

Public Document Pack



Development Management Committee

**Tuesday, 7 December 2021 6.30 p.m.
Halton Stadium, Widnes**



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

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Stan Hill (Chair)
Councillor Rosie Leck (Vice-Chair)
Councillor John Abbott
Councillor John Bradshaw
Councillor Chris Carlin
Councillor Noel Hutchinson
Councillor Alan Lowe
Councillor Ged Philbin
Councillor Rob Polhill
Councillor John Stockton
Councillor Dave Thompson

**Please contact Ann Jones on 0151 511 8276 Ext. 16 8276 or
ann.jones@halton.gov.uk for further information.**

The next meeting of the Committee is on Monday, 10 January 2022

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

Part I

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1. MINUTES	1 - 7
2. DECLARATIONS OF INTEREST	
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.	
3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
(A) 21/00166/OUT - Outline Planning application, with all matters reserved, for laboratory and office space (Use Class E(g)(i) and E(g)(II)) development with associated car parking and landscaping at Daresbury Laboratory, Keckwick Lane, Daresbury	8 - 23
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In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

DEVELOPMENT MANAGEMENT COMMITTEE

At a meeting of the Development Management Committee on Monday, 1 November 2021 at the Bridge Suite - Halton Stadium, Widnes

Present: Councillors S. Hill (Chair), Leck (Vice-Chair), Abbott, J. Bradshaw, Carlin, Hutchinson, A. Lowe, Philbin, Polhill, J. Stockton and Thompson

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, A. Plant, G. Henry, P. Peak, L. Wilson-Lagan and K. Thompson

Also in attendance: Councillors A. McInerney, T. McInerney, V. Hill and Wallace, 63 members of the public and one member of the press

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

	<i>Action</i>
DEV19 MINUTES	<p>The Minutes of the meeting held on 6 September 2021, having been circulated, were taken as read and signed as a correct record.</p>
DEV20 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p>
DEV21 21/00408/FUL - PROPOSED CHANGE OF USE FROM CARE HOME (C2) TO 3 NO. SELF CONTAINED HMOS (SUI GENERIS) WITH ASSOCIATED INFILL EXTENSION, LAY OUT OF CAR PARK AND LANDSCAPING AT 61 DERBY ROAD, WIDNES, WA8 9LG	<p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p>

Officers advised the Committee that a further objection to the scheme was received over the weekend, a copy of which was emailed to the Committee today and paper copies were presented to Members at the meeting. In response to the resident's concerns over loss of privacy, noise and disturbance and lack of consultation, the Case Officer outlined mitigation measures that would be put in place, which would be secured by conditions. In relation to lack of consultation, it was reported that a letter was sent to the property on 15 July 2021.

It was confirmed that the Contaminated Land Officer had raised no objections to the proposal. In addition to the conditions required above, it was also recommended that an additional condition be added regarding the requirement for Electric Vehicle (EV) charging points.

The Committee was addressed by Mr Ireland, who spoke in objection to the proposal, representing 801 local residents. He argued, *inter alia*:

- This would be the largest House of Multiple Occupation (HMO) in Halton and would set a dangerous precedent;
- The market was saturated with HMO's;
- The allocation of 13 car parking spaces was not enough for 29 rooms so on road parking would occur, causing more congestion in an already congested area;
- Local retailers had raised concerns;
- He disagreed with the claim that the property would provide a boost to the local economy;
- There would be an increase in noise pollution; and
- The peace and privacy of local residents would be impacted and the proposal had already caused stress and anxiety for many residents.

Ms Dickson, the Agent representing the Applicant, then addressed the Committee, clarifying some issues in respect of the application for the local residents:

- The applicants had met all planning policy requirements;
- The applicants were experienced HMO operators and would keep the property well maintained;
- The proposal met national and local requirements and was in a sustainable location;
- Car ownership tended to be lower amongst HMO residents;
- Halton needed housing and the current housing

market was buoyant, leaving many lower income people without the opportunity to have their own space; and

- The location was ideal for single professional working people with good transport links.

The Committee was then addressed by local Ward Councillor Angela McInerney, who spoke in objection to the proposal, on behalf of local residents. She outlined some facts about Farnworth within the context of the application and made the following comments *inter alia*:

- Farnworth was a residential area with a mixed community but mainly families and elderly people;
- The proposal was out of character with the area;
- The building would be split into 3 sections – she described these and how they would be shared;
- There would be 29 double rooms so potentially 58 people living in the building;
- There were plenty of bedsits available for rent in Halton;
- Farnworth Village is narrow and Derby Road is congested – there was a nursery, two primary schools and a secondary school all within the vicinity, all creating traffic congestion, which was difficult to police;
- This development would exacerbate the congestion in the area; and
- The applicant was not the owner of the building.

She concluded saying that she wished to record her own objections to the proposal as a resident of Farnworth and urged the Committee to refuse the application.

Following responses to Members' questions, the following information was provided:

- The number of people in the property at any one time could not be restricted;
- The licence for the HMO would be issued by the Environmental Health Department;
- The site's ownership could be confirmed following the meeting;
- The ratio used for calculating the parking was based on the emerging local plan recommended standards. 0.5 spaces per room was the proposed recommended standard for a town centre location and although the site was not within the Widnes Town Centre boundary, it was in a local centre with good links to public transport and access to local amenities;

- The suggestion of splitting the building into 3 HMO's was not material to the application – it had to be determined on what was presented in the report.

One Member moved a proposal to defer the application so that the Committee as a whole could visit the site. This proposal was seconded and the Committee agreed that the application be deferred to a future meeting.

RESOLVED: That the application be deferred to a future meeting, to allow the Committee to make a site visit.

DEV22 21/00448/S73 - APPLICATION UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO VARY CONDITION 2 OF PERMISSION 18/00567/FULEIA, IN ORDER TO MAKE AMENDMENTS TO THE LOCATION OF THE AIR MANAGEMENT SYSTEM AND SUBSEQUENT ALTERATIONS TO DRAWINGS 183131/WTS/PL/004, 183131/WTS/FP/005A AND 183131/WTS/PL/005B AT WIDNES SKIP AND RECLAIM, DITTON ROAD (WEST), WIDNES, WA8 0PA

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

Further to the publication of the report it was confirmed that no other representations had been received and the Contaminated Land Officer had raised no objection to this application (noted however that the previous comments to the original application and recommended conditions were still valid). Also, the applicant had requested if access condition no.5 could be changed from '*no development shall begin*' to '*prior to the construction of any new buildings*'. This request was considered to be reasonable, for the reasons given.

The Committee was addressed by Mr Robinson, who was the Agent for the Applicant. He described a number of issues that the company had to deal with recently since the approval of the application in May 2019 that contributed to a delay, such as Covid and a change in investor. He reassured Members that the applicant was now keen to progress the current planning permission. He added that the applicant would use local suppliers and provide employment contracts for local people.

Councillor Wallace addressed the Committee objecting to the proposals, on behalf of local residents. She tabled two photographs, which showed the condition of

different areas of the site. Councillor Wallace stated that she was inundated with complaints from her constituents about the smell from the WSR site. She argued that local residents suffered this on a daily basis and despite contact being made with Environmental Health, nothing had been done to help them. She also argued *inter alia*:

- That the health and safety procedures of the company were in question – referring to a breach in relation to blocked fire doors;
- The site attracted rats;
- The site attracted seagulls who attacked residents in the street and were a constant problem for the businesses on Ditton Road (relating to seagull droppings); and
- Local residents' health was at stake.

She urged the Committee to visit the site before making a decision.

Following Councillor Wallace's presentation Officers advised that the Council was aware of the smell and seagull problems in relation to the site but WSR was under the control of the Environment Agency in respect of this. These complaints were also passed to the new owner of the site. It was noted that health and safety matters in relation to the property itself were matters for WSR to address and covered by other legislation.

The Committee was reminded that this was a Section 73 application – an amendment to the previously approved application in May 2019.

Responses were provided to Members questions and it was confirmed that licensing for the operation of the site was controlled by the Environment Agency, not the Local Authority.

The application was approved subject to the conditions listed below.

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

1. Timescale for commencement of development by 23 May 2022;
2. Specifying approved plans;
3. Condition requiring submission and agreement of a Construction Environmental Management Plan, as outlined in the submitted ES (BE1 and MW1);

4. Condition requiring a construction phasing plan – with works to be enabled to be carried out in any order (BE1);
5. Condition relating to off-site highway works to facilitate parking provision and curb re-alignment (TP12);
6. Submission and agreement of Site Waste Management Plan (WM8);
7. A condition requiring a site investigation scheme, remediation and verification plan (PR14);
8. Materials condition(s), requiring submission and agreement of building external finishing materials (BE2);
9. Condition requiring boundary treatments for north and south of the site (BE22);
10. Condition requiring treatment of the ground level enclosure to stack; fan; and carbon absorber; adjacent to building TFS1A as shown on drawing 183131/WTS/PL/004 Rev B (BE2);
11. Submission and agreement of site and finished floor levels (BE1);
12. Condition relating to/requiring submission and agreement of a sustainable drainage scheme (BE1 and PR5);
13. Condition requiring landscaping scheme (BE1, BE3 and MW1);
14. Condition requiring submission and agreement of cycle parking details (TP6);
15. Submission of a Bird Hazard Management Plan (MW1);
16. Condition requiring vehicle access, parking, servicing etc to be constructed prior to occupation of properties/commencement of use (BE1);
17. Submission and agreement of a lighting scheme (BE1);
18. No piling or other foundation design using penetrative methods unless demonstrated that there is no resultant unacceptable risk to groundwater (PR14);
19. Conditions relating to the air management system for building TFS1A;
20. Waste stored and processed in TFS1A under negative pressure conditions;
21. Condition restricting surface water run-off onto the adopted highway (TP17);
22. Condition restricting waste throughput to 450,000 tonnes per annum (BE1 and MW1);
23. There shall be no external storage other than that as approved on drawing number 183131/WTS/PL/004 Rev B;
24. Condition(s) restricting external storage locations,

height, processing (BE1, PR16 and MW1);

25. The materials stored in the external storage bays and area as shown on drawing number 183131/WTS/PL/004 Rev B, shall be stacked no higher than 4m (BE1 and MW1); and
26. No material, waste or otherwise shall be burnt on site (BE1 and MW1).

DEV23 21/00529/FUL - PROPOSED TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION AT 1 SANDIWAY AVENUE, WIDNES, WA8 8LE

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

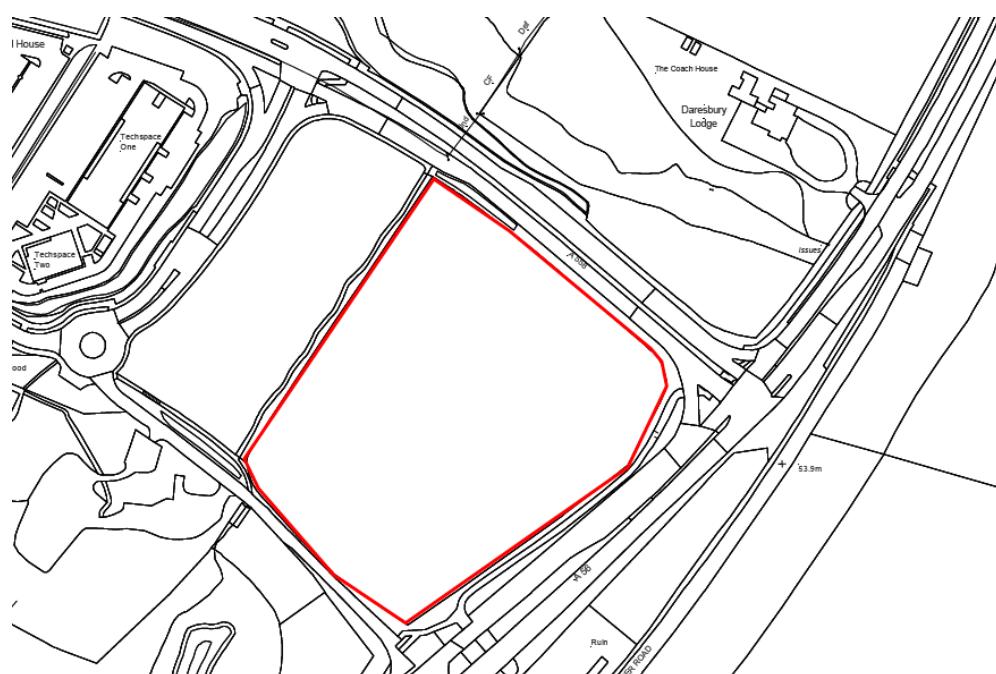
The Committee agreed that the application be approved.

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

1. Standard 3 year expiry;
2. Approved plans; and
3. Materials to match existing (BE1).

Meeting ended at 8.05 p.m.

APPLICATION NO:	21/00166/OUT
LOCATION:	Daresbury Laboratory Keckwick Lane Daresbury
PROPOSAL:	Outline planning application, with all matters reserved, for laboratory and office space (Use Class E(g)(i) and E(g)(ii)) development with associated car parking and landscaping
WARD:	Daresbury
PARISH:	Daresbury
AGENT(S) / APPLICANT(S):	Agent: Gavin Winter Applicant: Simon Foden
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Proposed Employment Areas (E3) Regional Investment Sites (E6 and E7) Allocated Employment Site (CS11)
DEPARTURE	No
REPRESENTATIONS:	1 objection received from Daresbury Parish Council.
KEY ISSUES:	Site suitability, scale, ecology, impact on Daresbury Village inc lighting and urbanising impacts, Drainage and Flooding issues, access, ground contamination, economic benefit, parking and highway issues.
RECOMMENDATION:	Grant planning permission subject to conditions and the securing of a commuted sum via S106 agreement for off-site highway improvements



1. APPLICATION SITE

1.1 The Site

The site subject of the application is the vacant development site located at the junction of the A56 and A558 within the wider campus of the Daresbury Science and Innovation Centres (DSIC).

DSIC forms part of the wider Runcorn East Key Area of Change allocation set out in Figure 12 of Halton Core Strategy Policy CS11 of the Halton Core Strategy.

The A56 and A558 form a permanent boundary to the Green Belt as designated by the Halton UDP allocations map. For the avoidance of doubt the Halton Core Strategy maintained the existing Green Belt designation of the Halton UDP. The village of Daresbury is located to the South East of the application site. Daresbury village is washed over Green Belt. The site is relatively level with the roads that bound its perimeter but the landform drops quite rapidly to the north west and sits at the edge of the Green Belt making any development potentially prominent including from the adjoining village of Daresbury.

1.2 Development Site Access

Access is currently taken from Keckwick Lane via the Innovation Way roundabout. There is currently no direct link with the A56.

1.3 Relevant Site Planning History

The application site has previously been approved planning permission on two previous occasions:

- 08/00215/OUT - Outline application (with appearance, landscaping, layout and scale matters to be reserved) for proposed erection of three storey office accommodation with associated car/cycle parking, amenity and landscaping
- 20/00343/FUL - Proposed temporary use of land for storage and stockpiling of material to facilitate land levelling and future development platforms on the Lord Daresbury plot

Application 08/00215/OUT has expired, it proposed the same employment land use as that detailed by this planning application. It should be noted that the approval of application 08/00215/OUT considered the Halton UDP allocation (site 247) Regional Investment Site. It is considered that the UDP site allocation is consistent with the Core Strategy site allocation of Policy CS11 'Runcorn East' which is a key area of change.

2. THE APPLICATION

2.1 The Proposal

The application proposes the following description of development ‘Outline planning application, with all matters reserved, for laboratory and office space (Use Class E(g)(i) and E(g)(ii)) development with associated car parking and landscaping’.

The description submitted to the Council does not stipulate a quantum of development. For the avoidance of doubt, the application proposes 17,970SQM floor space. This figure is set out in the detail of the design and access statement. Given that the Application is outline with all matters reserved, the proposed floor space will feature in the description of works in the decision notice.

The proposal meets the terms of the Local Plan land allocation (CS11) and is therefore compliant in principle with the land use aspirations of the Local Plan.

Consideration will be given in this report to the quantum of development on this site and the sites overall appropriateness for such application.

3. POLICY CONTEXT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in July 2021 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 81 states planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

National Planning Policy for Waste

The National Planning Policy for Waste sets ambitious aims to work towards a more sustainable and efficient approach to resource use and management through positive planning in delivering sustainable development and resource efficiency including through the provision of modern infrastructure and by driving waste management up the waste hierarchy and by securing the re-use, recovery or disposal of waste without endangering human health or harming the environment.

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.

3.1 Local Plan Policy

The application site features within the Runcorn East Key Area of Change (Fig11 Pg79 Halton Core Strategy). The Land allocation of Figure 12 in CS11 supersedes the allocation set by the UDP Proposals Map. Notwithstanding, there remain relevant UDP policies for the determination of future scheme impact and the justification of conditions. Such matters are discussed in greater detail below.

Halton Unitary Development Plan (UDP) (2005)

The relevant UDP policies are:

- BE1 General requirements for development;
- BE2 Quality of design;
- PR16 Development and floodrisk;
- TP6 Cycle Provision as Part of New Development;
- TP12 Car parking;
- TP14 Transport assessments;
- TP15 Accessibility to new development
- TP16 Green travel plans
- TP17 Safe travel for all

3.2 Halton Core Strategy (2013)

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

- CS2 Presumption in Favour of Sustainable Development;

- CS4 Employment Land Supply and Locational Priorities;
- CS11 East Runcorn;
- CS15 Sustainable Transport;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS20 Natural and Historic Environment
- CS23 Managing Pollution and Risk.

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 for New Development.

4. CONSULTATIONS

4.1 The application was advertised by way of a site notice posted near to the site, press notice dated 1/04/2021, letters to surrounding properties and the Council website.

4.2 The following consultees and organisations were consulted and any comments received summarised below and addressed in more detail as required in the assessment section of the report:

4.3 INTERNAL CONSULTEE RESPONSES

Highways and Transportation Development Control

No objection subject to S106 off site contribution to fund improvements to A558.

Contaminated Land Officer

The submitted site investigation is acceptable and there is no objection to the proposed development and no requirement for further conditions.

Ecology

Comments from the Council's ecology advisor are attached to this report in full. There are a set of recommendations that will inform a schedule of conditions to ensure a detailed reserved matters application addresses any concerns. The summary of the advice is that the scheme is acceptable in principle subject to planning conditions.

LLFA

No objection. Standard drainage conditions to be attached to any approval requiring the submission of a surface water drainage scheme.

Open Spaces

No objection

Conservation Adviser

The Council's retained advisor on conservation matters has considered the proposal and reported no objection subject to the use of appropriate conditions.

4.4 EXTERNAL RESPONSES

Environment Agency

No comment received.

Natural England

Have confirmed that they have no comment to make on the application.

Cheshire Police

No objection. The designing out crime officer has provided detailed comments concerning site security of a developed site. These have been forwarded to the agent advising the Applicant for consideration in the future submission of a reserved matters application.

United Utilities

Responded to state still considering proposal. This is an outline proposal with all matters reserved including drainage. Notwithstanding, the scheme has been considered by the LLFA, appropriate conditions have been recommended that will ensure development will be serviced by an adequate drainage system. Members will be updated orally as required

Shell Pipeline

Have confirmed that the proposal will have no impact on their pipeline

Daresbury Parish Council

The Parish Council has objected and raised the following concerns

- Lightspill into the village of Daresbury;
- An urbanising appearance to the immediate area;
- Encroach and overlook the village of Daresbury;
- Expectation the development would be in keeping with the village setting.

5. REPRESENTATIONS

5.1 One neighbour objection received detailed the following concerns:

- The existing business units are not fully utilised;
- More business units are not needed as people are working from home
- The traffic in that immediate area is heavy;
- Light pollution from existing buildings is bad.

6. ASSESSMENT

6.1 Design and layout

Plans submitted with the application provide an example layout that is indicative only. This will not form part of an approved suite of plans. Its purpose is to provide an example of what the form the proposed floor space may take to give context to discussions. Final details are expected in a later reserved matters application. Notwithstanding, the indicative plans depict the appearance of a development consistent with the allocated land use and recent development on site, most notably that immediately adjacent to the application site (ref: 17/00556/FUL).

During the period of determination, Daresbury Parish Council raised concerns that the development would have an impact on the setting of the village and its conservation area. When officers reviewed this concern, it was noted that the application site had a prominent outlook given its position within the local geography. Occupying a naturally elevated position, consideration had to be given toward the impact a 4 and 5 storey series of buildings would have on both immediate and wider surroundings. The Applicant agreed to undertake a landscape visual impact assessment so that the local planning authority (LPA) could better understand such impact.

6.2 Landscape Impact

The Applicant has undertaken a landscape visual impact assessment (LVIA). Such an assessment was required due to the description of development that details a maximum build height of 5 storeys. The LVIA has been assessed by the Council's landscape architect who raises no objection.

The development plot is at the highest point on the enterprise zone campus. Daresbury has an elevated position within the local topography. The LVIA accurately determines harm caused to the surrounding landscape. Identified harm is a material planning consideration and forms part of the planning balance.

The LVIA report prepared for this application is in line with the Landscape Institute's Guidelines for Landscape and Visual Impact Assessment (3rd. Edition 2013). All the viewpoints were agreed with HBC and offer a good reflection of potential impacts the development may have from surrounding locations/receptors. The photomontage images provided in the report demonstrate well any impact the proposal may have, and are backed up with a comprehensive analysis which considers sensitivity of receptors, means of mitigation and a final assessment of remaining affects.

Whilst some impact will be expected during the construction phase, most of the receptors will not be adversely affected in the longer term. There are two areas of impact.

The A56/A558 Daresbury Expressway junction impact should be considered in the context of a major highway infrastructure junction which already forms the gateway transition from rural character to urban settlement. The proposed building heights demonstrate the potential for a reasonable continuation of the existing style and high standard of design already used on the site.

The effect on Daresbury Village with a predominately rural character, has been considered with the designers proposed slightly lower elevation from this viewpoint. The LVIA has assessed the baseline impact on view to the application site to be of medium sensitivity. This is based upon a medium value of view and high susceptibility to change.

With the proposed mitigation of layout design shown in the indicative layout plan there remains a small overall effect to the Daresbury Conservation Area that is adverse in nature. This is based on an assessment of minor scale and effect, a local extent of effect, an overall small magnitude of effect, an adverse nature of effect and a high probability of occurrence. The LVIA has taken into account seasonal variances (e.g. tree cover) with no change in the overall assessed outcome of impact.

It is clear that there will be a degree of impact to the Daresbury Conservation area (viewpoint 4 of the LVIA). However, the presence of the busy A56 and the proximity of the village entrance to the A56/A558 junction and village access, places this affect in the context of a very edge of rural character that transitions to the urban settlement character and is therefore considered acceptable.

Overall the LVIA study demonstrates that the landscape impact of this development in this location is acceptable provided that the next stage of detailed design carries over all the LVIA recommendations and methods of mitigation that have been arrived at in this stage. Together with fine detailing and use of quality materials for building and public realm with good long term management, the development can be seen as an appropriate focal point and entry point to the borough.

Whilst the mass of the building will be notable it is within the expectation of the site allocation and is therefore not considered harmful to such a degree that it would be considered contrary to the Local Plan. It is of note that the final design and choice of material will have the greatest level of impact for this particular development. Careful consideration to these two elements will contribute toward the development having a limited impact on the local landscape.

With regard to the concerns raised by Daresbury Parish Council, the LVIA demonstrates that a impact will be medium/high. The visualisations provide context for the decision making. Two views have been prepared to show the impact the development will have on Daresbury Village. Viewpoint 9 confirms that views of the development are obscured by the natural topography and extensive mature vegetation that bounds west of the village. Viewpoint 4 depicts the view taken from the church car park. Whilst this affords a view of the proposed development it is restricted to a natural aperture between trees, it is noted that the development would not be viewed above the existing tree line. This is to be caveated that such a view and in turn impact will be greater felt during winter months when the broad leaf trees are not in leaf. The view of the proposed development will become more prominent on approach to the Daresbury Village northern access point with the A56. The LVIA exercise has resulted in a positive change, a reorientation of the plots has moved the largest building away from the Daresbury Village entrance to the A56/A558 junction, thereby addressing any concerns of overlooking.

Whilst there is a degree of impact to the setting of Daresbury Village, it is not considered detrimental to the character and setting of the Conservation Area. With regard to an urbanising character being brought to the area, this site has been allocated for development since 2005 and the development proposed is commensurate to that on site and the demands of the market. Therefore any urban appearance is a natural consequence to the expansion of the Daresbury Labs campus.

6.3 Highway Considerations

The Highways Authority have provided comments that seek contributions for off-site works to improve the capacity of the A558. The submitted transport assessment modelling shows the A558 reaching capacity beyond 2026. This will limit development potential within the Runcorn East key area of change unless investment is undertaken to improve the capacity of the A558.

The Council has identified the A558 as a pinch point in the Council's development aspirations for Runcorn East (CS11). The proposed solution is to widen the A558 to a dual carriageway. This is consistent with the remainder of the Runcorn New Town ring road system. A contribution was previously sought by the lapsed planning approval 08/00215/OUT. This has set a historic precedent in terms of values, the same value will be sought again with an uplift in line with inflation as originally agreed. The contribution will be pooled alongside other financial contributions to fund future A558 infrastructure costs.

Policy CS11 seeks infrastructure funding contributions from all development sites allocated in the Runcorn East Key Area of Change. With regard to this

scheme, table 8 of the Core Strategy sets out a requirement for off-site contribution to the widening of the A558. It should be noted that DSIC participated in the Core Strategy Examination and recent examination in public sessions of the DALP, which has copied over the Runcorn East Key Area of Change. There is no recorded objection from DSIC to the policy based requirements of Policy CS11.

It is considered that the S106 contribution sought is necessary to make the proposed development acceptable in policy terms. It is directly relatable to the development proposed and is fairly and reasonably related to the scale of the development sought. Therefore, the terms of S106 agreement comply with paragraph 57 of the NPPF.

In terms of access to sustainable modes of travel the site is served by existing bus services and close to the local cycleway, greenway and footway networks.

6.4 Flood Risk and Drainage

The Environment Agency and Lead Local Flood Authority (LLFA). No objections have been received subject to the following conditions being attached to a planning approval:

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

- i. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by, or connection to any system adopted by, any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
- ii. infiltration testing, soakaway design and/or attenuation and filtration structures and calculations to demonstrate a reduction in surface water runoff rate to greenfield rates for new roof/hardstanding areas.
- iii. verification that capacity downstream of the outfall to watercourse is sufficient for the proposed discharge

No development shall be occupied until a verification report confirming that the SuDS system has been constructed in accordance with the approved design drawings (including off site alterations) and in accordance with best

practice has been submitted to and approved by the local planning authority. This shall include:

- i) Evidence that the SuDS have been signed off by an appropriate, qualified, indemnified engineer and are explained to prospective owners & maintainers plus information that SuDS are entered into the land deeds of the property.
- ii) An agreement that maintenance is in place over the lifetime of the development in accordance with submitted maintenance plan; and/or evidence that the SuDS will be adopted by third party.
- iii) Submission of 'As-built drawings and specification sheets for materials used in the construction, plus a copy of Final Completion Certificate.

6.5 Trees and Ecology

No objection, subject to conditions. Advice has been taken from the Council's retained ecology advisor, MEAS. Full comments are attached to this report.

The development is proposed to take place on a predominantly greenfield site. Part of the site has had minor operational development relating to levels preparation of the adjacent development site. In addition part of the site has been used as a temporary car park. The site has had a history of cultivation being used as part of a nearby farmstead.

The perimeter is bound by mature hedgerows. Mature hedgerows are by their nature ecological assets. Conditions recommended by MEAS seek to preserve the hedgerows in the delivery of development subject to final design considerations of a reserved matters application.

The development site is located within close proximity to the Daresbury Firs and the Bridgewater Canal. These are diverse habitats that are a known feeding ground for protected species including bats. A construction lighting condition is recommended to be attached to any decision that will limit light spill that may otherwise effect nocturnal wildlife.

6.6 Assessment

As noted above the development proposed is that of an outline scheme with all matters reserved. Matters such as access, drainage, design, layout, scale and overall appearance are reserved for future consideration of a reserved matters application. The determination of this application centres on land use policy compliance, site suitability for the quantum of development and impact on the surrounding area including the Highway network.

The development site is allocated for employment use by policy CS11. The proposed development complies with this land use.

The quantum of development is consistent with Policy CS11 floor space delivery target, as set out in Table 7 of the Halton Core Strategy. The table sets out an ambition to deliver 25,000sqm of floor space using the existing remaining ‘Gateway Sites’ alongside the A558 and Innovation Way. To date a total of 38,418sqm of floor space has been delivered at these sites. This is a notable achievement on the part of DSIC delivering above the policy set target. The proposed development of 17,970SQM additional floor space will result in the total delivery of 56,388sqm floor space on the CS11 allocation. The development site is capable of accommodating the proposed office floor space and necessary servicing area as evident by the indicative layout plans submitted with the application.

It should be noted that Daresbury Science and Innovation Campus is one of two enterprise zone science centres in the country. Therefore finite space exists to locate such commercial specialisms. The Council has learned from the Applicant that the early interest in the development proposed by this planning application has resulted in the office space being close to fully let prior to development commencing. This is reflective of the strong confidence and growth in the commercial lab space market at this location.

Ultra Violet is the next phase of delivery for the Sci-Tech Daresbury Enterprise Zone masterplan and as such is a key site for delivering ambitious growth plans. Sci-Tech Daresbury’s masterplan aims to deliver up to 1m sq ft of high quality office, lab and workshop space and grow the campus to 10,000 high quality jobs. The Borough’s economy has been strengthened in recent years by the expansion of key sites and employment areas such as Sci Tech Daresbury and as a result, this area has developed an important role in the sub region for science & technology research and development.

Sci-Tech Daresbury is a national science and innovation campus, with accommodation designed for high-growth or established technology companies from sectors including digital, advanced engineering, healthcare and clean technology. The campus has a reputation as a dynamic, collaborative and scalable home at the heart of an internationally recognised, innovative tech community

Off site impacts have been assessed by the Council’s Highways Department. The above target delivery of phase 1 of DSIC must be quantified in terms of its impact on the local highway network. The above noted S106 agreement will offset the identified harm resultant from an increase in traffic to the local highway network.

Highway impacts have been assessed against policy. No objection has been received from the Highway Officer provided that appropriate contributions are

made for off-site highways improvements by way of S106 or other appropriate agreement.

Matters of drainage, flood risk, contaminated land and ecological impacts have been assessed by the Council's advisors. No objections have been received subject to the attachment of relevant conditions to ensure compliance with Local Plan policies.

As noted in the comments from the Council's landscape architect, the development reflects the Local Plan land use allocation. There is identified harm to the Daresbury Village. However, this is limited to the northerly point of the village that is nearest the development. Views are limited to a small natural aperture within an existing mature landscaping boundary along the A56. This harm will increase during winter months when trees are not in leaf. In terms of light spill, this is to a degree an expected level of impact from this site's development following its land use allocation. Careful consideration of a future lighting scheme will limit such harm.

Impacts to the Daresbury Conservation Area have been assessed by the Council's retained conservation advisor who commented that the application site is located adjacent to a busy dual carriageway which cuts it off from any spatial and physical relationship to the Daresbury Conservation Area. Furthermore, Daresbury Village is bound by a substantial length of mature planting which screens it from the application site. Therefore, the character and appearance of the conservation area will not be affected.

Any harm to the landscape can be further limited by careful consideration of a final design and choice of materials. With a carefully considered landscape scheme there is the potential for such impact to soften as the landscaping scheme matures. To date there has been no discussion between the Council and the Applicant concerning the final design or choice of materials. The DSIC campus has a mixed offering of modern design materials that are consistent with the era of development in which they were constructed. As we move forward in a time of a climate emergency a wider range of construction materials are coming to the market that bring with them environmental credentials examples include energy efficient material incorporating natural cladding materials and green wall systems.

On balance it is considered that the development proposal is compliant with the application site's land use allocation. The quantum of development has been shown to be accommodated and the off-site impacts mitigated. Such accommodation causes a degree of harm in terms of its landscape impact, particularly that of Daresbury Village. However, such harm is outweighed by the delivery of the allocated site within the Daresbury Science and Innovation Park and the economic benefit that it will bring to the locality.

CONCLUSIONS

The principle of the development is acceptable and is considered to be in compliance with the aspirations of the Local Plan, specifically Policy CS11 of the Halton Core Strategy.

Approval of the application will facilitate the delivery of the final site of DSIC phase 1 allocation of the Halton Core Strategy and in the process generate significant benefits for the Borough including providing quality employment opportunities within a site that is growing in its importance both locally and regionally within the science and innovation industry.

On this basis the proposal is acceptable and accords with the Local Plan

7. RECOMMENDATION

The application be approved subject to the following:

- a) A planning obligation and/or other appropriate agreement relating to securing matters as set out this report.
- b) That if the S.106 agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated of the Operational Director – Policy, Planning and Transportation in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.
- c) Delegated authority be given to the Operational Director – Policy, Planning and Transportation to determine and agree the terms of all matters to be included in the planning obligation and/or other appropriate agreement and the conditions mentioned below.
- d) Conditions relating to the following:

CONDITIONS

1. Outline planning permission conditions setting out time limits and reserved matters (Section 92 the Act)
2. Condition specifying approved and amended plans (BE1).
3. Condition stipulating maximum build heights as shown on the Landscape Visual Impact Assessment (Ref:2572A dated:23.9.21) (BE1).
4. Details requiring submission and agreement of Construction, Management and Environmental Development Plan (BE1)
5. Details regarding electric vehicle charging provision. (CS19)

6. As part of a future reserved matters application, the Applicant will be required to submit details of a low carbon and renewable energy strategy (CS19)
7. Applicant to submit a scheme regarding operational lighting phase (BE1 and GE21)
8. Landscape scheme to include details of habitat and protected species mitigation (BE1 and GE21)
9. Condition ensuring no net biodiversity loss (NPPF).
10. Applicant required to undertake a site waste management plan (WM8).
11. Requirement of the Applicant to undertake piling risk assessment for controlled waters and underground water resources (PR5).
12. Applicant required to submit details proposing a sustainable drainage system (NPPF)
13. Details requiring verification report demonstrating surface water drainage implemented in accordance with approved details (NPPF).
14. Condition requiring submission and agreement of site levels and finished floor levels (BE1) these shall not exceed the levels demonstrated in the Landscape visual impact assessment.
15. Applicant required to submit a scheme for the provision of cycle storage.

8. 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.

9. SUSTAINABILITY STATEMENT

As required by:

- The National Planning Policy Framework (2021);
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

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

APPLICATION NO:	21/00466/FUL
LOCATION:	Daresbury Laboratory Keckwick Lane Daresbury
PROPOSAL:	Proposed construction of a supercomputing centre providing 3,070 sqm of floor space (Use Class E1) with formation of new access, landscaping and associated infrastructure
WARD:	Daresbury
PARISH:	Daresbury
AGENT(S) / APPLICANT(S):	Agent: Edward Flood Applicant: DSIC
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Allocated Employment Site (CS11)
DEPARTURE	No
REPRESENTATIONS:	1 objection received from Peel in relation to the Bridgewater Canal
KEY ISSUES:	Site suitability, scale, ecology, LLFA issues, access, impact on Bridge Water Canal, ground contamination, parking and highway issues.
RECOMMENDATION:	Grant planning permission subject to conditions.



1. APPLICATION SITE

1.1 The Site

The site subject of the application is an undeveloped green field site located adjacent to the Bridge Water Canal (BWC) and the Daresbury Firs. Its location within the wider context is accurately depicted in the red line plan above.

The Local Plan land allocation for the application site is set by the Core Strategy, specifically Figure 12 of Core Strategy Policy 11 ‘East Runcorn’.

The development proposal is situated on land within the ownership of DSIC, whilst undeveloped still forms part of the existing Daresbury Science and Innovation Campus (DSIC).

1.2 Development Site Access

The site is currently inaccessible by car. The development proposal details new access arrangements within the red edge of the location plan. This will allow vehicular access to be taken from within the existing DSIC campus via its own internal private road network. Access to DSIC campus is taken from Keckwick Lane via the Innovation Way roundabout.

The proposed access arrangement will result in an extension to the internal DSIC private road network and provide vehicular and pedestrian access via a shared surface with markings.

1.3 Relevant Site Planning History

None.

2. THE APPLICATION

2.1 The Proposal

The application proposes the following description of development ‘*Proposed construction of a supercomputing centre providing 3,070 sqm of floor space (Use Class E1) with formation of new access, landscaping and associated infrastructure*’.

The application results from a DSIC aspiration to develop a new supercomputer laboratory that will be used to undertake computational laboratory based experiments on behalf of DSIC. The proposed single storey building will provide 3070 SQM of floor space that will primarily be used as a data hall with supporting, offices, loading areas, ancillary facilities, covered plant spaces and external plant. The proposed development is expected to replace an existing supercomputing centre at DSIC that is no longer fit for modern day purposes.

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.

4. THE DEVELOPMENT PLAN

The application site features within the Runcorn East Key Area of Change (Fig11 Pg79 Halton Core Strategy). The Land allocation of Figure 12 in CS11 supersedes the allocation set by the UDP Proposals Map. Prior to this allocation the application site was allocated by the Halton Unitary Development Plan (Site 250) as a regional investment site.

Notwithstanding the land allocation of Policy CS11 there remain relevant UDP policies for the determination of future scheme impact and the justification of conditions. Such matters are discussed in detail below.

Halton Unitary Development Plan (UDP) (2005)

The relevant UDP policies are:

- BE1 General requirements for development;
- BE2 Quality of design;
- PR16 Development and flood risk;
- TP6 Cycle Provision as Part of New Development;
- TP12 Car parking;
- TP14 Transport assessments;
- TP15 Accessibility to new development
- TP16 Green travel plans
- TP17 Safe travel for all

4.1 Halton Core Strategy (2013)

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

- CS2 Presumption in Favour of Sustainable Development;
- CS4 Employment Land Supply and Locational Priorities;
- CS11 East Runcorn;
- CS15 Sustainable Transport;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS20 Natural and Historic Environment
- CS23 Managing Pollution and Risk.

4.2 MATERIAL CONSIDERATIONS

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

4.4 National Planning Policy Framework

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

4.6 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.

4.7 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."

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

4.9 National Planning Policy for Waste

4.10 The National Planning Policy for Waste sets ambitious aims to work towards a more sustainable and efficient approach to resource use and management through positive planning in delivering sustainable development and resource efficiency including through the provision of modern infrastructure and by driving waste management up the waste hierarchy and by securing the re-use, recovery or disposal of waste without endangering human health or harming the environment.

4.11 Other Considerations

4.12 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.

4.13 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 for New Development.

5. **CONSULTATIONS**

5.1 The application was advertised by way of a site notice posted near to the site, press notice dated 1/04/2021, letters to surrounding properties and the Council website.

5.2 The following consultees and organisations were consulted and any comments received have been summarised below in the assessment section of the report:

5.3 INTERNAL CONSULTEE RESPONSES

Highways and Transportation Development Control

No objection.

Ground Contamination

No objection.

Ecology

The Applicant has submitted the following ecology reports to date:

- Preliminary ecological appraisal
- Badger, Water Vole and Otter Survey and Preliminary Roost Assessment Survey
- Bat Survey Report

The bat report is currently under the consideration of the Council's ecological advisor. All other reported matters have been assessed without objection subject to the use of appropriate conditions.

An update on the bat survey will be provided to Committee Members orally.

Lead Local Flood Authority (LLFA)

No objection. Standard drainage conditions to be attached to any approval requiring the submission of a surface water drainage scheme.

Environmental Protection

No objection subject to use of a condition regarding plant machinery noise protections.

Open Spaces

No objection.

Archaeology

No objection.

Landscape Architect

No response.

5.4 EXTERNAL RESPONSES

United Utilities

No objection, subject to conditions.

Peel Holdings

Response states that Peel does not object in principle of this development, but requests a holding objection. A number of observations and concerns are raised in correspondence.

- Development is within 2m of the Canal at its closest point. Concern about adverse loading on canal wall.
- Site subject to a change in land levels adjacent to the canal wall.
- Removal of trees closely located to the canal wall.
- Replacement tree planting should be planted in tree pits to restrict root growth toward canal wall.
- Construction machinery and practices in close proximity to the canal wall
- Concern over operation of proposed drainage soakaway and the impact it will have on canal.

The Council considers the above concerns to be private matters between the Applicant and Peel as adjoining land owners. There are no policy based concerns expressed by Peel. Whilst the concerns are of merit they are matters to be explored between Peel and the Applicant. For the avoidance of doubt the LLFA have considered the proposed drainage strategy and raise no objections.

Bridgewater Trust

No response.

Environment Agency

No response.

Natural England

No objection.

Cheshire Police

No objection. The designing out crime officer has provided detailed comments concerning site security of a developed site. These have been forwarded to the agent advising the Applicant.

6. REPRESENTATIONS

6.1 None

7. ASSESSMENT

7.1 Design and layout

Documentation submitted with the application provides an overview of elevations, site plans and artist concepts as to the final appearance of the scheme within its surroundings.

The proposed development is to be comprised of purpose built materials that are in keeping with a modern employment site, complimenting the material set of the wider modernisation of the DSIC campus.

The proposed single storey unit will be of steel frame construction with modern commercial prefabricated tiled exterior. A limited section of elevation will form a glazed atrium, this feature faces toward the DSIC campus. The materials indicated on the proposed elevations and artist impressions provide sufficient comfort that the scheme is a high quality design that will benefit from a modern material finish that is consistent with the campus surroundings.

Whilst described as a single storey building it has a greater physical mass with the ground floor being 5 metres in height with an additional area of roof mounted plant space above. Above this area of roof mounted plant the Applicant proposes the installation of a solar array.

The total height of the roof mounted equipment adds a further 5m in height to the proposed building.

Roof mounted plant is common throughout the DSIC campus, particularly the latest developments undertaken on site. Extensive plant equipment is required to ensure the building's internal environment is maintained at a specific laboratory grade environment. The gross internal area of the unit will be 3070sqm.

The building fits within the existing DSIC campus. It will rely upon the existing DSIC infrastructure for access and parking. Notwithstanding four parking spaces are provided within the proposed redline. It is expected that this is to be used for providing disabled spaces and servicing.

A landscape plan has been included that details mature tree standards to be planted to replace the existing trees that will be lost as a result of the construction phase.

The proposed development will form an extension to the existing DSIC campus including adaptations and extensions to the private DSIC internal roadway.

7.2 Landscape Impact

The application site is allocated for development in the Core Strategy (CS11). There is an expectation that a degree of landscape impact will result from such allocation. Existing structures on site are predominantly 3-storeys in height, increasing in height away from the canal. It is considered that it will produce minimal impact to the surrounding landscape. A detailed landscape plan has been submitted that demonstrates careful thought and consideration of the scheme designers into the long term appearance of the development within its immediate landscape. A conscious decision has been taken to propose a blank elevation to the canal avoiding an urbanised appearance. It is considered that over time the landscaping scheme will soften the impact of the development within its setting.

The Council's Landscape Architect has been consulted and offers no objection to the development proposal.

7.3 Highway Considerations

No objection. The Highways Authority have assessed the proposed development and determined that there will be no significant or severe impacts on the existing highway network.

The planning application is supported by a transport note that details means of access, parking, cycle provision and a wider approach to sustainable modes of travel to work.

No infrastructure requirements are expected of this development site (Core Strategy allocation policy CS11) as it is considered that they have been secured already by the Council's approval of planning permission ref: 16/00495/OUTEIA.

7.4 Flood Risk and Drainage

The Lead Local Flood Authority has confirmed that they raise no objection subject to the following conditions being attached to a planning approval:

- No development shall be occupied until a verification report confirming that the SuDS system and treatment system has been constructed in accordance with the approved design drawings and in accordance with best practice has been submitted to and approved by the local planning authority. This shall include:
 - Evidence that the treatment plant and SuDS have been signed off by an appropriate, qualified, indemnified engineer and are explained to prospective owners & maintainers plus information that SuDS are entered into the land deeds of the property.

- A maintenance management plan.
- An agreement that maintenance is in place over the lifetime of the development in accordance with submitted maintenance plan; and/or evidence that the treatment plant and the SuDS will be adopted by third party.
- Submission of 'As-built drawings and specification sheets for materials used in the construction, plus a copy of Final Completion Certificate.

7.5 Trees and Ecology

The application site is open bound by the BWC to the west and Daresbury Firs to the east. DSIC campus lies to the North, and the remainder of the DSIC land holding to the South. The site consists almost entirely of poor semi-improved grassland, previously arable farmland bordered by hedgerow, scattered trees and scrub. There are no immediate tree constraints as in preservation orders and the site is not within a conservation area. Daresbury Firs to the East provides a boundary which is a Local Nature Reserve and Local Wildlife Site.

Tree loss associated to the development appears minimal, which is predominantly for the construction of vehicle access and road network around the facility. Within the red edge a total of 10 individual specimens and two groups of trees will be removed. These are to be compensated for by the planting of 11 heavy standard trees. The loss of trees and the replacement planting has been assessed by the Council's Open Spaces Division and confirmed as acceptable.

The Ecological Appraisal considers the development proposals will not result in any adverse ecological impact if the recommended procedures set out in the applications documentation are followed. All permitted work shall be carried out strictly as described in the submitted documentation and in accordance with British Standard 3998:2010 "Recommendations for Tree Work" to safeguard the health and visual amenity of the trees. Work shall not be carried out between April and July if it would result in disturbance to nesting birds to ensure no damage to wildlife.

The Council's retained ecology advisor has considered the documentation submitted to date and raised no objection subject to the use of appropriately worded conditions to achieve the aims set out below.

It should be noted that the Council is awaiting comments from its retained advisor regarding the bat survey which was late being submitted. An update will be presented to Committee Members on this.

Matters recommended by ecology advisor to be secured by condition:

- Construction Environmental Management Plan (CEMP) detailing following requirements:
 - Protection measures for the woodland areas to the east (Daresbury Firs LNR/LWS) and north-east, and any associated buffer habitats located at the eastern site boundary.
 - Protection measure for the Bridgewater Canal to the west, to include a minimum buffer along the watercourse of 5 metres.
 - Pollution control measures to prevent runoff and other potential pollutants entering the woodland area to the east or the canal to the west.
 - Avoidance measures for protected/priority species including badger and hedgehog.
 - Timing restrictions in respect of clearance of potential bird nesting habitat.
 - Invasive species control method statements (Himalayan balsam).

7.6 Assessment

As noted above the development proposed is of a single storey building providing 3070SQM of proposed employment floor space. DSIC intends this floor space to be used as a supercomputing site. The proposed development would enable DSIC to remain a leading innovator in large scale computing in the UK.

The development site is allocated for employment use by policy CS11, specifically B1 science and high tech research and development. This allocation expects a floor space target of 47,383SQM (Table 7. Core Strategy). It is considered that such a target is an editing mistake of the Core Strategy, as it is unlikely the Council intended to expect the greatest quantum of commercial floor space development upon the smallest area of land in the CS11 land allocation.

The Core Strategy employment delivery expectations of Daresbury Labs is a sum total of 96,883SQM. This is to be delivered across three distinct areas of land as shown in figure 12 of the Core Strategy. They are, the ‘Gateway sites’ along innovation way, ‘Expansion lands’ to the West of the BWC and ‘Site to the South of existing DSIC campus’. The application site forms part of the latter.

Since the adoption of the Core Strategy, the Daresbury Labs campus has delivered 38,418SQM of employment floor space at the Gateway Sites. Using this as built density across the expansion lands, there is sufficient land available for Daresbury Labs to achieve the Core Strategy sum total of floor space between the Gateway Sites and Expansions lands whilst allowing a 3000SQM development to take place on the application site.

Table 7 of the Core Strategy sets out two infrastructure requirements that this development site is expected to contribute towards. Junction improvement works at A56 and improvements to Delph Lane Canal Bridge. These expectations have been met by planning permission ref: 17/00407/OUTEIA and its subsequent amendment permission 20/00487/S73 that were both granted to Redrow Homes in 2018 and 2021 respectively. Development works have begun on site and the improvements works to the A56 junction are expected to commence in the new year. Improvements to the existing canal bridge are expected to be delivered in later phases of Redrows development which will see Delph Lane become part of the Council's greenway network.

It is considered that the proposed development accords with the land use policy associated with the land use designation for the application site.

With regard to materials and design of the development in the context of its site and situation the following points are of note. The building design and material choice is designed to be as sympathetic to its surroundings as possible. The building is a single storey to minimise visual impact and preserve views to the Daresbury Firs. The proposed building materials are dark in nature so as not to distract wider fields of view. Finally, a landscaping plan detailing the planting of mature native species will soften the impact of the proposed development on the local landscape. Whilst it is inevitable that there will be a degree of impact on a development site, particularly a greenfield site, it is considered that the Applicant has taken all steps available to lessen any inevitable impact as a result of the Local Plan land use allocation.

Off-site impacts have been assessed by the Council's Highways Department and the Council's Environmental Health Department. No objection has been received from the Highway Officer advising the Council's decision, environmental health officers have advised the use of a condition to any planning approval regarding plant machinery noise in the interests of protecting the amenity of nearby residents.

Matters of drainage, flood risk, contaminated land and ecological impacts have been assessed by the Council's advisors. No objections have been received subject to the attachment of relevant conditions to ensure compliance with Local Plan policies.

8. CONCLUSIONS

The principle of the development is acceptable and is considered to be in compliance with the aspirations of the Local Plan, specifically Policy CS11 of the Halton Core Strategy.

Wider impacts have been assessed by the Council's retained advisors with no objection been received subject to the use of planning conditions.

Approval of the application will facilitate the delivery of a new investment at the DSIC campus and bring quality employment opportunities within a site that is growing in its importance both locally and regionally within the science and innovation industry.

On this basis the proposal is acceptable and accords with the Local Plan

9. RECOMMENDATION

Approve subject to the list of conditions detailed below.

Conditions

1. Condition setting out standard time limits (Section 92 the Act)
2. Development to be carried out in accordance with approved plans (BE1).
3. Details regarding a construction and environmental management plan detailing the following:
 - Protection measures for the woodland areas to the east (Daresbury Firs LNR/LWS) and north-east, and any associated buffer habitats located at the eastern site boundary.
 - Protection measure for the Bridgewater Canal to the west, to include a minimum buffer along the watercourse of 5 metres.
 - Pollution control measures to prevent runoff and other potential pollutants entering the woodland area to the east or the canal to the west.
 - Avoidance measures for protected/priority species including badger and hedgehog.
 - Timing restrictions in respect of clearance of potential bird nesting habitat.
 - Invasive species control method statements (Himalayan balsam).
4. Requirement concerning a verification report demonstrating the approved surface water drainage scheme has been implemented (NPPF).
5. Details concerning external plant equipment noise protections (PR2).
6. The development hereby permitted shall not be occupied until details of bird boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, has been provided for approval and implemented in accordance with those details.(BE1 and GE21).

7. Details concerning the submission of a construction waste audit (WM8).
8. Details requiring the installation of a lighting scheme to prevent excessive light from affecting the canal corridor and Daresbury Firs (BE1 and GE21).
9. Details for a scheme demonstrating the number and location of Bat boxes (BE1 and GE21).
10. Condition requiring the installation of any boundary treatment the Applicant shall submit details concerning measures to implement a hedgehog highway (BE1 and GE21).
11. A Landscape and Ecology Maintenance Plan shall be submitted and agreed in writing. It shall address the following points
 - Creation, establishment and management of wildflower areas;
 - Planting, establishment and management of hedgerows;
 - Tree management;
 - Pond management;
 - Management of areas containing bluebell;
 - Locations of hedgehog highways in boundary fences;
 - Bat and bird box types and locations. This should be informed by the updated bat activity and breeding bird surveys completed in 2021.
12. Details requiring submission and agreement of site levels and finished floor levels (BE1)

Informative

1. United Utilities Informative.
2. Environment Agency standing advice
3. Informative about requirement for biodiversity net gain post enactment of the Environment Act 2021.

BACKGROUND PAPERS

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

SUSTAINABILITY STATEMENT

As required by:

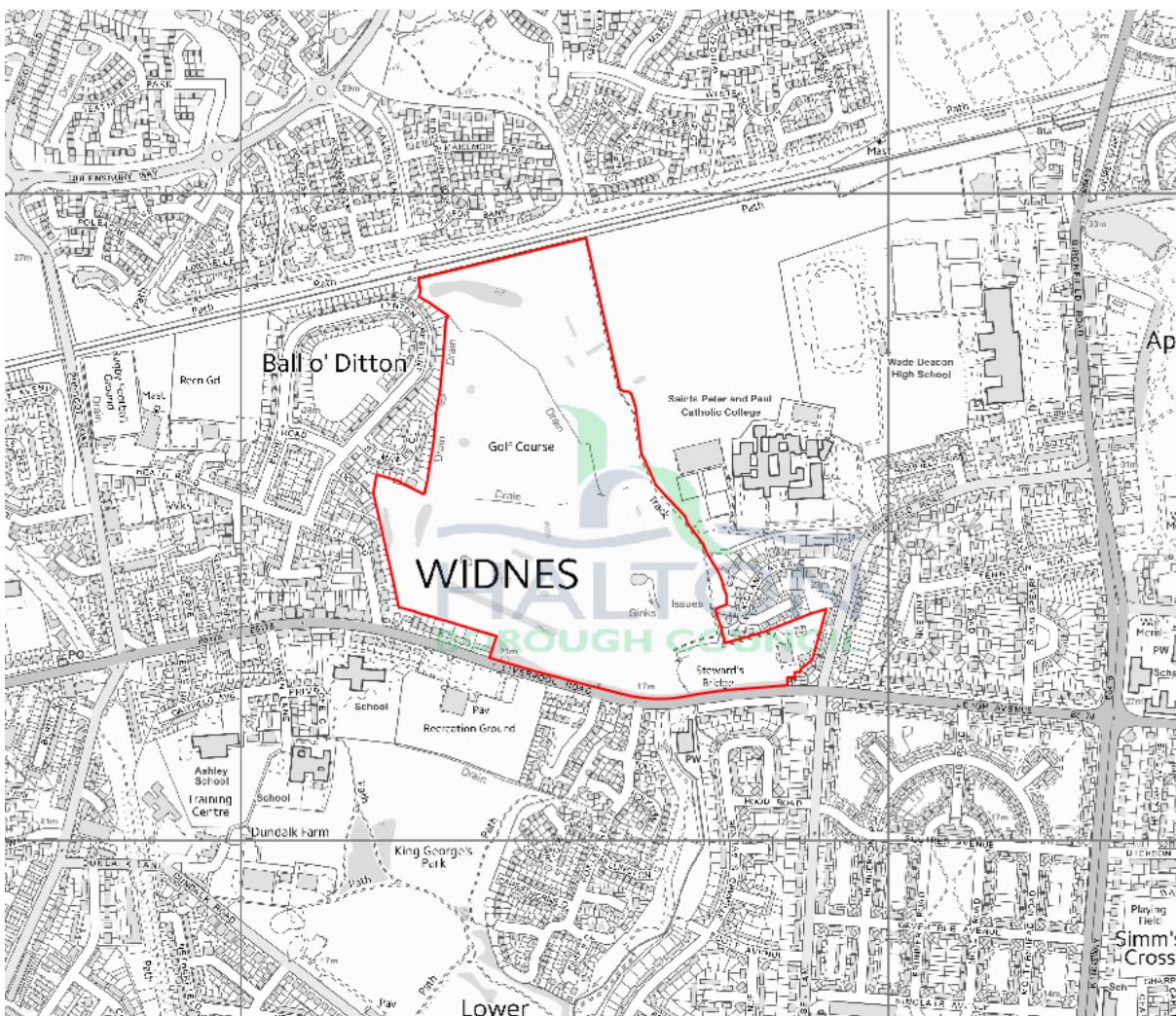
- The National Planning Policy Framework (2021);
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and

- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

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

APPLICATION NO:	21/00471/FUL
LOCATION:	Widnes Golf Club, Highfield Road, Widnes, WA8 7DT.
PROPOSAL:	Proposed development comprising 233 dwellings, reconfiguration of Golf Course, demolition of existing club house and associated buildings and erection of new club house and green keepers store, creation of new vehicular accesses, roads, car parking, green footpath link and ancillary development.
WARD:	Highfield
PARISH:	None
APPLICANT:	Anwyl Homes Lancashire & Widnes Golf Club.
AGENT:	Barton Willmore, Tower 12, Bridge Street, Spinningfields, Manchester, M3 3BZ.
DEVELOPMENT PLAN:	ALLOCATIONS: Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)
DEPARTURE	Yes.
REPRESENTATIONS:	Four hundred and six contributors have made representations on the application with four hundred and one being in objection to the proposed development.
KEY ISSUES:	Development on Greenspace / Strategic Greenspace, Highways and Transportation, Flood Risk and Drainage, Trees, Landscaping and Landscape Impacts, Health and Well-being.
RECOMMENDATION:	Application has been appealed. Members are considering how 1) the Council would have determined the matter, the officer recommendation is a refusal And That 2) the Council's position as set out in the report be defended at appeal

SITE MAP	
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THIS REPORT IS BEING PRESENTED TO COMMITTEE AS THE APPLICANT HAS APPEALED THIS SECOND APPLICATION TO THE PLANNING INSPECTORATE RATHER THAN AWAIT A COUNCIL DECISION.

1. APPLICATION SITE

1.1 The Site

The site subject of the application is Widnes Golf Course, located on Highfield Road in Widnes. The site is 25.04ha in area. Vehicular and pedestrian access to the site is from Highfield Road. The associated clubhouse buildings are located adjacent to the site entrance from Highfield Road.

The site is bounded by Liverpool Road and residential development to the south, by residential development to the west, by a railway line to the north and a secondary school and residential development to the east.

The site currently operates as an 18 hole golf course.

Located on the site are 50 individual trees, 106 groups of trees, 1 woodland component and 7 hedgerows. There are also 3 mapped ponds however, one has been completely dry for a number of years.

Liverpool Road is a main route through Widnes served by a number of bus routes. The nearest local centre is Liverpool Road (Widnes) Local Centre, which is approximately 300m from the site at its closest point. Widnes Town Centre is less than 1km from the site at its closest point.

The site is designated as Greenspace (Golf Course) on the Halton Unitary Development Plan Proposals Map. A Potential Greenway, which would be primarily along the eastern boundary of the application site, is also shown on the Halton Unitary Development Plan Proposals Map.

The Halton Core Strategy Local Plan has a Key Diagram, which shows the application site as being part of a Strategic Greenspace running through Widnes.

The Council submitted the Submission Delivery and Allocations Local Plan to the Planning Inspectorate (DALP) for independent examination on 5th March 2020. This will replace the existing Unitary Development Plan Proposals Map in due course. This proposes to designate the area occupied by the golf course as Greenspace (Golf Course) with the remainder of the application site which forms the clubhouse and parking area adjacent to Highfield Road as being unallocated. This is now a material planning consideration, however at this point carries very little weight in the determination of planning applications.

2. THE APPLICATION

2.1 The Proposal

The application proposed development comprising 233 dwellings, reconfiguration of Golf Course, demolition of existing club house and associated buildings and erection of new club house and green keepers store, creation of new vehicular accesses, roads, car parking, green footpath link and ancillary development.

2.2 Relevant Dates

The application was confirmed valid by the Council on 29th July 2021 and had a 13-week target date for determination of 28th October 2021.

3. RELEVANT PLANNING HISTORY

3.1 Planning History

Members will note that the Committee agreed the recommendation to refuse planning permission for the previous application (Application Reference 20/00153/FUL) at this site on 2nd March 2021.

Application 20/00153/FUL at the point of determination proposed development comprising 249 dwellings, reconfiguration of golf course, demolition of existing clubhouse and associated buildings and erection of new clubhouse and greenkeepers store, creation of new vehicular accesses, roads, car parking and ancillary development.

Application 20/00153/FUL was refused by the Council on 3rd March 2021 for the following four reasons:

- 1. The proposed development would compromise many of the amenity values of this designated Greenspace and would segregate the inter-connecting Greenspaces forming part of the wider Strategic Greenspace identified on the Halton Core Strategy Local Plan Key Diagram.**

The applicant's golf needs assessment does not demonstrate that the existing 18-hole golf course is surplus to requirements. The proposed development would not result in replacement provision which is equivalent or better in terms of quantity and quality nor does the development provide alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. The proposed improvements at the Widnes Golf Course site including the building of a new purpose-built clubhouse and ancillary building forming a greenkeepers store do not go anywhere near raising the overall amenity value of the greenspace to justify the 11ha of residential development being sought by this application nor would it enhance and expand the green infrastructure network.

Whilst the proposed residential development would create an environment for future residents that would be both of a high quality, a healthy environment and would provide diversity in housing typologies, the proposed development would have a negative impact on the wider population in terms of impact on both local green-infrastructure, designated green space and golfing provision in the locality.

To allow the proposed development is therefore considered to be contrary to the provisions of Policies GE6 and GE10 of the Halton Unitary Development Plan, Policies CS1, CS21 and CS22 of the Halton Core Strategy Local Plan and Paragraph 97 of the NPPF.

2. The proposed development would result in a significant and unacceptable residual cumulative impact on the operational capacity of the adopted highway network in the area due to the increased number of vehicle movements generated by the proposal particularly at the traffic signals junctions to the east and west of the site.

The proposed residential layout along the frontage of Liverpool Road would also create significant road safety issues and is therefore considered to be unacceptable.

To allow the proposed development is therefore considered to be contrary to the provisions of Policies BE1, TP14, TP15 and TP17 of the Halton Unitary Development Plan and Paragraphs 108 and 109 of the NPPF.

3. The applicant has demonstrated through the hydraulic assessment and modelling the site is at risk of flooding from Moss Brook during events with the same or greater magnitude to the 1% Annual Exceedance Probability (AEP) event. Paragraph 033 of the Environment Agency (EA) Flood Risk and Coastal Change Guidance (Reference ID: 7-033-20140306) and Paragraph 155 to 158 of the NPPF indicate that although the Sequential and Exceptions tests would not normally be necessary to applied to development proposals in Flood Zone 1, however they should if other more recent information, indicates there may be flooding issues now or in the future. Therefore a sequential test should have been applied.

The sequential approach to locating development in areas at lower flood risk should be applied to all sources of flooding and inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 163 of the NPPF goes on to state 'Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk'. The proposed development of 'More Vulnerable' infrastructure within the modelled flood extent of Moss Brook shown in Annex E of the Flood Risk Assessment (FRA) is not considered to be acceptable, particularly when there is a significant area of the site which does not lie within the modelled flood extents and would be more suitable for development of residential dwellings.

No compensatory storage analysis has been provided along with the proposal to raise land levels. The site is 25ha, with the majority of the site in fluvial flood zone 1 and outside of the modelled 1 in 1000 year flood outline for the ordinary watercourse, therefore the residential development, as the most vulnerable infrastructure, should have been placed in the area of lowest risk and should not require a raised platform.

The proposed development would result in an increased flood risk for properties on Woodland Avenue which is unacceptable and clearly does not follow NPPF or EA guidance by the proposed development increasing flood risk elsewhere.

With regard to alterations to the watercourse, the site is 25ha and there is clearly sufficient land to otherwise place the development and provide the space for a 1 in 3 slope for the watercourse.

The ‘Surface Water Drainage Strategy’ plan shows development is proposed within 8m of a watercourse which is against standard drainage bylaws and not considered to be acceptable.

The applicant has not applied the Drainage Hierarchy adequately as there have been no site specific infiltration testing been undertaken prior to discarding infiltration.

No detail has been provided as to how riparian responsibilities would work as dwellings are proposed above a culverted watercourse.

In respect of flood risk and drainage, to allow the proposal would be contrary to the provisions of Policy PR16 of the Halton Unitary Development Plan, Policy CS23 of the Halton Core Strategy Local Plan and the National Planning Policy Framework.

4. The proposed development would destroy many trees including some of those forming part of the recently made Tree Preservation Order which provide significant amenity value as well as other individual trees and tree groups covering a significant area of the site. The proposed development also has the potential to impact existing trees which would remain and therefore compromise tree cover further. The proposed replacement planting scheme would have a negative residual effect in respect of tree cover and the proposal is not considered to reflect the essential character of this designated Greenspace.

The site forms part of the Mersey Forest with the focus being on landscape improvements. This proposed development would result in the loss of a significant amount of trees with the proposed replacement planting scheme having a negative residual effect in respect of tree cover thus not representing a landscape improvement.

The proposal also fails to enhance and restore the Ball O'Ditton Parkland Character Area by virtue of the amount of residential development proposed on the existing golf course as well as the loss of the key woodland belts which are key characteristics.

In respect of trees, landscaping and landscape impacts, the proposed development is considered to be contrary to the provisions of Policies BE1, GE27 and GE28 of the Halton Unitary Development Plan, Policy CS20 of the Halton Core Strategy Local Plan and Paragraph 170 of the National Planning Policy Framework.

4. APPEAL AGAINST THE REFUSAL OF APPLICATION 20/00153/FUL (the 1st application)

4.1 The applicant made clear their intention to appeal against the refusal of application 20/00153/FUL at the same time as submitting a further planning application (application 21/00471/FUL subject of this report).

4.2 The appeal was lodged with the Planning Inspectorate on 11th August 2021. The Planning Inspectorate confirmed the appeal valid on 31st August 2021 and set out the procedure to be suitable for the determination of the appeal, which in this case was an Inquiry and the associated timetable.

4.3 The Inquiry was due to open on Monday 6th December 2021 and was scheduled for five sitting days.

4.4 On receipt of the letter confirming that the appeal was valid, Officers have been working towards the associated deadlines including the drafting of proofs of evidence which were due to be submitted on 8th November 2021.

5. THE CONSIDERATION OF APPLICATION 21/00471/FUL

5.1 Members will note the challenges that the determination of a major planning application within the 13-week target date poses especially where the applicant has not engaged in detailed pre application discussions.

5.2 Officers endeavour to work with applicants in pro-active manner where possible to secure developments that will improve the economic, social and environmental conditions of the area as advocated by NPPF. Local Planning Authorities should also approach decisions on proposed developments in a positive and creative way. Adopting such an approach can sometimes mean

that planning applications (particularly complex major planning applications), can take longer to process than the target dates for determination. In this instance, there is provision to agree an extension to the time period for the determination of the application with the applicant.

5.3 Noting the numerous deadlines on the planning appeal for this site against the refusal of application 20/00153/FUL, these have had to be prioritised ahead of the consideration of application 21/00471/FUL. This has unfortunately affected the speed at which the application could be processed.

5.4 Ahead of the target date for determination, Officers set out realistic expectations for the consideration of the application and sought to agree a proposed time extension to work together in a pro-active manner to address matters where possible to limit reasons for refusal.

5.5 The applicant did not respond to this request for a time extension and appealed to the Planning Inspectorate on 29th October 2021 (one day after the target date for determination) against the non-determination of the application by the Council.

5.6 Members should also note that on 25th October 2021 (four days before appealing against the non-determination of the application), the applicant made further submissions to accompany the application. There was no time to undertake the required consultation / further publicity on these submissions and these will ultimately now need to be considered as part of the appeal consultation process.

6. CONJOINING OF APPEALS RELATING TO APPLICATIONS 20/00153/FUL & 21/00471/FUL

6.1 The now Appellant made clear their intention to attempt to conjoin appeals should application 21/00471/FUL not be determined favourably.

6.2 At the time of appealing against the non-determination, the Appellant expressed their view to the Planning Inspectorate that the appeals should be conjoined.

6.3 In response to the Appellant's request, Officers set out that conjoining the appeals would cause major procedural difficulties and it would cause serious problems in terms of the preparation of the Council's evidence noting that the Council's witnesses have already drafted their proofs in respect of the appeal against the refusal of application 20/00153/FUL. Officers also expressed their disappointment of the Applicant's actions in their very late submission of further information and the fact that they have not taken up the opportunity to work together in a pro-active manner to address matters where possible to limit reasons for refusal.

6.4 The Planning Inspectorates response on 2nd November 2021 was that there is insufficient time to carry out the statutory timetable to co-join the new appeal with the inquiry relating to application 20/00153/FUL.

6.5 They quoted Paragraph 2.2.1 of their guidance, which explains “Our usual practice is to resist postponements and adjournments in view of the delay and disruption this causes. Appellants should therefore not make their appeal until they are ready to proceed to the decision.”

<https://www.gov.uk/government/publications/planning-appeals-procedural-guide/procedural-guide-planning-appeals-england#general-matters>

6.6 They considered that the submission of a new appeal was not an exceptional circumstance to warrant not following that guidance. In addition postponing the event would be contrary to the timescales recommended in the Rosewell review which could be seen to set a precedent, which other appellants may then seek to follow, which would likely lead to an increase in appeal end to end times.

6.7 The Planning Inspectorate chose not to delay the Inquiry relating to application 20/00153/FUL due to open on 6th December 2021 in order to link the case to the new appeal relating to application 21/00471/FUL. They advised that the new appeal will run separately, as an inquiry, although the procedure will be kept under review.

6.8 They also stated that if the Appellant wishes to focus solely on the new appeal relating to application 21/00471/FUL, then as Officers suggested to the Appellant, it would be open to them to withdraw the original appeal.

6.9 On 5th November 2021, the Appellant confirmed their intention to withdraw the appeal relating to the refusal of application 20/00153/FUL.

6.10 The start letter confirming the appeal regarding the non-determination of application 21/00471/FUL and the associated timetable was received on 16th November 2021.

7. THE COUNCIL’S STATEMENT OF CASE FOR APPLICATION 21/00471/FUL

7.1 The start letter referred to in paragraph 6.10 sets out a deadline of 21st December 2021 by which the Council will have to submit a statement of case on the appeal relating to the non-determination of application 21/00471/FUL.

7.2 As set out at paragraph 5.6, further submissions to accompany the application were made four days before the applicant chose to appeal against non-determination of the application. The required consultation to inform the Council’s Statement of Case will now need to be done as part of the appeal consultation process.

7.3 In the Appellant's Statement of Case, the state that they believed that very similar reasons for refusal would have been brought against this application (21/00471/FUL) as were brought against the original (20/00153/FUL) as set out in full in paragraph 3.1. The Appellant considered this to be the case despite application 21/00471/FUL providing additional information and adding additional benefits in an attempt to overcome previous reasons for refusal. Officers consider it a reasonable approach to provide Members with a commentary regarding the position with each of the previously cited reasons for refusal (at paragraph 3.1) at the time of writing this report.

8. POTENTIAL REASON FOR REFUSAL 1 - THE PRINCIPLE OF RESIDENTIAL DEVELOPMENT OF PART OF A GOLF COURSE

8.1 Officers consider that this ground for refusal can again be substantiated at the appeal. A detailed case as set out in the assessment for application 20/00153/FUL will be presented.

9. POTENTIAL REASON FOR REFUSAL 2 - IMPACT ON HIGHWAY CAPACITY AND HIGHWAY SAFETY

9.1 The previous highway reason for refusal has two key elements to it. The first element is the impact on highway capacity and the second element is highway safety. The highway assessment below is based on the original submissions made to accompany application 21/00471/FUL and do not reflect the further submissions made to accompany the application just four days before the applicant chose to appeal against non-determination of the application.

IMPACT ON HIGHWAY CAPACITY

9.2 The Highway Officer has made the following observations:

9.3 The applicant's consultants submitted a revised Transport Assessment to support the resubmission in response to the Highway Authority's concerns with regards impact of the proposed development on the existing network.

9.4 All trips associated with the development would need pass through one, or the other, of the Liverpool Road traffic signal junctions adjoining the site and therefore there will be a direct impact on the operation of these signal installations due to the proposed increase in movements.

9.5 For clarity the Highway Officer will refer to concerns raised as part of considerations for 20/00153/FUL and comment on how the current application, 21/00471/FUL, addresses these issues.

The applicant's consultants previously proposed amendments to the signal phasing at the Liverpool Road/ Prescot Road/ Hale Road and Liverpool Road/ Highfield Road/ Lower House Lane junctions in an attempt to mitigate against the impact of trips associated with the proposed development.

It was the Highway Officers considered opinion that the proposed changes resulted in a severe concerns with regards to road safety.

"The primary concern in terms of road safety is that the proposed phasing results in a risk of conflict between turning vehicles for example drivers who frequently drive through the junction will sometimes be unopposed (Stage 3) and other times opposed (Stage 6). The risk is that the driver will assume opposing traffic will be held on red, a proceed to turn right as the opposing traffic receives a green signal. This was just one of the issues raised by the audit team and is considered to illustrate a severe impact in terms of road safety and therefore the proposed changes to the signal cannot be supported."

This flawed mitigation methodology along with various input issues including lack of consideration for pedestrians crossing within the model also resulted in significant impacts on the operational capacity of both junctions and therefore the proposal were considered to be unacceptable.

- 9.6 In terms of the current application, 21/00471/FUL, the applicant's consultant has removed the additional phases from the junction configuration, corrected some data input discrepancies and provide more detailed pedestrian call information.
- 9.7 As expected the proposed development does have a negative impact on the operational capacity of the junctions but the more accurate models does demonstrate a lower increase to the degree of saturation (DoS) percentage in comparison to the original proposal.
- 9.8 The Highway Officer is confident that maintaining the existing junction phasing removes the Road Safety Aspect for both junctions as they would both continue to operate as they do currently.
- 9.9 For consistency, the Highway Authority again commissioned a third party specialist consultant to undertake a full audit for both revised models including both the baseline and proposed Linsig models.
- 9.10 The exercise carried out by the commissioned audit team demonstrates that the proposed mitigation is acceptable.
- 9.11 The audit teams report confirmed that the applicant's consultants had addressed the previous errors and on the whole the models including input and output were considered to be accurate. Some minor points were raised during the audit but these were few and considered not to be significant enough to invalidate the model.
- 9.12 As previously agreed, when allowing for an accepted growth factor, by 2026 the junction exceeds 90% DoS on some approaches which results in both junctions operating over capacity and unstable.

9.13 For clarity degrees of saturation below 100% are within theoretical capacity (i.e. demand flow does not exceed capacity), however variations in traffic arrivals through the peak hour may result in shorter time periods where the degree of saturation exceeds 100%. Therefore, an arm is generally considered to be over capacity once the degree of saturation exceeds 90%.

9.14 The Highway Officer will summarise the model outputs for each junction to clearly set out the impacts and considerations.

9.15 Liverpool Road/ Prescot Road/ Hale Road

As expected the revised model still demonstrated that in the 2026 base scenario all arms of the junction would have either reached or surpassed 90% therefore the junction becomes unstable.

The proposed development trips result in approximately 1% worsening above the 2026 baseline in the AM peak and 6% in the PM peak.

9.16 Liverpool Road/ Highfield Road/ Lower House Lane junctions

The applicant carries over some minor changes to lane development from the previous application to provide two short lanes on the Highfield Road arm. These minor white lining changes which is an acceptable mitigation measure although it only acts to formalise existing driver behaviour.

In the 2026 baseline only the Highfield Road and Leigh Avenue arms are unstable with DoS above 90%. These arms see a percentage increase of around 7%.

When the development flows are added the Left/ Ahead Liverpool Road West increases above 90% to 91.7%.

All other arms of this are shown to operate within capacity in the 2026 with the development scenario.

9.17 IMPACT ON HIGHWAY CAPACITY SUMMARY

Although there is a measurable impact on the junctions due to the proposed development shown in the model outputs the Highway Officer cannot consider it to be severe enough to sustain an objection on the grounds of impact on Highway Capacity.

9.18 The applicant has also offered to provide MOVA at both junctions (Microprocessor Optimised Vehicle Actuation). MOVA is a traffic control strategy that is specifically designed to maximise the operational efficiency of a junction/crossing and although no fixed percentage improvements can be forecast it is, in the opinion of the Highway Officer and the commissioned audit team, that some benefit and no worsening would be experienced.

9.19 The Highway Officer would request that the proposal to implement MOVA at both the Liverpool Road/ Prescot Road/ Hale Road and Liverpool

Road/ Highfield Road/ Lower House Lane junctions be conditioned appropriately should the appeal be allowed.

IMPACT ON HIGHWAY SAFETY

- 9.20 The Highway Officer has made the following observations:
- 9.21 Within the Transport Assessment a breakdown of road traffic accidents over the last 5 years has been provided. The information represents that there have been 57 accidents in the area with 31 of these occurring between the signal controlled junctions to the East and West of the site and the connecting length of Liverpool Road.
- 9.22 Section 7.3 of the Transport Assessment gives the view that the local roads do not have an unduly poor safety record nor will the development significantly worsen the situation.
- 9.23 The Highway Officer considers that the number of road traffic accidents is significant and as demonstrated by the presence of permanent speed cameras to the frontage road safety is already a concern in the area.
- 9.24 This said the applicant has removed the previously tabled phasing changes to the signals and a series of Road Safety Audits is followed as part of the S278 and S38 agreement process. As part of this process additional measures may be identified as necessary mitigation which would consider both existing and new highway.
- 9.25 The applicant has attempted to address two specific road safety concerns raised by the Highway Authority that resulted in an objection under TP17 and BE1.
- 9.26 These points centred around a direct access from Liverpool Road into a private driveway and a conflict between the new access point and an existing bus stop.
- 9.27 With regards to the unacceptable private access this has now been deleted from the scheme.
- 9.28 The later point, conflict with existing bus stop, has been addressed by moving the secondary access point to the East away from the provision.
- 9.29 Although this has removed the conflict the new access location creates a conflict with an existing private driveway to the South. This is a similar situation to the previous proposal in that there is an unacceptable road safety issue due to a conflict with an opposing junction.
- 9.30 IMPACT ON HIGHWAY SAFETY SUMMARY**

The conflict generated by the inclusion of the new access onto Liverpool Road opposite the private driveway serving 57-65 Liverpool Road is considered to be unacceptable in terms of highway safety and therefore the Highway Officer would object strongly on Policy TP 17 Safe travel for all, or failure to meet standards and BE1 (3) General requirements for development, Accessibility of the UDP.

9.31 HIGHWAY CONCLUSION

For the reasons outlined due to the further submissions made by the applicant in respect of impact on highway capacity, the Highway Officer no longer considers the impact to be severe. Impact on highway capacity will not form part of the Council's case in the appeal process.

The recent further submissions in terms of impact on highway safety will be considered by Officers and this will remain part of the Council's case should the issues raised have not been addressed.

10. POTENTIAL REASON FOR REFUSAL 3 - FLOODING RISK AND DRAINAGE MATTERS

10.1 The Lead Local Flood Authority (LLFA) observations below are based on the original submissions made to accompany application 21/00471/FUL and do not reflect the further submissions made to accompany the application just four days before the applicant chose to appeal against non-determination of the application.

10.2 After reviewing 21/00471/FUL planning application the LLFA has found the following:

10.3 The site area is approximately 25.04ha and currently is occupied by the existing Widnes Golf Club with the club house, professional shop and car parks situated in the east of the site and accessed directly from Highfield Road.

10.4 The proposed development is for 233 dwellings, reconfiguration of Golf Course, demolition of existing club house and associated buildings and erection of new club house and green keepers store, creation of new vehicular accesses, roads, car parking, green footpath link and ancillary development at Widnes Golf Club. The land use vulnerability classification defined in Planning Practice Guidance increase to be 'More Vulnerable'.

10.5 The development would increase the impermeable area of the site.

10.6 Current watercourses noted on site are as follows:

- Moss Brook, originates from a headwall with a 900mm dia. pipe on the eastern boundary, immediately to the north of the houses. It runs south along the rear boundaries of the adjacent houses before reaching a

footbridge where it turns to the west for a distance of approximately 60m before entering a triple, 450mm dia. piped culvert which turns the watercourse south towards Liverpool Road. There is a 60m stretch of open watercourse crossing a fairway before it passes under an ornamental footbridge and reaches the 1150mm high and 1880mm wide stone arch culvert under Liverpool Road known as Stewards Bridge.

- A shallow ditch runs south from the north-west corner of the site on the western boundary to the mid-point where it enters a pipe that runs across the fairway to the east and discharges to an open section through a wooded area before entering another pipe which runs south to an existing pond.
- A significant ditch, through the centre of the golf course, provides drainage for the adjacent fairways, which outfalls into the existing pond.
- The existing pond has a vertical pipe to regulate the level and the flows out which run to a shallow ditch for a distance of approximately 40m before entering a pipe; the downstream end of the pipe is at the downstream end of the triple pipe culvert on Moss Brook.

10.7 The applicant has provided a flood risk assessment (FRA) and drainage strategy as one document (OTH_30444 FRA 210716 RED.pdf).

10.8 The FRA identifies that with regards to fluvial flood risk the EA Flood Map for Planning shows the vast majority of the site, including the area for the proposed residential development, is located in Flood Zone 1 with an annual chance of flooding of less than 0.1% (or 1 in 1000). There is a small area, immediately adjacent to Stewards Bridge that is in Flood Zone 2 with an annual chance of flooding between 1% (1 in 100) and 0.1% (or 1 in 1000); immediately over the line of Moss Brook there is a very small area in Flood Zone 3 with a chance of flooding of greater than 1% (or 1 in 100).

10.9 The FRA goes on to state there is an ordinary watercourse, Moss Brook, that runs through the site. Due to its designation as an ordinary watercourse, the Environment Agency has no modelled flood data to compare against the ground levels on the site to determine the extent of any potential flooding on the site. Therefore a modelling exercise was undertaken to determine the flows in Moss Brook and the potential flood levels within the development site.

10.10 Details of the Hydraulic Modelling Study by Weetwood are supplied in the document '2021-07-15 4926 TN Final v2.0.pdf'. The document presents updated site specific hydraulic modelling of Moss Brook and summarises the package of measures proposed to appropriately mitigate flood risk.

10.11 It's also mentioned that the document also responds to the matters of objection raised by the lead local flood authority in respect of the 20/00153/FUL application. The LLFA will only be reviewing the content of the report related to the current application 21/00471/FUL.

- 10.12 The baseline hydraulic model developed of Moss Brook is a 1D/2D, ESTRY-TUFLOW model, with the watercourse and culverts represented in 1D using ESTRY and the floodplain represented in 2D using TUFLOW.
- 10.13 The extent of the Moss Brook catchment and associated catchment descriptors are taken from the Flood Estimation Handbook (FEH) Web Service and updated with reference to EA LiDAR data. Ordnance Survey (OS) mapping and aerial photography have been used to undertake a detailed assessment of the urban areas within the catchment.
- 10.14 The report indicates peak flows had been calculated using the FEH Statistical and ReFH2 methods, with the FEH Statistical giving a slightly higher peak flow than that calculated using ReFH2 (for the 1 in 100year event FEH = 2.53 m³s⁻¹, ReFH = 2.20 m³s⁻¹). The report indicates the pooling group was not considered to be suitably homogenous or representative of the Moss Brook catchment and therefore the ReFH2 flows have been taken forward for use in the hydraulic model.
- 10.15 Baseline flood depths and extents for the 1%, 0.1% and 1% AEP event plus 30%, 35% & 70% allowance for climate change have been provided in Appendix B of the modelling report. The 1% and 0.1% AEP event extents can therefore be used to determine the Flood Zones 3 & 2 respectively on the site.
- 10.16 From the modelled extents flooding is shown to occur along the eastern boundary of the site behind the property boundaries on Woodland Avenue and following Moss Brook to the Liverpool Road culvert in the site in the present day 1 in 100 AEP event, more significant flood depths occur when the capacity of the Liverpool Road culvert is exceeded and floodwater begins to pond along the northern edge of Liverpool Road in the 1 in 100 AEP event plus 70% climate change and present day 1 in 1,000 AEP events.
- 10.17 The FRA states the following regarding the need for sequential and exception test for the site: 'based on the location of the development on the site in Flood Zone 1 as detailed on the Environment Agency Flood Map for Planning, all development (including 'More Vulnerable') is deemed appropriate according to NPPF and NPPG, the residential development is therefore appropriately situated and the Sequential Test is not required.' and ' NPPF classifies the residential development as 'More Vulnerable', however as the development on the site is located within Flood Zone 1 the Exception Test is not required.'
- 10.18 The LLFA would disagree with this statement, the baseline flood model extents within the modelling report clearly show the site to be at risk of flooding from Moss Brook with the 1% AEP extent indicating Flood Zone 3 and 0.1% AEP extent indicating Flood Zone 2 on site. Therefore there would be a need for the sequential and exceptions test to be applied to the site.
- 10.19 This being said when comparing the proposed layout to the baseline modelling, there are approximately 17 residential properties and the clubhouse

which would lie within Flood Zone 2 or 3. This shows efforts have been made to ensure the majority of the ‘More Vulnerable’ development would be located out of the flood zone, with the exception of the 17 properties to the right of the spine road between the clubhouse and the open section of Moss Brook.

10.20 The LLFA would also note in general space has been provided surrounding the open sections of Moss Brook where flood depths would be greatest on site.

10.21 Modelling of the proposed scenario has also been undertaken and flood outlines provided.

10.22 The modelling report indicates to facilitate the proposed development, it is proposed to divert the open channel of Moss Brook upstream of the development platform into the existing pond, which will be upgraded to provide flood storage. The existing pond outlet culverts will be replaced by a single 525 mm diameter culvert connecting to the diverted channel.

10.23 The existing 600 x 600 mm footbridge in the location of the proposed public footpath will be upgraded to provide a clear span bridge and the existing triple barrel 450 mm diameter culverts will be replaced by a 1800 x 1200 mm box culvert in the location of the proposed access road.

10.24 The open channel upstream of the public footpath will remain as existing. The remainder of the open channel will be constructed with a 1.5 m bed width to maintain existing low flow regimes and 1 in 3 side slopes where possible. Where insufficient land is available to provide 1 in 3 side slopes, appropriate access arrangements should be put in place and fencing should be erected to discourage entry to the channel.

10.25 The LLFA would note these works would require a Watercourse Consent approved by the LLFA and the replacement / development of new structures would require discussion with the structures team within HBC to determine if they would need an AIP to be agreed. Early engagement with these teams would help to ensure smooth delivery of the proposal.

10.26 The modelling report indicates online flood storage areas have been incorporated directly upstream of School Road and adjacent to the eastern edge of the residential development platform. A raised bund with a crest level of 17.7 m AOD is provided along the southern edge of the northernmost flood storage area to prevent flooding of Woodland Avenue in up to the 1 in 100 AEP event plus 35% climate change.

10.27 The LLFA would suggest these sections be reviewed as the flood storage area mentioned above does not seem to exist on the proposed layouts, or if it is it has not been clearly labelled. The LLFA would also comment the creation of the raised bund would mean there is a residual risk of flooding to the properties on Woodland Avenue and therefore detail of the risk should the bund fail would need to be provided as part of this application.

- 10.28 It is proposed to raise the residential development platform to prevent flooding in the worst-case scenario (present day 1 in 1,000 AEP) event. The hydraulic model has been used to assess the impact of culvert blockage on the risk of flooding at the site and to inform proposed finished floor levels. The model reports states 'Based upon the modelling, the finished floor levels of the residential dwellings should be raised a minimum of 150 mm above the finished development platform levels. The finished floor levels of the new Club House and ancillary building should be a minimum 18.54 m AOD and 18.61 m AOD respectively to prevent flooding'.
- 10.29 The LLFA would note the EA guidance should be applied to the Finished Floor Levels which states 'floor levels should be a minimum of whichever is higher of: 300 millimetres (mm) above the general ground level of the site or 600mm above the estimated river or sea flood level'. Therefore confirmation that this has been applied would be required to approve the FFL.
- 10.30 The model outputs indicate that off-site flood risk either reduces or does not change in up to the 1 in 100 AEP event plus 35% climate change.
- 10.31 The LLFA would note the change in flood risk during the 0.1% AEP event has not been provided. Are the above findings still true for the 0.1% AEP event?
- 10.32 With regards to surface water flooding the FRA indicates the EA Surface Water Return depth map shows areas within the site to be affected by surface water run-off in the 1 in 1000-year return period event. The mapping indicates the area around the culvert inlet at Liverpool Road to have flood depths of greater than 1.2m.
- 10.33 The FRA mentions the lowest areas of the site will need to be raised to enable gravity connections to discharge surface water to the watercourse, this would also ensure the residential area will be protected against surface water flooding. Therefore with the inclusion of the land raising and cut-off drain between the residential area and golf course, the site is not considered to be at significant risk of surface water flooding from surrounding areas.
- 10.34 In principle the LLFA would accept this approach, calculations and storage volumes would be required to ensure the cut off drain and attenuation provided as part of the drainage system are appropriately sized prior to planning approval being given.
- 10.35 The FRA indicates the site is not considered to be at risk of flooding from groundwater, sewers or artificial sources.
- 10.36 The drainage strategy for the site is detailed in Section 6 of the FRA. With relation to the drainage hierarchy the strategy indicates, infiltration is not considered suitable for the drainage of the proposed development, based on the clay present under the site. Therefore, the Moss Brook is considered the most practical location for the discharge of surface water from the site in

accordance with the hierarchy and that the watercourse is at levels that will enable a surface water connection to be made.

10.37 The drainage strategy indicates the existing golf clubhouse and car park are connected to the existing 225mm dia. combined sewer in Liverpool Road and the remainder of the site is currently a golf course.

10.38 The site is therefore considered greenfield the run-off from the development site have been calculated as 2.8l/s, 5.4l/s and 6.6l/s for the 1, 30 and 100 year return period events for the new clubhouse and car park site and 48.8l/s, 95.2l/s and 116.8l/s for the 1, 30 and 100 year return period events for the residential site.

10.39 The drainage strategy states ‘flows from the development will be limited to the existing rates’.

10.40 The LLFA would agree to these rates being used.

10.41 The drainage layout for the proposed development is divided into two distinct systems: one for the residential development and one for the proposed clubhouse and car park.

10.42 Within the residential area, attenuation will be provided in the form of surface attenuation basins – both on and off-line, together with underground attenuation in the form of oversized pipes. The underground elements would be offered for adoption under a S104 Agreement with United Utilities; the surface swales and basins will be maintained by the management company responsible for the open spaces within the development. The drainage strategy indicates a full maintenance schedule, in accordance with CIRIA report C753 – The SuDS Manual, will be prepared when the detailed design of the drainage system is undertaken.

10.43 The indicative drainage layout for the golf clubhouse and car park will include attenuation in the form of underground cellular storage with a flow control to restrict the discharge to Moss Brook. The system will be private and will be maintained by the golf club during the normal maintenance of the golf course.

10.44 The drainage strategy indicates attenuation will be included in the system with flow controls introduced to limit the flows in all events up to and including the 100 year +40% climate change allowance event to the equivalent greenfield rates above. The hydraulic calculations are included in Appendix I of the report and indicate the following:

- Residential Development
 - West: 39.7l/s, 65l/s and 103.1l/s for the 1, 30 and 100 year + 40% CC.

- East: 7.2l/s, 9.2l/s and 12.8l/s for the 1, 30 and 100 year + 40% CC.
- Total: 46.9l/s, 74.2l/s and 115.9l/s (Existing flows 48.8l/s, 95.2l/s, 116.8l/s)
- Golf Clubhouse and Car Park
 - 3.6l/s, 4.7l/s and 5.0l/s for the 1, 30 and 100 year + 40% CC. (Existing flows 2.8l/s, 5.4l/s, 6.6l/s)

10.45 In principle the LLFA does not foresee any issues with the current proposal however would request the attenuation volumes and storage areas required to achieve these rates be clearly stated either on the drainage layout plans or in the main body of the report prior to approval of the application to ensure the system would be appropriately sized and there is enough space given for attenuation

10.46 With regards to any further mitigation measures the proposal would require, the FRA notes 'Proposed levels on the residential development are set to ensure gravity surface water drainage connections can be made to Moss Brook and to ensure the minimum 600mm freeboard is provided to the 100 year + 35% CC event. Between Liverpool Road and the highway access culvert, the maximum flood level is approximately 16.17m (100 year + 35% CC event) and 17.20m (1000 year event with culvert blockage). This would ensure a freeboard of approximately 1.73m to FFL and 0.83m to finished road level in the 100 year event + 35% CC event. Further upstream, the flood levels in the retained pond on the golf course are 17.79m and 18.42m respectively; resulting in freeboard of 0.81m to properties and 0.57m and 0.71m to the road levels.'

10.47 The LLFA would find this approach acceptable and would request the modelled flood levels be provided prior to approval of the application to ensure these calculations have been reviewed by the LLFA.

10.48 FLOOD RISK AND DRAINAGE SUMMARY

In summary, the LLFA would request the following questions be addressed and information submitted so that the LLFA would be required to review prior to producing formal comments and the application be determined. This information includes:

10.49 The baseline flood model extents within the modelling report clearly show the site to be at risk of flooding from Moss Brook with the 1% AEP extent indicating Flood Zone 3 and 0.1% AEP extent indicating Flood Zone 2 on site. Therefore there would be a need for the sequential and exceptions test to be applied to the site.

10.50 The LLFA would suggest the sections referring to flood storage areas be reviewed as the flood storage area mentioned above does not seem to exist on the proposed layouts, or if it is it has not been clearly labelled.

10.51 Creation of the raised bund would mean there is a residual risk of flooding to the properties on Woodland Avenue and therefore if this approach is to be taken, the LLFA would require detail of the residual risk to the surrounding properties should the bund fail as part of this application.

10.52 EA guidance should be applied to the Finished Floor Levels which states 'floor levels should be a minimum of whichever is higher of: 300 millimetres (mm) above the general ground level of the site or 600mm above the estimated river or sea flood level'. Therefore confirmation that this has been applied would be required to approve the FFL.

10.53 It would be beneficial for the applicant to provide several cross sections through Moss Brook with the 1% AEP and the 1% AEP +CC levels indicated for the pre and post development scenario to understand the changes to profile of the Brook and surrounding areas.

10.54 The change in flood risk during the 0.1% AEP event has not been provided. Are the above findings still true for the 0.1% AEP event?

10.55 Calculations and storage volumes would be required to ensure the cut off drain and attenuation provided as part of the drainage system are appropriately sized prior to planning approval being given.

10.56 Attenuation volumes and storage areas required to achieve these rates be clearly stated either on the drainage layout plans or in the main body of the report.

10.57 FLOOD RISK AND DRAINAGE CONCLUSION

The recent further submissions in terms of impact on flood risk and drainage will be considered by Officers and this will remain part of the Council's case should the issues raised have not been addressed.

11. POTENTIAL REASON FOR REFUSAL 4 - ARBORICULTURE AND LANDSCAPE MATTERS

11.1 The arboriculture and landscape matters are yet to be assessed. This review is currently ongoing and Officers will set out the Council's position on these matters in the statement of case on the appeal relating to the non-determination of application 21/00471/FUL in due course. The previously cited reason for refusal on application 20/00153/FUL will remain part of the Council's case should the issues raised have not been addressed in the latest submission.

**12. OVERALL CONCLUSION ON THE COUNCIL'S POSITION ON
APPLCIATION 21/00471/FUL**

12.1 Members should note that as set out at paragraph 8.1, Officers consider that in respect of the principle of residential development on part of the golf course (Reason for Refusal 1), a refusal can be substantiated at the appeal and a detailed case as set out in the assessment for application 20/00153/FUL previously determined by the Committee will be presented.

12.2 Potential Reasons for Refusal 2, 3, and 4 all relate to technical matters which are currently being considered by Officers as set out in the report. Officers will only include grounds, which they consider can be substantiated at appeal in the Council's Statement of Case.

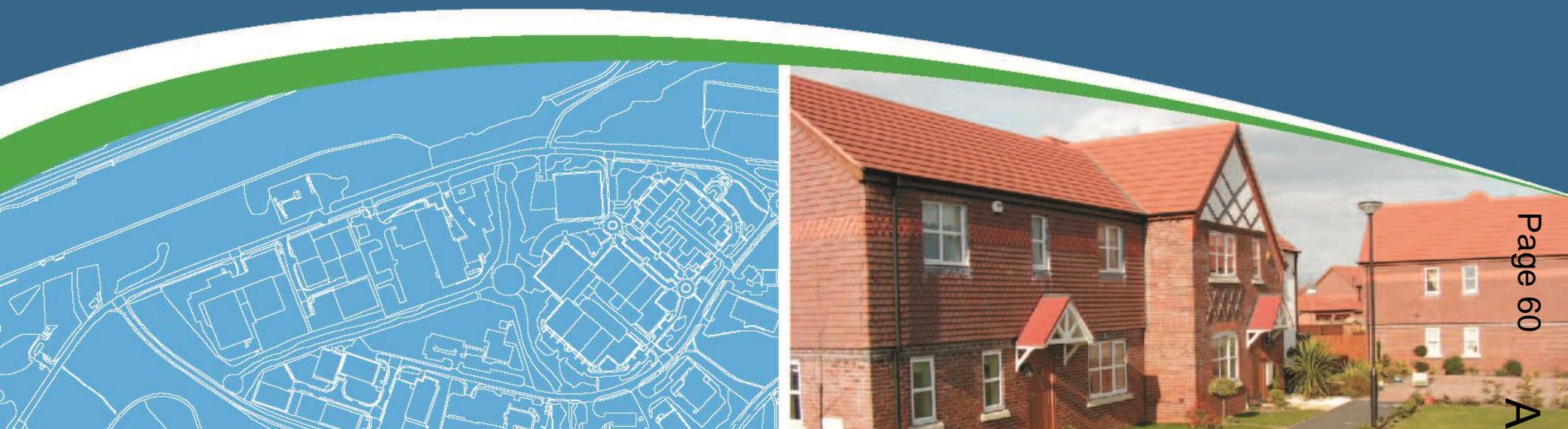
13. RECOMMENDATION

That

- Members agree the content of this report.
- Members support the case for refusal.
- Officers make submissions on the appeal and defend the Council's position for refusal.

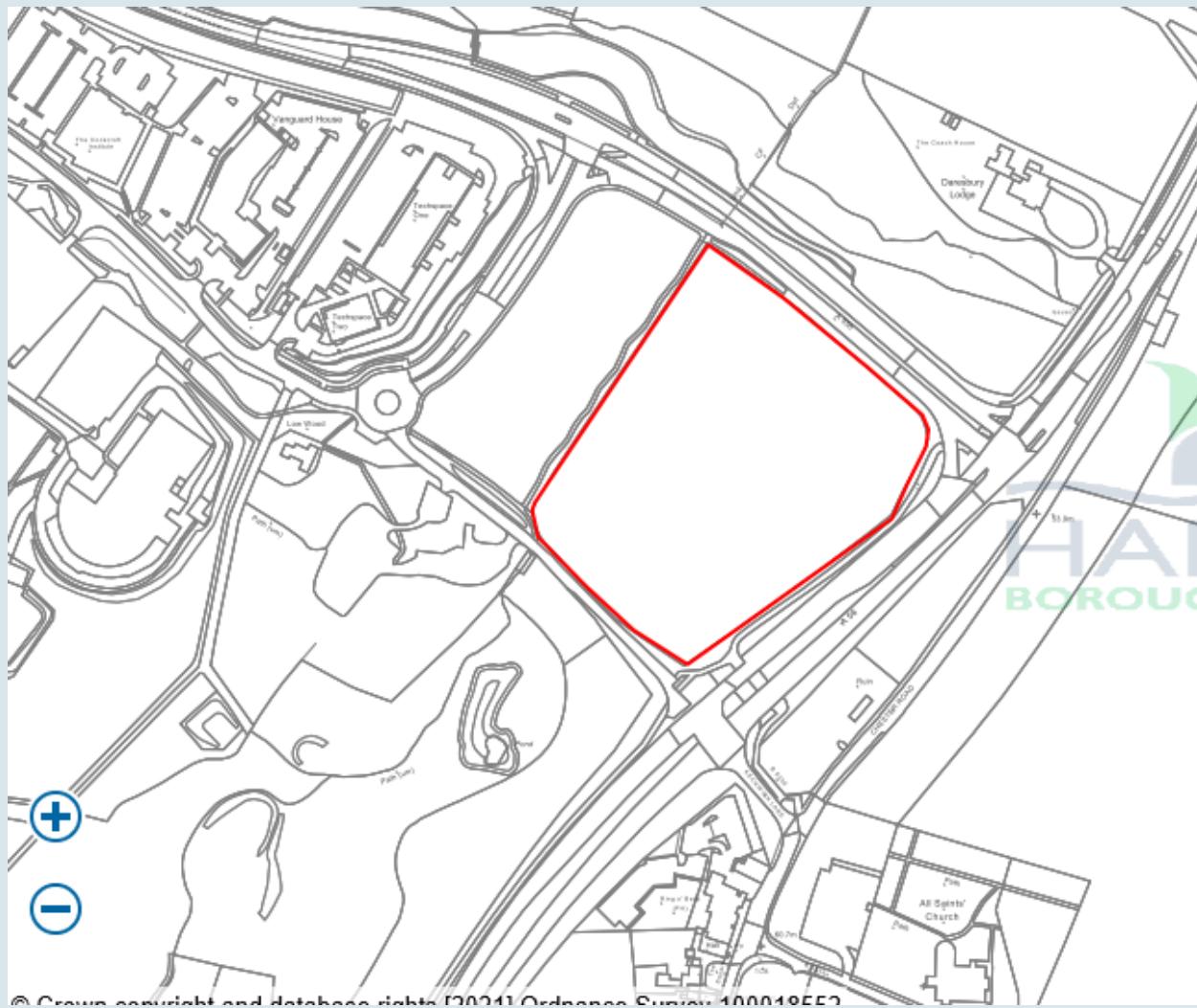
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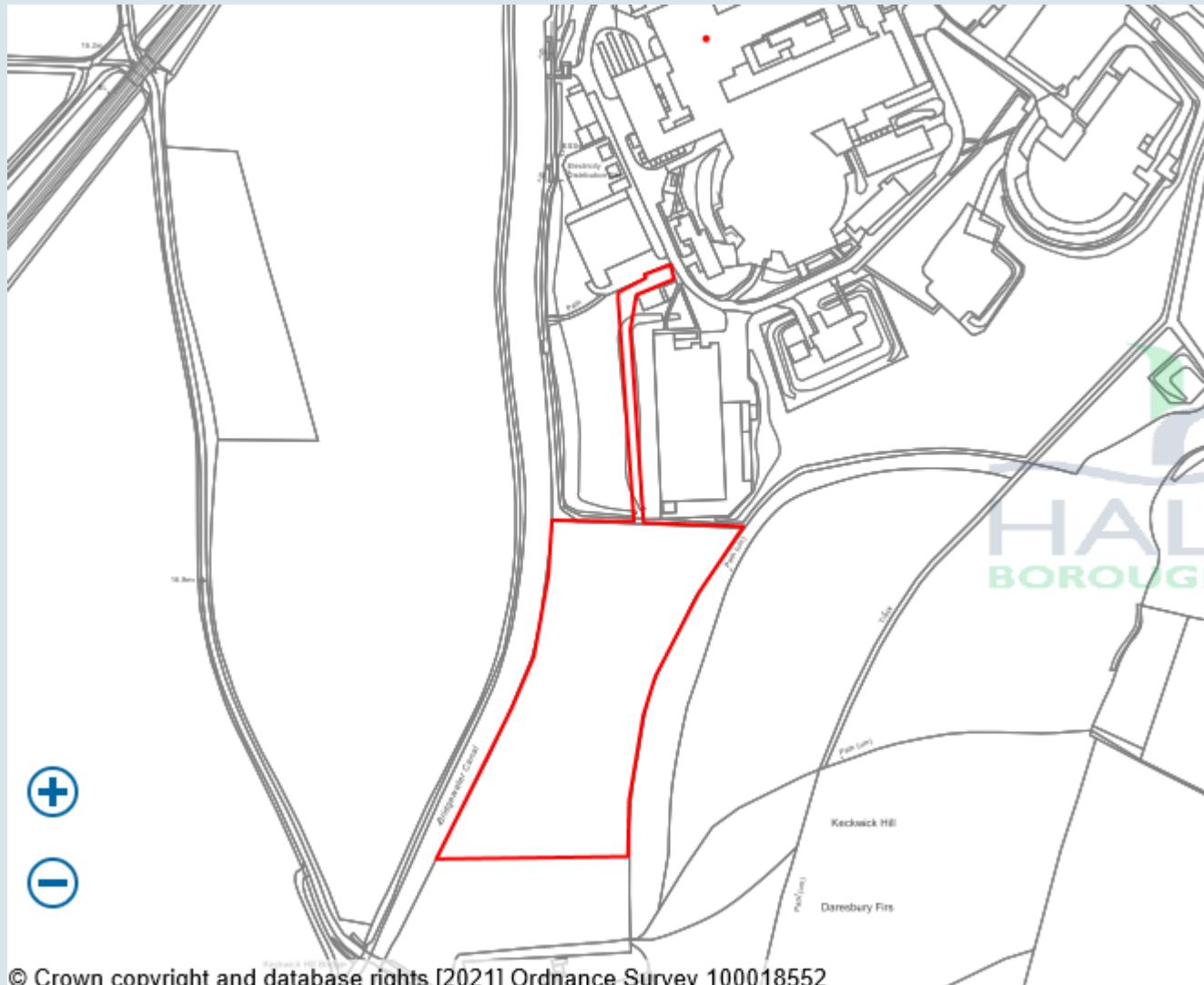






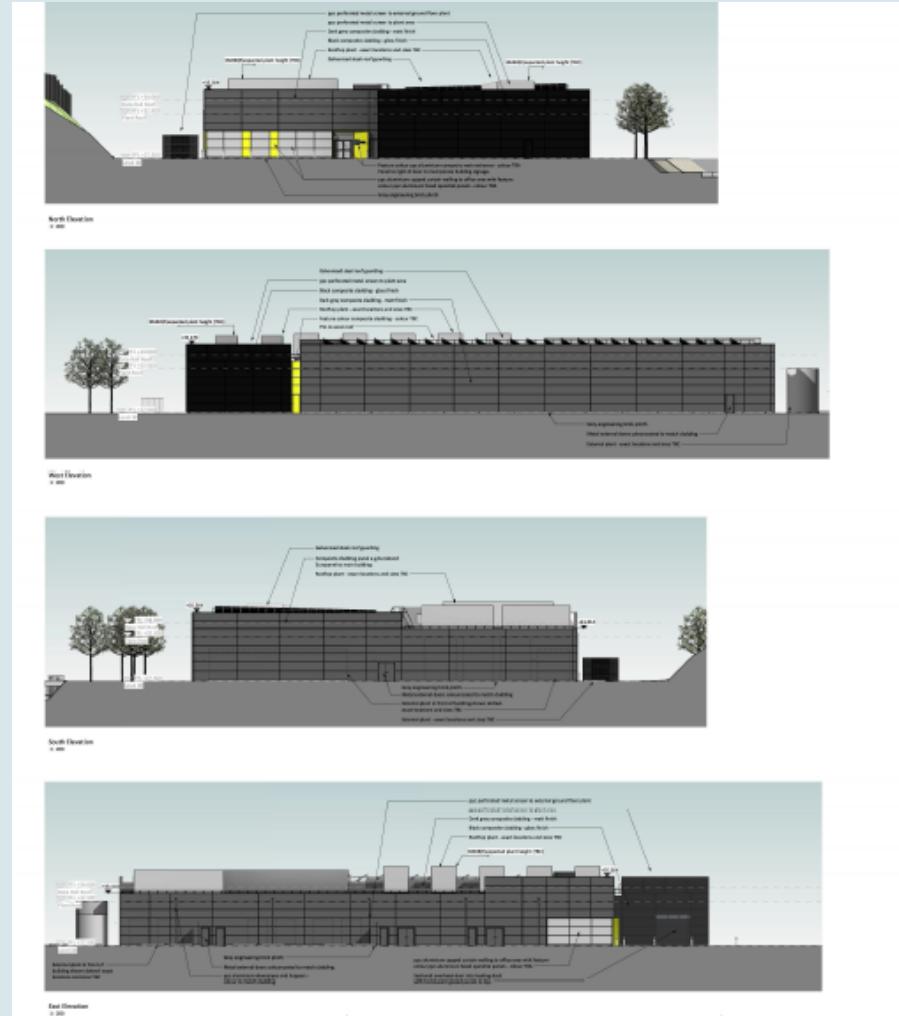
Application Number: 21/00166/OUT

Plan II :Aerial Photograph





















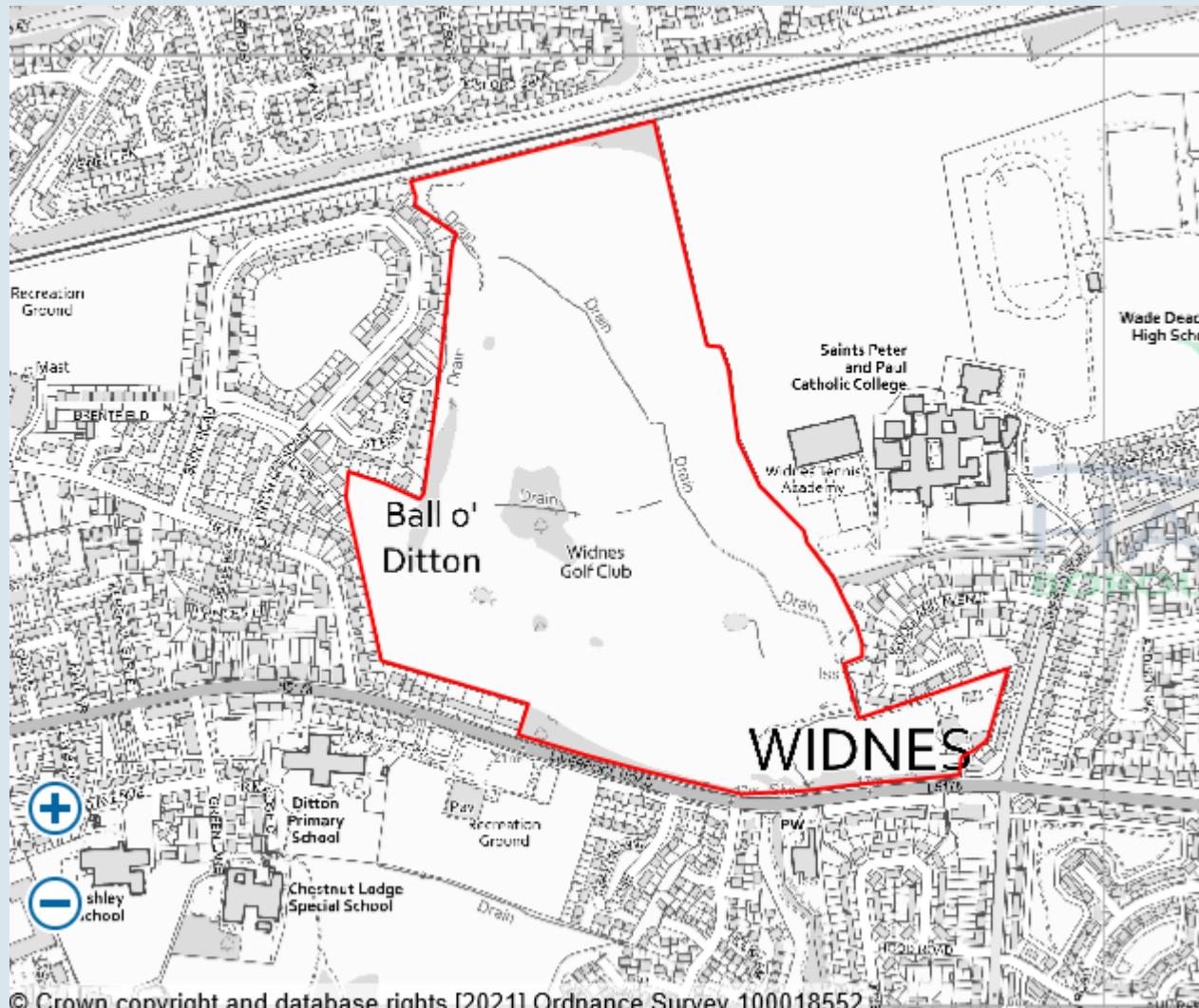






Application Number: 21/00466/FUL

Plan 2M :Aerial Photograph





Application Number: 21/00471/FUL

Plan 3B : Layout Plan

