

# Public Document Pack



## Development Control Committee

**Monday, 14 December 2020 6.30 p.m.  
To be held remotely, contact Clerk for  
access**

A handwritten signature in black ink that reads 'David Walsh'.

**Chief Executive**

### **COMMITTEE MEMBERSHIP**

Councillor Paul Nolan (Chair)
Councillor Chris Carlin
Councillor Ron Hignett
Councillor Valerie Hill
Councillor Joan Lowe
Councillor Carol Plumpton Walsh
Councillor June Roberts
Councillor Dave Thompson
Councillor Bill Woolfall
Councillor Geoff Zygadlo

*Please contact Ann Jones on 0151 511 8276 Ext. 16 8276 or  
[ann.jones@halton.gov.uk](mailto:ann.jones@halton.gov.uk) for further information.  
The next meeting of the Committee is on Monday, 4 January 2021*

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

**Part I**

<b>Item No.</b>	<b>Page No.</b>
<b>1. MINUTES</b>	<b>1 - 10</b>
<b>2. DECLARATIONS OF INTEREST</b>	
<p>Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting prior to discussion and voting on the item.</p>	
<b>3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE</b>	
(A) <b>20/00026/OUT</b> - Outline application, with all matters other than access reserved for development comprising up to 42 apartments and ancillary works at land bounded by Mill Lane and Derby Road, Widnes, Cheshire	<b>11 - 27</b>
(B) <b>20/00337/OUTEIA</b> - Outline planning permission, with all matters reserved except for access, for the residential led mixed use development of the site, comprising residential (Use Class C3), employment (Use Class B1) and local centre uses (Use Class A1-A4/D1) and associated infrastructure, landscaping and land remodelling on land at Daresbury Park, Warrington WA7 4BB	<b>28 - 48</b>
(C) <b>20/00355/FUL</b> - Proposed demolition of existing single storey office and replacement with a new two storey office and joining of the two existing industrial units with a link extension at Unit 2 Goddard Road, Astmoor Industrial Estate, Runcorn, WA7 1QF	<b>49 - 57</b>
(D) <b>20/00371/FUL</b> - Proposed erection of a building to be used as offices (use class B1) and as a self-storage facility (Use Class B8) plus associated landscaping, improved access and other associated works on land at the junction of Earle Road and Carter House Way, Widnes, WA8 0WR	<b>58 - 71</b>
(E) <b>PLANS</b>	<b>72 - 96</b>

***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, 2 November 2020 held remotely*

Present: Councillors Nolan (Chair), Carlin, R. Hignett, V. Hill, J. Lowe, Thompson, Woolfall and Zygadlo

Apologies for Absence: Councillors Morley, C. Plumpton Walsh and June Roberts

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, A. Plant, M. Pagan, G. Henry, P. Peak and L. Woodward

Also in attendance: Councillors Ratcliffe, Rowe, G. Stockton, C. Loftus and Logan, 26 members of the public and one member of the press

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

DEV13 MINUTES

The Minutes of the meeting held on 5 October 2020, having been circulated, were taken as read and signed as a correct record.

DEV14 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE

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

DEV15 - 19/00020/FUL - PROPOSED DEVELOPMENT OF LOCAL DISTRICT CENTRE COMPRISING CONVENIENCE STORE (USE CLASS A1), 5 NO. RETAIL UNITS (USE CLASSES A1, A3, D1 WITH A MAXIMUM OF ONE UNIT TO BE D1), CHILDREN'S NURSERY (USE CLASS D1), 43 NO. RESIDENTIAL APARTMENTS AND 5 NO. DWELLINGS (USE CLASS C3) TO PROVIDE LIVING FACILITIES FOR THE OVER 55'S TOGETHER WITH ANCILLARY DEVELOPMENT ON LAND BOUNDED BY PITTS HEATH LANE AND OTTERBURN STREET, SANDYMOOR, RUNCORN

*Action*

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

The Committee was addressed by Mr Boyle who objected to the application on the basis that the accommodation block was several times bigger and taller than Sandymoor Community Hall, which was a focal point for the area. With this building being adjacent to it the Hall would not been seen. He also made reference to:

- the increase in traffic and therefore noise that would occur from the retail units;
- the fact that Sandymoor is a flood plain area;
- why had a nursery been included in the plans when Sandymoor had a pre-school already – what would happen to this;
- Sandymoor needed a Primary School not a nursery;
- The over 55's accommodation block was short on parking spaces (21 for 43 flats) and they were in the wrong place; and
- The proposed cream coloured brickwork was not in keeping with the area.

Members were then addressed by Mr Hazeldine, the Chair of Sandymoor Community Hall, who spoke in objection to the proposal. He advised that the Hall was opened in 2003 and was run by volunteers, hosting incredible events for the community. He said that plans submitted as far back as 2004 took no account of how the community now used the Hall and surrounding space. He commented that they were not against a retail development but objected to the inclusion of a nursery, which would undoubtedly see the demise of theirs. He explained that the existing nursery operated from Sandymoor Hall and provided them with 50% of the income needed to run it, the other 50% came from guides, clubs, events, fetes etc. He also raised concerns over the potential for noise complaints from the over 55's accommodation block, from the events that they held, some licensed. He requested sufficient soundproofing in the accommodation block. Concerns were also made around parking for the retail and accommodation and that it may push cars into the narrow streets in the Village Green area.

Mr Irvine, the Vice Chair of Sandymoor Parish Council, then addressed Members giving support for the local centre in principle, but raised concerns relating to the following:

- How the project would be delivered;
- Wanted assurance that Otterburn Street would not become a shortcut;
- Queried the A5 use as no consultation carried out with residents on this;
- The threat to the existing nursery operating from Sandymoor Hall and therefore threat to the loss of income for the Hall;
- Local job losses and early years education;
- Parking and possible future charges for parking; and
- Can the new surface / improvements for Sandymoor Hall, which have been negotiated with the developer, be included in the conditions.

In response to some concerns mentioned, Officers advised that competition between businesses was not a material planning consideration and there would be conditions in place for a car parking strategy. It was noted that with regards to delivery of the proposal, a construction phased management plan would be required, which was already listed in the conditions.

The Council's Highways Officer advised that parking calculation was based on all the proposed uses – retail units, the nursery, residential apartments and existing Sandymoor Hall. The total provision showed a slight shortfall against the UDP recommended (15 spaces) but across the whole development he considered the parking would be sufficient for the area. The access point onto Pitts Heath Lane would be a standard priority junction with a bollarded emergency link onto Biggleswade Drive.

Officers advised Members that the reference to Class A5 use has in effect not been consulted upon and should be disregarded for this meeting, so the uses were those listed on the introduction of the report. Clarity was also provided over the Parish Council's comments that they were unsure what the conditions of the development were as they were not provided in full. It was explained that the final wording of the conditions were delegated for officers to draft and that the Parish Council would not be consulted on the draft but if they had specific issues these should be provided to officers.

After considering the application before them and hearing the speakers comments and responses to these, the Committee agreed that the application be approved, subject to the conditions listed below.

RESOLVED: That the application be approved subject to:

- a) The entering into a Legal or other agreement relating to securing financial contributions to woodland mitigation / compensation and works to implement footpath along Otterburn Street; and
- b) Conditions relating to the following:
  1. Time;
  2. Approved plans;
  3. Site levels;
  4. Material details;
  5. Affordable housing;
  6. CEMP (MEAS requested);
  7. Lighting scheme;
  8. Bird nesting boxes;
  9. Scheme of mitigation – MEAS – planting and bins;
  10. Retain bollards on Biggleswade Drive;
  11. Signage and road marking strategy;
  12. Road safety audits;
  13. Travel plan;
  14. Car parking strategy;
  15. Electric vehicle charging points;
  16. Cycle storage details
  17. Construction phase management plan – phasing plan
  18. Acoustic fence;
  19. Opening hours; and
  20. Site waste management plan.

DEV16 - 20/00028/FUL - PROPOSED DEMOLITION OF EXISTING BUILDING AND DEVELOPMENT COMPRISING 28 NO. DWELLINGS WITH ASSOCIATED ACCESS AND ANCILLARY DEVELOPMENT ON CANAL WALKS SITE, HALTON ROAD, RUNCORN, WA7 5QS

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

Councillor Thompson asked for clarification in relation to the history and contaminated land information for the site. Officers explained what the position was in relation to this application.

The Committee welcomed the scheme and agreed that it be approved subject to the conditions below.

RESOLVED: That the application be approved subject to:

- a) The applicant entering into a Legal Agreement or other agreement for the provision of a financial contribution towards off-site public open space; and
- b) The following conditions:
  1. Time limit – full permission;
  2. Approved plans;
  3. Implementation of proposed site levels (BE1);
  4. Submission of facing materials (BE1 and BE1);
  5. Submission of soft landscaping scheme and subsequent maintenance (BE1);
  6. Implementation of submitted boundary treatments scheme and subsequent maintenance (BE1);
  7. Breeding birds projection (GE21 and CS20);
  8. Submission of a bat and bird boxes scheme (GE21 and CS20);
  9. Removal by hand of potential bat roosts (GE21 and CS20);
  10. Submission of an information leaflet for new residents regarding access to natural greenspace (GE21 and CS20);
  11. Submission of method statement – invasive species (GE21 and CS20);
  12. Submission of validation – invasive species (GE21 and CS20);
  13. Hours of construction (BE1);
  14. Electric vehicle charging points scheme (CS19);
  15. Implementation of noise mitigation measures (PR8);
  16. Ground contamination (PR14 and CS23);
  17. Off-site highway works (BE1);
  18. Provision and retention of parking and servicing for residential development (BE1 and TP12);
  19. Submission of a cycle parking scheme for the apartments (BE1 and CS23);
  20. Implementation of submitted drainage strategy (PR16 and CS23);
  21. Foul and surface water on a separate system (PR16 and CS23); and
  22. Waste audit (WM8).

*In order to avoid any allegation of bias, Councillor R. Hignett did not take part in the debate or vote on the following item, as he has relatives who reside near the site of the application.*

DEV17 - 20/00064/FUL - PROPOSED CONSTRUCTION AND OPERATION OF 20MW PEAKING POWER GAS FIRED GENERATING FACILITY COMPRISING 5 NO. GENERATORS, SITE FENCING, ACOUSTIC FENCING, ASSOCIATED PLANT, CAR PARKING AND RELATED DEVELOPMENT ON LAND TO THE SOUTH EAST OF JUNCTION BETWEEN WEAVER VIEW AND CHOLMONDELEY ROAD, RUNCORN

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

It was noted that the published AB Update List provided responses from the Council's Ecological Advisor on concerns submitted by Heath Ward Member Councillor Ratcliffe since the publication of the agenda, in relation to the potential for damage to the floral diversity of the Local Wildlife Site.

The Committee was addressed by Mr O'Keefe, who spoke on behalf of the community objecting to the proposal. He had sent in a detailed list of points to Members in advance of the meeting, points that he believed required further investigation prior to a decision on the proposal being made. He stated that appearance of the building was not a concern but the quality of life of the people in the Village was. He argued that the proposal was contrary to a number of planning policies and the power station was too close to residents of the Village and Beechwood. He discussed the potential for pollution and alternative green energies and suggested that there were mistakes and inconsistencies with the surveys referred to in the report.

Councillor Ratcliffe then addressed the Committee, objecting to the proposal. She stated that Clifton Village had seen major changes over the years; it was small, historically rich and cut off from the rest of Runcorn. She argued that the Village already had a power station in the area and to add another, would take away from the quality of life of its residents. Further, the fact that it was gas powered could result in additional continuous noise for residents and queried why a green energy proposal could not be considered. She had presented photographs of the site of the proposal to the Committee in advance and discussed the effect the proposal would have on the ecology of the area. She urged the Committee to refuse or defer its decision as the application was contrary to policies in the UDP as it stood.

Members were then addressed by Councillor Logan, who spoke objecting to the proposal, supported by his Beechwood Ward colleague Councillor Loftus. He questioned why the Council was considering this fossil fuelled proposal, as clean energy was now being produced in Halton for the 21<sup>st</sup> century. He stated that the 14-metre high chimneys would have a huge impact on the area and the whole development was incongruous with the Village, for Halton and for the 21 century. He stated that the proposal was damaging and that residents of Halton expected regeneration, not degeneration.

Mr Dodds then addressed the Committee, on behalf of the applicant. He stated that the proposal supported the UK Governments policies for renewable energy sources as discussed on page 74 of the report and that concerns raised by objectors relating to air pollution and noise were addressed on page 76 of the report. He added that the nearest residential properties would not hear any noise and in response to noise claims being made by speakers about noise at night time, he confirmed there would be no noise at night as the plant was restricted to 1500 hours per year and it would be unlikely to run at night especially as there were no peak times at night. He further added that the ecological and tree surveys had been carried out; the site would be operated remotely so there would be no parking or traffic issues; and advised no concerns had been raised from nearby residents regarding the height of the chimneys. He urged the Committee to approve the application as it complied with national and local planning policies.

The Committee discussed the points of concern raised by speakers, in particular the potential for noise, the conservation of nature in the area and the hours of operation of the generator. One Member moved an amendment to the conditions of the proposal – to restrict the hours of operation from 10pm to 7am – this was seconded and agreed by the Committee.

**RESOLVED:** That the application be approved subject to conditions relating to the following and the addition of the extra condition mentioned above.

1. Time limit – full permission;
2. Approved plans;
3. Existing and proposed site levels (BE1);
4. Boundary treatments scheme (BE1 and BE22);
5. CCTV scheme (BE1);
6. Mitigation planting scheme (BE1 and GE27);
7. Tree protection measures (GE27);

8. Breeding birds protection (GE21 and CS20);
9. Outline biodiversity management plan (GE21 and CS20);
10. Reasonable avoidance measures – common lizard and terrestrial mammals (GE21 and CS20);
11. Japanese Knotweed method statement (GE21 and CS20);
12. Japanese Knotweed validation report (GE21 and CS20);
13. Hours of construction (BE1);
14. Off-site highway works (BE1);
15. Visibility splay – site access with Cholmondeley Road (BE1);
16. Parking and servicing provision (BE1 and TP12);
17. Ground contamination / ground stability (PR14 and CS23);
18. Detailed drainage strategy (PR16 and CS23); and
19. Hours of operation.

DEV18 - 20/00206/FUL - PROPOSED DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF A TWO STOREY LEISURE CENTRE WITH ASSOCIATED ACCESS, PARKING, LANDSCAPING AND SUBSTATION ON LAND AT MOOR LANE, WIDNES

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

Members agreed that the proposal be approved subject to the conditions listed.

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

1. Time limit – full permission;
2. Approved plans;
3. Boundary treatments scheme;
4. CCTV scheme;
5. Off-site highway works;
6. Parking and servicing provision;
7. Ground contamination;
8. Drainage / flood risk conditions;
9. Archaeological condition;
10. Electric charging points;
11. Materials;
12. Landscaping;
13. Boundary treatments;
14. Off-site highway improvements; and
15. Cycle storage.

DEV19 - 20/00219/OUT - OUTLINE APPLICATION, WITH ALL MATTERS OTHER THAN ACCESS RESERVED, FOR DEMOLITION OF ALL EXISTING BUILDINGS AND DEVELOPMENT OF UP TO 33 NO. APARTMENTS FOR RESIDENTS OVER 55 YEARS OLD, TOGETHER WITH PARKING AND ASSOCIATED INFRASTRUCTURE AT 33-37 IRWELL LANE, RUNCORN, WA7 1RX

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

Councillor Thompson commented that the demolition of this historic building would be a loss to Runcorn, however it had been empty for years with no interest ever shown in its restoration, meaning it was no longer viable to renovate it. One Member suggested that photographs be taken for prosperity. The Committee agreed that the application be approved.

RESOLVED: That the application be approved subject to:

- a) The entering into a Legal or other agreement relating to securing financial contributions to open space and highway dedication; and
- b) Conditions relating to the following:
  1. Time limit – outline permission;
  2. Submission of reserved matters;
  3. Approved plans;
  4. Site level details;
  5. Affordable housing scheme;
  6. Contaminated land – site investigation;
  7. Contaminated land – locate and decommission well;
  8. Drainage strategy;
  9. Access implementation;
  10. Electric Vehicle charging;
  11. Ecologically sensitive lighting scheme;
  12. Bat boxes;
  13. Breeding birds protection;
  14. Bird boxes;
  15. Hedgehogs;
  16. Information packs for new residents;
  17. MEAS CEMP;
  18. Waste audit / management plan; and
  19. Hours of construction.

DEV20 - 20/00238/FUL - PROPOSED DEVELOPMENT CONSISTING OF TWO INDUSTRIAL AND WAREHOUSING UNITS FOR B1, B2 AND B8 USES WITH ASSOCIATED LANDSCAPING, SERVICE YARDS AND CAR PARKING AT UNITS 2 AND 3, LAND OFF GORSEY LANE, WIDNES

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

The Committee agreed that the application be approved subject to the resolution of the outstanding issues relating to drainage being resolved and the conditions listed.

RESOLVED: That the application be approved subject to the drainage issues being resolved and the following conditions:

1. Time;
2. Approved plans;
3. Use restriction;
4. Materials;
5. Landscaping;
6. Boundary treatments;
7. Vehicle access, parking and servicing construction prior to occupation;
8. Cycle parking details;
9. Electric vehicle charging details;
10. Drainage;
11. Site and finished floor levels;
12. Site waste management plan;
13. Operational waste management plan;
14. Implementation of measures recommended within BREEAM pre-assessment report;
15. Grampian style condition requiring off-site pedestrian / cycle crossing improvements and connection within the development;
16. Tree protection for retained trees; and
17. External lighting.

*Meeting ended at 8.30 p.m.*

<b>APPLICATION NO:</b>	20/00026/OUT
<b>LOCATION:</b>	Land bounded by Mill Lane and Derby Road Widnes, Cheshire
<b>PROPOSAL:</b>	Outline application, with all matters other than access reserved for development comprising up to 42 apartments and ancillary works at
<b>WARD:</b>	Farnworth
<b>PARISH:</b>	None
<b>APPLICANT:</b>	Mr John Phillips
<b>AGENT:</b>	Ian S Nevinson (Draughting Services)
<b>DEVELOPMENT PLAN:</b>  Halton Unitary Development Plan (2005)  Halton Core Strategy (2013)  Joint Merseyside and Halton Waste Local Plan (2013)	<b>ALLOCATIONS:</b>  Proposed Employment Development Site (Site Ref. 294/1)
<b>DEPARTURE</b>	Yes
<b>REPRESENTATIONS:</b>	No representations have been received from the publicity given to the application.
<b>KEY ISSUES:</b>	Principle of Residential Development on Allocated Employment Land, Design and Layout, Highways and Access, Flood Risk and Drainage, and Noise.
<b>RECOMMENDATION:</b>	Approve subject to conditions and S106 agreement securing of a commuted sum in lieu of on-site open space provision.
<b>SITE MAP</b>	



## **1. APPLICATION SITE**

### **1.1 The Site**

The application site is an area of allocated employment land to the south of an existing residential development off Mill Lane in the north of Widnes. The site is bounded by the Watkinson Way slip road to the north and west, Mill Lane to the east and derby Road to the south.

The site consists of a disused parcel of brownfield land, within the site remnants of previous development can be seen in the areas of hardstanding, whilst other parts of the site have been become overgrown. The boundaries to the site comprise a mix of hedges and trees, and galvanised boundary fencing. There is an existing vehicle access into the site off Mill Lane.

### **1.2 Planning History**

The site has some planning history with the more recent applications being as follows:

- 96/00752/OUT - Proposed erection of a drive through restaurant and provision of associated car parking - Granted 25/02/1997
- 98/00443/COU - Proposed change of use of existing residential dwellings to licensed restaurant with canopy to front and single storey extension to rear – Refused 14/10/1998
- 99/00008/FUL - Proposed demolition of two pairs of semi-detached properties and erection of two storey restaurant (Class A3) and associated car park – Granted 24/02/1999

## **2. THE APPLICATION**

### **2.1 The Proposal**

Outline application, with all matters other than access reserved for development comprising up to 42 apartments and ancillary works.

### **2.2 Documentation**

The application is accompanied by the associated plans in addition to a Planning Statement, Design and Access Statement, Flood Risk and Surface Drainage Feasibility Report, Ecological Assessment, Phase 1 Geo Environmental Risk Assessment, Noise Assessment, Arboricultural Impact Assessment, Crime Impact Statement, and a Transport Statement.

## **3. POLICY CONTEXT**

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

### **THE DEVELOPMENT PLAN**

#### **3.1 Halton Unitary Development Plan (UDP) (2005)**

The site is allocated for proposed employment development (Site Ref 294/1) on the Halton Unitary Development Plan Proposals Map. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- BE5 Other Sites of Archaeological Importance;
- BE22 Boundary Walls and Fences;
- GE21 Species Protection;
- H3 Provision of Recreational Greenspace;
- PR4 Light Pollution and Nuisance;
- PR8 Noise Sensitive Developments;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;

- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;
- TP14 Transport Assessment;
- TP15 Accessibility to New Development;
- TP17 Safe Travel For All;

### 3.2 Halton Core Strategy (2013)

The following policies, contained within the Core Strategy are of particular relevance:

- CS1 Halton's Spatial Strategy;
- CS2 Presumption in Favour of Sustainable Development;
- CS3 Housing Supply and Locational Priorities;
- CS7 Infrastructure Provision;
- CS12 Housing Mix;
- CS13 Affordable Housing;
- CS15 Sustainable Transport;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS20 Natural and Historic Environment;
- CS21 Green Infrastructure;
- CS22 Health and Well-Being;
- CS23 Managing Pollution and Risk;
- CS24 Waste.

### 3.3 Joint Merseyside and Halton Waste Local Plan (2013)

The following policies, contained within the Joint Merseyside and Halton Waste Local Plan are of relevance:

- WM8 Waste Prevention and Resource Management;
- WM9 Sustainable Waste Management Design and Layout of New Development.

### **MATERIAL CONSIDERATIONS**

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

### 3.4 Halton Borough Council – Affordable Housing Supplementary Planning Document.

This SPD seeks to provide greater certainty and clarity for all parties involved in the delivery of affordable housing in Halton through the planning system. The National Planning Policy Framework<sup>1</sup> requires local authorities to assess and meet the full needs for affordable housing in their housing market area.

### 3.5 Halton Borough Council – Design of Residential Development Supplementary Planning Document.

The purpose of the Design of Residential Development Supplementary Planning Document (SPD) is to provide additional practical guidance and support for those involved in the planning and design of residential development within Halton. It will also be used by the Council in its assessment of applications for planning permission for schemes of residential development or mixed use schemes containing a residential element.

### 3.6 Halton Borough Council – Provision of Open Space Draft Supplementary Planning Document

The purpose of this Draft Supplementary Planning Document (SPD) is to complement those policies of the Halton Unitary Development Plan (UDP) that recognise the importance of open space within the borough. Added to this it will provide a stimulus for the enhancement in quality, quantity and accessibility of all types of open space within the borough. Specifically, it will help provide;

- a) Networks of high quality open spaces and sport and recreation facilities in both urban and rural areas, which meet the needs of residents and visitors, are fit for purpose and economically and environmentally sustainable;
- b) An appropriate balance between new provision and the enhancement of existing provision;
- c) Clarity and reasonable certainty for developers and land owners in relation to the financial requirements and expectations of the Local Planning Authority in respect of open space, sport and recreation provision to serve new residential developments.

### 3.7 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in February 2019 to set out the Government's planning policies for England and how these should be applied.

#### Achieving Sustainable Development

Paragraph 7 of the NPPF states that *the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.*

Paragraph 8 states that *achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

*a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

*Paragraph 9 states that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.*

*Paragraph 10 states so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. As set out in paragraph 11 below:*

#### The Presumption in Favour of Sustainable Development

*Paragraph 11 states that for decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

#### Decision-making

*Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and*

*permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*

#### Determining Applications

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

#### Other Considerations

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

#### **4. CONSULTATIONS**

##### Highways and Transportation Development Control

No objection to the proposed development subject to conditions.

##### Environmental Protection

No objection to the proposed development, subject to conditions and final design.

##### Contaminated Land Officer

No objection to the proposed development subject to a condition.

##### Lead Local Flood Authority (LLFA)

No objection to the proposed development subject to conditions.

##### Merseyside Environmental Advisory Service – Ecology and Waste Advisor

No objection to the proposed development, subject to conditions.

##### Cheshire Police - Secure by Design Officer

A crime impact statement has been provided which contains advice on secure by design principles summarised in the assessment below.

Conservation & Design Advisor / Archaeological Planning Advisor

No objection to the proposed development subject to a condition.

## **5. REPRESENTATIONS**

No representations have been received from the publicity given to the application.

## **6. ASSESSMENT**

### **6.1 Principle of Development**

The site is a brownfield land which is allocated for employment development as in Policy E1 of the Halton Unitary Development Plan and the associated proposals map as Site Ref 294/1.

The use of housing on the site therefore constitutes a departure from Halton's Development Plan. In accordance with the Development Management Procedure Order 2015 the application has therefore been advertised in the local press and by site notice, as a departure.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the NPPF require applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

As the proposal is a departure, the applicant has provided a planning statement in support of the application and to justify why the site should be considered for housing and not safeguarded for employment use.

Firstly, the applicant's statement outlines that the physical constraints of the site, in terms of it being surrounding on all sides by highway, and the location of the existing access is substandard as it provides for limited space and tight turning for HGV traffic to enter and leave the site safely. And as the site is less than 1 hectare in size, it remains an unattractive prospect for commercial developers and operators who require larger buildings and external yard space.

Secondly, the applicant has pointed out that in this particular case, that the site has been a long standing employment allocation for over 15 years, and despite being marketed for a considerable periods of time by the owners, they have had no success. They consider this to be down to the above physical constraints that render the site unsuitable for employment purposes.

Therefore, a realistic view has to be taken on the likelihood of the land being brought forward for employment or whether it would currently be more sustainable to release the land for residential use. This is a position which is

reflected within the emerging Delivery and Allocations Local Plan (DALP) and associated proposals map which proposes to allocate the land for residential use. It is also noted that residential development has already been established on the employment allocation (294/0) immediately to the north of the site.

Consequently, based on the evidence put forward by the applicant it is felt that due to the lack of interest in this land for employment use despite being allocated for industrial development in the UDP, the application should not be refused on the grounds of retaining the site for employment use any further.

## 6.2 Design and Layout

The applicant has provided a purely indicative layout drawing illustrating how they envisage up to 42 apartments to be laid out within the site, comprising of two separate, three storey blocks.

The Council's New Residential Development SPD requires development interface distances to achieve the 21m separation (between habitable room windows) and 13m separation (between habitable room windows and blank/non habitable elevations) to be measured from the centre of any habitable room window. Proposed layouts are also expected to comply with the Council's standards for private amenity space and provide sufficient internal access roads, parking and servicing as set out in the Design of Residential Development SPD.

Whilst indicative, the submitted plans provide enough information to demonstrate that there is sufficient space within the site to accommodate these standards upon the final design and submission of reserved matters, and that a scheme of up to 42 apartments can be designed and accommodated within the site that would comply with the design of New Residential Development SPD and Policies BE1, BE2 and H6 of the Halton UDP and CS18 of the Halton Core Strategy.

## 6.3 Highways and Access

The application has been submitted with a Transport Statement to support the proposal, as well details of the location and geometry of the proposed access and the associated visibility splays.

The proposed vehicle access would be positioned broadly in the same location as the existing access off Mill Lane. There would be pedestrian footways either side of the access that would be extended into the site to facilitate safe pedestrian access and circulation routes within the site.

The applicant has provided sectional drawings showing the required re-profiling of the proposed access. This would be necessary to ensure a suitable tie in with the adjacent adopted highway, to provide suitable visibility splays and accessibility for those with mobility issues.

The Highway Officer is satisfied that the site is accessible, and that Mill Lane will cater for the number of anticipated movements generated by the development. Sufficient space would also be set aside within the site to allow for it to be suitably serviced, whilst providing the required number of car parking spaces.

The Highways Officer also recommends that the reserved matters and conditions make provision for and secure the implementation of secure cycle parking, electric vehicle charging points, parking provision and a construction management plan.

Based on all the above, the proposed development is considered to be acceptable from a highways, transportation and accessibility perspective. It accords with Policies BE1, TP6, TP7, TP12, TP14, TP15, TP17 and TP18 of the Halton Unitary Development Plan and Policy CS15 of the Halton Core Strategy Local Plan.

#### 6.4 Flood Risk and Drainage

The application site is less than 1ha in area, and located in Flood Zone 1 which is shown to have a low fluvial, tidal flood risk on the Environment Agency Long Term Flood Risk Maps. However, whilst the majority of the site is shown to have a low surface water flood risk, there is a small isolated area of medium to high surface water flood risk in the north east of the site boundary.

As the provision of the apartments would introduce a more vulnerable use onto the site the applicant has provided a flood risk and drainage report in support of the proposals to demonstrate how surface water drainage could satisfactorily be addressed.

The report identifies an area of lower topographic levels resulting in some ponding of surface water in the northern part of the site. However, the analysis has shown that flood depths in this area do not exceed 300mm during the 1000 year scenario.

The flood risk and drainage report makes recommendations for mitigation against the risk of surface water flooding which include finished floor level of the northern building is to be set at 41.70mAOD, the design of external renders, damp proofing, and wall insulation, and height of electrical sockets to be set above flood level.

The LLFA is satisfied the applicant has considered flood risk and drainage from the site appropriately for an outline application. As the drainage strategy has not been finalised, the LLFA recommended conditions for the submission of a final detailed strategy based on the SUDS hierarchy, including its implementation, maintenance and management, and verification of the scheme.

Based on the above and subject to the relevant conditions the proposal is considered to be acceptable from a flood risk and drainage perspective in

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

### 6.5 Noise

The applicant has supplied a noise assessment report to support the application. Whilst the methodology is appropriate and the noise levels can be met with windows closed, once the windows are opened the noise levels will increase above the specified levels. This is of particular concern with regards to bedrooms located on western elevations that would look towards Watkinson Way.

The applicant will be able to address this matter in the detailed design proposals. For example, by designing the internal layout of the apartments and positing bedroom windows so that they are overlooking Mill Lane. This would aid in meeting the standards contained in BS8233:2014 in relation to bedrooms at night.

Given that the application is in outline, the above matters can be reasonably be addressed at the reserved matters stage. It is recommended that a revised noise assessment report be submitted with the final design which demonstrates the relevant standards are met to ensure suitable living conditions for future occupiers of the apartments.

Based on the above, subject to approval of the final design, the proposal is considered acceptable from a noise perspective in compliance with Policies BE1 and PR8 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

### 6.6 Ground Contamination

The application is accompanied by a Phase 1 preliminary risk assessment report (Ref LKC 18 1049). This has been reviewed by the Contaminated Land Officer. No objection has been raised subject to a condition being attached which secures a detailed site investigation and, if necessary, a remediation strategy, its implementation and verification reporting to ensure that any ground contamination is dealt with appropriately.

The attachment of the condition above will ensure compliance with Policy PR14 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

## 6.7 Ecology

The applicant has submitted an Ecological Appraisal report in accordance with Local Plan Core Strategy policy CS20 (Ecological Appraisal Report, TEP, August 2018) which meets BS 42020:2013. The report is nearly 18 months old, however the Council's ecology advisor (MEAS) has been consulted, and is satisfied that given the nature of the site it is considered to still be valid and is accepted.

The ecologist has advised that the proposals will result in the loss of existing grassland and tall herb habitats on site. Areas of scrub and trees are also located within and adjacent to the survey area, these have potential to be used as nesting sites by birds. A condition is recommended to ensure their protection.

The proposed development will also result in the loss of bird breeding habitat and Local Plan policy CS20 applies. To mitigate for this loss, a condition is recommended for details and to secure the provision of bird nesting boxes.

The scrub, tall herb habitats and brash piles on site are suitable for hedgehog, which is a Priority Species. A condition recommended for reasonable avoidance measures should be put in place.

The applicant should submit landscaping proposals showing any new habitat creation and the species mix that will be utilised on site for approval, which can be secured by condition.

The attachment of the conditions suggested above would ensure that the proposal from an Ecology perspective is compliant with Policies GE21 of the Halton Unitary Development Plan and Policy CS20 of the Halton Core Strategy Local Plan.

## 6.8 Trees and Landscaping

The application is accompanied by an Arboricultural Impact Assessment. There are no Tree Preservation Orders in force at this site and the area does not fall within a designated Conservation Area.

The majority of trees within the site are located along the perimeter of the site and could be retained as part of the proposed development. There would be some four trees which would need to be removed, however the survey identifies these to be of low to poor quality.

A planning condition would ensure that the proposed landscaping scheme would adequately compensate for the loss. In respect of the trees to be retained, a tree protection method statement has been submitted, and its implementation should be secured by condition.

Based on the above, the proposal is considered acceptable from a tree perspective in compliance with Policies BE1 and GE27 of the Halton Unitary Development Plan and Policy CS21 of the Halton Core Strategy Local Plan.

### 6.9 Open Space

The requirements for the provision of recreational greenspace within new residential developments are set out in Policy H3 of the Halton Unitary Development Plan.

The open space requirement calculator has identified that there is a deficit of parks & gardens, natural and semi-natural, amenity greenspace, provision for children and young persons, allotments, outdoor sports facilities and formal playing fields in this particular neighbourhood.

The indicative plans submitted with the application show that there is potential within the site for some onsite public open space provision. However, given that the proposal is in outline and the layout and landscaping are to be reserved, the amount or type of any onsite provision is yet to be finalised.

Planning conditions will ensure that any onsite provision is adequately landscaped and maintained, whilst any outstanding deficiencies would be met through a financial contribution in lieu of on-site provision. It is recommended that the financial contribution be secured by Section 106 agreement.

Based on the above, it is considered that the proposal would meet the local needs of the people living there, with regards to open space provision. It would also be in compliance with Policy H3 of the Halton Unitary Development Plan.

### 6.10 Affordable Housing

Policy CS13 of the Halton Core Strategy Local Plan states that affordable housing units will be provided , in perpetuity, on schemes including 10 or more dwellings (net gain) or 0.33 hectares or greater for residential purposes.

The applicant acknowledges the requirement for affordable housing in their planning statement, and that this would need to be secured through a suitable agreement with the Council. Given that the application is outline and the details are yet to be confirmed, it is considered that the tenure of the properties could also be deferred to reserved matters stage when the scheme is finalised.

Therefore, it considered reasonable to attach a condition which secures the submission of a scheme, its subsequent implementation and maintenance thereafter. For the avoidance of doubt and in accordance with the Council's adopted Affordable Housing SPD.

Subject to the above condition, the proposal is considered to be compliant with Policy CS13 of the Halton Core Strategy Local Plan and the Affordable Housing Supplementary Planning Document.

#### 6.11 Archaeology

The Council's Conservation Advisor has been consulted on the application, and has advised that given the presence of extant building remains on the land, and the potential for below ground archaeological deposits, associated with the industrial past of this land, a programme of archaeological observation should be undertaken in order to identify and record the building remains and any below ground deposits.

It is recommended that the suggested archaeological work be secured by condition to ensure that the proposal is compliant with Policy BE5 of the Halton Unitary Development Plan, Policy CS20 of the Halton Core Strategy Local Plan and paragraphs 189-192 of NPPF.

#### 6.12 Sustainable Development and Climate Change

Policy CS19 of the Halton Core Strategy Local Plan outlines some principles which will be used to guide future development. The NPPF is supportive of the enhancement of opportunities for sustainable development and it is considered that any future developments should be located and designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles.

The incorporation of facilities for charging plug-in and other ultra-low emission vehicles could be realistically achieved for this development. A condition is recommended to secure this.

One of the principles referred to in the policy is Code for Sustainable Homes. Whilst it is desirable to meet such a standard, given links with Sustainable Development and Climate Change, following the Government's Written Ministerial Statement in March 2015, it is no longer for Local Authorities to secure the implementation of a particular level of Code for Sustainable Homes by planning condition. Based on the above, the proposal is considered compliant with Policy CS19 of the Halton Core Strategy Local Plan.

#### 6.13 Waste Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, a construction management plan will deal with issues of this nature and based on the

development cost, the developer would be required to produce a Site Waste Management Plan which can be secured by condition. In terms of waste management, there is sufficient space for the storage of waste including separated recyclable materials for each property as well as access to enable collection.

#### 6.14 Designing Out Crime

The designing out crime officer at Cheshire Police has provided a crime impact statement for the proposed development. Whilst no objections are made, recommendations for the detailed design have been made, these include consideration of the permeability of the site, fencing design and location. The use of defensible planting, lighting, natural surveillance also need to be considered in final design especially of parking areas and where people could congregate, and covered secure cycle storage. Recommendations also made in relation to the standard of windows and doors, and communal building security, as well as site security during construction.

### 7. **CONCLUSIONS**

In conclusion, the site has been a long standing employment allocation for over 15 years, and has been unsuccessfully marketed for a considerable period. It is felt that due to the lack of interest in this land for employment use, the application should not be refused on the grounds of retaining the site for employment use any further. Based on the information submitted by the applicant the proposed residential development should not be resisted on planning policy grounds.

Although the proposal is a departure from Policy E1 of the Halton Unitary Development Plan, it is considered to be sustainable development consistent with the economic, social and environmental roles of sustainable development outlined in paragraph 8 of the NPPF.

The proposal is in outline with layout, scale, appearance and landscaping matters reserved for future determination. The applicant has provided enough information to demonstrate that there is sufficient space within the site to accommodate the Council's standards in the final design and submission of reserved matters, and that a scheme of up to 42 apartments can be designed and accommodated within the site that would comply with the design of New Residential Development SPD and Policies BE1, BE2 and H6 of the Halton UDP and CS18 of the Halton Core Strategy Local Plan.

An appropriate access point to site from Mill Lane would be achieved and the layout demonstrates sufficient space for movement within the site as well as an appropriate level of car parking.

## **8. RECOMMENDATION**

That the application is approved subject to the following:

**a) The entering into a legal or other agreement relating to securing financial contributions towards open space.**

**b) Conditions relating to the following:**

1. Standard outline conditions for the submission of reserved matters applications (BE1)
2. Plans condition listing relevant drawings i.e. site location / red edge, access details (BE1 and TP17)
3. Submission and agreement of a submission of a construction / traffic management plan which will include wheel cleansing details, hours of construction and deliveries (BE1)
4. Submission of existing and agreement of proposed site levels ( BE1)
5. Submission and agreement of external facing materials (BE1 and BE2)
6. Conditions for the submission and agreement of boundary treatments, landscaping, management and maintenance (BE1 and BE22)
7. Tree protection measures outlined in arb report (GE27)
8. Breeding birds protection (GE21 and Policy CS20)
9. Bird nesting boxes scheme (GE21 and Policy CS20)
10. Hedgehog reasonable avoidance measures (GE21 and Policy CS20)
11. Method statement for the irradiation of invasive species (GE21 and CS20)
12. Electric Vehicle Charging Points Scheme (CS19)
13. Parking, access and servicing provision (BE1, TP6, TP7, TP12, TP15 and TP17)
14. Submission of revised noise report with reserved matters (PR2)
15. Submission of ground investigation report, mitigation measures and validation (PR14 and CS23)
16. Drainage strategy based on the SUDS hierarchy, including its implementation, maintenance, management, and verification of the scheme (PR16 and CS23)
17. Foul and surface water on a separate system (PR16 and CS23)
18. Waste Audit – (WM8)
19. Submission and implementation of an archaeological watching brief (CS20)
20. Provision of affordable housing (CS13)

c) That if the S106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director

– Policy, Planning and Transportation in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.

## **9. BACKGROUND PAPERS**

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

## **10. SUSTAINABILITY STATEMENT**

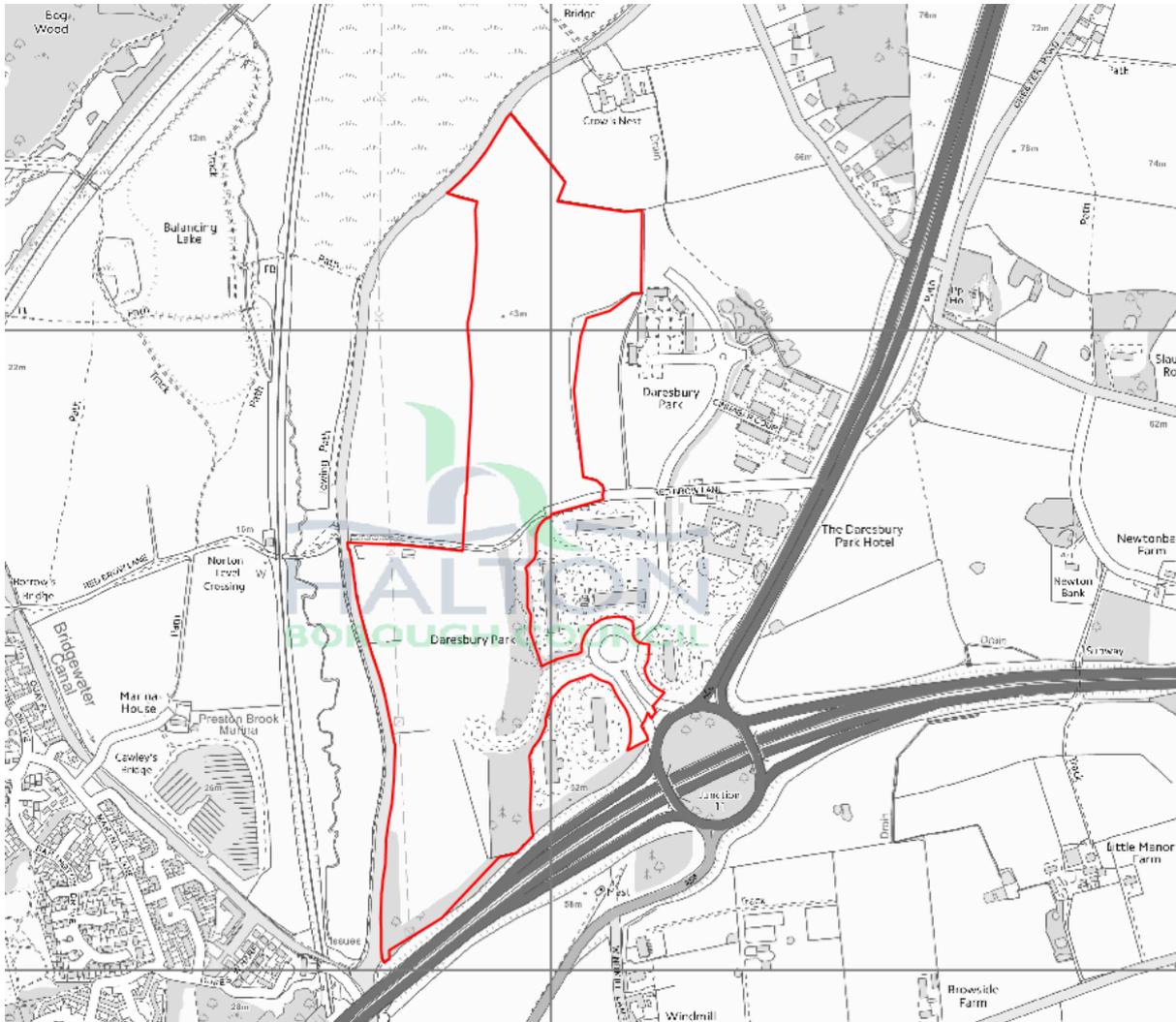
As required by:

- The National Planning Policy Framework (2019);
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.

<b>APPLICATION NO:</b>	20/00337/OUTEIA
<b>LOCATION:</b>	Land at Daresbury Park Warrington WA4 4BB
<b>PROPOSAL:</b>	Outline planning permission, with all matters reserved except for access, for the residential led mixed use development of the site, comprising of residential (Use Class C3), employment (Use Class B1) and local centre uses (Use Class A1-A4/D1) and associated infrastructure, landscaping and land remodelling
<b>WARD:</b>	Daresbury
<b>PARISH:</b>	Daresbury
<b>APPLICANT:</b>	Marshall Commercial Development Projects Limited
<b>AGENT:</b>	Avison Young
<b>DEVELOPMENT PLAN:</b>	<b>ALLOCATIONS:</b>
Halton Unitary Development Plan (2005)	Regional Employment Land Allocation (Site Ref. 240/7, 240/0 and 241) (E1)
Halton Core Strategy (2013)	Proposed Greenspace system (GE7)
Joint Merseyside and Halton Waste Local Plan (2013)	
<b>DEPARTURE REPRESENTATIONS:</b>	Yes
<b>KEY ISSUES:</b>	Principle of Residential Development on Allocated Employment Land, Design and Layout, Highways/Transport/Access, Flood Risk/Drainage, and Ecology
<b>RECOMMENDATION:</b>	That delegated powers are given to the Operational Director – Policy, Planning & Transportation in consultation with the Chair or Vice Chair of the Development Control Committee to make the decision subject to conditions once the following have occurred:  The satisfactory completion of a Section 106 agreement to secure the following: <ul style="list-style-type: none"> <li>• financial contribution in lieu of on-site open space provision;</li> <li>• financial contribution towards the improvement of public rights of way including railway crossing; and</li> </ul>

	<ul style="list-style-type: none"> <li>financial contribution towards sustainable transport improvements.</li> </ul>
<b>SITE MAP</b>	



## 1. APPLICATION SITE

### 1.1 The Site

The application site covers an area of land of approximately 26.6 hectares, and is located approximately 3.5 miles to the east of Runcorn Old Town, and 0.5 miles to the south east of the Sandymoor. The sites forms part of East Runcorn Key Area of Change as defined in Policy CS11 of the Core Strategy, and it is within the Daresbury Strategic Area.

Redbrow Lane transects the application site currently splitting it in two. The land to the north comprises agricultural fields. Whereas the land to the south consists of unmanaged grassland, trees and existing road infrastructure. The southern part of the site is bound to the west by the Bridgewater Canal, with over-head power lines running in a north / south direction.

The southern part of the site is accessible by the already constructed road infrastructure via Daresbury Park. The wider East Runcorn area is accessible from the southeast via the M56 motorway (junction 11) and the A56 Chester Road to the east, or alternatively via Keckwick Lane to the north.

## 1.2 Planning History

The site has been subject to numerous applications in relation the employment use of the wider Daresbury Park. Some planning history with the more recent applications being as follows:

02/00050/S73 Proposed variation of condition Nos.2 and 3 of permission 98/000253/OUT to extend time period for compliance/implementation (Granted 20/03/2002)

03/00653/FUL - Proposed infrastructure and landscape works for plots B1 (a), B1(b) and A3 uses permitted by permissions 98/00253/OUT and 02/00054/OUT (Granted 11/09/2003)

04/00500/S73 Proposed variation of conditions 2 and 3 on permission 98/00253/OUT to extend the period to 20/05/2010 and 20/05/2012 respectively (Granted 05/10/2004)

05/00907/REM - Proposed approval of reserved matters (98/00253/OUT) for two and three storey detached and semi-detached office accommodation (Granted 13/12/2005)

05/00695/REM - Proposed two storey detached and semi-detached office accommodation- reserved matters pursuant to outline permission (Withdrawn)

01/00356/OUT - Outline application for 2/3 storey office buildings (40,000sq.m.) and office park amenity/cafe building (Granted 12/11/2001)

04/00502/S73 - Proposed variation of conditions 2 and 3 on permission 01/00356/OUT to extend time periods to 20/05/2010 and 20/05/2012 respectively (Granted 05/10/2004)

10/00181/S73 - Proposed variation of Condition Nos. 2 & 3 of planning consent 01/00356/OUT to replace extant planning permission and extend the time limit for implementation by a further 10 years (Granted 31/03/2017)

## **2. THE APPLICATION**

### 2.1 The Proposal

The applications seeks outline planning permission, with all matters reserved except for access, for the residential led mixed use development of the site, comprising of residential (Use Class C3), employment (Use Class B1) and local centre uses (Use Class A1-A4/D1) and associated infrastructure, landscaping and land remodelling.

In summary, the proposed parameters of the application include the following uses and amounts:

Residential - Up to 350 Dwellings (Use Class C3)

Local Centre - Up to 2,000sq.m (Gross Internal Floor Space) comprising Use Classes A1, A2, A3, A4 and D1

Employment - Up to 30,000sq.m (Gross Internal Floor Space) of Use Class B1

## 2.2 Documentation

The application is accompanied by the associated plans, planning statement, design and access statement (DAS), and an Environmental Statement (ES) covering the topics of landscape and visual, ecology and nature conservation, transport and access, air quality and dust, noise and vibration, climate change and cumulative impact.

In addition to above individual reports have also been submitted including a Statement of Community Involvement (SCI), Drainage and Flood Risk Statement, Transport Assessment, Framework Travel Plan, Geoenvironmental Report, Arboricultural Report, Heritage Assessment, Ecological Survey Reports, Habitat Regulations Assessment and Market Report.

## **3. POLICY CONTEXT**

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

### **THE DEVELOPMENT PLAN**

The Development Plan for Halton is made up of the Halton Unitary Development Plan (2005), the Halton Core Strategy (2013), and the Joint Merseyside and Halton Waste Local Plan (2013). The following policies from each document are considered to be of particular relevance.

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

The site is allocated for proposed employment development (Site Ref. 240/7, 240/0 and 241) on the Halton Unitary Development Plan Proposals Map.

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- BE5 Other Sites of Archaeological Importance;
- BE22 Boundary Walls and Fences;
- GE21 Species Protection;
- H3 Provision of Recreational Greenspace;
- PR4 Light Pollution and Nuisance;
- PR8 Noise Sensitive Developments;
- PR14 Contaminated Land;

- PR16 Development and Flood Risk;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;
- TP14 Transport Assessment;
- TP15 Accessibility to New Development;
- TP17 Safe Travel For All;
- TC6 Out of Centre Retail Development
- H2 Design and Density of New Residential Development
- H3 Provision of Recreational Greenspace
- E1 Local and Regional Employment Land Allocations
- E4 Complementary Services and Facilities within Primarily Employment Areas

### 3.2 Halton Core Strategy (2013)

- CS1 Halton's Spatial Strategy;
- CS2 Presumption in Favour of Sustainable Development;
- CS3 Housing Supply and Locational Priorities;
- CS5 A Network of Centres
- CS7 Infrastructure Provision;
- CS12 Housing Mix;
- CS13 Affordable Housing;
- CS15 Sustainable Transport;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS20 Natural and Historic Environment;
- CS21 Green Infrastructure;
- CS22 Health and Well-Being;
- CS23 Managing Pollution and Risk;
- CS24 Waste.

### 3.3 Joint Merseyside and Halton Waste Local Plan (2013)

- WM8 Waste Prevention and Resource Management;
- WM9 Sustainable Waste Management Design and Layout of New Development.

## **MATERIAL CONSIDERATIONS**

The National Planning Policy Framework (NPPF) was published in February 2019 to set out the Government's planning policies for England and how these should be applied.

The following Supplementary Planning Documents are material considerations, and provide specific guidance in support of the Development Plan Policies: Design of New Residential Development SPD, Design of New Industrial and

Commercial Development SPD, Shop Fronts, Signage and Advertising SPD; and Provision of Open Space Draft SPD.

#### **4. CONSULTATIONS**

##### Highways and Transportation Development Control

No objection to the proposed development subject to conditions.

##### Lead Local Flood Authority (LLFA)

No objection to the proposed development subject to conditions.

##### Environmental Protection

No objection to the proposed development, subject to conditions and final design.

##### Contaminated Land Officer

No objection to the proposed development subject to a conditions relating to ground investigation, remediation and verification.

##### Environment Agency

No objection to the proposed development subject to a conditions relating to ground investigation, remediation and verification.

##### Highways England

Highways England offers no objection to the proposals, subject to conditions relating to drainage and fencing details adjacent to the motorway.

##### Network Rail

Network Rail have raised concerns in relation to additional footfall and additional risk on Norton Level Crossing. They have recommended closure of the crossing and diversion of the footpath.

##### Landscape Architect – Design & Development, Open Space Services

Proposals contained within the Design and Access Statement and supporting Illustrative Layout plan comprise brief descriptions of the proposed development. At this stage there is insufficient information to comment in detail on the quality of Landscape Design elements. Guidance provided which should be used in the layout and landscaping design at reserved matters stage.

##### Merseyside Environmental Advisory Service – Ecology and Waste Advisor

No objection to the proposed development, subject to conditions.

Canal and River Trust

This application falls outside the notified area for its application scale. No requirement for you to consult.

Cheshire Archaeology Planning Advisory Service

No objection to the proposed development, subject to a condition securing a scheme of archaeological work.

Cheshire Police – Designing Out Crime Officer

No objection.

Pipelines (Penspen)

The Essar and Shell pipelines will not be affected by the proposed development.

United Utilities

No objection, subject to conditions.

Natural England

No objection, subject to conditions.

Conservation & Design Advisor / Archaeological Planning Advisor

No objection to the proposed development subject to a condition for a scheme of archaeological work.

SP Energy Networks

No objection, subject to easements being maintained in final design.

Mike Amesbury MP

The MP has outlined his constituents concerns if Red Brow Lane were to be closed, which would prevent to access agricultural fields that she farms. The MP asks for these concerns be into account and, if the developer is seeking to obstruct Red Brow Lane in this way, consider requiring alternatives to keep Red Brow Lane open and accessible.

Daresbury, Preston Brook and Sandymoor Parish Councils

No comments received.

## **5. REPRESENTATIONS**

A total of 30 representations have been received in relation to the application. The principle issues raised relate to the following:

- Provision of safe walking routes connected to existing built up areas
- Loss of greenfield land
- Loss of trees and woodland
- Loss or views from property
- Visual impact
- Impact on wildlife and habitats
- Impact on local badger populations
- Vacant buildings and brownfield land should be used instead
- Pollution of Bridgewater Canal
- Noise and light pollution
- Lack of infrastructure including shops and schools
- Insufficient bus services to serve the site, people would be reliant on cars
- Already enough housing in the area
- Anti-social behaviour
- Access to Bridgewater Canal from Redbrow Lane
- Houses would not be affordable
- Lack of need for more offices
- Did not receive consultation letter
- Impact on access to agricultural land off Redbrow Lane

One representation has been received support.

## **6. ASSESSMENT**

### **6.1 Principle of Development**

The application site is predominantly greenfield with the exceptions of existing road infrastructure. It is allocated for employment development in Policy E1 of the Halton Unitary Development Plan and the associated proposals map, and is identified as regional employment allocation made up of Site Refs 240/7, 240/0 and 241. It also forms part of East Runcorn Key Area of Change as defined in Policy CS11 of the Core Strategy.

The use of housing on the site therefore constitutes a departure from Halton's Development Plan. In accordance with the Development Management Procedure Order 2015 the application has therefore been advertised in the local press and by site notice, as a departure.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the NPPF require applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Policy CS4 of the Core Strategy states that in order to secure Halton's economic future existing employments uses in Halton's Local Employment Areas and Regional Employment Sites will be retained as such, unless an alternative use can be proven to be of greater benefit to the Borough than retaining the land for employment purposes.

Whilst the land covered by the application site is not currently in employment use as such, it does form part of the wider Daresbury Park area and over the years has benefited from multiple planning permissions for further office park development. Therefore, the principle of reviewing the need for existing employment areas, as outlined in CS4, is considered to be a material consideration.

Therefore, in accordance with CS4 the applicant has provided a planning statement and associated market report (Knight Frank, May 2020) in support of the application. These documents provide an examination of the overall employment land situation, a review of the suitability of the land for employment use and for the proposed use, having regard to the site location surrounding uses and the supply and demand of offices in the area.

In summary the report outlines how Daresbury Park was conceived several decades ago in different market conditions. In more recent years demand has shifted towards town and city centres which provide employees with a choice of modes of travel and a variety of amenities. It also notes that schemes are now being built to respond to occupiers' requirements instead of being built speculatively.

The market report explains how in recent years Daresbury Park has had significantly less take up than similar competing out of town sites in the Warrington area. In particular those which are located near to the M62/M6 have been more attractive for occupiers. For example, in the Warrington area over the last 7 years 41% of office take up has been in Birchwood compared to only 9% at Daresbury Park.

The reports states that the original Daresbury Park scheme was envisaged to take 20-25 years to build out, but given it is now 25 years into the scheme, it is likely to take much longer, possibly twice as long. In response to the changes in supply and demand, the report concludes that a more realistic approach would be to reduce the amount of land for employment use to meet the expected demand over the next 5 to 10 years. This would require the mixed uses to be built alongside to act as a catalyst, attract occupiers and aid in their retention.

Therefore, a realistic view has to be taken on the likelihood of the land being brought forward entirely for employment or whether it would currently be more sustainable to release part of the land for residential and mixed use. This is a position which is reflected within the emerging Delivery and Allocations Local Plan (DALP) and associated proposals map which proposes to allocate the land for the north part of the site for residential use, allowing the central part for

mixed uses, whilst retaining some employment land in the southern part closest to the M56.

Based on the evidence put forward by the applicant and the level of demand for out of town offices, the proposal represents a more realistic approach that would help secure a deliverable amount of employment land, alongside new housing. The mix of local centre uses would also provide complementary services to the existing and future occupiers of the business park, helping to attract new occupiers and retain existing ones, these are considered to be significant material consideration. Consequently, despite being allocated for employment development in the UDP and Core Strategy, the application should not be refused on the grounds of retaining the entire site for employment use any further.

### 6.2 Layout, Scale and Appearance

The application has been submitted in outline, and seeks to establish the principle of a mixed use development comprising up to 350 dwellings, up to 2,000sq.m of local centre uses consisting of Use Classes A1, A2, A3, A4 and D1, and up to 30,000sq.m of employment Use Class B1.

The layout, scale and appearance are reserved for future consideration, however the applicant has provided a number of plans including a parameters plans, an illustrative layout plan, and an illustrative framework plan. These show how the applicant proposes to separate the site into three distinctive areas, including residential to the north of Red Brow Lane, mixed residential and local centre uses in the middle, and employment (B1) uses in the southernmost part of the site.

The submitted plans also illustrate how the internal roads, footpaths and general circulation routes could be laid out, as well how areas of public open space could be integrated into the layout of the different areas. These plans are only intended to demonstrate the suitability of the amount of development being sought. The layout would not be restricted to that shown on the indicative layout.

A suitable detailed layout for the site is something which would need to be demonstrated through a reserved matters application. The scale and appearance of the proposed buildings is also something that would also be considered as part of a reserved matters application.

The submitted illustrative plans provide enough information to demonstrate that the development is acceptable in principle. The final design to be submitted reserved matters will need to demonstrate, and that layout, scale and appearance of the development meet the relevant design standards contained within the Design of New Residential Development SPD, Design of New Industrial and Commercial Development SPD, Shop Fronts, Signage and Advertising SPD and Policies BE1, BE2 and H6 of the Halton UDP and CS18 of the Halton Core Strategy.

### 6.3 Highways and Access

The application has been submitted with a Transport Statement to support the proposal, as well as plans detailing the location and geometry of the proposed access from the Daresbury Park roundabout to the east of the site have been provided. The illustrative layout and framework plans show how the internal roads, pedestrian and cycle routes could be laid out and connect into the surrounding networks.

Based on the information that has been provided, including the details of the primary access from the Daresbury Park roundabout, the Highway Officer is satisfied that the site is accessible, and that proposed access arrangements will cater for the number of anticipated movements generated by the development. Sufficient space would also be set aside within the site to allow for it to be suitably serviced, whilst providing the required number of car parking spaces for each of the proposed uses. The Highway Officer does note that improvements would need to be made to the illustrative layout to promote better connectivity to adjoining sites. However, at this stage they are only indicative, the final design and layout of the highway and circulation routes would be considered as part of a reserved matters application.

A financial contribution towards sustainable transport improvements is also recommended. This would include improvements to bus services in the area which is considered necessary to ensure new residents and occupiers of the site have access to public transport, and to promote more sustainable modes of travel other than the private motor vehicle.

The Highway Officer also recommends that the reserved matters and conditions make provision for and secure the implementation of secure cycle parking, electric vehicle charging points, parking provision and a construction management plan.

Representations have been received from an adjoining land owner and numerous anglers, raising concerns that the proposed development would prevent or hinder access to the agricultural fields either side of the site, and access to the canal if Red Brow Lane were to be closed to vehicles. As they need to bring farming machinery to the fields, and anglers need to park near the canal.

In light of the above concerns the application has been amended, and it is no longer proposed to close off Red Brow Lane. Whilst a new junction would be required on Red Brow Lane to allow for the connectivity between the north and southern parts of the site, this will be designed to ensure that access to adjoining sites and to the canal is not affected. The final construction details of this would need to be submitted and approved at the reserved matters stage.

Based on all the above, the proposed development is considered to be acceptable from a highways, transportation and accessibility perspective. It accords with Policies BE1, TP6, TP7, TP12, TP14, TP15, TP17 and TP18 of

the Halton Unitary Development Plan and Policy CS15 of the Halton Core Strategy Local Plan.

#### 6.4 Network Rail

Network Rail (NR) have raised concerns in relation to additional footfall and associated risk on Norton Level Crossing. They have provided an assessment of three options, including its closure and diversion, the provision of a pedestrian overbridge, or a new underpass. Due to land ownership, physical constraints and cost implications, NR consider these three options prohibitive, and have deemed the risk at the existing crossing to be as low as is reasonably practicable. Therefore, they have recommended closure of the crossing.

The pedestrian and cycle route at Norton Crossing is identified in figure 12 of Policy CS11 in the Halton Core Strategy, it forms part of the adopted strategy for connecting east Runcorn to surrounding areas. Therefore, its closure would be inconsistent with CS11. It is acknowledged that there is likely to be an increase in crossings because of the new residential development, and the Council is committed to investigating improvements and provide safe links to surrounding communities. However, this is considered to be a long term issue, to be addressed as new development within the wider east Runcorn area comes forward.

As part of this proposal a financial contribution is recommended, this will provide opportunities to deliver improvements to connectivity and public rights of way, including safe routes across the railway. This is considered to be in accordance with Policy CS11 of the Core Strategy and paragraph 108 of the NNPF.

The maintenance and safety of the level crossing is the responsibility Network Rail. The Council can make a decision in favour of the development in accordance with the NPPF paragraph 11 as in this regard, it accords with an up to date development plan, and there are no material considerations to indicate otherwise.

#### 6.5 Flood Risk and Drainage

The application site is less than 1ha in area, and located in Flood Zone 1 which is shown to have a low fluvial, tidal flood risk on the Environment Agency Long Term Flood Risk Maps, with less than 1:1000 annual probability of sea or river flooding.

As the application site is over 1 hectare and proposal would introduce a more vulnerable residential use onto the site the applicant has provided a drainage and flood risk report in support of the proposals to demonstrate how surface water drainage could satisfactorily be addressed.

The flood risk and drainage report makes recommendations for mitigation against the risk of surface water flooding, and recommended the use of Sustainable Urban Drainage where possible.

The LLFA is satisfied the applicant has considered flood risk and drainage from the site appropriately for an outline application. As the drainage strategy has not been finalised, the LLFA recommended conditions for the submission of a final detailed strategy based on the SUDS hierarchy, including its implementation, maintenance and management, and verification of the scheme.

Based on the above, and subject to the relevant conditions the proposal is considered to be acceptable from a flood risk and drainage perspective in compliance with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

#### 6.6 Noise, Vibration and Air Quality

The applicant has supplied a noise assessment report to support the application. The report assesses the potential impact from the construction phase and its impact on existing dwellings, as well as the noise impact from the surroundings on the operational phase.

The report concludes that during the construction phase acceptable noise levels based on the standards (BS5228-1:2009) can be achieved across most of the site. Although in the northern part near Crows Nest, mitigation measures would be required. Given the temporary nature of the construction works, this can be satisfactorily addressed by a conditions requiring a mitigation plan and hours of construction work. The report also concludes that the vibration impact from construction activities and traffic during the construction phase would be negligible.

In terms of the operational phase, the report concludes that the impact of additional traffic generated by the development would be negligible in acoustic terms.

With regards to the new dwellings, the indicative layout plan shows that these would be located to the north of the site, separated from the M56 by the proposed local centre uses which would be located centrally, and the B1 uses which would be closest to the motorway. All residential properties would need to meet the relevant standards (BS8233:2014) internally with the windows open at the point of occupation.

The Environmental Health Officer notes that this cannot be reliant on the commercial buildings to the south of the proposed dwellings acting as an acoustic screen as there is no guarantee in which order the site would be built out. Therefore a further noise report would be required to demonstrate the

above standard can be met. Given the proposal is outline it is reasonable for this matter to be dealt with by way of condition.

The Environmental Health Officer would have some concerns if the commercial units were to be used for general industry (B2) or storage and distribution (B8) as these uses could have the potential to generate greater noise, as further details would be required on the end users. However, the employment uses proposed in this application are only Use Class B1 (office, light industrial, research and development). Therefore any future B2 or B8 uses would need be assessed in a separate application.

The submitted air quality report recognises that there will be the potential for some dust generation during construction, but that it will present a low risk to human health. Given the size of the site, and potential proximity of dwellings during construction it is recommended that a scheme for dust mitigation is conditioned. This could form part a construction environmental management plan. The air quality report also concludes that during the sites operation the additional traffic would have a negligible impact on air quality.

Based on the above, subject to approval of the final design and conditions the proposal is considered acceptable from a noise, vibration and air quality perspective in compliance with Policies BE1 and PR8 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

### 6.7 Ground Contamination

The application is accompanied by a geo-environmental desk study report (JPG Ltd, June 2020). This has been reviewed by the Contaminated Land Officer who notes that the land is largely undeveloped as far as historical records show, with the exception of a number of small buildings that were located in the southern part of the site, and some areas of quarrying. He also notes there was a world war two anti-aircraft battery sited at Red Brow which will need to be considered as part of further site investigation.

Given that the application is outline, no objection has been raised subject to a condition being attached which for further detailed site investigation, assessment, and if necessary, a remediation strategy, securing of its implementation, and provision of a verification report to ensure that any ground contamination is dealt with appropriately.

The attachment of the condition above will ensure compliance with Policy PR14 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

## 6.8 Ecology & Geological Conservation

The application site consists predominantly of previously undeveloped land agricultural fields bound by mature hedgerow in the northern part, and unmanaged grassland and trees in the southern part of the site. It is located approximately 6.5km from the Mersey Estuary which is internationally designated for protection as a Special Protection Area (SPA) and is also designated as a Ramsar for its importance as a unique wetland types and importance in conserving biological diversity.

The applicant has submitted a Habitats Regulations Assessment (HRA) report. The report concludes no impacts on the protected site as a result of the loss of habitat for qualifying bird species, and that there would be no likely significant effects on the European site as a result of recreational pressures impacts.

The application has also been submitted with a number of ecological surveys and reports including birds, bats, reptiles, badgers and great crested newts. These are considered to be acceptable and conditions are recommended to secure protection of nesting birds, bats, badgers and hedgehogs. As well as the provision of birds nesting boxes, a landscaping details, biodiversity management plan, and the submission of a Construction Environmental Management Plan (CEMP).

Merseyside Environmental Advisory Service have no objections subject to conditions in relation to this mitigation, a construction environmental management plan. The proposal is therefore considered to comply Policies GE21 of the Halton Unitary Development Plan and Policy CS20 of the Halton Core Strategy Local Plan.

Red brow lane passes through a cutting, this is a located adjacent to the northern boundary of the southern part of the site. Red Brow cutting is a Site of Special Scientific Interest ('SSSI'), designated for its geological interest. Natural England have been consulted as a statutory consultee in respect of this matter, conditions are recommended for a scheme to ensure that the integrity of the SSSI is protected during the construction works.

## 6.9 Trees and Landscaping

The application is accompanied by an Arboricultural Impact Assessment. The majority of trees within the site are located within the southern part of the site south of Red Brow Lane. There are no Tree Preservation Orders in force at this site and the area does not fall within a designated Conservation Area, therefore do not benefit from statutory protection.

Clearly a substantial amount of trees in the southern part of the site, many which would appear to be self-seeded, would be removed. However, the proposals contained within the Design and Access Statement and supporting Illustrative layout plan comprise brief descriptions of the proposed development. At this stage there is insufficient information to comment in detail on the any quality of landscape design elements, or any existing trees or landscaping that would benefit from being integrated into the scheme. The Council's Landscape Architect has provided guidance and will assess the landscaping design at reserved matters stage.

A planning condition would ensure that the proposed landscaping scheme would adequately compensate for the loss. In respect of the trees to be retained, a tree protection method statement has been submitted, and its implementation should be secured by condition.

Based on the above, the proposal is considered acceptable from a tree perspective in compliance with Policies BE1 and GE27 of the Halton Unitary Development Plan and Policy CS21 of the Halton Core Strategy Local Plan.

#### 6.10 Open Space

The requirements for the provision of recreational greenspace within new residential developments are set out in Policy H3 of the Halton Unitary Development Plan.

The indicative plans submitted with the application show that there is potential within the site for onsite public open space provision. However, given that the proposal is in outline and the layout and landscaping are to be reserved, the amount or type of any onsite provision is yet to be finalised.

Planning conditions will ensure that any onsite provision is adequately landscaped and maintained, whilst any outstanding deficiencies would be met through a financial contribution in lieu of on-site provision. It is recommended that the financial contribution be secured by Section 106 agreement.

Based on the above, it is considered that the proposal would meet the local needs of the people living there, with regards to open space provision. It would also be in compliance with Policy H3 of the Halton Unitary Development Plan.

#### 6.11 Affordable Housing

Policy CS13 of the Halton Core Strategy Local Plan states that affordable housing units will be provided in perpetuity, on schemes including 10 or more dwellings (net gain) or 0.33 hectares or greater for residential purposes.

The policy states affordable housing will be sought at 25% of the total residential units proposed. The affordable housing contribution may only be reduced where robust and credible evidence is provided to demonstrate that the affordable housing target would make the development unviable.

Given that the application is outline and the details are yet to be confirmed, it is considered that the tenure of the properties could also be deferred to reserved matters stage when the scheme is finalised.

Therefore, it considered reasonable to attach a condition which secures the submission of a scheme, its subsequent implementation and maintenance thereafter. For the avoidance of doubt and in accordance with the Council's adopted Affordable Housing SPD.

Subject to securing affordable housing in the S106, the proposal is considered to be compliant with Policy CS13 of the Halton Core Strategy Local Plan and the Affordable Housing Supplementary Planning Document.

#### 6.12 Archaeology

The Council's Conservation Advisor has been consulted on the application, and has advised that archaeological deposits within the proposed development area include two WWII aircraft features and the township boundary which runs west to east through the centre of the PDA before turning north to south at the east of the site. Each of these archaeological features will require works in order to identify and record any surviving below ground remains.

It is recommended that the suggested archaeological work be secured by condition to ensure that the proposal is compliant with Policy BE5 of the Halton Unitary Development Plan, Policy CS20 of the Halton Core Strategy Local Plan and paragraphs 189-192 of NPPF.

#### 6.13 Sustainable Development and Climate Change

Policy CS19 of the Halton Core Strategy Local Plan outlines some principles which will be used to guide future development. The NPPF is supportive of the enhancement of opportunities for sustainable development and it is considered that any future developments should be located and designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles.

The incorporation of facilities for charging plug-in and other ultra-low emission vehicles could be realistically achieved for this development. A condition is recommended to secure this.

One of the principles referred to in the policy is Code for Sustainable Homes. Whilst it is desirable to meet such a standard, given links with Sustainable Development and Climate Change, following the Government's Written

Ministerial Statement in March 2015, it is no longer for Local Authorities to secure the implementation of a particular level of Code for Sustainable Homes by planning condition. Based on the above, the proposal is considered compliant with Policy CS19 of the Halton Core Strategy Local Plan.

6.14 Waste Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, the developer would be required to produce a Site Waste Management Plan which can be secured by condition. In terms of waste management, the application is outline, so details relating to household, commercial and industrial waste storage and collection will be required at reserved matters stage, which can also be secured by condition.

6.15 Other Matters

The designing out crime officer at Cheshire Police has commented on the application. The area is generally low in crime, and whilst no objections are made, recommendations for the detailed design have been made and the applicant is asked to consider providing robust perimeter fencing between the industrial and residential areas, the need to consider natural surveillance and location of car parking areas to avoid anti-social behaviour, the use of 1.8m high close boarded fencing to rear of residential properties, try to avoid blank gables on end properties for natural surveillance. As well a more general recommendations in relation to the standard of windows and doors. They would also welcomed a Secured by Design Application from the developers.

SP Energy Networks operate and manage the electricity network on behalf of the licenced network operator for the area. They have reviewed the application and are satisfied that the proposed development does not undermine the existing overhead power lines which cross the site. They do however note that some buildings on the indicative plans do come within close proximity to the overhead lines. The final design will need to ensure that the statutory clearances between any new buildings and overhead lines are met. A copy of these comments have been provided to the applicant, to ensure this matter is addressed at the detailed design stage. An informative providing the operators contact details is also recommended.

**7. CONCLUSIONS**

In conclusion, the level of demand for out of town offices in the area has significantly reduced in recent years. The applicant's proposal represents a more realistic approach to developing out the remaining parts of Daresbury

Park. The mix of residential and local centre uses would act as a catalyst for the development of the rest of Daresbury Park.

The proposal would provide complementary services to support the retention of existing occupiers, attract new ones, and help to secure a deliverable amount of employment land to meet future needs. These are considered to be significant material considerations.

The proposal is in outline with layout, scale, appearance and landscaping matters reserved for future determination. The applicant has provided enough information to demonstrate that a scheme of up to 350 dwellings, the local centre and employment floor space proposed can be designed and accommodated within the site. There is sufficient space within the site to accommodate the Council's standards for new residential and commercial development in the final design.

The details of the primary access point to site from Daresbury Park are considered to be acceptable. The final layout at reserved matters stage will ensure suitable circulation and connectivity for motor vehicles, pedestrians and cyclists routes, and that there is sufficient levels of car parking to serve the development.

Although the proposal is a departure from Policy E1 of the Halton Unitary Development Plan, it is considered to be sustainable development consistent with the economic, social and environmental roles of sustainable development outlined in paragraph 8 of the NPPF.

Consequently, despite being allocated for employment development in the UDP and Core Strategy, the application should not be refused on the grounds of retaining the entirety of the site for employment use any further.

## **8. RECOMMENDATION**

That the application is approved subject to the following:

**a) The entering into a Legal or other agreement relating to a financial contribution in lieu of on-site open space provision; financial contribution towards the improvement of public rights of way including railway crossing; and financial contribution towards sustainable transport improvements.**

**b) Conditions relating to the following:**

1. Standard outline conditions for the submission of reserved matters applications (BE1)
2. Condition setting out the parameters of the permission including number of dwellings, permitted uses and floor space (BE1).
3. Condition for a phasing plan (BE1)

4. Plans condition listing relevant drawings i.e. site location / red edge, access details (BE1 and TP17)
5. Submission and agreement of a submission of a construction environmental management plan which will include, dust mitigation wheel cleansing details, hours of construction and deliveries (BE1)
6. Submission of ground investigation report, mitigation measures and validation (PR14 and CS23)
7. Submission of existing and agreement of proposed site levels ( BE1)
8. Submission and agreement of external facing materials (BE1 and BE2)
9. Condition(s) for the submission and agreement of boundary treatments, landscaping, management and maintenance (BE1 and BE22)
10. Condition(s) for tree report and protection measures (GE27)
11. Conditions(s) for breeding birds protection and bird nesting boxes scheme (GE21 and Policy CS20)
12. Condition(s) securing the protection and mitigation measures for bats (GE21 and Policy CS20)
13. Condition(s) for badger and hedgehog reasonable avoidance measures (GE21 and Policy CS20)
14. Method statement for the irradiation of invasive species (GE21 and CS20)
15. Submission of a biodiversity action plan (GE21 and CS20)
16. Electric Vehicle Charging Points Scheme (CS19)
17. Condition(s) for parking, access and servicing provision (BE1, TP6, TP7, TP12, TP15 and TP17)
18. Submission of noise report (PR2)
19. Drainage strategy based on the SUDS hierarchy, including its implementation, maintenance, management, and verification of the scheme (PR16 and CS23)
20. Foul and surface water on a separate system (PR16 and CS23)
21. Waste Audit – (WM8)
22. Submission and implementation of a scheme for archaeological work (CS20)
23. Provision of affordable housing (CS13)

c) That if the S106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.

## **9. BACKGROUND PAPERS**

The submitted planning applications are background papers to the report. Other background papers specifically mentioned and listed within the report are

open to inspection at the Council's premises at Municipal Building, Kingsway, Widnes, WA8 7QF in accordance with Section 100D of the Local Government Act 1972

## **10. SUSTAINABILITY STATEMENT**

As required by:

- The National Planning Policy Framework (2019);
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.

<b>APPLICATION NO:</b>	20/00355/FUL
<b>LOCATION:</b>	Unit 2 Goddard Road, Astmoor Industrial Estate, Runcorn, Cheshire, WA7 1QF
<b>PROPOSAL:</b>	Proposed demolition of existing single storey office and replacement with a new two storey office and joining of the two existing industrial units with a link extension
<b>WARD:</b>	Halton Castle
<b>PARISH:</b>	None
<b>AGENT(S)/APPLICANTS(S)</b>	Summit Constructions/Tempo Pano Uk Ltd
<b>DEVELOPMENT PLAN ALLOCATION:</b> National Planning Policy Framework (2019) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Primarily Employment Area
<b>DEPARTURE:</b>	No
<b>REPRESENTATIONS:</b>	None
<b>KEY ISSUES:</b>	Principle of development, design, drainage, contaminated land and highway issues
<b>RECOMMENDATION:</b>	Approve
<b>SITE MAP:</b>	

## **1. APPLICATION SITE**

### **1.1 The Site**

The site subject of the application is Unit 2 Goddard Road in Runcorn. It measures approximately 1.50 Hectares in size and is located within Astmoor Industrial Estate. The site is occupied by two industrial buildings and a single storey office building. The site is located within a Primarily Employment Area as designated by the Halton Unitary Development Plan Map.

### **1.2 Planning History**

There is no relevant planning history associated with this site.

## **2. THE APPLICATION**

### **2.1 The Proposal**

The proposed development involves the demolition of the existing single storey office. This would be replaced by a new two storey office. The two existing industrial portal frame buildings to the rear of the office would be linked together by adding a portal frame extension between them.

### **2.2 Documentation**

The application is supported by the following documents:

- Supporting Planning Statement, Summit Constructions
- Geo-Environmental Phase 1 Desk Study, adeptus Consulting, Report No.:A200715-R01 Revision 1, Dated: July 2020

## **3. POLICY CONTEXT**

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

### **3.1 National Planning Policy Framework**

The National Planning Policy Framework (NPPF) was published in July 2019 to set out the Government's planning policies for England and how these should be applied.

Paragraph 47 states that planning law requires for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on application should be make

as quickly as possible and within statutory timescale unless a longer period has been agreed by the applicant in writing.

Paragraph 11 and paragraph 38 state that plans and decisions should apply a presumption in favour of sustainable development and that local planning authorities should work in a positive and creative way, working pro-actively with applicants to secure developments that will improve economic, social and environmental conditions of their areas.”

Paragraphs 80-82 states the need for planning policies and decisions to be made to create conditions in which business can invest, expand and adapt. Significant weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It encourages an adaptive approach to support local and inward investment to meet the strategic economic and regenerative requirements of the area.

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

The following policies within the adopted Unitary Development Plan are considered to be of particular relevance:

- BE1 General Requirements for Development
- BE2 Quality of Design
- PR2 Noise Nuisance
- PR14 Contaminated Land
- PR6 Development and Flood Risk
- TP6 Cycling Provision as Part of New Development
- TP7 Pedestrian Provision as Part of New Development
- TP12 Car Parking
- E3 Primarily Employment Areas
- E5 New Industrial and Commercial Development

### **3.3 Halton Core Strategy (2013)**

The following policies contained within the Core Strategy are of particular relevance:

- CS1 Halton’s Spatial Strategy
- CS2 Presumption in Favour of Sustainable Development
- CS4 Employment Land Supply and Locational Priorities
- CS15 Sustainable Transport
- CS18 High Quality Design
- CS19 Sustainable Development and Climate Change
- CS23 Managing Pollution and Risk

### **3.4 Joint Merseyside and Halton Waste Local Plan (2013)**

The following policies, contained within the Joint Merseyside and Halton Waste Local Plan are of relevance:

- WM8 Waste Prevention and Resource Management;
- WM9 Sustainable Waste Management Design and Layout of New Development.

### **3.5 Supplementary Planning Documents (SPD)**

- Design of New Industrial and Commercial Development SPD

## **4. CONSULTATIONS**

- **HBC Highways**  
1<sup>st</sup> round consultation: Objection  
2<sup>nd</sup> round consultation: Issues have been resolved, no objection
- **HBC Contaminated Land**  
No comments received at time of writing report
- **HBC Lead Local Flood Authority**  
No objection subject to conditions
- **HBC Major Projects**  
Support the application, no objections
- **Mersey Gateway Environmental Trust**  
No comments received at time of writing report
- **Halton Chamber Of Commerce**  
No comments received at time of writing report
- **United Utilities**  
No objection

## **5. REPRESENTATIONS**

The application was advertised by a press advert in the Widnes & Runcorn Weekly News on 23.07.2020, a site notice posted on 22.07.2020 and 13 neighbour notification letters sent on 23.07.2020. No representations have been received from the publicity given to the application.

## **6. ASSESSMENT**

### **6.1 Proposed development**

The proposal is a full planning application for the demolition of the existing single storey office and the proposed construction of a replacement two storey office building. The proposed office building would measure 12.8m by 38.3m and materials proposed consist of brick walls with glazed panels and a steel profile composite roof.

An extension is proposed to link the two existing industrial buildings together (located behind the proposed office building). The proposed extension would measure 14.1m by 30.7m with a max height of 10.2m. The proposed extension link would have steel profile walls and a roof to match the existing industrial buildings.

Given the increase in floor space proposed, additional car parking spaces, cycle parking and electric vehicle charging facilities will also be provided.

## **6.2 Principle of Development**

The site is designated as a Primarily Employment Area in the Halton Unitary Development Plan (UDP). UDP Policy E3 highlights that development falling within Use Classes B1 (Business), B2 (General Industry) and B8 (Storage and Distribution) will be permitted in such areas. The proposals are considered to accord with this policy and the development can be considered appropriate in principle.

## **6.3 Design and Character**

In terms of the external appearance of the proposed office building and industrial building extension link, these are considered to be of a good quality of similar style and character to surrounding buildings. Materials and colour will be consistent with those used for this type of development and other similar developments within the borough.

The elevations of the proposed office building will consist of brick and will be broken up by glazed panels. Profile cladding will be used for the external finish on the industrial building. Details of specific materials to be used can be secured by condition. The buildings and wider development are considered to be of a quality appropriate to the site and wider area.

## **6.4 Highway Considerations**

The Council's Highways Officer has reviewed the proposed development. The submitted planning drawings indicated a total of 31 car parking spaces. When assessed against the maximum parking requirements set out within the Halton Unitary Development Plan, a development of this size requires a maximum of 62 car parking spaces. The Council's Highways Officer therefore objected to the proposed development given the lack of sufficient parking provision for the proposed development.

Amended plans have been submitted addressing these issues and there is now proposed provision for 60 standard car parking spaces, including 5

electric charging points together with 4 disabled parking spaces, 5 motorcycle or mobility scooter spaces and 16 cycle spaces. There is now sufficient parking provision to support the proposed development in accordance with Policy TP12 of the Halton Unitary Development Plan.

Further details are required with regards to refuse storage and collection proposals. It would be reasonable to secure these details by condition.

The proposal is considered to be acceptable and compliant with Policies BE1, TP6, TP7, TP12 and TP17 of the Halton Unitary Development Plan.

### **6.5 Flood Risk and Drainage**

The application has been reviewed by the Lead Local Flood Authority who have commented as follows:

*The site is a brownfield industrial site. The proposed development is not likely to affect the hardstanding area currently on site. The Environment Agency Long Term Flood Risk Maps show the site to have predominantly very low surface water flood risk, with a small area of medium surface water ponding, likely due to an area of lower ground between the two existing buildings.*

*The application mentions the applicant plans to drain the surface water to a watercourse, this is assumed to be the one 20m to the north of the site and drain foul waters by mains sewer.*

*Based on the above, the LLFA does not object to the proposed development, however further details would be required to confirm the drainage strategy is sufficient for the proposed development prior to the commencement of any building works being undertaken to ensure there is no increase in risk of flooding at the site.*

The requirement for the submission of details of the implementation, maintenance and management of SUDs scheme for the disposal of surface water and its subsequent implementation to satisfy both the Lead Local Flood Authority and United Utilities can be secured by condition.

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

Further advice provided by the Lead Local Flood Authority and United Utilities can be attached as an informative.

### **6.6 Noise and Amenity**

Given the location of the application site and the industrial character of the surrounding area, it is not considered that the impact of noise on amenity would be severe. There are no residential properties located nearby the application site, therefore it is considered that given the nature of the development and the location of the site, the proposed development would not result in a detrimental impact on amenity and is acceptable in accordance with Policy PR2 of the Halton Unitary Development Plan.

### **6.7 Contaminated Land**

The application has been supported by the following document:

- Geo-Environmental Phase 1 Desk Study, adeptus Consulting, Report No.:A200715-R01 Revision 1, Dated: July 2020

Comments have not yet been received from the Council's Contaminated Land Officer. Members will be updated accordingly at Planning Committee Meeting.

### **6.8 Waste, Sustainable Development and Climate Change**

The proposal involves construction activities and policy WM8 of the Joint Merseyside and Halton Waste Local Plan (WLP) applies. This policy requires the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

The applicant has not provided information with respect to provision of on-site waste storage and management to demonstrate compliance with policy WM9 of the Joint Merseyside and Halton Waste Local Plan. It is considered that this can be secured by a suitably worded condition.

## **7. CONCLUSIONS**

The application seeks permission for the demolition of the existing single storey office. This would be replaced by a new two storey office building. The two existing industrial portal frame buildings to the rear of the office would be linked together by adding a portal frame extension between them.

The proposed development is in accordance with Policy E3 of the Halton Unitary Development Plan and is considered to be appropriate development for the application site.

The quality of design replicates the character of the surrounding industrial area and offers a good quality of design in terms of proposed elevations and the proposed facing materials is considered to accord with the provisions of Policy E5, BE1 and BE2 of the Halton Unitary Development Plan.

The proposal is considered to be of a quality suited to the site and in keeping with the area and adjoining developments. It is considered that contaminated land and any other issues raised as a result of the original submission can be adequately addressed and that any outstanding issues can be resolved by way of oral update and appropriately worded planning conditions.

## **8. RECOMMENDATION**

The application is recommended for approval subject to conditions and subject to the feedback provided by the Council's Contaminated Land Officer.

## **9. CONDITIONS**

- Time
- Approved Plans
- Materials
- Vehicle access, parking and servicing construction prior to occupation
- Cycle parking details
- Electric vehicle charging details
- Drainage
- Site and finished floor levels
- Site waste management plan
- On-site waste storage and management

## **10. INFORMATIVES**

- United Utilities

## **11. BACKGROUND PAPERS**

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

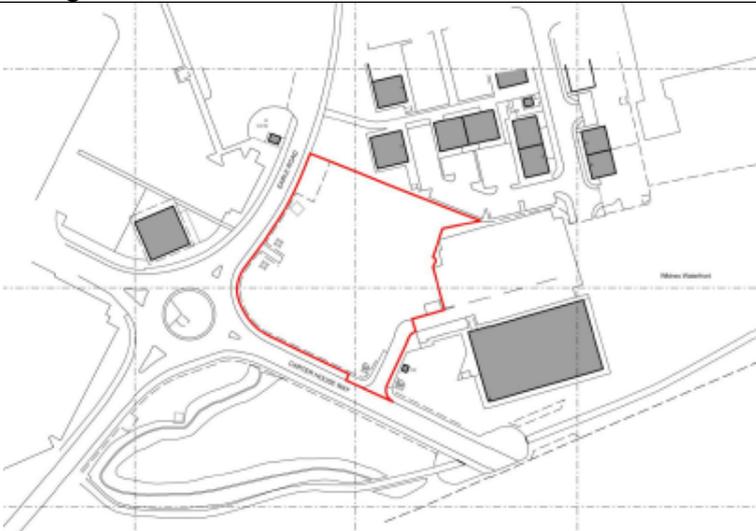
## **12. SUSTAINABILITY STATEMENT**

As required by:

- The National Planning Policy Framework (2019);

- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.

<b>APPLICATION NO:</b>	20/00371/FUL
<b>LOCATION:</b>	Land At The Junction Of Earle Road And Carter House Way, Widnes, WA8 0WR
<b>PROPOSAL</b>	Proposed erection of a building to be used as offices (Use Class B1) and as a self-storage facility (Use Class B8), plus associated landscaping, improved access, and other associated works
<b>WARD:</b>	Riverside
<b>PARISH:</b>	None
<b>AGENT(S)/APPLICANT(S)</b>	Walsingham Planning/Easy Access Storage Limited
<b>DEVELOPMENT PLAN ALLOCATION:</b> National Planning Policy Framework (2019) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Action Area 3 – Widnes Waterfront
<b>DEPARTURE:</b>	No
<b>REPRESENTATIONS:</b>	None
<b>KEY ISSUES:</b>	Principle of development, design, drainage, contaminated land and highway issues
<b>RECOMMENDATION:</b>	Approve subject to conditions and drainage issues being resolved
<b>SITE MAP:</b>	

## 1. APPLICATION SITE

### 1.1 The Site

The site subject of the application is an area of land adjacent to the Earle Road roundabout, where Earle Road adjoins Carter House Way in

Widnes. The site measures approximately 0.66 Ha in size and comprises of a brownfield site. The application site is particularly visible to the public given it has a dual aspect frontage onto the local highway network. The whole north-western site boundary fronts onto Earle Road, and the south western boundary fronts onto Carter House Way. Vehicular access into the site is via an existing access road off Carter House Way which will be shared with the adjoining Pure Gym.

The site is located within Action Area 3 – Widnes Waterfront in the Halton Unitary Development Plan and is also within the South Widnes Key Area of Change within the Halton Core Strategy Local Plan.

## 1.2 Planning History

There is no relevant planning history associated with this site.

## **2. THE APPLICATION**

### 2.1 The Proposal

Permission is sought for the proposed development consisting the proposed erection of a building to be used as offices (Use Class B1) and as a self-storage facility (Use Class B8), plus associated landscaping, improved access, and other associated works.

### 2.2 Documentation

The application is supported by the following documents:

- 10848-05.01 Design and Access Statement: Easy Access Self Storage, Venture Fields, Widnes (V1)
- Planning Statement, KN0086-1 9 Venture Fields, Widnes
- Extended Phase 1 Ecology Survey & Appraisal, Sensible Ecological Survey Solutions, June 2019
- FRA at Earle Road and Carter House Way, Final Report, June 2020 A01
- J000074-TA02b Transport Assessment, July 2020
  - Appendix TA1
  - Appendix TA5
  - Figures
- T/16/1856/GIR A Ground Investigation Report for Proposed Units 1, 2 and 4, Venture Fields, Widnes, Issue 1.1 Dated 11 May 2017

### **3. POLICY CONTEXT**

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

#### **3.1 National Planning Policy Framework**

The National Planning Policy Framework (NPPF) was published in July 2019 to set out the Government's planning policies for England and how these should be applied.

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

Paragraph 11 and paragraph 38 state that plans and decisions should apply a presumption in favour of sustainable development and that local planning authorities should work in a positive and creative way, working pro-actively with applicants to secure developments that will improve economic, social and environmental conditions of their areas.”

Paragraphs 80-82 states the need for planning policies and decisions to be made to create conditions in which business can invest, expand and adapt. Significant weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It encourages an adaptive approach to support local and inward investment to meet the strategic economic and regenerative requirements of the area.

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

The following policies within the adopted Unitary Development Plan are considered to be of particular relevance:

- RG3 Action Area 3 – Widnes Waterfront
- BE1 General Requirements for Development
- BE2 Quality Of Design
- GE21 Species Protection
- PR2 Noise Nuisance
- PR14 Contaminated Land
- PR16 Development and Flood Risk
- TP6 Cycling Provision as Part of New Development

- TP7 Pedestrian Provision as Part of New Development
- TP12 Car Parking
- TP14 Transport Assessments

### 3.3 Halton Core Strategy (2013)

The following policies contained within the Core Strategy are of particular relevance:

- CS1 Halton's Spatial Strategy
- CS4 Employment Land Supply and Locational Priorities
- CS9 South Widnes
- CS15 Sustainable Transport
- CS18 High Quality Design
- CS20 Natural and Historic Environment
- CS23 Managing Pollution and Risk

### 3.4 Joint Merseyside and Halton Waste Local Plan (2013)

The following policies, contained within the Joint Merseyside and Halton Waste Local Plan are of relevance:

- WM8 Waste Prevention and Resource Management;
- WM9 Sustainable Waste Management Design and Layout of New Development.

### 3.5 Supplementary Planning Documents (SPD)

- Widnes Waterfront Supplementary Planning Document
- Design of New Industrial and Commercial Development SPD

## 4. CONSULTATIONS

- **HBC Contaminated Land**  
No objection
- **HBC Highways**  
No objection
- **HBC Lead Local Flood Authority**  
Additional information requested, received and now awaiting a response
- **HBC Major Projects**  
No comments to make
- **HBC Planning Policy**  
No comments received
- **HBC Riverside Ward Councillors**  
No comments received

- **United Utilities**  
Objection - Additional information requested, received and now awaiting a response
- **Environment Agency**  
No comments to make
- **Merseyside Environmental Advisory Service**  
No objection
- **Network Rail**  
No comments to make

## 5. REPRESENTATIONS

The application was advertised by a press advert in the Widnes & Runcorn Weekly News on 30.07.20, a site notice posted on 30.07.20 and 47 neighbour notification letters sent on 30.07.20. No representations have been received from the publicity given to the application.

## 6. ASSESSMENT

### 6.1 Proposed Development

Permission is sought for the proposed development consisting the proposed erection of a building to be used as offices (Use Class B1) and as a self-storage facility (Use Class B8), plus associated landscaping, improved access, and other associated works.

The proposed office space is arranged over two floors facing Earle Road. Within this area of the building there will be a reception area for the business operation together with the flexible office space. In total this space will provide a floor space of 560 sq.m.

At the ground floor level of the self-storage element of the building, there are drive-up storage units accessed by a series of roller shutters. A size range of storage space will be available from small lockers to larger units. The site circulation layout will allow customers vehicles to enter the site and then turn into one of the 11 loading bays at ground floor level for loading.

The site will be served by 38 car parking spaces, two of which are accessible spaces and two are electric vehicle charging spaces. A pedestrian entrance will be provided from Earle Road, in the form of a stepped and ramped access.

## 6.2 Principle of Development

The application site is located within Action Area 3 – Widnes Waterfront as designated on the Halton Unitary Development Plan proposals map and as such, Policy RG3 of the Halton UDP is applicable. Policy RG3 sets out that acceptable land uses include employment uses (Use Class B1, B2 and B8) which is what is proposed.

The site is also located within the South Widnes Key Area of Change within the Halton Core Strategy Local Plan and Policy CS9 applies. Policy CS9 makes reference to employment uses which, again, are proposed as part of the application.

Paragraph 86 of the National Planning Policy Framework (NPPF) states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses which are neither an existing centre nor in accordance with an up-to-date plan. An office use is a main town centre use, however based on the site's designation in the UDP, a sequential assessment would not be required in this instance.

The Hive Leisure Park development is adjacent to the application site, characterised by restaurant and leisure uses. However the wider area includes a mix of employment uses, the proposed development is in accordance with adopted planning policy and is therefore considered acceptable in principle.

## 6.3 Design and Character

In terms of the external appearance of the proposed development, the design is considered to be of an acceptable quality and appropriate size and massing which would add interest to the application site.

The principle elevation of the proposed building faces Earle Road, this elevation contains the reception and entrance to the office space. This elevation includes a three-storey, orange, wrap-around canopy framing a triple height panel of glazing.

The external material palette comprises the applicant's corporate colours of black and dark grey with accents of orange. The submitted landscaping proposals are also considered to be of a good quality and are therefore acceptable.

The building and wider development is considered to be of a quality appropriate to the site and wider area in accordance with Policies BE1 and BE2 and regeneration principles set out in Policy RG3 of the Halton Unitary Development Plan.

## 6.4 Highway Considerations

The application is supported by the following documents:

- J000074-TA02b Transport Assessment, July 2020
  - Appendix TA1
  - Appendix TA5
  - Figures

The Council's Highways Officer has reviewed the proposed development and supporting documents and has commented as follows:

*The Highway Authority was involved in the pre-application process for the proposed development of the site and provided extensive comments on the original scheme plans. Revised plans submitted demonstrate that the layout has been addressed and the Highway Officers comments have largely been addressed.*

*A suitable Transport Assessment has been submitted to support the application which considers access to the site and the internal servicing needs of the site.*

*Parking provision does not exceed the maximum set out within the Halton UDP. The Highway Officer has calculated the potential need for a unit of this size and nature utilising a sliding scale and considers the 38 spaces provided to acceptable for the business model set out in section 5.1 of the Transport Assessment.*

*Accessible spaces have been provided with marked disabled bays close to the main access to the building. The inclusion of EV charging bays is welcomed but details of the actual charging equipment will need to be submitted for approval and secured by condition.*

*The site is accessible in terms of access to bus services and pedestrian links with good connections from the building to the adjacent adopted footway. The application includes a new uncontrolled crossing point over Earle adjacent to the site, these off-site highway works will require a suitable agreement and should be completed prior to the building being brought into use.*

*The use of cycles as a sustainable mode of travel has been considered with the inclusion of a covered cycle store in a visible location close to the main entrance. Details of this provision should be provided for approval and as with the EV charging should be suitably conditioned.*

*Full details of existing and finished levels along with surface water drainage details will be required and it should be noted that no water should shed from the site onto the adjacent highway.*

*Although the Highway Authority raises no objection to the proposed scheme they would note that considerations are based on a single operator renting space to individuals and small businesses following the principles set out in section 5.1 of the Transport Assessment. Sub division of the main building and offices to allow multiple businesses (not in line with section 5.1) to operate from the premises may result in an increased demand on parking provision. We would therefore ask the LPA to advise if suitable conditions can be applied to mitigate this risk.*

Whilst it is considered reasonable to restrict the floor space given over to the proposed office use it is not considered that conditions seeking to restrict the number of occupiers or employee numbers of businesses renting the space would meet the 6 tests for planning conditions. Maximum parking standards as set out in Appendix 1 of the Halton UDP are also based on floor space ratios. It is not considered that refusal of planning permission could be justified on this basis.

The proposals are considered to accord with Policies BE1, TP6, TP7, TP12 and TP14 of the Halton Unitary Development Plan.

#### 6.5 Flood Risk and Drainage

*The application has been reviewed by the Council's Lead Local Flood Authority who have commented as follows:*

*The planning application is supported by a Flood Risk Assessment and a proposed drainage strategy. The Flood Risk Assessment indicates that the closest watercourse is Bowers Brook, 30m to the west of the site and the Environment Agency Flood Map for Planning indicates the proposed development site lies within Fluvial Flood Zone 1.*

*The Environment Agency Long Term Flood Risk Maps show the site to have a two areas Surface Water Flood Risk. The FRA indicates there is a large area to the south east of the site is shown to be at high risk of surface water flooding, this is thought to be due to low lying topography within this area of the site, there is also a small area to the north west of the site shown to be at low risk. The Flood Risk Assessment indicates the site is assumed to have no existing drainage system which could help to mitigate the risk of flooding currently seen.*

*The Flood Risk Assessment indicates historical sewer flooding has been recorded within the local area of the site, however no site specific information is available and therefore sewer flood risk is classed as low. The FRA also classes the flood risk from groundwater and reservoirs to be low to negligible.*

*With regards to mitigating the surface water flood risk to and from the development the FRA recommends Finished Floor Levels to be set to a minimum of 11.83m AOD which is 300mm higher than the 1 in 1000year*

*flood level on site and over 600mm greater than the 100year + climate change peak water level from Bowers Brook.*

*The FRA indicates there is vehicular safe access and egress to and from the site up to the 30 year storm event, however there is pedestrian safe access and egress available up to the 1000 year storm event. It recommends the site to be closed during severe weather forecasts to ensure safe access and egress.*

*The site does not lie within a Critical Drainage Area.*

*The drainage strategy proposes to drain to public sewer, restricting the flow to 5l/s using a hydrobrake and providing a attenuation through an underground storm water attenuation tank for all storm events up to the 100 year + 30% Climate Change event. This would provide 200m<sup>3</sup> of storage and the tank would be approximately 1.2m deep.*

*There is no evidence that the drainage hierarchy has been followed as required by the LLFA and United Utilities. Furthermore no calculations detailing how the storage volume was determined, including details of pre and post development impermeable areas, flows and volumes for the 1, 30, 100, 1000 and 100+40% Climate Change events. I would also note Halton Borough Council requires a 40% allowance for climate change with regards to surface water not 30% as mentioned on the drawings.*

*The drainage design also mentions the foul flows would be restricted to 5l/s, but there is no justification for this.*

*The applicant has not provided a clear strategy for the disposal of foul and surface water and there is no evidence that the disposal of surface water is in accordance with the SUDS hierarchy. The Lead Local Flood Authority would require further information in order to consider the drainage for the proposed site.*

An amended plan showing changes to the drainage layout has been provided by the applicant and updated comments are awaited from the Lead Local Flood Authority. These are considered technical matters capable of resolution and Members will be updated accordingly.

United Utilities have objected to the proposed development due to a number of their network assets falling within the red line boundary. They have stated in their comments that the red line boundary contains a number of significant wastewater network assets and a water main cross the site.

The applicant is in correspondence with contacts at United Utilities to resolve the issues, has amended the scheme and provided further information requested by United Utilities. An updated response is awaited from United Utilities and Members will again be updated accordingly.

## 6.6 Ecology

The application is supported by an Extended Phase 1 Ecology Survey & Appraisal report. An Ecology Consultant for the Merseyside Environmental Advisory Service has reviewed the application and supporting documents and has confirmed that the conclusions of the report are accepted.

They have also advised that there is also no pathway that could result in likely significant effects on the European sites and the proposals do not warrant a detailed Habitats Regulations Assessment. It is confirmed that there are no objections to the proposed development subject to suitably worded planning conditions which have been set out in the consultee comments.

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

## 6.7 Noise and Amenity

Given the location of the application site and the character of the surrounding area, it is not considered that the impact of noise on amenity would be severe. There are no residential properties located nearby the application site, therefore it is considered that given the nature of the development and the location of the site, the proposed development would not result in a detrimental impact on amenity and is acceptable in accordance with Policy PR2 of the Halton Unitary Development Plan.

## 6.8 Contaminated Land

The application is supported by the following document:

- A ground investigation for proposed units 1, 2 and 4 at Venture Fields, Widnes, issues 1.1, ref T/16/1856/GIR, Tier Environmental Ltd, May 2017

The Council's Contaminated Land Officer has reviewed the proposed development and supporting documents and has commented as follows:

*The report summaries the preliminary risk assessment undertaken and reported upon in earlier documentation, however that document has not been submitted. A site investigation was undertaken based on the findings of the PRA, with a reasonable number of investigation/sampling locations across the site. It should be noted that the outline development discussed in the report is not the same as this application, the original scheme comprised of 3 small units, whilst this is a much larger building. There is no*

*supporting information relating this investigation to the proposed development.*

*The site has been closely associated with the early chemical industry in Widnes with a number of potentially contaminative land uses having taken place on or within close proximity. The site investigation has identified a variable layer of made ground under the site which includes impact from alkali process waste (which effects significant parts of this area of Widnes).*

*Contamination testing did not identify concentrations significantly in excess of relevant assessment criteria for commercial end-uses, and no specific remediation measures have been recommended for bulk soil chemical contamination. The contaminant that may pose a risk to site end-users (and during the construction phase) is asbestos, which has been identified in a number of samples. The report recommends further sampling and analysis to define the level of risk posed (the original testing did not quantify the percentage of asbestos present, which is critical to further the risk assessment). The report sets out an outline remedial strategy that may be required, dependent upon the further investigation and assessment.*

*Ground gas monitoring detected elevated concentrations of carbon dioxide and methane, with only minimal flow rates. The report recommends that, based on the elevated gas concentrations, that gas protection measures should be included in the design of the building. In line with guidance in CIRIA document C665, those measures should be appropriate for Characteristic Situation 2. The report makes suggestions on how that level of protection could be achieved, although this will need to be the subject of detailed design (to be submitted for approval).*

*Groundwater contamination whilst above screening values was assessed not to be significant given the environmental setting, broad characteristics of shallow groundwater in the area and the protection afforded to the deeper groundwater by low permeability glacial deposits.*

*I have no objection to the proposed development, subject to suitably worded conditions that secure the submission of a supplementary investigation and assessment into the asbestos contamination in near surface soils; a detailed remediation strategy taking into account the above assessment and including the gas protection measures, and a verification report detailing the implementation of the remedial strategy and how the objective of that strategy have been met.*

The attachment of the proposed conditions above will ensure compliance with Policy PR14 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan

## 6.9 Waste

The proposal involves construction activities and policy WM8 of the Joint Merseyside and Halton Waste Local Plan (WLP) applies. This policy requires the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

The applicant has not provided information with respect to provision of on-site waste storage and management to demonstrate compliance with policy WM9 of the Joint Merseyside and Halton Waste Local Plan. It is considered that this can be secured by a suitably worded condition.

## 7. CONCLUSIONS

Permission is sought for the proposed development consisting the proposed erection of a building to be used as offices (Use Class B1) and as a self-storage facility (Use Class B8), plus associated landscaping, improved access, and other associated works.

Core Strategy Policy CS2 and NPPF paragraphs 11 and 38 set out the presumption in favour of sustainable development whereby applications that are consistent with national and up-to-date local policy should be approved without delay.

The application site is located within Action Area 3 – Widnes Waterfront as designated on the Halton Unitary Development Plan proposals map and as such, Policy RG3 of the Halton UDP is applicable. Policy RG3 sets out that acceptable land uses include employment uses (Use Class B1, B2 and B8) which is what is proposed.

The site is also located within the South Widnes Key Area of Change within the Halton Core Strategy Local Plan and Policy CS9 applies. Policy CS9 makes reference to employment uses which, again, are proposed as part of the application.

It is considered that the redevelopment of a brownfield site for a good quality office and storage building and offering potential employment opportunities should be welcomed in accordance with the regeneration principles identified within Policy RG3. It is considered that drainage and any other issues raised as a result of the original submission can be adequately addressed and that any outstanding issues can be resolved by way of oral update and appropriately worded planning conditions.

## **8. RECOMMENDATION**

The application is recommended for approval subject to conditions and subject to drainage issues discussed above being resolved.

## **9. CONDITIONS**

- Time
- Approved Plans
- Use restriction
- Materials
- Site levels
- Vehicle access, parking and servicing construction prior to occupation
- Cycle parking details
- Electric Vehicle charging details
- New crossing point over Earle Road (needs suitable agreement)
- Breeding Birds
- Bird nesting box
- RAMS for terrestrial mammals
- RAMS for Amphibians
- Contaminated Land
- Site Waste Management Plan
- Drainage & Flood Risk

## **10. INFORMATIVES**

- MEAS comments
- Protected species
- No water drainage onto highway
- Future Mezzanine may be subject to planning permission

## **11. BACKGROUND PAPERS**

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

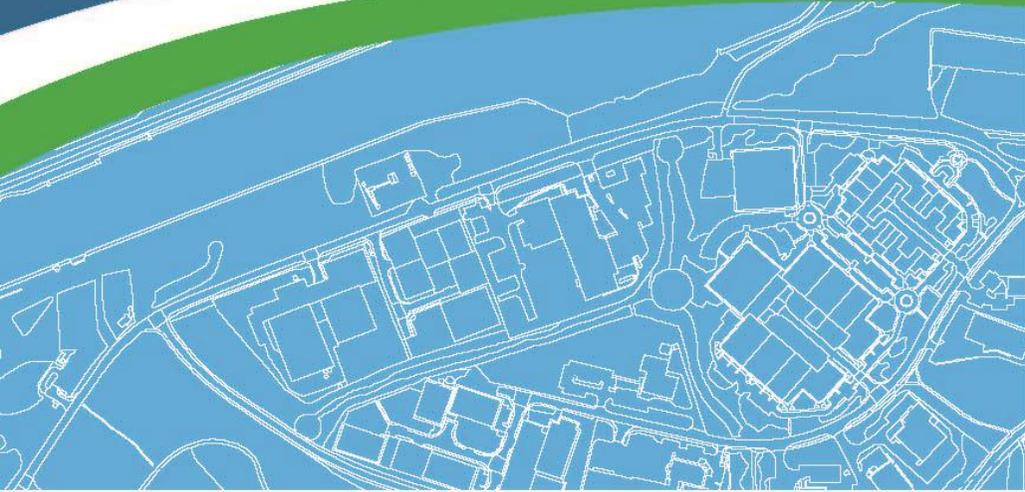
## **12. SUSTAINABILITY STATEMENT**

As required by:

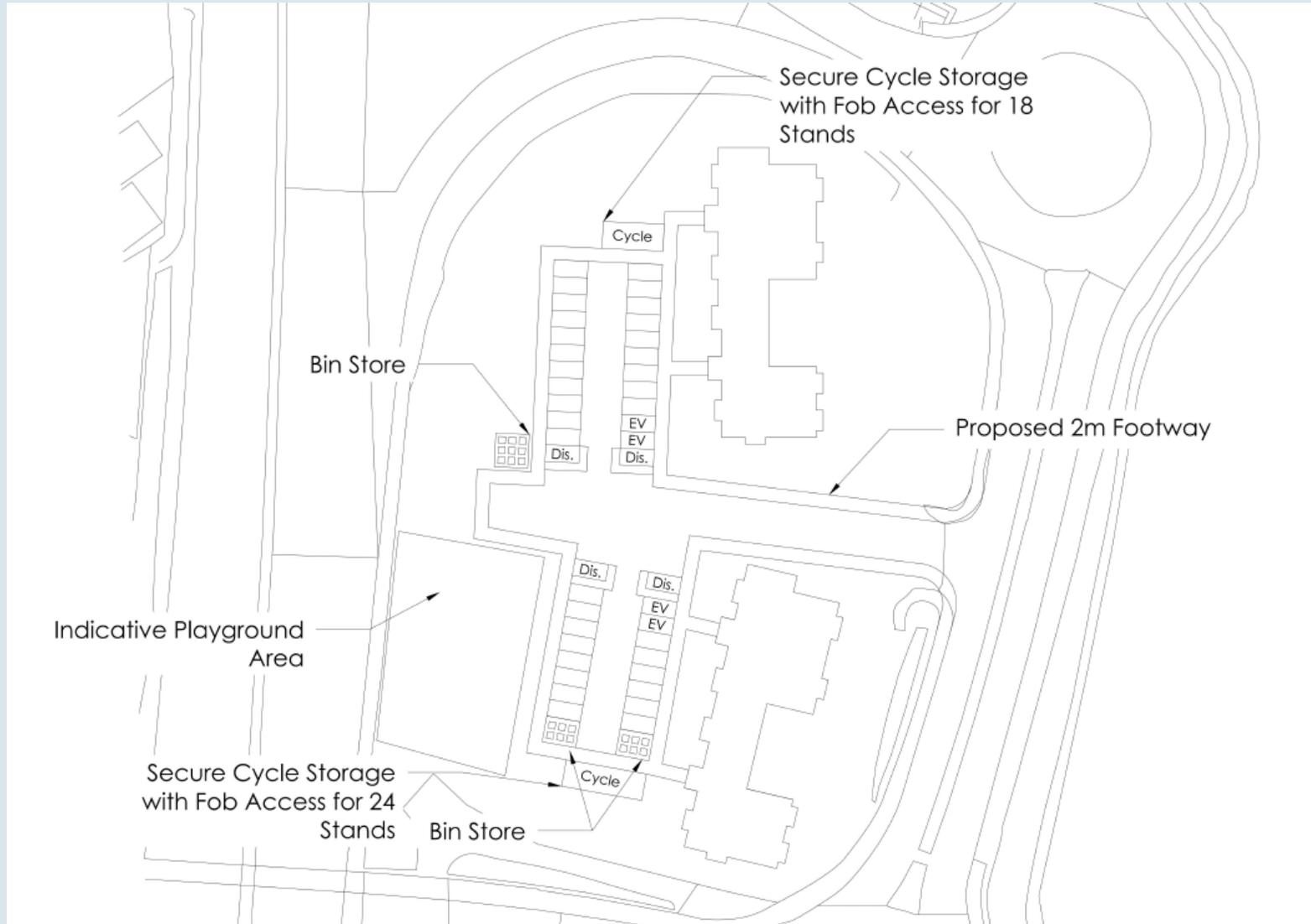
- The National Planning Policy Framework (2019);

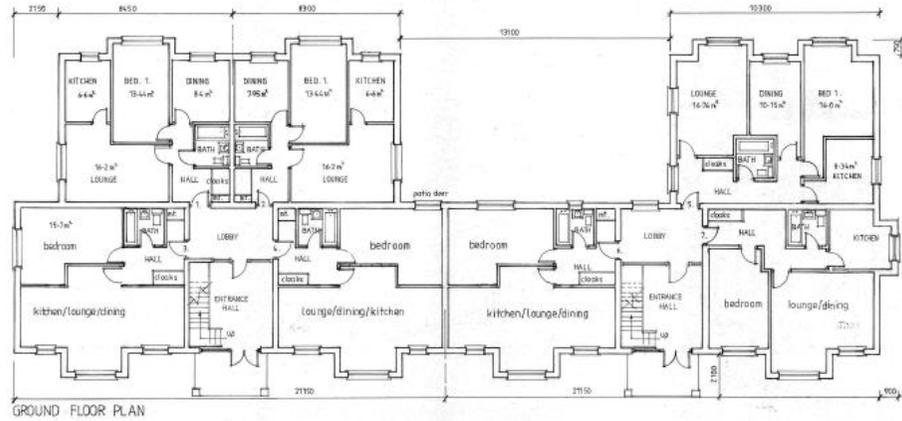
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.

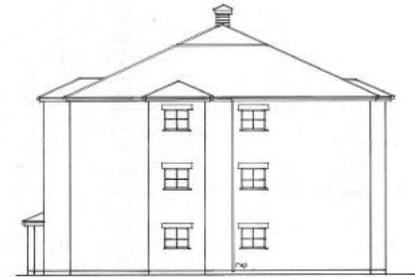








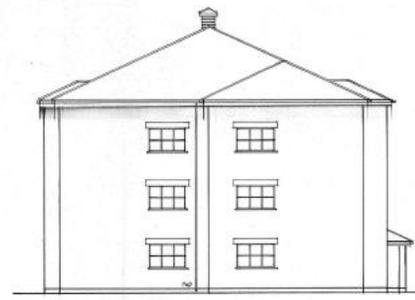
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 ALL DIMENSIONS IN MILLIMETRES:  
 FLOOR AREAS SHOWN ARE APPROXIMATIVE



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



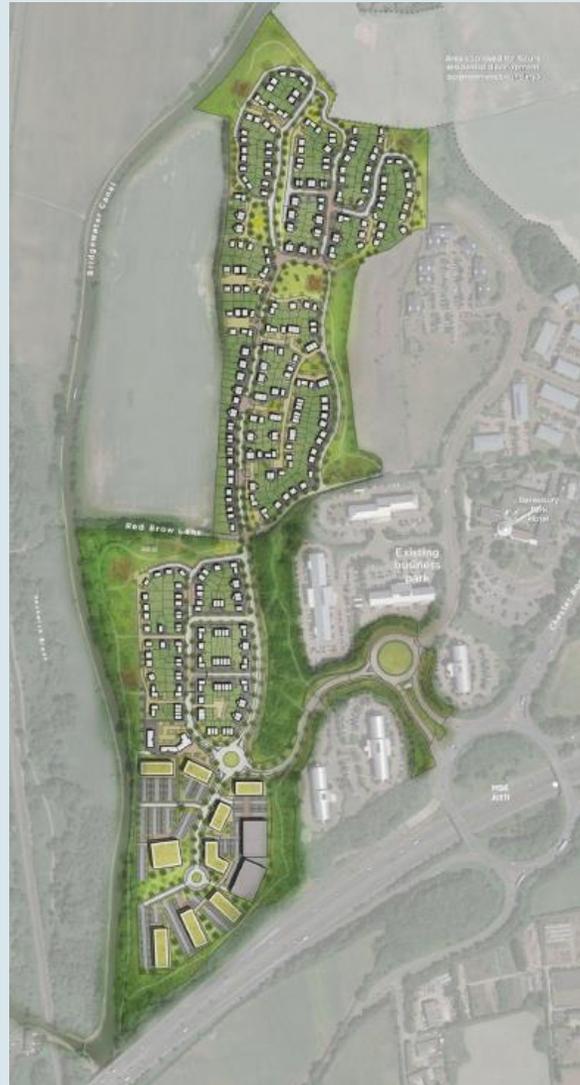
EAST ELEVATION

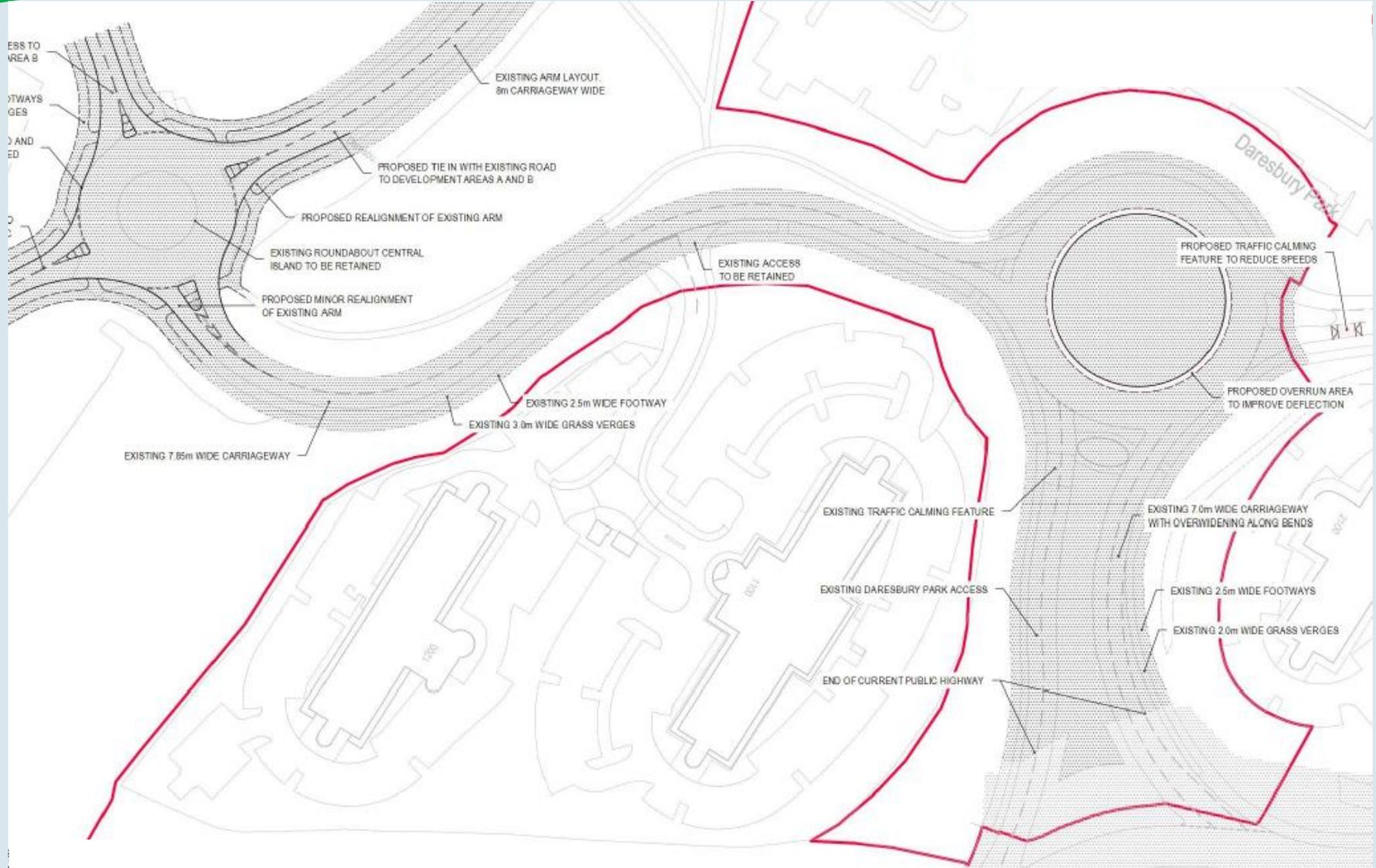
Revision 'B': June 2020 floor layout	
ground floor plan:	
west elevation:	
Revision 'A': June 2019 - south elevation:	
PROPOSED APARTMENTS AT:	
MILL LANE	
WIDNES	
CHESHIRE	
SCALE: 1:100	
DATE: FEB. 2019	
DRAWING NO.	
10/01/19	





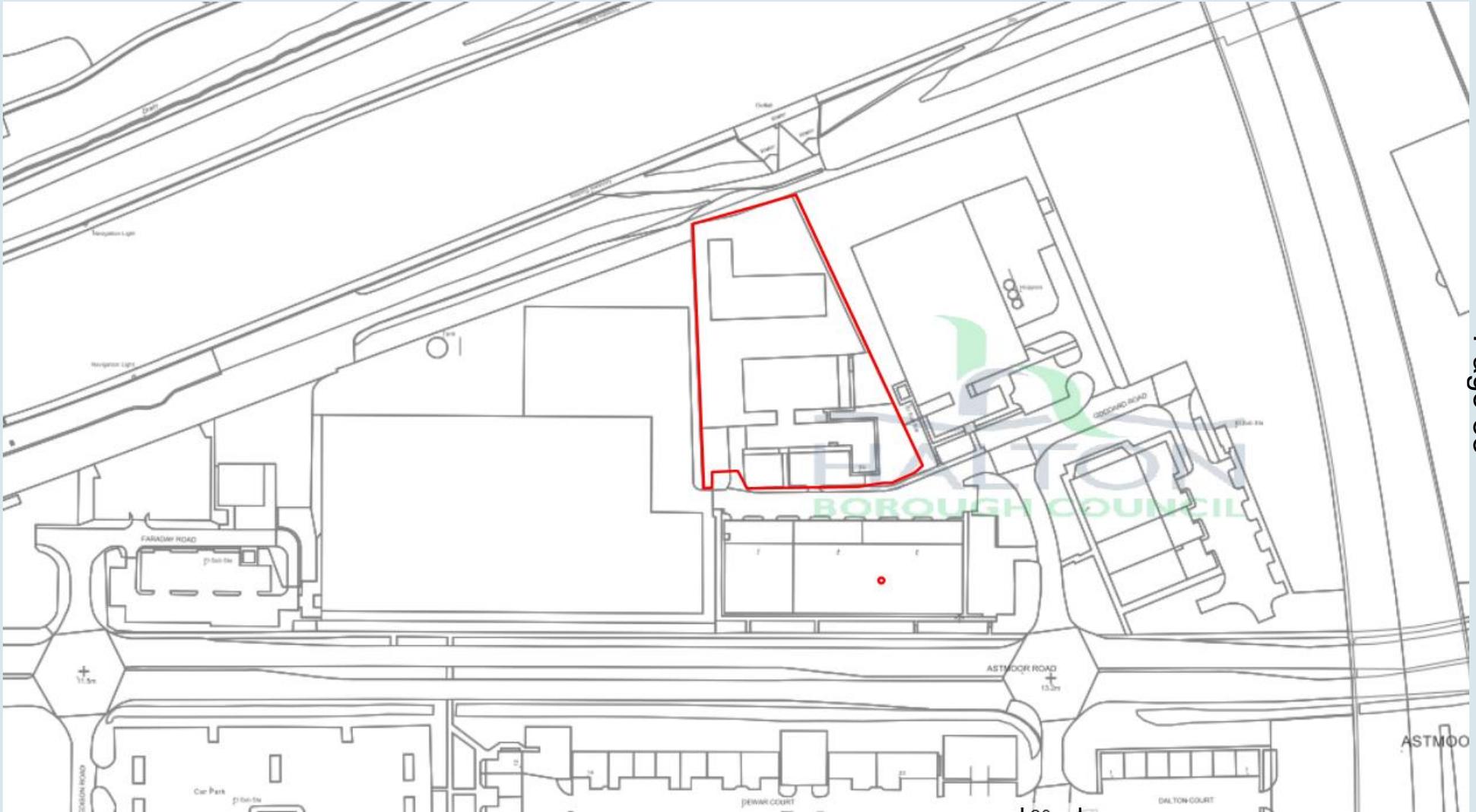






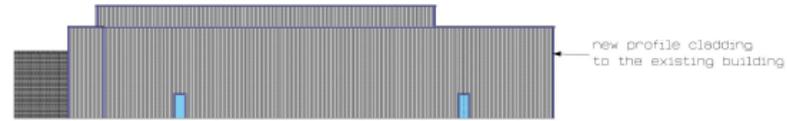








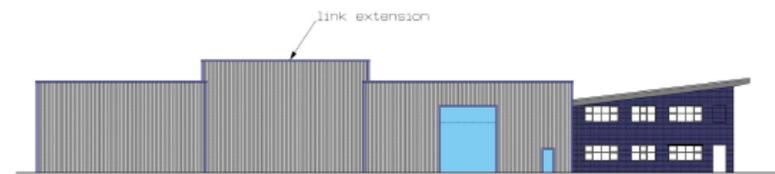




REAR ELEVATION (View A)



SIDE ELEVATION



SIDE ELEVATION

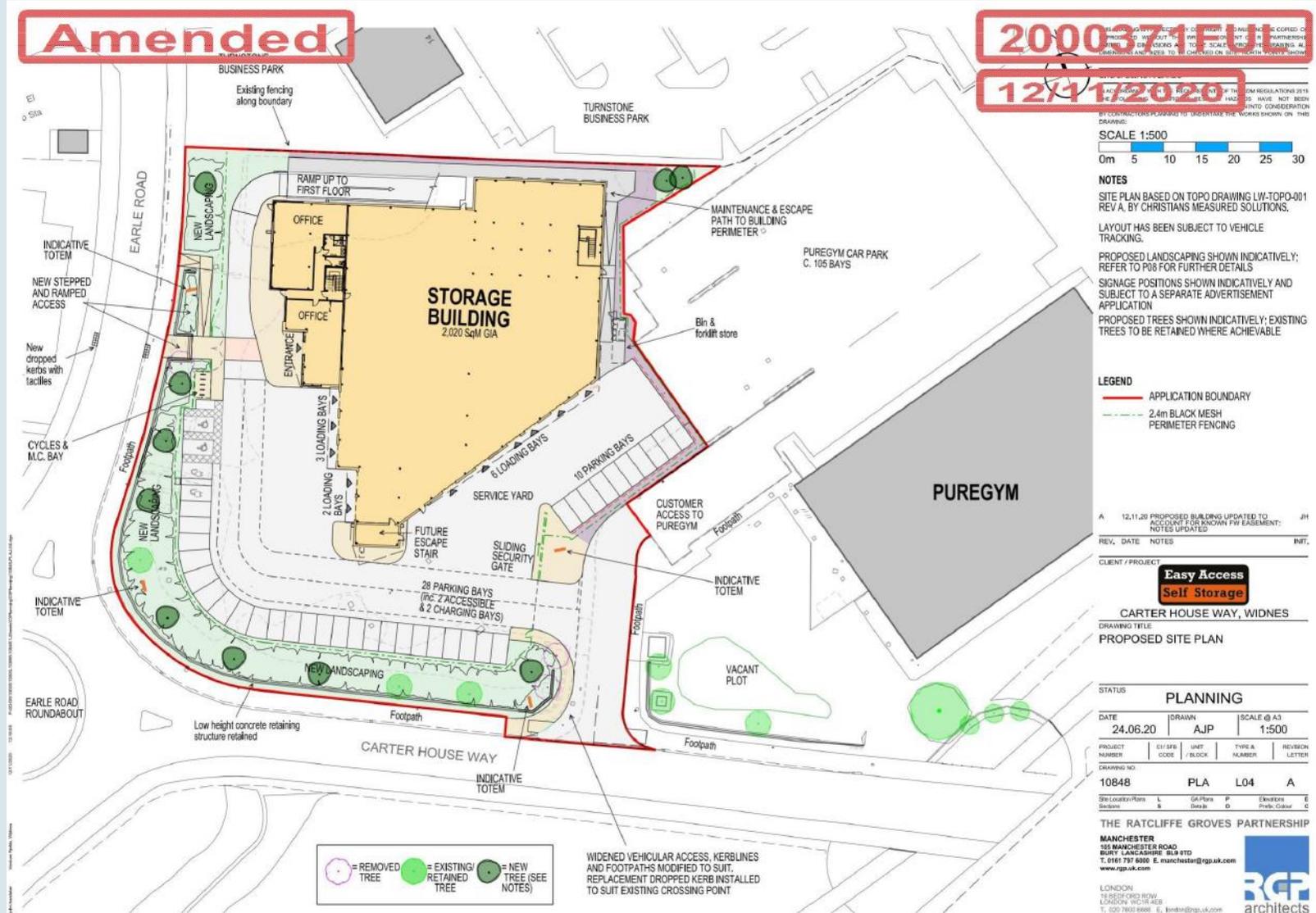


FRONT ELEVATION

<b>Summit Constructions</b> Overton House, School Lane, Frodsham, WA6 6AF Tel:-01928 731852			
Client		Date	
Tempo Pano Uk Ltd		15.05.20	
Drawing Title		Drawing No	Scale
Demolish Existing office & replace with a two storey office & a industrial link extension 013421		013421	1:200 at A1







**Amended**

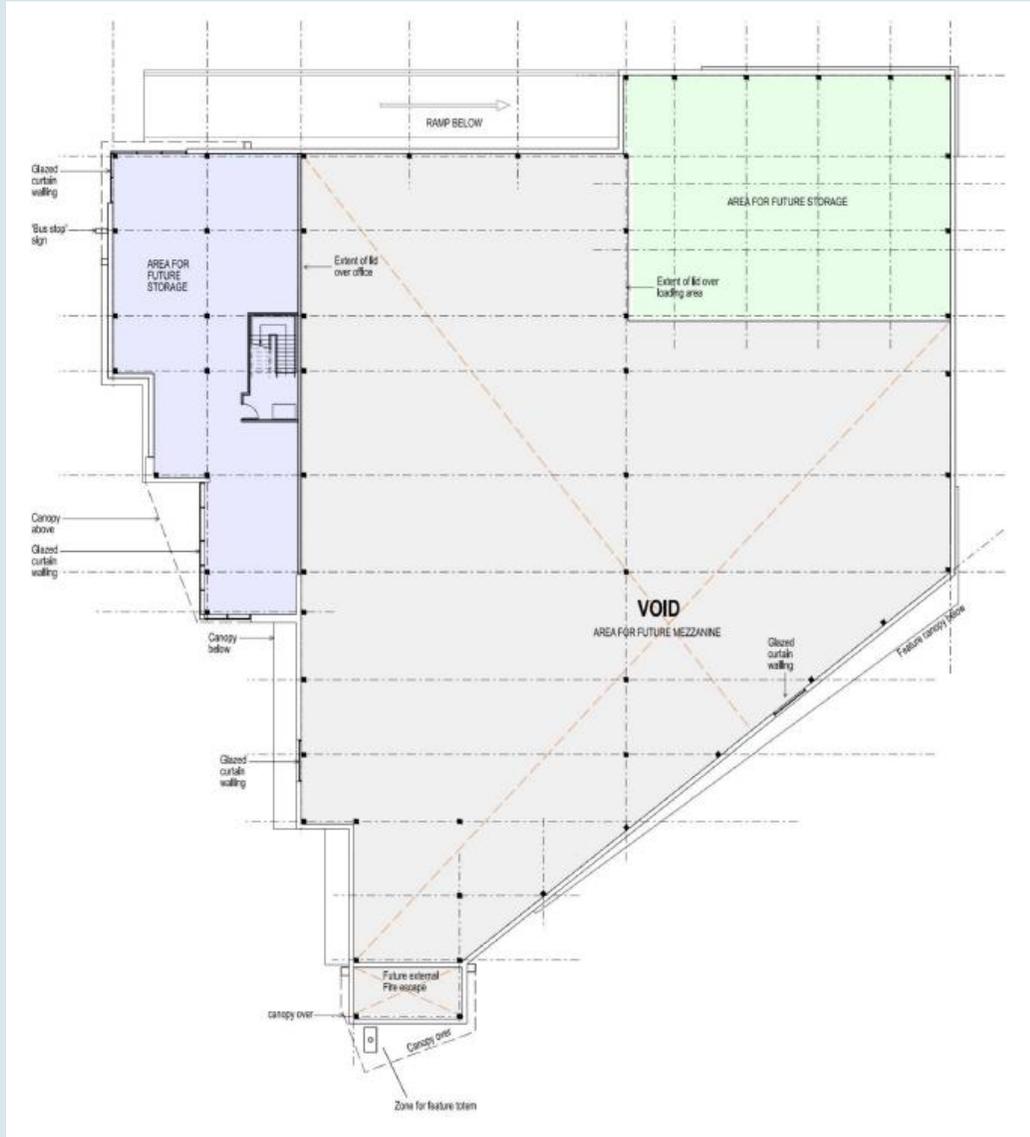
**2000371/FUL**

**12/11/2020**

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## WESTERN ELEVATION TO EARLE ROAD



## SOUTHERN ELEVATION TO CARTER HOUSE WAY

SIGNAGE SHOWN IS INDICATIVE ONLY, AND SUBJECT TO A SEPARATE ADVERTISEMENT APPLICATION

### MATERIALS KEY

- 1 HORIZONTAL FLAT PANEL CLADDING (BLACK)
- 2 VERTICAL FLAT PANEL CLADDING (BLACK)
- 3 HORIZONTAL FLAT PANEL CLADDING (DARK GREY/ANTRACITE)
- 4 HORIZONTAL LOUVRES (BLACK)
- 5 HORIZONTAL PROFILED TRAPEZOIDAL CLADDING (SILVER)
- 6 ALUMINIUM CURTAIN WALLING (DARK GREY FRAMES)
- 7 ROLLER SHUTTER (ORANGE)
- 8 DOOR (ORANGE)
- 9 PROFILED ROOF SHEETING
- 10 FASCIAS, FLASHINGS & FEATURE CANOPIES (ORANGE)
- 11 PROFILED GUTTER & FASCIAS (BLACK)
- 12 VEHICLE ACCESS RAMP
- 13 BLACK MESH INFILL PANELS

ALL SIGNAGE SUBJECT TO SEPARATE APPLICATION

REV. A 12.11.20 UPDATED TO SUIT PLAN AMENDMENTS AJP  
REV. DATE NOTES INT.

CLIENT / PROJECT



CARTER HOUSE WAY, WIDNES

DRAWING TITLE  
PROPOSED ELEVATIONS  
SHEET 1

STATUS  
PLANNING

DATE JULY 20 DRAWN AJP SCALE @ A3  
1:200

PROJECT NUMBER	D / S/E CODE	UNIT / BLOCK	TYPE & NUMBER	REVISION LETTER
10848	PLA	E01	A	

DRAWING NO. 10848

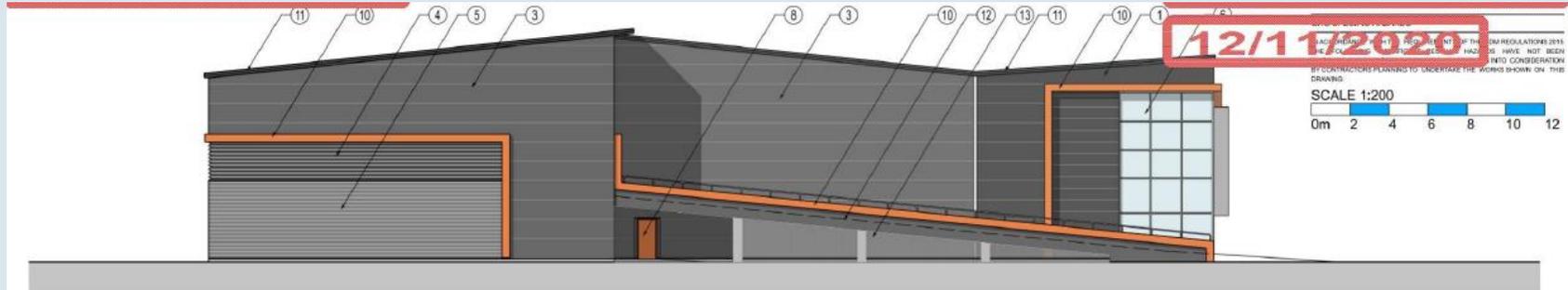
Site Location Plans L S/A Plans P Elevations E  
Sections S Details D Profile Colour C

THE RATCLIFFE GROVES PARTNERSHIP

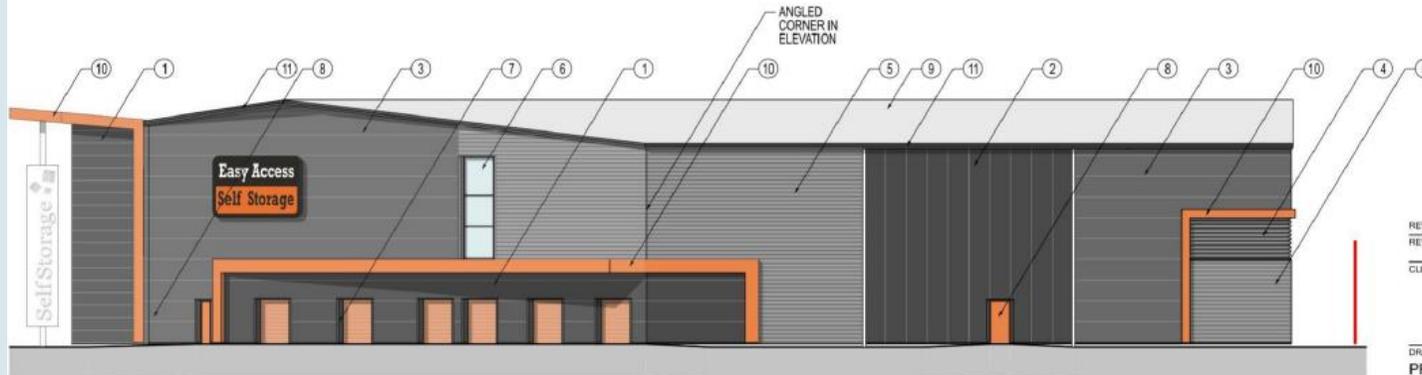
MANCHESTER  
105 MANCHESTER ROAD  
BURY LANCASHIRE, BL9 6TD  
T. 0161 797 6000 E. manchester@rgp.co.uk  
www.rgp.co.uk



LONDON  
78 REDFORD ROAD  
LONDON WC1R 4EB  
T. 020 7600 6666 E. london@rgp.co.uk



**NORTHERN ELEVATION**



**EASTERN ELEVATION (TO PURE GYM)**

**MATERIALS KEY**

- 1 HORIZONTAL FLAT PANEL CLADDING (BLACK)
- 2 VERTICAL FLAT PANEL CLADDING (BLACK)
- 3 HORIZONTAL FLAT PANEL CLADDING (DARK GREY/ANTRACITE)
- 4 HORIZONTAL LOUVRES (BLACK)
- 5 HORIZONTAL PROFILED TRAPEZOIDAL CLADDING (SILVER)
- 6 ALUMINIUM CURTAIN WALLING (DARK GREY FRAMES)
- 7 ROLLER SHUTTER (ORANGE)
- 8 DOOR (ORANGE)
- 9 PROFILED ROOF SHEETING
- 10 FASCIAS, FLASHINGS & FEATURE CANOPIES (ORANGE)
- 11 PROFILED GUTTER & FASCIAS (BLACK)
- 12 VEHICLE ACCESS RAMP
- 13 BLACK MESH INFILL PANELS

ALL SIGNAGE SUBJECT TO SEPARATE APPLICATION

REVA 11.11.20 UPDATED TO SUIT PLAN AMENDMENTS AJP INT.  
REV. DATE NOTES

CLIENT / PROJECT



CARTER HOUSE WAY, WIDNES

DRAWING TITLE  
**PROPOSED ELEVATIONS**  
**SHEET 2**

STATUS  
**PLANNING**

DATE JULY 20 DRAWN AJP SCALE @ A3 1:200

PROJECT NUMBER	Q / S/N	UNIT CODE	TYPE & NUMBER	REVISION LETTER
10848		PLA	E02	A

Site Location/Phase	L	GA Plans	P	Sections	E
Sections	B	Details	D	Photo	Colour

THE RATCLIFFE GROVES PARTNERSHIP

**MANCHESTER**  
935 MANCHESTER ROAD  
BURY LANCASHIRE BL9 9TD  
T. 0161 797 6000 E. manchester@rgp.co.uk  
www.rgp.co.uk



LONDON  
78 BEDFORD ROW  
LONDON WC1R 4EJ  
T. 020 7600 6666 E. london@rgp.co.uk



SIGNAGE SHOWN IS INDICATIVE ONLY, AND SUBJECT TO A SEPARATE ADVERTISEMENT APPLICATION

REV. NO.	11,11,20	ELEVATIONS UPDATED	ALP
REV. DATE		NOTED	RET.
CLIENT / PROJECT			
<b>Easy Access Self Storage</b>			
CARTER HOUSE WAY, WIDNES			
PROPOSED STREET SCENE ELEVATIONS TO EARLE ROAD & CARTER HOUSE WAY			
STATUS <b>PLANNING</b>			
DATE	DRAWN	CHECKED BY	SCALE @ A0
JUL 20	JH		1:250
PROJECT NUMBER	UNIT / BLOCK	DATE	TYPE / NUMBER
10848	PLA	E03	A
THE RATCLIFFE GROVES PARTNERSHIP			
MANCHESTER 16 MANCHESTER ROAD, BURNLEY, LANCASHIRE, BL6 4TD			
T: 01274 287 4000 E: manchester@rqp.co.uk			
www.rqp.co.uk			
<b>RQP</b> architects			

