residential dwellings at Castle View 54 The Underway Runcorn.

Meeting ended at 6.45 p.m.

REPORT TO: Development Control Committee

DATE: 17th July 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: 07/00122/OUT

APPLICANT: Halton Borough Council

PROPOSAL: Outline Application (with all matters reserved) for Residential Development up to a Maximum of 355 No Dwellings

ADDRESS: Castlefields Avenue East, Castlefields, Runcorn

WARD: Castlefields/ Windmill Hill

SUMMARY RECOMMENDATION:

Approve subject to conditions.

CONSULTATION AND REPRESENTATION:

A number of surrounding properties have been consulted. The application has also been advertised by means of site and press notices as a departure from the Development Plan.

In addition an extensive process of consultation has been carried out with a range of internal and external/statutory consultees. Any significant issues raised or further representations received will be discussed later within this report or reported orally to the Committee.

SITE/LOCATION:

Site of approximately 13.3 ha of open space off Castlefields Avenue East providing informal recreation. Part of the site remains undeveloped however land to the South East formerly formed part of the Norton Priory School and Norton Recreation site which have previously been cleared and returned to open space.

The site is split into two principle plots divided by the Bridgewater Canal and Town Lake.

RELEVANT HISTORY:

None directly relevant, although a number of previous permissions have been granted, most notably for residential developments and the replacement of the village square/local centre, within the surrounding areas as part of the ongoing redevelopment and regeneration of the Castlefields area.

UDP PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is within an area designated as Greenspace in the Halton Unitary Development Plan with an area falling within a SINC (Site of Importance for Nature Conservation) and areas identified specifically as school playing fields. It also falls entirely within the allocated Action Area 6 Castlefields and Norton Priory. The site is also identified as within an Area of Special Landscape Value and includes provision for a number of Proposed Greenways. Norton Priory, a Scheduled Ancient Monument and a listed building, is in close proximity and the Bridgewater Canal is also identified as an Important Landscape Feature.

The following Unitary Development Plan Policies are considered to be of particular relevance.

- GE6 Protection of Designated Greenspace
- GE13 Protection of Outdoor Planning Space for Formal Sport and Recreation
- GE19 Protection of Sites of Importance for Nature Conservation
- GE23 Protection of trees of Special Landscape Value
- GE24 Protection of Important Landscape Features

- GE21 Species Protection
- GE 29 Canals and Rivers
- BE1 General Requirements for Development
- BE4 Scheduled Ancient Monuments
- RG6 Action Area 6 Castlefields and Norton Priory
- H2 Design and Density of New Residential Development
- H3 Provision of Recreational Green space

as are Supplementary Planning Documents: Castlefields and Norton Priory Action Area (2005), New Residential Development and Provision of Open Space.

OBSERVATIONS AND ISSUES:

Permission is sought for residential development of up to a maximum of 355 dwellings on areas of open space within the Castlefields Regeneration Area. The application is in outline only with all matters reserved for future consideration.

The site is currently a mix of grassland and trees/woodland planting and former playing pitches of the Norton Priory School and Norton Recreational Centre (closed in 2001 and 2002 respectively and demolished in 2003). Parts of the surfaces of the former playing pitches remain.

The proposals are illustrated on an indicative stretch layout plan submitted in support of the application. The site as proposed is split into two principle plots. Plot 1 lies to the North of the Bridgewater Canal and indicates development of up to 175 No. 2 storey houses with approximately 0.4 ha of new woodland with access via the Astmoor Spine Road at Astmoor and the former busway which lies to the West. Plot 2, which lies to the South of the Bridgewater Canal and surrounds Town Lake, is formed of 3 main parcels (A,B and C). This area proposes up to 180 dwellings indicating 106 houses at 2 and 3 storeys and 74 apartments at 3 and 3.5 storeys with 1.55 ha of retained woodland and landscaping. Access to plot 2 will be via two main access points from Castlefields Avenue East.

The proposals as submitted raise a number of significant issues, which can be summarised and addressed as follows:

Policy Considerations

The site is within an area designated as Greenspace in the Halton Unitary Development Plan. Parts of the site are more specifically designated as school playing fields. It also falls entirely within the allocated Action Area 6: Castlefields and Norton Priory.

Parts of the site are allocated as a SINC (Site of importance for Nature Conservation). The issues resulting from these specific allocations are covered in later sections of this report.

UDP Policies GE6 Protection of Designated Greenspace and GE12 Protection of Outdoor Playing Space for Formal Sport and Recreation seek to protect such areas from development. As such the proposals are considered to be in conflict with the provisions of the development plan and have been advertised as such. Exceptions can, however, be made where such losses can be adequately compensated for.

UDP Policy RG6 Action Area 6 Castlefields and Norton Priory provides for the development of new housing required for the replacement of existing housing stock and to allow for the restructuring of the existing housing and open space areas to accommodate new housing and community facilities. More specifically the site of the former Norton Priory School and its associated playing fields, which form part of the application site are identified for their potential to “accommodate new uses”.

The regeneration strategy for the Castlefields area sets out to deliver a broader based community in the area. This requires the radical restructuring of housing provision including the demolition of a significant number of properties predominantly in the form of unpopular deck access blocks, redevelopment of more popular social housing and introduction of private sector housing stock as part of an overall Masterplan. Given the high-density nature of such deck access blocks the scope to provide adequate redevelopment within the existing built form is limited. In order to secure a balance of new housing, areas of undeveloped land were identified through the Masterplan to accommodate new development. This principle was translated into the Supplementary Planning Document for Castlefields and Norton Priory Action Area adopted by the Council in September 2005.

The sites currently proposed differ from those outlined by the broad brush approach of the SPD. Most notably, the proposed Plot 1 incorporates additional areas of former playing fields to the South East adjoining the Bridgewater Canal. Early proposals to relocate and redevelop a new village centre on land to the North West of the application site adjoining the Barge Public House have been superseded by proposals to redevelop the local centre and village square on and adjoining the site of the existing local centre for which outline permission has previously been granted. Part of this site is now proposed for residential development identified as parcel 2C on the submitted indicative sketch plan.

The proposal would also result in the loss of a number of playing pitches and other facilities for athletics and latterly for baseball formerly associated with Norton Priory School and Norton Priory Recreation Centre, which have now been demolished. The proposals have, however, been assessed by Sport England who have confirmed that, for a number of reasons including that; the pitches have been identified as surplus to educational requirements; not maintained for community use for considerable time; associated with facilities which have closed and been replaced elsewhere; the realisation of the Phoenix Park development; sufficient pitches being identified within the borough and local area by The Playing Pitch Assessment; and the wider regeneration strategy for Castlefields, no objection is raised in this case.

Sport England has identified a number of issues relating to the recreational needs arising from the proposed development, which can be met and incorporated into the wider strategic provision for Castlefields and the Borough.

It is considered that in line with UDP Policy RG6 and adopted SPD for the area, the benefits of the scheme in terms of the wider regeneration aims of the Castlefields area and the restructuring of the built environment, areas of greenspace and for recreation are considered to outweigh any harm resulting from the loss of such areas. Variations between the broad brush allocations of the SPD and the scheme as submitted are not considered to carry sufficient weight to outweigh these benefits and, as such, it is considered that an exception can be made in this case.

Design and Character

Whilst the application is in outline only with all matters reserved, an indicative sketch proposals plan has been provided to support the application. The scheme as submitted offers relatively low density, two storey dwellings to Plot 1 to the North of the Bridgewater Canal. Marginally higher density 2 and 3 storey houses and 3 and 3.5 storey apartments are provided on parcel 2 to the South and therefore considered to provide development of a scale suited to the individual sites, providing landmark focal points to key locations, accounting for existing landscape features, and assimilating with the adjoining existing Castlefields built form to which it most closely relates. The proposals provide densities in the order of 27 to the hectare, which, whilst marginally below the provisions of Policy H3, are considered to be appropriate given the wider regeneration aspiration for the area, constraints of the site and the much higher densities elsewhere within the wider regeneration area.

Whilst it must be remembered that the submitted sketch proposals are indicative only, they are considered to demonstrate that a development of up to the stated number of dwellings could be adequately accommodated within the site providing adequate space for ancillary development such as access and servicing, gardens and open space, and providing a quality of development to take advantage of and relating to important landscape features such as the Bridgewater Canal, Town Lake, Phoenix Park and retained Woodland and landscaping.

Highways and Parking

The inductive sketch proposals submitted show Plot 1 served from a single access utilising the former busway via the Astmoor Spine Road. Initial proposals for the necessary upgrading of this access and junction arrangement within existing highway land have been provided confirming that satisfactory means of access can be achieved. Plot 2 is indicated as being served from two access points off Castlefields Avenue East.

Whilst the Council's Highways Engineers have identified a number of issues with the indicative sketch scheme as submitted, it is considered that adequate

provision can be made within any future scheme for access, highway circulation and parking. It is considered that proposed Greenways identified on the UDP proposals map can be adequately accommodated and/ or compensatory provision made through any further submission. As such no significant highway objections are raised subject to necessary conditions.

Flooding and Drainage

The application site lies within a low-medium flood risk area as defined by the Environment Agency. In accordance with the provisions of Planning Policy Statement 25: Development and Flood Risk, the application is supported by a Flood Risk Assessment. On that basis the Environment Agency has confirmed that they raise no objections in principle subject to satisfactorily conditions relating to flood prevention and means of drainage.

Detailed drainage proposals are currently being developed by consultants with the intention of incorporating SUDS (Sustainable Drainage Systems) whilst these are at a formative stage, the Manchester Ship Canal Co have objected to the proposals until details of drainage and development stand off distances and their impact on the Bridgewater Canal are resolved. It is not considered that refusal could be justified on these grounds at this stage as submission and agreement of drainage details can be required by condition. United Utilities have confirmed that they raise no objection in principle to the proposals.

Trees and Landscape Features

The site contains a number of mature trees and areas of woodland. Whilst the application is supported by a tree survey, this has not been used comprehensively to inform any detailed design including the indicative sketch scheme as submitted. As stated the application is in outline form only and all matters are reserved including layout and future tree protection. The Councils Trees and Woodlands Officer has confirmed that whilst he raises no objection in principle, the final design and layout should be informed by detailed tree survey, adequate protection be provided for trees to be retained and compensatory replacement planting included as required. It is considered that these matters can be adequately secured by condition.

The proposals adjoin the Bridgewater Canal and Town Lake. It is considered imperative that any future development not only respects these important landscape features but also take advantage of such assets. Whilst the indicative sketch proposals as submitted have made an attempt to do this and it is considered that adequate control would remain through the reserved matters stage, the use of appropriate conditions would serve to reinforce this.

Ecology

The proposed development area includes part of an area designated as a SINC (Site of Importance for Nature Conservation) known as Haddocks Pasture. UDP Policy GE19 Protection of Sites of Importance for Nature

Conservation makes provision for land use changes and the loss of such areas where the reasons for the proposal outweigh the need to safeguard the nature conservation of the site and provided that damage is kept to a minimum and, where appropriate, compensatory provision should be made.

Ongoing work is being undertaken by the Council to accommodate and extend the remainder of the existing SINC in the area adjoining Norton Priory. It is considered that the loss of such an area can be justified in terms of the wider regeneration benefits to the area, it is considered the adequate compensatory provision can be made by relocating and extension to the remaining SINC. Provision for such replacement is made within the adopted Supplementary Planning Document for Castlefields and Norton Priory and considered to be in accordance with the provisions of UDP Policy GE19. The Council's Nature Conservation Officer and the Environment Agency have also confirmed that they raise no objection in principle.

The site is considered to provide potential habitat for a number of protected species including amphibians, water voles, bats and great crested newts. Whilst appropriate surveys should be provided in support of any application, it is considered that, given that such species are afforded protection under national and international legislation, the scale of the available site and that the application is in outline only with all matters reserved, appropriate surveys and mitigation can be secured through conditions in line with those requested by the Council's Nature Conservation Officer and the Environment Agency.

Scheduled Ancient Monument and Archaeology

The site is in close proximity to the scheduled Ancient Monument and Listed Building, Norton Priory. The proposals are considered to be sufficiently remote from the Priory that English Heritage and the Council's retained advisor on heritage, confirm that they raise no objections.

The site has also been subject to a programme of archaeological work which, found no archaeological anomalies but possible archaeological features have been identified which may be affected by areas of proposed landscaping. As such the Cheshire County Council Archaeology Officer has advised that further trial trenching is required to establish any necessary mitigation work. It is considered that this can be adequately secured by condition.

Contaminated Land

Whilst no objections are raised in principle, the Council's Environmental Health Officers have confirmed that due to the particular sensitivity of the proposed residential use, detailed ground investigation and appropriate mitigation are considered necessary. It is considered that this can be adequately secured by condition.

Summary and Conclusion

The application seeks outline permission for a scheme of residential development in a number of phases. The scheme will play a vital role in the ongoing redevelopment and regeneration of the area. Whilst the proposals raise a number of significant issues and must be considered as a departure to the development plan, the benefits of the proposals in terms of the potential to rebalance the community through restructuring housing provision are considered to outweigh any resultant harm. The scheme is considered to offer the potential for a good quality of development suited to the character of the site and wider area and that the aspirations of UDP Policy, the Castlefields Masterplan and SPD can be met. Any application of such a scale would invariably require developer contributions to such as off site open space and recreation. Given the relatively unique nature of the development, the Council being the applicant and its role in the wider development and regeneration of the Castlefields area, it is not considered that such contributions are required in this case. The application is in outline only with all matters reserved and it is considered that all significant outstanding issues can be satisfactory resolved and/or controlled by condition.

The application has been advertised as a departure from the development plan relates to land within the ownership of the Council and involves development of the former playing pitches. As such the application requires referral to the Secretary of State.

RECOMMENDATION:

That subject to the Secretary of State not calling the application in, authority be delegated to the Operational Director – Environmental and Regulatory Services to proceed with necessary footpath and highway closures and to approve the application in consultation with the Chair or Vice Chair of the Committee subject to conditions relating to the following.

1. Development to be carried out in accordance with a phasing agreement.
2. Reserved matters condition, for the submission of and approval prior to the commencement of development.
3. Time limit for the submission of reserved matters.
4. Time limit for the commencement of development.
5. Reserved matters to be submitted and carried out as approved.
6. The residential development to face the proposal greenway.
7. The residential development to include recreational greenspace in accordance with Council standards.
8. Materials condition, requiring the submission and approval of the materials to be used.
9. Drainage condition, requiring the submission and approval of drainage details.
10. Landscaping condition, requiring the submission of both hard and soft landscaping including tree planting

11. Tree survey to be submitted and replacement planting to be agreed in writing.
12. Site investigation, including mitigation to be submitted and approved in writing.
13. Boundary treatments to be submitted and approved in writing.
14. Wheel cleansing facilities to be submitted and approved in writing.
15. Details of disabled access and parking to be submitted and approved in writing.
16. Details of a scheme and implementation of surface water regulation systems to prevent the increased risk of flooding.
17. Construction and delivery hours to be adhered to through the course of the development.
18. Vehicle access, parking etc to be constructed prior to occupation of properties.
19. Cycle parking and bin storage to be provided.
20. The development in respect of either phase (plots 1, 2a, 2b and 2c) can commence providing all relevant conditions are complied with in relation to that phase.
21. Submission and agreement of a habitat creation and restoration scheme to mitigate the loss of the SINIC.
22. Requiring wildlife/ecology survey to include amphibians, water voles, bats and great crested newts including scheme of mitigation.
23. Securing adequate protection of trees to be retained throughout construction.
24. Requiring targeted trial trenching for archaeological features in accordance with a scheme submitted to and agreed by the local Planning Authority and mitigation as required.
25. Agreement of structural details of any retaining walks.
26. That all residential development should comply with the Council's Supplementary Planning Documents and Guidance.
27. That residential development shall provide a positive and active frontage to the Bridgewater Canal. Town Lake and all areas of public open space and vehicle/ pedestrian routes. That the development shall provide pedestrian orientated treatment to include adequate stand off zones from and landscape boulevard treatment to the North bank of the Bridgewater Canal.
28. Requiring a scheme of off site highway improvements to provide safe and adequate highway and pedestrian access to Plot 1 including improvements to the junction of the Former busway with the Astmoor Spine Road, to secure the structural stability of any retaining structures and bridges and means of emergency access.
29. Requiring provision of pedestrian links, cycleway and designated greenways.
30. Requiring submission and agreement of details relating to site and finished floor levels.
31. Limiting the height of any development on any plot or parcel to those detailed in the approved plan 0011 rev B.

APPLICANT: EBL Group

PROPOSAL: Outline application for erection of up to 20 no. Industrial Units

ADDRESS: Former Tech Pol Ltd, Picow Farm Road, Runcorn

WARD: Mersey

SUMMARY RECOMMENDATION:

Approve with conditions.

CONSULTATION AND REPRESENTATION:

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

The Council's Highway, Trees and Woodlands and Environmental Health Officers have been consulted as having Natural England, the Environment Agency and United Utilities.

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

SITE/LOCATION:

Site of former Tech Pol Ltd now vacant and derelict industrial buildings.

RELEVANT HISTORY:

None directly relevant.

UDP PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated within a Primarily Employment Area and Environmental Priority Area in the Halton Unitary Development Plan. As such Policies E3 Primarily Employment Areas, E5 New Industrial and Commercial Development and BE3 Environmental Priority Areas are considered to be of particular relevance as is Supplementary Planning Document: Design of New Commercial and Industrial Development.

OBSERVATIONS AND ISSUES:

The application seeks permission for up to 20 industrial/commercial units. The emphasis of the current proposals is the replacement of the existing vacant and derelict factory with flexible small scale business units aimed at small and new business enterprises and employers.

Policy Considerations

The site is designated as following within a Primarily Employment Area in the Halton Unitary Development Plan. Policy E3 Primarily Employment Areas allows for compatible uses falling within uses classes B1, B2 and B8 and as such the proposals are considered acceptable in principle.

Design and Character

The application is in outline form only with all matters reserved. Indicative proposals have however been submitted to demonstrate how such a scheme could be accommodated within the site providing approximately 1750m² ground floor accommodation in an inverted U-shaped block surrounding a central parking area. It is considered that with careful attention to design and materials a quality of development suited to the location can be secured at the reserved matters stage and adequately controlled by conditions.

Highways, Servicing and Parking

It is anticipated that access will be proposed off Picow Farm Road utilising two existing entrances requiring relatively minor modification. Whilst a number of relatively minor amendments have been required. It is considered that adequate provision can be made for highway circulation, servicing and parking within the scheme. As such no significant highway objections are raised subject to appropriate conditions.

Trees

A group of four trees to the front of the site are protected by Tree Preservation Order. The Council's Trees and Woodlands Officer has confirmed that subject to their retention and protection no objections are raised in principle to the loss of the remaining trees within the site. It is considered that, this can adequately be achieved by condition, through the reserved matters stage and TPO legislation and as such no objections are raised.

Noise and Amenity

The scheme proposes up to 20 small-scale industrial units on the site of an existing vacant factory unit. The proposed uses in classes B1, B2 and B8 are considered to be in accordance with the provisions of UDP Policy E3 and suited to the surrounding and adjoining commercial uses. There are, however, a number of residential properties nearby and consultation is ongoing with the Council's Environmental Health Officers to ensure that satisfactory controls are in place to restrict potential disturbance to residents. It is considered that this can be adequately controlled through conditions and members will be updated accordingly.

SUMMARY AND CONDITIONS:

The proposal offers the opportunity to secure re-development of a rundown and vacant factory building providing modern accommodation for small and new businesses. The application is in outline form only, however, with careful attention to details of design, materials, boundary treatments and landscaping, it is considered that a form of development suited to the site and that the aspirations of UDP policy BE3 can be met.

RECOMMENDATION:

Approve subject to condition relating to the following:

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. Condition specifying amended plans (BE1)
6. Materials condition, requiring the submission and approval of the materials to be used (BE2)
7. Landscaping condition, requiring the submission of both hard and soft landscaping (BE2)
8. Tree survey to be submitted and replacement planting to be agreed in writing (BE1)
9. Site investigation, including mitigation to be submitted and approved in writing (PR14)
10. Boundary treatments including retaining walls to be submitted and approved in writing (BE2)
11. Wheel cleansing facilities to be submitted and approved in writing (BE1).
12. Details of disabled access and parking to be submitted and approved in writing (BE2)
13. Construction and delivery hours to be adhered to throughout the course of the development (BE1)
14. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/commencement of use (BE1)
15. Agreement and implementation of cycle parking provision (TP6)
16. Submission and agreement of finished floor and site levels (BE1)
17. Agreement and implementation of bin stores (BE1)
18. Restricting insertion of mezzanine floors without prior consent of planning authority (BE1)
19. Restricting use to classes B1, B2 and B8 (E3)
20. Restricting ground floor space to upto 1750m2 subject to compliance with Councils Supplementary Planning Documents (BE1)

PLAN NUMBER: 07/00304/FUL

APPLICANT: Gladman Homes

PROPOSAL: Proposed erection of a 33,684 sq m distribution warehouse development (B8) and associated office space, parking, landscaping and infrastructure.

ADDRESS OF SITE: Manor Park 3- Sector D, Eastgate Way, Runcorn

WARD: Daresbury

SUMMARY RECOMMENDATION:

Approve subject to conditions

CONSULTATION AND REPRESENTATION:

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

The Council's Highways, Environmental Health and Nature Conservation Officers have been consulted, as have Moore Parish Council, The Environment Agency, Health and Safety Executive, Sabic UK Petrochemicals, Shell UK Ltd, United Utilities, Manchester Ship Canal Co and Transco.

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

SITE/LOCATION:

Land within the existing Manor Park 3 site adjoining the earlier Lidl and Hagermeyer developments. The Manchester Ship Canal lies to the North beyond a substantial linear bund.

RELEVANT HISTORY:

The site is on land benefiting from an existing Section 7(1) authorisation under the New Towns Act 1981 for employment use. Permission was previously approved for the proposed erection of a 33,556 sq m distribution warehouse development (B8) and associated office space, parking, landscaping and infrastructure (ref 06/00370/FUL)

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 building and ancillary three storey offices, parking, servicing and landscaping within the established Manor Park 3 employment area. The application has been submitted as an amendment to a previously approved scheme to meet the specific requirements and demands of a prospective purchaser.

The main warehouse building will be approximately 272m x 12m with a height of approximately 19m providing approximately 32640sq.m of warehouse space, a slight increase on that previously approved. The proposal also includes an attached three-storey building to the front providing approximately 1,044 sq.m for offices. Two separate access points are proposed from Eastgate Way and the existing Manor Park highway network. The main industrial building will be constructed predominantly of profiled metal cladding with flat panel cladding and glazed areas to the main entrance and office elevations.

The scheme as currently proposed raises a number of key issues, which may be summarised as follows:

HGV Loading and Docking

The latest submission proposes HGV docking bays to the front elevation for loading. Whilst such arrangements are normally resisted, such loading at this site is considered to reflect similar loading arrangements at the existing Lidl complex on the opposite side of Eastgate Way. The loading facilities are not considered to be particularly prominent given the scale of the wider development and amendments have been secured to provide screen landscaping to the front. Adequate provision is made within the scheme for refuse storage and it is considered that unsightly external storage can be adequately controlled by condition. As such it is considered that such proposals are acceptable in this case.

Drainage and Flooding

The proposed development is within an area liable to flooding. The Environment Agency has confirmed that a detailed Flood Risk Assessment is required to support the application and therefore object to the proposals as submitted. Negotiations are ongoing with the Environment Agency and it is considered that this issue can be satisfactorily resolved. Members will be updated accordingly. Conditions are proposed relating to submission and agreement of a final drainage scheme, finished floor levels to provide an adequate standard of protection to occupants, adequate oil interceptors and bunding to fuel/ chemical storage tanks to protect surrounding watercourses

as requested by the Environment Agency for the earlier approved scheme. United Utilities have confirmed that they raise no objection.

Highways

It is considered that adequate provision can be made within the scheme for access, parking and servicing, The application is also supported by a draft Travel Plan. Whilst relatively minor amendments have been required to the layout, The Councils Highways Engineer has confirmed that they raise no objections subject to conditions to adequately secure their implementation.

Pipelines and Safety

The site is constrained by a number of pipelines, which skirt the edges of the site. The Health and Safety Executives advice system has advised that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission in this case. They did not, however, advise against the granting for similar development on an adjoining site which is similarly constrained and have therefore confirmed that they would do not wish to pursue this matter further if the Council were to resolve to approve the application. The pipeline operators have confirmed that they do not object to the proposals. In this context and given the allocation of the site for employment purposes and previous permissions 05/00524/FUL and 06/00370/FUL it is not considered that refusal on safety grounds could be justified in this case.

Wildlife and Nature Conservation

The scheme retains adequate buffer zones to affected watercourses and excludes an area to the west of the site adjoining Oxmoor Local Nature Reserve designated for “promotion of ecology” as agreed by amendment to the earlier application which was approved in response to issues of ecology and habitat conservation. The site is allocated for development within the Halton Unitary Development Plan and it is considered that the sites habitat value for birds is in itself not considered sufficient grounds to refuse the application. Conditions are considered necessary to adequately protect existing features, implementation of an agreed habitat management plan for the area to be retained for ecology/ nature conservation and inclusion of nesting features for swifts within the building.

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 adjoining earlier developments and of the wider Manor Park employment area. The proposals are considered to represent relatively minor amendments to the previously approved scheme. The building will be set against a high landscaped linear bund, which follows the line of adjoining pipelines and as such is substantially screened from the Manchester Ship Canal to the North.

It is considered that all substantive matters have been adequately resolved through amendments to the original scheme and that all outstanding matters can be adequately controlled by condition. On that basis, the application is recommended for approval.

RECOMMENDATION:

Approve subject to 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 and finished floor levels and requiring minimum floor levels to be set at 5.8 m AOD (PR16)
4. Submission, agreement and implementation of scheme for drainage (BE1)
5. Provision of oil interceptors to vehicle parking areas (PR5)
6. Landscaping condition, requiring the submission of both hard and soft landscaping. (BE2)
7. Submission, agreement and implementation of habitat management plan (GE19)
8. Submission, agreement and implementation of bird nesting features for swifts within the building (GE19)
9. Protection of water courses and retained habitat during construction (GE19)
10. Requiring specified bunding of any fuel/chemical storage (PR5)
11. Boundary treatments to be submitted and approved in writing. (BE2)
12. Wheel cleansing facilities to be submitted and approved in writing and used during construction. (BE1)
13. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
14. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use. (BE1)
15. Agreement and implementation of cycle parking provision (TP6)
16. Requiring implementation of agreed Travel Plan (TP16)
17. Restricting external lighting (BE1)
18. Restricting external storage to that shown on plan (E5)
19. Requiring submission and agreement of colour scheme for external fuel tanks (BE1)
20. Submission and agreement of additional details relating to substation and screening to refuse and recycling areas.

PLAN NUMBER: 07/00322/S73

APPLICANT: Taylor Woodrow Developments Ltd

PROPOSAL: Application Under Section 73 of the Town and Country Planning Act for Proposed Variation of Condition 15 of Planning Application 03/00863/OUTEIA

ADDRESS OF SITE: Old Quay, Mersey Road, Runcorn

WARD: Mersey

SUMMARY RECOMMENDATION:

Refuse

CONSULTATION AND REPRESENTATION:

The proposal has been advertised by a site notice and by a press notice. Extensive neighbour consultation was carried out.

There have been 47 letters of objection received which raise issues including:- there was a clear working hours condition placed on development at the outline approval stage, to any reasonable person to begin work at 6.30am and continue on until an unspecified time within the next 24 hours (i.e 6.30 am the following day) is totally unacceptable, the high levels of noise which would be generated outside standard working hours is unreasonable, residents will have no quality of life during this process and will suffer sleep deprivation as a direct consequence which is a Health & Safety Issue as many of us have to drive to work or operate machinery in our work places, and the request to vary the condition does not comply with Halton Local Plan GS10 which was quoted by HBC as the reason for restricting the working hours to those published.

A letter from Derek Twigg MP has also been received commenting that it is totally unreasonable for the developer to work 24 hours a day in such close proximity to people's houses.

The Environmental Health Officer was also consulted on the proposal.

SITE/LOCATION:

The site covers 2.7 ha and is currently being developed with 466 no apartments, known as The Deck, located off Mersey Road, in Runcorn.

RELEVANT HISTORY:

The planning application of most relevance is 03/00863/OUTEIA, which was the outline planning application for proposed mixed-use waterfront development (including up to 500 residential apartments, commercial and leisure uses) with ancillary open space, parking, road and pedestrian links. A condition relating to the construction hours was imposed as part of this permission and this application is looking to vary that conditional control.

The reserved matters application, 05/00590/REM, proposed residential development consisting of 10 no. apartment blocks ranging between 4 & 5 storeys (466 no. apartments) and 3 no. retail/leisure units with associated road layout, car parking & landscaping, was approved in November 2005.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as a Mixed Use Area in the Halton Unitary Development Plan. It is also within an Environmental Priority Area where Policy BE3 is relevant and a Coastal Zone Developed Area, where Policy GE30 is of relevance.

OBSERVATIONS AND ISSUES:

The application is made under Section 73 of the Town and Country Planning Act and proposes a variance of Condition 15 of Planning Application 03/00863/OUTEIA.

Condition 15 of Planning Application 03/00863/OUTEIA stated,

'There shall be no construction work or deliveries within the application site outside the following hours:

*08.00-18.00 Monday to Friday
08.00-13.00 Saturdays*

There shall be no construction work or deliveries within the application site carried out on Sundays or Bank Holidays.'

The reason that the condition was imposed was to minimise nuisance caused to nearby residents and to comply with Policy GS10 of the Halton Local Plan.

The applicant now wishes the condition to read as follows:

'There shall be no construction work or deliveries within the application site outside the following hours:

08.00-18.00 Monday to Friday
08.00-13.00 Saturdays

There shall be no construction work or deliveries within the application site carried out on Sundays, Bank Holidays or Public Holidays, except for the specific operation of the transfer decks to blocks 6,7,8,9,10, 1 & 2 which are constructed in strict accordance with the following conditions/procedures:

1. A minimum of 10 working days written notice to be given directly to the Local Planning Authority prior to any works to the transfer deck (outside the normal permitted working hours) is undertaken.

2. To contain the building operation within a 24-hour period; work to each transfer deck can commence at 7.00am (with delivery and placing of concrete). Operatives are to be allowed in place by 6.30 am but with no building works to commence until 7.00am.
3. During any works outside of normal permitted hours, noise levels are to be kept to an absolute minimum necessary to complete the building operation.
4. Works are to be allowed to continue until the concrete has sufficiently cured with power float work being completed.
5. On the following day, no construction work or movement of plant and machinery is to commence other than on internal building operations until 10.00am.
6. A minimum of 14 days must be observed between exceptional working hours operations.'

Background

A breach of condition notice served on Taylor Woodrow in September 2006 when they worked outside the agreed set construction hours.

The Council received a letter from Taylor Woodrow in August 2006 explaining the reasons behind the need for one particular operation on the site to fall outside the approved working hours. This in essence related to the time it took to lay the slabs and to bring them to a finish.

The local residents and Ward Councillors were consulted over this working arrangement and subsequently Taylor Woodrow were allowed to proceed upon the basis that they gave the Council a minimum of 14 days in writing, prior to the works starting. This then allowed the Council to inform the Ward Councillors and local residents when the works were due to commence.

Taylor Woodrow were told that this temporary arrangement was inappropriate and that they should formally apply to vary the condition by submitting a planning application to enable further consultation be carried out and for the reason for the change to be considered formally.

Reasons for Change in Construction Hours

The reasons now provided for the proposed change in working hours by Taylor Woodrow are summarised below:

'The above changes to the working hours are as a direct consequence of the process of the construction of the concrete transfer slabs, which has become apparent only during the construction of the previous blocks. Each slab has to be constructed in one "pour" process and cannot be phased without compromising the structural integrity of the building. This continuous process runs over the timeframe set in the current working hours condition of the planning approval. The design team has analysed a variety of alternative solutions, none of which have proved to be as suitable as the current proposals. Whilst Taylor Woodrow is committed to ensuring that the

construction processes cause little disturbance to neighbours and the local community as possible, the abnormal element has forced the construction team to re-apply to have this condition varied to suit the peculiarities of this element.'

Alternative Design Solutions

Taylor Woodrow have been asked, previously and again as part of the processing of this application, to provide details of the variety of alternative solutions they looked at and why they were not considered appropriate for the construction of this development.

Taylor Woodrow stated that planning permission was granted prior to the final structural details being completed, as is normal practice on a scheme of this nature. This meant that civil engineering contractors did not have the opportunity to review the details and comment on the construction process and any operation timings.

Taylor Woodrow further stated that as the works on site commenced some time after the planning approval and when the problem related to the working hours condition became apparent that, the contractors and structural engineers reviewed the designs to see if other options or techniques could be utilised in order for the works to be completed within the specific working hours of the planning conditions. All different forms of constructing the base of the buildings were explored from steel frame through to timber frame. All were rejected quite promptly upon further investigation for the following reasons:-

- Timber frame construction was rejected on the grounds of unsuitability at this level due to the potential interaction of the frame with vehicle movements and the risk of structural degradation if flooding occurred.
- Steel frame was rejected because of the depth of frame required which would have increased the height of the buildings and made the base zone appear extremely deep and inelegant. The necessary fire protection measures required for steel frame would have further added to this unattractive appearance.
- Traditional construction was deemed unacceptable because of the small spans this method allows which in turn would restrict the use of the ground floor space under the buildings and force more car parking out onto the landscape.

Taylor Woodrow follow on to say that any change at this stage would also have a knock on affect to the design, which would have ultimately resulted in a fundamental architecturally unacceptable change in the appearance of the building, therefore invalidating the planning approval thus causing significant delays in the regeneration of the site. For these reasons the contractors and consultant team concluded there was no viable alternative and as such the power floated concrete construction, which had always been envisaged, was

deemed the most appropriate from an engineering and architectural perspective.

Conclusion

The applicant has provided explanation and in their terms justification for exceeding the hours of operation originally imposed.

This largely relates to the method of construction they have chosen. If this had always been envisaged then it could have been discussed at the pre-application and application stage and procedures and alternative design solutions could be put in place to ensure that residential amenity was not compromised.

However, the reasons provided by Taylor Woodrow appear to be more economically driven as opposed to having consideration for the residential amenity, and indeed offer little in terms of compensation for the potential impacts upon local residents.

It is believed that there is adequate technology available to Taylor Woodrow to enable them to proceed within the terms of existing consent and therefore the application to vary the condition is not supported.

RECOMMENDATION:

Refuse as the longer working hours would cause harm to the residential amenity of the adjoining residents and is therefore contrary to Policy BE1 of the Halton Unitary Development Plan.

PLAN NUMBER: 07/00336/HBCFUL

APPLICANT: Halton Borough Council

PROPOSAL: Application for variation to earlier approved scheme (05/00948/FUL) for proposed creation of a landscaped greenspace corridor containing new drainage water bodies, footpaths, cycleway and native planting

ADDRESS OF SITE: Land at Halebank, Widnes

WARD: Ditton

SUMMARY RECOMMENDATION:

Approve with conditions.

CONSULTATION AND REPRESENTATION:

A significant number of surrounding properties and residents groups have been notified by post. The application has also been advertised by means of site and press notices (as a departure from the Development Plan).

In addition an extensive process of consultation has been carried out with a range of external/ statutory and internal consultees. Any issues raised or further representations received will be discussed later within this report or reported orally to the Committee as necessary.

2 letters of representation/ objection have been received in respect of the application. These raise concerns relating to loss of view, visual impact, noise, traffic, disturbance and pollution, impact on wildlife, flooding and impact on property prices.

3 letters of in principle support have been received from the Northwest Regional Development Agency and the Council's Trees and Woodlands Officer and 3MG. United Utilities have confirmed that they raise no objection.

SITE/LOCATION:

The site is approximately 37.28 ha in size and is predominately used for agriculture and informal open space. The site adjoins Halebank Road and Hale Road to the South and East, the railway line and sidings at Ditton junction to the North and open countryside to the West.

RELEVANT HISTORY:

Previous permission 05/00940/FUL was granted in January 2006 for the proposed creation of landscaped openspace corridor including related earthworks, structure planting, footpaths/cycleways and boardwalks, fencing, new and improved sports pitches, ponds and other drainage/water bodies and ancillary development. The current application seeks amendments to that previously approved scheme.

UDP PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site covers various portions of land allocated as a Regional Investment Site, proposed Greenspace and is partly in the Greenbelt but all falling within the potential extent of the Ditton Strategic Rail Freight Park or parts of the Halebank Regeneration Action Area.

UDP Policies S20 Regional Investment Sites; S22 Unallocated Land in Urban Areas; RG5 Action Area 5 Halebank and E7 Ditton Strategic Rail Freight Park are of particular relevance as are emerging Draft Supplementary Planning Documents for Ditton Strategic Rail Freight Park and Halebank Regeneration Action Area.

A more detailed discussion of the policy implications arising from the proposals will be undertaken as part of the observations and issues section of this report.

OBSERVATIONS AND ISSUES:

Project Description/Justification

This application seeks permission for the creation of a landscaped openspace corridor. The scheme which adjoins properties in Halebank and separates them from land identified to be part of the proposed Ditton Strategic Rail Freight Park includes for a system of structural planting based around earthworks and mounds up to 4m in height and various ancillary works to develop the overall concept of openspace. The spaces will be linked by a footpath/cycleway network, which will link a range of spaces including informal recreational spaces, balancing ponds and other water features. The necessary material required to form the mounds will be provided through the creation of new ponds and water features and by "surface scrape" of the site identified for possible future re-development as part of the Ditton Strategic Rail Freight Park.

The landscape concept/ proposals have been developed with the intention that it provides appropriate screening for potential future rail related development on the adjoining land which will be subject of future planning applications.

The proposals as submitted seek approval for relatively minor amendments to the previously approved scheme (ref 05/00948/FUL)

Policy Implications

It was recognised that the originally approved scheme did not strictly accord with Policy E7 of the UDP (Ditton Strategic Rail Freight Park) relating mainly to issues of phasing and time-scales of the wider rail park development and for adoption of a Supplementary Planning Document. However, the scheme was justified in terms of the clear advantages of implementing the landscaping scheme to allow it to grow and mature in advance of future development and that its implementation could not be seen to prejudice the development of brownfield land with the park nor the future development of the associated rail freight development. The current application seeks relatively minor amendments to the previously approved scheme and, as such raise no new policy issues.

OBSERVATIONS AND ISSUES:

Detailed Surveys and Assessments

The previously approved application (ref 05/00948/FUL) was subject to a number of specific conditions.

The majority of these conditions required further detailed surveys of the site and details of mitigation measures. These included matters relating to Contaminated Land; Ecology; Air Quality; Flooding and Drainage; Archaeology; Noise Vibration and Environmental Management; Phasing and routeing of construction traffic.

Details have now been received in relation to these conditions and are now included as part of the current application and updated accordingly in response to the amended scheme.

On that basis it is considered that these matters are adequately addressed through the submission and need not be re-imposed as new conditions.

Conclusion

This application seeks relatively minor amendments to a previously approved scheme for proposed structural landscaping and screening works. The benefits of the proposals in terms of those derived from the early implementation of the scheme in relation to the wider proposals for rail related development have previously been accepted in principle along with the wider benefits in terms of ecology and recreation potential. It is not considered that significant additional issues are raised by the current submission and that a number of the substantive outstanding matters dealt with by condition on the earlier permission have been resolved. It is wholly acknowledged that there remains a need to carefully manage the implementation of the works to ensure that the impacts upon the local community are to be minimised. It is however, considered that this can be adequately controlled by condition and through relevant enforcement powers.

The previous application was referred to the Secretary of State as a technical departure from the development plan. It was subsequently confirmed that the matter did not warrant call in to be exercised. As this current proposal relates to a minor variation to that scheme, and to matters which in themselves would not require referral, these procedure need not be repeated.

RECOMMENDATION:

Approved, subject to conditions,

1. Specifying amended plans (BE1)
2. Requires that the development be carried out in accordance with all approved documents and associated supporting information unless otherwise agreed by the Local Planning Authority.
3. Submission and agreement of a scheme of archaeological work (BE5)
4. Requiring seeding of the area of surface scrape prior to completion or in accordance with details agreed by the Local Planning Authority (BE1)

5. Restricting construction and delivery hours.

PLAN NUMBER: 07/00337/FUL
APPLICANT: Roy Moss
PROPOSAL: Demolition of factory unit and erection of 3 storey apartment block of 12 No. Apartments
ADDRESS OF SITE: 5 Thomas Street, Widnes
WARD: Riverside

SUMMARY RECOMMENDATION:

Approve with conditions

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. The Health & Safety Executive, United Utilities, the Council's Highway Engineers and Environmental Health Officer have all been consulted.

United Utilities have raised no objection. The Council's Environmental Health Officer has recommended a ground investigation planning condition.

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

SITE/LOCATION:

The site is an existing factory unit on land at Thomas Street, Widnes.

RELEVANT HISTORY:

The most recent planning application in relation to the site is 07/00157/FUL for the demolition of the existing building and construction of 14 No; Apartment block, which was withdrawn following discussion with Council Officers. Other application prior to this related to extensions of the factory unit and the original planning approval for the unit in 1985, Ref: 2/18900/F.

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; RG2 Action Area 2 – Central Widnes; 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:

Permission is sought for the erection of up to 12 apartment dwellings, including car parking and the provision of on site private amenity space for occupiers.

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 and quality;
- Provision of on site private amenity space
- Highway safety
- Impact on the amenity of the nearest residential properties;

Design Quality and Density

The proposed density within the current proposal is approximately 164 dwellings per hectare. The Council will encourage development of 30 dwellings or more to the hectare in accordance with PPS3. The relevant policy for the area, RG2, encourages housing development of a density greater than 50 dwelling per hectare, being appropriate to this central and accessible location. 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 and complies with RG2 of the Unitary Development Plan.

The existing residential built character of the area is traditional with use of in the main, red brick and grey slate and tile. The recently approved apartment development to the east of the site is similarly red brick with the introduction of other decorative materials. The design of the apartment building reflects the apartment block and has some architectural detail, which relates to the more traditional influences in the surrounding area. The introduction of sills, lintels and balconies to the front introduces interest and break up the overall mass of the building. The materials of the building and all boundary treatments will be agreed through the requirements of planning conditions. It has been suggested to the applicant that additional detail in the form of decorative brick and obscured glazed windows should be introduced on the side gable

elevations to break up the stark appearance. Amended plans are expected on this basis, however, this is not a reason in itself for refusal of the application and overall the design is acceptable.

The bin store to serve the apartments is located in the southeast corner of the site, adjacent to the area of amenity space and has an access directly from the rear for ease of collection. This siting, due to its accessibility by residents and refuse collectors alike and distance from the existing residential properties, so as to protect these occupiers from any potential additional disturbance is considered acceptable. The eventual design and materials of the bin store will be agreed through planning condition requirements.

It is worth noting the quality of the scheme in terms of the proportions and for layout of the proposed apartments. Although this is not specifically addressed through planning policy, the proposed internal layout proves that the scheme will make a valuable contribution to the accommodation in the area and that the developer is attempting to produce a high standard of apartment living.

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 12 apartments would require 300 square metres of private amenity space on site. The current proposal shows approximately 177 square metres, which equates to approximately 14.75 square metres per apartment. The proposal is therefore 123 square metres short of the suggested minimum standard. However, this space is arranged on the basis of a large communal space, which is south facing and appropriately laid out to provide a very private and usable space. In addition there is provision for private balconies serving eight first and second units. Therefore it is considered that although somewhat short of the Council guidance, because of the incorporation of balconies in eight apartments, and the successful illustration of how the communal space can formally arranged into practical and usable areas, that the scheme, provides for 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. Appropriate car parking has been provided at a ratio of 100%. 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, numbers 7 – 15 Ollier Street. These properties currently overlook the factory unit from the rear. The rear boundary of these properties consists of a brick wall of approximately 2 m in height, with the land immediately to the rear of these properties an existing rear access way not included within the application site.

The nearest affected 1st floor window of these properties affected by the proposed development is the bathroom window of No.11 Ollier Street, which is 11.06m from the rear elevation and bedroom windows of the apartments, although all the terraces have bathroom windows at 1st floor similar to this property. The main bedroom windows of the terraced properties are 17.68m from the apartment development.

As a result when assessed purely against the Council's New Residential Development Supplementary Planning Guidance, the minimum separation distance of 21 m between habitable room windows (in this case bedrooms) is not achieved. However, it is considered that in view of the location of the site within the Central Widnes Action Area, that the regenerative implications of the proposed development as a material planning consideration, outweighs the deficiencies in the separation distances in this particular instance. The scheme is, on balance, acceptable on this basis.

RECOMMENDATION:

- (1) 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; -
- (2) The following conditions,
 - 1 Amended Plans (BE2)
 - 2 Prior to commencement, the entering into a Legal Agreement for the provision of off site open space; (H3 and the Open Space SPD)
 - 3 Prior to commencement provision of pre-development site levels and proposed finished floor levels; (BE1)
 - 4 Prior to commencement all materials to be submitted and approved; (BE2)

- 5 Prior to commencement details of all boundary treatment to be submitted and approved; (BE22)
 - 6 Prior to commencement detailed landscaping scheme to be submitted and approved; (BE1) x 3
 - 7 Prior to commencement ground investigations for potential pollutants and remediation scheme where necessary; (BE1 and PR6)
 - 8 Prior to commencement provision of a drainage scheme to be submitted and approved; (BE1)
 - 9 Prior to commencement of development details of secure cycle storage to be submitted and approved; (TP6)
 - 10 Prior to commencement of development details of secure bin storage to be submitted and approved; (BE1 and BE2)
 - 11 Prior to commencement provision and use of wheel cleansing facilities during course of construction to be submitted and approved; (BE1)
 - 12 Prior to commencement of development details of lighting for the site to be submitted and approved; (BE1 and BE2)
 - 13 Restricted hours of development and deliveries related to development during construction period; (BE1)
 - 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)
-

PLAN NUMBER: 07/00383/FUL

APPLICANT: CDS Housing Association

PROPOSAL: Proposed Construction of 24 No. New Flats (for rent)

ADDRESS OF SITE: Land to West of Castlefields Centre and at Southern End of Keepers Walk, Runcorn

WARD: Castlefields

SUMMARY RECOMMENDATION:

Approve subject to Conditions

CONSULTATION AND REPRESENTATION:

Adjoining properties have been consulted and the application advertised by way of site and press notice. The Council's Highways Engineer,

Environmental Health and Trees and Woodlands Officers have been consulted as have United Utilities and the Environment Agency.

The Councils Environmental Health Officers have confirmed that they raise no objections in principle subject to suitable ground investigation and appropriate mitigation. 1 letter of representation has been received on behalf of a local Tenants Association, raising questions about potential subsidence and the long term stability of retaining structures, potential drainage issues and the loss of trees. Given the technical nature of these queries the developer has agreed to respond to these concerns and Members will be updated as necessary. The issues relating to the loss of trees are covered later within this report. Any further comments not covered within the body of this report will be reported orally to the Committee.

SITE/LOCATION:

An area of approximately 0.33 hectares currently occupied by existing open space/landscaped areas and car parks within the Castlefields residential area, Runcorn.

RELEVANT HISTORY:

The site forms part of a wider redevelopment site for which outline planning permission (06/00249/OUT) was approved for the redevelopment and replacement of the existing local centre including residential development. A number of previous planning permissions have been granted predominantly for residential developments within the surrounding area as part of the ongoing redevelopment and regeneration of the Castlefields area.

UDP PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is identified as falling entirely within the allocated Action Area 6 Castlefields and Norton Priory although parts of the site are identified as greenspace in the Halton Unitary Development Plan. Policy RG6 Action Area 6 Castlefields and Norton Priory and GE6 Protection of Designated Greenspace are considered to be of particular relevance. The adopted Supplementary Planning Document (SPD) for Castlefields and Norton Priory Action Area (2005) and the SPD for New Residential Development are also considered of relevance.

OBSERVATIONS AND ISSUES:

This scheme forms part of the wider regeneration proposals for Castlefields and seeks to replace existing deck access and outdated dwellings with new build and refurbished dwellings. The phase under consideration relates to sites currently occupied by open space and car parks but forms part of a wider site granted outline permission for the redevelopment and replacement of the local centre including residential development.

The scheme as submitted comprises a linear block of 24 No. 2 bedroom apartments at three storeys.

Design, Character and Amenity

The scheme proposes a linear block of apartments constructed predominantly of a mix of brick with render detail and tiled roof. The proposed apartments have a mono-pitched roof design and are considered comparable with similar properties in earlier schemes.

The scheme is not wholly compliant in terms of minimum privacy distances and garden provision when tested against standards that relate to new green field development. Due to the constrained nature of such sites such shortfalls are considered to be largely inevitable and provision is made accordingly for such variations within the adopted Supplementary Planning Document for the area. The apartments, as proposed are 3 storey with mono-pitched roof design. Due to existing constrained nature of the site in respect to levels differences, however, there is a need for substantial retaining structures to areas of car parking. The overall impact of the block in parts would therefore be similar to that of a 4 storey building adjoining the gable elevation of an adjoining existing deck access block at Keepers Walk. Given the relative aspects of these blocks, the general character and similar retaining structures throughout the area, this is not considered to raise significant character or amenity issues justifying refusal in this case. It is considered to provide an opportunity to provide a high quality development particularly given the constrained nature of the site, the context of earlier residential developments in the area and the wider regeneration initiative.

Highways and Parking

The Councils Highways Engineers have raised a number concerns regarding the scheme as submitted. It is, however, considered that adequate provision can be made for highway circulation, servicing and parking throughout the scheme, negotiations are ongoing with the developer and as such no significant highway objections are raised in principle. Members will be updated accordingly.

Loss of Trees and Greenspace

The proposals will result in the redevelopment of a relatively small area of designated Greenspace and the loss of a number of mature trees from the area many of which are of a high quality and under normal circumstances would have been retained. However, as a result of the constrained nature of the site limited opportunity is provided for trees to be retained. Scope is provided for replacement planting elsewhere within the proposals. Whilst such losses are regrettable it is considered that the wider benefits of the scheme outweigh any harm resulting from the loss of the greenspace and trees especially in the context of the wider regeneration proposals for the Castlefields area. This loss of trees, was previously considered to be

adequately addressed through the determination of the earlier outline approval. Replacement planting can be required by condition.

Summary and Conclusion

The scheme will play an important role in the ongoing redevelopment and regeneration of the area. Whilst the submitted proposals raise a number of issues regarding levels changes are considered to be unavoidable and the wider benefits of the scheme are considered to significantly outweigh any resultant harm. The scheme is considered to offer a good quality of development suited to the character of the site and the wider area and that the requirements and aspirations of UDP policy, the Castlefields Masterplan and SPD can be met.

RECOMMENDATION:

Approve subject to conditions relating to the following:

1. Condition specifying amended plans (BE1)
 2. Materials condition, requiring the submission and approval of the materials to be used (BE2)
 3. Landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting. (BE2)
 4. Boundary treatments to be submitted and approved in writing. (BE2)
 5. Wheel cleansing facilities to be submitted and approved in writing. (BE1)
 6. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
 7. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
 8. Conditions relating to the agreement and implementation of bin stores cycle parking provision (TP6)
 9. Site investigation, including mitigation to be submitted and approved in writing. (PR14)
 10. Conditions relating to tree protection during construction (BE1)
 11. Submission and agreement of site and finished floor levels (BE1)
 12. Agreement of details and construction design of all retaining walls (BE1)
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REPORT TO: Development Control Committee
DATE: 17th July 2007
REPORTING OFFICER: Strategic Director - Environment
SUBJECT: Miscellaneous Items

1) An Appeal was lodged following the Council's refusal of the following application:-

The decision has been received as follows :-

06/00550/TPO Application for removal of 2 No. Lime trees at Sumners Farm ,
House, Barkers Hollow Road, Preston Brook, Warrington,
Cheshire, WA4 4AY

This appeal was dismissed

2) The following applications have been withdrawn :-

07/00200/FUL Proposed two storey extension to existing hotel at Premier
Travel Inn, Chester Road, Preston Brook, Runcorn, Cheshire

07/00223/OUT Outline application (with siting/layout, design/external
appearance and landscaping matters reserved) for proposed
demolition of existing house and erection of 2 No. semi
detached two storey dwellings with integral (single) garages at
84 Heath Road, Widnes, Cheshire, WA8 7NU

07/00227/FUL Proposed provision of covered area to front of Red Admiral,
Boston Avenue, Runcorn, Cheshire, WA7 5JQ

07/00234/ADV Proposed display of various illuminated/non illuminated signage
at D & E Motor Factors Ltd, Hutchinson Street, Widnes,
Cheshire, WA8 0PZ

07/00235/FUL Proposed cladding to external elevations at D & E Motor
Factors Ltd, Hutchinson Street, Widnes, Cheshire, WA8 0PZ

07/00265/FUL Proposed demolition of single storey workshop, crane control
building and part of existing pipebridge and the erection of two
storey offices and single storey warehouse including new
circulatory road, roundabout, car parking and ancillary works at
Ineos Chlor, Castner Kellner Site, Runcorn, Cheshire

07/00283/FUL Outline application (with layout and external appearance
matters reserved) for 2 No. 3 bedroom semi detached houses
on Land Adjacent To 10 Cheshyres Lane, Runcorn, Cheshire,
WA7 4LF

07/00293/FUL Proposed first floor side extension to create bedroom space at
1 Littlestone Close, Widnes, Cheshire, WA8 9YU

- 07/00320/FUL Proposed single storey building and creation of new parking area at St Edwards Catholic Primary School, Wivern Place, Runcorn, Cheshire, WA7 1RZ
- 07/00335/FUL Proposed erection of 2 No. parasols to form protection for A.T.O. users at Cock And Trumpet Inn, Halebank Road, Widnes, Cheshire, WA8 8NB
- 07/00348/FUL Proposed side extension with double garage to front together with conversion of existing rear double garage to provide granny flat at 116 Runcorn Road, Moore, Warrington, Cheshire, WA4 6UB
- 07/00384/FUL Proposed single storey side and rear extension to form garage and utility room at 8 Kelsall Close, Widnes, Cheshire, WA8 7PB

3) The following application has been returned :-

- 07/00351/FUL Proposed conservatory to rear of 2 Portside, Runcorn, Cheshire, WA7 3LE