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Development Management Committee

Monday, 6 June 2022 6.30 p.m.
Civic Suite - Town Hall, Runcorn

S. Young

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 Dave Thompson
Councillor Bill Woolfall

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ann.jones@halton.gov.uk for further information.
The next meeting of the Committee is on Monday, 4 July 2022*

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

Part I

Item No.	Page No.
1. MINUTES	1 - 9
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) 21/00016/OUT - Outline application, with all matters other than access reserved for the erection of two semi-detached dwellings and four detached dwellings on the existing church field and the retention of the existing scout hut at Hough Green Scout and Guide Group Hall and Church Field, Hall Avenue, Widnes	10 - 42
(B) 22/000020/FUL - Proposed change of use to Use Class C2, extensions and adaptations of former public house to provide temporary accommodation comprising 5 No., houses, 5 No. apartments and 3 No. studios and welfare facilities for individuals and families at The Castle, 194 Warrington Road, Widnes, WA8 0AP	43 - 67
(C) PLANS	68 - 78

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, 9 May 2022 at the Civic Suite - Town Hall, Runcorn

Present: Councillors S. Hill (Chair), Carlin, Hutchinson, A. Lowe, Philbin, Polhill and Thompson

Apologies for Absence: Councillors Abbott and J. Bradshaw

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, A. Plant, J. Eaton, G. Henry, L. Wilson-Lagan, K. Thompson and I. Dignall

Also in attendance: Councillors Woolfall, Fry, Goodall and Bevan and 38 members of the public

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

DEV40 MINUTES

The Minutes of the meeting held on 1 March 2022, having been circulated, were taken as read and signed as a correct record.

DEV41 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE

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

DEV42 20/00164/WST - PROPOSED CHANGE OF USE OF LAND TO WASTE TRANSFER STATION INCLUDING OFFICE BUILDING, WEIGHBRIDGE, MATERIALS BAY AND FENCING ON SITE B, JOHNSONS LANE, WIDNES, WA8 0SJ

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

Since the publication of the agenda an additional

Action

condition was recommended on the clarification of use and types of materials to be used. Clarity was provided to Members over drainage for the site – conditions relating to this were included.

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

1. Time limit – full permission;
2. Approved plans;
3. Hours of operation (GR2);
4. External facing materials (GR1);
5. Sustainable Urban Drainage Scheme (S23 and HE9);
6. Sustainable Drainage Management and Maintenance Plan (CS23 and HE9);
7. Foul and surface water shall be drained on separate systems (CS23 and HE9);
8. Off-site highway works (C1);
9. Parking and servicing provision (C1 and C2);
10. Cycle parking (C2);
11. Electric vehicle charging point scheme (C2);
12. Construction Environmental Management Plan (C1, HE1 and GR2);
13. Boundary treatments scheme (GR2 and GR3);
14. Utilisation of broadband / white noise reversing alarms (GR2);
15. Implementation of Dust Management Plan (GR2);
16. Provision of an adequate water supply (GR2);
17. Crusher and screener shall not operate without the water supply referenced in condition number 16 (GR2);
18. Installation of a windsock to guide operations undertaken on site (GR2);
19. Maintenance procedures for stockpiles (GR2);
20. Breeding bird protection (CS(R) 20 and HE1);
21. Bird boxes scheme (CS(R)20 and HE1);
22. Protection of swale/pond/wildlife corridor during construction period (CS(R)20 and HE1);
23. Lighting scheme to protect ecology (CS(R)20 and HE1);
24. Reasonable avoidance measures – amphibians (CS(R)20 and HE1);
25. Reasonable avoidance measures – hedgehogs (CS(R)20 and HE1);
26. Implementation and maintenance of wildflower meadow (CS(R)20 and HE1); and
27. 10m height restriction on any stockpiles (GR1).

ERECTION OF TWO SEMI-DETACHED DWELLINGS AND FOUR DETACHED DWELLINGS ON THE EXISTING CHURCH FIELD AND THE RETENTION OF THE EXISTING SCHOOL HUT AT HOUGH GREEN SCOUT AND GUIDE GROUP HALL AND CHURCH FIELD, HALL AVENUE, WIDNES

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

Mr Walker addressed the Committee, as an objector to the proposal on behalf of local residents. He argued *inter alia*, that:

- This site was part of the community and used for recreational purposes, as well as craft fairs, military style events, fates and so on, contradicting the claim that it was surplus to requirements and infrequently used;
- It is a designated Asset of Community Value used throughout the year and to sell it would be letting down future generations;
- Under the new Local Plan the land is designated as green space and not for development;
- A dangerous precedent would be set if this application was approved;
- Traffic volume and parking issues would be increased; and
- 244 objections to the proposals had been received.

Ms Eren was invited to address the Committee, speaking in support of the application on behalf of local residents. She stated *inter alia* that:

- St Michael's Church was much more than a Church; it was an important community resource that welcomed and supported people of all faiths;
- The Church was well used and supported, with much of the work of the Vicar going unnoticed;
- Foodbank parcels were prepared there and distributed within the community;
- Christmas and Easter activities were provided for the community;
- Other groups such as the LGBT group and the childhood bereavement group met at the Church;
- If refused young people in the community would not have access to the support she had received; and
- St Michael's was the very best example of a community Church in Widnes and to refuse this

application would mean the end of the Church.

The Committee was then addressed by Ms Paul, who spoke on behalf of the applicant. She started by saying that this application was all about the survival of the Church. She advised that:

- The Diocese had advised them that the Church had to pay its way or close, so they needed funding to pay expenses;
- Despite fundraising, the Church was struggling to pay its expenses due to rising costs;
- One of the Church's only assets is the Church field bought in 1925;
- They wanted to do the best for the community and local groups who used the facilities – to lose the Church would have a significant impact on the local community;
- Halton has seen a 27% increase in the number of older people in the population and the Church was an important meeting place for them;
- The Church held large scale community events and has strong links with local schools – examples were given of community work carried out; and
- This type of outreach could not continue if the field cannot be sold.

After hearing the speakers' arguments Members discussed the application, taking into consideration the comments made by them and Officer's responses to queries raised by the Committee. Some Members of the Committee were unfamiliar with the site, so requested a deferral so that a site visit could be conducted before making a decision. A motion for a deferral was proposed and seconded, so the motion for a deferral was carried.

RESOLVED: That the application be deferred to enable Committee Members to make a site visit.

DEV44 21/00102/FUL - PROPOSED DEMOLITION OF EXISTING FACILITIES AND DEVELOPMENT OF NEW CLUBHOUSE INCORPORATING CHANGING FACILITIES, GYM, SOCIAL AREAS AND GROUND FLOOR BOAT AND CANOE STORAGE AT THE BOAT HOUSE, CHOLMONDELEY ROAD, RUNCORN, WA7 4XT

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

As reported in the published AB Update List, Members attention was drawn to the text from paragraph 5.16 of the Planning for Risk SPD and officers' commentary regarding this.

The Committee agreed that the application be approved.

RESOLVED: That the application be approved subject to it not being called in by the Secretary of State following referral to the Health and Safety Executive; and the following conditions:

1. Time limit – full permission;
2. Approved plans;
3. Submission of existing and proposed site levels (GR1);
4. Submission of external facing materials (CS(R)18 and GR1);
5. Submission of landscaping scheme and subsequent maintenance (GR1);
6. Breeding birds protection (CS(R)20);
7. Submission of bird boxes scheme (CS(R)20);
8. Lighting scheme to protect ecology (CS(R)20);
9. Construction Environmental Management Plan (CS(R)20);
10. Electric vehicle charging points scheme (C2);
11. Ground contamination (CS23 and HE8);
12. Parking and servicing provision (C1 and C2);
13. Submission of a Cycle Parking Scheme (C2);
14. Flood resilience measures (CS23 and HE9);
15. Submission of a sustainable urban drainage scheme (CS23 and HE9);
16. Verification of the sustainable urban drainage scheme (CS23 and HE9);
17. Submission of a package treatment plant scheme (PR16 and CS23);
18. Sustainable development and climate change scheme (CS(R)19); and
19. Waste audit (WM8).

DEV45 21/00629/COU - PROPOSED CHANGE OF USE FROM DWELLING (USE CLASS C3) TO DENTAL PRACTICE (USE CLASS E (E)) WITH ONSITE PARKING PROVISION FOR 8 VEHICLES AT 34 CRONTON LANE, WIDNES, WA8 5AJ

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

Ms Ray, the applicant, addressed the Committee. She commented that there was a need for a private dentistry service in the area as there were none currently. She advised that by nature private dental practice saw reduced numbers of patients throughout the day due to appointments generally taking between 30-45 minutes each. She also advised Members of a new NHS service that would offer advanced dentistry practice, with referrals being made to the private sector, so they would be available for local patients referred in this way. She had worked closely with planners and the proposal was policy compliant.

Councillor Woolfall addressed the Committee in his capacity as local Ward Councillor for Birchfield, objecting to the proposal.

He questioned whether Halton needed another private dentist at this time. He circulated a newspaper article to the Committee where it stated that Halton was the eighth worst Borough in the Country for shortage of dentists. He argued that:

- The property was in a small residential area where 100 objections to the proposal had been received;
- Private dentists earned double that of NHS ones;
- A bungalow dwelling would be taken out of use which were highly sought after in the Borough;
- Out of 8 parking bays four of these would be used by staff;
- The property was on a busy junction and cars would have to reverse out onto the road to exit;
- There were parking issues already with Cronton College students parking on the road due to Hillcrest Hotel now charging for parking; and
- The proposal was contrary to Article 8 of the Human Rights Act 1998.

In conclusion he stated that Halton needed NHS dentists but in the right locations and that the applicant did not have a contract with the NHS. He urged the Committee to refuse the application due to insufficient parking and highway safety issues.

Members debated the proposal and raised concerns over residential properties being turned into businesses and the impact this has on nearby residents. Officers responded to questions over the potential for breaches of Human Rights and the loss of a bungalow dwelling, in relation to appealing.

Concerns were also raised in relation to highway safety and the potential for increased on-street parking and congestion around the junction at Cronton Lane and Hill View. Members also noted the comments made by Cheshire Police in relation to parking complaints already being received around the shops. Questions were also raised over the number of parking spaces and the fact that at least four of these would be used by staff and therefore occupied throughout the day.

Officers advised that the Council's Highway's Officer had conducted surveys at different times of the day and concluded that traffic did fluctuate at peak times but was not congested.

One Member proposed a motion to refuse the application based on highway safety concerns and insufficient parking as described above. This was seconded and the motion to refuse was carried.

RESOLVED: That the application is refused as the proposed development would not provide sufficient parking provision. This would result in on-street parking that would be detrimental to highway safety and pose a danger to pedestrians, particularly with on-street parking close to the junction of Hill View and Cronton Lane and on-street parking in Tynwald Crescent.

Councillor Philbin declared an Other Registerable Interest in the following item as there was potential for a relative to be employed at the proposed School. Councillor Polhill declared an Other Registerable Interest in the following item as he had previously met with the applicant and the objectors. Both Members left the room prior to the start of the item and did not participate in the debate or vote.

DEV46 22/00004/FUL - PROPOSED DEVELOPMENT OF A TWO STOREY SPECIAL EDUCATION NEEDS AND DISABILITY SCHOOL (SEND) (USE CLASS F), AS WELL AS HARD AND SOFT LANDSCAPING, MULTI-USE GAMES AREA (MUGA) AND SPORTS PITCHES, CREATION OF ON-SITE CAR PARKING AND CREATION OF NEW VEHICULAR ACCESS ON LAND AT NAYLOR ROAD, WIDNES, WA8 0BS

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

Since the publication of the agenda the applicant had provided updated plans that showed minor alterations

around the site entrance on Naylor Road, as described in the published AB list. It was noted that the sports/recreational facilities were to be designed to the Department for Education's standards, rather than Sports England's requirements, as these would need to be designed to meet the requirements of a SEND school.

The Committee was addressed by Mr Doyle, who spoke on behalf of the local community. He stated that the community were not objecting to the School itself but the location of it. He also advised the Committee that:

- The local community had been ignored by the applicant and they were left bemused by the poor conduct of them, having no regard for local residents and their requests for meetings;
- He claimed that the applicant displayed a lack of respect and regard for the planning process and this Committee, as they had already set up a website and recruited staff for the School, thus predetermining the decision of the Committee;
- Development of this land would result in the loss of green space and the loss of a field used by local communities;
- Councillor Wall had made objections; he quoted these;
- The application was contrary to planning policies;
- No consideration has been given to alternative Council owned land sites such as the St John Fisher School field;
- Road safety would be impacted; and
- The access to the nursery car park would be affected.

He requested that the Committee ask for the application plans and traffic plans be reviewed before making a decision.

Members were addressed by Mr Spencer from Nexus Planning Ltd, the agents for the Department for Education. He emphasised the need for an educational facility for children with special needs in the area. He stated that:

- The School would offer 64 places and a range of facilities including a games/sports hall;
- No objections had been received during the consultation period;
- NPPF added great weight to the need to create schools;
- This application was policy compliant and all technical considerations had been met;

- Although the land was currently left open it was private land;
- There were other nearby parks for communities to use; and
- The environmental management plan ensured that the School building position was set back from residents' properties and the playing fields were at the rear of the site.

Clarity was provided to Members on the potential for revision of plans and traffic capacity within the area. It was commented that the boundaries for the proposal were fixed and the Local Development Plan allocated this site for educational purposes. Highway safety was looked at in detail, taking into consideration how a SEND school would operate; officers provided details.

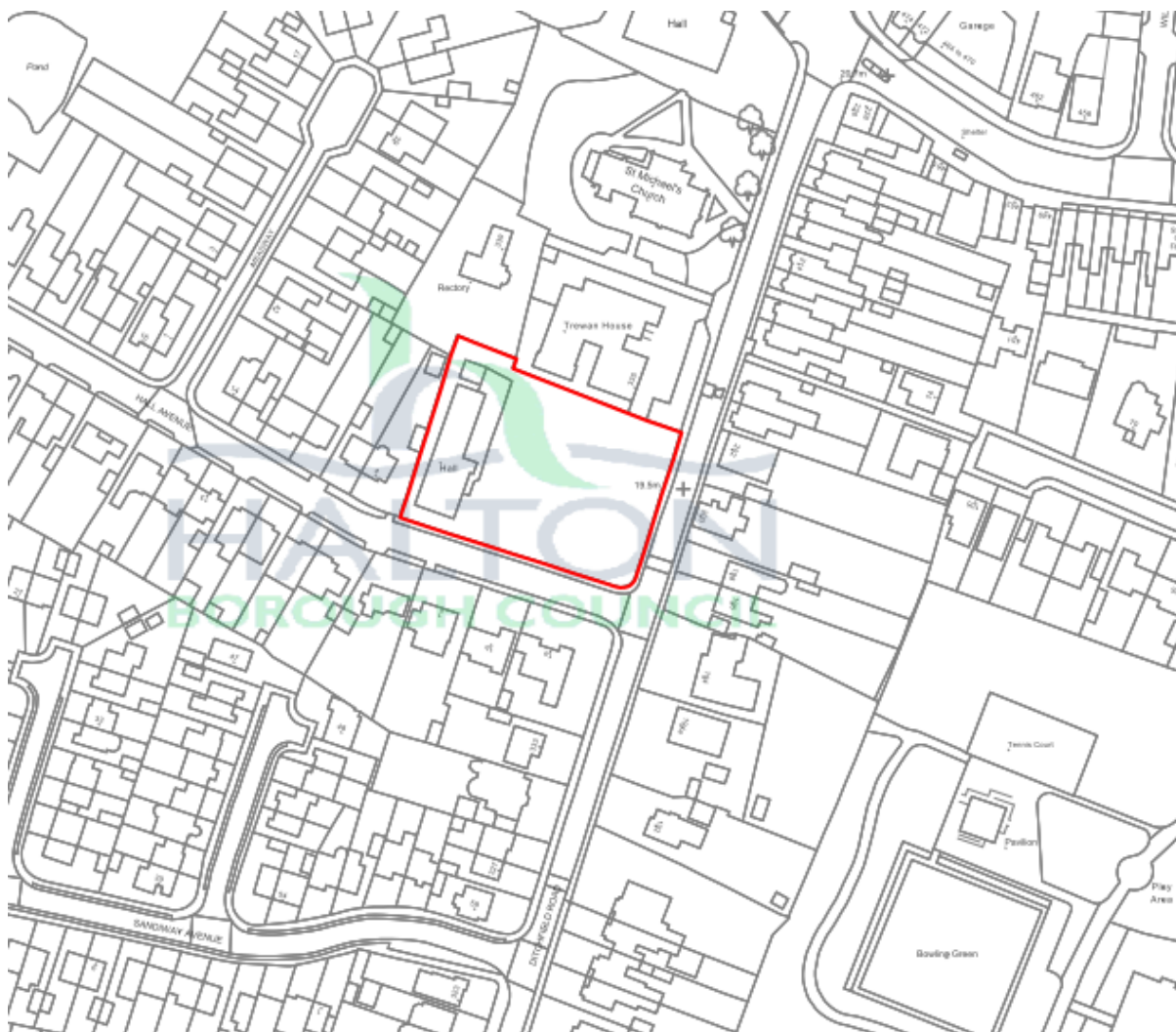
After debating the application, hearing speakers' comments and officers' responses to questions, the Committee agreed that the application be approved.

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

1. Standard 3 year permission;
2. Condition specifying plans (GR1 and GR2);
3. Bird nesting boxes scheme (CS(R)20 and HE1);
4. CEMP and additional reasonable avoidance measures (GR2, CS(R)20 and HE1);
5. Lighting scheme (GR2, CS(R)20 and HE1);
6. Implementation of cycle parking provision (C1 and C2);
7. Electric vehicle charging points scheme (C1 and C2);
8. Vehicle access and parking to be constructed prior to commencement of use (C1 and C2);
9. Method statement for invasive species (CS(R)20 and HE1);
10. Tree report and tree protection measures (CS(R)20 and HE1);
11. Foul and surface water on a separate system (HE9);
12. Drainage condition(s) to include culvert survey, final drainage strategy and validation (HE9);
13. Levels (GR1);
14. Landscaping condition(s) including replacement tree planting (GR1); and
15. Waste audit (WM8).

Meeting ended at 8.30 p.m.

APPLICATION NO:	21/00016/OUT
LOCATION:	Hough Green Scout and Guide Group Hall and Church Field, Hall Avenue, Widnes.
PROPOSAL:	Outline application, with all matters other than access reserved for the erection of two semi-detached dwellings and four detached dwellings on the existing church field and the retention of the existing scout hut.
WARD:	Bankfield
PARISH:	None
APPLICANT:	Secretary, St Michael with St Thomas Ditton Parochial Church (PCC), Ditchfield Road, Widnes.
AGENT:	Martyn Wilshaw, Finlason Partnership Limited, Suite 4, Beech House, 1 Cambridge Road, Hale, Altrincham, WA15 9SY.
DEVELOPMENT PLAN: Halton Delivery and Allocations Local Plan (2022) Joint Merseyside and Halton Waste Local Plan (2013)	ALLOCATIONS: Community Facilities – Western Side of the Site. Greenspace (4 – Amenity) – Eastern Side of the Site. Recreation Impact HRA Interim Arrangement Mitigation Area.
DEPARTURE	Yes.
REPRESENTATIONS:	318 contributors have made representations from the publicity given to the application.
KEY ISSUES:	Community Facilities and Services, Development on a Greenspace, Trees, Green Infrastructure, Access and Housing.
RECOMMENDATION:	Grant outline planning permission subject to conditions.
SITE MAP	



THIS APPLICATION WAS DEFERRED FOR A SITE VISIT AT DEVELOPMENT MANAGEMENT COMMITTEE ON MONDAY 9TH MAY.

1. APPLICATION SITE

1.1 The Site

The site subject of the application is the Hough Green Scout and Guide Group Hall and Church Field located adjacent to Hall Avenue and Ditchfield Road in Widnes.

The site is located directly adjacent to residential uses on all sides. Other uses in the locality include St Michael's Church, the Church Hall, the Woodlands Bar and Grill, Schools, the Local Centre on Liverpool Road and Hough Green Park, which includes provision for Children & Young People.

The western side of the site which encompasses the Hough Green Scout and Guide Group Hall is designated as Community Facilities, whilst the eastern side

of the site which is the church field is designated Greenspace (annotated with the number 4 which links to its use as an Amenity Greenspace) on the Halton Delivery and Allocations Local Plan Policies Map. Members may note that the entire site was previously Primarily Residential Area on the previous plan (Halton Unitary Development Plan Proposals Map).

The site is located within Recreation Impact HRA Interim Arrangement Mitigation Area on the Halton Delivery and Allocations Local Plan Policies Map

The site has a number of protected trees along both the Hall Avenue and Ditchfield Road frontages. The trees in question are Groups G2 and G3 of TPO 063. Group 2 comprises of 9 Sycamore Trees adjacent to Ditchfield Road and Group 3 comprises of 7 Lime Trees and 1 Oak Tree.

1.2 Planning History

The site has some planning history as set out below:

05/00347/FUL - Proposed erection of a replacement perimeter fence with 1800mm high exemplar fencing – Granted 30/06/2005.

06/00052/FUL - Proposed erection of a 1.8m high perimeter fence – Granted 22/02/2006.

07/00671/FUL - Proposed single storey side extension to scout building – Granted 14/11/2007.

11/00435/TPO - Application for works to trees; crown lift to sycamores, oaks and limes; general maintenance to all trees – Granted 09/01/2012.

2. THE APPLICATION

2.1 The Proposal

This is an outline application, with all matters other than access reserved for the erection of two semi-detached dwellings and four detached dwellings on the existing church field and the retention of the existing scout hut.

Members will note that the description of development was previously described as follows:

Outline application, with all matters other than access reserved, for demolition of existing hall and erection of eight semi-detached dwellings and two detached dwellings.

The applicant has chosen to amend the proposal to ensure the retention of the community facility that is the Hough Green Scout and Guide Group Hall following observations made by Officers.

2.2 Documentation

The application is accompanied by the associated plans in addition to a Planning, Design and Access Statement, Response to Pre-Application Advice in Support of Outline Planning Application, Ecological Scoping Survey, Arboricultural Health Assessment, Arboricultural Method Statement, Arboricultural Implications Assessment and a Phase 1 Ground Investigation Report.

3. POLICY CONTEXT

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

THE DEVELOPMENT PLAN

3.1 Halton Delivery and Allocations Local Plan (2022)

The following policies contained within the Halton Delivery and Allocations Local Plan are of relevance:

- CS(R)1 Halton's Spatial Strategy;
- CS(R)3 Housing Supply and Locational Priorities;
- CS(R)15 Sustainable Transport;
- CS(R)18 High Quality Design;
- CS(R)19 Sustainable Development and Climate Change;
- CS(R)20 Natural and Historic Environment;
- CS(R)21 Green Infrastructure;
- CS23 Managing Pollution and Risk;
- C1 Transport Network and Accessibility;
- C2 Parking Standards;
- HC5 Community Facilities and Services;
- HE1 Natural Environment and Nature Conservation;
- HE4 Greenspace and Green Infrastructure;
- HE5 Trees and Landscaping;
- HE8 Land Contamination;
- HE9 Water Management and Flood Risk;
- GR1 Design of Development;
- GR2 Amenity

3.2 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.

Supplementary Planning Documents (SPD)

Design of Residential Development SPD

MATERIAL CONSIDERATIONS

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

3.3 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.

3.4 Equality Duty

Section 149 of the Equality Act 2010 created the public sector equality duty.

Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development that justify the refusal of planning permission.

3.5 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 persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

4. CONSULTATIONS SUMMARY – FULL RESPONSES CAN BE LOCATED AT APPENDIX 1.

4.1 Highways and Transportation Development Control

No objection to the proposed development subject to conditions.

4.2 Lead Local Flood Authority

No objection to the proposed development subject to a condition.

4.3 Contaminated Land Officer

No objection to the proposed development subject to a condition.

4.4 Open Spaces

Observations made in respect of impact on protected trees, which would inform site layout.

4.5 Merseyside Environmental Advisory Service – Ecology and Waste Advisor

No objection to the proposed development subject to conditions.

4.6 Natural England

No objection to the proposed development.

4.7 United Utilities

No objection to the proposed development subject to conditions.

5. REPRESENTATIONS

5.1 The application was originally publicised by forty-eight neighbour notification letters sent on 14th January 2021, three site notices posted in the vicinity of the site on 14th January 2021 and a press advert in the Widnes and Runcorn Weekly News on 21st January 2021.

5.2 Following the receipt of amended plans and an amended description of development, further publicity in the form of two hundred and thirty neighbour notification letters sent on 1st November 2021 and three site notices posted in the vicinity of the site on 4th November 2021.

5.3 Representations from three hundred and eighteen contributors have been received from the publicity given to the application. Seventy-four are noted as

being in support of the development and two hundred and forty-four are noted as being in objection. A summary of the issues raised are below:

GROUPS OF SUPPORT

- Proposal supported as long as the trees are not affected;
- Sale of the land for housing needed to support the church which is at the heart of the community;
- A negative impact on the church would result without development and could result in its closure;
- The loss of the church would be significant for the community;
- The sale of the land for housing would help fund a new centre to benefit all;
- The church does wonderful work in the community;
- The church has compromised to ensure that both parties can serve the community well;
- Development takes account of resident's concerns regarding access and parking;
- Current building is an eyesore;
- The field is an asset bought by the church in 1920's. The asset now needs to be utilised to ensure the church's survival;
- It is a church asset not a community asset and is not publicly accessible;
- The Scout and Guide groups do not have a valid lease and have not engaged in the process;
- The Scout and Guide groups cannot use the church field;
- The Scout and Guide groups have previously requested for everything to stay the same which unfortunately is not sustainable;
- The Church of England may have assets worth £8.3 billion, however St Michaels with St Thomas still need to pay the Diocese its Parish Share.
- Hough Green Park is less than 100m from the church field;
- There is a need for affordable housing in the area;
- The Council would receive Council Tax from the new properties.

GROUPS OF OBJECTION

- Loss of a key now formally designated greenspace;
- Loss of a green infrastructure asset and consequential loss of residential and visual amenity, environmental quality and associated impacts with regard to health and well-being;
- There are Tree Preservation Orders on the site;
- Root systems would be damaged;
- Impact on flora and fauna;
- Impact on services such as drains along with future flooding concerns;

- Extra traffic resulting in parking and access issues;
- Too much development being proposed which does not respect the locality. If development were to be permitted, it should be for a low density well designed scheme;
- Negative impacts on streetscenes;
- Impact on adjacent care home in terms of light and privacy;
- Disturbance to existing residents during the construction period;
- Both the building and the field are community assets;
- A purpose built Scout Hut is necessary. Church or School Halls cannot compare;
- The Scout Hut is required even more post COVID-19.
- The Scout Hut is an Asset of Community Value;
- The Scout Hut is required and should not be demolished for the church's profits;
- The loss of the Scout Hut would be a severe blow to the health of children in the town;
- The building is used by more groups than just the Scouts and Guides;
- The field is also used for play schemes and fund raising events;
- The field next to the Scout Hut is needed for Scouting outdoor activities;
- No requirement for additional houses;
- The houses will not be affordable;
- This is not a housing site;
- Should build on brownfield sites;
- Impact on the availability of school places;
- Certificate B should have been signed as the application is not made by the registered landowner.
- Is the site referred to as a church field on any local maps or Ordnance Survey maps?
- The Church of England do not need the money as they are worth a reported £8.3bn.
- There remains no certainty over the future of the Scout Hut despite the building's retention of the indicative layout plan;
- Should this application be approved, the entire site would benefit from outline planning permission for housing and would put the community facility at risk.

5.4 The following representations have been received from Ward Members:

Cllr Marie Wright - I would like to register my objections to the above application on the grounds of issues around parking, access to the site, traffic is horrendous

as it is at the top of Ditchfield Road, poor drainage of the land, the loss of a valuable open space.

Cllr Bob Gilligan - I would to object to this application on the grounds that this plot of land has housed the Hough Green scout group for many years providing young people of the area with healthy outgoing activities and helping them to develop into good citizens of the Borough a precious amenity which once lost will never be replaced.

Cllr Eddie Dourley - I would like to formally register my objection to the proposed development at the Hough Green Scouts & Guides facility on Ditchfield Road, Widnes (21/00016/OUT).

Cllr Tony McDermott - I wish to register my objection to this outline application on the grounds of loss of amenity to the community and to the Scouting community in particular.

Cllr Laura Bevan - Thank you for this just looking at the plans now, to confirm is this a revision from an original application for 10 dwellings to six? Also on the assessment of flood risk section 11 it doesn't reference Soakaway but is but is labelled for use on the plans?

As I was not a councillor when original application was put in just want to make, sure I am understanding the amendments correctly.

6. ASSESSMENT

6.1 Retention and Enhancement of Existing Community Facilities

Policy HC5 of the Halton Delivery and Allocations Local Plan is of particular relevance.

The western side of the site which encompasses the Hough Green Scout and Guide Group Hall is designated as Community Facilities and Services on the Halton Delivery and Allocations Local Plan Policies Map. This particular site provides youth facilities to Widnes.

Policy HC5 makes clear that the Council will support the retention and enhancement of existing Community Facilities such as this. Members will note that the original proposal for the site involved the demolition of the Hough Green Scout and Guide Group Hall. Officers made clear the protection afforded to Community Facilities and the applicant chose to amend the proposal to ensure the retention of the Hough Green Scout and Guide Group Hall. The positive things that the Scouts, Guides and other groups do for young people as set out in the representations received are acknowledged.

Some of the representations received state that the use of the building requires the adjacent field for outdoor activities and therefore form part of the Community Facility being protected here. It is noted that whilst it may be desirable for the Scouts and Guides to have space for outdoor activities, the Community Facilities and Services designation only encompasses the area of the building rather the entire application site. The remainder of the site is designated Greenspace and the proposal's policy compliance in this respect is to be considered below.

By virtue of the fact that the proposal now explicitly states the retention of the existing scout hut within the description and the indicative plan accompanying this outline planning application shows this, it is considered that proposal is compliant with Policy HC5 of the Halton Delivery and Allocations Local Plan.

Members will note that the adjacent St Michael with St Thomas Church and the associated Church Hall are also designated as Community Facilities and Services on the Halton Delivery and Allocations Local Plan Policies Map.

The applicant states in their Planning, Design and Access Statement that if the church does not sell this land with Planning Permission, the church will likely be forced to close, which in turn means the closure of the Scout and Guide premises and the Hough Green Social Centre. The land would then be sold off by the Diocese.

The applicant has previously indicated that any funds received for this land would be used to invest locally in the much-needed facilities in the form of a community hub.

No further details are provided in this regard, however Members should note that the retention of the Scout and Guide Group Hall on this site ensures planning policy compliance as set out earlier without the need for any further compensatory provision.

Whilst investment by the church into enhanced facilities would be welcomed, this cannot be secured by this application, as there is no policy requirement in this instance. A number of representations have been received stating the wonderful work in the community that the church does and that its closure would be significant for the community and that the sale of the land for housing needed to support the church which is at the heart of the community. Representations also make clear that the church has amended its proposals to ensure that both parties can serve the community well.

6.2 Development on a Greenspace

Policy HE4 of the Halton Delivery and Allocations Local Plan is relevant.

The eastern side of the site which is the church field is designated Greenspace (annotated with the number 4 which links to its use as an Amenity Greenspace) on the Halton Delivery and Allocations Local Plan Policies Map. The text accompanying Policy HE4 is clear that the amenity value of Greenspace is

recognised as being wide ranging. Even where greenspaces are not publicly accessible, many of them are recognised as having an important visual, wildlife or structural role to play.

Members will note that the application was submitted in 2021 when the previous Development Plan was in place. The previous designation of Primarily Residential Area has now changed to part Community Facilities and Services and part Greenspace by the adoption of the Halton Delivery and Allocations Local Plan on Wednesday 2nd March 2022. The application needs to be determined in accordance with the current Development Plan unless material considerations indicate otherwise.

The proposal would result in the loss of this Greenspace (A Green Infrastructure Asset) if permission were granted for residential development on this parcel of land. Policy HE4 sets out a criteria where development will be permitted where a loss of an existing green infrastructure asset results.

This Greenspace is identified as being an Amenity Greenspace which notes its use as an informal recreation space / greenspace in and around housing. In this case, the land is privately owned by the church and has been used as an informal recreation space albeit infrequently. It is understood that the Scouts and Guides lease of the Hall (which has now expired) never included the field adjacent to the building, however has been used infrequently over the years.

It is accepted that the protected trees and the field beyond do have a visual amenity value to this locality. The retention of the protected trees would protect the wildlife interest and no objection has been raised by the Council's Ecological Advisor. This site does not directly link to other Greenspaces so it is not considered to have a structural role to play.

Some representations make reference to the positive impacts that the site has with regard to health and well-being. The visual amenity value of the site is again acknowledged as well as its infrequent use by various groups over the years, however this in itself is not considered a reason on which a refusal could be sustained.

As part of the evidence base for the recently adopted Halton Delivery and Allocations Local Plan, a Halton Open Spaces Study 2020 Quantitative Update was undertaken. This noted that in this particular neighbourhood (encompassing the former wards of Broadheath, Ditton, Hale and Hough Green) there was a surplus of Amenity Greenspace of around 15ha. The same was the case when considering Amenity Greenspace on both a town basis and on a borough basis (over 100ha). This proposal would result in the loss of amenity greenspace amounting to approximately 0.2ha. Based on the significant surplus of Amenity Greenspace in the Borough, the limited usage of this private site and the retention of the protected trees which contribute significantly to the visual amenity value of the site (considered further at section 6.4), it is considered that the proposed development meets criteria i.

The proposal does not meet criteria ii as it would not provide equivalent or better provision in terms of quality and quantity, and in a suitable location to meet the needs of users of the existing Green Infrastructure asset, however there is only a policy requirement to meet either criteria i or criteria ii.

It is considered that the loss of a Green Infrastructure asset under criteria i would not detract from the Borough's ability to divert recreational pressure away from sensitive European designated sites and would not result in an effective increase in recreational pressure within the European designated site. It is noted that the proposed development is small in scale and that both the Council's Ecological Advisor and Natural England do not object to the proposed development. The proposal therefore meets criteria iii.

The proposed development is considered compliant with the provisions of Policy HE4 of the Halton Delivery and Allocations Local Plan.

6.3 Green Infrastructure

As Amenity Greenspace, the site subject of the application represents Green Infrastructure provision as defined by the definitions in the justifications to both Policy CS(R)21 and Policy HE4 of the Halton Delivery and Allocations Local Plan.

The consideration of compliance with Policy HE4 is set out in section 6.2.

In respect of Policy CS(R)21, it states that the loss of green infrastructure where there are identified deficiencies in provision will be resisted. Noting the surplus of Amenity Greenspace in this locality and on a borough wide basis, it is not considered that a refusal on the grounds of loss of green infrastructure can be sustained.

The proposal is considered to accord with the provisions of Policy CS(R)21 of the Halton Delivery and Allocations Local Plan.

6.4 Impact on Trees

As noted in the site description, there are a number of protected trees along both the Hall Avenue and Ditchfield Road frontages. The trees in question are Groups G2 and G3 of TPO 063.

Noting the importance of the protected trees, the applicant has shown the access position where there is largest gap in between trees, which corresponds with an existing field access.

Noting that this is an outline application with all matters other than access, the only element which would be fixed should the application be granted is all routes to and within the site, as well as the way they link up to other roads and

pathways outside the site. The positions of the dwellings would be subject to a reserved matters application at which layout is being considered.

The comments of the Open Spaces Officer are noted and the applicant has made alterations to their indicative layout for the proposal in order to show further consideration of the relationship with protected trees including the incursion of root protection areas.

Technical solutions exist to ensure the appropriate retention and protection of the protected trees through further submissions, which would be made at the reserved matters and by condition.

It is considered that compliance with Policy HE5 of the Halton Delivery and Allocations Local Plan can be achieved.

6.5 Housing

Policy CS(R)1 'Halton's Spatial Strategy' of the Halton Delivery and Allocations Local Plan states that to achieve the Vision for Halton to 2037, new development should deliver: at least 8,050 (net) additional dwellings (2014-2037).

Policy CS(R)3 'Housing Supply and Locational Priorities' of the Halton Delivery and Allocations Local Plan states that new homes will be delivered from a variety of sources including housing allocations. The policy also refers to windfall sites as being a source of which this would be one if planning permission were to be granted.

This site is not a housing allocation, however this does not automatically make it unacceptable for housing development. The proposal must be considered on its merits.

The site is located in the urban area and is accessible to the range of facilities and services as set out in the site description at section 1.1.

There is no requirement for the mix of new property types delivered to contribute to addressing identified needs as quantified in the most up to date Strategic Housing Market Assessment in this instance based on the amount of development proposed.

There is also no affordable housing requirement based on the amount of development proposed. This does not mean that there is not a need for affordable housing in the area, just that there is no policy requirement for this proposal to provide a certain level of provision.

There is no policy requirement for new Greenspace provision for the proposed Residential Development as Policy RD4 only requires this for residential developments of 10 or more dwellings.

Based on the key consideration of both Community Facilities/Services and Greenspace as set out above being found to be acceptable, it is considered that housing on the site would contribute towards the Borough's requirements in accordance with Policies CS(R)1 and CS(R)3 of the Halton Delivery and Allocations Local Plan.

6.6 Highways, Transportation and Accessibility

As stated previously, this application needs to be assessed in terms of access which includes all routes to and within the site, as well as the way they link up to other roads and pathways outside the site.

The Highway Officer notes that the general carriageway width considered acceptable is 5.5m, however a 4.8m carriageway with separate 1.8m footways may be provided for minor roads. The proposed access arrangements provide these widths along with appropriate visibility at the junction with Hall Avenue.

The proposed parking is accommodated by courtyard arrangement. The level of provision shown (12 spaces) is in line with the Council's requirement (set out in Appendix E of the Halton Delivery and Allocations Local Plan) for dwellings up to 3 bedrooms. The submitted application provides for parking bays which are acceptable in terms of sizing and reversing space. It is considered that a suitable bin collection scheme can be achieved for the proposed development and be secured by condition.

The Highway Officer notes that the proposed parking arrangement are not desirable in terms of their relationship to the proposed dwellings and the level of overlooking offered. By virtue of the requirement to have active frontages to both Hall Avenue and Ditchfield Road and the constraints with gaining access to the site as a result of the protected trees and the bus stop on Ditchfield Road, the proposed parking arrangement is considered an acceptable parking solution in this instance. It is expected that a reserved matters application dealing with layout, landscaping and appearance demonstrate that the courtyard is a well-designed functional space.

The Highway Officer has noted that no detail is provided for cycle parking, however this can be achieved within the curtilage of each dwelling and secured by condition.

Noting the requirement for development to make provision for ultra-low emission vehicles, it is considered reasonable to secure such provision by condition.

Based on the above, the proposed development is considered to be acceptable in terms of access in compliance with Policies CS(R)15, C1 and C2 of the Halton Delivery and Allocations Local Plan.

6.7 Flood Risk and Drainage

The site is located in Flood Zone 1, and is shown to have a very low fluvial, surface water and tidal flood risk on the Environment Agency Long Term Flood Risk Maps. It is however within one of Halton Borough Council's Critical Drainage Areas as shown in the Strategic Flood Risk Assessment.

The observations of the Lead Local Flood Authority note the lack of consideration of a number of points, however they do consider that a satisfactory solution can be reached and that this can be secured by condition as set out in their consultation response.

United Utilities have made observations in relation to drainage and have suggested conditions.

In order to avoid any duplication, it is considered that the conditions suggested by the Lead Local Flood Authority would appropriately deal with issues raised by United Utilities.

The attachment of the suggested conditions would ensure that the proposal is acceptable from a flood risk and drainage perspective in compliance with Policies CS23 and HE9 of the Halton Delivery and Allocations Local Plan.

6.8 Ground Contamination

The application is accompanied by a Phase 1 ground investigation report. The report concludes that a site investigation is necessary to fully understand and characterise the site's land contamination potential.

The Contaminated Land Officer is in agreement with the report's conclusions and does not object to the application, provided that any approval is conditioned to require the submission of a site investigation, risk assessment and, if determined to be necessary, a remediation strategy with associated verification reporting.

The attachment of the suggested condition above will ensure compliance with Policies CS23 and HE8 of the Halton Delivery and Allocations Local Plan.

6.9 Ecology

The application is accompanied by an Ecological Assessment Report.

The Ecology and Waste Advisor raises no objection to the proposed development subject to conditions securing a lighting scheme which protects ecology, a construction environmental management plan (CEMP), breeding birds protection, a bird nesting boxes scheme, reasonable avoidance measures for terrestrial mammals and removal of invasive species as set out in detail within their consultation response.

The site's location within the Recreation Impact HRA Interim Arrangement Mitigation Area on the Halton Delivery and Allocations Local Plan Policies Map is noted. As the proposed development is only for 6 dwellings, it is below the threshold for this interim approach and as stated by the Ecology and Waste Advisor, a Habitats Regulations Assessment (HRA) is not required to assess recreational pressure.

Subject to the attachment of the suggested conditions, the proposal is acceptable from an Ecology perspective compliant with Policies CS(R)20 and HE1 of the Halton Delivery and Allocations Local Plan.

6.10 Layout

Members should note that a significant amount of work has been undertaken with the applicant to improve the indicative layout, which accompanies this outline planning application. Officers have sought that the applicant produce a plan which shows sufficient setback from the protected trees to show their successful retention along with active frontages to both Ditchfield Road and Hall Avenue.

The indicative layout is purely illustrative as to how two semi-detached dwellings and four detached dwellings could be laid out within the site.

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

Whilst indicative, the submitted plans provide enough information to demonstrate that there is sufficient space within the site to accommodate these standards upon the final design and submission of reserved matters.

It is considered that a scheme of two semi-detached dwellings and four detached dwellings can be designed and accommodated within the site that would comply with the design of New Residential Development SPD and Policies CS(R)18, GR1 and GR2 of the Halton Delivery and Allocations Local Plan.

6.11 Scale

Scale is reserved for future consideration. It is considered that a detailed scheme in terms of scale can be designed which respects the character of the surrounding area in compliance with Policy GR1 of the Halton Delivery and Allocations Local Plan.

6.12 Appearance

Appearance is reserved for future consideration. It is considered that a detailed scheme in terms of appearance can be designed which ensures the delivery of good design as well as respecting the appearance of the surrounding area in compliance with Policy GR1 of the Halton Delivery and Allocations Local Plan.

6.13 Landscaping

Landscaping is reserved for future consideration. Landscaping would be considered as part of a reserved matters application.

Impact on the protected trees is considered at section 6.4. It is considered that an appropriate hard and soft landscaping scheme for the site can be achieved at the reserved matters stage to ensure the delivery of a well designed scheme to accord with Policies CS(R)18, HE5 and GR1 of the Halton Delivery and Allocations Local Plan.

The Council's Ecological Advisor has made some suggestions with regard to the detail of a landscaping scheme which can be attached as an informative.

6.14 Sustainable Development and Climate Change

Policy CS(R)19 of the Halton Delivery and Allocations Local Plan requires development to be designed to have regard to the predicted effects of climate change.

The attachment of a condition securing the submission of a scheme detailing such matters along with their subsequent implementation will ensure compliance with Policy CS(R)19 of the Halton Delivery and Allocations Local Plan.

6.15 Waste Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, construction management by the applicant will deal with issues of this nature and based on the development cost, the developer would be required to produce a Site Waste Management Plan. The submission of a waste audit should be secured by condition.

In terms of on-going waste management, there is sufficient space within the development to deal with this as demonstrated by the proposed site layout.

The proposal is considered to be compliant with policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan.

6.16 Other Issues raised in representations not addressed above

The Scout and Guide Group Hall is to be retained as part of the proposed development. A refusal of the application based on the retention of the building by virtue of its poor appearance could not be sustained.

It is stated that the Scout and Guide groups do not have a valid lease and have not engaged with the church and its proposals. The Scout and Guide Group Hall is a Community Facility and these factors do not weigh significantly in favour of the loss of the facility.

In respect of the Church of England having assets worth £8.3 billion and St Michaels with St Thomas still needing to pay the Diocese its Parish Share, it should be noted that no financial viability information has been submitted with the application due to the proposal demonstrating policy compliance as set out in the report.

The close proximity of the application site to Hough Green Park that has a number of different functions including as Parks and Gardens and Provision for Children and Young People is noted.

It is noted that the Council would receive Council Tax from the new properties as well as New Homes Bonus. This weighs in favour of the development.

It is likely that some disturbance would be experienced by existing residents during the construction period. This is typical of most forms of development and will be temporary. In a predominantly residential location such as this, it is considered reasonable to attach a condition which secures a restriction on the hours of construction.

With regard to the issue that new houses should be built on brownfield sites, Policy CS(R)3 (5) states that an average of at least 30% of new residential development should be delivered on previously developed (brownfield) land

over the plan period. The issue does not form grounds for the refusal of this application.

Halton has an overall surplus capacity of school places in both primary and sectors. It should also be noted that latest population projections do not predict significant increases in the number of school age residents over the Plan period to 2037.

It is alleged that the Certificate of Ownership on the application form is incorrect. It is assumed that this is due to the Diocese not being the applicant. The purpose of the Certificate of Ownership is to ensure that the owner is aware of the planning application and it is not considered that this has prejudiced the processing of this planning application.

The way the site is referenced on any local maps or Ordnance Survey maps does not affect the processing of a planning application. The site description given makes clear which parcel of land is subject of the application allowing interested persons to make any representations they see fit.

The fact that the Church of England are worth a reported £8.3bn does not form grounds to refuse this planning application.

Representations made consider that there remains no certainty over the future of the Scout Hut despite the building's retention on the indicative layout plan and that should this application be approved, the entire site would benefit from outline planning permission for housing and would put the community facility at risk. The description of development explicitly references the retention of the Scout Hut. Ultimately the occupation of the building by the Scout and Guide groups remains a matter for the Church to control regarding any lease that may be offered for the building.

6.17 Planning Balance

Based on the above assessment, it is considered that the loss of Greenspace is not desirable, however in this case the loss of this amenity greenspace is surplus to requirements both in this locality and also on a Borough basis resulting in policy compliance. The proposal is considered compliant with the Development Plan based on the assessment set out above.

When assessed against the policies in the NPPF taken as a whole, taking into account the details of the scheme and any material planning considerations, the proposal is thus sustainable development for which the NPPF carries a presumption in favour.

As such, the proposal is considered to accord with the Development Plan and national policy in the NPPF.

7. CONCLUSIONS

In conclusion, the proposal would now ensure the retention of the Hough Green Scout and Guide Group Hall in compliance with Policy HC5, which supports the retention of Community Facilities.

The proposed development would result in the loss of designated Greenspace (A Green Infrastructure Asset). This Greenspace is identified as being an Amenity Greenspace which notes its use as an informal recreation space / greenspace in and around housing for which there is a significant surplus both in this locality and across the Borough. Based on this along with the retention of the protected trees, which contribute significantly to the visual amenity value of the site and no effective increase in recreational pressure within the European designated sites, it is considered that Policy HE4 is met and the loss of Greenspace is acceptable.

In terms of access, the proposed arrangements from Hall Avenue along with visibility at the junction are considered acceptable. Due to site constraints, parking would be accommodated in a courtyard arrangement with the level of provision shown in line with the Council's requirements. A suitable bin collection scheme, cycle parking provision and provision for ultra-low emission vehicles can be secured by conditions.

Noting the importance of the protected trees, the applicant has shown the access position where there is largest gap in between trees, which corresponds with an existing field access. Technical solutions exist to ensure the appropriate retention and protection of the protected trees through further submissions, which would be made at the reserved matters and by condition.

A reserved matters application which provides detail relating to layout, scale, appearance and landscaping would be required.

The proposal is considered to accord with the Development Plan and would contribute to the achievement of sustainable development in Halton.

The application is recommended for approval subject to conditions

8. RECOMMENDATION

Grant outline planning permission subject to conditions.

9. CONDITIONS

1. Time Limit – Outline Permission.
2. Submission of Reserved Matters.
3. Development Parameters.
4. Submission of Existing and Proposed Site Levels (Policy GR1)
5. Tree Protection Measures – (Policy HE5)
6. Arboricultural Method Statement – (Policy HE5)
7. Breeding Birds Protection – (Policies CS(R)20 and HE1)
8. Submission of Bird Boxes Scheme – (Policies CS(R)20 and HE1)

9. Lighting Scheme to Protect Ecology – (Policies CS(R)20 and HE1)
10. Construction Environmental Management Plan – (Policies CS(R)20 and HE1)
11. Reasonable Avoidance Measures – Terrestrial Mammals - (Policies CS(R)20 and HE1)
12. Invasive Species Scheme - (Policies CS(R)20 and HE1)
13. Electric Vehicle Charging Points Scheme (Policy C2)
14. Ground Contamination - (Policies CS23 and HE8)
15. Parking and Servicing Provision – (Policies C1 and C2)
16. Submission of a Cycle Parking Scheme – (Policy C2)
17. Submission of a Sustainable Urban Drainage Scheme – (Policies CS23 and HE9)
18. Verification of the Sustainable Urban Drainage Scheme – (Policies CS23 and HE9)
19. Foul Water - (Policies CS23 and HE9)
20. Sustainable Development and Climate Change Scheme – (Policy CS(R)19)
21. Waste Audit (Policy WM8)

Informatives

1. United Utilities Informative.
2. Landscaping Informative.

10. 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

11. 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.

APPENDIX 1 – FULL CONSULTATION RESPONSES

1.1 Highways and Transportation Development Control

NO OBJECTION SUBJECT TO CONDITIONS.

Further to your consultation we have considered the proposed application as the Highway Authority and would make the following comments;

As previously stated the Outline application only wishes to address the access arrangement onto the proposed new road. Given that this application is being reviewed on the basis of outline permission being sought only and as such any layout concerns will not be addressed at this stage and any approval gained should not be taken as Highway Approval of the overall scheme.

The general carriageway width we accept would be 5.5m. Alternatively a 4.8m carriageway with separate 1.8m footways may be provided for minor roads. The drawings appear to offer these minimum widths and visibility at the junction with Hall Avenue appears to meet with standards.

My previous comments asked for tracking of a refuse vehicle into the site. Whilst these were not provided adequately, in retrospect, given that the courtyard access would not be considered for adoption there would no longer be a requirement for this. Instead it would be necessary for the applicant to demonstrate a bin collection point which was conveniently located for residents and for collection.

The parking is accommodated by courtyard arrangement. The submitted application provides for parking bays which are acceptable in terms of sizing and reversing space however do not include for Electric Vehicle charging spaces nor provision for disabled use. The parking is remote and lacks the security that adjoining, overlooking properties provide. This is contrary to design guidance set out in Manual for Streets as well as guidance set out in section 8.18 of Halton's Supplementary Planning Guidance on Residential Development 2001.

With the removal of the requirement to provide a turn head at the top of the courtyard this could allow the option for a more attractive redesign of parking and landscaping at the rear of the properties which would include the bin storage facility. It equally may provide an opportunity for greater back garden space to property number 6 and potentially address drainage requirements. Halton Borough Council's Design of New Residential Development SPD states that-

8.18 Shared communal parking may also be satisfactorily incorporated within the public realm but only if carefully designed as an integral feature. Such parking should be properly overlooked by, and be easily accessible from, surrounding residential properties. It should also be small scale to avoid large expanses of car parking and should be broken up with landscaping and clear pedestrian routes.

There is no detail provided for cycle parking. This would be necessary as part of the development.

8.21 With regard to cycle facilities within residential development schemes, consideration should be given from the outset to the suitable provision for cycle parking. Cycle parking should be secure, covered and easy to use.

DRAINAGE

Details of plot/road levels and SUDS/drainage proposals will need to be provided. Any areas of hardstanding should be constructed of porous materials or provision made to allow for direct run-off water from a hard surface to a permeable or porous area or surface within the curtilage of the dwelling. Additional information can be found within; https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7728/pavingfrontgardens.pdf

SUMMARY

The car parking courtyard arrangement, whilst not ideal, is understood to be as a result of the constraints encountered as a result of the TPO's on Ditchfield Road. In spite of this it would be necessary to include the provision EV charging points. The Highway Authority would prefer to see amendments to the layout which offer more in terms of usability and to design out the potential for crime and anti-social behaviour. The current courtyard is functional however its relative remoteness from properties on Ditchfield Road detracts from the security homeowners would require to promote its use. A more attractive and landscaped design reducing the emphasis on simply parking could encourage the area to be a space for people to enjoy and take pride in communally increasing the feelings of security.

Disabled accessible spaces which meet with DDA compliant sizing would be necessary as would cycle parking provision for each of the properties.

CONDITIONS

- Disabled parking provision
- EV Charging facilities
- Secure cycle storage for each of the properties
- Refuse collection point in convenient location.
- Amendments to the design to improve the sense of security in the courtyard area.

1.2 Lead Local Flood Authority

After reviewing 21/00016/OUT planning application LLFA found the following:

- The site is 0.3ha, it is a mixed of a Brownfield and greenfield site.
- The proposed development is for demolition of the existing buildings and development of up to 10 no. residential dwellings and associated parking.

- This would increase the sites current vulnerability to 'More Vulnerable' according to NPPF guidance.
- The proposed development involves the land use change which will likely reduce the permeability. This change would likely increase the surface water runoff at the proposed site.
 - The site is shown to have a very low fluvial, surface water and tidal flood risk on the Environment Agency Long Term Flood Risk Maps. However, it is within one of Halton Borough Council's Critical Drainage Areas as shown in the Strategic Flood Risk Assessment.

Following discussions between Halton BC officers additional information was submitted on the 25/10/21.

- The applicant has provided an outline drainage strategy drawing. This identifies that surface water drainage from the properties would be discharged to a soakaway feature located within the south east corner of the site whilst the runoff from the road would be attenuated and discharged to the public sewer.
- No supporting calculations or evidence of infiltration testing has been presented but high-level estimates of the drainage volume required have been provided which appear to demonstrate that the proposed strategy is potentially viable.
- It is not clear why the road drainage would not be routed into the soakaway feature.
- Climate change is not assessed in any detail but there appears to be an acknowledgment that the drainage system would need to accommodate increased rainfall intensities.
- High level estimates

Based on the additional information provided, the LLFA would recommend that the following conditions should the Local Planning Authority be minded to approve on this basis:

No development should take place until a detailed drainage strategy is provided that includes:

- Evidence of infiltration testing in accordance with BRE digest 365. Should infiltration be found to not be feasible a detailed consideration of other potential discharge locations should be presented.
- Calculated runoff rates for the 1, 30 and 100yr flood events both pre- and post-development for use in drainage design.
- Calculations and design details (including drawings) to demonstrate how runoff rates would be reduced by 50% compared the existing arrangement or as close as possible to this.
- Evidence that the drainage system has been designed to account for a 40% increase in rainfall intensity due to climate change.
- Evidence that the proposed drainage strategy designs for exceedance and that the development would not be at risk during rainfall events that exceed the design standard of the proposed drainage system.

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 interceptors 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.
- 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.

1.3 Contaminated Land Officer

I have considered the land contamination implications for the application and have the following comments.

The application is supported by the following document;

- Land at corner of Ditchfield Road Hall Avenue Ditton. Phase 1 ground investigation report, ref 5239/01, Terraconsult Ltd, November 2020

The above report details the findings of a desk study and presents a preliminary risk assessment and conceptual site model. No site reconnaissance was undertaken (although this may be consequence of COVID19 restrictions).

The site history and subsequent CSM do not identify any highly significant potential sources of contamination, but there are number of infilled ponds and the long-standing general urban nature of the location that could give rise to land contamination. The CSM identifies a number of possible pollutant linkages relating to future site users that warrant further investigation and assessment. The report concludes that a site investigation is necessary to fully understand and characterise the site's land contamination potential.

I am in agreement with the report's conclusions and do not object to the application, provided that any approval is conditioned to require the submission of a site investigation, risk assessment and, if determined to be necessary, a remediation strategy with associated verification reporting. Suggested wording for such a condition is presented below.

No part of the development hereby permitted shall commence until;

a) Prior to the commencement of development an appropriate investigation and assessment of all potential pollutant linkages is submitted to, and approved by, the Planning Authority. The investigation and assessment should be carried out by suitably qualified personnel and carried out in accordance with current Government, Environment Agency and British Standard guidance, and;

b) Should any significant risks be identified by such an investigation a remediation plan, including suitable monitoring and verification methodologies, should also be agreed in writing by the Planning Authority. A completion statement shall be issued upon completion of any remediation.

1.4 Open Spaces

The specification for the construction of the permeable hard surfacing is not considered to be appropriate and contradictory to the detail in the first section of the Arboricultural Method Statement. Tree roots will be present in the top 600mm of topsoil and the methodology details the surface layer to be scraped off by either hand or machine. No depth of excavation has been specified for this operation. It will undoubtedly result in the loss of essential root of the protected trees (detailed at 1.7 and 1.8 of the document).

The housing layout for those properties facing Ditchfield Road show permeable pedestrian paving to the properties that will result in the removal of T3 - the stem is shown to be in the middle of the path. It is also questionable if all other permeable paths can be constructed using the detailed specification above due to the close proximity of the basal flair on protected trees - T2, T7 and T17 in particular.

It is unclear if the development will have a low brick wall as a boundary treatment, or whether this will be a hedge as shown within the Design and Access Statement. It is assumed wall foundations will be constructed within the RPA of the protected trees, which will not be acceptable.

The soakaway storage system is shown within the root protection area of G2 and G3 Drawing No. 17/008(2-)APP010. The soakaway will need to be relocated outside of the RPA of protected trees.

Permitted tree work shall be carried out strictly as described above and in accordance with British Standard 3998:1989 "Recommendations for Tree Work" to safeguard the health and visual amenity of the tree.

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.

Wildlife and Countryside Act 1981 Part 1 Section 1 (1)
Consult W&C Act 1981 (with amendments) for full details of protection afforded to wildlife

The consent shall be valid for a period of two years from the date of notice to remove any doubt in the future as to whether proposed work already has a valid consent.

1.5 Merseyside Environmental Advisory Service – Ecology and Waste Advisor

Ecology

The applicant has submitted a Preliminary Ecological Appraisal report in accordance with Core Strategy Local Plan policy CS20 (Ecological Scoping Survey, Kingdom Ecology Ltd, October 2021) which has minor limitations. However, this does not affect the conclusions of the report and the report is accepted.

Habitats Regulations Assessment

The revised application is for 6 dwellings. The emerging Liverpool City Region Recreational Management Strategy Interim Approach follows principals sets out within the Halton and Liverpool Local Plan HRA's. This sets the criteria for which the Interim approach would be applied. This is set at 10 dwellings or more. Therefore, in line with this emerging interim approach I advise that HRA is not required to assess recreational pressure.

Bats

Roosting

The Preliminary Ecological Appraisal (Ecological Scoping Survey, Kingdom Ecology Ltd, October 2021) identified the existing building on site as having low bat roost potential. On this occasion, given the that the amended proposals will now retain the scout hut The Council does not need to consider the proposals against the three tests (Habitats Regulations). See comments below relating to sensitive lighting.

Foraging and commuting

Habitats on site and adjacent to the site may provide foraging and commuting habitat for bats. Lighting for the development may affect the use of these areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the habitats in line with NPPF (paragraph 180). This can be secured by a suitably worded planning condition. It would be helpful for the applicant to refer to Bat Conservation Trust website <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

Breeding birds

Vegetation on site may provide nesting opportunities for breeding birds, which are protected and Core Strategy Local Plan policy CS20 applies. The following planning condition is required and included within a CEMP.

CONDITION

No tree felling or scrub clearance is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees and scrub are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

The proposed development will result in the loss of bird breeding habitat and Local Plan policy CS20 applies. To mitigate for this loss, details of bird nesting boxes (e.g. number, type and location on an appropriately scaled plan) that will

be erected on the site for agreement with the Council are required. This can be secured by a suitably worded planning condition.

CONDITION

The development hereby permitted shall not be occupied until details of bird boxes (e.g. number, type and location on an appropriately scaled plan) and timing, has been provided for approval and implemented in accordance with those details.

Terrestrial mammal

The habitats on site are suitable for hedgehog which is a Priority Species and Local Plan policy CS20 applies. The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them:

- A pre-commencement check for hedgehog mammals;
- All trenches and excavations should have a means of escape (e.g. a ramp);
- Any exposed open pipe systems should be capped to prevent mammals gaining access; and
- Appropriate storage of materials to ensure that mammals do not use them.

These measures can be secured by a suitably worded planning condition.

Invasive Species

A small patch of Montbretia is present within the site boundary. Montbretia is listed on Schedule 9 of the Wildlife and Countryside Act and national Planning Policy Guidance applies¹. The applicant should excavate and dispose of the plant appropriately off-site during clearance works. This can be secured by a suitably worded planning condition.

Waste Local Plan

Policy WM8

The proposal is major development involves construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal.

In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition. The details required within the waste audit or similar mechanism is provided in Part Two.

Policy WM9

The applicant has not provided sufficient information to demonstrate compliance with policy WM9 of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8). I advise that information relating to household waste storage and collection is required

and can be secured by a suitably worded condition. Further information is provided in Part Two below.

Part Two

Ecology

Biodiversity Net Gain

<https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants>

In line with Core Strategy Local Plan policy CS20, NPPF paragraph 175 and the NERC biodiversity duty I advise that provision of hedgehog highways should be provided on site to achieve a biodiversity net gain.

I advise that any landscaping is undertaken with native tree and shrub species. Suitable native tree and shrub species for planting include:

- Willow (*Salix* spp.);
- Rowan (*Sorbus aucuparia*);
- Birch (*Betula pendula* or *B. pubescens*);
- Hawthorn (*Crataegus monogyna*);
- Blackthorn (*Prunus spinosa*);
- Alder (*Alnus glutinosa*); and
- Holly (*Ilex aquifolium*).

The applicant should be aware that the once the Environment Bill is enacted into law there will be a legal requirement to provide net gain for biodiversity. Depending on timescales this development may be required to provide biodiversity net gain. Further information is available at <https://www.gov.uk/government/news/government-introduces-ground-breaking-environment-bill>

Waste Local Plan

Policy WM9

Guidance on design and access to accommodate sustainable household waste management is available for Halton Council in the following documents:

- Halton – Design of Residential Development SPD (May 2012)
- Other useful sources of guidance include:
- NHBC Foundation – Avoiding Rubbish Design (2015)
 - Building for Life Partnership – The Sign of a Good Place to Live: Building for Life 12 (2014)

1.6 Natural England

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

1.7 United Utilities

Drainage

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

We request the following drainage conditions are attached to any subsequent approval to reflect the above approach detailed above:

Condition 1 – Surface water

No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Condition 2 – Foul water

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

The applicant can discuss any of the above with Developer Engineer, Shoiab Tauqeer, by email at wastewaterdeveloperservices@uuplc.co.uk.

Please note, United Utilities are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consults with the Lead Local Flood Authority regarding the exact wording of any condition. You may find the below a useful example:

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and

b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

Water Supply

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk.

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

United Utilities' Property, Assets and Infrastructure

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets – DeveloperServicesWater@uuplc.co.uk

Wastewater assets – WastewaterDeveloperServices@uuplc.co.uk

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the

exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>

APPLICATION NO:	22/00020/FUL
LOCATION:	The Castle, 194 Warrington Road, Widnes, Cheshire, WA8 0AP.
PROPOSAL:	Proposed change of use to Use Class C2, extensions and adaptations of former public house to provide temporary accommodation comprising 5 No. houses, 5No. apartments and 3No. studio's and welfare facilities for individuals and families.
WARD:	Halton View
PARISH:	None
APPLICANT:	Casamount Development Ltd, 23 Goose Lane, Hatton, Warrington, WA4 5PA.
AGENT:	Whiteley Eaves Ltd, Hollinwood Business Centre, Albert Street, Oldham, OL8 3QL.
DEVELOPMENT PLAN: Halton Delivery and Allocations Local Plan (2022) Joint Merseyside and Halton Waste Local Plan (2013)	ALLOCATIONS: Unallocated land in the Urban Area.
DEPARTURE	No.
REPRESENTATIONS:	Representations from 24 contributors have been received from the publicity given to the application.
KEY ISSUES:	Suitability of Use, Design, Impact on Amenity, Parking and Ecology.
RECOMMENDATION:	That Delegated Authority is sought for the Operational Director – Planning, Policy and Transportation to determine the application in consultation with the Chair following the satisfactory consideration of ecology issues including the adding of any additional conditions required.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site subject of the application is the Castle Public House located on Warrington Road in Widnes. The site is unallocated in the Halton Delivery and Allocations Local Plan. The surrounding area is predominantly residential in nature, however there are other land uses including shops, a school and church.

The site is triangular in shape and is also bounded by Castle Street and Edward Street in addition to Warrington Road. The existing two storey building is located on the junction of Warrington Road and Edward Street. There is also a smaller building adjacent to Castle Street which is referenced as being a coach house. There are a number of trees located on the site currently, however these are not subject to Tree Preservation Order. The site is currently enclosed by brick boundary walls.

1.2 Planning History

There is no recent relevant planning history.

2. **THE APPLICATION**

2.1 The Proposal

The application proposes a change of use to Use Class C2, extensions and adaptations of former public house to provide temporary accommodation comprising 5 No. houses, 5No. apartments and 3No. studio's and welfare facilities for individuals and families.

2.2 Documentation

The application is accompanied by the associated plans in addition to a Design and Access Statement, Bat Report, Drainage Strategy, Drain Survey and a Preliminary Risk Assessment (Desk Study).

3. **POLICY CONTEXT**

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

THE DEVELOPMENT PLAN

3.1 Halton Delivery and Allocations Local Plan (2022)

The following policies contained within the Halton Delivery and Allocations Local Plan are of relevance:

- CS(R)12 Housing Mix and Specialist Housing;
- CS(R)13 Affordable Homes;
- CS(R)15 Sustainable Transport;
- CS(R)18 High Quality Design;
- CS(R)19 Sustainable Development and Climate Change;
- CS(R)20 Natural and Historic Environment;
- CS23 Managing Pollution and Risk;
- CS(N)26 Unallocated Land in Urban Areas;
- C1 Transport Network and Accessibility;
- C2 Parking Standards;
- HC5 Community Facilities and Services;
- HE1 Natural Environment and Nature Conservation;
- HE5 Trees and Landscaping;
- HE7 Pollution and Nuisance;
- HE8 Land Contamination;

- HE9 Water Management and Flood Risk;
- GR1 Design of Development;
- GR2 Amenity;
- GR3 Boundary Fences and Walls.

3.2 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.

MATERIAL CONSIDERATIONS

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

3.3 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.

3.4 Equality Duty

Section 149 of the Equality Act 2010 created the public sector equality duty.

Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development that justify the refusal of planning permission.

3.5 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 persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

4. CONSULTATIONS SUMMARY – FULL RESPONSES CAN BE LOCATED AT APPENDIX 1.

4.1 Highways and Transportation Development Control

No objection to the proposed development subject to conditions.

4.2 Lead Local Flood Authority

No objection to the proposed development subject to a condition.

4.3 Contaminated Land Officer

No objection to the proposed development.

4.4 Environmental Protection

No objection to the proposed development.

4.5 Merseyside Environmental Advisory Service – Ecology and Waste Advisor

Subject to an emergence and re-entry bat survey being required prior to determination, no objection to the proposed development in relation to other ecological matters subject to the suggested conditions.

4.6 Natural England

No objection to the proposed development subject to a condition.

4.7 Cheshire Police

They initially raised no objection to the proposed development, however they have since expressed some concerns regarding the development's proximity to a school and resultant parking issues.

5. REPRESENTATIONS

5.1 The application was publicised by twenty one neighbour notification letters sent on 13th January, two site notices posted in the vicinity of the site on 13th January and a press advert in the Widnes and Runcorn Weekly News on 20th January.

5.2 Representations have been received from twenty four contributors, twenty one of which were in objection. A summary of the issues raised are below:

- It is acknowledged that homeless people in Halton do need more accommodation;
- Increased parking issues in the area;
- Will there be provision for off road parking?
- Building work would put added pressure on already over congested streets;
- Increased anti-social behaviour / burglary / thefts in the area;
- What type of people would live there?
- Concerns over the safety and welfare of young children;
- Reduction in house values;
- Although not detailed on the application, it is understood that a one stop shop is to be located on this site at a later date.

6. ASSESSMENT

6.1 Principle of Development

The site is unallocated land in the urban area and Policy CS(N)26 of the Halton Delivery and Allocations Local Plan is applicable. This policy assumes that present uses will continue and that any changes of use will be judged on the relevant policies in the Plan.

The site is now vacant and was last used as a public house. This site is not identified as a Community Facility on the Policies Map which accompanies the Halton Delivery and Allocations Local Plan, however this does not mean that it does not have value in this regard. It is also noted that other public houses are identified in this manner.

Policy HC5 of the Halton Delivery and Allocations Local Plan relates to Community Facilities and Services. In terms of public houses, there are a number within the town including the Eight Towers and Crows Nest within relative close proximity to this site. It is not considered that the loss of this public house would create / add to a shortfall in provision in the locality nor could a refusal on the basis of the loss of a Community Facility be sustained.

As noted in the site description, the surrounding area is predominantly residential in nature. The proposed development is for temporary accommodation comprising 5 No. houses, 5No. apartments and 3No. studio's and welfare facilities for individuals and families.

Policy CS(R)12 of the Halton Delivery and Allocations Local Plan states that proposals for new specialist housing for the elderly, including extra-care and supported accommodation, will be encouraged in suitable locations, particularly

those providing easy access to local services and community facilities. This proposal would provide supported residential accommodation in a sustainable location as encouraged by the policy.

This proposal comprises thirteen residential units as part of this supported residential accommodation. This exceeds the threshold for affordable housing set out in Policy CS(R)13, however based on the site being brownfield, there is no policy requirement for affordable housing in this instance.

There is an acknowledgement in the representations that homeless people in Halton do need more accommodation; however, they question the suitability of this location. They question who would live there and raise concerns over increased anti-social behaviour / burglary / thefts in the area and the safety and welfare of young children. This is a proposal for residential accommodation in a predominantly residential area and a refusal on the grounds set out in this paragraph cannot be sustained.

In conclusion, the proposed residential use is considered to be sympathetic to surrounding land uses subject to a condition restricting hours of construction in the interests of the amenity of the locality. The Environmental Health Officer also raises no objection to the proposed development.

The proposed development is considered to be acceptable in principle in compliance with Policies CS(R)12, CS(R)13, CS(N)26, GR2 and HC5 of the Halton Delivery and Allocations Local Plan.

6.2 Highways, Transportation and Accessibility

The site is located in a sustainable location with good access to local bus services and local amenities.

Safe vehicular access is proposed via Castle Street with the existing access from Warrington Road removed as part of the development.

The site layout proposes three on site car parking spaces including one disabled bay and shows cycle parking to an acceptable level.

The recommended car parking standard for a sheltered accommodation development (Use Class C2) in a none town centre location is 1 space per 2 dwellings which equates to seven off street car parking spaces for this proposal.

It is noted that a number of the representations received raised concerns over increased parking issues in the area. The Highway Officer was aware of these concerns and has undertaken a number of site visits at various times of the day to assess on street car parking availability.

The Highway Officer considers that whilst onsite provision is below the recommended standard for the proposed use, the wider area would absorb the likely shortfall without impacting detrimentally on availability of on street parking

and a refusal on the grounds of car parking could not be sustained. Conditions securing implementation / subsequent maintenance of the parking and servicing provision as well as necessary off-site highway works are recommended.

There is a requirement for the proposal to make provision for ultra low emission vehicles. The proposed block plan indicates such provision for one space along with future provision. It is considered that a condition requiring the submission of an electric vehicle charging point scheme and its subsequent implementation and maintenance can satisfactorily deal with this.

The applicant indicates that the provision of secure cycle storage is to be made in the form of a 6 cycle shelter which is considered appropriate. Its implementation and subsequent maintenance should be secured by condition.

Based on the above, the proposed development is considered to be acceptable from a highways perspective in compliance with Policies CS(R)15, C1 and C2 of the Halton Delivery and Allocations Local Plan.

6.3 Flood Risk and Drainage

The site is located in Flood Zone 1, which is an area deemed to be at less than 0.1% chance of flooding in any year which is a low risk.

Based on the site's location in Flood Zone 1 and the site's size, a Flood Risk Assessment is not required in this instance

The Lead Local Flood Authority note that the development is considered to be appropriate in terms of flood risk and the applicant has developed a drainage strategy based on SuDS to manage surface water runoff. This drainage system considers the potential impact of climate change and would help to reduce the risk of flooding elsewhere. A condition securing verification reporting is suggested.

The attachment of the suggested condition would ensure that the proposal is acceptable from a flood risk and drainage perspective in compliance with Policies CS23 and HE9 of the Halton Delivery and Allocations Local Plan.

6.4 Ground Contamination

The application is supported by a Preliminary Risk Assessment (Desk Study).

The Contaminated Land Officer has stated that there are no likely sources of significant land contamination identified and the proposed development would be of low sensitivity given the lack of a viable route of exposure (no soft landscaping is proposed). The report does make a recommendation for some site investigation, however, with the result of the initial assessment and the nature of the development, the Contaminated Land Officer does not believe that such is necessary. No objection is raised on the grounds of Ground Contamination.

The proposal is considered to comply with Policies CS23 and HE8 of the Halton Delivery and Allocations Local Plan.

6.5 Ecology

The development site is accessible by car and public transport to the following national and international sites listed below:

- Mersey Estuary SPA; and
- Mersey Estuary Ramsar.

Given the number of residential units proposed, this will likely result in increased visits (recreational pressure) to the sites listed above. This may result in significant effects on habitats and species for which these sites have been designated.

Based on the above, an Appropriate Assessment is required in accordance with Regulation 63 (Habitats Regulations 2017). The Ecology and Waste Advisor has undertaken an Appropriate Assessment report on the Council's behalf which concludes that, with mitigation/preventative measures (information packs for residents) secured by condition, there will be no adverse effect upon the integrity of the national sites network and Ramsar sites. Natural England have been consulted on the Appropriate Assessment and raise no objection subject to the suggested condition.

The Ecology and Waste Advisor accepts the Preliminary Roost Assessment report, however based on the buildings having low and moderate bat roost suitability respectively, a further bat survey (an emergence and re-entry survey) in line with best practice guidelines is required. This has been requested and is currently awaited.

The survey and report are essential to determine if bats are present. If present the Local Planning Authority is required to assess the proposals against the three tests (Habitats Regulations) and determine whether an EPS licence is likely to be granted.

The Ecology and Waste Advisor has suggested a breeding birds protection condition as set out within their consultation response.

Subject to the necessary bat survey being undertaken and Natural England not objecting to the proposed development after reviewing the Appropriate Assessment, the proposal is considered acceptable from an Ecology perspective compliant with Policies CS(R)20 and HE1 of the Halton Delivery and Allocations Local Plan as set out.

6.6 Layout

The proposal ensures the retention of the existing buildings with extensions proposed to both. The location of the extensions and their relationship with their surroundings in terms of light, privacy and design are considered appropriate. The existing site layout whilst allowing access from Warrington Road, does not allow a large space for parking and servicing. The proposal would improve parking and servicing arrangements over the current arrangements. The existing public house has a beer garden to the rear which includes a grassed area and some trees. This area would be lost as a result of the proposed development. The loss of trees is not desirable, however the trees are not protected. It is however considered appropriate to attach a landscaping condition to ensure appropriate planting on the site.

The proposal relates to the conversion of the existing building and extensions to the existing building. It is noted that outside space on site would be limited and a higher level of provision would be desirable. Some outdoor seating would be provided in addition to bin and cycle storage. Given the temporary nature of the use and also the site constraints, it is not considered that a refusal on the grounds of private amenity space can be sustained in this instance.

The site is currently enclosed by a boundary brick wall which would be largely retained and result in the site external appearance being acceptable

Overall, the approach taken to site layout is considered appropriate and ensures active frontages would be provided where appropriate.

The layout of the proposed development is considered to be acceptable and compliant with Policies CS(R)18, GR1 and GR3 of the Halton Delivery and Allocations Local Plan.

6.7 Scale

The proposed extensions would be subservient to the existing buildings and are considered acceptable in terms of scale, compliant with Policy GR1 of the Halton Delivery and Allocations Local Plan.

6.8 Appearance

The elevations show that the extensions proposed would be of an appropriate appearance respecting the existing buildings in terms of window design. Detail on the external facing materials to be used is provided and are considered acceptable. Implementation in accordance with the approved details should be secured by condition.

This would ensure compliance with Policies CS(R)18 and GR1 of the Halton Delivery and Allocations Local Plan.

6.9 Trees and Landscaping

As noted in the layout section, there are some trees which would be lost as a result of the proposed development. This is not desirable; however, the trees are not protected. There is limited space on site, however it is considered that there is some potential and it is appropriate to attach a landscaping condition to ensure appropriate planting on the site.

This would ensure compliance with Policies GR1 and HE5 of the Halton Delivery and Allocations Local Plan.

6.10 Sustainable Development and Climate Change

Policy CS(R)19 of the Halton Delivery and Allocations Local Plan requires development to be designed to have regard to the predicted effects of climate change.

The attachment of a condition securing the submission of a scheme detailing such matters along with their subsequent implementation will ensure compliance with Policy CS(R)19 of the Halton Delivery and Allocations Local Plan.

6.11 Waste Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, construction management by the applicant and based on the nature of the proposed development, significant volumes of waste are unlikely to be generated.

In terms of on-going waste management, there is sufficient space within the development to deal with this and the necessary detail can be secured by condition.

The proposal is considered to be compliant with policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan.

6.12 Issues raised in the representations not addressed above

Concerns have been raised that building work would put added pressure on already over congested streets. It is inevitable that some disruption will result from most forms of development and this is not a reason on which a refusal could be sustained. In the interests of the amenity of the locality, it is considered reasonable to attach a condition, which restricts the hours of construction.

In respect of potential reduction in house values, this is not a reason on which a refusal could be sustained.

One contributor understands that a one stop shop (convenience store) is to be located on this site at a later date. This application does not seek permission for any retail use and the application has to be considered on the basis of which the application has been made.

6.13 Planning Balance

Based on the above assessment subject to the satisfactory resolution of the ecology issues, the proposed development would bring a vacant site back into use for a supported residential use in a sustainable location.

The proposal would result in well-designed extensions to the building, however the resultant outdoor amenity space on site would be limited. Based on the type of accommodation for which permission is sought and also its temporary nature, this is not considered to be seriously detrimental in this instance.

Onsite provision is below the recommended standard for the proposed use; however, the wider area would absorb the likely shortfall without impacting detrimentally on availability of on street parking.

The proposal is considered to be in accordance with the Development Plan.

When assessed against the policies in the NPPF taken as a whole, taking into account the details of the scheme and any material planning considerations, the proposal is thus sustainable development for which the NPPF carries a presumption in favour.

As such, the proposal is considered to accord with the Development Plan and national policy in the NPPF.

7. CONCLUSIONS

In conclusion subject to the satisfactory resolution of the ecology issues, the proposal would bring back into use a vacant site and provide supported residential accommodation in a sustainable location with good access to local bus services and local amenities.

The surrounding area is predominately residential in nature and the proposal is therefore considered sympathetic to surrounding land uses.

In terms of on-site parking provision, this is below the recommended standard for the proposed use, however the wider area would absorb the likely shortfall without impacting detrimentally on availability of on street parking.

The location of the extensions and their relationship with their surroundings in terms of light, privacy and design are considered appropriate.

8. RECOMMENDATION

That Delegated Authority is sought for the Operational Director – Planning, Policy and Transportation to determine the application in consultation with the Chair following the satisfactory consideration of ecology issues including adding any additional conditions required.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Restriction on Use.
4. Construction Hours (Policy GR2)
5. Implementation of External Facing Materials (Policies CS(R)18 and GR1)
6. Submission of Landscaping Scheme and subsequent maintenance (Policy GR1)
7. Information Packs for Residents – (Policies HE1 and CS(R)20)
8. Breeding Birds Protection – (Policies HE1 and CS(R)20)
9. Electric Vehicle Charging Points Scheme (Policy C2)
10. Parking and Servicing Provision – (Policies C1 and C2)
11. Off Site Highway Works – (Policy C1)
12. Implementation of Cycle Parking Scheme – (Policy C2)
13. Implementation of Drainage Strategy – (Policies CS23 and HE9)
14. Sustainable Development and Climate Change Scheme – (Policy CS(R)19)
15. On Site Waste Management Scheme – Policy WM9)

Informatives

1. Considerate Constructors Informative.
2. Cheshire Police Informative.
3. Landscaping Informative.

10. 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

11. 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.

APPENDIX 1 – FULL CONSULTATION RESPONSES

1.1 Highways and Transportation Development Control

Further to your consultation we have considered the proposed application as the Highway Authority and would make the following representation;

It is noted that the applicant entered into pre-application discussion prior to submission with advice being sought from the Highway Authority.

The site is considered to be in a sustainable location with good access to local bus services and local amenities.

Safe vehicular access is proposed via Castle Street with the existing access from Warrington Road removed as part of the development.

The site layout proposes 3 on site car parking spaces including one disabled bay and shows cycle parking to an acceptable level.

The recommended car parking standard for a sheltered accommodation development (C2a) in a none town centre location is 1 space per 2 dwellings. If this were to be applied the proposal would be required to deliver 7 off street car parking spaces.

The policy document states that “The Council will require parking provision according to the standards set out in Appendix D. Any significant variation (+/- 10%) from these standards must be justified on a case-by-case basis, and would need to demonstrate there are no harmful impacts on the street scene or the availability of on-street parking”.

As part of pre-application advice a request was made by the Highway Officer for the applicant to provide additional information to demonstrate that there would be no harmful impact by the under provision of onsite car parking. No further detail were provided therefore additional site visits were undertaken by the Highway Officer at various times of day to assess on street car parking availability in the area.

The application form states that the development would generate 18 full time equivalent posts which following a request for clarification the applicant confirmed the maximum number of staff on site at any one time would be 8.

This number of staff is considered to be appropriate given the site layout and available office space.

The applicant also clarified that due to the personal circumstance's beneficiaries are not allowed visitors and this is written within their licence agreement.

Following consideration it is Highway Officers opinion that although the onsite provision is below the recommended standard the wider area would absorb the likely shortfall without impacting detrimentally on availability of on street parking and therefore a Highway objection under policy C2 would not be sustainable.

With regards to bin storage a suitable location is shown on the plans we would however question the practicality of collection day arrangements given the distance that bins would need to be moved. There appears to be scope to include an additional gate onto Castle Street which may simplify kerbside collection. Any additional gate must open inwards and not onto the adopted footway.

A scheme of offsite highway works will be required to form the new vehicular access onto Castle Street and to close up the redundant access crossing to Warrington Road, including raising kerbs and footway reconstruction. A suitable condition should be included for detailed plans to be submitted for approval prior to commencement and implemented prior to first occupation.

Given the sites location close to a school and within the residential area we would recommend that a pre-commencement CEMP condition be placed on any decision.

1.2 Lead Local Flood Authority

After reviewing 22/00022/FUL planning application the LLFA has found the following:

- The site is approximately 0.07ha and is brownfield.
- The proposed development is for residential dwellings with associated parking and site improvements. This is considered to be 'More Vulnerable' development with regard to flood risk by Planning Practice Guidance.
- The site is currently existing buildings and hardstanding and the development would not increase the hardstanding area currently on site.
- The applicant has provided the following document as a flood risk assessment and drainage for the site 'OTH_Castle Inn Drainage Strategy.pdf
- The application has also provided a drainage layout drawing ref 21-500

The LLFAs comments on the drainage strategy area

- Whilst no assessment of existing flood risk is made within the drainage strategy, it is noted that the site is located within flood zone 1. This is consistent with the development of “More vulnerable” land use.
- The drainage strategy does not acknowledge that Environment Agency mapping identifies that the site is located within an area with a “medium” 1% AEP probability of flooding from surface water.
- The drainage strategy has applied the SuDS hierarchy. Whilst infiltration testing has not been undertaken, the LLFA accepts that on site constraints including the limited open space and underlying geology would make infiltration drainage unfeasible. With no watercourse running through, or adjacent to the site, the LLFA accepts that discharge of surface water runoff to public sewer is the only available option.
- In line with local and national planning policy, the use of sustainable drainage (SuDS) has been considered and based on the limited available space, a design based on below ground geo-cellular storage has been proposed.
- Existing runoff rates have been calculated and consideration has been given to the potential impacts of climate change. The strategy report uses superseded guidance which identifies that rainfall intensities will increase by up to 30% over the next 100 years. Whilst the LLFA generally recommends that an uplift of 40% should be considered in line with the upper end projection detailed within current EA guidance, the 30% uplift that has been used is greater than the 20% increase predicted for the central climate change scenario. Based on the betterment that the proposed drainage system would provide and the sit constraints, the LLFA accepts the 30% allowance for climate change.
- Calculations have been presented which identify that a storage volume of 34m³ and a vortex flow control from Crown water systems is proposed to attenuate surface water flow.
- It is understood that peak discharge to the United Utilities sewer would be restricted to 3.6l/s representing a betterment of 30% over the existing situation. However, it is not clear what type of flow control device would be used to achieve this reduction in flow rate.
- A maintenance management plan has been prepared which confirms that the drainage system would remain in private ownership and identifies routine maintenance activities.

In summary, the development is considered to be appropriate in terms of flood risk and the applicant has developed a drainage strategy based on SuDS to manage surface water runoff. This drainage system considers the potential impact of climate change and would help to reduce the risk of flooding elsewhere.

The LLFA would recommend the following conditions should the planning authority be minded to approve on this basis:

- 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:
 - o 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.
 - o 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.
 - o Submission of 'As-built drawings and specification sheets for materials used in the construction, plus a copy of Final Completion Certificate.

1.3 Contaminated Land Officer

I have considered the application and the support information and have the following comments in relation to land contamination.

The application is supported by the following document;

- Castle Inn, Warrington Road, Widnes. Preliminary risk assessment (desk study), doc ref Warrington Road/WA8 0AT/2021, Worms Eye Ltd, December 2021

The above document details the findings of a desk study and site visit, and presents a preliminary conceptual model and risk assessment.

In general there are no likely sources of significant land contamination identified and the proposed development would be of low sensitivity given the lack of a viable route of exposure (no soft landscaping is proposed). The report does make a recommendation for some site investigation, however, with the result of the initial assessment and the nature of the development I do not believe that such is necessary.

Therefore, I do not have any objection to the scheme and have no requirements for conditions if the scheme is to be approved.

1.4 Environmental Protection

The application is for self-contained housing units rather than an HMO with shared facilities and therefore Environmental Health would have no reason to license the premises or comment on the layout. there are no noise or air quality implications and therefore we would have no further comments or objections to make.

1.5 Merseyside Environmental Advisory Service – Ecology and Waste Advisor

Ecology

Habitats Regulation Assessment

1. The development site is accessible by car and public transport to the following national and international sites listed below and Core Strategy Local Plan policy CS20 applies:

- Mersey Estuary SPA; and
- Mersey Estuary Ramsar.

2. The proposal is for 13 net residential units, this will result in increased visits (recreational pressure) to the sites listed above. This may result in significant effects on habitats and species for which these sites have been designated.

3. Recreational pressure from residential development has been identified as a Likely Significant Effect alone and in-combination within the Liverpool City Region. Recreational pressure is recognised in the formal statutory Conservation Advice Packages and Site Improvement Plans^{1&2}. as Medium-High risk to qualifying features of the national and international sites.

4. In line with Sweetman (2018), I have undertaken the assessment of likely significant effects, using the Source-Pathway-Receptor model, which is based upon the essential features and characteristics of the project only (Appendix 1). This concludes that, without mitigation/preventative measures, that there will be likely significant effects on the following international and national sites:

- Mersey Estuary SPA; and
- Mersey Estuary Ramsar.

5. Appropriate Assessment is therefore required in accordance with Regulation 63 (Habitats Regulations 2017). I have completed the Appropriate Assessment report (Appendix 2, table 2) which concludes that, with mitigation/preventative measures secured through the appropriate planning mechanisms, there will be no adverse effect upon the integrity of the national sites network and Ramsar sites.

6. An Appropriate Assessment will therefore be required in accordance with Regulation 63 (Habitats Regulations 2017). I have therefore attached an Appropriate Assessment report which concludes that, with mitigation/preventative measures, there will be no adverse effect

¹ <https://www.sefton.gov.uk/media/1536807/nature-spd-20170814.pdf>

²<https://www.sefton.gov.uk/media/1301382/Nature-SPD-20170814.pdf> <https://www.sthelens.gov.uk/media/3177/biodiversity.pdf>

upon the integrity of the international and national sites network and Ramsar sites. I advise that Natural England is consulted on the outcome of the Appropriate Assessment **prior to determination and any points which may arise should be addressed**. Its views, together with the outcome of the Appropriate Assessment, are required to be included within the Planning Committee/Delegated report.

7. To ensure that the conclusions of the Appropriate Assessment remain valid, I advise that the following should be secured by a suitably worded planning condition:
 - a. Provision and implementation of information in sales packs, informing residents of the importance of the national and international sites, and responsible user code and the location of SANGs. This leaflet can be downloaded from:

http://www.meas.org.uk/media/11044/lcr_leaflet_halton.pdf

Bats

8. The applicant has submitted a Preliminary Roost Assessment report in accordance with Core Strategy Local Plan policy CS20 (*Bat Surveys, HB Bat Surveys, November 2021*) which is accepted with limitations.
9. The Preliminary Roost Assessment categorised the public house and coach house as having low and moderate bat roost suitability respectively. I concur with these findings. Given the public house loft space was not accessed during the survey, both public house and coach house will require further bat survey in line with best practice guidelines³.
10. An emergence and re-entry survey are required **prior to determination**. Bats are protected species and Core Strategy Local Plan policy CS20 applies. Protected Species are a material consideration.
11. The survey and report are essential to determine if bats are present. If present the Local Planning Authority is required to assess the proposals against the three tests (Habitats Regulations) and determine whether an EPS licence is likely to be granted. Surveys must follow Standing Advice and best practice guidance. Any deviation from these guidelines must be fully justified. The applicant should note that timing for this survey is May to August inclusive.

³ Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edition, Bat Conservation Trust ISBN-13: 978-1-872745-96-1

Breeding birds

12. Built features on site may provide nesting opportunities for breeding birds, which are protected and Core Strategy Local Plan policy CS20 applies. The following planning condition is required.

CONDITION

No building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

Waste Local Plan

Policy WM9

13. The applicant has not provided sufficient information to demonstrate compliance with policy WM9 of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8). I advise that information relating to household waste storage and collection is required and can be secured by a suitably worded condition. Further information is provided in Part Two below.

Part Two

Landscaping

14. Any landscaping on site should be with suitable native tree species, which include:
 - Willow (*Salix* spp.);
 - Rowan (*Sorbus aucuparia*);
 - Birch (*Betula pendula* or *B. pubescens*);
 - Hawthorn (*Crataegus monogyna*);
 - Blackthorn (*Prunus spinosa*);
 - Alder (*Alnus glutinosa*); and
 - Holly (*Ilex aquifolium*).

Biodiversity Enhancements

15. In line with Core Strategy Local Plan policy CS20, NPPF paragraph 175 and the NERC biodiversity duty I advise that provision of bat and bird boxes should be provided on site to achieve a biodiversity net gain.
16. In line with Core Strategy Local Plan policy CS20, NPPF paragraph 175 and the NERC biodiversity duty I advise that provision of hedgehog highways (13cm x 13cm gaps) in order to maintain habitat connectivity for hedgehogs which should be installed into any closeboard fences on site.

Waste Local Plan

Policy WM8

17. The proposals comprise minor development which is unlikely to generate significant volumes of waste. The Merseyside and Halton Joint Waste Local Plan (WLP) Policy WM8 Waste Prevention and Resource Management, National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) require the use of construction and demolition methods that minimise waste production and maximise re-use, recycling of materials on-site and minimise off-site disposal where practicable. I advise the use of waste audits or a similar mechanism such as a demolition method statement a site waste management plan to monitor waste minimisation, recycling, management and disposal.

Policy WM9

18. Guidance on design and access to accommodate sustainable household waste management is available for Halton in the following documents:

- Halton – [Design of Residential Development SPD \(May 2012\)](#)

Other useful sources of guidance include:

- NHBC Foundation – [Avoiding Rubbish Design \(2015\)](#)
- Building for Life Partnership – [The Sign of a Good Place to Live: Building for Life 12 \(2014\)](#)

1.6 Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of the Mersey Estuary Special Protection Area (SPA) and Mersey Estuary Ramsar.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured:

- Homeowner Packs to be provided to the new dwellings.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure this measure.

Natural England's further advice on designated sites and advice on other natural environment issues is set out below.

Internationally and nationally designated sites

The application site is within 3.3km of the Mersey Estuary Special Protection Area (SPA) and Mersey Estuary Ramsar.

Habitats Regulations

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measure proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Further advice on mitigation

- An advisory Homeowner Pack should be secured by a suitably worded planning condition to mitigate any increased recreational pressure on nearby designated sites. Please see below our further advice below regarding content for information packs.

Homeowner packs

Natural England guidance on contents for homeowner information packs is as follows:

The packs should comprise, but are not limited to;

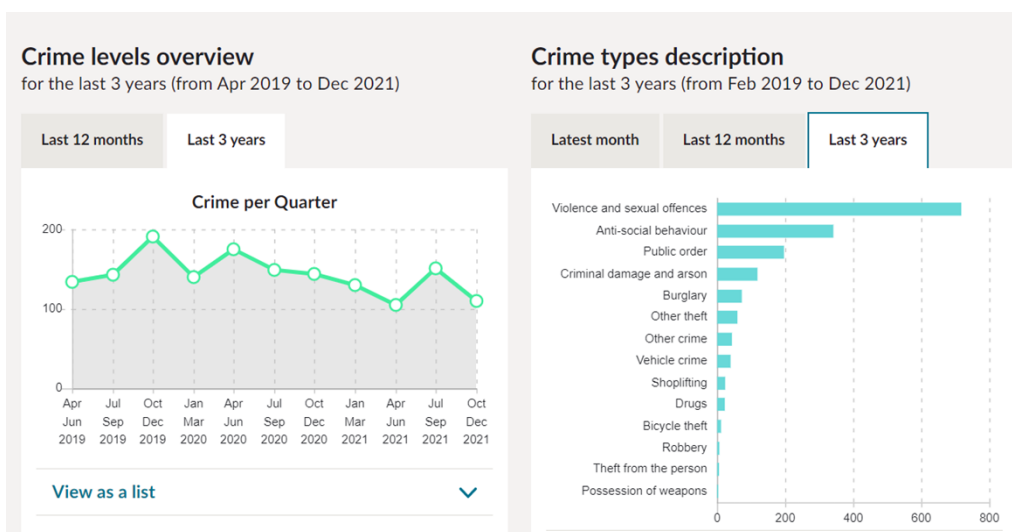
Natural England would also expect the following principles to be followed for the packs;

- Introduction section, setting out the issue.
- Description of the designated sites and their features, this should include a map explaining the boundaries of designated sites.
- An explanation of the sensitivities of features to recreational disturbance and key sensitive times for the features of the designated sites.
- List any access restrictions in the local area (i.e. under the Countryside and Rights of Way Act 2000, Marine and Coastal Access Act 2009 or Byelaws).
- Suggestions of alternative recreational sites (i.e. parks, walking or cycling routes).

- Code of conduct (i.e. not disturbing flocks of feeding / roosting birds, suggested distances to keep from birds).
- Suggested areas for responsible bird watching and opportunities for people to get involved in the local natural environment (i.e. volunteering opportunities).
- The packs are tailored to the location of the development and the designated sites in the area.
- Tailored to the audience using clear and easy to understand language.
- An appropriate format is used to present and share the information packs (i.e. print, size).

1.7 Cheshire Police

Please find below a summary of crime levels in the Halton View Beat area over the last three years.



I wish to make the following points for consideration by the applicant:

- 24 hour lighting (switched using a photoelectrical cell) should be fitted to all internal communal areas.
- Ground floor windows should also be fitted with locks and limiters.
- The main external doors should comply with PAS 24:2016, LPS 2081 or equivalent. Each individual apartment door should comply with PAS 24:2016 even if accessed from the inside shell of the building.
- Due to the location and proposed nature of the accommodation, I appreciate the lack of vehicle parking provision. I would however recommend the site needs secure bicycle storage. The design of the stands within the secure locked cycle store should enable the cycle to be secured at two separate parts of the

cycle, for example a 'Sheffield Bar'. It should be appropriately illuminated and located to enable it to be seen from the nearby building if possible.

- External lighting should be in place in the central external area and where appropriate all elevations containing a doorset should also be well lit. All lighting should comply to BS5480:1-2020 and provide a uniform coverage without any pools or shadows.
- All door hardware should be securely fixed to the fabric of the building.
- The walls of the building should be designed to be resistant to attack and consideration should be given to the use of welded steel mesh or insulated steel cladding to reinforce the walls. Consideration should be given to access controlled doors for private staff areas. Any glazing in the building should be certified to BS356:2000 and a minimum of 6.4mm.
- Access control complying with UL 293 should be installed within the building. It is potentially a concern that apartment 1 and 2 can only be accessed via the same corridor as staff areas / counselling room as this could reduce the security of both areas unless there is 24 hour staffing on site.
- The Design and Access statement refers to a hard landscaped area on the corner of Castle Street and Edward Street, which will provide a seating area for parents while waiting for school collection. Good natural surveillance of this area is required so it does not become a gathering area for people who may go on to commit antisocial behaviour outside of school collection times.

General Information for Applicants

A design objective of the National Planning Policy Framework [NPPF], - Section 8, paragraph 92b states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas;

I recommend that all developments are designed to comply with the principles of Secured by Design (SBD) regardless of whether the award is being pursued. I would however welcome a Secured by Design Application for the scheme, which would enhance the development and provide greater benefits.

Applicants can get more information about Secured by Design (including Design Guides) available at www.securedbydesign.com. A summary of the Bronze award taken from the Design Guide is shown below.

'Bronze

This award is issued by Secured by Design in recognition of the level of physical security achieved in new bespoke developments or refurbishments that utilise bespoke, security enhanced door and window products to reduce the opportunity for crime and anti-social behaviour within and against the buildings only. The award may also provide evidence of compliance for Building regulations for domestic security in England, Scotland and Wales.



