

Public Document Pack



Development Management Committee

Tuesday, 7 March 2023 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 Monday, 3 April 2023*

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

Part I

Item No.	Page No.
1. MINUTES	1 - 23
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) 22/00374/FUL - Proposed construction of 16 no. 1 bed apartments with associated amenity space, car parking, bin and cycle storage at The Croft, 1 Halton Lodge Avenue, Runcorn, WA7 5YQ	24 - 36
(B) 22/00548/FUL - Proposed erection of single storey warehouse at Croda Europe Ltd, Foundry Lane, Widnes, WA8 8UB	37 - 45
(C) PLANS	46 - 62
4. MISCELLANEOUS ITEMS	63 - 64

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 Tuesday, 6 December 2022 at the Civic Suite - Town Hall, Runcorn

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

Apologies for Absence: Councillors Abbott and Hutchinson

Absence declared on Council business: None

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

Also in attendance: 6 members of the public and one member of the press

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

	<i>Action</i>
DEV26 MINUTES	
<p>The Minutes of the meeting held on 7 November 2022, having been circulated, were taken as read and signed as a correct record.</p>	
DEV27 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p>	
DEV28 22/00152/FULEIA - PROPOSED STORAGE AND DISTRIBUTION UNIT (B8 USE) WITH ANCILLARY OFFICERS (E(G)(I) USE), ELECTRICITY SUBSTATION, TWO SECURITY GATEHOUSES, VEHICLE WASH, HIGHWAYS INFRASTRUCTURE INCLUDING ACCESSES, CAR PARKING, SERVICE AND DELIVERY AREAS AND ASSOCIATED OTHER WORKS INCLUDING GROUND WORKS, DRAINAGE AND LANDSCAPING ON LAND OFF LOVELS WAY, HALEBANK, WIDNES	
<p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p>	

It was reported that one additional condition was suggested, as presented on page one of the published AB Update List, to appropriately secure the planning obligations in relation to the proposed development, in addition to those outlined in full in the report (this has been added to the list of conditions below as number 35).

In addition, further observations from the Council's Ecological Advisor relating to priority habitats were noted (pages 2 and 3). A document containing habitat creation principles had since been submitted to the Council and confirmed by the Council's Ecological Advisor as being acceptable. This document would now be added to plans and supporting documentation list in condition number two.

Clarifications to several paragraphs of the report, described on page 4 of the AB Update List, were noted.

Ms Landor, a planning consultant who represented Halebank Parish Council (HBPC), addressed the Committee. She recognised that revisions had been made to the scheme following consultation with HBPC, however they remained opposed to two aspects of the application as follows:

- The noise that would be generated from a 24/7 operation of docking bays for HGV's; and
- The height of the building, this was excessive in relation to the adjacent residential properties and Conservation Area.

She suggested that the first objection could be resolved with a planning condition. Comparisons were made on the height of the building with the Alstom site, which was lower. She also questioned that without an end user being identified, there was no business case for the height and proposed operational hours of the building.

To conclude she argued that without changes to address the above two objections, the application was contrary to the Development Plan and requested that a decision be deferred until appropriate conditions could be agreed.

The Committee was addressed by Ms Bell, the Planning Agent for the applicant. She gave examples of previous high quality developments they had completed across the North of England, including Manor Park and Daresbury in Runcorn. She advised, *inter alia*, that:

- The application was the culmination of 18 months' engagement with the Council and local community;
- Local communities, the Council and other stakeholders had provided meaningful feedback;
- This feedback had resulted in a series of design amendments to the scheme;
- After the initial consultations a further 3 rounds of consultation had taken place with the local community upon submission of the application during the determination period, and the views of the community had helped shape the development;
- The building height has been reduced to 18m;
- The secondary access road has been removed;
- The plant to the North of the building had been relocated to reduce noise;
- No technical objections had been received from statutory consultees (other than HBPC);
- A noise management plan condition was attached to the application;
- The scheme benefits from £65m worth of investment with 600 jobs being created during construction and 500 being created once the site was in operation; and
- The building would be sustainable and was predicted to achieve a BREEAM Excellent Design award.

In conclusion, Ms Bell stated that the application provides a significant commitment to the economy in Halton and the local community through the creation of jobs and direct investments that would follow.

Further to Members questions, the following was clarified:

- the operating times of the site without the identification of an end user – it was commented that this was not relevant as a noise assessment had been done based on 24 hours of operation 7 days a week and this was deemed acceptable;
- access to the site was via Speke Road/Knowsley Expressway; and
- there were 480 parking spaces on the site and the future end user can offer/encourage employees to use alternative sustainable ways of getting to work other than driving, such as cycling and walking, making use of Halebank Park.

Members' discussed the application taking into consideration the comments made by the speakers and the responses provided by Officers in relation to questions raised. The Committee agreed that the application be approved in line with the recommendation.

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

- a) entering a legal agreement under Section 111 of the Local Government Act 1972 requiring Commercial Development Projects Ltd to enter into an agreement under Section 106 of the Town and Country Planning Act 1990, with the Council when it has acquired an interest in the relevant land relating to:

Financial Contributions

Off-site signage - £105,837.21

Cycle and bus route improvements - £49,871.62

Skylark Field Commuted Sum - £2,746.79

Habitat Creation Commuted Sum (for use on sites in the ownership of others such as Local Authority/Cheshire Wildlife Trust/Mersey Gateway) - £200,000.00.

Other Obligations

Pond/reedbed creation on sites within the ownership of the applicant (provisional sites have been identified at Daresbury and Manor Park); along with the submission of appropriate Biodiversity Management Plans.

- b) conditions relating to the following:

1. The development must be begun within 3 years of the date of this decision notice.

Reason – Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following application drawings:

PLANS

Planning Location Plan - M2999-P105 Rev C

Site Layout - M3179-100-1 Rev E

Sub-station Details - M2999-P106
Gatehouse Island Details - M2999-P107 Rev A

Vehicle Wash - M2999-P108
Sprinkler Tank Pump House – M2999-P109
Planning Condition Plan – 01 – M2999-P111
Planning Condition Plan – 02 – M2999-P112
Proposed Services Plan - 3179-102 Rev D
Fencing Layout Plan - M3179-104 Rev C
Proposed Access Arrangement - 80191-CUR-00-
XX-DR-TP-75001-P08
Detailed Planting Plans - DR-5864-02.01 Rev A
Detailed Planting Plans - DR-5864-02.02 Rev A
Detailed Planting Plans - DR-5864-02.03 Rev A
Landscape Masterplan - DR-5864-02.04 Rev A
Tree Product Packages - GBU-STANDARD-3102
rev C
Tree Product Packages - GBU-STANDARD-3103
rev C
Tree Product Packages - GBU-STANDARD-3106
rev C
Electrical Services External Lighting Calculations -
M2999-AFC-SW-XX-DR-E P05
Floor Layout Plan - M2999-200
Office Layout Plans - M2999-201
Roof Plan - M2999-202
Elevations - M2999-301 Rev A
Swept Path Analysis 16.5m Articulated HGV -
80191-CUR-00XX-DR-TP-05001-P09
Bird and Bat Box Plan – ER-5864-09.2

REPORTS

Construction Environmental Management Plan -
September 2022
BREEAM New Construction 2018 Pre-
Assessment Report - 11 February 2022
Statement of Community Involvement - March
2022
Health Impact Assessment Review - 25 July 2022
External Lighting Strategy – Received 09.08.2022
Arboricultural Impact Assessment – AR-5864-01
January 2022 Revised October 2022
Design and Access Statement

ENVIRONMENTAL STATEMENT (MARCH 2022)

Volume 1 NTS - March 2022
Volume 2: Main Text – Chapter 1: Introduction -
March 2022

Volume 2: Main Text – Chapter 2: Approach -
March 2022

Volume 2: Main Text – Chapter 3: Site Description
- March 2022

Volume 2: Main Text – Chapter 4: Alternatives -
March 2022

Volume 2: Main Text – Chapter 5: The Proposed
Development - March 2022

Volume 2: Main Text – Chapter 6: Landscape and
Visual - March 2022

Volume 2: Main Text – Chapter 8: Archaeology
and Heritage - March 2022

Volume 2: Main Text – Chapter 9: Ground
Conditions - March 2022

Volume 2: Main Text – Chapter 11: Transport and
Access - March 2022

Volume 2: Main Text – Chapter 12: Air Quality -
March 2022

Volume 2: Main Text – Chapter 13: Noise and
Vibration - March 2022

Volume 2: Main Text – Chapter 14: Climate
Change - March 2022

Volume 2: Main Text – Chapter 15: Cumulative
Effects - March 2022

Volume 2: Main Text – Chapter 16: Summary of
Mitigation and Residual Effects – March 2022

Volume 3: Appendices - Appendix 2.1: EIA
Scoping Report - November 2021

Volume 3: Appendices - Appendix 2.2: EIA
Scoping Opinion - 21 December 2021

Volume 3: Appendices - Appendix 6.1: LVA
Methodology Summary and Criteria Tables

Volume 3: Appendices - Appendix 6.2: Landscape
Character Area Extracts

Volume 3: Appendices - Appendix 6.3: SPD
Extracts

Volume 3: Appendices - Appendix 6.4: Landscape
Character Assessment Table

Volume 3: Appendices - Appendix 6.5: Visual
Assessment Table

Volume 3: Appendices - Appendix 7.5: Alstom
Ecology Chapter Part 1 - November 2015

Volume 3: Appendices - Appendix 7.6: Alstom
Phase 1 Survey Update - June 2014

Volume 3: Appendices - Appendix 7.7: Alstom
Aquatic Invertebrates - May 2014

Volume 3: Appendices - Appendix 7.8: Alstom
Barn Owl and Bat Activity - October 2010

Volume 3: Appendices - Appendix 7.9: GCN
Survey 2014 - June 2014

Volume 3: Appendices - Appendix 7.10: GCN Survey Report 2016 - April 2016

Volume 3: Appendices - Appendix 7.11: Japanese Knotweed Survey - February 2016

Volume 3: Appendices - Appendix 8.1: Historic Environment - February 2022

Volume 3: Appendices - Appendix 9.1: Geo-Environmental Desk Study - June 2011

Volume 3: Appendices - Appendix 9.2: Phase 1 Environmental Assessment – October 2015

Volume 3: Appendices - Appendix 9.3: July 2011 Land Contamination ES Chapter - July 2011

Volume 3: Appendices - Appendix 9.4: Geo-environmental Desk Study - 5862-JPG-XX-XX-RP-G-0601-S2-P02 – January 2022

Volume 3: Appendices - Appendix 9.5: Preliminary Logs - 21 July 2011

Volume 3: Appendices - Appendix 9.6: RSA Lab Analysis - 13 July 2011

Volume 3: Appendices - Appendix 9.7: Exploratory Hole Location Plan - 30467-02-F1 – July 2011

Volume 3: Appendices - Appendix 9.8: Exceedance Plan Soils - 30467-02-F2 – July 2011

Volume 3: Appendices - Appendix 9.9: Exceedance Plan Leachate - 30467-02-F3 – July 2011

Volume 3: Appendices - Appendix 11.1: Transport Assessment - 80191-CUR-XX-XX-T-TP-00001-P02 – 2 February 2022

Volume 3: Appendices - Appendix 11.2: Travel Plan - 80191-CUR-XX-XX-T-TP-00002-P02 – 2 February 2022

Volume 3: Appendices - Appendix 12.1: Air Quality Assessment Glossary

Volume 3: Appendices - Appendix 12.2: Air Quality Construction Phase Dust Assessment

Volume 3: Appendices - Appendix 12.3: Air Quality Traffic Data Used in the Assessment

Volume 3: Appendices - Appendix 12.4: Wind Rose

Volume 3: Appendices - Appendix 12.5: Air Quality Model Verification

Volume 3: Appendices - Appendix 14.1: Steps Involved in Assessing Climate Change

Volume 3: Appendices - Appendix 14.2: Steps Involved in Assessing GHG Emissions

Volume 3: Appendices - Appendix 14.3: Results of Carbon Modelling

ENVIRONMENTAL STATEMENT ADDENDUM
(AUGUST 2022)

Volume 1 NTS - August 2022

Volume 2: Main Text - Chapter 1: Introduction -
August 2022

Volume 2: Main Text - Chapter 2: Approach -
August 2022

Volume 2: Main Text - Chapter 3: Site Description
- August 2022

Volume 2: Main Text - Chapter 4: Alternatives -
August 2022

Volume 2: Main Text - Chapter 5: The Proposed
Development - August 2022

Volume 2: Main Text - Chapter 6: Landscape and
Visual - August 2022

Volume 2: Main Text - Chapter 7: Ecology -
August 2022 – Supersedes March 2022 ES

Volume 2: Main Text - Chapter 8: Archaeology
and Heritage - August 2022

Volume 2: Main Text - Chapter 9: Ground
Conditions - August 2022

Volume 2: Main Text - Chapter 10: Drainage and
Flood Risk - August 2022 – Supersedes March
2022 ES

Volume 2: Main Text - Chapter 11: Transport and
Access - August 2022

Volume 2: Main Text - Chapter 12: Air Quality -
August 2022

Volume 2: Main Text - Chapter 13: Noise and
Vibration - August 2022

Volume 2: Main Text - Chapter 14: Climate
Change - August 2022

Volume 2: Main Text - Chapter 15: Cumulative
Effects - August 2022

Volume 2: Main Text - Chapter 16: Summary of
Mitigation and Residual Effects - August 2022

Volume 3: Appendices - Appendix 0.1:
Consultation Responses

Volume 3: Appendices - Appendix 6.6:
Photomontages - August 2022

Volume 3: Appendices - Appendix 6.7: Landscape
and Visual Response Letter - 3 August 2022

Volume 3: Appendices - Appendix 7.1a:
Preliminary Ecological Appraisal - ER-5864-02.3 –
25 January 2022

Volume 3: Appendices - Appendix 7.2a:
Ornithological Survey - ER-5864-01.1 – December
2021

Volume 3: Appendices - Appendix 7.5: Alstom

Ecology Chapter Part 1 - November 2015
Volume 3: Appendices - Appendix 7.6: Alstom
Phase 1 Survey Update - June 2014
Volume 3: Appendices - Appendix 7.7: Alstom
Aquatic Invertebrates - May 2014
Volume 3: Appendices - Appendix 7.8: Alstom
Barn Owl and Bat Activity - October 2010
Volume 3: Appendices - Appendix 7.9: GCN
Survey 2014 - June 2014
Volume 3: Appendices - Appendix 7.10: GCN
Survey Report 2016 - April 2016
Volume 3: Appendices - Appendix 7.11: Japanese
Knotweed Survey - February 2016
Volume 3: Appendices - Appendix 7.13: Breeding
Bird Survey
Volume 3: Appendices - Appendix 7.14: GCN
eDNA Survey
Volume 3: Appendices - Appendix 7.15: Reptile
Survey
Volume 3: Appendices - Appendix 10.2: Drainage
Impact Assessment - 5862-JPG-XX-XX-RP-D-
0622-S2-P02 – June 2022
Volume 3: Appendices - Appendix 10.3: Drainage
Maintenance and Management Report - 5862-
JPG-XX-XX-RP-D-0623-S2-P01 – July 2022
Volume 3: Appendices - Appendix 11.3: Transport
Response Letter - 80191-CUR-XX-XX-T-TP-
00004-P01 – 18 July 2022
Volume 3: Appendices - Appendix 13.1: Noise and
Vibration Response Letter - 50-462-R1-4 – 19 July
2022

SUPPLEMENTARY SUBMISSION (OCTOBER
2022)

Ecology Construction Environmental Management
Plan - ER-5864-08.1
Remediation Strategy - 5862-JPG-XX-XX-RP-G-
0605-S2-P04 – 17.10.2022.
Factual Report on Geo-environmental Ground
Investigation - 5862-JPG-XX-XX-RP-G-0603-
S2-P02 – 30.09.2022
Geo-environmental Ground Investigation
Interpretative Report -5862-JPG-XX-XX-RP-G-
0604-S2-P02 – 29.09.2022
Habitat Regulations Assessment No ER-5864-
03.8– 31.01.2022 – Revised 25.11.2022
Appendix 7.4b: BNG Assessment - ER-5864-04.4
– 16 March 2022
Landscape and Ecology Management Plan – ER-

5864-10 – 03.10.2022.

Appendix 7.16a: Bat Activity Survey - ER-5864-06.3 – 12.07.2022 – Revised 03.10.2022

Flood Risk Assessment and Drainage Strategy - 5862-JPG-XX-XX-RP-G-0620-S2-P05 – January 2022 – Revised 12.10.2022

ES Addendum Letter - 30 September 2022

Reason - For the avoidance of doubt.

3. The development hereby permitted shall be carried out in accordance with the proposed site levels and finished floor levels as shown on the plans detailed below:

JPG - Proposed Levels – Scale 1:1250 – 5862-JPG-ZZ-ZZ-DR-C-1201 S4 P05 – Date 21.07.22 (Contained within Flood Risk Assessment and Drainage Strategy - 5862-JPG-XX-XX-RP-G-0620-S2-P05 – January 2022 – Revised 12.10.2022)

Reason: to ensure that the development is carried out satisfactorily, in accordance with Policy GR1 of the Halton Delivery and Allocations Local Plan.

4. The development shall be carried out in accordance with the Construction Environmental Management Plan, detailed below throughout the construction phase:

Marshall Construction Group – Construction Environmental Management Plan – September 2022 – received 30.09.22.

Reason – to allow the Local Planning Authority to ensure that sufficient regard is given to minimising potential impacts on neighbours and the environment in accordance with Policies CS23, HE1, HE7, HE8 and HE9 of the Halton Delivery and Allocations Local Plan.

5. The development shall be carried out in accordance with the Landscape and Ecological Management Plan detailed below including monitoring and management as set out:

Brooks Ecological – Landscape and Ecological Management Plan HBC Fields – Report Reference ER-5864-10 – date 03.10.22 – received 03.10.22.

Reason – in order to ensure appropriate landscape and ecological management in accordance with Policies CS(R)20 and HE1 of the Halton Delivery and Allocations Local Plan.

6. The development shall be carried out in accordance with the Ecology Construction Environmental Management Plan detailed below throughout the construction phase:

Brooks Ecological – Ecology Construction Environmental Management Plan – Report Reference ER-5864-08.1 – date 12.09.2022, revised 15.09.2022 – received 30.09.2022.

Reason: in the interests of ensuring appropriate protection for ecology, in accordance with Policies CS(R)20 and HE1 of the Halton Delivery and Allocations Local Plan.

7. The bat and bird box plan detailed below shall be implemented prior to the first occupation of the proposed development and be maintained thereafter.

Brooks Ecological – Bird and Bat Box Plan – Report Reference ER-5864-09.02 – date 12.09.2011 revised 03.10.2022 – received 03.10.2022.

Reason – in the interests of ensuring appropriate mitigation for ecology, in accordance with Policies CS(R)20 and HE1 of the Halton Delivery and Allocations Local Plan.

8. The lighting scheme detailed below shall be implemented prior to the first occupation of the proposed development and be maintained thereafter.

Lighting Project Solutions – New Industrial Development HBC Fields, Widnes – External Lighting Strategy – received 09.08.2022.

Reason: in the interests of ensuring appropriate protection for neighbours and ecology, in accordance with Policies CS(R)20, HE1 and HE7 of the Halton Delivery and Allocations Local Plan.

9. No above ground works shall take place until a

scheme detailing precise finishes of hard landscaping has been submitted to and approved in writing by the Council as Local Planning Authority. The approved scheme shall be fully implemented prior to the first occupation of the proposed development.

Reason: to ensure that an appropriate hard landscaping scheme is implemented in accordance with Policy GR1 of the Halton Delivery and Allocations Local Plan.

10. Boundary treatments scheme detailed below shall be implemented prior to the first occupation of the proposed development and be maintained thereafter:

Building Management Services Ltd – Fencing Layout Plan – M3179-104 Rev C – date July 2022 – received 30.09.2022.

Reason: to ensure that an appropriate boundary treatments scheme is implemented and maintained thereafter in accordance with Policies GR1 and GR3 of the Halton Delivery and Allocations Local Plan.

11. Notwithstanding the details on the submitted plans, no above ground works shall take place until a scheme detailing precise external facing materials has been submitted to and approved in writing by the Council as Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.

Reason: to ensure that the development has a satisfactory appearance, in accordance with Policy GR1 of the Halton Delivery and Allocations Local Plan.

12. No above ground works shall take place until a scheme detailing precise external finishes including colour coating of the security gatehouse, sprinkler tanks, pump house, vehicle wash and external transformer has been submitted to and approved in writing by the Council as Local Planning Authority. Each element of the development shall be carried out in accordance with the agreed scheme.

Reason – to ensure that the development has a satisfactory appearance, in accordance with Policy GR1 of the Halton Delivery and Allocations Local Plan.

13. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy – JPG-5862-JPG-XX-XX-RP-G-0620-S2-P05 – January 2022 – revised 12.10.2022 which includes the following mitigation measures and be maintained thereafter:

Finished floor levels shall be set no lower than 10.50 metres above Ordnance Datum (AOD) (Appendix I).

Compensatory flood storage shall be provided with a minimum volume of 300m³ (section 5.1 and Appendix K).

Reason: to reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with Policies CS23 and HE9 of the Halton Delivery and Allocations Local Plan.

14. No development shall be occupied until a verification report has been submitted to and approved in writing by the Council as Local Planning Authority confirming that the Sustainable Urban Drainage System has been constructed in accordance with the approved design drawing set out below and also in accordance with best practice:

Flood Risk Assessment and Drainage Strategy – JPG-5862-JPG-XX-XX-RP-G-0620-S2-P05 – January 2022 – revised 12.10.2022.

Drainage Impact Assessment – JPG – Reference 5862=JPG-XX-XX-RP-D-0622-S2-P02 – date June 2022.

Drainage Maintenance and Management Plan – JPG – Reference 5862-JPG-XX-XX-RP-D-0623-S2-P01 – date July 2022.

For the avoidance of doubt, the verification report shall include the submission of as-built drawings

and specification sheets for materials used in the construction, plus a copy of Final Completion Certificate.

Following implementation of the Sustainable Urban Drainage System, it shall be maintained and managed in accordance with the agreed details thereafter.

Reason: to ensure that surface water is drained appropriately from the site, in accordance with Policies CS23 and HE9 of the Halton Delivery and Allocations Local Plan.

15. The development shall be carried out in accordance with the tree protection measures set out in the following document throughout the construction period:

Brooks Ecological – Arboricultural Impact Assessment Plus Tree Survey – fields off Hale Bank Road, Widnes – Report Reference AR-5864-02.01 – January 2022 revised October 2022 – received 21.10.2022.

Reason: to ensure that the development is carried out with minimum loss of existing landscape features and, in particular, that trees to be retained on the site suffer minimum disturbance, in accordance with Policy HE5 of the Halton Delivery and Allocations Local Plan.

16. No development shall take place other than site setup and earthworks until the following has been undertaken:

An updated remedial strategy upon completion of the revised ground gas risk assessment which has subsequently be submitted to and agreed in writing by the Council as Local Planning Authority.

The agreed remedial strategy shall be demonstrably and successfully completed in accordance with the details agreed above before the proposed use commences.

Reason: to ensure that any contamination is treated to the satisfaction of the Local Planning Authority in accordance with National Planning Policy Framework, which states that as a

minimum, after carrying out the development and the commencement of its use, the land should not be capable of being determined as contaminated land under Part 11A of the Environmental Protection Act 1990. Also in accordance with Policies CS23 and HE8 of the Halton Delivery and Allocations Local Plan.

17. Within 4 weeks of the completion of the implementation of the agreed strategy required by condition number 16, a Site Validation/Completion Report completed by a suitably qualified professional shall be submitted to and approved in writing by the Council as Local Planning Authority. This shall include adequacy of the remediation; certificates of the suitability of the imported cover materials from a suitably qualified independent person; the fate of any excavated material; and any necessary verification monitoring programme, including details of any installed post completion monitoring devices, together with measures to be undertaken should action limits be exceeded.

Reason: to ensure that any contamination is treated to the satisfaction of the Local Planning Authority in accordance with National Planning Policy Framework which states that as a minimum, after carrying out the development and the commencement of its use, the land should not be capable of being determined as contaminated land under Part 11A of the Environmental Protection Act 1990. Also in accordance with Policies CS23 and HE8 of the Halton Delivery and Allocation Local Plan.

18. If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by the Council as Local Planning Authority. The remediation shall be implemented as approved.

Reason: to ensure that any contamination is treated to the satisfaction of the Local Planning Authority in accordance with National Planning Policy Framework which states that as a minimum, after carrying out the development and the commencement of its use, the land should not be

capable of being determined as contaminated land under Part 11A of the Environmental Protection Act 1990. Also in accordance with Policies CS23 and HE8 of the Halton Delivery and Allocations Local Plan.

19. The soft landscaping scheme detailed on the plans below within the area shown in red on Planning Condition Plan – 01 – M2999-P111 be implemented by the end of the first planting season following the occupation of the development and be maintained thereafter.

Brooks Ecological – Detailed Planting Plan – Drawing No: DR-5864-01.01 Rev A – date October 2022 – Received 03.10.2022.

Brooks Ecological – Detailed Planting Plan – Drawing No: DR-5864-01.02 Rev A – date October 2022 – Received 03.10.2022.

Brooks Ecological – Detailed Planting Plan – Drawing No: DR-5864.01.03 Rev A – date October 2022 – Received 03.10.2022.

Brooks Ecological – Landscape Masterplan – Drawing No: DR-5864.01.04 Rev A – date October 2022 – Received 03.10.2022.

Any planting, which within a period of 5 years of implementation dies, is removed, or becomes seriously damaged or diseased, shall be replaced during the next planting season with others of a similar size or species, unless the Council as Local Planning Authority gives written consent to a variation.

Should replacement planting be necessary, the Council shall be notified in writing not less than 7 days prior to the planting taking place. Notification shall include details of the problem with the implemented scheme and the specification and timing of the replacement planting.

Reason: to ensure that an appropriate landscaping scheme is implemented and maintained in accordance with Policies GR1, GR3 and HE5 of the Halton Delivery and Allocations Local Plan.

20. The soft landscaping scheme detailed on the plans below within the area shown in green on Planning Condition Plan – 02 – M2999-P112, shall be implemented prior to first occupation of the proposed development and be maintained

thereafter.

Brooks Ecological – Detailed Planting Plan –
Drawing No: DR-5864-01.01 Rev A – Date October
2022 – Received 03.10.2022.

Brooks Ecological – Detailed Planting Plan –
Drawing No: DR-5864-01.02 Rev A – Date October
2022 – Received 03.10.2022.

Brooks Ecological – Detailed Planting Plan –
Drawing No: DR-5864.01.03 Rev A – Date October
2022 – Received 03.10.2022.

Brooks Ecological – Landscape Masterplan –
Drawing No: DR-5864.01.04 Rev A – Date October
2022 – Received 03.10.2022.

Any planting, which within a period of 5 years of implementation dies, is removed or becomes seriously damaged or diseased, shall be replaced during the next planning season with others of a similar size or species, unless the Council has Local Planning Authority gives written consent to a variation.

Should replacement planting be necessary, the Council shall be notified in writing not less than 7 days prior to the planting taking place. Notification shall include details of the problem with the implemented scheme and the specification and timing of the replacement planting.

Reason: to ensure that an appropriate landscaping scheme is implemented and maintained in accordance with Policies GR1, GR3 and HE5 of the Halton Delivery and Allocations Local Plan.

21. The approved Framework Travel Plan detailed below shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied and in use.

Appendix 11.2: Travel Plan – 80191-CUR-XX-XX-T-TP-00002-P02 – 2 February 2022.

An annual report shall be submitted to the Council no later than one month following the anniversary of the first occupation of the development for a period of 5 years. The report shall include a review of the Travel Plan measures, monitoring data and updated action plan.

Reason: to maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable, in accordance with Policies CS(R)15 and C1 of the Halton Delivery and Allocations Local Plan.

22. The development shall not be occupied until 102 no. covered cycle parking spaces have been implemented in accordance with a scheme providing precise details, which has first been submitted to and approved in writing by the Council as Local Planning Authority. The approved scheme shall be maintained thereafter.

Reason: to ensure that the cycle parking provision is both functional and of a satisfactory appearance, in accordance with Policies CS(R)15, C1 C2 and GR1 of the Halton Delivery and Allocations Local Plan.

23. The proposed development shall not be brought into use until the areas indicated on the plans detailed below to be set aside for related parking and servicing have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown.

Building Management Services – Site Layout Plan – M3179-100-1 Rev E – date March 2022 – received 30.09.2022.

Curtins – Proposed Access Arrangement – 80191-CUR-00-XX-DR-TP-75001-P08 – date 24.11.2021 – received 30.09.2022.

Curtins – Swept Path Analysis 16.5m Articulated HGV – 80191-CUR-00XX-DR-TP-05001-P09 – date 24.11.2021 – received 30.09.2022.

The parking and servicing areas shall be retained as such thereafter.

Reason: to ensure that adequate provision is made on the site for the traffic generated by the development, including allowance for safe circulation, manoeuvring, loading and unloading of vehicles as well as parking, and that hard surfaced areas have a satisfactory appearance, in accordance with Policies C1 and C2 of the Halton

Delivery and Allocations Local Plan.

24. Highway improvement works comprising the new site access arrangement from Lovels Way as detailed on the plan below shall be implemented prior to the development being brought into use.

Building Management Services – Site Layout Plan – M3179-100-1 Rev E – date March 2022 – received 30.09.2022.

Curtins – Proposed Access Arrangement – 80191-CUR-00-XX-DR-TP-75001-P08 – date 24.11.21 – received 30.09.2022.

Reason: to ensure that sufficient measures are taken such that the highway network can accommodate the development and that the traffic generated does not result in unsatisfactory highway or transportation conditions. This is in accordance with Policies C1 and C2 of the Halton Delivery and Allocations Local Plan.

25. The development shall not be occupied until lighting within Halebank Park to improve the overall security and attractiveness for both pedestrians and cyclists has been implemented in accordance with a detailed scheme, which has first been submitted to and approved in writing by the Council as Local Planning Authority. The approved scheme shall be maintained thereafter.

Reason: to encourage journeys to be made by sustainable modes of travel including walking, cycling and public transport in accordance with Policies CS(R)15 and C1 of the Halton Delivery and Allocations Plan.

26. The development shall not be occupied until proposed vegetation removal within Halebank Park to improve the security of the Greenspace/Greenway to create lines of site including onto Clapgate Crescent, has been implemented in accordance with a detailed scheme which has first been submitted to and approved in writing by the Council as Local Planning Authority.

Reason: to encourage journeys to be made by sustainable modes of travel including walking, cycling and public transport in accordance with

Policies CS(R)15 and C1 of the Halton Delivery and Allocations Local Plan.

27. The development shall not be occupied until a safe cyclist/pedestrian crossing point across the HGV exit from the proposed development has been implemented in accordance with a detailed scheme, which has first been submitted to and approved in writing by the Council as Local Planning Authority. The approved scheme shall be maintained thereafter.

The approved cyclist/pedestrian crossing point scheme shall be fully implemented prior to the first occupation of proposed development and be maintained thereafter.

Reason: to encourage journeys to be made by sustainable modes of travel including walking, cycling and public transport in accordance with Policies CS(R)15 and C1 of the Halton Delivery and Allocations Local Plan.

28. The development shall not be occupied until Electric Vehicle Charging Points for the 24 no. spaces as shown on the site layout plan (Site Layout – M3179-100-1 Rev E) has been submitted to and approved in writing by the Council as Local Planning Authority. The approved scheme shall be maintained thereafter.

Reason: to ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles to help reduce pollution in accordance with the National Planning Policy Framework and Policy C2 of the Halton Delivery and Allocations Local Plan.

29. Notwithstanding The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the development hereby approved as shown in red on Planning Condition Plan – 01 – M2999-P111 shall only be used for purposes that fall within The Town and Country Planning (Use Classes) Order 1987 (as amended) as set out below:

Use Class B8 – Storage or Distribution (including ancillary offices) – up to 50,632 sqm.

Reason: in the interests of maintaining the amenities of residents in the locality and to ensure the proper functioning of the area, in accordance with Policies GR1 and GR2 of the Halton Delivery and Allocations Local Plan.

30. Precise details of any outdoor storage or display of equipment, plant, goods or material within the site other than that shown in the approved plans shall be implemented in accordance with details, which have first been submitted to and approved in writing by the Council as Local Planning Authority.

Reason: in the interests of visual amenity, in accordance with Policies GR1 and GR2 of the Halton Delivery and Allocations Local Plan.

31. Notwithstanding the provision of Schedule 2, Part 7, Classes H and J of The Town and Country (General Permitted Development) Order 1995 (as amended), or any Order revoking or re-enacting that Order, no further development shall take place within the area defined in green on Planning Condition Plan – 02 – M2999-P112 unless planning permission is sought from and granted by the Council as Local Planning Authority.

Reason: to ensure appropriate protection for Halebank Park as a designated Greenspace and Green Infrastructure in accordance with Policies CS(R)21 and HE4 of the Halton Delivery and Allocations Local Plan.

32. The development shall not be occupied until noise operational management measures have been implemented in accordance with a detailed scheme, which has first been submitted to and approved in writing by the Council as Local Planning Authority. The approved scheme shall be carried out thereafter.

Reason: to ensure that the amenity of the locality is not unduly compromised in accordance with Policies CS23 and HE7 of the Halton Delivery and Allocations Local Plan.

33. The proposed development shall not be occupied until a noise impact assessment detailing external plant to be installed by the end user and has been implemented following it having been submitted to

and approved in writing by the Council as Local Planning Authority.

For the avoidance of doubt, all external plant should be located on the northern side of the building below roof height, such that it is afforded attenuation from the building and the distance from local residents.

Reason: to ensure that the amenity of the locality is not unduly compromised in accordance with Policies CS23 and HE7 of the Halton Delivery and Allocations Local Plan.

34. The proposed development shall be implemented in accordance with the measures set out in the BREEAM New Construction 2018 Pre-Assessment Report – 11 February 2022, in order to have regard for the predicted effects of climate change and deliver a BREEAM ‘Very Good’ standard or above.

Reason: to ensure that the proposed development is sustainable and is designed to have regard for the predicted effects of climate change in accordance with Policy CS(R) of the Halton Delivery and Allocations Local Plan.

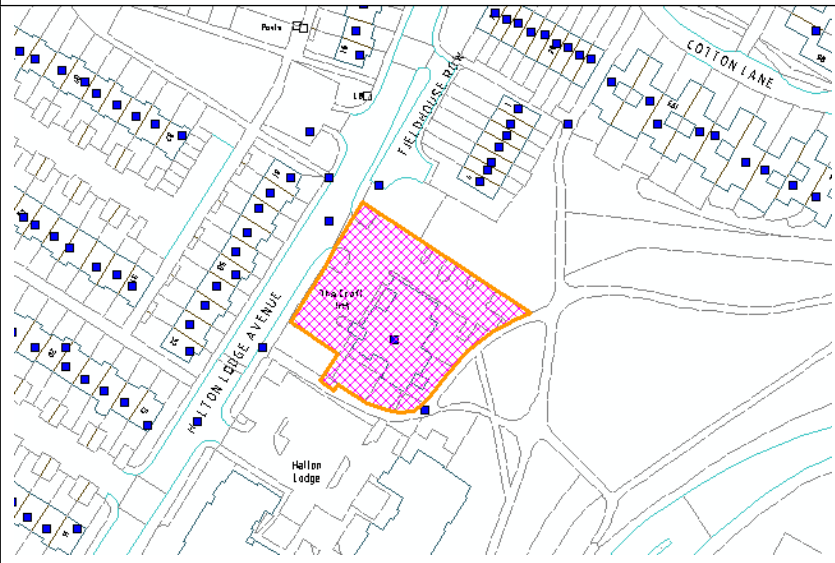
35. No development shall commence until all those with an interest in the land comprising the development hereby permitted have entered into an agreement with the local planning authority under Section 106 of the Town and Country Planning Act 1990. The agreement must contain obligations in relation to:

- i. The provision of off-site signage;
- ii. Cycle and bus route improvements;
- iii. Mitigation/compensation for the loss of breeding bird habitat; and
- iv. Pond/reedbed creation (including appropriate biodiversity management plans).

Reason: to ensure improved access to the site by sustainable modes and to ensure appropriate ecological mitigation and management in accordance with Policies CS(R)15, CS(R)20, CS(R)21, C1, C2, GR1, GR2, HE1 and HE4 of the Halton Delivery and Allocations Local Plan and NPPF.

- c) that if the S111 Agreement was not executed within a reasonable period of time, that authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair of the Committee to refuse the application.

Meeting ended at 6.55 p.m.

APPLICATION NO:	22/00374/FUL
LOCATION:	The Croft, 1 Halton Lodge Avenue, Runcorn, WA7 5YQ
PROPOSAL:	Proposed construction of 16 no. 1 bed apartments with associated amenity space, car parking, bin and cycle storage
WARD:	Grange
PARISH:	None
APPLICANT:	Mr. Craig Ruane, SJJ contracts Ltd
AGENT:	Mr. Suyeb Ahmed, 1618 Architects
DEVELOPMENT PLAN:	Halton Delivery and Allocations Local Plan (2022) Joint Merseyside and Halton Waste Local Plan (2013)
DEPARTURE:	No
REPRESENTATIONS:	1 representation has been received from the publicity given to the application.
KEY ISSUES:	Principle of development, loss of community facility land; amenity, access and parking, ecology.
RECOMMENDATION:	Grant planning permission subject to conditions
SITE MAP:	

1. APPLICATION SITE

1.1 The Site

The application site is located along Halton Lodge Avenue in Runcorn, measures approximately 0.182Ha in area and has vehicular access directly from Halton Lodge Avenue.

The site previously consisted of a derelict former public house, 'The Croft'. It was a part single, part two storey building that fronted on to Halton Lodge Avenue. The Croft was demolished in 2020, having been closed since November 2014, and since, the site has remained vacant with the former car parking area associated with the public house, used for informal parking. The site has a historic 'Community Facilities' land allocation however is surrounded by Primarily Residential land uses.

1.2 Planning History

The site has a planning history dating back to September 1984 pertaining to its use as a public house. More recent relevant planning history includes:

20/00241/FUL - Proposed construction of 15 no. 1 bed apartments for assisted living (use class C2) with associated communal amenity space, car/cycle parking, refuse storage and ancillary works. **Permitted 05.10.22**

20/00244/FUL - Proposed demolition of the existing part one, part two storey vacant public house and the construction of a two storey mixed-use building accommodating 2 no. retail units at ground floor, with 6 no. 1-bed apartments and 2 no. studios for supported living at first floor. The accommodation is supported by car parking for both residential and retail uses (including accessible bays and electric vehicle charging points), secure cycle parking and landscaped external communal amenity space. **Permitted 08.10.22**

2. THE APPLICATION

2.1 The Proposal

The proposal seeks permission for the construction of 16 no. 1 bed apartments with associated amenity space, car parking, bin and cycle storage.

2.2 Documentation

The planning application is supported by the following documents:

- Design and Access Statement (amended 23/11/22)
- BS5837:2012 Tree Survey, Arboricultural Implications Assessment & Method Statement, Ref: 19446/A3
- BS5837 Tree Survey Assessment, Ref: 19446/A1
- Phase 1: Preliminary Risk Assessment, Job Number: LKC 19 1467
- Preliminary Tree Bat Roost Survey Report

3. POLICY CONTEXT

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

THE DEVELOPMENT PLAN

3.1 Halton Delivery and Allocations Local Plan (2022)

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

- CS(R)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
- 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
- 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.

3.3 Supplementary Planning Documents

- Design of Residential Development SPD (2012)

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 revised in July 2021 to set out the Government's planning policies for England and how these should be applied.

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

The application has been advertised via the following methods: site notice posted near to the site and on the Council's website. Surrounding residents have also been notified by letter.

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

- **United Utilities**
No objection, suggested conditions
- **Merseyside Environmental Advisory Service**
No objection, see section below
- **Natural England**
No objection
- **HSE**
Do not advise against
- **National Grid**
No objection

Council Services

- **HBC Highways and Transport**
No objection, see section below
- **HBC Environmental Protection**
No comments received
- **HBC Contaminated Land**
No Objection
- **HBC Open Spaces**
No comments received
- **Lead Local Flood Authority**
No objection
- **HBC Grange Ward Councillors**
No comments received

5. REPRESENTATIONS

The application has been advertised by 88 neighbour notification letters sent on 28.07.2022 and a site notice posted on 28.07.2022. One representation has been received from the publicity given to the application. A summary of the points raised is below:

- Concerns regarding the future tenants of the flats.
- Antisocial behaviour already happening in the woods behind the YMCA.

Whilst such concerns regarding the future tenants are capable of being a material planning consideration, no evidence has been provided that such problems would arise or as to the characteristics of future occupiers which may give rise to them. On that basis it is considered that little or no weight can be attributed to such fears.

With regards to the allegations of antisocial behaviour taking place in the area behind the YMCA, it is anticipated that bringing forward the application site to be developed would increase the level of natural surveillance in the area and deter any potential opportunities for antisocial behaviour.

6. ASSESSMENT

6.1 Principle of Development

The site has a historic 'Community Facilities' land allocation, however is surrounded by Primarily Residential land uses.

Policy HC5 of the Halton Delivery and Allocations Local Plan states that proposals involving the loss of community facilities land or buildings will only be permitted where it is demonstrated that:

- a. The loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality; or
- b. The building or site is no longer suitable or viable to accommodate the current community use, or the use has already ceased, and the building or site cannot viably be retained or sensitively adapted to accommodate other community facilities; or
- c. In the case of commercial community facilities, whether the use is no longer viable (applicants will need to submit evidence to demonstrate that the site is no longer viable for that use.
- d. Marketing of the land/property will be required to indicate that there is no demand for the land/property in its existing use.
- e. Details of the current occupation of the buildings, and where this function would be relocated, will also be required.

The application site previously consisted of a derelict former public house, 'The Croft'. The public house ceased operating in November 2014 and remained vacant until the building was demolished in 2020. No alternative or replacement developments for community facility use have come forward for the site, however past planning permissions have been approved for residential schemes and mixed use residential/retail uses on the site.

It is considered that given the site has been vacant and unused since 2014 (9 years), in addition to the relevant planning history for the site, and with the predominant surrounding land use consisting of residential use, the principle of residential development at the application site is acceptable, subject to acceptable details, and the loss of community facility land in this case would not result in a detrimental impact on the existing community.

6.2 Affordable Housing

Policy CS(R)13 of the Halton Delivery and Allocations Local Plan states that all residential schemes including ten or more dwellings (net gain), or 0.5ha or

more in size, with the exception of brownfield sites are to provide affordable housing at specific rates detailed in the development plan.

The development proposes the construction of 16no. 1 bed apartments, however the site has previously been developed and therefore constitutes brownfield land. There is therefore no policy requirement to provide affordable homes as part of the proposed development.

6.3 Design and Character

The proposed building is located in the approximate position of the former public house. The front elevation would maintain a distance of 36m from the nearest affected residential occupiers directly adjacent to the site on Halton Lodge Avenue. The proposal consists of a two storey building and therefore the Council's minimum interface distance of 21m is more than achieved. There are no residential properties to the rear (east of the site).

To the south of the site is an existing building, which has residents, living in the building as a multi-occupied unit.

The building occupies a similar plot line on this side of the site. There are four windows on the gable elevation of the proposed building. These are secondary, tall windows that will serve the kitchen/living areas to provide light into the new apartments. Given the style and positioning of the windows, restricted outlook would be achieved. It is considered that there would be no significant impact on the occupiers of the adjacent building and the amenity of the occupiers of it would not be significantly or adversely affected.

The nearest affected occupiers to the north are those on the end terrace at 7 Fieldhouse Row. There are no windows on the side elevation of this property which faces the proposal and, given relative separation distances the proposals are not considered to impact unduly on occupiers of those properties.

The proposed design of the two storey building consists of red brickwork with a profiled flat roof. The building is of a modern appearance with a good amount of glazing on the front and rear elevations, with brick detailing features and a name plate on the front elevation.

Boundary treatment is provided to enclose the on-site amenity space in the form of 2m high timber fencing. This is considered to be acceptable. Landscaping is proposed indicatively to the front and rear of the building. Secure bin storage is also provided to the front/side of the proposed building. Secure cycle parking is provided to close to the building and within the enclosed amenity area for security and adequate surveillance. Additional cycle stands are provided for visitors.

It is considered that the proposal meets the design requirements of the Council and is appropriate for its location. On this basis it complies with

Policies CS(R)18, GR1, GR2 and GR3 of the Halton Delivery and Allocations Local Plan.

6.4 Highway Considerations

The Council's Highway Authority initially objected to the original submission highlighting a number of issues and concerns as follows:

The proposed design and layout fails to give priority to pedestrians, cyclists and other non-vehicle users and provide for their safe and convenient access to, and movement and circulation within, the site. The parking provision for all modes is also considered insufficient.

The site is not considered satisfactorily accessible nor connected, especially for pedestrians and other non-motorised users.

Whereas the former vehicular access to the car park remains unaltered, the previous discrete pedestrian access to the site has been removed; meaning no separate pedestrian provision is currently offered.

Access for all site users of the site via the vehicular entrance is not considered safe, convenient nor acceptable. This requires satisfactorily addressing for full support to be given.

It has also not been demonstrated that the site is within 400m of sustainable public transport i.e. bus stops. This is required.

Whilst 16No car parking spaces for 16No 1bed apartments is acceptable, for full compliance with Policy C2 Parking Standards all modes/types need satisfactory provision in terms of type, position and layout.

Standard car parking bays are required to be 2.5m x 5m minimum, in addition 10% of parking bays (therefore 2No. minimum) are required to be accessible sized spaces. The proposal fails to comply with this requirement.

Further, the development should encourage the use of low emission vehicles and therefore detail of a scheme for electric vehicle charging should also be demonstrated.

Parking provision extends to include motorcycle parking, which has not been provided for; a minimum of 2No. motorcycle spaces are required with a ground anchor provided for security.

Further, whilst the secure provision for residents' bikes is welcomed, the detail means the parking provision for cycles is considered insufficient and inappropriate; the bin store is unfit for purpose in terms of accessibility and manoeuvrability for the storage use as intended

The amount of bikes able to be stored is also unsatisfactory; at least one bike space per apartment should be provided ie 16No. bikes, minimum.

An additional 2No. Sheffield stands should be offered for visitors who arrive by (and to further encourage and enable) this sustainable mode, about the front entrance for active surveillance; this is not required to be covered.

In short, the provision of parking offered, for all modes, is deemed insufficient in amount, location, type and detail for the site and proposal and does not comply with Policy C2 Parking Standards, and GR2 Amenity etc.

This needs satisfactorily addressing as insufficient parking provision could lead to displaced parking on the immediate and local network causing capacity and potential safety concerns, as well as not facilitating nor encouraging journeys by alternative and sustainable means.

The applicant has taken the comments made into account and amended the scheme in line with the Highway Officer's Comments. Following a re-consultation, the Highways Officer has confirmed that the shortcomings, concerns and questions raised in their initial response have been overcome with the amended and/or additional information submitted.

The proposal has satisfied the requirements of the Highways Authority and is considered acceptable in compliance with policies CS(R)15, SC(R)19, C1 and C2 of the Halton Delivery and Allocations Local Plan.

6.5 Impact on Trees

The application has been accompanied by a Tree Survey and Method Statement for construction. There are several mature trees that the proposal will affect. There are no Tree Preservation Orders associated with any of the trees on or nearby the site. Given this, and that the site is not Council owned land, comments from the Open Spaces Officer have not been provided. The Ecology section below confirms that the trees on site have been assessed for bats and bat habitats and the submitted report states that no evidence of bat use or presence was found.

Trees within the site are to be retained as far as possible. It is considered that the proposed development and the proposed works to the trees on site would not result in a detrimental impact on the amenity of the area. On that basis the proposal complies with Policy HE5 of the Halton Delivery and Allocations Local Plan.

6.6 Ecology

The Merseyside Environmental Advisory Service has been consulted on the application and have provided the following comments:

The development site is near to the following national and international sites. These sites are protected under the Conservation of Habitats & Species Regulations 2017 (as amended) and Local Plan policy CS(R)20 applies:

- *Mersey Estuary SPA; and*

- *Mersey Estuary Ramsar site.*

I have considered the proposals and the possibility of likely significant effects on national and international sites using the source-pathway-receptor model. I advise that there is no pathway that could result in likely significant effects on the national and international sites and the proposals do not warrant a Habitats Regulations Assessment for the following reasons:

- *The proposal can be discounted from contributing construction related impacts due to the separation distance from the Mersey Estuary.*
- *The net gain of 16 residential units in Runcorn will not contribute towards increased recreational pressure either from the development alone or in combination with the quantum of development in Halton and the Liverpool City Region due to limited coastal access from Runcorn. This conclusion is supported by Halton's Recreational Management Interim Approach (Figure 1 of RM IA shows exclusion of Runcorn area from requiring mitigation).*

The applicant has not provided a Preliminary Ecological Appraisal (PEA) in support of the application. In this instance, I advise that a PEA is not required for the following reasons:

- *The small, urban site is of limited ecological value; and*
- *Protected habitat and species likely to be present can be protected by way of specialist survey, e.g. bat survey, and by minimising harm to protected species by way of planning conditions.*

The Arboricultural Implications Assessment states two mature sycamore trees will require removal (T5 and T6), with tree survey finding pruning wounds and hollow sections which may provide bat roost potential.

The existing trees on site may provide potential roost features for bats. Bats are protected species and a material consideration. I advise that a preliminary roost assessment is required prior to determination.

These comments were passed on to the applicant and subsequently a Preliminary Bat Roost Survey was submitted. MEAS provided further comment as follows:

The applicant has submitted a Preliminary Tree Bat Roost Survey Report in accordance with Local Plan policies CS(R)20 and HE1.

Tree 6, a mature sycamore, exhibited a single small cavity at a height of 6 metres. Whilst close up inspection was not possible due to the height or the potential roost feature, the surveyor deemed it "very shallow" but the report recommends aerial inspection. However, paragraph 4.3 states no further surveys are required.

Communication with Mr. S. Brain of Amenity Tree Care (09/02/2023) has clarified the feature as negligible to low bat roost potential and thus no further survey is required.

The report states that no evidence of bat use or presence was found. The Council does not need to consider the proposals against the three tests (Habitats Regulations).

Tree 6 has been identified as having low bat roost potential. In line with best practice, felling of Tree 6 should employ soft felling techniques under supervision of a suitably qualified ecologist. This can be secured by a suitably worded planning condition.

It is considered that the proposal demonstrates compliance with Policies CS(R)20 and HE1 of the Halton Delivery and Allocations Local Plan, and is acceptable.

6.7 Flood Risk and Drainage

The Council's Lead Local Flood Authority have provided the following comments:

The proposed development is for residential apartments. This would classify as "More Vulnerable" Development with regard to flood risk. The site is shown to have a very low fluvial, surface water and tidal flood risk on the Environment Agency Long Term Flood Risk Maps. It is also, located outside of any critical drainage area (CDA) as recorded in Halton BCs strategic flood risk assessment. No information appears to be presented with regard to flood risk and drainage within the application

As the development it is less than 1ha, within Flood Zone 1 and outside of a critical drainage area. The LLFA is satisfied that the development would be appropriate in terms of flood risk and no flood risk assessment is required. In accordance with policy HE9 a drainage strategy is required to demonstrate how surface water runoff from the development would be managed.

The Lead Local Flood Authority recommended a number of conditions relating to the submission of a drainage strategy and verification report. The applicant has submitted drainage details to avoid the need for pre-commencement conditions, however at the time of writing the report, no comments have been received from the LLFA. Planning conditions requiring the submission of a drainage strategy and verification report are attached but members will be updated orally as required. It is considered that the proposal demonstrates compliance with Policy HE9 of the Halton Delivery and Allocations Local Plan, and is acceptable.

6.8 Contaminated Land

The Council's Contaminated Land Officer has raised no objection to the proposal subject to further detailed phase 2 investigation which can be

secured by appropriately worded planning condition. The applicant has since submitted further site investigation information, in order to avoid the need of attaching a planning condition. However at the time of writing the report, comments have not been received from the Contaminated Land Officer, and the condition is therefore attached. Members will be updated orally as required. It is considered that the proposal satisfied Policy HE8 of the Halton Delivery and Allocations Local Plan, and is acceptable.

6.9 Planning Balance

Based on the above assessment, the proposal is considered to be in accordance with the Development Plan.

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

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

7. CONCLUSIONS

It is accepted that the principle of the residential use is appropriate for the location and site. The proposed development complies with and is in line with the provisions of the Halton Delivery and Allocations Local Plan and NPPF. Further, the scheme will deliver benefits in bringing a currently vacant site back in to use.

The previous historic use as a public house ceased in 2014 and the building was demolished in 2020. The proposal is considered to offer a number of benefits in providing residential development involving the regeneration of a brownfield site in a sustainable location.

The proposed development is considered to be acceptable and is therefore recommended for approval.

8. RECOMMENDATION

The application is recommended for approval subject to planning conditions.

9. CONDITIONS

1. Time
2. Approved Plans
3. Site levels
4. Material details

5. Landscaping details
6. Boundary treatments
7. Vehicle access, parking, servicing etc. constructed prior to occupation/use
8. Cycle parking details
9. Drainage scheme
10. Drainage verification report
11. Contaminated land
12. Breeding birds
13. RAMs for hedge hogs
14. Tree protection
15. soft tree felling technique

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

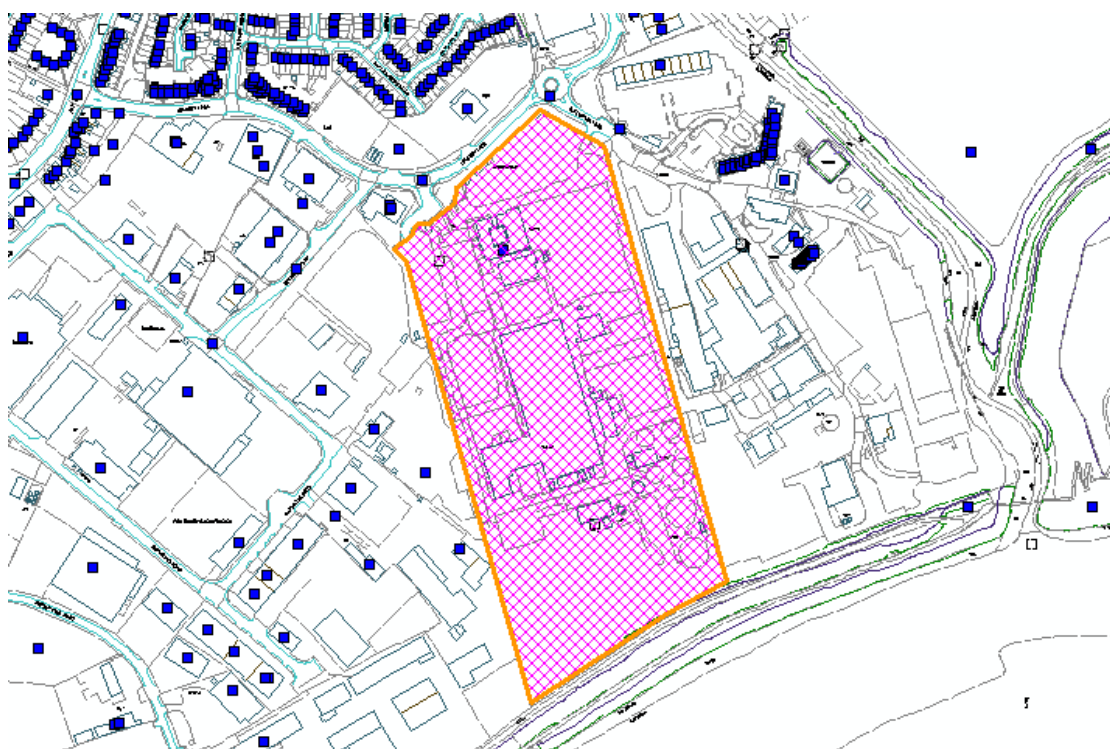
11. SUSTAINABILITY STATEMENT

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:	22/00548/FUL
LOCATION:	Croda Europe Ltd Foundry Lane Widnes Cheshire WA8 8UB
PROPOSAL:	Proposed erection of single storey warehouse
WARD:	Ditton, Hale Village and Westbank
PARISH:	None
APPLICANT:	Mr Mark Weston at Croda Europe Ltd
AGENT:	Mr David Bailey at NJSR Chartered Architects LLP
DEVELOPMENT PLAN:	ALLOCATIONS:
The Halton Delivery and Allocations Local Plan	Primarily Employment area
Joint Merseyside and Halton Waste Local Plan (2013)	
DEPARTURE	No
REPRESENTATIONS:	No representations received from the publicity given to the application.
KEY ISSUES:	Principle of Development, Design and Layout, Highways and Access, Habitat Protection.
RECOMMENDATION:	Approve subject to conditions.

SITE MAP

1. APPLICATION SITE

1.1 The Site

The application site consists of a grassed area within the Croda Colloids industrial unit. The wider site is made up of a metal / brick built industrial buildings along with car parks / yards / modular buildings and landscaped areas.

The site is located within a predominantly Industrial area which largely consists of large commercial buildings.

The site is located in a Primary Employment area as allocated by the Halton Delivery and Allocations Local Plan Policies Map

The site is approximately 2km south west of Widnes town centre, and is accessed via Foundry Lane. To the south is the Mersey Estuary

1.2 Planning History

The site has an extensive planning history with the more recent relevant applications listed below.

Croda are currently undertaking a number of improvements at the site, the applications below have all been recently approved with the exception of 22/00496 which is pending.

22/00068/FUL- (PER) -Retrospective application for erection of temporary office / welfare cabins

22/00219/FUL- (PER) -Proposed installation of 2 no. prefabricated buildings to the rear aspect of the site, each building having a footprint of 6m x 4m, one building will be fitted out for wash rooms and changing room, whilst the other building will be used as a canteen area

22/00496/FUL- (PCO) -Proposed development comprising new site parking area segregated from the site goods entrance and heavy goods vehicles, together with new gatehouse

22/00364/FUL- (PER) -Proposed erection of temporary office/welfare cabins

22/00372/FUL- (PER) -Proposed construction of substation, gantry, access steps and hard standing a

22/00516/FUL- (PER) -Proposed erection of new temporary storage building over a vacant concrete hard-standing surface

22/00552/FUL- (PER) -Proposed erection of temporary modular building over a vacant concrete hard-standing surface

2. THE APPLICATION

2.1 The Proposal

Proposed erection of grey, powder coated, metal panelled warehouse building. The building will provide 1330 m² of internal floor space and will feature a pitched roof measuring 11 m to the ridge.

The building would not create additional employment but will enhance operational functionality.

Documentation

The application is accompanied by the associated plans in addition to a Design and Access Statement, Drainage Statement, Transport Statement, Ground Investigation Report and an Ecological Appraisal.

3. POLICY CONTEXT

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

THE DEVELOPMENT PLAN

3.1 Joint Merseyside and Halton Waste Local Plan 2013 (WLP)

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

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

3.2 Halton Delivery and Allocations Local Plan

- C1 Transport Network and Accessibility - Delivery & Allocations Plan (Mar) 2022
- C2 - Parking Standards - Delivery & Allocations Plan (Mar) 2022
- GR1 - Design of Development - Delivery & Allocations Plan (Mar) 2022
- GR2 - Amenity - Delivery & Allocations Plan (Mar) 2022

- ED2 - Employment Development - Delivery & Allocations Plan (Mar) 2022
- HE1 – Natural Environment and Nature Conservation - Delivery & Allocations Plan (Mar) 2022
- HE8 - Land Contamination - Delivery & Allocations Plan (Mar) 2022
- HE9 - Water Management and Flood Risk - Delivery & Allocations Plan (Mar) 2022

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 February 2019 to set out the Government's planning policies for England and how these should be applied.

Other Considerations

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

4. CONSULTATIONS

Highways and Transportation Development Control (Highways)

No objection to the proposed development.

Contaminated Land Officer

No objection to the proposed development, subject to conditions relating to a contaminated land investigation / remediation strategy.

Lead Local Flood Authority (LLFA)

No comments received, comments to be reported orally at Committee meeting.

Merseyside Environmental Advisory Service (MEAS) – Ecology and Waste Advisor

No objection, subject to conditions.

The Environment Agency

No objection to the proposed development, subject to conditions relating to a contaminated land remediation strategy.

United Utilities

No objection subject to conditions relating to a surface water drainage scheme, and that foul and surface water be drained on separate systems.

John Lennon Airport

No objection subject to informative relating to construction methods.

5. REPRESENTATIONS

5.1 No representations have been received following the issue of 168 neighbour notification letters sent on 27/10/2022 expiring on 17/11/2022. A site notice was also posted.

6. ASSESSMENT

6.1 Principle of Development

The site is brownfield land, and located within an existing manufacturing site.

The site is located within an allocated employment area and as such the proposal is both policy compliant and acceptable in principle. The proposal will allow for operational improvements to be made to the existing facility.

The proposed unit is acceptable in principle and will improve the functionality of an existing employment use

6.2 Design and Layout

The application site consists of a grassed area within the existing Croda site. The proposed warehouse will be bounded by existing industrial / commercial buildings to the east and south and by parking areas / hedges / trees to the north and west.

The metal cladded building will be powder coated with a grey finish. The grey finish will reduce the visual impact of the building while the design is

typical of buildings in the locale and very much in keeping with the local vernacular.

The proposed unit which is industrial / commercial in character will harmonise with its surrounds which are characterised by functional employment buildings.

The unit is apposite in this location which is characterised by large commercial buildings. The proposed warehouse is screened by existing buildings limiting views from public areas minimizing any impacts of the appearance of the proposed building.

The unit does not cause harm to the visual amenities and will accord with Policy GR1 of the Halton DALP.

A condition is recommended that the buildings be implemented in accordance with the approved plans and details.

6.3 Highways and Access

The proposed development will utilise the existing vehicular access points with no changes to access arrangements proposed.

Although no additional jobs will be created there is sufficient parking provision within the site should the proposed warehouse generate additional parking demand.

The proposal warehouse will not give rise to a significant nor detrimental increase in traffic generation or trips associated with the site.

The modest increase in HGV movements within the site are accommodated in landscaping, and other amendments, to the internal layout.

The proposals are considered acceptable with regard to Highways matters with the development complying with to Policies C1 and C2 of the Halton DALP. Given that the proposed use will not generate additional jobs improved cycle storage facilities are not required.

6.4 Flood Risk and Drainage

The application site is located in Flood Zones 1 (lowest risk) and proposes a Less Vulnerable use as categorised by the NPPF. As such flood prevention / mitigation measures are not required.

Comments from the LLFA are awaited and will be reported orally.

6.5 Contamination and Pollution

The Environment Agency has not objected to the proposals but has recommended that conditions are attached to any planning permission

requiring investigations and if necessary remediation to deal with any contamination.

Halton's Contaminated Land Officer has not objected to the proposals but has again requested that conditions are attached to identify and rectify any contamination and ground gas protection.

6.6 Ecology and Habitats

The development site is near to the following national and international sites. These sites are protected under the Conservation of Habitats & Species Regulations 2017 (as amended) and Halton DALP policy E1 applies.

- Mersey Estuary SPA
- Mersey Estuary Ramsar

MEAS have advised that the proposals will not result in likely significant effects on the national and international sites and the proposals do not warrant a Habitats Regulations Assessment

The site and trees within it are potential habitats for birds, bats and protected mammals. Therefore it is recommended that conditions are attached to any planning permission controlling the timing and methodology of tree removal.

The installation of bird nesting boxes to compensate for lost habitat should also be conditioned.

Before construction begins checks should be undertaken to determine the presence of protected mammals such as hedgehogs. Measures should be put in place to protect mammals during the construction process and it is recommended that a condition is attached securing such measures.

The attachment of conditions outlined above would ensure that the proposal from an Ecology perspective is compliant with Policy HE1 of The Halton DALP.

6.7 Climate Change

There are no significant climate change implications due to the nature and proposed use of the building.

6.8 Waste Management

The proposals comprise development which is unlikely to generate significant volumes of waste. The Merseyside and Halton Joint Waste Local Plan (WLP) Policy WM8 Waste Prevention and Resource Management, National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) require the use of construction and demolition methods that minimise

waste production and maximise re-use, recycling of materials on-site and minimise offsite disposal where practicable.

As a discretionary requirement, MEAS have advised that waste audits or a similar mechanism such as a site waste management plan should be used to monitor waste minimisation, recycling, management and disposal. It is recommended that an advisory note be attached as an informative on the decision notice. It is considered that sufficient space exists within the site to allow for commercial waste storage and collection.

7. CONCLUSIONS

The proposed development maintains and enhances the existing employment use, and the investment will ensure the future viability of the site and future employment opportunities. The proposal would not have a significant impact on the highways, and any potential effects relating to contamination, flood risk and habitat protection can be mitigated by the use of planning conditions.

The proposal is considered to comply with Halton DALP Policies C1 C2,GR1,GR2,ED2,HE1,HE8 and HE9.

8. RECOMMENDATION

That the application is approved subject to the following conditions:

1. Standard time limits condition (GR1)
2. Plans condition listing approved drawings (GR1)
3. Submission and agreement of a construction method statement including HRA avoidance measures and timing of development (GR1/GR2/HE1)
4. External facing materials (GR1)
5. Submission and agreement of ground investigation report, and remediation strategy (HE8)
6. Submission of validation report (HE8)
7. Foundation design (GR1)
8. Submission and agreement of drainage scheme (HE9)
9. Foul and surface water on a separate system (HE9)
10. Provision of Bird Nesting boxes (HE1)
11. Trees – methodology and timing of tree removal (HE1)
12. Protected Mammals – pre construction investigation / protective construction techniques (HE1)

9. BACKGROUND PAPERS

- 9.1 The submitted planning applications are background papers to the report. Other background papers specifically mentioned and listed within the report are open to inspection at the Council's premises at Municipal Building,

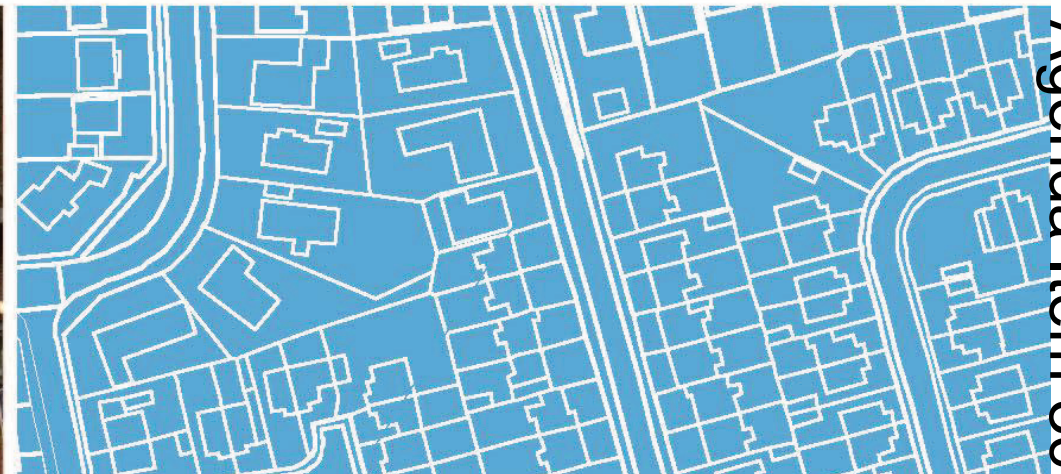
Kingsway, Widnes, WA8 7QF in accordance with Section 100D of the Local Government Act 1972

10. SUSTAINABILITY STATEMENT

As required by:

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

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





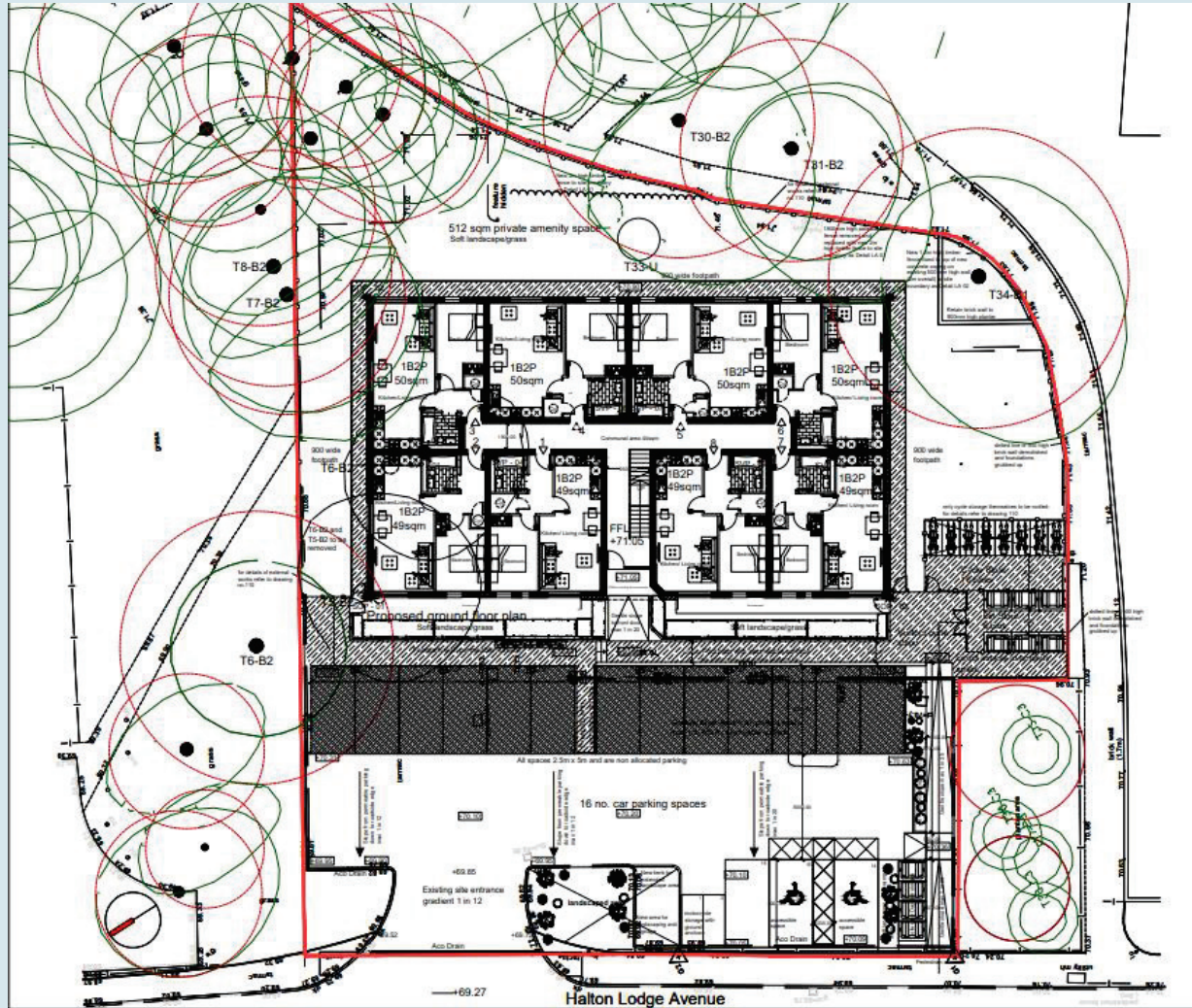
Application Number: 22/00374/FUL

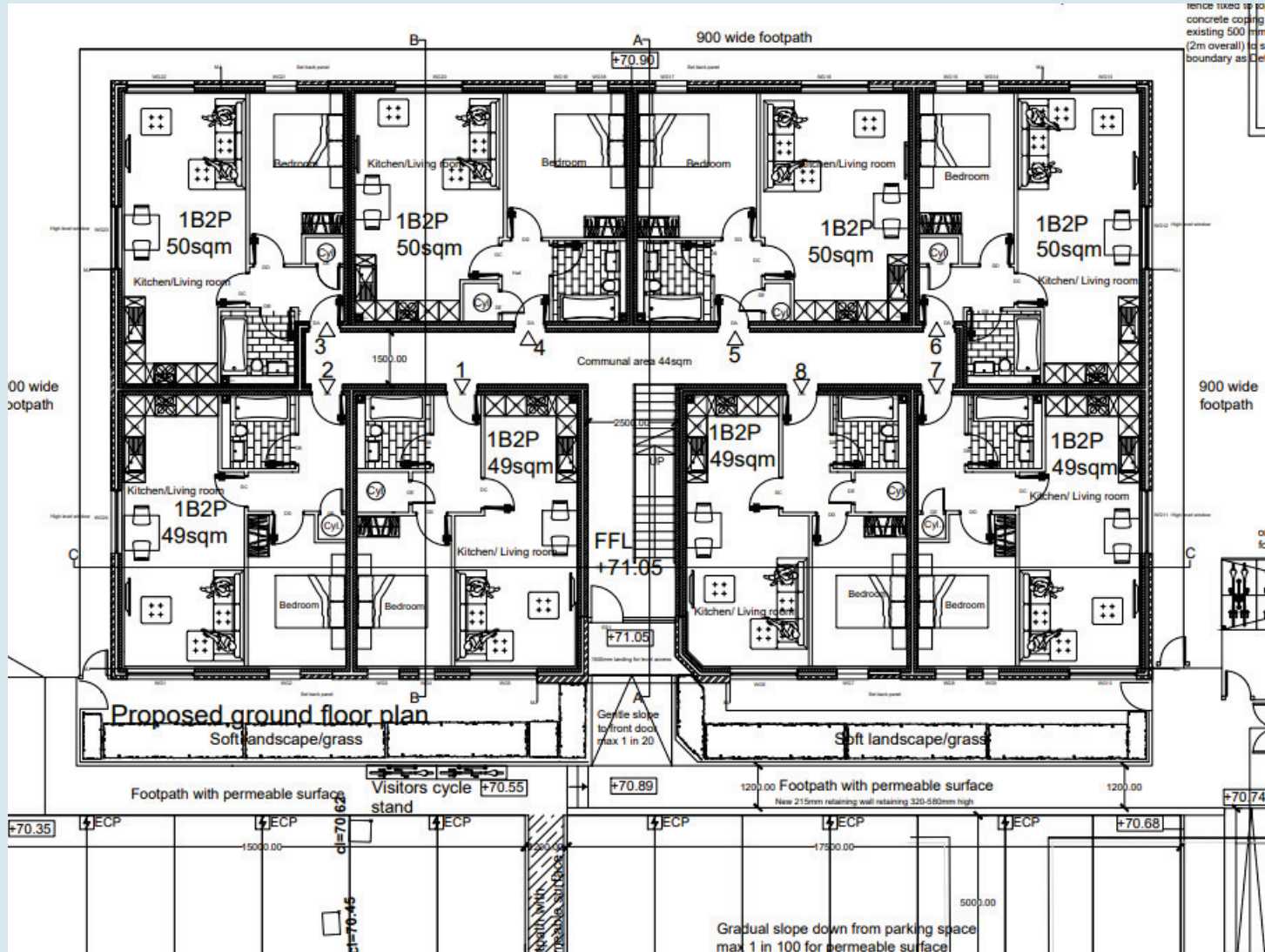
Plan IA : Location Plan

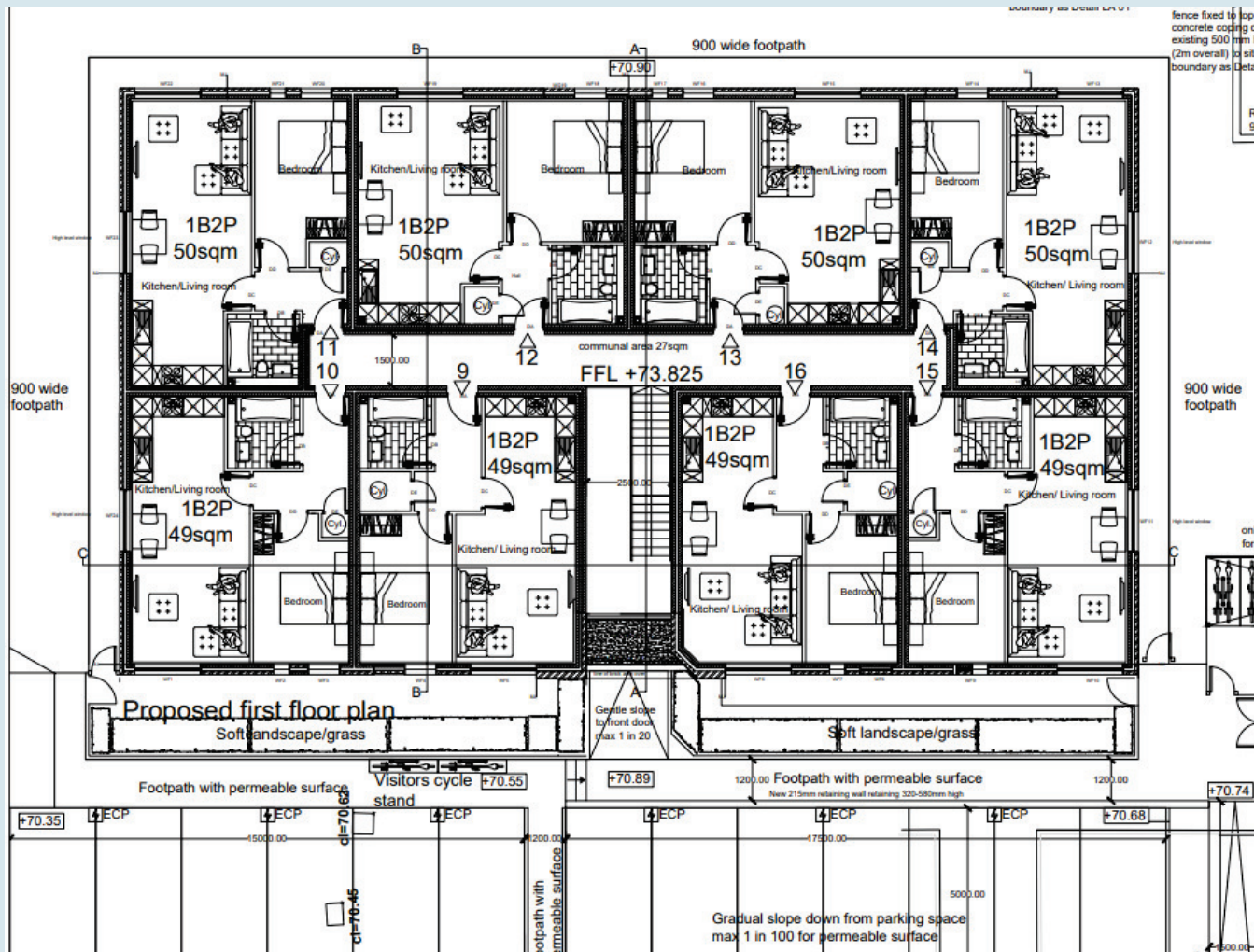


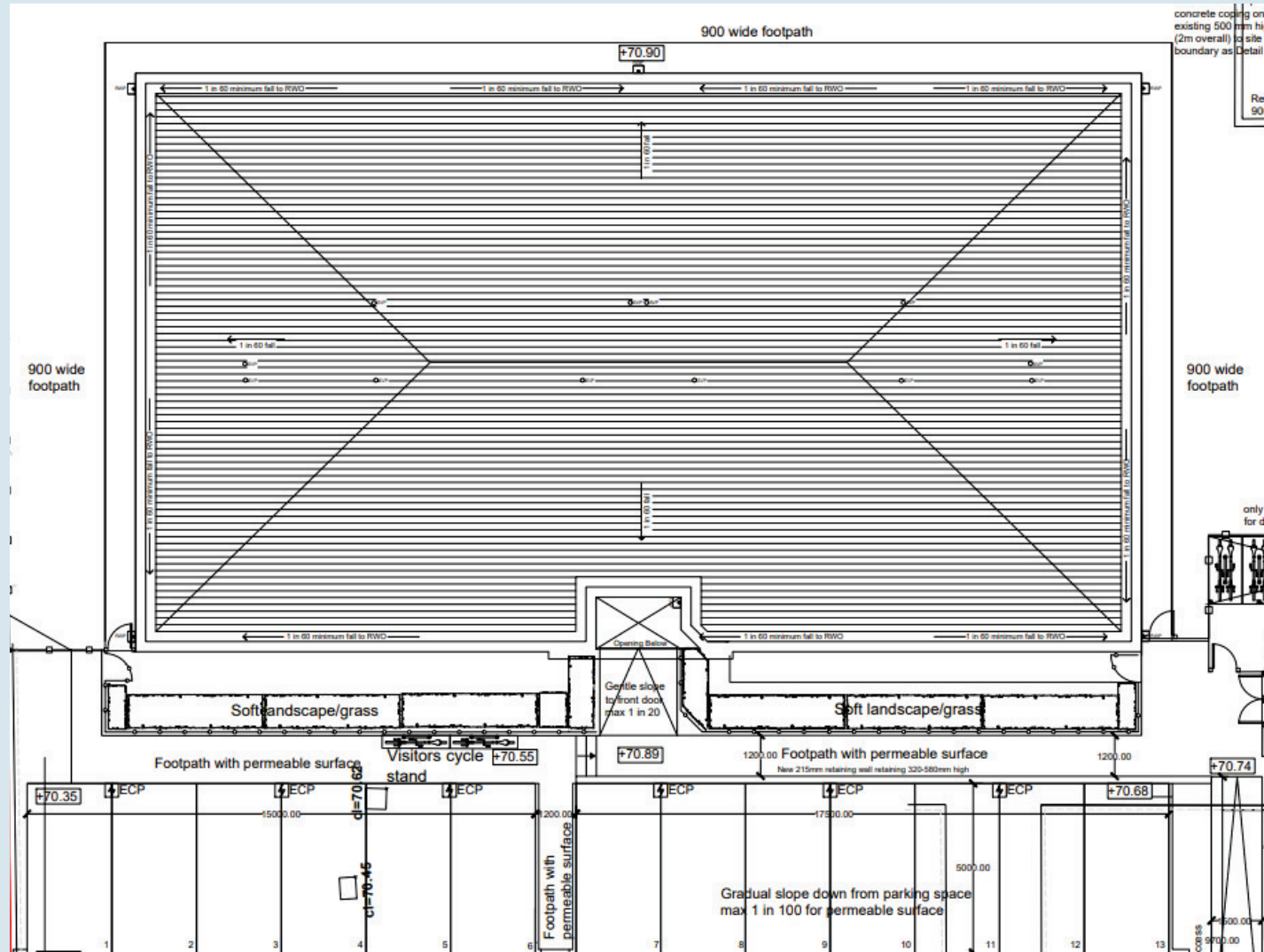
Application Number: 22/00374/FUL

Plan IB : Existing Site Plan

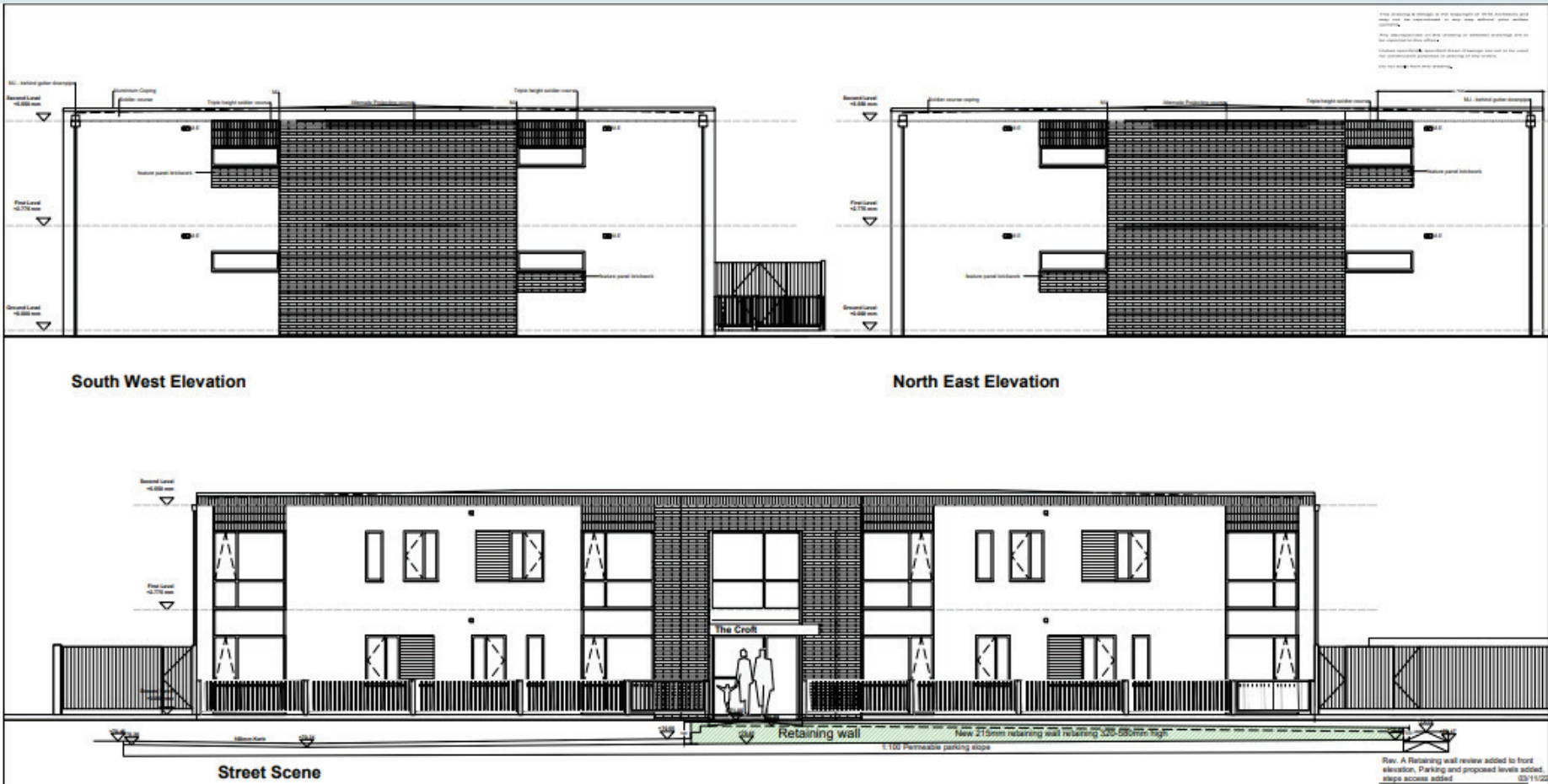








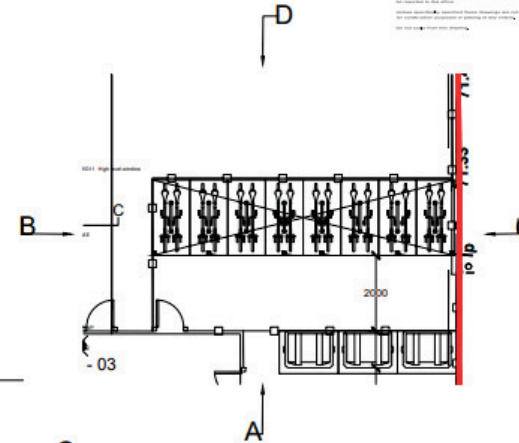
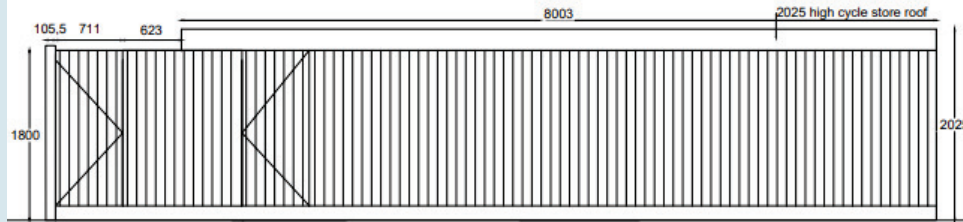




External Works

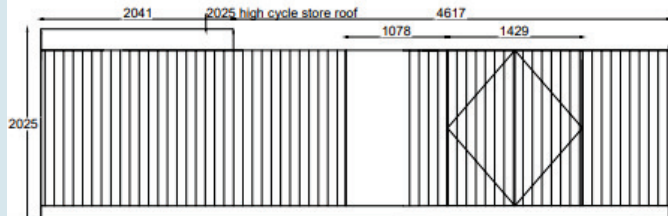
Front elevation - A

1800 high timber close boarded fence with door



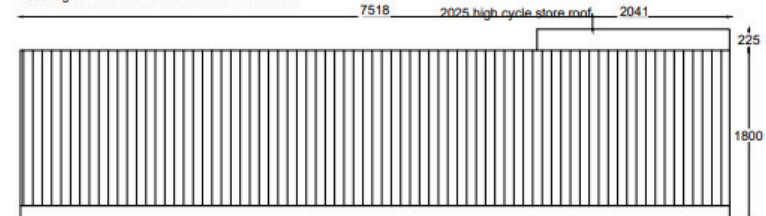
South West Elevation - B

1800 high timber close boarded fence and gate



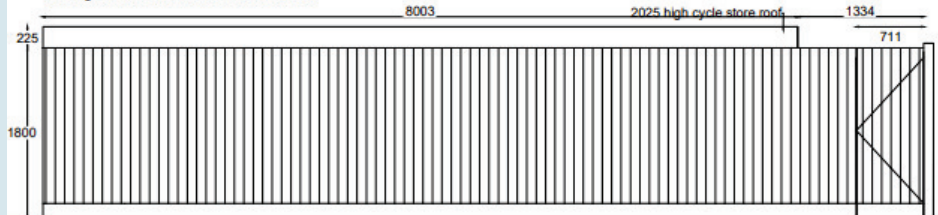
North East Elevation - C

1800 high timber close boarded fence with door



Rear Elevation - D

1800 high timber close boarded fence with door





Application Number: 22/00374/FUL

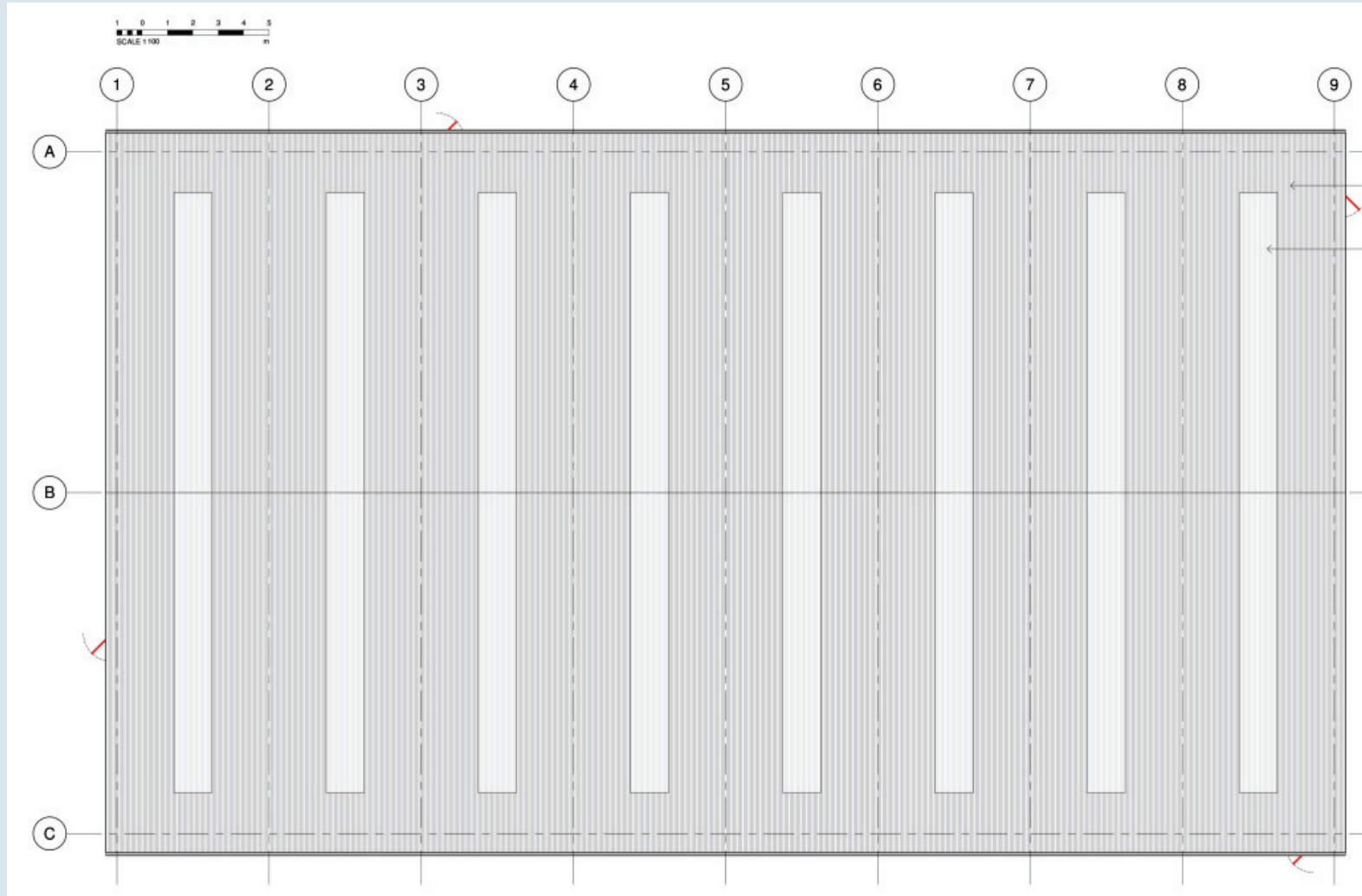
Plan IJ :Aerial Photograph



Application Number: 22/00548/FUL

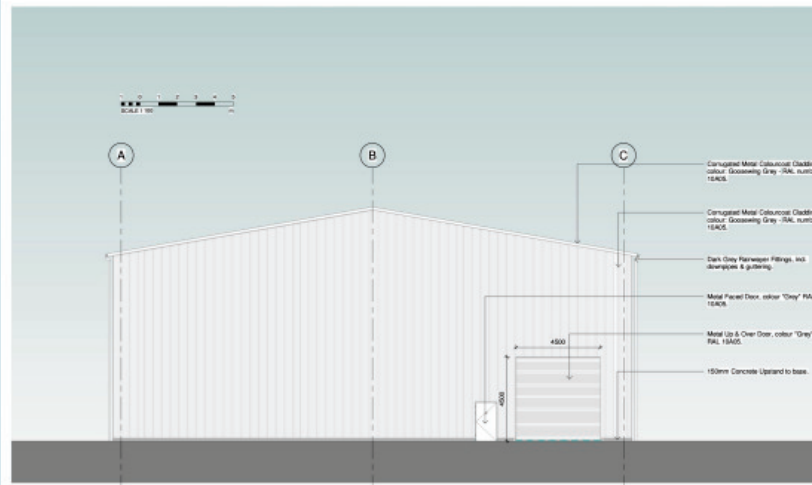
Plan 2A : Location Plan







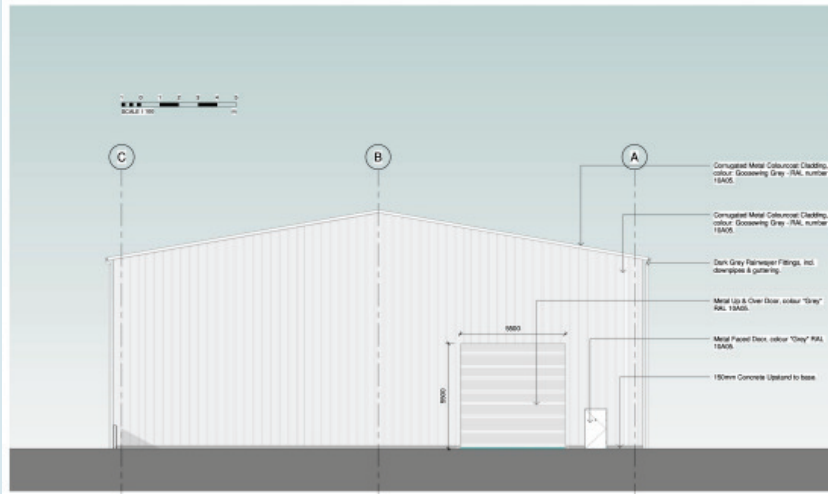
1 Elevation_01
1 : 100



2 Elevation_02
1 : 100



1 **Elevation_03**
1 : 100



2 **Elevation_04**
1 : 100



Application Number: 22/00548/FUL

Plan 2F : Aerial Photograph

REPORT TO: Development Management Committee

DATE: 7 March 2023

REPORTING OFFICER: Operational Director – Policy, Planning & Transportation

SUBJECT: Miscellaneous Information

WARD(S): Boroughwide

The following Appeals have been received / are in progress:

- 21/00629/COU** Proposed change of use from dwelling (Use Class C3) to dental practice (Use Class E (e)) with onsite parking provision for 8 vehicles at 34 Cronton Lane Widnes Cheshire WA8 5AJ.
- 22/00292/FUL** Proposed erection of a secure replacement 2.4m high brick perimeter wall to vehicle impound yard at DVLA Pound Waterloo Road / Barn Street Widnes Cheshire WA8 0QF.
- 22/00019/PLD** Application for a Lawful Development Certificate for a proposed use of development for the installation of a solar farm (ground mounted solar photovoltaic panels) at Liverpool John Lennon Airport, Land Bounded By Dungeon Lane, Hale Road And Baileys Lane To The East Of Liverpool John Lennon Airport Speke Liverpool L24 1YD.
- 22/00103/FUL** Proposed construction of front dormer and rear dormer to newly formed first floor at 265 Hale Road Hale Liverpool L24 5RF.
- 22/00285/ADV
& 22/00284/FUL** The retrospective application for planning consent for the installation of a car park management system on existing car park comprising 4 no. pole mounted automatic number plate recognition (ANPR) cameras and 6 no. park and display machines at Car Park at Green Oaks Shopping Centre, Widnes, WA8 6UA.
- 21/00016/OUT** Outline application, with all matters other than access reserved for the erection of two semi-detached dwellings and four detached dwellings on the existing church field and the retention of the existing scout hut at Hough Green Scout And Guide Group Hall And Church Field Hall Avenue Widnes.

The following Appeals have been determined:

22/00113/COU the proposed ground floor and first floor flats to be changed into 5 bed HMO, 65 Widnes Road, Widnes. – Refused and appeal dismissed.