

Public Document Pack



Development Management Committee

Monday, 7 November 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

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

The next meeting of the Committee is on Tuesday, 6 December 2022

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

Part I

Item No.	Page No.
1. MINUTES	1 - 7
2. DECLARATIONS OF INTEREST	
Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting prior to discussion and voting on the item.	
3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
(A) 22/00130/FUL - The demolition of an existing building and the erection of up to 66 independent living apartments with ancillary support services and communal facilities, together with associated landscaping amenity spaces and car parking on land at 81 High Street, Runcorn, Cheshire	8 - 26
(B) 22/00260/FUL - Proposed extension to existing warehouse (use class b8), ground works and associated works - Onyx 35, Blackheath Lane, Runcorn, WA7 1SE	27 - 47
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In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

DEVELOPMENT MANAGEMENT COMMITTEE

*At a meeting of the Development Management Committee on Monday, 3 October 2022
at the Civic Suite - Town Hall, Runcorn*

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

Apologies for Absence: Councillor J. Bradshaw

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, A. Plant, G. Henry, L. Wilson-Lagan, K. Brindley, D. Halliburton and A. Blackburn

Also in attendance: 21 members of the public, Councillors Jones and A. Teeling and one member of the press

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

	<i>Action</i>
<p>DEV15 MINUTES</p> <p>The Minutes of the meeting held on 8 August 2022, having been circulated, were taken as read and signed as a correct record.</p>	
<p>DEV16 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE</p> <p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p>	
<p>DEV17 22/00101/FUL - THE RE-FENESTRATION OF EXISTING FACADE TO MAIN BUILDING TO CREATE ENGINEERING WORKSHOPS AND CLASSROOMS, PLUS SUB-STATION TO THE WEST OF THE SITE AT RIVERSIDE COLLEGE, KINGSWAY, WIDNES</p> <p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p>	

The Chair advised that this item had been moved from column A to column B of the update list, because an update was required.

Officers reported that there was an omission of the four story element in the description of the development on the top of the Committee report, however this was contained in the body of the report under *principle of development* and was evident throughout the plans and report, and was included in the description when advertised. In addition, the wording on conditions on page 16 required rewording in the final decision notice.

Further to the update on contaminated land referred to in the report, the Contaminated Land Officer had stated that he was in agreement with the findings and recommendations and did not object to the application, but recommended that any permission be conditioned to require site investigation, updated risk assessment and if necessary, remediation and verification reporting.

The Committee was satisfied with the updates and agreed that the application be approved.

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

1. Time limit – full permission;
2. Approved plans;
3. Implementation of external facing materials (CS(R)18 and GR1);
4. Electric vehicle charging points scheme (C2);
5. Parking and servicing provision (C1 and C2);
6. Cycle parking details (C2);
7. Car park management plan (C2);
8. Implementation of cycle parking scheme (C2);
9. Travel Plan (CS(R)15 and C1);
10. Drainage strategy (CS23 and HE9);
11. Site waste management plan/waste audit (WM8);
12. Sustainable development and climate change scheme (CS(R)19); and
13. Contaminated land conditions.

DEV18 22/00130/FUL - THE DEMOLITION OF AN EXISTING BUILDING AND THE ERECTION OF UP TO 66 INDEPENDENT LIVING APARTMENTS WITH ANCILLARY SUPPORT SERVICES AND COMMUNAL FACILITIES, TOGETHER WITH ASSOCIATED LANDSCAPING AMENITY SPACES AND CAR PARKING ON LAND AT 81 HIGH STREET, RUNCORN, CHESHIRE

The Committee was advised that the Applicant had withdrawn this application from the Committee agenda, so consideration was not required today.

In order to avoid any allegation of bias, Councillor Philbin did not take part in the debate and did not vote on the following item, as the site in question was part of the Ward he represented.

In order to avoid any allegation of bias, Councillor Hutchinson removed himself from the meeting before the following item, as he had dealt with the applicant previously and since the introduction of the car parking charges.

DEV19 22/00284/FUL - RETROSPECTIVE APPLICATION FOR PLANNING CONSENT FOR THE INSTALLATION OF A CAR PARK MANAGEMENT SYSTEM ON EXISTING CAR PARK COMPRISING 4 NO. POLE MOUNTED ANPR CAMERAS AND 6 NO. PARK AND DISPLAY MACHINES AND 22/00285/ADV - APPLICATION FOR ADVERTISING CONSENT FOR THE INSTALLATION OF 74 NO. POLE MOUNTED NON ILLUMINATED SIGNS FOR CAR PARK MANAGEMENT SYSTEM ON EXISTING CAR PARK

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

Officers advised the Committee that since the publication of the agenda a further seven letters of objection had been received, outlining issues already reported. They also advised that the principle planning consideration for the proposals were the scale and design of the proposed infrastructure and signage. It was noted that although concerns had been raised regarding the displacement of parking related to the introduction of a maximum stay period on the car park, it was important to note that planning permission is not required for the owners of the land to introduce a maximum stay period or car parking charges. The land is owned privately so it was at the owner's discretion as to how the parking was managed on their car park and the Council could not intervene in this.

Objections had been received regarding the charging for car parking and the impact on the Town Centre. Whilst the Council was opposed to the principle of charging for parking and sympathetic to the reported impacts on local business and the community, the amount of parking charge was not a material consideration for the Committee or was it

within the control of the Planning Authority.

Members were advised that no objections had been received based on the appearance of the cameras and poles or the park and display machines. Officers' advised that it was considered that the design and appearance of the proposed ANPR cameras, associated structures and pay machines would not result in harmful impact on the visual amenity of the area and no conflict with current local or national policy had been identified. Regarding the impacts of advertisements on amenity and public safety, these were not considered to be inappropriate in scale and location to the area in which they are situated. Officers advised therefore, that they considered that refusal of planning permission for either of the applications could not be sustained on these grounds.

In summary the proposals for the ANPR cameras and poles were considered appropriate in terms of their design and appearance and were appropriate to their surroundings. The application for retrospective permission for their retention was acceptable and the application for the advertisements were considered acceptable in accordance with the relative DALP policies.

The Committee was addressed by Mr McLoughlin, who objected to the applications on behalf of the Widnes Market Traders Committee, citing the following:

- He has been a trader for 20 years and since the introduction of the parking charges, has seen footfall fall by 25% initially, to down by 50% now;
- The retail trade was just picking up after suffering two years of the impacts of Covid and now it was worse than ever;
- Customer parking has dispersed into the Town Centre and surrounding roads and the car park is hardly used even at peak times of the day;
- There is no provision for disabled badge users;
- Local businesses were struggling and their livelihoods were at risk; and
- Shoppers from surrounding towns were avoiding Widnes as a shopping destination since the introduction of the parking charges.

Councillor Jones, one of the local Ward Councillors then addressed the Committee, objecting to the applications. He argued that:

- The applications were contrary to Council policies

- and detrimental to the reputation of the Council;
- Halton has a free parking policy and the Council did not support these applications;
- Both were retrospective applications;
- Vehicles were being dispersed onto surrounding roads;
- This would be a reversal of historical precedence in relation to free parking policy and have an adverse effect on communities;
- The Council has the responsibility for the wellbeing of the people of the Borough and should encourage footfall into the Town centre not decrease it;
- He supported the Market Traders whose businesses and livelihoods were in jeopardy; and
- The same reduced footfall was being felt in Greenoaks Mall as well.

In summary Councillor Jones stated that Widnes has always been attractive to local and out of town shoppers because of the free parking. People did not come anymore because of the parking charges and the risk of being fined.

Councillor Teeling, another Ward Councillor, then addressed the Committee. She argued that if local traders and retailers had to comply with rules regarding signage then why did companies at a corporate level get away with breaching the rules. She stated that both applications were discriminatory – people with disabilities, especially those with partial sight, were discriminated against because the pay machines were small and signs were difficult to read. She also stated that they discriminated against residents without smart devices and internet access. She said the whole physical aspect of the applications were in question and should not be allowed.

The Planning Officer provided clarity on the principle planning considerations to be applied to these proposals, those being scale and design of the proposed infrastructure and signage. He reiterated that there was no conflict with current local or national policies identified and it was not considered that refusal of planning permission could be sustained on these grounds.

Further, Officers read out the outcome of an appeal made against a refusal of a similar application in another authority, where the appeal was upheld and the applicant was awarded full costs.

Committee Members discussed the applications in detail, taking into consideration the comments made by the

speaker, local Ward Councillors and the responses and advice provided by Officers.

In response to questions over the retrospective nature of the application for planning permission, it was noted that legislation did allow retrospective applications to be made to local authorities.

The Legal Advisor advised that the applications must be determined in accordance with the Development Plan and clarified what was a material condition and what was not a material condition. She also reiterated that if the applications were refused and the applicant submitted an appeal, which was highly likely, this would be lost – this was also the opinion of the Planning Officers. Some information on the appeal procedure of the Planning Inspectorate was provided by the Operational Director for the benefit of the members of the public seated in the public gallery.

Upon conclusion to the debate one Member moved a motion to depart from the officer recommendation and refuse the applications due to the lack of provision for free parking to accommodate shoppers in Widnes, and because the signage was detrimental to the amenity area and has an adverse impact upon the Town Centre. This was seconded and the motion was carried. Members voted by a show of hands and both applications were refused.

RESOLVED: That both applications are refused for the following reasons:

Full application

1. the lack of provision of free car parking spaces and the wider impact on the Town Centre and businesses in Widnes; and

Advert application

2. the signage is detrimental to the amenity of the area and the adverse impact on the Town Centre.

DEV20 22/00407/FUL - PROPOSED SINGLE STOREY SIDE EXTENSION AT 7 CHELTENHAM CRESCENT, RUNCORN, WA7 4YT

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

The application was in column A of the published AB update list and the Committee agreed that no further explanation was required and the application was approved.

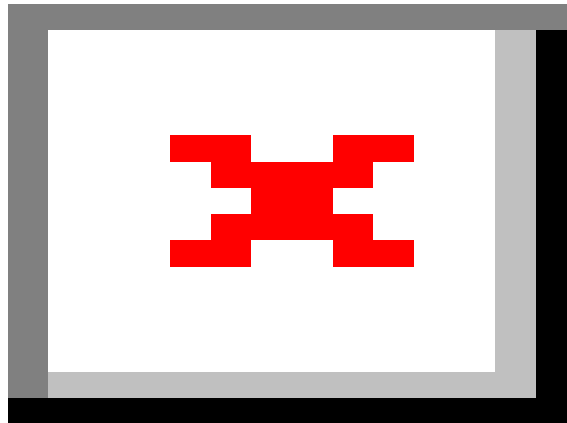
RESOLVED: That the application is approved subject to the following conditions:

1. Standard 3 year expiry;
2. In accordance with approved plans; and
3. Materials to match existing.

Meeting ended at 7.25 p.m.

APPLICATION NO:	22/00130/FUL
LOCATION:	Land at 81 High Street Runcorn Cheshire. The site is located to the south of High street, Runcorn. It is approximately 0.25ha or previously developed land. The site comprises soft landscaping, some hard standing and a vacant former commercial building.
PROPOSAL:	<p>The proposal is for the demolition of an existing building and the erection of up to 66 independent living apartments with ancillary support services and communal facilities, together with associated landscaping amenity spaces and car parking.</p> <p>The units would be 100% affordable comprising 32 X 1 bed apartments and 34 X 2 bed apartments</p>
WARD:	Mersey & Weston
PARISH:	None
APPLICANT:	Anwyl Partnership.
AGENT:	
DEVELOPMENT PLAN:	ALLOCATIONS:
Halton Delivery and Allocations Local Plan (2022)	Residential Allocation – R69.
Joint Merseyside and Halton Waste Local Plan (2013)	
DEPARTURE	No.
REPRESENTATIONS:	Representations from 4 contributors have been received from the publicity given to the application.
KEY ISSUES:	Suitability of Use, Design, Impact on Amenity, Parking and Ecology.
RECOMMENDATION:	Approve subject to conditions.

SITE MAP	
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1. APPLICATION SITE

1.1 The Site

Land at 81 High Street Runcorn Cheshire is located to the south of High Street, Runcorn. It is approximately 0.25ha of previously developed land. The site comprises soft landscaping, some hard standing and a vacant commercial building. There is existing vehicular access off the High Street.

Located to the east of the site is the Chambers Public House with the Bridgewater Canal to the south and the A533 beyond.

The site is located just outside/abutting the Runcorn Old Town boundary which is a designated District Centre in the Halton Delivery and Allocations Local Plan.

1.2 Planning History

98/00147/ALTDIS- (S32) -Formation of steps and ramp.

02/11195/A- (PER) -Illuminated fascia box sign – Granted

02/18073/A- (PER) -Double sided illuminated sign – Granted

02/26256/A- (PER) -Illuminated projecting sign and fascia signs – Granted

02/4572/A- (PER) -Illuminated sign – Granted

07/00072/FUL- (PER) -Proposed demolition and redevelopment of existing buildings to form mixed use development comprising 359 sq.m. of commercial space (A1, A2 and B1 Use Classes) together with 77 No. one and two bed apartments with residential car parking and landscaping – Granted

10/00316/S73- (WDN) -S73 application to vary condition No.2 of planning permission 07/00072/FUL to extend the permission expiration for a further 3 years at – Withdrawn

14/00252/ADV- (PER) -Application for advertising consent for 1 no. illuminated fascia sign and 1 no. illuminated projecting sign – Granted

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2. THE APPLICATION

The Proposal

The proposal seeks Full planning permission for the demolition of an existing building and the erection of up to 66 independent living apartments with ancillary support services and communal facilities, together with associated landscaping, amenity space and car parking.

The scheme would comprise of 100% affordable apartments of which there would be 32 X 1 bed apartments and 34 X 2 bed apartments.

Documentation

The application is accompanied by the associated plans in addition to a Waste Management Plan, Air Quality Screening Report, Arboriculture Assessment, Design and Access Statement, Drainage Strategy, Ecological Impact Assessment, Flood Risk Assessment and update, Heritage and Archaeological Desk Based Assessment, Phase 1 & 2 Geo-Environmental Assessment, Older Person Housing Need Assessment, Planning Statement, Statement of Community Involvement, Transport Statement and Travel Plan.

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)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;
- RD1 Residential Development Allocations
- RD4 Greenspace Provision for Residential Development
- 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.

1.1 National Planning Policy Framework

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

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

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

Paragraph 59 states that "to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay."

Paragraphs 80-82 states the need for planning policies and decisions to be made to create conditions in which business can invest, expand and

adapt. Significant weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It encourages an adaptive approach to support local and inward investment to meet the strategic economic and regenerative requirements of the area.

3.4 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.

Highways and Transportation Development Control

No objections subject to conditions relating to a Car Park Management Plan (CPMP) and a comprehensive site specific Demolition and Construction Phase Management Plan.

Lead Local Flood Authority

Greenfield and brownfield runoff rates have been estimated for a range of storm events.

It is proposed that discharge rates would be restricted to 5l/s which represents a decrease in runoff of rates of more than 50% during the 1% AEP storm event. Assuming that infiltration drainage is ruled out following infiltration testing or the identification of high groundwater levels, the proposed discharge rate is considered to be acceptable.

Infiltration testing has not been undertaken as requested within the pre-application advice provided by the LLFA.

The strategy assesses a range of SuDS measures for use within the site. Green roofs are excluded on the basis that plant equipment is required within the apartment building. This reason does not appear to be valid. The extensive flat roof proposed could potentially be made into a green roof which would offer multiple benefits to the amenity value of the development and to the control of water quality and quantity of site runoff. Further explanation is required for excluding this flow control measure.

- Rainwater harvesting is also excluded on the basis of the limited water usage within the development. The LLFA does not accept that a development with 66 residential dwellings would not be able to utilise water harvested from the roof and requires that further justification is provided before this option is discounted.

- Calculations presented identify that whilst no flooding would occur at the surface during the 3.33% AEP rainfall event, flooding would occur during the 1% AEP + 40% rainfall event. As the 3.33% AEP event with an uplift for climate change has not been assessed, it is unclear whether the proposed system would have capacity to avoid flooding during a 3.3% AEP storm once the effects of climate change have been realised.

- A maintenance management plan has been presented identifying that a management company would be responsible for maintenance and identifies routine activities.

The LLFA notes that the development generally has a low risk of flooding and that a viable surface water management strategy has been identified. However, the assessment of canal flood risk is high level and consultation with the canal operator has not been undertaken as specifically requested within pre-application advice. It is also unclear whether the canal operator

would have any objections to the construction of the development immediately adjacent to the canal.

In addition to the concerns regarding the risk of canal flooding, the LLFA notes that more sustainable surface water management options appear to have been dismissed without detailed consideration. This approach is not in accordance with Policy HE9 of the recently adopted Local Plan which requires developers to demonstrate that the most sustainable drainage option would be adopted.

On the lack of information regarding flood risk and the application of the SuDS Hierarchy, the LLFA would object the development as proposed. In order to rectify this the LLFA have recommended that the applicant undertake an addendum to the Flood Risk Assessment to address the residual flood risk from the canal, including access and egress for residents and management of the flood risk should something happen to the canal. Member will be update on the submission of this additional information.

In response to the above comments the applicant has submitted an updated Flood Risk Assessment (Flood Risk Assessment September 202221223-HYD-XX-XX-RP-FR-0001).

The LLFA responded stating that the development generally has a low risk of flooding and that a viable surface water management strategy has been identified. Requesting that should the LPA be minded to approve on this basis, the LLFA would recommend a prior to occupation condition for a site emergency flood plan, in order to ensure residents of the site will be kept safe if the canal were to fail and flood the site.

United Utilities

UU raised concerns over the lack of evidence surrounding the drainage hierarchy to accompany the submission, therefore the proposal not being in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems. Additional information has been supplied to UU and an update will be supplied to Members.

Merseyside Environmental Advisory Service – Ecology and Waste Advisor

MEAS have advised that there are no pathways that could result in likely significant effects on the national and international sites and that a HRA is not required.

MEAS requested that the details of the surveyors who undertook the Ecology Study be provided prior to determination of the planning

application, these have now been provided and the Council are satisfied that this request has been addressed.

During the PEA, gaps were noted on the remaining building which were considered to provide moderate potential for roosting bats. As recommended by the applicant's ecological consultant, an emergence and re-entry bat survey was required prior to determination, this has now been provided and found to be acceptable by MEAS. Bats are protected species and Local Plan policy CS(R)20 applies. Protected Species are a material consideration. The survey and report are essential to determine if bats are present.

In order to address concerns over the loss of built features or vegetation on site that may provide nesting opportunities for breeding birds, MEAS have requested conditions to mitigate this issue.

The applicant has previously undertaken remediation works to deal with the presence of Japanese Knot Weed on the site; MEAS request that a prior to commencement condition is imposed to address this issues.

Natural England

No objections received.

Cheshire Police

No objection received and the recommendation is that design is in conformity with the principles of secured by design.

Peel

In respect to these submitted proposals, BCCL does not object to the principle of this development. However, having reviewed the accompanying plans and drawings our Canal Engineers have raised the following observations and significant concerns which should be considered as material when the LPA are reviewing these proposals.

1. The development, albeit not clear on the submitted plans, includes the construction of a substantial retaining feature directly adjacent to the towpath, within close proximity to our waterway. No details have been provided to indicate the formation of this feature and what protection measures will be incorporated during, and post the works, to ensure the Canal is not impacted as a result of these proposals. We would expect detailed evidence be provided in support of the new retaining feature, this information being submitted to the BCCL Canal Engineers to allow them to fully determine, in their own opinion, whether there is any impact on our waterway. It will be at the absolute discretion of the Canal Engineers as to whether there is or isn't an impact.

2. Any piling works within the proximity of the Canal will need to be reviewed and then monitored by the BCCL Canal Engineers to ensure the resulting vibrations do not damage our Canal Wall.

3. Due to the proximity of the development to the Canal and the likelihood large plant and machinery will be operating up to our ownership boundary, we request the applicant provides details of their safe working practices and techniques, which again confirm that the Canal will not be adversely impacted throughout these works. These should include limits on where large machinery will be located, including load calculations if applicable, as well as details of how our Canal will be protected from debris entering our waterway.

4. It is noted that the proposals include an amended pedestrian access on to the Canal towpath. As with matter 1.

BCCL Canal Engineers must be provided detailed designs to support these proposals – including calculations to confirm there will be no increased loading on the Canal Wall during and as a result of these works. The use of any new access will also require formal approval from the BCCL, its operation being formalised by way of a commercial licence agreement between the landowner and Canal Company.

5. The recently adopted Local Plan for Halton (2nd March 2022) confirms and reiterates the important role the Bridgewater Canal plays in the Borough; the Bridgewater Way being seen as key in relation to walking and

2 cycling opportunities. BCCL supports and welcomes the use of its towpaths by Pedestrians and Cyclists alike, but in doing so ask that developments which benefit from their proximity to this unique opportunity contribute financially, though S106 or other means, towards the improvement of this recreational asset.

In consideration of the above, BCCL issued a HOLDING OBJECTION to the proposal, until provided and afforded the opportunity to review the above-mentioned detailed information. BCCL reserves the right to make further submissions.

It has now been confirmed that additional information supplied to BCCL by the applicant is satisfactory and that, in principle, the proposal is acceptable on the proviso that Anwyl undertake all BCCL costs for consultant engineers to review the pile design and site supervision/monitoring during the installation of the piles. Anwyl agree to all BCCL standard costs for permitting the restriction of the towpath and it should be noted, that should this section be a PRoW, ANWYL will be responsible for any application for permissions from the council (any costs for this are additional to BCCL at costs).

Open Spaces

No objections received

Archaeology

The application sits within the area of archaeological potential as defined in the Cheshire Historic Towns Survey, which is based on research conducted during the 1990s and forms part of the Cheshire Historic Environment Record.

The application is supported by various documents, one of these is the Heritage and Archaeological Desk Based Assessment which outlines the historic and archaeological background of the site.

The submitted supporting documents along with the information held on the Cheshire Historic Environment Record, it is clear that while the DBA does not suggest the potential for archaeological remains, there does appear to be some structures seen on the mapping which would suggest some archaeological deposits are likely to be present on the site. On the first edition OS Map of the area, there are several structures located within the proposed development area, these structures are still visible on the RAF aerial images, and while the building seen on the later mapping and on the 1983 aerial images will have likely destroyed much of the remains of these structures, there are small pockets of undeveloped areas which are likely to have below ground remains relating to these structures.

During the proposed development, it is likely that the work will disturb the remains of the first edition OS map structures and therefore a programme of archaeological observation should be undertaken in order to identify and record any below ground remains of these structures. This programme of archaeological observation should take the form of a developer funded watching brief during key stages of the development. These key stages include; the initial top soil clearance of the site, excavations for foundations, excavations for services. This work may be secured by condition.

Halton Regeneration manager

No objections, it was noted that Regeneration support this application for what is a key site on the High Street. The majority of the site has been vacant for many years and this development would bring life back to this site. The proposals form part of one of the seven Runcorn Towns Fund projects and the use is important to the town centre as the additional residents will help support the current retail and services located within the town centre.

Contaminated Land

The Contaminated Land Officer does not object to the proposal but has noted that as part of the risk assessment the reports assume that the site will not have any areas of soft landscaping/gardens, with hardcover

breaking any potential pollutant linkage, i.e. there will not be a viable route to exposure to the contaminated soil. However, this is not the case, and therefore the risk assessment needs to be re-visited and either the contaminant concentrations need to be shown to not be significant through appropriate risk assessment or a remedial strategy needs to be developed.

The required amendments to the contaminated land risk assessment need to be submitted and agreed, however this can be conditioned through providing a revised risk assessment and supporting remedial strategy, along with verification reporting upon completion of such remedial activities.

HSE

The HSE response was that they do “Not Advise Against”, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case

5. REPRESENTATIONS

The application has been advertised via the following methods: site notices posted near to the site, press notice and Council website. 133 Surrounding neighbouring properties have been notified by letter. Four objections were received 3 from residents and one from the Runcorn Development Heritage Trust. The comments received are summarised below:

- Loss of characterful buildings
- Loss of street scene
- Layout – orientation of gardens on the site
- Over development of the site
- Retaining feature canal side, could impact the waterway
- Piling works proximity could damage the canal wall
- Plant and machinery workings close to Peel ownership boundary
- Increased loading on the canal wall
- Air quality and noise issues
- Increase impact on traffic
- Heritage Assessment methodology concerns
- The demolition of a non-designated heritage asset
- Parking courtyard having a negative impact on the character of the area
- The rear elevation not responding to the pedestrian nature of the canal towpath

6. ASSESSMENT

Principle of Development

The site is allocated for residential use as R69 (policy RD1) in the Halton Delivery and Allocations Local Plan. The policy is intended to assist in the delivery of residential opportunities ranging in type, scale and distribution to cater for differing sections of the housing market.

The proposal would seek to deliver 66, 100% affordable apartments to cater for the 55+ housing market.

The proposed development is considered to be acceptable in principle in compliance with Policies CS(R)12, CS(R)13, GR1, C1 and C2 of the Halton Delivery and Allocations Local Plan.

Highways, Transportation and Accessibility

The site is located in the town centre, with accessibility to the services and amenities of the centre of Runcorn, including the railway station and bus interchange as well as pedestrian facilities such as the Bridgewater Way and the local parking provision, will provide residency for those +55 years old (which will be a condition applied to the granting of permission) and offer sheltered accommodation services to provide for the needs of elderly residents with mobility and/or disability issues in an ageing population.

With regards to Policy C2: Parking Provision the scheme proposes 28 car parking spaces, given the aforementioned favourably accessible location, for all modes, and stipulated demographic of the residents, as well as the additional application of a Car Park Management Plan condition, to manage the demand and supply of the on-site parking provision, the amount of parking offered, for all modes, is considered appropriate and in accordance with Policy C2 of the Delivery and Allocations Local Plan.

Flood Risk and Drainage

The application is supported by a Flood Risk Assessment, updated Flood Risk Assessment and Drainage Strategy in accordance with policy HE9 of the Delivery and Allocations Local Plan. The LLFA, have worked with the applicant to address the flood risk issue from the Canal and additional work in the form of an addendum/update to the FRA. This has been reviewed by the LFFA who are satisfied that the development generally has a low risk of flooding and that a viable surface water management strategy has been identified. They have requested that a condition be included on any approval should the application be approved to include an

evacuation plan for residents of the development should the development flood.

Ground Contamination

The application is supported by a detailed Phase 1 and Phase 2 Geo-Environmental Assessment Report. However, further amendments to the contaminated land risk assessment need to be submitted and agreed, by the applicant supplying a revised risk assessment and supporting remedial strategy, along with verification reporting upon completion of such remedial activities. This information which can be supplied as part of a condition in order to satisfy the requirements of policies CS23 and HE8 of the Halton Delivery and Allocations Local Plan.

Ecology

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.

Historic Environment

The applicant has submitted a Heritage and Archaeological Desk Based Assessment in line with HE2 of the DALP. While the site is not a designated heritage asset or within a conservation area the site is in close proximity to two heritage assets including 58 High Street a Grade II located opposite the site and Bank House, High Street adjacent to the site.

The Heritage and Archaeological Desk Based Assessment concludes that the site does not contribute to the significance of the heritage assets and whilst the proposal will be visible to and from the assets the visibility does not amount to any harm to their significance nor does the site contribute to their significance, this is confirmed by Cheshire West and Chester's Heritage Officer in their consultation response. Overall the site will enhance the area by developing a vacant overgrown site on a key site within the area.

In relation to the potential archaeological issues on the site, CWAC have noted that the proposed development works are likely to disturb the remains of the first edition OS map structures. Therefore, a programme of archaeological observation should be undertaken in order to identify and record any below ground remains of these structures. This programme of archaeological observation should take the form of a developer funded watching brief during key stages of the development. These key stages include; the initial top soil clearance of the site, excavations for foundations, excavations for services this would be required in order to

satisfy the requirements of policy HE2 of the DALP. However, this work may be secured by condition.

The following condition has been recommended:

“No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.

Reason: In accordance with Policy HE2 of the Halton Delivery and Allocations Local Plan”

Layout

The proposed site will retain and improve access via High Street, as well as the permeability through the site lining Runcorn High Street and the existing tow path along the Bridgewater Canal.

The layout strengthens the street frontage along the High Street, creating a focal point with Devonshire Place.

The outward facing development draws on the requirements of policy HE3 and GR1 by creating a visually attractive place and layout that is well integrated with the surroundings, this is evident through the development having an outward facing element towards the Bridgewater Canal.

Overall, the layout of the proposed development is considered to be acceptable and compliant with Policies CS(R)18, HE3 and GR1 of the Halton Delivery and Allocations Local Plan.

Scale

The proposed building would be five storey in height and larger than those adjacent, however it is considered acceptable in respect of scale and would provide residential opportunities to meet the residential needs of the Borough. The proposal is considered to be acceptable in terms of scale and compliant with Policy GR1 of the Halton Delivery and Allocations Local Plan.

Appearance

The elevations show that buildings proposed would be of an appropriate appearance with variety in materials to add interest to the overall external appearance. Some detail on the external facing materials to be used is

provided which is considered acceptable in principle. However, the submission of precise details should be secured by condition along with implementation in accordance with the approved details. This would ensure compliance with Policies CS(R)18 and GR1 of the Halton Delivery and Allocations Local Plan.

Trees and Landscaping

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 is delivered in accordance with the soft/hard landscaping schemes submitted as part of the application.

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

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.

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

Public Safety

The site is located within the consultation distance of at least one major hazard site and/or major accident hazard pipeline the HSE have “Not Advise Against” development, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Therefore the development meets the criteria of policy CS23 in relation to risk.

Issues raised in the representations not addressed above

Concerns have been raised that the methodology in relation to the Heritage Assessment was outdated, this did not raise any concerns with the CWAC Heritage Consultants appointed on behalf of Halton Council and the Council are satisfied that the information supplied by the applicant has been undertaken accurately and professionally.

Planning Balance

Based on the above assessment subject to the satisfactory resolution of the drainage issues, the proposed development would bring a vacant site back into use in a sustainable location. It would also provide a greatly needed source of affordable housing for the area.

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 result in the development of a vacant site for affordable residential purposes in accordance with the Delivery and Allocations Local Plan.

The development would have a positive impact on the area and the waterfront locations along the Bridgewater Canal.

The proposal is considered acceptable from a highway perspective making appropriate provision for parking whilst also showing commitment to sustainable travel.

The proposed site layout is considered to provide active frontages onto the High Street, Devonshire Place and the Bridgewater Canal towpath resulting in the delivery of a well-designed attractive building. The application is recommended for approval subject to conditions.

8. RECOMMENDATION

It is recommended that the application be granted subject to planning conditions.

9. CONDITIONS

1. Time Limit – Full Permission.
 2. Approved Plans.
 3. Restriction on Use.
 4. Implementation of External Facing Materials (Policies CS(R)18 and GR1)
 5. Submission of Landscaping Scheme and subsequent maintenance (Policy GR1)
 6. Japanese Knot Weed Method Statement/ validation
 7. Revised risk assessment and supporting remedial strategy, along with verification reporting upon completion of such remedial activities (HE8)
 8. Electric Vehicle Charging Points Scheme (Policy C2)
 9. Parking and Servicing Provision – (Policies C1 and C2)
 10. Car Park Management Plan (Policy C2)
 11. Off Site Highway Works – (Policy C1)
 12. Implementation of Cycle Parking Scheme – (Policy C2)
 13. Residential Travel Plan (Policy C1)
 14. Details of the external buggy store (GR1/C1)
 15. Implementation of Drainage Strategy – (Policies CS23 and HE9)
 16. Flood Evacuation Plan (CS23/HE9)
 17. Programme of Archaeological work (Policy HE2)
 18. Sustainable Development and Climate Change Scheme – (Policy CS(R)19)
 19. Submission and agreement of a site wide waste management plan (WM8)
 20. Restricting gates/ barriers to the car park entrance
- Informatives
- a.1. Considerate Constructors Informative.
 - a.2. Cheshire Police Informative.
 - a.3. Landscaping Informative.
 - a.4. Peel 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

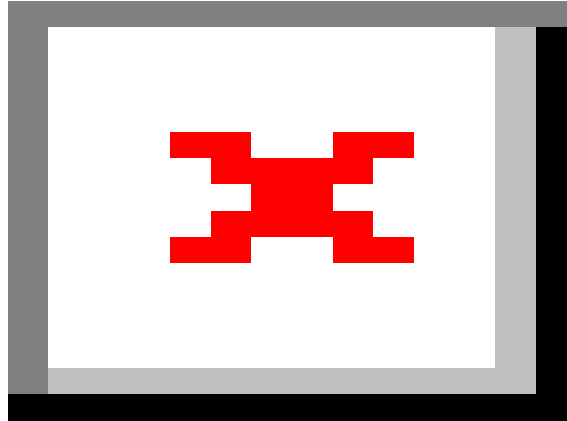
11. **SUSTAINABILITY STATEMENT**

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.

APPLICATION NO:	22/00260/FUL
LOCATION:	Onyx 350 Blackheath Lane Runcorn WA7 1SE
PROPOSAL:	Proposed extension to existing warehouse (use class B8), ground works and associated works
WARD:	Daresbury, Moore & Sandymoor
PARISH:	Moore
APPLICANT:	Diamond Nine Sarl
AGENT:	Paul Rouse - Savills
DEVELOPMENT PLAN: Halton Delivery and Allocations Local Plan (2022) Joint Merseyside and Halton Waste Local Plan (2013)	ALLOCATIONS: Primarily Employment ED2, ED3
DEPARTURE	No.
REPRESENTATIONS:	Yes
KEY ISSUES:	Design, BNG, Noise, Drainage
RECOMMENDATION:	Approve subject to conditions
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site is located in the predominantly Industrial area of Runcorn, adjoining the A558 (Daresbury Expressway bypass). The area consists of industrial buildings and commercial offices. The building is currently occupied by B&M Bargins as a National Distribution Centre. Moore village lies to the east.

The site is located within the allocated primarily employment area set out in policy ED2 and ED3 of the Delivery And Allocations Local Plan.

1.2 Planning History

07/00508/OTH- (REJ) -Erection of internal offices at ground floor

02/00133/FUL- (PER) -Proposed junction improvement works, alteration of priority and construction of cycleway
22/00260/FUL- (PCO) -Proposed extension to existing warehouse (use class B8), ground works and associated works
00/00373/EIA- (WDN) -Outline application for employment use (B1 use)
00/00511/EP- (NOBJ) -Consultation by English Partnerships in respect of proposed distribution centre at
2/18330/P- Application for Certificate of Appropriate Alternative Development
02/00262/ADV- (PER) -Various proposed internally illuminated and non-illuminated advert signs at
22/00260/FUL- (PCO) -Proposed extension to existing warehouse (use class B8), ground works and associated works at

2. THE APPLICATION

The Proposal

The proposal seeks permission the proposed extension to the existing warehouse (use class B8), ground works and associated works. The extension comprises 10,405m² (112,000ft²) of additional employment floor space.

The proposal will accommodate the extension of the service yard to the north providing access to the full extent of the eastern elevation of the extension. Comprising of 11 loading docks and 2 level access doors. The service yard will also be extended to the east providing 32 new HGV parking spaces, increasing the total number of loading docks from 29 to 40. The total number of level access doors will increase from 5 to 7. The total number of HGV parking spaces will increase from 84 to 129, with these figures including loading bays.

Documentation

The application is accompanied by the associated plans in addition to a Design and Access Statement, Preliminary Ecology Assessment, Tree Survey, Arboriculture Impact Assessment, Flood Risk and Drainage Strategy, Noise Assessment, Biodiversity Survey and Report, Geo-Environmental Assessment, Sustainability Statement, Transport Assessment, Travel Plan, Health Impact Statement and Planning Statement.

Additional information was supplied by the applicant consisting of "Delta Simons response to consultees" dated 14.09.22 and 21064-BGL-XX-XX-

TN-D-00001 Response to consultees dated 09.09.22 in order to address issues raised in consultation responses.

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)15 Sustainable Transport;
- CS(R)18 High Quality Design;
- CS(R)19 Sustainable Development and Climate Change;
- CS(R)20 Natural And Historic Environment
- C1 Transport Network and Accessibility
- C2 Parking Standards;
- ED2 Employment Development.
- ED3 Complementary Services & Facilities within Employment Areas
- HE8 Land Contamination;
- HE9 Water Management and Flood Risk;
- GR1 Design of Development.
- GR2 Amenity

3.2 Supplementary Planning Documents

Design of New Industrial and Commercial Development SPD

3.3 Joint Merseyside and Halton Waste Local Plan (2013)

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

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

MATERIAL CONSIDERATIONS

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

3.4 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.

1.1 National Planning Policy Framework

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

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

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

Paragraph 59 states that "to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay."

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

3.5 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.

3.6 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.

Highways and Transportation Development Control

Highways have noted that the TA demonstrates that there will not be a detrimental impact on the immediate or local network in terms of capacity and/or congestion due to the proposal.

The proposal does not seek any material changes to the site access arrangements.

With regards to car parking provision the DALP Parking Provision metrics (Appendix D) calls for an additional 105 spaces, in addition to the 310

already available, given the increase in building floor space from 31,394m² to 41,799m².

However, the Transport Assessment submitted as part of the application demonstrates that the proposed employment figures an increase of only 20 from the existing number of employees, and therefore the proposal do not require the additional spaces but that the existing is more than sufficient to accommodate the proposed staff levels at the peak; when there is shift change and two sets of workers will require the maximum provision, briefly as one arrives and the others leave whilst still affording visitor parking.

The proposals are essentially tailoring the site to the specific needs of the current occupant and their needs for growth and in this case the addition of 32 HGV spaces and associated servicing, manoeuvring and circulation space is needed in relation to the associated building extension.

Therefore the amount of parking proposed, a loss of two of the existing, to give 308 car parking spaces, is deemed acceptable.

Future site users would be able to rearrange the extensive hardstanding that the HGVs parking, manoeuvring and serving area will occupy to increase the car parking space to meet B8 requirements and the HBC Policy C2 remit of car parking provision, should this be necessary.

With regards to cycling provision the 80 existing cycle spaces are similarly more than sufficient in terms of amount provision.

To support the modal shift to more sustainable transport modes, as per aspirations of the Travel Plan, the installation of showers, lockers and changing areas should be encourage and enable the cycling, and walking, of staff and visitors to and from the site.

The provision of Electric Vehicle Charging Infrastructure should be conditioned to allow for the transition of vehicles from internal combustion engines to alternative fuel sources in line with national, regional and local ambitions and policies.

Highways have requested conditions for the applicant to provide an active travel plan for the site.

Lead Local Flood Authority

The LLFA consider that the proposed development is suitable in terms of flood risk. The applicant has demonstrated that the development, would

use sustainable drainage and generally suitable design criteria have been proposed.

The LLFA have recommend that conditions be applied requiring a detailed surface water drainage strategy based on SuDS to be submitted, in order to demonstrate that the development would comply with local and national policy regarding flood risk.

Prior to the occupation of the extension a verification report confirming that the SuDS system has been constructed in accordance with the approved design drawings (including off site alterations) and in accordance with best practice is required to be submitted to and approved by the local planning authority.

Environment Agency

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development.

In order to address these issues the applicant submitted additional information to the EA 21064-BGL-XX-XX-TN-D-00001 Burrows Graham response dated 09.09.22 to the EA in doer to address the issues over the inadequate FRA.

The EA have since responded and have confirmed they have withdrawn their objection subject to a condition being imposed stating that the works should be carried out in accordance with 21064-BGL-XX-XX-TN-D-00001 Burrows Graham response dated 09.09.22.

Environmental Protection

The applicant has commissioned a noise report which assesses the noise in relation to the National Planning Policy Framework and the specific guidance contained within the Noise Policy Statement for England. A noise survey has then been carried out in line with BS4142:2014+A1 2019 Methods for rating and Assessing Industrial Sound.

The report concludes that noise levels would have no observed adverse effect on the residential properties and on this basis Environmental Health would not be able to raise or sustain any objections.

Street Lighting

No objections.

Contaminated Land

The reporting details the findings of a site investigation and risk assessment based upon an earlier preliminary risk assessment. The investigation was designed to provide suitable coverage of the development plot and to characterise the site in terms of ground conditions from a contamination and geotechnical perspective.

For the proposed industrial/commercial use there are no soil contaminants identified above the relevant assessment criteria, covering both health and wider environmental impacts.

Ground gas monitoring did identify elevated gas concentrations and flows, however the gas regime on site is complicated by the presence of a shallow groundwater and a limited peat horizon, with variations in atmospheric pressure being a key driver for gas flows. The gas risk assessment has taken these factors into account and made precautionary recommendations for protection measures to be included in the design of the new structures, equating to Characteristic Situation 2 as per best practice guidance in the CIRIA document C665.

It is recommended that a remedial strategy and verification report be produced for the development.

The report also makes mention of the possibility of re-use of site derived materials under a Material Management Plan in line with the Construction Industry Definition of Waste Code of Practice document. This is reasonable as long as the criteria set out in that document are met, one of which is the certainty and need of use of that material. The plans in the application show surplus spoil being placed in a large mound on a part of the site outside of the development footprint, this would suggest a waste disposal activity rather than an actual need for that land form to be created, i.e. not permissible under the Code of Practice. The applicant should be made aware of the potential pitfall in that plan.

The Contaminated Land Officer does not object to the application but recommend that if the application be approved it should be conditioned to require the submission of a remedial strategy (detailing the ground gas protection measures and their method of installation and verification) and a following verification report.

Public Health

The application is supported by a HIA in accordance with Policy CS(R)22 of the Delivery and Allocations Local Plan. The HIA considers the nature, size and risk of potential impacts and effects on the relevant impact areas

and vulnerable population groups during both construction and operation phases of the proposed development. It also considers the mitigation measures where there are likely to be significant adverse effects, and actions to be taken to further enhance the positive impacts.

The assessment concluded that the themes considered as part of the HIA are expected to be beneficial to Halton. The most significant positive impact is that the proposed development will generate additional jobs to identified vulnerable groups. As the proposal is for a small development and extension of an existing site, not involving any change of use, the negative impacts are limited and are in line with those of any industrial development.

No comments from Public Health have been received following consultation of the application and HIA.

Open Spaces

There are no Tree Preservation Orders in force on this site and the location does not fall within a designated Conservation Area, however it is part of a wider 'green corridor' connecting to nearby Local Wildlife Sites.

All works should comply with the specification and recommendations for improvements as mentioned in the Arboricultural Impact Assessment.

The site is close to several Local Wildlife Sites (Moore Meadows, Pitts Heath, Green Wood, Oxmoor, Manor Park 3 Woodland & Lodge Plantation are all within 1 kilometre of the proposed development site) therefore the land does at present provide some connectivity/green corridor benefits. There have been water voles identified in the adjacent ditches historically, as they were purpose built to encourage a growing population. Preliminary Ecological Appraisal - '..there is a risk that they may colonise the drain in future due to their presence in the area'. Clarification of surface water impacts from drainage would be advisory.

Ecological surveys were conducted outside of optimal season for reptiles, water voles and plant species, further surveys would be recommended.

Evidence of nesting birds are present on the site – it is recommended that any works must be conducted under the evaluation of a qualified ecologist, as stated in the supported documents. Work shall not be carried out between February and August (in accordance with Natural England guidance) if it would result in disturbance to nesting birds to ensure no damage to wildlife.

Protective measures set out in the Arboricultural Method statement would be adequate, these recommendations should be strictly adhered to during the construction process.

Should the application receive consent, permitted work shall be carried out strictly in accordance with British Standard 3998:2010 "Recommendations for Tree Work" to safeguard the health and visual amenity of the tree.

MEAS

The applicant has submitted a Preliminary Ecological Appraisal (PEA) report in accordance with Core Strategy Local Plan policy CS20 (Delta-Simmons, Preliminary Ecological Appraisal (including Water Vole Assessment, Issue 1, Final, 22 December 2021). The report is not acceptable because of limitations, additional information is required prior to determination.

The proposal is major development and involves excavation, demolition and 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 applicant has provided sufficient information in the planning application form to comply with policy WM9 (Sustainable Waste Management Design and Layout for New Development) of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8). The Proposed Site can be secured as an Approved Drawing by a suitably worded planning condition.

Following the receipt of comments from MEAS the applicant has provided additional material in order to address the prior to determination issues raised. MEAS have responded stating that the applicant has submitted a letter as an update to their Preliminary Ecological Appraisal in accordance with Local Plan policy CS(R)20 (DeltaSimons, 14/09/2022). The letter is accepted however additional information remains outstanding and is required prior to determination relating to the applicant's habitat mitigation strategy. Following discussion with the consultant ecologist (23/09/2022) it

was agreed the applicant would follow a sequential spatial approach to secure no net habitat loss. This involves exploring potential options for enhancement of adjacent off-site habitats or liaising with Cheshire Wildlife Trust and Halton Council for enhancement of grassland Local Wildlife Sites (LWSs) within the borough. If those options are not delivered then as a last resort, a commuted sum based on the biodiversity baseline of the site (biodiversity units) would be required to support a suitable nature conservation project, ideally related to grassland creation/management.

The Preliminary Ecological Appraisal (PEA) identified 7 LWSs within 500m of the development site. The following designated sites are within the zone of influence and Local Plan policy CS(R)20 applies:

- Heath Pitts Wood LWS (90m southeast);
- Manor Park Wood LWS (150m northeast).

The proposals may have an indirect adverse effect (e.g. noise, dust) on the features for which the sites have been designated. I advise avoidance and prevention measures are required and can be secured through a Construction Environmental Management Plan (CEMP).

As noted in the applicant's letter and PEA, there is a risk of impacts to Protected and Priority Species. I agree an ecological watching briefing is required and reasonable avoidance measures should be implemented during the construction phase.

It is advised that the applicant prepares a Construction Environmental Management Plan (CEMP) document to manage and mitigate the main environmental effects during the construction phases of the proposed development. This can be secured by a suitable worded planning condition.

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.

Mersey Gateway

No comments received.

Sabic UK Petrochemicals

No objections.

Moore Parish Council

Moore Parish Council raised a number of areas for which they have concerns.

Noise

The Noise Assessment states that warehouse plant and HGV schedules are not known and they are hence assuming noise criteria for the site which would have no adverse impact on the surroundings.

This is not acceptable given that there is a documented history of noise from these units having adverse impact on local residents day and night.

If Halton Borough Council are minded to approve, they should make it a stipulation of a consent that the noise criteria stated in the report cannot be exceeded for the lifetime of the building as extended and that exceeding such will require immediate cessation of activity at the site until remedial actions have been taken.

Further, the operating hours of the extension should be limited to 0800-1800 Monday to Friday and 0800-1300 Saturday only with no activity Sundays or Bank Holidays. The same restriction should also apply to the Construction period.

Additional landscaping should be introduced to the HGV yard areas both as a visual screen from the adding green space and to improve acoustic separation.

Biodiversity

The accompanying bio-diversity report is a desktop report and lacks detail on site surveys. This is considered an unacceptable standard for a site close to watercourses and green open space. The Parish Council ask that the application not be determined without detailed site surveys to establish the current position accurately.

If the Council is minded not to seek surveys pre-decision, the Parish Council ask that before any development take place detailed on site surveys are undertaken by a suitably qualified ecologist and actions be agreed with the Council. The Parish Council would also ask to be informed of the results of such surveys.

The potential for direct impact on water voles, bats and hedgehogs is a matter of significant concern.

Lighting

The application is not supported with details to show light spill / impact outside the site.

Light pollution from this site has been an issue in the past and the applicant should demonstrate how light nuisance to local residents will be avoided and how the adjoining green space will also be protected from the impact of inappropriate lighting.

Flooding

The site sits within a flood area. Removing green space will increase the risk of expanding the flood zone and the Parish Council is concerned at this impact given climate change predictions.

5. REPRESENTATIONS

The application has been advertised by a site notice and 78 neighbour notification letters sent on the 26th May 2022. One letter of objection was received from the neighbourhood consultation raising issues over noise, lighting and the effects on health.

6. ASSESSMENT

Principle of Development

The proposal site is located within the primarily employment area as shown in the Delivery and Allocations Local Plan policies ED2 and ED3, policy ED2 supports development, for office, research and development, light industrial, factory or storage and distribution uses which will normally be acceptable.

The proposal seeks permission the proposed extension to the existing warehouse (use class B8), ground works and associated works. The extension comprises 10,405m² (112,000ft²) of additional employment floor space, which is in conformity with policy ED2 delivering high quality development that does not have an unacceptable adverse impact.

The proposed development is considered to be acceptable in principle and in compliance with Policies GR1, C2, ED2, ED3 and HE1 of the Halton Delivery And Allocations Local Plan.

Layout

The proposed site will retain the existing access, off Eastgate Road for car parking and Blackheath Road for HGVs. The service layout is located to

the east of the site and shielded from view. The layout allows for sufficient circulation, HGV parking, and loading for the required number of docks.

The layout doesn't alter greatly from that of the existing site as the proposed extension is located to the north of the existing building.

The development draws on the requirements of GR1 by creating a visually attractive employment unit and layout that is well integrated with the surroundings.

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

Scale

The proposed extension would match that of the existing employment unit in terms of height and would continue along the full width of the north elevation. It is considered acceptable in respect of scale and does not impact on the amenity or character of the surrounding area.

The proposal is considered to be acceptable in terms of scale and compliant with Policy GR1 of the Halton Delivery and Allocations Local Plan.

Appearance

The applicant has submitted a number of elevation drawings detailing the proposed extension to the employment unit matching that of the existing building. The proposal demonstrates a good level of high quality design throughout the scheme that is appropriate in appearance to the existing surrounding uses in line with policy GR1. The elevations of the proposed extension show that the external materials proposed in its construction will be that of a horizontally and vertically laid trapezoidal profiled wall cladding system to match the existing building. The proposed extension is well integrated with the surrounding buildings, in accordance with policy GR1 of the Delivery and Allocations Local Plan.

The proposal will deliver high quality design in a complimentary manner in a primarily employment area retaining an employment use (B8) within the Borough complying with Policies ED2, CS(R)18 and GR1 of the Halton Delivery and Allocations Local Plan.

Highways, Transportation and Accessibility

The Council assess applications against policy CS(R)15 and C1 in relation to sustainable transport and accessibility.

In order to satisfy the requirements of demonstrating that the proposed extension meets the requirements; the applicant has submitted a Transport Assessment. This demonstrates that there will not be a detrimental impact on the immediate network in terms of capacity and/or logistics as a result of the proposed extension. Highways are satisfied that this is the case and no detrimental effect will occur.

With regards to car parking provision in accordance with policy C2 of the DALP, the increase in floorspace would suggest that an additional 105 car parking spaces are to be provided, in addition to the existing 310 on site. However, the additional floorspace would not generate a significant increase in employees as only 20 additional employees are suggested which will be distributed over the shift patterns. Therefore, the Highways Officers are content that there is adequate car parking provision to meet the needs of the site should the extension be approved.

It is also noted by the applicant that the spaces currently provided are more than adequate for the employees with many free spaces available.

The cycling provision is also deemed acceptable for the same reasons.

In accordance with policy C1 of the DALP, Electric Vehicle Charging Points will be conditioned, alongside an active Travel Plan for site.

Flood Risk and Drainage

The development proposal has been assessed by the Lead Local Flood Authority (LLFA). The LLFA have determined that the site as the development would be located within flood zone 3a which is suitable for less vulnerable developments therefore the proposed development would be appropriate in terms of flood risk.

Planning policy requires that applications are supported by a drainage strategy that demonstrates how surface water and foul drainage would be managed in order to ensure that the proposed development is safe from flooding and would not increase the risk of flooding elsewhere. Further to this sustainable drainage (SuDS) should be used unless it would not be feasible.

To ensure the Applicant follows the drainage hierarchy the LLFA have recommended a set of drainage conditions to satisfy the requirements of planning policy. These include no commencement of development until a detailed surface water drainage strategy based on SuDS is submitted to demonstrate that the development would comply with local and national

policy regarding flood risk. And; no development shall be occupied until a verification report confirming that the SuDS system has been constructed in accordance with the approved design drawings (including off site alterations) and in accordance with best practice has been submitted to and approved by the local planning authority. These conditions will assist in demonstrating that the proposal is in conformity with policy HE9 of the Delivery and Allocations Local Plan.

Ground Contamination

The application is supported by a detailed Preliminary Geo-environmental Assessment. The investigation was carried out in order to provide information on the quality of the soil and groundwater beneath the Site in the context of land contamination and provide information on the ground gas regime beneath the Site for a continuing light industrial end use. The assessment is being completed prior to the proposed extension of an existing building on Site.

In order to satisfy Policy HE8 of the Delivery And Allocations Local Plan the attachment of a condition requiring the applicant to submit a remedial strategy (detailing the ground gas protection measures and their method of installation and verification) and a following verification report is required.

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 applicant as part of their planning application has submitted a Sustainability Statement, the document sets out how the proposed extension meets Policy CS(R)19 of the Delivery and Allocations Local Plan. This includes how the proposal cannot implement certain methods such as passive design due to it being an extension to an existing building however it positively addresses reducing CO₂ emissions through the proposed extension being a low energy building, with all lighting LED and heating providing frost protection only. In order to assist with reducing energy consumption, all of the existing warehouse T5 lighting installed in 2002 will be replaced with LED lighting.

Ecology/Bio-diversity

Policy CS(R)20 and HE1 of the Delivery and Allocations Local Plan seek to conserve and where possible enhance the natural and historic environment for current and future generations and to ensure a strong sense of place and improve local distinctiveness.

The extension at the industrial unit on Blackheath Lane would be located on an existing landscaped area. The Preliminary Ecology Report identified the site as being located within 500m of 2 Local Wildlife Sites (LWSs). Heath Pitts Wood LWS (90m southeast) and Manor Park Wood LWS (150m northeast).

In order to mitigate for any indirect adverse effect on the features for which the sites have been designated MEAS have advised that a condition be applied to an approval for a Construction Environmental Management Plan (CEMP).

In order to address policy HE1 and ensuring that the site has no biodiversity net loss, the applicant would follow a sequential spatial approach to secure no net habitat loss. This involves exploring potential options for enhancement of adjacent off-site habitats or liaising with Cheshire Wildlife Trust and Halton Council for enhancement of grassland Local Wildlife Sites (LWSs) within the borough. If those options are not delivered then as a last resort, a commuted sum based on the biodiversity baseline of the site (biodiversity units) would be required to support a suitable nature conservation project, ideally related to grassland creation/management.

This would satisfy the policy requirements of HE1 and has been agreed by MEAS as a suitable resolution which will form a condition of any approval prior to occupation of the development.

A lighting scheme would be required in order to ensure that the proposal 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.

With suitable worded planning conditions any biodiversity net loss can be addressed and the proposal is compliant with policy CS(R)20 and HE1 of the Delivery and Allocations Local Plan.

Open Space

It is noted that the Open Spaces Team commented on the ecological surveys and noted that they were conducted outside of optimal season for reptiles, water voles and plant species, advising that more up to date surveys would be recommended. However, MEAS are satisfied with the

level of ecological investigations undertaken to date and have been working with the applicant on mitigating for no biodiversity net loss should the development be approved.

It is also noted that there may be evidence of nesting birds present on the site – any works must be conducted under the evaluation of a qualified ecologist, as stated in the supported documents. 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. This can be conditioned should any birds be present on site.

Protective measures set out in the Arboricultural Method statement should be strictly adhered to during the construction process; and will be conditioned in any approval in order to comply with HE5: Trees and Landscaping of the Halton Delivery and Allocations Local Plan, with all, permitted work shall be carried out strictly in accordance with British Standard 3998:2010 “Recommendations for Tree Work” to safeguard the health and visual amenity of the tree.

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

Planning Balance

Whilst there is an element of non-compliance detailed in the highways section in relation to car parking provision and compliance with policy C2 of the Delivery and Allocations Local Plan, the overall planning balance needs to be taken into consideration and this has been supported by Highways in their comments that the site currently operates with excess car parking spaces and there is a minimal increase in employees through the new extension.

Based on the above assessment and subject to the proposed conditions to be issued with a planning approval, the proposal is deemed acceptable.

The proposed development would provide an employment site in a sustainable location, providing flexible opportunities, and offering an attractive viable site to deliver business needs within Halton.

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 enhance and retain the use of existing (B8 use class) employment facility retaining and increasing employment opportunities within the Borough, in accordance with the Delivery and Allocations Local Plan.

The application is recommended for approval subject to conditions.

8. RECOMMENDATION

It is recommended that the application be granted subject to planning conditions.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Implementation of External Facing Materials (Policies CS(R)18 and GR1)
4. Landscaping (Policies CS(R)18 and GR1)
5. Tree Felling (Policy HE5)
6. Arboricultural Works (Policy HE5)
7. Construction Environmental Management Plan (Policies CS(R)20 and HE1)
8. Lighting Scheme (Policies CS(R)20 and HE1)
9. Off site ecological mitigation (Policies CS(R)20 and HE1)
10. Surface water drainage (CS23 and HE9)
11. SuDs Verification (CS23 and HE9)
12. Flood Mitigation (CS23 and HE9)
13. Electric Vehicle Charging Points Scheme (Policy C2)
14. Travel Plan (CS(R)15 and C1)
15. Site Waste Management Plan – Policy WM8)

- 16. Securing Ecological Watching Brief
- 17. Remediation Strategy (Policy HE8)
- 18. Verification of Remediation Strategy (Policy HE8)

Informative

- a.1. Considerate Constructors 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.

APPLICATION NO:	22/00369/FUIEIA
LOCATION:	Unifrax Widnes Sullivan Road Widnes Cheshire WA8 0US
PROPOSAL:	Proposed installation of an additional production line, involving an extension to an existing building and the installation of associated plant and machinery
WARD:	Halton View
PARISH:	N/A
APPLICANT:	Saffil
AGENT:	Joel Jessup
DEVELOPMENT PLAN ALLOCATION:	National Planning Policy Framework (2021) Delivery and Allocations Local Plan ('DALP') (March 2022). Site allocation: Primarily employment land.
DEPARTURE	No
REPRESENTATIONS:	N/A
KEY ISSUES:	Principle of development, Visual impact, Highway impact, Access, Residential amenity, Air quality, Noise impact, Ground contamination, Ecology, Drainage.
RECOMMENDATION:	Approve Subject to Conditions

APPLICATION SITE

The Site

The site is located within the Tan House Lane Industrial estate, approximately 1.5km south east of Widnes town centre. The site is located to the north west of the St. Helens Canal and the Mersey Estuary. The location of the application site in the context of the wider surroundings is accurately depicted in the location map above.

The existing site covers an area of approximately 4.5 ha, which was formally part of the ICI Pilkington Sullivan Works, which has a long history of chemical processing from the mid-19th Century through to the end of the 20th Century.

Vehicular access is gained via an existing private road off Tanhouse Lane/Moss Bank Rd.

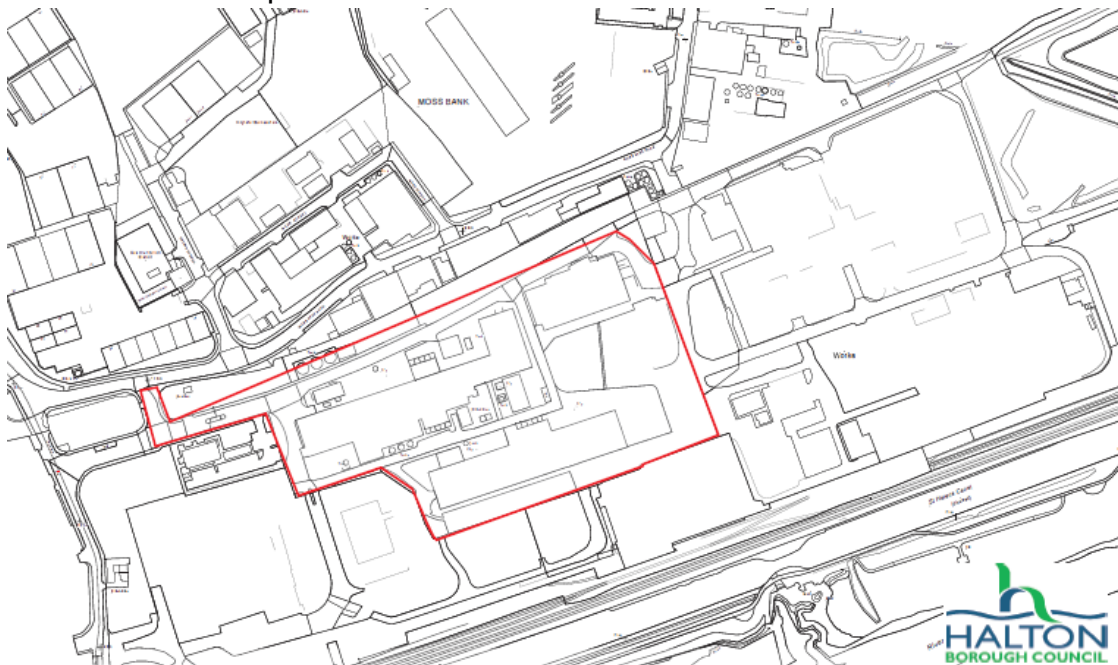
Planning History

The following planning history details concern planning approvals on the proposed application site or earlier phase of development by the same Applicant.

03/00185/EIA - Proposed extension (2940sq.m.) to existing production building and associated external structures, including a 40m stack to proposed effluent treatment works and extension to existing substation

11/00396/FULEIA - Proposed new building to house a third alumina fibre production line, electrical switchroom and process plant

17/00376/FULEIA - Retrospective application for rebuilding of facility to house a third alumina fibre production line with associated electrical switch room and



process plant

THE APPLICATION

The Proposal

The planning application was submitted with the following description of development:

Proposed installation of an additional production line, involving an extension to an existing building and the installation of associated plant and machinery.

The proposed development will provide sufficient space to accommodate a fourth production line at the Safil factory site. This additional production line is required to produce a silica fibre product for export to use in the manufacture of lithium-ion batteries.

Once constructed it is envisaged that the fourth production line would operate 24 hours a day seven days per week as per the existing site operations. The development of a new production line would offer the creation of 38 direct full time jobs in addition to the 83 full time employees on site.

Documentation

The application was submitted with the following supporting documentation:

- Application form
- Set of proposed plans
- Environmental Statement
- Ecological Assessment
- Transport Assessment
- Noise Impact Assessment
- Air Quality Assessment
- P1 Ground Investigations Report
- Flood Risk Assessment
- Design and Access Statement

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.

Delivery and Allocations Local Plan ('DALP') (adopted March 2022)

CS(R)1	Halton's Spatial Strategy
CS(R)4	Employment Land Supply
CS(R)15	Sustainable Transport
CS(R)18	High Quality Design
CS(R)19	Sustainable Development and Climate Change
CS(R)23	Managing Pollution and Risk
CS(R)24	Waste
C1	Transport Network and Accessibility
C2	Parking standards
HE1	Natural Environment and Nature Conservation
HE2	Heritage Assets and the Historic Environment
HE7	Pollution and Nuisance
HE8	Land Contamination
HE9	Water Management and Flood Risk
GR1	Design of Development
GR2	Amenity

Joint Waste Local Plan 2013

WM8	Waste Prevention and Resource Management
WM9	Sustainable Waste Management Design and Layout for New Development

Supplementary Planning Documents ('SPD')

- Design of New Commercial Development SPD
- Widnes Waterfront SPD

National Planning Policy Framework ('NPPF')

The last iteration of the National Planning Policy Framework (NPPF) was

published in July 2021 and sets out the Government's planning policies for England and how these should be applied.

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

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

National Planning Practice Guidance (NPPG)

Together, the National Planning Policy Framework and National Planning Practice Guidance set out what the Government expects of local authorities. The overall aim is to ensure the planning system allows land to be used for new homes and jobs, while protecting valuable natural and historic environments.

Other Considerations

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

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.

CONSULTATIONS

The application was advertised via the following methods: Site notice posted near to the site, press notice, and Council website. Surrounding properties were notified by letter.

The following organisations have been consulted and any comments received have been summarised below and in the assessment section of the report where appropriate:

External Bodies

Warrington Borough Council

No response.

St. Helens Borough Council

No comments received

Department for Levelling Up, Housing and Communities

No comments to make.

Environment Agency

No objection subject to condition regarding ground contamination.

Natural England

No objection.

Cheshire Police

No objection.

Cheshire Fire and Rescue

No objection.

Council Services

HBC Contaminated Land

No objection subject to the use of a planning condition.

Environmental Health

No objection

HBC Highways

No objection.

Lead Local Flood Authority

No objection subject to conditions.

MEAS – Ecology and Waste Advisor

No objection subject to conditions.

Archaeology

No objection.

Open Spaces

No comments received.

Regeneration

No comments received.

Emergency Risk

No comments received.

Property Services

No comments received.

ASSESSMENT

Planning Policy

The application site is allocated as 'primarily employment land' by the Delivery and Allocation Plan (DALP) allocation map. It is therefore considered that the development proposal is consistent with this land use allocation.

The DALP planning policies identified above set out a framework of requirements for the consideration of development proposals on existing employment sites. These are considered further in the assessment section of the report below.

Design, Appearance and Visual Impact

The proposal concerns an extension of the existing Saffil factory building to facilitate the accommodation of a new production line. The proposed plans demonstrate a continuity of the existing appearance of the existing building (approved 9th October 2017 ref: 17/00376/FULEIA).

The existing production line 3 building measures approximately 131 metres by 26metres, it height is 7.3m at its eaves and 12m at its apex and covers an area of 3290SQM. The proposed extension will measure 48m and maintain the height and depth of the existing building, thereby increasing the floor space by 1,224SQM.

The proposed lateral extension will be comprised of a steel frame construction with the main elevations finished predominantly in an insulated prefabricated steel external skin. This is consistent with the existing structure.

The proposed plans note a trailer loading cover on the northern and southern elevations of the extension. Additional plant equipment is noted to be constructed outside the main building on the southern elevation. This is consistent with the existing plant equipment on site that is associated with the Line 3 operations. The proposed plant includes a stack height of 40m as depicted on proposed plan ref: RAS-001-C-004 and RAS-001-C-005, this is consistent with the existing taller stacks height on site.

A dedicated Line 4 storage and preparation area is proposed to be installed in an area formerly associated with Line 1, and is shown on proposed plan RAS-001-C-006. This location is currently occupied by redundant pipework and equipment that will be removed as part of this proposed developments implementation.

The scale of the resulting proposed extension would only be noticeable when viewed from a position in relative close proximity such as from the Tran-Pennine Trail (TPT) on the opposite side of the St Helens Canal. Notwithstanding, the view of the Saffil site would be consistent with its surroundings and to be expected given the DALP employment site allocation. It is considered that the proposed development will not have a detrimental impact on the TPT or the wider setting of the St. Helens Canal.

In terms of scale and appearance, the proposed additions are considered to be consistent with the existing main production buildings and plant on site, and are therefore considered to be in character with the wider waterfront area.

Air Quality

DALP Policy CS23 'Managing Pollution and Risk' sets out the local planning objectives in relation to pollution including air quality. It is incumbent upon the Applicant to demonstrate compliance with the Local Plan requirements and national guidance in relation to air quality, to ensure a minimum impact from the proposed development on the nearby residential area.

The environmental statement submitted with the application includes an air quality assessment (AQA). It provides background levels of pollutants at a number of locations in the local vicinity of the proposed development, including at 3 No. residential locations.

Environmental Health have considered the application in relation to air quality. The AQA has assessed NO₂ and PM₁₀ emissions from the proposed development. It indicates that in the reported locations the levels of pollutants in short-long terms scenarios are around 50% of the UK Air Quality Standards (AQS), increasing by less than 1% of the long term UK AQS and no more than 2.4% of the short term UK AQS in any residential location. This demonstrates that there is no need to consider further mitigation. Environmental Health has no objections to the air quality impact of this proposed development.

Noise

DALP Policy CS23 'Managing Pollution and Risk' sets out the local planning objectives in relation to pollution including air quality. It is incumbent upon the Applicant to demonstrate compliance with the Local Plan requirements and national guidance in relation to noise.

The Applicant has provided a noise report that considers the application in the context of the NPPF and Noise Policy Statement for England (NPSE). The NPSE aims to ensure that the development avoids and mitigates against adverse impacts on the health and quality of life of neighbourhood noise.

The report uses the methodology outlined in BS4142@:2104+A2019 to assess the likely impact of the development on the nearby housing estate which is currently being constructed and will be the nearest noise sensitive area. BS4142 compares the existing noise environment with the predicted noise for the proposed development once in operation.

The report concludes that the contribution of noise from the proposed development will be below the existing noise levels at the nearby residential development and will therefore have no adverse impact on the development. No further mitigation is needed. Environmental Health has no objections to the noise and vibration impacts from the proposed development.

Ground Contamination

DALP Policy CS23 'Managing Pollution and Risk' sets out the local planning objectives in relation to pollution including ground contamination. It is incumbent upon the Applicant to demonstrate compliance with the Local Plan requirements and national guidance in relation to ground contamination.

A phase 1 ground investigation study was submitted in support of the planning application. This report has been reviewed by the Council's contaminated land officer who has raised no objection to the development proposal subject to a condition being attached that secures additional testing and reporting prior to development taking place. The opinion of the Council's contaminated land officer is summarized below.

The site is a former chemical works and has a long industrial history. The expected ground condition reflect that history with varying thickness of made ground comprising relict foundations, demolition materials and wastes from manufacturing processes. There is a potential of a range of contaminants that pose a risk to built structures, human health and controlled waters. The reporting makes recommendations for further site investigation to characterize the ground conditions and to determine the level of risk posed by contamination.

An outline scope for the investigation is included as part of the submission. However, the desk study does not have much detail on the nature of the former processes and potential contaminants, which could guide the investigation and sampling.

It is recommended that a sampling program be secured by way of a planning condition to include:

- Testing waters in the existing surface water drainage system. There is evidence of a continued input of contaminated waste into the surface water drains.
- Proposed borehole testing is likely to encounter a significant sand unit which should be targeted for ground water sampling.
- Given the site history, a study undertaking specific CHC monitoring as well as standard ground cases.

The above survey work will be secured by a planning condition.

The Environment Agency (EA) has responded to the consultation exercise raising no objection subject to the use of planning conditions to deal with concerns of existing site contamination and the potential impact on watercourses.

The Applicant has agreed to the planning conditions recommended by the Council's contaminated land officer and the EA.

Drainage and Flood Risk

The Flood Risk Assessment (FRA) submitted in support of the application has been assessed by the Lead Local Flood Authority (LLFA). No objection has been raised subject to the use of an appropriately worded conditions.

The conditions will implement a drainage scheme to ensure the site is safe from fluvial and tidal flooding. Such a scheme will ensure that the site is appropriately drained so as not to cause runoff rates that are detrimental to local drainage systems that are downstream of the application site. A suitable drainage scheme will also ensure that the potential pollution risk associated with surface water runoff is addressed.

The LLFA have also recommended the use of a verification reporting condition to ensure that the a surface water drainage scheme is implemented in accordance with approved details.

The Applicant has agreed to the use of these conditions.

Transport and Highways

The development is a modest extension to an existing manufacturing site. The proposal seeks to utilize existing access and car parking facilities to accommodate the increase in employees. The Council's Highways Officer has assessed the proposal and raises no objection in principle.

A request has been made for additional details to ensure that the proposal has adequate parking provision for the forecasted uplift in employees as a result of the planned investment. An update will be presented orally at committee.

Ecology and Nature Conservation

The development proposal has been screened as an EIA form of development pursuant to the Environmental Impact Assessment Regulations 2017. The planning application was accompanied by an Environmental Statement (ES) and an Ecology Report (ER).

The ES comprised information on the following information, the nature of the development, consideration of alternatives, relevant aspects of the environment, likely environmental impacts arising, proposed mitigation measures, an indication of any difficulties in compiling the information needed and a non technical summary.

The development proposal and supporting environmental statement have been assessed by the Council's retained ecology advisor who has raised no objection subject to the use of planning conditions. The Applicant has submitted an ecology report in accordance with DALP policy CS20. It identifies ten protected sites that are located near to the application site. The Council's retained ecology advisor has used this as a basis to undertake a Habitat Regulation Assessment that concludes there are no likely significant effects.

Natural England have assessed the undertaken HRA and confirmed that they have no objection to the proposed development.

Climate Change

The proposal will result in the development of a new line of manufacturing for the production of a new silica fibre. This will make a positive contribution to the SiFAB process ultimately resulting in the increased efficiency of Li-ion batteries benefiting global reduction in carbon emissions.

The proposed development is a modest extension of 3092SQM to an existing site facility. It is considered that the climate impacts of building and operating a new production line are considered to be relatively small. It would be disproportionate to require a full qualitative climate change impact assessment, particularly when considering that the production line is to be used to improve the efficiency of battery technologies that will be used to combat climate change.

Residential Amenity

The site is located within the former Widnes Waterfront Regeneration Area. The former regeneration policy associated with the historic land use designation resulted in the residential redevelopment of a derelict industrial site (ref: 19/00235/FUL). That redevelopment has brought a residential development boundary nearer to the application site than was the case when a planning application was last considered for the application site boundary. As a result it is important to give due consideration to the impact on residential amenity for nearby residents of existing residential dwellings and those that are in the process of being delivered.

The potential negative impacts on residential amenity concern air quality, noise, traffic movements and outlook. Noise and air quality impacts have been assessed by the Council's Environmental Health Officer (EHO). No objection was raised by the EHO. Traffic movements to the site are expected to increase. However, these additional movements are anticipated to be low. As such the Council's Highways Officer has raised no objection in principle to the scheme.

Residential outlook over the application site will increase as planning permission 19/00235/FUL is implemented. However, the existing Saffil factory site existed prior to the residential scheme being granted planning permission. There is an expectation as a result of this that a degree of residential outlook will include views of an industrial estate. It is therefore considered that the proposed development is consistent with the existing industrial landscape and would not be considered detrimental to future residents of planning approval 19/00235/FUL.

Conclusion

The development proposal is considered to comply with national planning policy NPPF and Local Plan policies CSR1, CSR4, CSR15, CSR18, CSR19, CSR23, CSR24, C1, C2, HE1, HE2, HE7, HE8, HE9, GR1, GR2, WM8 and WM9.

The supporting documents submitted with the planning application including the Environmental Statement and the undertaken Habitats Regulations Assessment demonstrate that the development would be acceptable in terms of potential flood risk, ecology, ground contamination, noise, air quality and landscape and visual impact.

The proposed development would facilitate the retention and expansion of an existing business in the Borough. It is therefore recommended for approval.

RECOMMENDATION

That the application be approved subject to conditions:

CONDITIONS

1. Time Limit – Full permission.

2. Approved plans (GR1).
3. Contaminated land identification, remediation strategy, verification. (Policy CS23)
4. External facing Materials (Policy GR1)
5. SUDS (Policies HE9, CS7, CS23)
6. SUDS verification and validation (Policies HE9, CS7, CS23)
7. Construction management plan. (Policies GR2, CS23)
8. Construction waste audit (Policies WM8)
9. Submission and agreement of landscaping to be implemented

BACKGROUND PAPERS

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

SUSTAINABILITY STATEMENT

As required by:

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

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









High Street, Runcorn



High Street, Runcorn

Indicative Visual - View From the High Street Rev: C

4 Maria Walk, Poynton (Staff), Park Lane, Leigh, WMT 4EZ
t: 01925 270011 e: info@anwyl.co.uk www.anwyl.co.uk





1 Street Section 1
1 : 200



2 Street Section 2
1 : 200



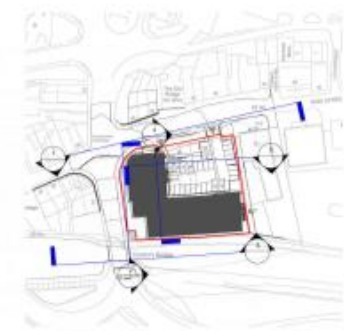
3 Street Section 3
1 : 200



4 Site Section 1
1 : 200

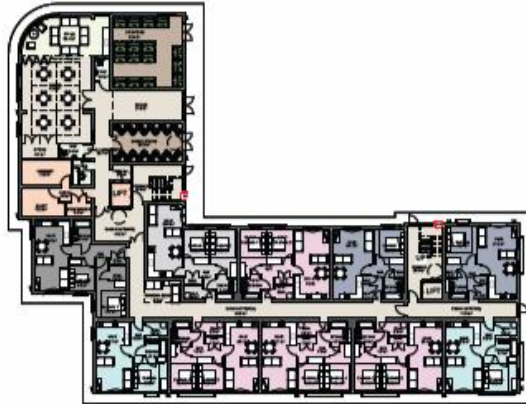


5 Site Section 2
1 : 200



6 Key
1 : 1000

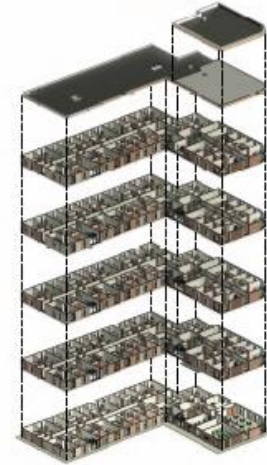




Ground Floor Plan
1:200



First / Fourth Repeated Floor Plan
1:200



3D Axonometric Projection



Roof Plan
1:200

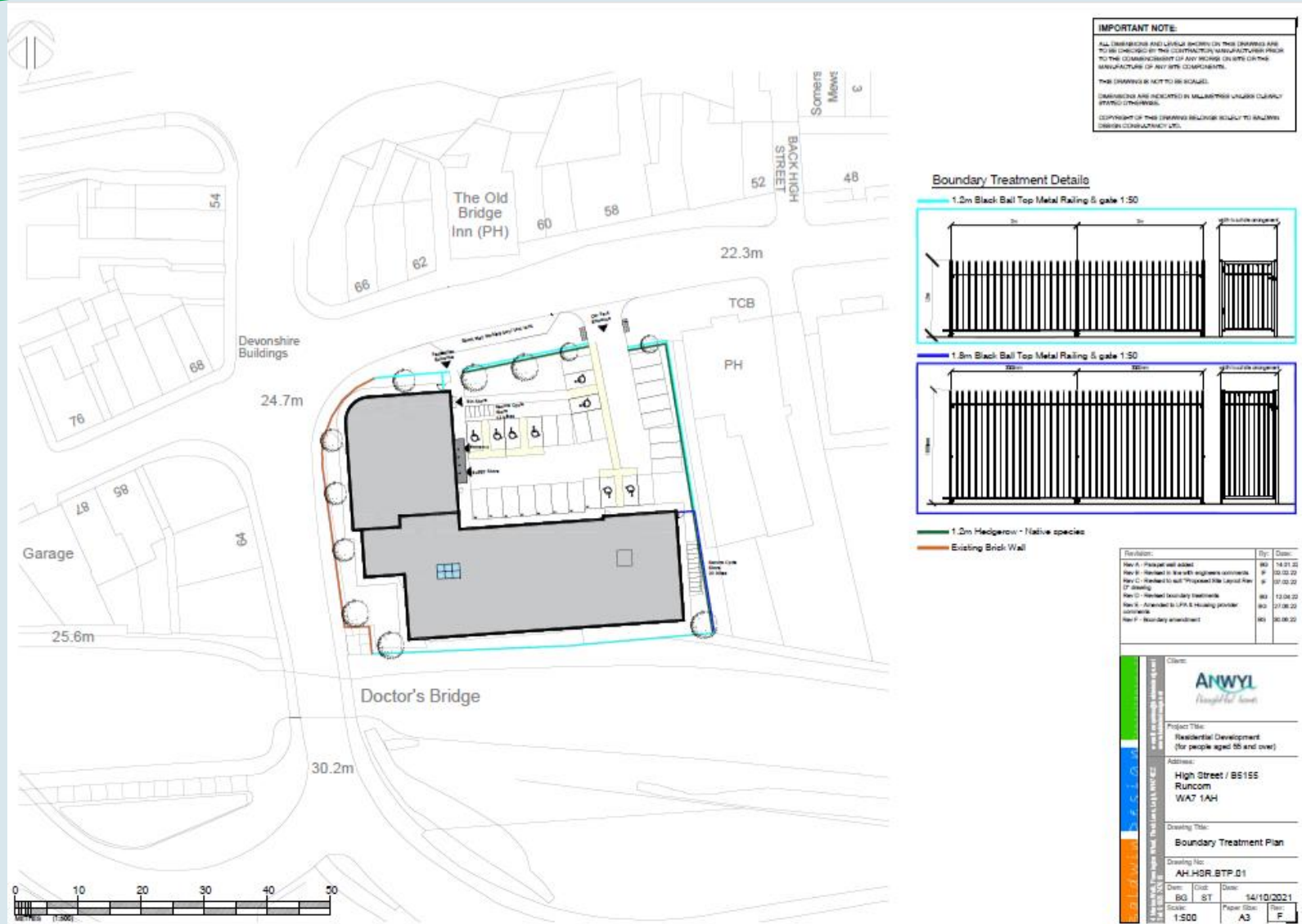


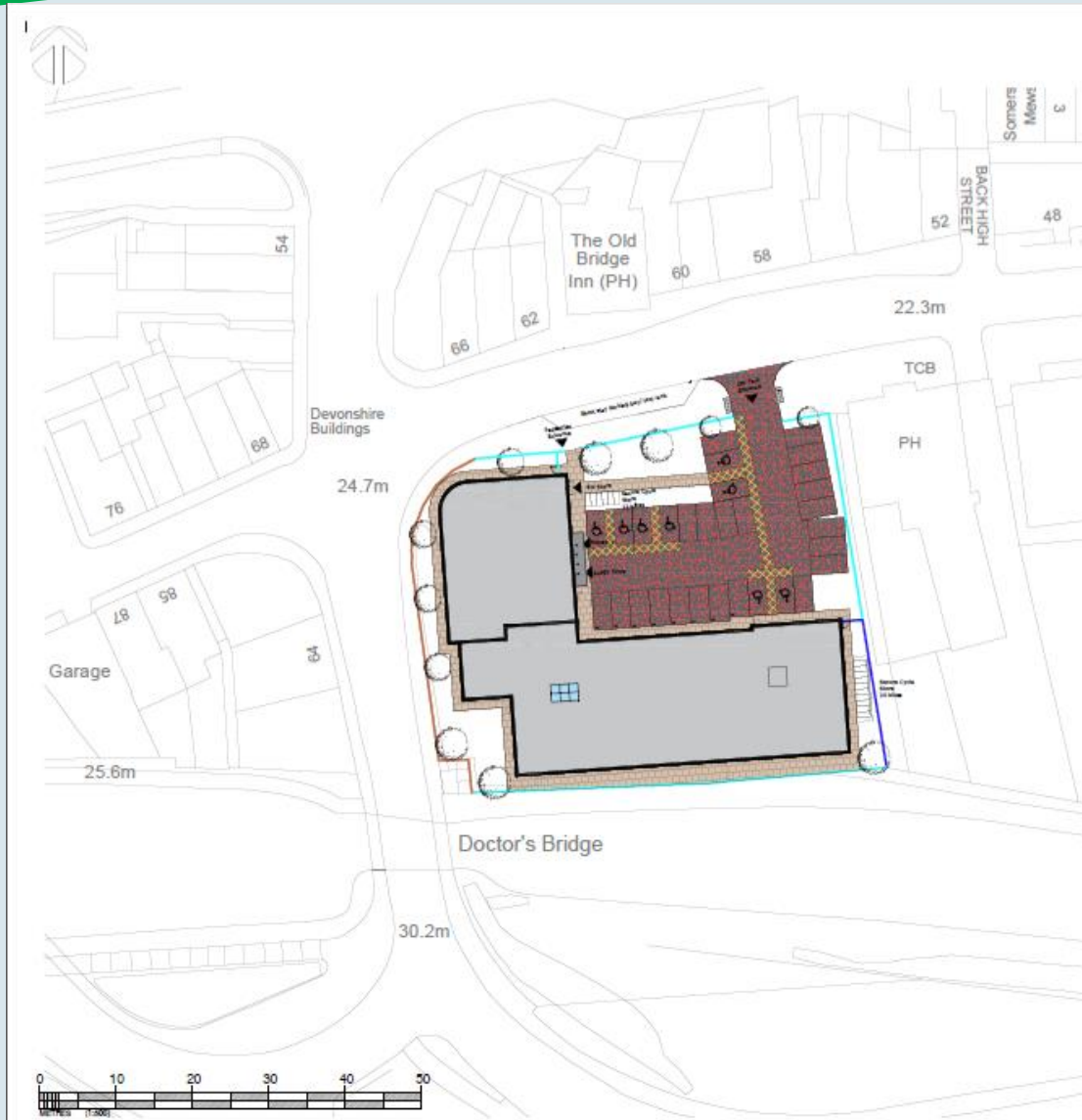
Site Plan
1:200

Apartment Type Schedule				
Name	Bed	GIA	Number	Total GIA
Type 1a	1	252.5 m ²	18	4545.0 m ²
Type 1b	1	222.5 m ²	10	2225.0 m ²
Type 1c	1	252.5 m ²	4	1010.0 m ²
Type 2	2	385.3 m ²	20	7706.0 m ²
Type 3	2	385.3 m ²	5	1926.5 m ²
Type 4	2	222.5 m ²	5	1112.5 m ²
Type 5	2	252.7 m ²	4	1010.8 m ²
ΣΣ				3200.8 m²

Project Name	10/15/03
Project Description	10/15/03
Address	10/15/03
Client	10/15/03
Project Manager	10/15/03
Project Status	10/15/03
Project Date	10/15/03
Project Location	10/15/03
Project Contact	10/15/03
Project Phone	10/15/03
Project Email	10/15/03
Project Website	10/15/03
Project Logo	10/15/03

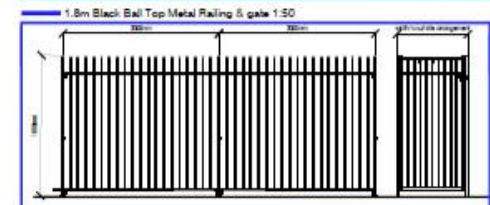






IMPORTANT NOTE:
 ALL DIMENSIONS AND LEVELS SHOWN ON THIS DRAWING ARE TO BE CHECKED BY THE CONTRACTOR/MANUFACTURER PRIOR TO THE COMMENCEMENT OF ANY WORKS TO AVOID THE MANUFACTURE OF ANY ITEM COMPROMISED.
 THIS DRAWING IS NOT TO BE SCALED.
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Boundary Treatment & Hard Landscaping Details



Existing Brick Wall



Revision:	By:	Date:
Rev 1 - Allocated to LPA & housing provider	883	27.06.22
Rev 2 - Boundary amendment	883	20.08.22

Client: **ANWYL**
Thoughtful homes

Project Title:
Residential Development
(for people aged 55 and over)

Address:
High Street / BS155
Runcom
WA7 1AH

Drawing Title:
Hard Landscaping Plan

Drawing No:
AH-HDR-HLP-01

Scale: 1:500

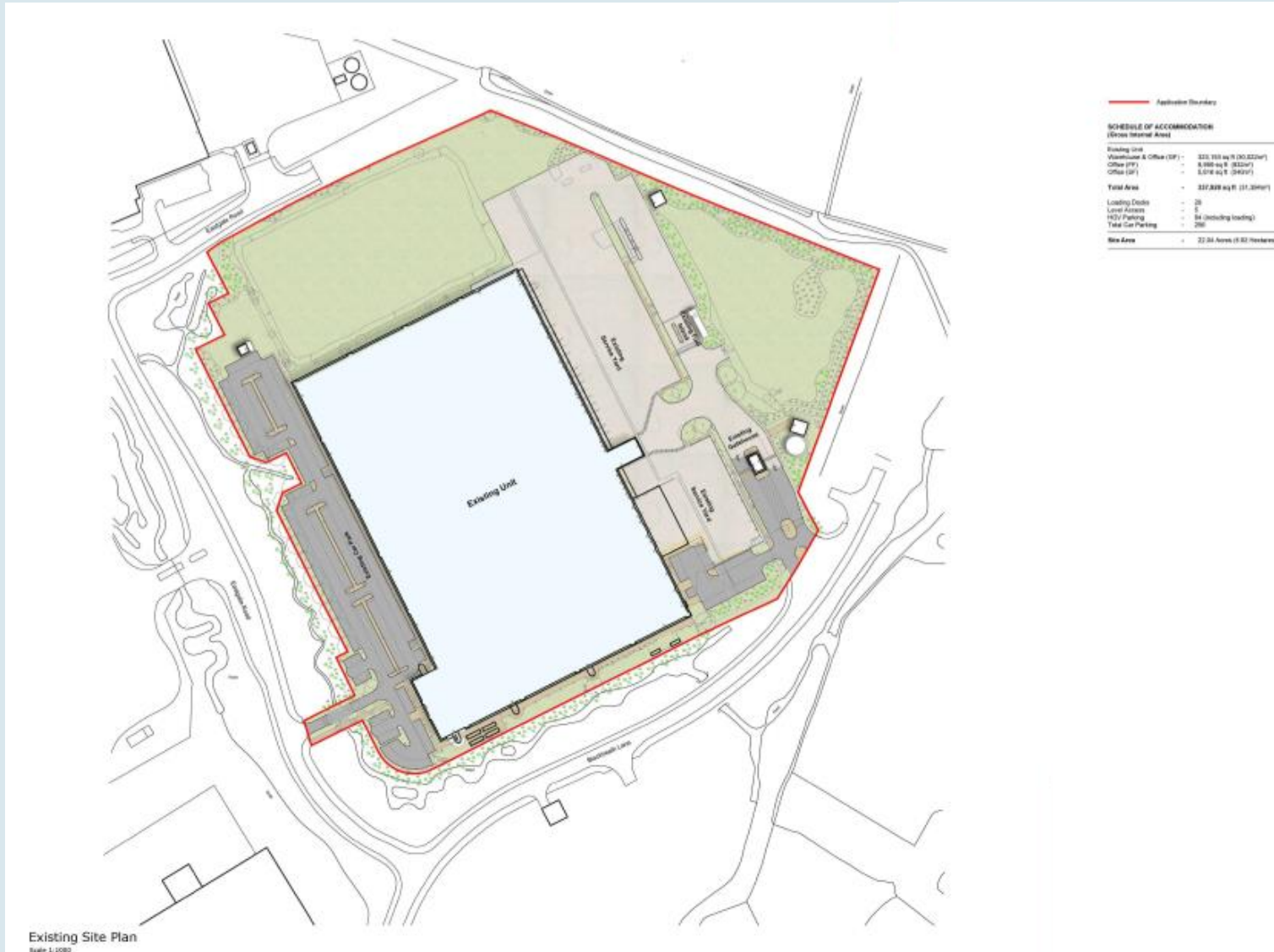
Date: 11/04/2022

Sheet: B

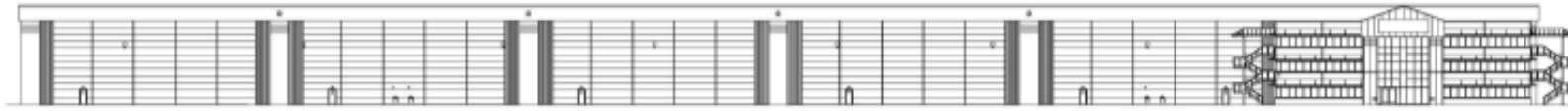








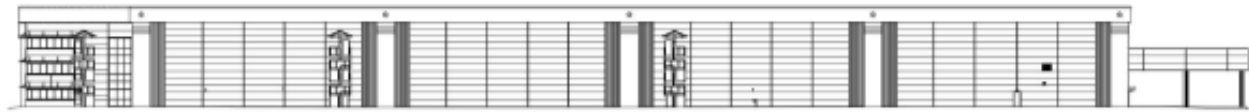




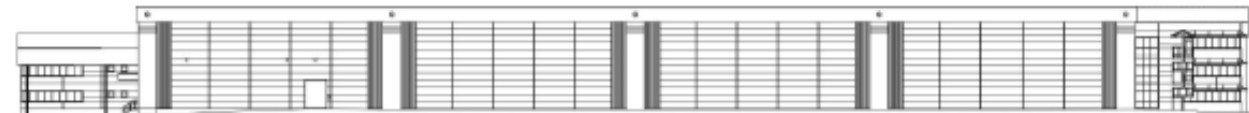
West Elevation scale 1:200



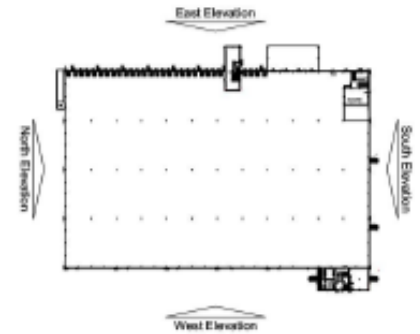
East Elevation scale 1:200



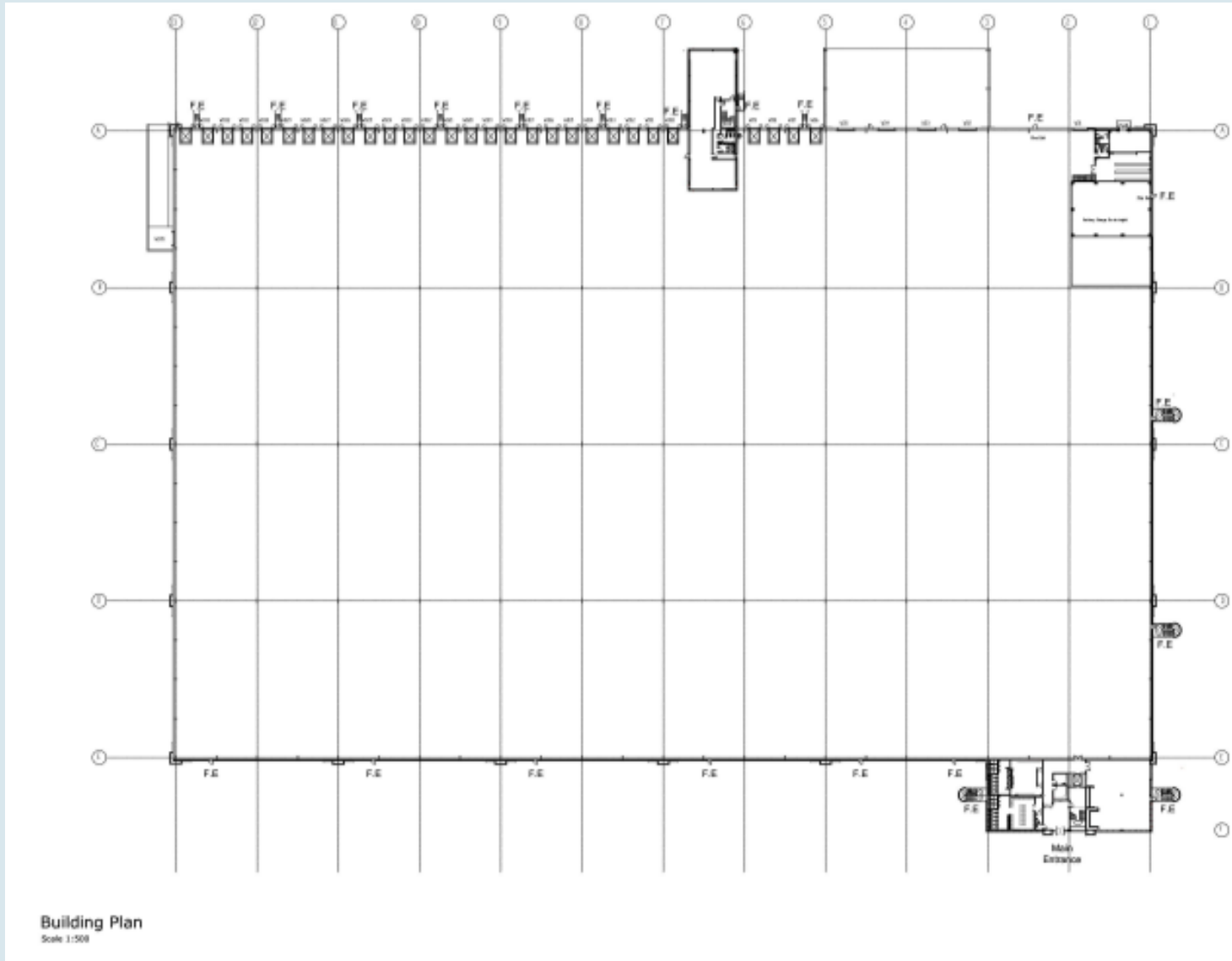
South Elevation scale 1:200

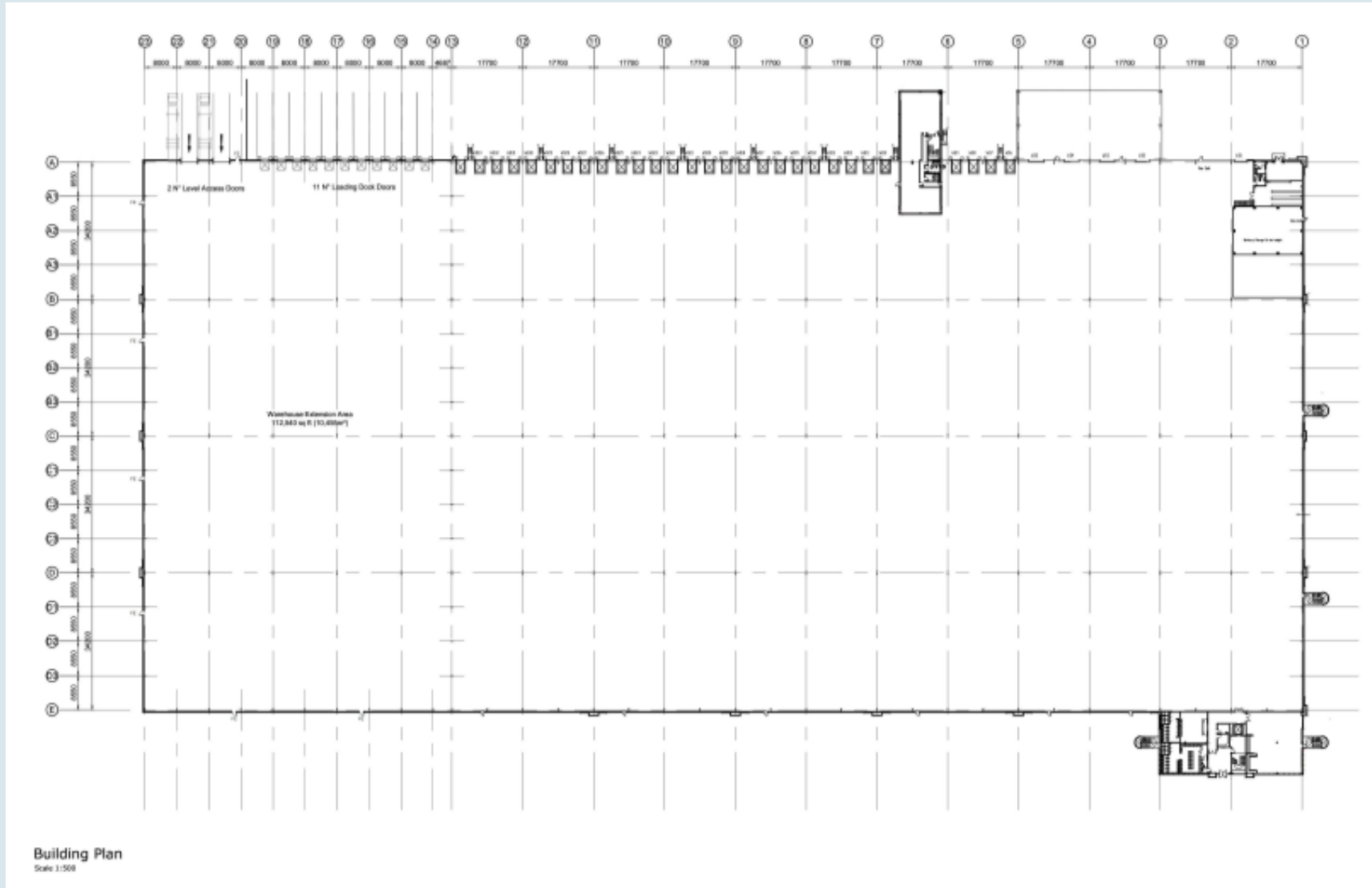


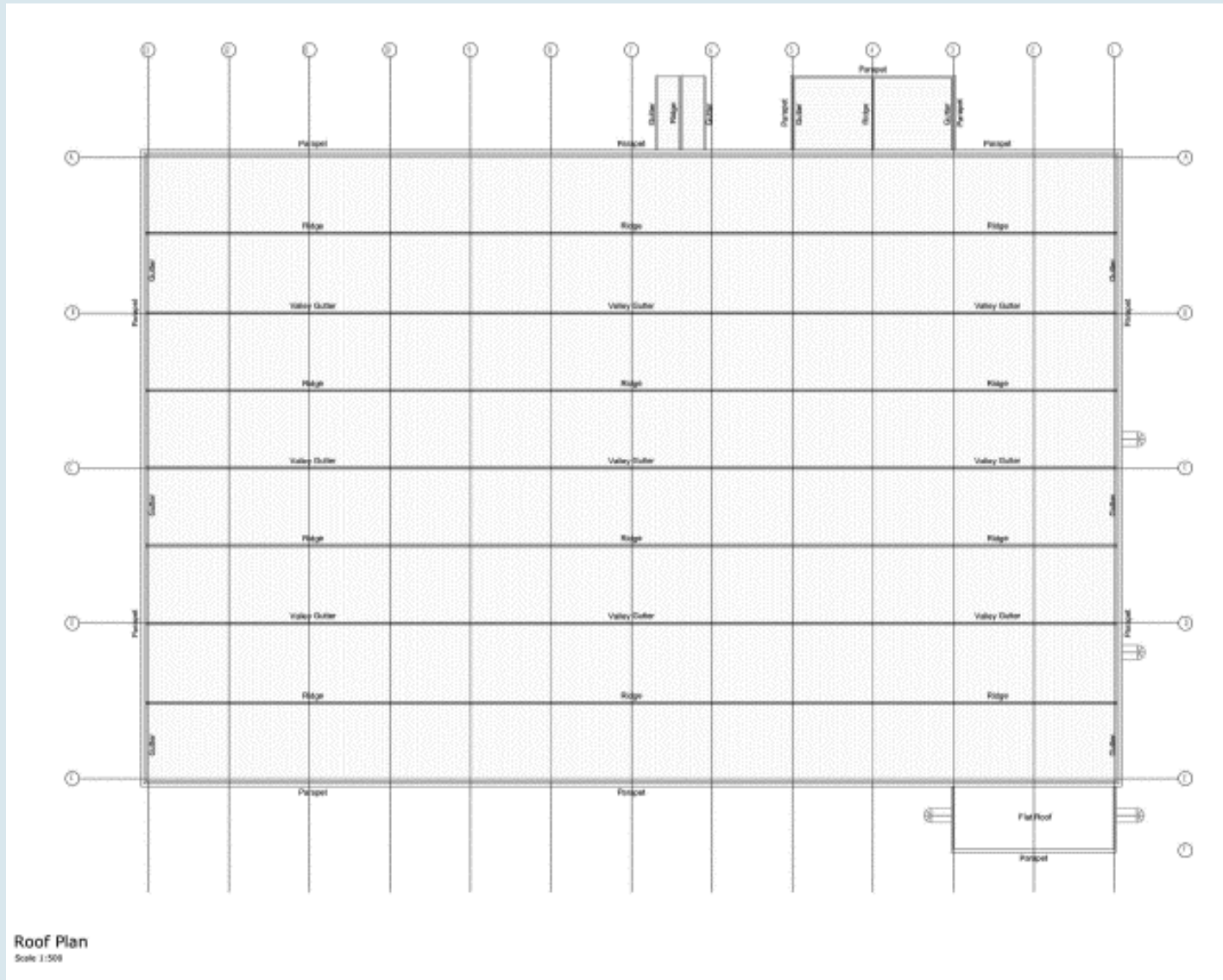
North Elevation scale 1:200

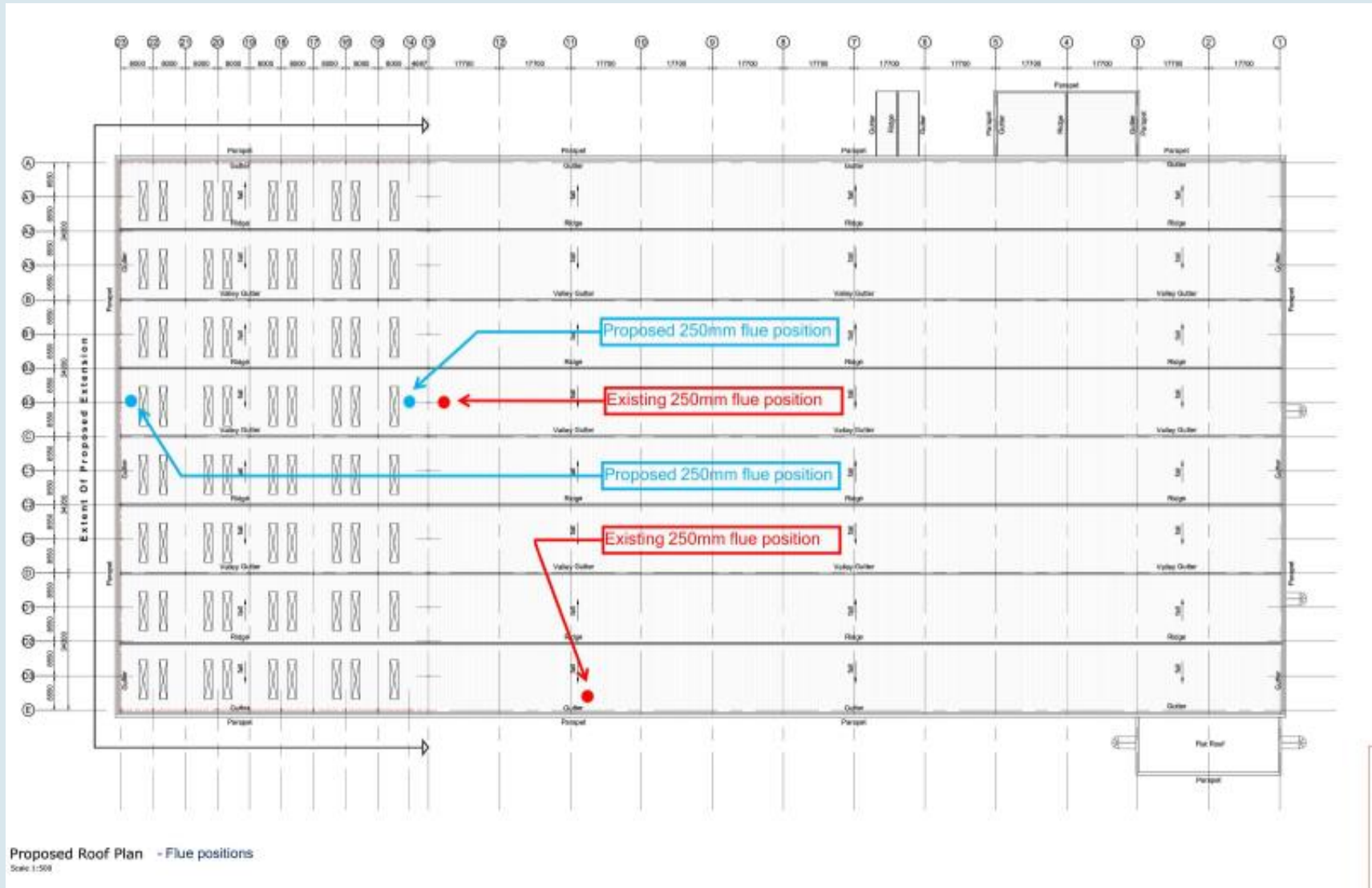




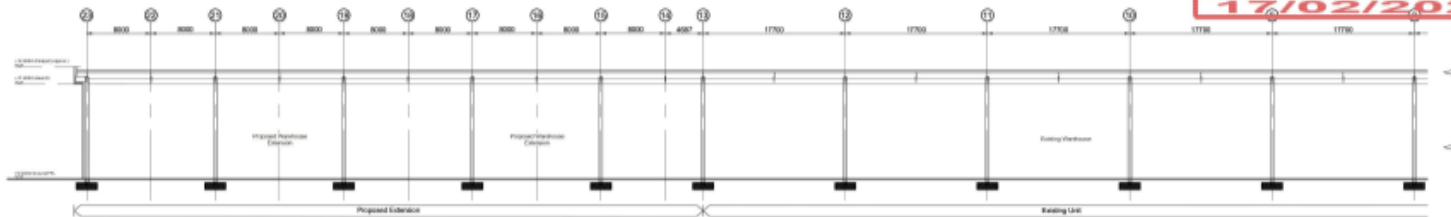




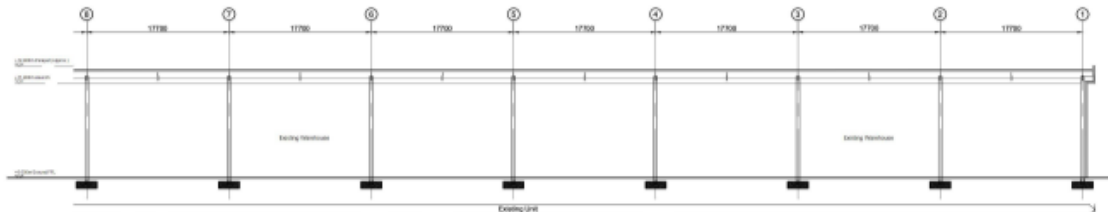




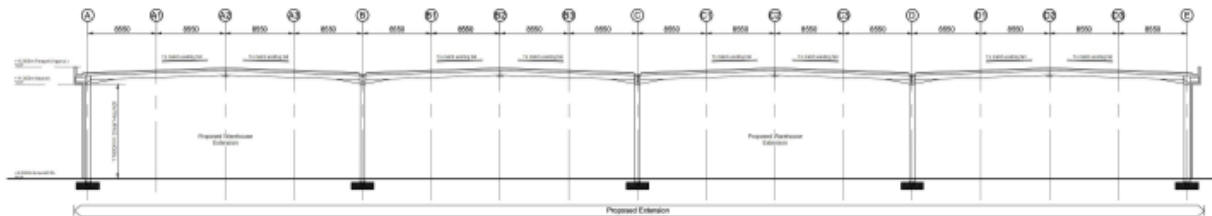
22/00260/FUL
17/02/2022



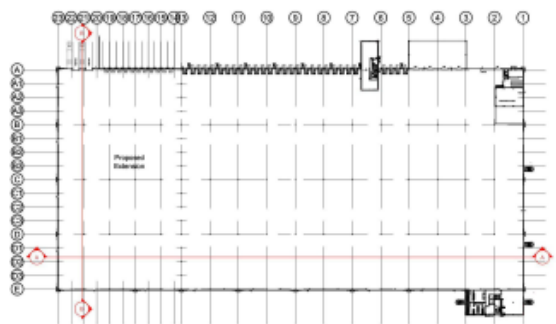
Section A-A (1 of 2) Scale 1:250



Section A-A (2 of 2) Scale 1:250

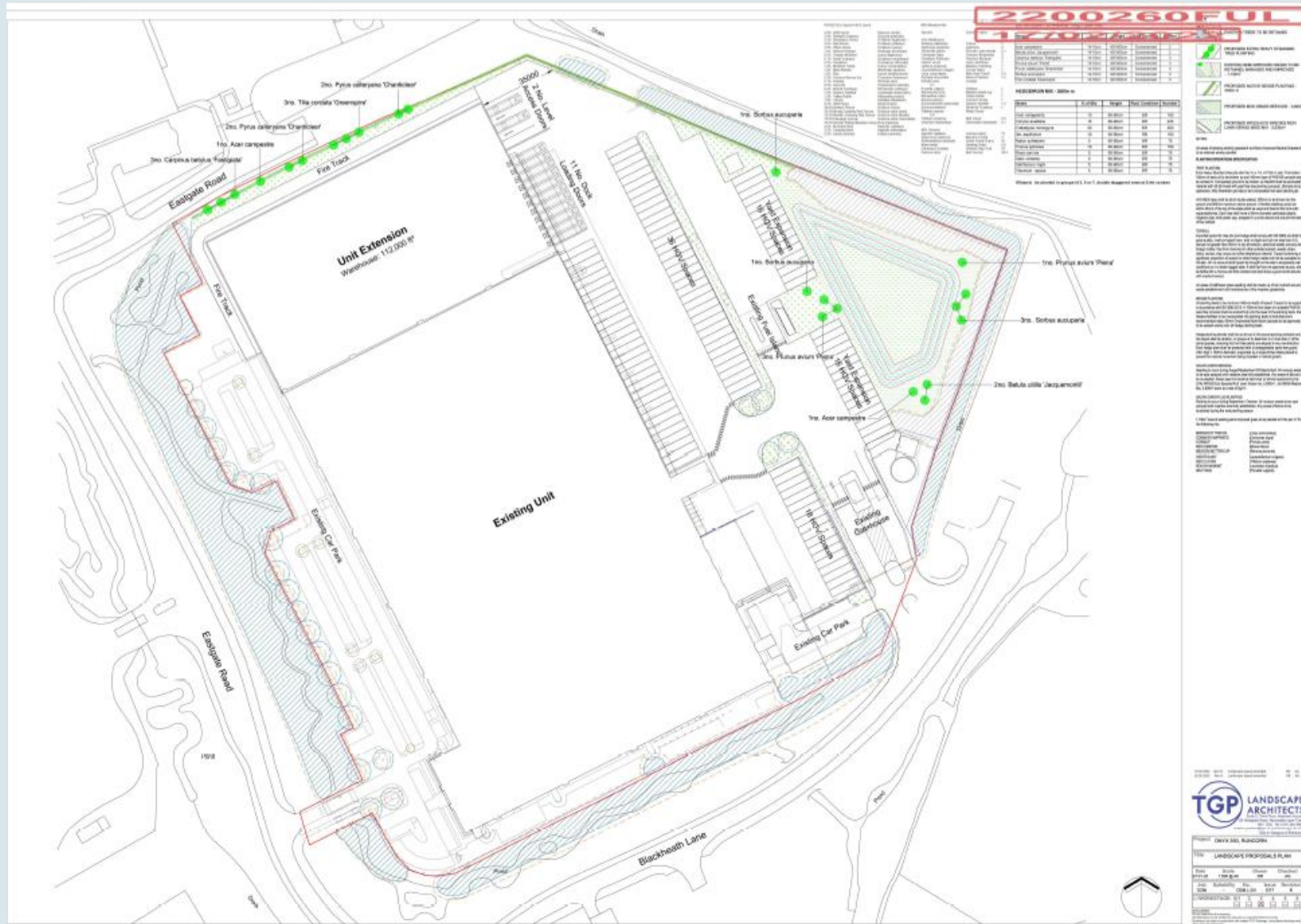


Section B-B Scale 1:250

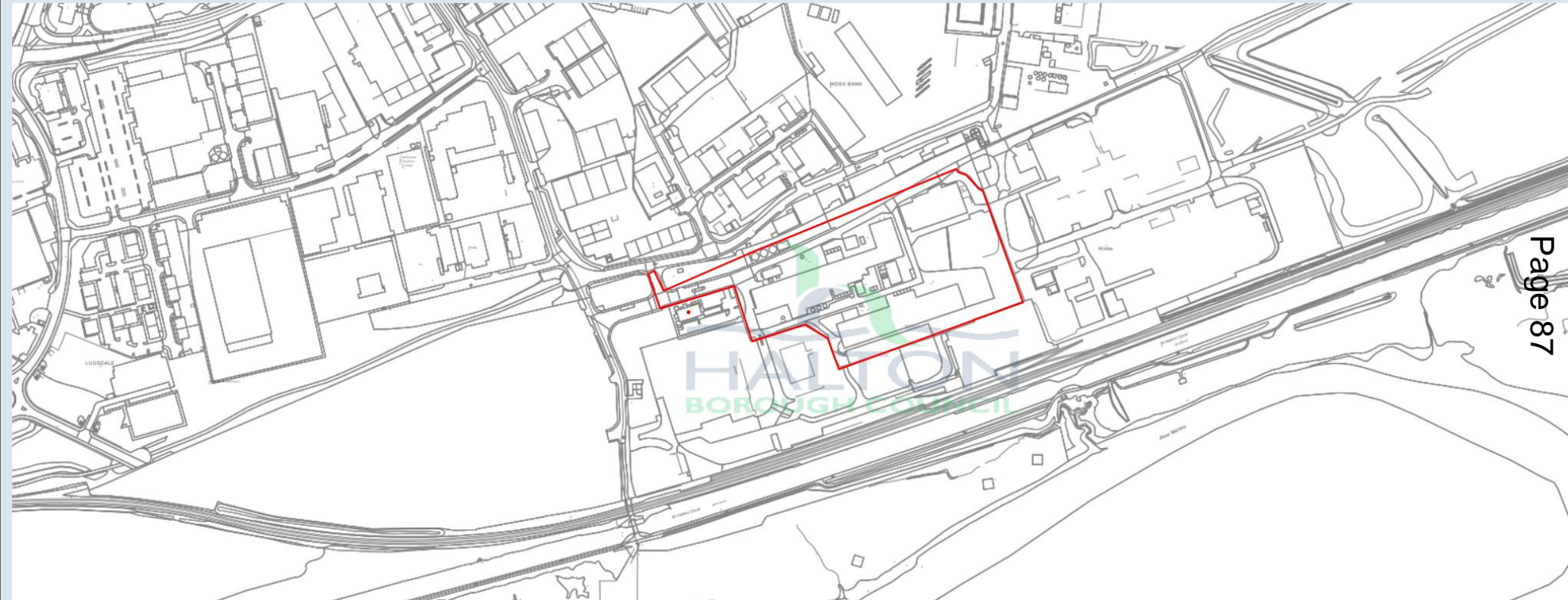


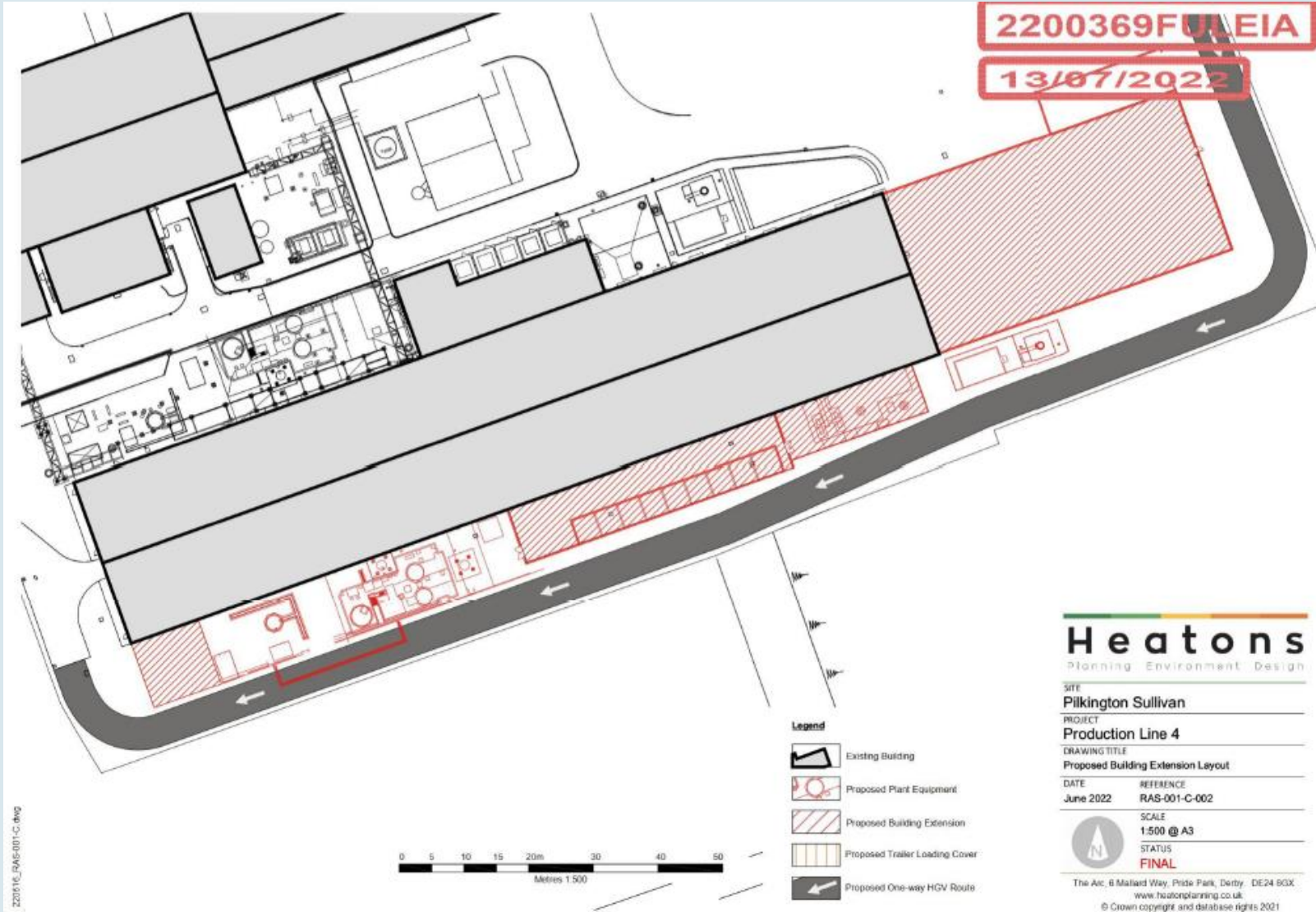
Building Plan Scale 1:1250

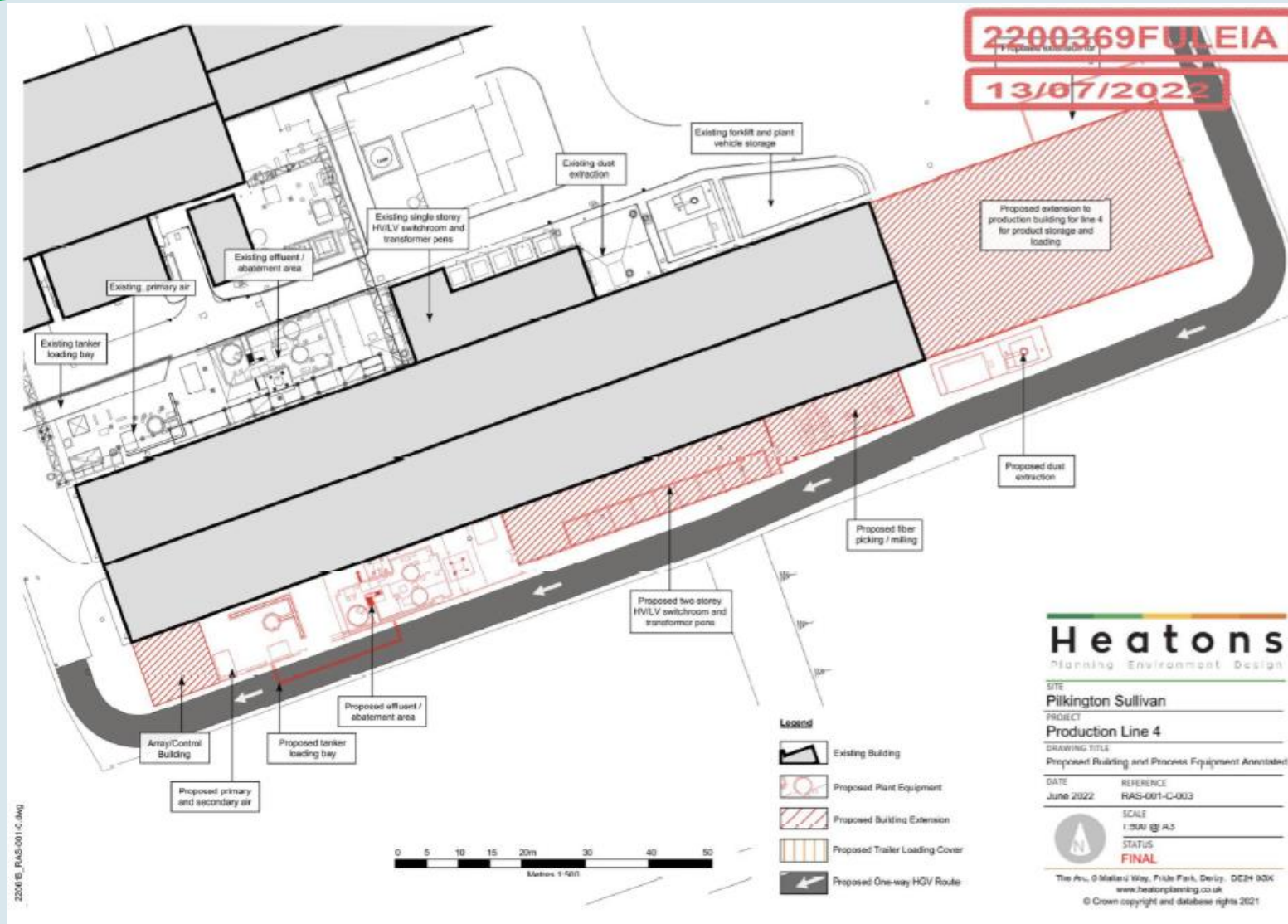


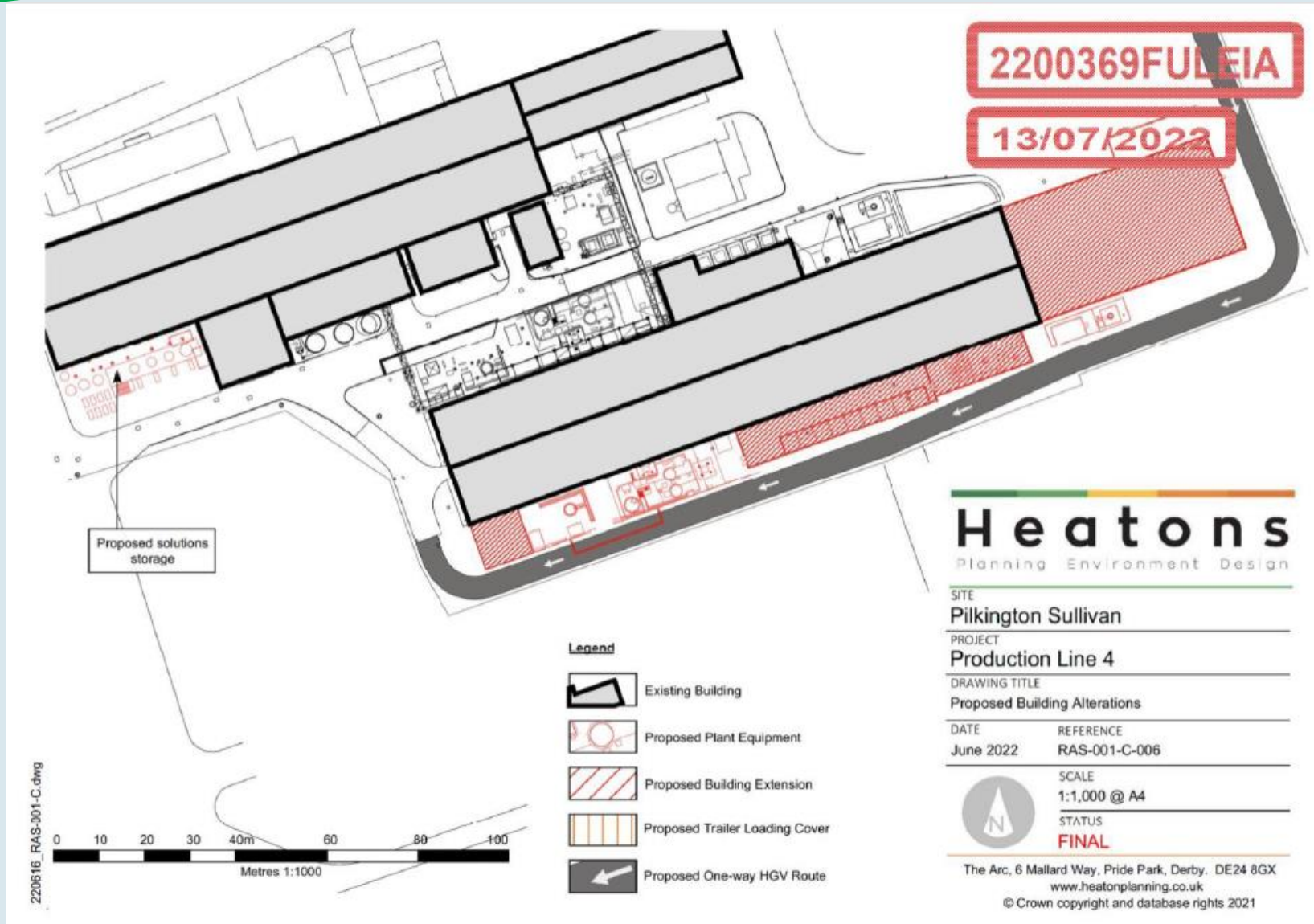


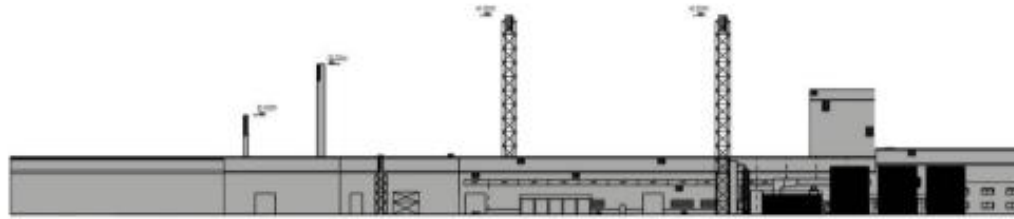








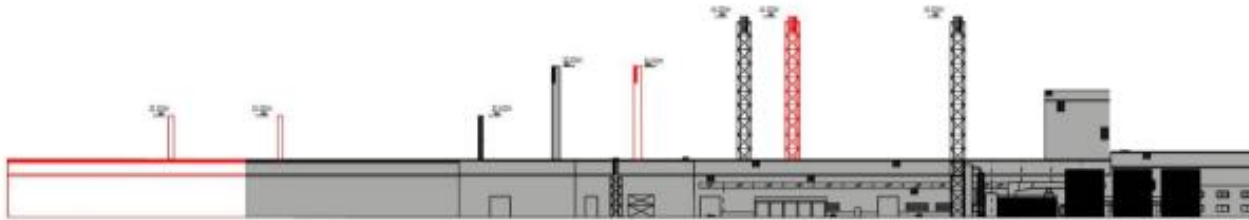




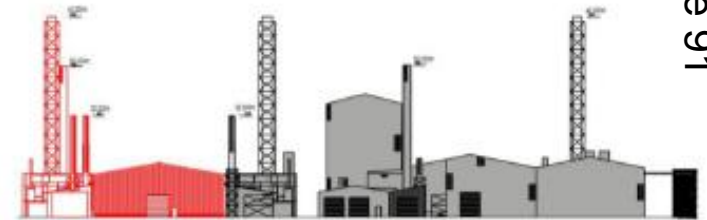
Existing Northern Elevation (Looking South from Moss Bank Road)



Existing Eastern Elevation (Looking West)





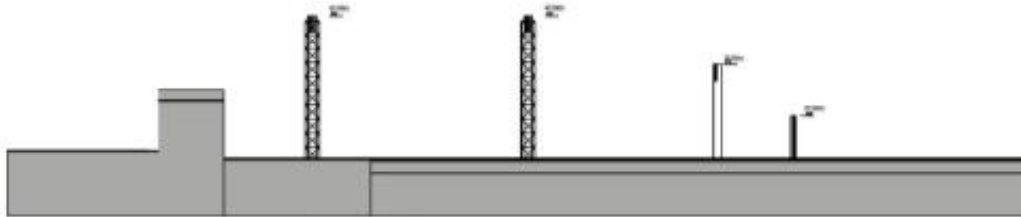
Proposed Northern Elevation (Looking South from Moss Bank Road)



Proposed Eastern Elevation (Looking West)

Legend

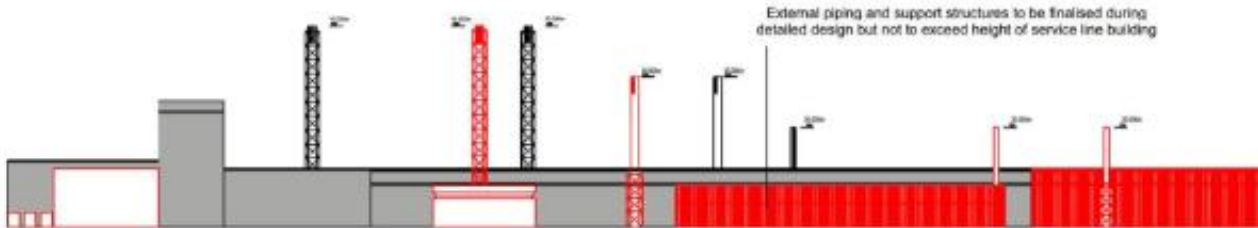
-  Existing Buildings and Associated Equipment
-  Proposed Buildings and Associated Equipment



Existing Southern Elevation (Looking North from Trans Pennine Trail along canal towpath)



Existing Western Elevation (Looking East from NCN 62 Diversion/Tan House Lane)





Proposed Southern Elevation (Looking North from Trans Pennine Trail along canal towpath)

External piping and support structures to be finalised during detailed design but not to exceed height of service line building



Proposed Western Elevation (Looking East from NCN 62 Diversion/Tan House Lane)

Legend

-  Existing Buildings and Associated Equipment
-  Proposed Buildings and Associated Equipment

