

Public Document Pack



Development Management Committee

Monday, 15 May 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, 5 June 2023*

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

Part I

Item No.	Page No.
1. MINUTES	1 - 4
2. DECLARATIONS OF INTEREST	
<p>Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting prior to discussion and voting on the item.</p>	
3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
(A) 22/00178/FUL & 22/00179/FUL - Proposed residential development including supporting infrastructure, public open space, landscaping, sustainable urban drainage and car parking on land south of Mill Green Farm, Mill Green Lane, Widnes (22/00178/FUL) and land to the south of Mill Green Farm, Mill Green Lane, Widnes (22/00179/FUL)	5 - 48
(B) PLANS	49 - 69

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, 7 March 2023
at the Civic Suite - Town Hall, Runcorn*

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

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, A. Plant, G. Henry, L. Wilson-Lagan, K. Butler and L. Crampton

Also in attendance: Four members of the public

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

	<i>Action</i>
DEV29 MINUTES	
<p>The Minutes of the meeting held on 6 December 2022, having been circulated, were taken as read and signed as a correct record.</p>	
DEV30 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>	
DEV31 22/00548/FUL - PROPOSED ERECTION OF SINGLE STOREY WAREHOUSE AT CRODA EUROPE LTD, FOUNDRY LANE, WIDNES, WA8 8UB	
<p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p> <p>Officers advised the Committee that a number of conditions relating to construction management, ecology, site investigation and drainage were considered 'prior to commencement of development' conditions. In order to</p>	

avoid delay, the applicant requested that they be allowed to submit this information for consultation prior to determination. It was requested therefore, that authority be delegated to the Operational Director, in consultation with the Chair or Vice Chair, to determine the application on that basis. Any additional conditions would be worded appropriately based on consultation responses received. The Committee agreed this.

RESOLVED: That authority be delegated to the Operational Director – Planning, Policy and Transportation, to determine the application in consultation with the Chair or Vice Chair of the Committee, following the satisfactory consultation regarding the prior to commencement of development conditions. Any additional conditions recommended by them to be added to the list below:

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); and
12. Protected mammals – pre construction investigation / protective construction techniques (HE1).

DEV32 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

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

Officers advised Members that the description of the development had been amended to say '*one bed affordable apartments*' as the development would provide 100% affordable housing. An additional condition was

recommended to secure this and an appropriate mix of dwellings.

The applicant had requested that submissions be allowed for any conditions that would be 'prior to commencement of development' conditions, in order to minimise delay. Officers requested delegated authority to the Operational Director, in consultation with the Chair or Vice Chair, to determine the application on this basis. Any additional conditions would be worded appropriately based on consultation responses received. This was agreed.

Members commented that this proposal would benefit the local community and make use of a derelict site.

RESOLVED: That authority be delegated to the Operational Director – Planning, Policy and Transportation, to determine the application in consultation with the Chair or Vice Chair of the Committee, following the satisfactory consultation regarding the prior to commencement of development conditions. Any additional conditions recommended by them to be added to the list below:

1. Time;
2. Approved plans;
3. Site levels;
4. Material details;
5. Landscaping details;
6. Boundary treatments;
7. Vehicle access, parking and servicing to be 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; and
15. Soft tree felling technique.

DEV33 MISCELLANEOUS ITEMS

It was noted that the following appeals had been received / were 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, 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, 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, L23 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.

It was noted that the following appeal had been determined:

22/00113/COU

The proposed ground floor and first floor flats to be changed into 5 bed Home of Multiple Occupation (HMO), 65 Widnes Road, Widnes – refused and appeal dismissed.

Meeting ended at 6.42 p.m.

APPLICATION NO:	22/00178/FUL & 22/00179/FUL
LOCATION:	22/00178/FUL Land South Of Mill Green Farm Mill Green Lane, Widnes, Cheshire 22/00179/FUL Land To The South Of Mill Green Farm Mill Green Lane, Widnes, Cheshire
PROPOSAL/ DESCRIPTION OF DEVELOPMENT FOR BOTH APPLICATIONS:	Proposed residential development including supporting infrastructure, public open space, landscaping, sustainable urban drainage and car parking.
WARD:	Farnworth
PARISH:	N/A
APPLICANT:	Redrow Homes
AGENT:	Barton Willmore
DEVELOPMENT PLAN ALLOCATION:	National Planning Policy Framework (2021) Delivery and Allocations Local Plan ('DALP') (March 2022). Allocated Residential Site Ref:W9 and W11(part of) Joint Merseyside and Halton Waste Local Plan (2013)
DEPARTURE	No
REPRESENTATIONS:	Public objections received: 22/00178/FUL – 90 Representations Registered 22/00179/FUL – 64 Representations Registered details summarised and addressed later through the report.
KEY ISSUES:	Principle of development, affordable housing, connectivity, layout, Highway impact, mineral protection zone, residential privacy and overlooking, ecology, access, drainage, compensatory measures re former Green Belt site.
RECOMMENDATION:	Approve Subject to Conditions

APPLICATION SITE

The Sites

Site subject of application number 22/00178/FUL

The application site is identified as site W9 in the Halton DALP and measures approximately 21.34ha. of undeveloped predominantly arable farmland. The boundary consists of mature hedgerows and scattered broad leaved trees.

The site is bounded by Derby Rd. Mill Ln and Green Mill Ln. When complete, access to the proposed development will be taken off Mill Lane via a new lane off the A57 facing round about and via an access off the Derby Rd.

The application site is bisected by a large United Utilities (UU) easement that passes through the site at an approximate 45 degree angle.

In the wider context the development site is located at the northern edge of the Widnes conurbation beyond that of the existing residential development off Moorfield Rd, and located east of the Watkinson Way (A557) and south west of the Bold Heath Quarry.

Site subject of application number 22/00179/FUL

The application site forms part of the land allocation identified as site W11 in the Halton DALP. The site is bounded by the A5080 to the north, a main river water course to the south, residential properties to the west and a further land allocation to the east.

The land is predominantly undeveloped farmland that is bound by mature hedgerows and interspersed broad leaved trees. When complete, access to the proposed development will be taken off Derby Rd.

Similar to other strategic site allocations in north Widnes, the development site is located at the northern edge of the Widnes conurbation located directly north of the Applicants previous development ref: 10/00355/FUL off Barrows Green Lane.

Planning History

Both sites are undeveloped greenfield site allocations. There are no relevant planning history records.

THE APPLICATION

The Proposal

Both planning applications were submitted with the following description of development:

Proposed residential development including supporting infrastructure, public open space, landscaping, sustainable urban drainage and car parking.

Both applications seek permission for 479 dwellings.

Documentation

Planning application 22/00178/FUL was submitted with the following supporting documentation:

- Application form
- Set of proposed plans
- Phase II GI
- Noise Impact Assessment
- Air Quality Assessment
- Ecological Assessment
- Arboricultural Impact Assessment
- Shadow Habitat Regulations Assessment
- Biodiveristy Feasibility Assessment
- Agricultural Land Quality
- Flood Risk Assessment
- Planning Statement
- Ecology Desk Study
- Great Crested New Survey
- Bat Survey
- Breeding Bird Survey
- Winter Bird Survey
- Design and Access Statement
- Habitat Impact Assessment
- Infiltration Testing Report
- Transport Assessment
- Historic Environment Assessment
- Utility Statement
- Waste Management Statement

- Landscape Visual Impact Assessment

Planning application 22/00179/FUL was submitted with the following supporting documentation:

- Application form
- Set of proposed plans
- Phase II GI
- Noise Impact Assessment
- Air Quality Assessment
- Ecological Assessment
- Arboricultural Impact Assessment
- Shadow Habitat Regulations Assessment
- Biodiveristy Feasibility Assessment
- Agricultural Land Quality
- Flood Risk Assessment
- Planning Statement
- Ecology Desk Study
- Great Crested New Survey
- Bat Survey
- Breeding Bird Survey
- Winter Bird Technical Report
- Design and Access Statement
- Habitat Impact Assessment
- Infiltration Testing Report
- Transport Assessment
- Historic Environment Assessment
- Utility Statement
- Waste Management Statement
- Landscape Visual Impact Assessment

Policy Context

Members are reminded that planning law requires that development proposals 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)3	Housing Supply and Locational Priorities
CS(R)6	Green Belt
CS(R)7	Infrastructure Provision
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
CS(R)21	Green Infrastructure
CS(R)22	Health and Well-Being
CS(R)23	Managing Pollution and Risk
CS(R)24	Waste
CS(R)25	Minerals
RD1	Residential Development Allocations
RD4	Greenspace Provision for Residential Development
C1	Transport Network and Accessibility
C2	Parking standards
HC10	Education
HE1	Natural Environment and Nature Conservation
HE2	Heritage Assets and the Historic Environment
HE4	Green Infrastructure and Greenspace
HE5	Trees and Landscape
HE7	Pollution and Nuisance
HE8	Land Contamination
HE9	Water Management and Flood Risk
HE10	Minerals Safeguarding Area

GR1	Design of Development
GR2	Amenity
GR3	Boundary Fences and Walls
GR5	Renewable and Low Carbon Energy

Joint Merseyside and Halton Waste Local Plan (2013)

The following policies are of relevance:

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

Supplementary Planning Documents ('SPD')

- Design of Residential Development SPD
- Draft Open Spaces Supplementary Planning Document

MATERIAL CONSIDERATIONS

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

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.

Following the Applicant's modification of the scheme a follow up 21-day consultation exercise was issued to neighbours, contributors and statutory consultees.

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

APPLICATION 22/00178/FUL

National Highways

No objection

Environment Agency

No objection subject to the use of a recommended condition

Coal Authority

No objection

United Utilities

Standing Objection – Details regarding concerns of UU asset. The details of this objection is discussed further in the drainage and flood risk section of the report.

National Grid

No response

Natural England

Objection – Outcome of further consultation with Natural England is awaited. Members will be updated accordingly.

Cheshire Police

No objection - This is subject to the request for section 106. Consideration of Cheshire Police responses are set out in the considerations of the S106 section of the report. As the Council has not agreed to this request this should be treated as an objection.

St. Helens

No objection

Warrington Borough Council

No objection

APPLICATION 22/00179/FUL

National Highways

No objection

Environment Agency

No objection

Coal Authority

No objection

United Utilities

No objection

Natural England

No response

National Grid

No response

Natural England

Objection – Outcome of further consultation with Natural England is awaited. Members will be updated accordingly.

St. Helens

No objection

Warrington Borough Council

No objection

National Grid

No response

Cheshire Police

No objection see above.

Council Services

APPLICATION 22/00178/FUL & 22/00179/FUL

Archaeology

No Objection - there are no further archaeological requirements of this proposed development

Halton Health

No response

Public Health

No response

Waste Services

No response

Highways

No objection. Further details are set out in the Highways section of the report.

HBC Contaminated Land

No Objection subject to use of planning conditions.

Planning Policy

No Objection

Lead Local Flood Authority

No objection subject to the use of planning conditions.

MEAS – Ecology and Waste Advisor

No objection. Further details are set out in the body of the report.

Open Spaces

No objection

Landscape Architect

No objection

Environmental Health

No objection

REPRESENTATIONS

A number of representations have been received as a result of the publicity undertaken for applications 22/00178/FUL and 22/00179/FUL, the details of which are summarised below.

- Land has been removed from the Green Belt contrary to the NPPF
- There should be a 500m boundary between development and the Borough boundary
- Insufficient school facilities to cope with additional population
- Entrance from Derby Rd. has not been risk assessed
- Derby Rd. and Moorfield Rd. experience high levels of traffic
- The position of proposed junctions will worsen proposed traffic burden.
- Derby Rd. is a major through route for heavy traffic.
- Lack of supporting infrastructure such as schools, doctors, dentist surgeries to support the population of the proposed development.
- More traffic on narrow roads.
- Increase in noise and dust pollution
- Increase in pollution from increase traffic
- Threat to wildlife
- Development is too big for the area.
- No local shops, development will rely on private car to access shops
- Impact on air quality
- Will result on removal of land from the Green Belt.
- No affordable housing for local people.
- Will result in removal of established trees and hedgerows
- Loss of biodiversity
- Planting new trees will not compensate the negative impacts
- Negative impact on Mersey Estuary
- Negative impact on health

- Widnes is one of the most polluted towns in UK
- Only 2 bed units are apartments
- No properties for downsizing elder generation/younger generation
- Not built for local housing needs
- Children not getting into schools of choice
- Less open space
- Loss of farm land
- Widnes has contributed enough housing
- Insufficient points of access
- This is a cut and paste development
- No convenience shops are provided
- There is no place making in design
- Private car journeys will be required for residents to access services
- Nearest school is 2km away and oversubscribed
- Profit before local residents
- Loss of hedgerow
- Impact on wildlife and habitats
- Park will attract unwanted anti-social behaviour
- There are 8 dwellings over allocation
- Development borders neighbouring towns and removed from Green Belt contrary to Core Strategy.
- Widnes will merge with neighbouring towns
- Risk of release of pollutants from building over coalfield
- Existing public transport facilities not up to standard
- Proposed reduction in speed limits need to be extended along Derby Rd.
- Further traffic calming measures are required on existing roads
- No leisure facilities
- Mill Lane is a cut through to traffic
- Development is a loss of environment to future generations
- Council has a statutory duty to protect trees when determining planning applications
- Reduction of green space to conduct physical activity.
- Negative impact on mental health in a deprived Borough
- The amount of development is such that the DALP will deliver its housing 9 years before the end of the planning period.
- No improvements to compensate for loss of former Green Belt.
- Pedestrian safety improvements should be delivered as part of the scheme
- There is a utility asset shown on the layout opposite my property

ASSESSMENT

Principle of Development

Planning applications 22/00178/FUL and 22/00179/FUL (the Development

Proposals) concern the residential development of allocated strategic sites W9 and part of W11 at the northern edge of Widnes. This is consistent with planning policy RD1 'Residential Development Allocations' of the Halton DALP.

Policy RD1 does not stipulate a delivery restriction regarding timing of delivery or site-specific infrastructure requirements. An indicative housing capacity figure is proposed for each allocated site within the table of Policy RD1. The development proposal presented by application 22/00178/FUL is consistent with the indicative figure with a proposed layout plan providing 428 residential dwellings. Application 22/00179/FUL only details part of site allocation, notwithstanding, the proposed development density remains consistent with the indicative figure.

Paragraph 2 states that the identified strategic housing allocations will assist in the delivery of the requirements set out in Policy CSR3 'Housing Supply and Locational Priorities'.

Policy CSR3 sets a housing supply priority for the Borough at 8,050 additional dwellings for the 2014-2037 period based on an average of 350 dwellings per year. The policy confirms that Strategic Residential Location SRL7 'North East Widnes' will contribute toward this housing supply. Site allocations W9 and W11 form part of the SRL7 location, therefore the application sites are recognized by the DALP as key sites in the delivery of the Council's housing land supply priority. The proposed development densities are in line with DALP expectations, therefore it is considered that the development will contribute to the Borough's housing needs in line with planning policy.

Residential development on former Green Belt Sites

Paragraph 3 of DALP policy RD1 states that; '*Residential development on Green Belt sites, or former Green Belt sites allocated in this Plan, will need to provide appropriate mitigation for the loss of green belt land in line with NPPF requirements*'.

DALP Policy CSR6 'Green Belt', paragraph 3 states, '*Development proposals for the sites removed from the Green Belt and allocated or safeguarded in this plan should include compensatory improvements to the environmental quality and accessibility of remaining Green Belt land to offset the impact of the removal of the land from the Green Belt*'.

Paragraph 7.71 in the policy justification to DALP policy CSR6 provides clarification as to the form such compensatory measures can take; '*Compensatory improvements could include new or enhanced green infrastructure, woodland planting, landscape and visual enhancements, improvements to biodiversity, new or enhanced walking or cycling routes and improved access to new, enhanced or existing recreational and playing field provision*'.

Prior to the adoption of the DALP in March 2022, both application sites were designated as Green Belt land, therefore the requirements of policies RD1 para 3 and CSR6 para 3 apply. In order to address this policy requirement, the Applicant

has engaged in discussions with the Council regarding the design of a North Widnes active travel corridor.

With continued participation from the wider development delivery within SRL7 sites, the north Widnes active travel corridor will provide a sustainable travel link and provide improved access to the Green Belt by utilizing and connecting to existing infrastructure at Rivendell Garden Centre and the footpath link to the west.

The Applicant has incorporated connectivity to the North Widnes Active Travel corridor through their respective site layouts by provision of a footpath through the proposed layout and in addition have confirmed that they will contribute to off site payments toward the delivery of the North Widnes Active Travel Corridor. These payments will be secured through a legal agreement by means of S106. The resulting active travel corridor will provide a sustainable mode of travel for the benefit of the Widnes population, particularly those residing at the northern edge of the existing conurbation boundary as well as future site residents of the newly allocated sites.

It is considered that the above can be adequately secured and, as such, that the Applicant has had sufficient regard to the policy based requirement to undertake suitable compensatory measures with the development of a former Green Belt site. It is considered that the proposals accord with the Development Plan having particular regard to Policies RD1 and CSR6.

Housing Mix

Both policies CS(R)3 and CS(R)12 requires on sites of 10 or more dwellings, the mix of new property types delivered are encouraged to contribute to addressing identified needs (size of homes and specialist housing) as quantified in the most up to date Strategic Housing Market Assessment, unless precluded by site specific constraints, economic viability or prevailing neighbourhood characteristics. The Mid-Mersey SHMA 2016 sets out the demographic need for different sizes of homes, identifying that the majority of market homes need to provide two or three bedrooms, with more than 50% of homes being three bed roomed. The policy justification recognises that a range of factors including affordability pressures and market signals will continue to play an important role in the market demand for different sizes of homes. Evidence from the Mid-Mersey Strategic Housing Market Assessment (SHMA) demonstrates that there is a need for a greater diversity of housing types and sizes across market housing as well as in affordable accommodation. The housing type profile in Halton currently differs from the national pattern with higher proportions of medium/large terraced houses and bungalows than the average for England and Wales. Consequently, there is under provision of other dwelling types, namely detached homes and also to a certain extent, flatted homes. The SHELMA (LCR) shows an above average representation of detached and semi-detached sales however does not breakdown for bedroom requirements. In Halton this is due to a particularly high proportion of new build sales that upwardly skew the figures

for detached and semi-detached sales.

It is important to rebalance the type and size of housing across the Borough and to ensure that the most appropriate form of housing is provided by listening to the market to ensure the requirements are met for current and future residents.

The following table illustrates the proposed residential mix for planning applications 22/00178/FUL and 22/00179FUL

	22/00178/FUL Market Housing	22/00178/FUL Affordable	22/00179/FUL Market Housing	22/00179/FUL Affordable
1 bed units	0	24 (28%)	0	2 (20%)
2 bed units	0	48 (56%)	0	8 (80%)
3 bed units	72 (23%)	14 (16%)	2 (5%)	0
4 bed units	223 (70%)	0	32 (78%)	0
5 bed units	47 (7%)	0	7 (17%)	0
Total	342 (80%)	86 (20%)	41	10

The table below provides the objectively assessed housing need breakdown as presented in the 2016 SHMA.

	Market	Affordable
1 bed units	6.5%	44.8%
2 bed units	30.4%	28.4 %
3 bed units	52.7%	23.8%
4+ bed units	10.5%	3.0%

From the two tables, the Applicant is over providing in the range 4+ bed units. However, suitable affordable housing splits are proposed that are in line with the SHMA study. The Applicants position is that they are an expert in the market forces of new build sales and have followed what they consider to be a local market need to be met, where as in social housing they are not an expert they have followed the evidence base and provided to the according needs of the social housing industry.

For affordable housing, The applications both provide for 20% affordable housing in line with policy CS(R)13. The bedroom mix for the proposed affordable units differs from the 45% 1 bed, 28% 2 bed, 24% 3 bed and 3% 4+ beds need identified in the SHMA, the Oak Villa site having 20% 1 bed and 80% 2 bed,

whilst the Mill Green site has more of a mix with 28% 1 bed, 56% 2 bed and 16% 3 bed. The applications are however supported by a letter from a Registered Provider confirming that the proposed mix and distribution across the sites is acceptable to their requirements.

For market housing, the Mill Green and Oak Villa sites focus on larger units, respectively having 14% and 15% 5 bed detached, 65% and 81% 4 bed detached and just 21% and 4% 3 beds. On Mill Lane 79% of the proposed units are 4 and 5 bedrooms, with the figure being 96% on South Lane. This is in sharp contrast to the SHMA which identified 89% of need for market housing as being for 3 bedrooms or less. It should be noted that there is a difference between 'need' and 'demand' in housing terms with many families, where finances allow, choosing to occupy a larger properties than strictly needed to meet their bedroom requirements. The applicant has indicated that 'they know their market' and they consider the mix of units appropriate.

Since the completion of the latest SHMA in 2016, Government has introduced "First Homes" a specific form of discounted market sale as a preferred form of affordable housing. This may have skewed the need and demand figures slightly with some previously identified demand for smaller market housing now being met by "First Homes" and "Shared Ownership" properties which respectively represent 50% and 24% of the affordable units across both sites.

Whilst the mix of property types is not neatly aligned to the 2016 SHMA, the policy requirement encourages proposals to contribute to addressing identified needs and is more advisory than a prescriptive requirement. Given the contrast of the housing mix proposed when compared to the 2016 SHMA, there is considered to be a non-compliance with Policies CS(R)3 and CS(R)12, however based on the justification provided by the applicant and the assessment set out that there are not sufficient grounds to warrant the refusal of applications 22/00178/FUL and 22/00179/FUL on the basis of housing mix.

Affordable Housing

As per the terms of planning policy CSR13, residential development proposals on strategic housing sites are required to deliver 20% affordable housing as part of the proposed housing mix. Paragraph 2 of CSR13 sets out the Councils ambition for affordable housing delivery, at 74% social rent and 26% intermediary. Notwithstanding this detail, the Government published updated national guidance on the delivery of First Homes since the DALP examination in public. The Applicant has offered a proportion of first homes as part of the proposed affordable housing delivery.

First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes. First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations. First homes are required to fulfill the following nationally set criteria:

- Must be discounted by a minimum of 30% against the market value
- Sold to persons meeting the first homes eligibility criteria
- On their first sale will have a restriction registered on the Land Registry title to ensure that other restrictions are passed on at each subsequent title transfer
- A market price cap of £250,000 is applied
- Purchasers of a First Home should have a combined household income not exceeding £80,000 in the tax year immediately preceding the year of purchase
- A purchaser of a First Home should have a mortgage or home purchase plan to fund a minimum of 50% of the discounted purchase price

In addition to the above nationally set criteria, it is intended for the following locally set criteria to be applied. The Applicant has agreed to the following locally set criteria:

- Applicant must be a former British Armed Service Member or ex member of no longer than 5 years inc. civil partners, spouses, ex spouses/partners
- A Halton resident for a continuous period of not less than 24 consecutive months.
- A parent/child family with association to Halton resident
- A requirement to living in Halton due to employment as a key worker
- Past resident who has living the Borough for 5 years or more
- A key worker employed in Halton Public Sector for 12 months
- Key worker employed in health and education and childcare, public safety and national security

The affordable housing will be delivered in the following terms

Site	First Homes	Affordable Rented	Shared Ownership / Intermediate	Total
22/00178/FUL Mill Green	43	21	22	86
22/00179/FUL Oak Villa	5	3	2	10

The Applicant has engaged the Council with discussions concerning affordable housing and has delivered a comprehensive mix of property types and delivery mechanisms that adequately addresses the affordable housing need as part of a wider strategic housing site delivery. First Homes account for at least 25% of all affordable homes in accordance with national policy with the applicant intending to provide 50% of the affordable homes for the Government's preferred discounted market tenure. The remaining affordable homes would be approximately equally split between affordable rented and shared ownership / intermediate. This does not neatly align with the Policy CS(R)13 wording that the overall number of affordable housing units should be provided as approximately 74% affordable or social rent and 26% intermediate where practicable. It is again noted that the applications are supported by a letter from a Registered Provider confirming that the proposed mix and distribution across the sites is acceptable to their requirements.

An additional requirement of policy CSR13 concerns affordable housing integration within the surrounding development to avoid over concentration and provide seamless design. The Applicant has incorporated the affordable housing units across the two development sites, situating affordable units as small clusters amongst market housing. Whilst the styles of the development are evidently smaller owing to their smaller designs, they are comprised of a high quality choice of building materials that will complement the surrounding market housing. The Applicant has taken steps to ensure suitable interfaces exist between affordable units and smaller market housing to offer a complementary streetview appearance.

Affordable housing would be secured by means of suitably worded clauses within an accompanying S106 agreement. First homes eligibility criteria would also form part of the S106 wording with a requirement for criteria to be entered into the title deeds to ensure market discount is retained in perpetuity. Based on development proposals 22/00178/FUL and 22/00179/FUL, they would both deliver the 20% affordable housing requirement which meets the broad requirements of planning policy CS(R)13. It is not considered that the percentage split in the type of affordable housing units would warrant the refusal of the application.

Design and Appearance

The development proposal is a well-designed housing scheme that comprises a visually attractive layout with good quality architectural design of the Applicant's heritage line of housing that is consistent with the appearance of the Redrow scheme along Lunts Heath Rd and Barrows Green Lane. Whilst this is undoubtedly a significant change from the undeveloped appearance on site at present, the proposed development is consistent with that envisaged by the DALP land allocation. The final appearance will result in a well-designed expansion to the northerly boundary of the Widnes town suburb. The surrounding housing stock is of mixed era with no specific form or architectural style that would give rise to the term 'local distinctiveness'. Notwithstanding, the Applicant

has positively responded to the Council's feedback with regard to utilizing existing landscape assets, specifically incorporating private drives along Derby Rd. behind the existing vegetative boundary. The resultant street scene will present a softened interface with existing properties along Derby Rd. presents a developed interface that is sympathetic to its surroundings.

The proposed development layouts adequately address the requirements of the Design of Residential Development SPD (the SPD) and follows good urban design principles with complementary plot layouts that ensure good natural surveillance and convey a pedestrian and community safe sense of place. The Council has consulted Cheshire Police as part of the applications determination, a response has been returned raising no issues with regard to designing out crime.

On this basis the proposal is considered acceptable in respect of its external appearance and is therefore in compliance with Policies CSR18 and GR1 of the Halton DALP.

Residential Amenity

The development proposals have been assessed against the Councils relevant guidance for residential development as set out in the Council's New Residential Development Supplementary Planning Document (SPD).

Both schemes are comprised of the Applicants heritage line of house types, predominantly they will deliver detached housing along with semidetached and terraced properties including single bedroom flats. Suitable off road parking spaces have been provided in the form of designated parking, driveways and in the case of detached properties private garages.

The development of both sites will represent a fundamental change in the appearance of the applications sites irreparably changing the existing outlook of surrounding residents. However, the proposed development and its visual impact in the context of the local landscape is consistent with the expectations borne from the Local Plan land allocation.

Given the separation to existing properties there are no proposed direct interfaces between existing and proposed residential units on scheme 22/00178/FUL. With respect to the application 22/00179/FUL, there is a single existing property 'Oak Villa' on Barrows Green Lane that will have a new residential interface with plot 27. This interface complies with the guidance set by the SPD. Proposed interface distances within the application site boundary are considered acceptable.

Paragraph 6.14 of the SPD provides guidance in the calculation of required sizes for usable minimum private garden spaces for houses, paragraph 6.16 clarifies garden space for flats and apartments as follows:

- Houses having 1-2 bedrooms shall have a minimum private outdoor space of 50sqm per unit

- Houses having 3 bedrooms shall have a minimum private outdoor space of 70sqm per unit
- Houses having 4 or more bedrooms shall have a minimum private outdoor space of 90sqm per unit

Consideration has been given toward garden sizes within the proposed residential site. The suggested minimum garden size set by the SPD for residential properties is met on the majority of the plots. The scheme is however considered deficient with respect to a number of the smaller plots (approximately 10%). Just because the gardens would be modest, it does not follow that unacceptable harm would necessarily be caused to future occupiers. The gardens would provide sufficient space for sitting out, hanging laundry and for children to play. The proposed ratio of garden to space per plot would appear proportionate.

The scheme does make provision for not insignificant areas of public open space within the proposed development including an area for equipped play.

With regard to the amenity of the Proposed Developments, it is considered that the proposals would provide for an appropriate form of development that do not impact unduly on existing residents and that sufficient regard has been had for the amenity of future occupiers.

On this basis the proposals are considered acceptable having regard to Policies GR1 and GR2 of the Halton DALP.

Open space, Greenspace and Green Infrastructure

Policies RD4, HE4 and HE5 of the Halton DALP set out the Council's expectations for the provision of open space and green infrastructure in new developments. Policy RD4 underlines the importance at para 9.18 of the DALP where it states:

The provision of greenspace underpins people's quality of life. The Council views such provision as being important to individual health and wellbeing, and to the promotion of sustainable communities.

Paragraph 9.23 of the DALP goes on to say:

The provision of attractive and functional open space has an important role to play in ensuring a satisfactory housing estate design. It is vital that it should be considered as an integral element of the overall residential layout. The type, location and amount of areas of open space must be one of the starting points in drawing up the design of a new development. However, it should be noted that not all residential development will create a need for all types of open space and the type and amount will be guided by site specific circumstances.

Planning application 22/00178/FUL proposes two areas of open space. The first

located at the south east corner adjacent to Derby Road and the second, predominantly linear in shape that bisects the site running in a diagonal line from the Derby Rd. to Mill Lane. The combined area of open space incorporates a sustainable urban drainage attenuation pond, a LAP and LEAP, and a linear park that will provide an area of natural and semi natural open space. This is a provision of 29,700SQM of proposed open space.

Policy RD4 'Greenspace provision for residential development', states; all residential development of 10 or more dwellings that create or exacerbate a projected quantitative shortfall of greenspace or are not served by existing accessible greenspace will be expected to make appropriate provision for the needs arising from the development, having regard to the standards detailed in table RD4.1 The Halton Open Space Study 2020 (OSS) forms the evidence base for this policy.

Policy RD4 seeks to ensure that new housing development does not create or exacerbate shortages of five different types of open space. Demand arising from new development is assessed by calculating potential population on site and applying a quantitative standard per person (m²/person) and considering the quantity and proximity of existing supply within the area.

In addition, the site is transected by a requirement for the creation of a new linear greenspace along the route of the Vyrnwy aqueduct.

The application is providing 15,975 SqM of natural & semi-natural, 17,009 SqM amenity greenspace and 3,350 SqM for children and young people including two local areas for play (LAP) and one local equipped area for play (LEAP). In total open space extends to 3.63 Ha or 17% of the 21.33 Ha site area.

The site lies within Area Forum 3, which is identified as having deficiencies in the provision of natural and semi-natural open space, provision for children and young people and allotments. The site has access to existing provision for all of these typologies within the distances set out in policy RD4.

Whilst the scheme includes provision for two of these typologies on-site, a minor deficiency remains for provision for children and young people (422 sqm) and allotments (1,697 sqm). There remains a deficiency of natural and semi-natural of 35,890 SqM. These are being addressed through the payment of a commuted sum for off-site provision.

On this basis the proposals are considered acceptable in this regard and in compliance with Policies RD4, HE4 and HE5 of the Halton DALP

Ecology

As noted above, the Council's retained ecology advisor has issued a response of no objection. This opinion is dependent upon the use of a schedule of recommended planning conditions and financial obligations that will contribute toward off site mitigation.

Recreational Pressure

As part of the consideration of this application, Natural England have been consulted.

The advice provided confirms that the application sites are located in close proximity to the designated sites; Land off Lunts Heath Rd. LWS and, the Disused Railway Line South of Warrington LWS. As a result Policy CSR20 Applies. However, as these sites are isolated from the development proposals it is predicted that there will not be any impact.

The Proposed Development is located within 5km of the Mersey Estuary SPA and the Mersey Estuary Ramsar. The Applicant has submitted a shadow Habitat Regulation Assessment that concludes that there will be no impact on these sites on account to the distance from them with regard to lack of habitat loss or noise/visual disturbance. Due to the development sites proximity to the international sites, recreational pressure has been identified as a likely significant effect of the proposals. To mitigate for this, the Applicant has agreed to subscribe to the Halton recreational management Interim approach (HRMIA). On this basis, it is considered that the potential impacts as a result of recreational pressure have been addressed.

The Council's retained ecology advisor has recommended a series of planning conditions to be attached to a grant of planning permission. These have been accepted by the Applicant.

Natural England (NE) have been consulted as part of the determination of both planning applications. They have issued a holding opinion until such time that their concerns regarding recreational pressure have been addressed. The Council has provided NE with a copy of the advice provided by the Council's retained ecology advisor however Natural England has requested that the HRA be fully updated to reflect this. The updated HRA has now been received and forwarded to Natural England for consideration. Members will be updated orally at Development Management Committee.

Biodiversity No Net Loss/ Net Gain

The Applicant's ecological consultant has submitted a DEFRA Biodiversity Metric 3.1 assessment and a Biodiversity Net Gain (BNG) Assessment Report (*Collington Winter Environmental, April 2023, CW20-788 RPT 001, Rev 2*).

The Council's retained ecology advisor has reviewed this documentation, the Biodiversity Metric 3.1 assessment is accepted.

In the case of application 22/00178/FUL the BNG Assessment has found that the proposed development will result in a reduction of -10.26% habitat units and a gain of +62.78% hedgerow units and that 4.47 habitat units will be required to achieve a net biodiversity gain. For planning application 22/00179/FUL the BNG Assessment has found that the proposed development will result in a reduction of -40.91% habitat units and a gain of +23.32% hedgerow units and that 3.41

habitat units will be required to achieve a biodiversity net gain. The applicant has offered to pay a commuted sum figure of £20,000 per unit to the Council. In the case of planning application 22/00178/FUL 4.47 biodiversity units will be required in order to achieve a biodiversity net gain, equating to a financial contribution of £89,400. In the case of planning application 22/00179/FUL 3.41 biodiversity units will be required in order to achieve a biodiversity net gain equating to a financial contribution of £68,200. The total commuted sum figure of £157,600 is to be secured by a S106 agreement.

The commuted sum payment will then be used by the Council to undertake habitat creation and enhancement at one of the Council-owned sites which have been identified as potential offsetting sites. These sites are due to be surveyed in Spring 2023.

In order to deliver such habitat creation and enhancement, it is necessary for the Applicant to produce a full and detailed Landscape and Ecological Management Plan, which covers management of the application site. The detail of which must ensure that this takes place for a minimum 30 year period. This requirement will be secured by a suitably worded planning condition to ensure the following is included. The Plan should include the following:

- Description and evaluation of the features to be managed;
- Ecological trends and constraints on site which may influence management;
- Aims and objectives of management;
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management actions;
- Preparation of a work schedule (including an annual work plan and the means by which the plan will be rolled forward annually);
- Personnel responsible for implementation of the plan;
- Confirmation of funding and ownership and
- Details of a programme of monitoring and remedial measures triggered by monitoring.

On this basis, it is considered that the scheme complies with DALP policy CSR20.

Highways

Application 22/00178/FUL was originally accompanied by a Transport Assessment whilst application 22/00179/FUL was originally accompanied by a Transport Statement. Both applications have been supplemented by Technical

Notes dealing with site layout and access arrangements, a stand-alone cumulative assessment and a National Highways response.

These applications are part of a number of residential housing proposals being brought forward as a result of the Land Allocations Delivery Plan's publication. Given the scale of the potential for new housing in the north of Widnes the Council's Highways Officer has advised that it was necessary for developers to consider their sites in context with all of the neighbouring plots in order that a comprehensive assessment of the future highway circumstances can be best assessed. Further submissions have been made in this regard. The Highway Officer has commented as follows:

Cumulative Highways Impact and Active Travel

The applicant has produced an additional sensitivity test report to the Cumulative Assessment report, which takes account of the revised trip rates as seen at other Redrow developments in the vicinity of the proposal.

This does not show a significant impact on junction capacity apart from on the Derby Rd/Lunts Heath Road signals (additional 8.7% RFC or 3 in queue at maximum). Given that this junction and the Wilmere junction are shown as being at or slightly over capacity with the cumulative development in place it is clear that additional mitigation is required.

It is the Highway Authority's view that the Active Travel (walking and cycling) infrastructure in the area is in need of further improvement to support the cumulative development proposed in the area in a sustainable way. This has been subject to further discussions with the applicant and has now been taken account of on two levels i) around and within the vicinity of the site (borne out within layout changes and recommended conditions for site frontage works – see further paragraph below) and ii) through an agreed scheme of active travel corridors, the costs of which will be shared by this and other north Widnes development proposals and secured by Section 106 Agreement (Details set out in the legal agreement section).

The scheme of work as introduced in ii) above would result in new active travel corridors and junction upgrades along Cronton Road, Lunts Heath Road and Derby Road. The extent of these corridors would create a 'step change' of linked routes and greatly improve accessibility to local facilities in the area by sustainable modes of transport and create opportunity for new journeys to support development in a way which is good for both health and carbon emissions, also benefiting existing residents. This will also help limit the impact of the new developments with respect to motor vehicle trip generation, helping with junction operation and ensuring that the results of the cumulative junction assessments with respect to motor vehicles are very much a 'worst case scenario'. The agreed active travel scheme allows for improvement for active

travel routes through the junctions whilst retaining existing capacity for motor vehicles (improvement to capacity in the case of Norlands Lane/Cronton Road junction). Further improvements to vehicle capacity would be secured through the addition of new signal equipment (MOVA enabled) which distributes green time between traffic streams in real time dependent on queues. It is particularly evident from site visits that the Derby Road/Lunts Heath Road junction would benefit from this intervention.

In terms of the wider Highway Network, National Highways were consulted as part of the applications consideration, a response of no objection was received.

Bus Accessibility

Further consideration has been given to bus access in the vicinity of the North Widnes developments.

Three main services run in the vicinity of the site, along the Moorfield Road and Derby Road corridors respectively. The Council's Highways Officer advises that the sites can be reached within 400m for those services going to Widnes town centre or for travel further to Warrington and Liverpool respectively but that frequencies of these services into Widnes however are limited

This lower frequency is as a result of amount of housing in the far north of Widnes along Derby Road and South Lane. The proposed increase in housing would likely create a greater demand for public transport in the area. It is proposed that a scheme whereby the developer provides a single free bus pass to each household (for a period of 12 months) would encourage and create an awareness for new residents of the local bus services. The payment funding this provision would need to be secured by Section 106 agreement as set out in the legal agreement section. This would likewise allow the operator an opportunity to monitor usage and demand for future bus service and frequency reviews.

The Highway Assessment following observations from the Councils Highway Officer for each scheme is as follows:

Application 22/00178/FUL

Site access and layout including active travel routes around the site

An agreement has been reached between the Council and the Police for a reduction in the speed limit along Derby Road from 50mph to 30mph and a TRO is being prepared. As such visibility from the junctions is acceptable.

Subsequent to recent discussions with the applicant it has been agreed that the central corridor walking and cycling route will now connect directly onto Derby Road for commodious onward travel. Equally we have agreed to a 3m cycleway

along Derby Road on the site boundary with junctions raised where the cycleway intersects in line with LTN 1/20 guidance.

Further amendments agreed include a pedestrian link within the site behind the existing hedge line following Mill Lane. This will allow connections for pedestrians within the site to safely access services such as the garden centre. From discussions with the applicant it is agreed that a traffic calming gateway feature can be conditioned here through off site works to provide additional protection for pedestrians crossing.

The development's highway design should be such that it includes features that will deter speeds in excess of 20mph. These features should be, wherever possible horizontal features, e.g. straight runs with a maximum 60m distance unrestrained, which avoids the need for vertical speed restraining features such as traffic calming humps (which would be required to be shown on layouts to prevent difficulties at S38/278 for driveways). The design submitted would require the addition of vertical traffic calming features given the lengths of straight runs through the estate which encourage higher speeds.

A scheme of off-site highway works linked to the implementation of the proposed development and traffic calming details to ensure highway safety can be secured by conditions.

DALP Policy C2-Parking Standards states that all development must provide an appropriate level of safe, secure, accessible and viable parking. Parking provision standards are set out in Appendix D. Any significant variation (+/-10%) from these standards must be justified on a case-by case basis, and would need to demonstrate there are no harmful impacts on the street scene or the availability of on-street parking.

The proposed parking provision proposed is in excess of the maximum prescribed parking standards in the Delivery and Allocations Local Plan. A mitigation case has been provided by the applicant and the arguments within are accepted. The development will offer full parking provision for the number of dwellings and anticipate household members associated with such property size. In addition both sites offer good connectivity with cycling and walking routes to existing greenway routes and to future phases of development. The implementation / future maintenance of parking and servicing provision would be secured by condition.

The Highway Officer has requested that cycle parking be provided for each property. A significant number of the proposed dwellings would have garages which would offer cycle storage provision. For those plots which do not benefit from such provision, there is space with the gardens for a garden shed which would provide cycle storage for the property.

DALP Policy C2-Parking Standards sets out the overall need to encourage the use of ultra-low emissions vehicles.

The Highway Officer recommends that the applicant consider EV charging to promote the use of such sustainable vehicles. Property level provision for charging of ultra-low emission vehicles should be included throughout the scheme and power demand considered to ensure the current and future needs of residents. It will be necessary for each plot to have an EV charging point. This charging point will be required as Mode 3 EV charging 7kw single phase as per the building regulations.

The Highway Officer has requested that a vegetation management arrangement for the site be secured. Conditions securing implementation / maintenance of a soft landscaping scheme, management of public open space would be secured.

Based on the above assessment which sets out matters to be secured by Section 106 agreement and conditions, the Highway Officer does not raise any objection to the application 22/00178/FUL. From a highway perspective, the application is considered to be compliant with Policies CS(R)15, CS(R)18, CS(R)22, C1 and C2 of the DALP.

Application 22/00179/FUL

Site access and layout including active travel routes around the site

An agreement has been reached between the Council and the Police for a reduction in the speed limit along Derby Road from 50mph to 30mph and a TRO is being prepared. As such visibility from the junctions is acceptable.

The development's highway design should be such that it designs in features that will deter speeds in excess of 20mph. These features should be wherever possible horizontal feature, e.g. straight runs with a maximum 60m distance unrestrained, which avoids the need for vertical speed restraining features such as traffic calming humps (which would be required to be shown on layouts to prevent difficulties at S38/278 for driveways). The design submitted would require the addition of vertical traffic calming features given the lengths of straight runs through the estate which encourage higher speeds. A raised table at the junction of the two roads would have the effect of reducing speeds whilst providing the extra benefit of a safe route through to the adjoining development.

A scheme of off-site highway works linked to the implementation of the proposed development and traffic calming details to ensure highway safety can be secured by conditions.

DALP Policy C2-Parking Standards states that all development must provide an appropriate level of safe, secure, accessible and viable parking. Parking

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

The proposed parking provision proposed is in excess of the maximum prescribed parking standards in the Delivery and Allocations Local Plan. A mitigation case has been provided by the applicant and the arguments within are accepted. The development will offer full parking provision for the number of dwellings and anticipate household members associated with such property size. In addition both sites offer good connectivity with cycling and walking routes to existing greenway routes and to future phases of development. The implementation / future maintenance of parking and servicing provision would be secured by condition.

The Highway Officer has requested that cycle parking be provided for each property. A significant number of the proposed dwellings would have garages which would offer cycle storage provision. For those plots which do not benefit from such provision, there is space with the gardens for a garden shed which would provide cycle storage for the property.

DALP Policy C2-Parking Standards sets out the overall need to encourage the use of ultra-low emissions vehicles.

The Highway Officer recommends that the applicant consider EV charging to promote the use of such sustainable vehicles. Property level provision for charging of ultra-low emission vehicles should be included throughout the scheme and power demand considered to ensure the current and future needs of residents. It will be necessary for each plot to have an EV charging point. This charging point will be required as Mode 3 EV charging 7kw single phase as per the building regulations.

The Highway Officer has requested that a vegetation management arrangement for the site be secured. Conditions securing implementation / maintenance of a soft landscaping scheme, management of public open space would be secured.

The Highway Officer notes that it would be necessary to widen the existing footway on South Lane from its current 2m width to 3.2m on the frontage to the site.

Following discussions with the applicant in regard to the footway fronting plots 20-26 it was agreed that the footway cycleway originally designed on the south of the development adjacent the attenuation brook will now be relocated to the north fronting the properties and Trief / baby Trief or similar kerbing will be used to prevent parking on this side to protect the verge and banking.

Based on the above assessment which sets out matters to be secured by Section 106 agreement and conditions, the Highway Officer does not raise any objection to the application 22/00179/FUL. From a highway perspective, the application is considered to be compliant with Policies CS(R)15, CS(R)18, CS(R)22, C1 and C2 of the DALP.

Drainage And Flood Risk

The applications are supported by a Flood Risk Assessment for each site. This has been reviewed by the Lead Local Flood Authority (LLFA). The LLFA have confirmed as follows:

22/00178/FUL

- The planning application boundary is more than 1ha.
- The proposed development is for the construction of residential dwellings.

These are classified as “More Vulnerable” Development with regard to flood risk.

The LLFA has advised that the FRA demonstrates that the flood risk from tidal, fluvial sources, artificial structures and groundwater is low and that the location of the development is compatible with the requirements of the NPPF. The FRA identifies that land drainage, highways drainage and foul drainage systems based on septic tanks are present within and adjacent to the site. The FRA identifies that there is an area of elevated surface water flood risk which flows along a shallow valley feature through the site. Whilst pre-application advice from HBC to avoid development within this area of risk has not been heeded, it is accepted that effective management of surface water from the proposed development would be sufficient to ensure that the risk from surface water flooding would be acceptable. Residual risks are stated to be managed by raising properties at least 150mm above wider ground levels. However, drawings showing property elevations have not been provided to confirm this. The drainage strategy identifies that infiltration drainage would not be suitable on this site following the completion of soakaway testing. Therefore, in order to accept the proposal to discharge attenuated surface water to the culverted watercourse in the south east of the site the LLFA would require the applicant to provide further information regarding the culverted watercourse as it doesn't seem to appear on any mapping the LLFA have seen previously. Information required to be provided would include: A CCTV survey to determine the condition and capacity of the culvert, details of the ownership of the asset and calculations supporting the proposed maximum discharge rate of 98.9/s would be acceptable. The drainage strategy states that the pond would have capacity to control runoff to existing greenfield rates during events up to the 1% AEP +40 % storm, since this has been submitted the applicant has provided evidence testing the system for the 1% AEP +45% CC storm as per the Governments guidance. The drainage strategy states that the drainage system would prevent flooding during the 3.33%

AEP storm event.

In summary the proposed development is considered to be suitable in terms of flood risk subject to detailed investigations of existing drainage infrastructure and suitable proposals to replace, protect or divert this infrastructure.

22/00179/FUL

- The planning application boundary is more than 1ha.
- The proposed development is for the construction of residential dwellings. These are classified as “More Vulnerable” Development with regard to flood risk.

The FRA demonstrates that the flood risk from tidal, fluvial sources, artificial structures and groundwater is low and that the location of the development is compatible with the requirements of the NPPF. The FRA identifies that there is an area of elevated flood risk along a tributary of Penketh Brook. However, the applicant has maintained an 8m standoff from this feature to avoid flood risk and to enable access to the watercourse for maintenance by the EA. Residual risks are stated to be managed by raising properties at least 150mm above wider ground levels. However, drawings showing property elevations have not been provided to confirm this. The drainage strategy identifies that infiltration drainage would not be suitable on this site following the completion of ground investigations. Therefore, the LLFA accepts that the proposal to discharge attenuated surface water to the watercourse in the south east of the site is acceptable and accepts the proposed maximum discharge rate of 11 l/s would be acceptable. The LLFA has advised that flow rates should not exceed existing rates during any storm event. The drainage strategy states that the pond would have capacity to control runoff to existing greenfield rates during events up to the 1% AEP +40 % storm, this has been tested for the 1% AEP +45% CC storm as per the Governments guidance and shown to have a minimal impact on the exceedance flows. The drainage strategy states that the drainage system would prevent flooding during the 3.33% AEP storm event.

In summary the LLFA advise that the proposed development is considered to be suitable in terms of flood risk and that the applicant has demonstrated that the development would use sustainable drainage and generally suitable design criteria have been proposed. On that basis and of requested conditions including

SuDS verification and maintenance arrangements, that SuDS are explained to prospective owners & maintainers and, in relation to application 22/00178/FUL further information relating to a CCTV survey to determine the condition and capacity of the culvert, details of the ownership of the asset, calculations supporting the proposed maximum discharge rate of 98.9 l/s would be acceptable and confirmation of the drainage strategy to be taken forward including detailed design drawings.

United utilities have raised an objection in relation to application 22/00178/FUL concerning their asset and its future protection post development. The concern relates to accurate mapping of the asset in relation to the proposed layout. The

Applicant has been in discussion with UU on this matter and maintains that adequate provision has been made in this regard. UU have put forward a position that if the Council is minded to approve the application that conditions be attached to a planning approval concerning protection of underground assets, drainage and, the management and maintenance of SUDS.

Subject to the attachment of the recommended conditions, the development proposal is considered to comply with DALP Policies, with particular regard to HE9.

Contaminated Land

As part of a package of supporting documentation, the Applicant has submitted a ground investigation report. This has been reviewed by the Council's contaminated land officer, the following observations from whom are of note.

Contamination testing did not identify any significant concentrations in the natural As such, the site is suitable for the proposed use with no remedial measures recommend/required.

The only identified potential gas source is the organic-rich material in the former ponds, and the report recommends that these areas be fully delineated and all potential gas source material removed. Overall, the site investigation is appropriate and the risk assessment is sound. There are two points that should be addressed by the applicant.

- *The current Mill Green Cottage is to be demolished and cleared for the proposed development. I would expect to see some additional site investigation of this parcel of land post-demolition.*
- *A number of site in North Widnes have encountered significant methane concentrations in locations where the glacial till overlying the sandstone is thin. The geological mapping for the area shows the glacial till to be absent in a portion of the site. The site investigation works did not encounter the sandstone, suggesting that the geological mapping is inaccurate (it is at 1:50000 scale). However, there is a possibility that the glacial deposits are thin and the trial pits were limited in the depth of investigation achievable. With foundation and utility works there is the possibility of the clay cover being reduced to a point where ground gases from the solid geology are an issue. I would recommend that a number of boreholes are sunk to demonstrate a significant thickness of clay over the sandstone.*

The above can be secured by a suitably worded planning condition. On this basis the Contaminated Land Officer raises no objections. The Environment Agency has confirmed that they raise no objection subject to a condition relating to unidentified contamination. It is considered that the Proposed Development complies with DALP Policy HE8. A further condition requiring verification that any recommended remediation has been implemented has also been recommended.

Noise

The applications are each supported by a Noise Impact Assessment. These have been reviewed by the Councils' EHO who has provided the following opinion.

22/00178/FUL - The applicant has submitted an acoustic report reference 50-374-R1-5, dated April 2023 in support of the application. The impact of existing sources of noise that may affect the development site are assessed in order to ensure that sound levels specified in BS 8233:2014 Guidance on Sound Reduction for Buildings can be achieved at all properties within the development site. This is an agreed assessment methodology. The site is completely bounded by existing roads and there is also a quarry to the north east of the site. The acoustic consultants, having not encountered and notable noise from the quarry during the dedicated site visits to establish if this will be an issue, focuses the report on road traffic noise and recommends a scheme of mitigation.

As there are existing residential properties close to the development site, and hours of work condition will also be required. This report and its conclusions and its recommendations are accepted.

22/00179/FUL - The applicant has submitted an acoustic report reference 50-374-R2-5, dated April 2023 in support of the application. The impact of existing sources of noise that may affect the development site are assessed in order to ensure that sound levels specified in BS 8233:2014 Guidance on Sound Reduction for Buildings can be achieved at all properties within the development site. This is an agreed assessment methodology.

The report discusses how the development site will be affected by road traffic noise from what it refers to as Derby Road, which is the A5080. I believe this is slightly incorrect as by the A5080 becomes known as South Lane as it passes the development site, however this does not otherwise affect the accuracy of the report. Having identified that the site will be subject to road traffic noise from the A5080, a scheme of mitigation is proposed. This report and its recommendations are accepted. As there are existing residential properties close to the development site, an hours of work condition will also be required.

A letter has been received in response to the public consultation exercise from BYK additives, an employment site investor on Moorfield Rd. The letter raises concerns on behalf of their site operations. These center on the possibility of complaints being received regarding noise emanating from their site boundary and the potential for the site to be sterilized by subsequent complaints of statutory nuisance. In response to this letter, an opinion was sought from the Council's Environmental Health Officer. They confirmed that there are no complaints regarding the operation of BYK Additives at Moorfield Rd. despite being located immediately adjacent to residential properties. It is of note that the existing neighbouring residential properties are located nearer to the business boundary than the residential units proposed by planning application 22/00178/FUL. Given the precedent for housing to be developed nearby and that such a precedent has not resulted in any complaint it is considered that there is

no risk of additional housing at Mill Lane causing a sterilization of the existing BYK Additives employment use. Therefore, it is not considered that the BYK Additive employment site is at risk.

In conclusion the Applicant has submitted a noise impact assessment in support of its planning applications. The findings have been reviewed and accepted by the Council's Environmental Health Officer. In addition the EHO has considered the concerns expressed by BYK additives. It is considered that the proposal has complied with planning policy H7 of the Halton DALP.

Air Quality

The applicant has submitted an Air Quality Assessment to each of the planning applications. These have been assessed by the Council's EHO who have provided the following comments.

22/00178/FUL - The applicant has submitted an Air Quality Assessment reference 4757r52, dated 5th December 2022 in support of the application. The potential for off-site impacts from dust emissions during the construction phase of the development has been assessed, in accordance with The Institute of Air Quality Management Guidance on the Assessment of Dust from Demolition and Construction. The Air Quality Assessment goes on to consider the increase in Annual Average Daily Traffic from the site once operational, and whether this increase is significant in terms of in terms of changes to the Annual Mean concentrations of NO₂ and PM₁₀ as a result of the development proceeding. The report concludes that the impact from both construction and operational phases is not significant. The methodologies used in this report and its conclusions are accepted.

22/00179/FUL – The applicant has submitted an Air Quality Assessment reference 4757-1r2, dated 5th December 2022 in support of the application. The potential for off-site impacts from dust emissions during the construction phase of the development has been assessed, in accordance with The Institute of Air Quality Management Guidance on the Assessment of Dust from Demolition and Construction. The Air Quality Assessment goes on to consider the increase in Annual Average Daily Traffic from the site once operational, and whether this increase is significant in terms of in terms of changes to the Annual Mean concentrations of NO₂ and PM₁₀ as a result of the development proceeding. The report concludes that the impact from both construction and operational phases is not significant. The methodologies used in this report and its conclusions are accepted.

To conclude, the Applicant has submitted an air quality assessment to support each of the applications. The scope of the document and the recommendations have been reviewed and accepted by the Council's Environmental Health Officer. The development is considered to comply with DALP policy HE7.

Mineral Safeguarding

Policy HE10 of the Halton DALP sets out the Council's policy position regarding

the protection of mineral safeguarding areas from sterilisation by other forms of development. A requirement of the policy is to give consideration that the mineral extraction can continue to be extracted without unacceptable community impact.

As part of the planning application, the Council has consulted the Environmental Health Officer. They confirmed that having reviewed the distance of the application boundary from the quarry site there was no risk of noise causing nuisance to the domestic enjoyment of the proposed dwellings. The greatest impact on the proposed dwellings from a noise perspective would be generated from the surrounding highway network. With regard to potential nuisance from dust, the Environmental Health Officer has considered potential impacts. No concern was raised due the adequate distance between the respective site boundaries. It is of note that the application sites do not bound Bold Heath Quarry, and there is in existence a mature planted boundary along the northern edge of Mill Green Lane.

In view of the above consideration, there are no concerns relating to mineral safeguarding that would give justification to the refusal of the proposed schemes.

Mineral Area of Search

Both planning application sites are designated as a minerals area of search by the DALP proposals map, therefore DALP policy HE20 applies to this consideration.

Para 2 of this policy states, Planning permission for other development that would result in the direct or indirect sterilisation of the identified mineral resources in a defined MSA will not be permitted unless: a. it is demonstrated by way of a minerals assessment (MA) that the resource is not of economic value; or b. the mineral can be extracted without unacceptable community or environmental impacts prior to the development taking place;

The Applicant has undertaken a mineral assessment report in support of both planning applications. This document puts forward an assessment of the geology of the immediate area. Mineral resources have been identified as superficial till deposits comprising of deposits from glacial clay with minor granular units and a bedrock of Chester sandstone formation. The glacial clay deposit is located above the mineral and is estimated to be 10m in depth across most of the development sites. The report concludes that the mineral is not economically viable as a resource due to the depth below surface. The report notes that to exploit the land would result in a deep depression and a stockpile of removed material for future remediation. Such an activity would likely remove any future development opportunity of the application sites due to a restored land being comprised of made ground. Development upon made ground adds an additional burden of cost to overcome the constraint from a built engineering perspective.

The report has been reviewed by the Council's retained ecology advisor who also advises on mineral considerations. The Council's advisor accepts the findings. It is considered on this basis that the planning applications comply with planning policy HE10.

Archaeology

As noted above the Council's retained advisors in these fields have considered both planning applications and raised no objection. The following comments are of note.

22/00178/FUL - The advice provided notes that due to the extensive historic operations undertaken relating to the creation of the Vyrnwy aqueduct on application site it is unlikely that archaeological remains of significance will survive within the proposed development area. Therefore there are no archaeological requirements.

22/00179/FUL - The accompanying Heritage Assessment outlines a detailed historical background of the application site. Records detailed within give indication of a potential significant archaeological deposit with specific reference to a potential archaeological feature to the west of the proposed development area which would be wholly disturbed by the proposed development.

There is evidence within Cheshire that prehistoric monuments such as barrows or burial cairns were located close to known and historical township boundaries. This may indicate the presence of such a prehistoric monument to the west of the proposed development area seen as a circular feature on the aerial images and supported by place name evidence on the Tithe map.

To this extent it is advised that it would be reasonable to recommend a specific programme of archaeological mitigation to be undertaken to evaluate the features and identify any archaeological deposits or below ground remains. This will be secured by a suitably worded prior to commencement condition. The Applicant has agreed to this condition and on that basis it is considered that the planning applications comply with planning policy HE2.

Health and Well-being

In line with the requirements of planning policy CSR22 'Health and Well-being' the Council, the Applicant has submitted Health Impact Assessments in support of their planning applications. These assessments find that no significant health related effects have been identified which are not addressed by the measures set out within the current planning application proposals.

The proposed schemes will deliver a number of positives to future residents including on site open space provision, retention of mature natural boundary features, commitment to locally secured BNG and an active travel corridor. These when considered as a complete package deliver a high quality scheme which contributes to facilitating the provision of a healthy lifestyles within the backdrop of an attractive urban environment setting. The assessment concludes that health impacts upon the existing and future population as a result of the proposed Development are anticipated as being positive. It is considered that the development proposals comply with planning policy CSR12.

Impact on Local Services

A key feature in the responses received to the public consultation exercise has centered on the concerns regarding this development and the impact it will have on local services, specifically education places in primary and secondary schools, health services regarding GP surgery places and dentists.

EDUCATION - The Local Education Authority have stated that there is sufficient capacity within the Halton Borough in terms of primary and secondary school provision based on existing population levels. In addition it should also be noted that latest population projections do not predict significant increases in the number of school age residents over the Plan period to 2037. On this basis there is no anticipated shortfall in this provision as a result of the DALP site allocations. Therefore, no financial contribution is sought toward a pooled fund to increase existing capacity.

HEALTH SERVICES - No request for additional funding finance has been received from any public body as a result of this application or in response to the Council's allocation of residential sites by the DALP. The concerns raised in response to the public consultation exercise relate to existing service levels, such objections are based on an existing situation albeit one that additional households borne from the development would marginally worsen. Notwithstanding, no policy justification or scheme exists to justify mitigation or financial contributions in this regard and it is not considered sufficient reason for refusing a grant of planning permission for residential development on a strategic housing site.

Sustainable development and climate change

Policy CSR19 of the DALP requires all new development to be sustainable and be designed to have regard to the predicted effects of climate change. The policy recommends that developers consider national guidance to ensure development is sustainable and appropriate to the location.

Policy GR1 states all major development proposals must demonstrate how sustainable design and construction methods will be incorporated to achieve efficiency and resilience to climate change in accordance with CSR19 taking into account the site specific viability of the development where appropriate.

DALP policies CSR24 and GR5 encourage suitable construction practices including the incorporation of low carbon energy into new developments to address carbon emissions arising from housing.

In response the Applicant is advised that they are a member of the Green Building Council in which they work to further their practice of improving the sustainability of the building industry. With respect to the developments proposed, the latest building control standards will apply to this development site requiring on site EV charging and a minimum 'B' level energy certificate rating. In addition, as a house builder, the Applicant has stated that it has traditionally sought to exceed the minimum requirements set by building regulations by incorporating smart low energy lighting, efficient appliances, water saving

technology, efficient ventilation and high specification insulation including air tightness. The Applicant has stated their commitment to meet the Government's aim to cease the installation of gas boilers early by installing carbon efficient heating apparatus such as air source heat pumps.

The Council's retained adviser has confirmed that a fabric first approach is at the top of the energy hierarchy and the measures are probably sufficient to meet the requirements set out in Local Plan policy CS(R)19 Sustainable Development and Climate Change. However, given the Climate Emergency declared nationally and locally they query whether opting for an EPC rating of B is sufficiently ambitious. Policy CS(R)19 seeks to encourage new development to incorporate current best practice in sustainable design and construction. It is therefore considered reasonable to attach a condition requiring the submission, agreement and implementation of measures for reducing carbon emissions and adapting to climatic conditions in order to demonstrate compliance with Policy CS(R) 19.

Waste.

The proposal involves construction activities and policy WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan (WLP) applies. This policy requires the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

The Council's retained adviser has confirmed that the applicant has provided sufficient information on the Proposed site layout and in the Transport Statement 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

Legal Agreement

This section of the report will consider the areas of financial contribution identified and discussed in the report and their weighing of importance having had full regard to the individual matters and the strategic importance of underlying policy justification.

Cheshire Police – As part of the Consultation on this application Cheshire police have raised the impact of the development on the demands it will place on Cheshire Constabulary. The police have therefore requested a contribution to the provision towards the provision of police infrastructure by way of S106 contribution to mitigate the impacts of the development. The Police have stated that this payment would go towards Staff set up costs, Police vehicles and premises. Full details of this request has been sent to members directly.

The cost breakdown presented by the Police is as follows:

Infrastructure req.	Area	Total Cost 22/00178/FUL	22/00179/FUL
Staff set up	Widnes and Runcorn	£15,100.80	£1,781.56
Vehicles	Widnes and Runcorn LPUs	£11,224.16	£1,321.60
Premises	Widnes LPU	£76,615.04	£9,095.85
Total		£102,940	£12,199.01

In order for contributions to be acceptable it must pass tests in the Community Infrastructure Levy

122(2) of the Community Infrastructure Levy ('CIL') Regulations 2010 sets out that obligations must be:

- (a) necessary to make the development acceptable in planning terms;*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the development.”*

The body of evidence set out by the police, establishes only that a contribution towards policing costs could be considered lawful in some circumstances.

It is considered that the requested contributions are not demonstrated to be necessary to make the development acceptable in planning terms.

The fundamental principle behind an obligation being necessary to make something acceptable in planning terms is whether the obligation relates to a harm which a development must mitigate to be compliant with the Development Plan. Notwithstanding the strength of any argument, the Police puts forward for additional funding, if that funding is not justified by policy, it cannot be secured through planning obligation.

The DALP includes a number of policies for the delivery of specific infrastructure but does not include any provision for policing facilities. DALP Policy CS(R)7 does make an allowance for the provision of infrastructure more generally (Part 2):

“2. Where new development creates or exacerbates deficiencies in infrastructure it will be required to ensure those deficiencies or losses are compensated for, adequately mitigated or substituted for in a timely manner. On larger developments that will be completed in phases or over a number of years, an agreed delivery schedule of infrastructure works may be appropriate. Where infrastructure provision is not made directly by the developer, contributions may be secured by an agreement under Section 106 of the Act including where appropriate via a phased payment schedule”.

The policy itself requires new development to compensate for, adequately mitigate or substitute deficiencies in infrastructure where it creates or

exacerbates that deficiency. The policy itself doesn't define what infrastructure can be included, but 7.72 of the Local Plan state that the DALP development proposals will be supported by an "appropriate level of infrastructure" which includes:

- transport infrastructure such as roads, railways, public transport, and cycling and walking routes;*
- physical and environmental infrastructure such as water supply and treatment, flood defence infrastructure, and energy supply;*
- green infrastructure such as public greenspaces;*
- social infrastructure including community services and facilities; and,*
- digital infrastructure such as internet access”.*

Paragraph 7.76 crucially sets out that “Alongside the infrastructure requirements for the DALP, the Infrastructure Plan details the infrastructure needed to support general growth across the Borough. Infrastructure needs will evolve over the plan period and as such it will be necessary to undertake further reviews of the Infrastructure Plan. The Infrastructure Plan will be a ‘live’ document which will be updated as required over the lifetime of the Core Strategy saved policies, the Delivery and Allocations Plan and as new local plan documents emerge, infrastructure schemes are completed and in accordance with discussions with infrastructure / service providers to further review the need for infrastructure within the Borough.”

The Halton Infrastructure Plan 2019 set out in Chapter 26 how policing infrastructure requirements have been considered by the Plan and notes the potential of increased development to add to the requirement for resources in policing. It notes that development schemes therefore have the capacity to increase the demand for police and partnership resources and this can impact upon capital investment (new Police facilities) and the revenue costs of additional Police officers and police staff. It sets out that it is therefore reasonable that policing and community safety needs be taken into account by Halton Borough Council and developers when determining planning applications relating to the new development.

At 26.4 of the IDP it states

“The demands on police and community safety resources manifest themselves in a variety of forms dependent on the scale and nature of the proposed development, including:

- The need to acquire land and the capital costs of Police buildings*
- Associated facilities for the provision of new Police stations or Police information points*
- Provision of new vehicles*
- Additional staff resources, including Police Community Support Officers, Environmental Council staff, Anti-Social Behaviour officers etc.*

- *Extension of existing communication infrastructure e.g. radios, CCTV shopwatch*
- *Crime reduction measures in line with ‘Secured by Design’ principles”*

At paragraph 26.13 of the IDP, it states *“Halton Borough Council will continue to work collaboratively with the Cheshire Police Authority, Cheshire Fire and Rescue Service and the North West Ambulance Service to ensure their needs are given consideration in subsequent planning policy documents”*

With regard to the above, it is clear that infrastructure for policing is capable of being required, by the Council, to satisfy the provisions of Policy CS(R)7. The items which funding has been requested for by the Police fall broadly within the items that the Council envisaged in its IDP2019. We do not dispute that position taken by the Police.

However, what is clear is that it is for the Council to determine whether there is an appropriate level of infrastructure in place currently and subsequently whether contributions or mitigation is necessary. The Council’s point of reference for that must be the IDP. The IDP, in this case, has already considered the case that the Police have put forward (in consultation with the Police) and considered that further work is required (with the Police), to be included in future policy documents, before infrastructure requirements can be justified. It is not for the Police to unilaterally seek to determine what level of funds it requires from new development. The DALP and its evidence base make this clear. The DALP (supported by its evidence base) is clearly the starting point for decision making.

With regard to the above, the Council do not consider that an obligation was necessary to make the scheme acceptable in planning terms, we do not consider that the evidence provided by the Police sufficiently demonstrates that the contributions are fairly and reasonably related to the development .

The Police evidence sets out that the link between Police funding and population growth is not a simple one but notes that an increase in population in an area does not lead to an overall increase in central government grant.

However, the evidence then goes on to make a very simple calculation for justifying its requests based on a population per Police person calculation. The response fails to take any account of the increase in revenue which will be generated by the proposed development in Council tax precept. Whilst we must take on face value that grant funding doesn’t necessarily increase with population, there is no further information to justify how grant funding is distributed so that any calculation can be made on what the likely impact of the development is.

Indeed, the Police evidence states that in October 2019, the Home Office confirmed that the Constabulary will receive funding to recruit an additional 240 officers by the end of 2024, however, that this was purely meant to address the reductions in officer numbers in preceding years caused by austerity. The Police state that this funding is therefore earmarked to ensure existing settlements and communities receive an acceptable level of policing service, rather than provision

in response to proposed development growth. Whilst that may be the case, it is impossible to justify from the Police's evidence, what the previous impact of austerity (and therefore current budgets) have had on the deficiencies within the Police budget. It is clearly not for the planning system to charge developers to fund existing deficiencies in services.

It is evident from the above, and from a review of the Police's evidence, that the factors which should be considered in trying to understand the potential impact of new development on policing are indeed varied and complex. It is not possible from the information submitted to robustly demonstrate that the contribution requested by the police is fairly and reasonable related to the development.

In terms of contributions these need to be properly undertaken and tested. It is not possible for the Council to consider how reasonably the contributions would relate to development; that includes their impact on viability of providing an otherwise compliant level of obligations (including affordable housing provision) in the Borough. The contributions towards policing has not been considered within the Council's Whole Plan Viability Assessment.

Distribution of spend

This report has set out a number of planning considerations that following an examination of planning policy have resulted in the Applicant agreeing to a package of off site commuted sum payments in order to comply with the DALP. The following table sets out the value of contributions sought from the development in order to mitigate harm.

Description Of Item	Values Appropriated
Recreational Pressure	£133,286.54
BNG	£157,600
Active Travel	£1,277,903.99
Bus subsidies	provided a 12 month buss pass per household
Open Space	£209,098
Total	£1,777,888.53

Discussions with the Applicant have resulted in a spending allowance of £1,777,888.53. The Applicant asserts that a greater allowance would make the scheme unviable. No viability report has been submitted. The Council has not requested a viability report as the Applicant is still providing 20% affordable housing in line with DALP policy CSR13.

As set out in the table above, the Applicant has agreed a maximum

£1,777,888.53 off site cumulative contribution. The table sets out a breakdown of the spending allocation based on the areas of consideration set out in the report above. The Applicant has agreed to pay recreational pressure compensation and biodiversity net gain is paid in full. This will ensure that the scheme complies with national and local planning policies with regard to ecology and nature conservation as set out in the ecology section of the report.

An off site contribution of £209,098 has been agreed by the Applicant concerning the on site provision of open space. The open space shown as part of the proposed layout is considered deficient within the terms of DALP policy RD4. However, the policy makes allowance for off-site provision as part of policy its wording. The combination of the agreed contribution and the quantum of open space as shown on the proposed layout plan is considered sufficient to comply with the requirements of planning policy RD4.

The Council has designed an active travel design to for north Widnes. This scheme is designed to address the impacts borne from the land allocations of SRL7 of DALP policy RD1. Therefore it is imperative that the scheme be funded sufficiently from schemes developed on these sites. The Applicant has agreed a contribution of £1,277,903.99 to this scheme.

With regard to public transport, there is an existing bus route with a bus stop on the application boundary. The Applicant has agreed to fund a 12-month bus pass per household. This is sufficient to ensure compliance with DALP policy CSR15.

The S106 funds have been allocated having full regard to planning policy. They will ensure that the scheme is delivered in a sustainable manner and that any harms are sufficiently mitigated.

Planning Balance and Conclusion

Whilst there is an element of non-compliance detailed in relation to housing and affordable housing tenure mix, this is not considered to be contrary to the development plan as a whole.

Subject to resolution of the outstanding HRA issues, based on the above assessment and subject to the proposed to be issued with a planning approval conditions and legal agreement provisions, the proposal is deemed acceptable. The proposed development would provide residential development on an allocated housing site in a sustainable location, contributing to housing need in the Borough and delivery of high quality development and on site open space provision.

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.

RECOMMENDATION

That authority be delegated to the Operational Director – Planning, Policy and Transportation, to determine the application in consultation with the Chair or Vice Chair of the Committee, following the satisfactory resolution of the outstanding issues relating to HRA compliance

Upon satisfactory resolution that both applications are to be approved subject to the following:

- a) S106 agreement that secures the terms set out at in the Legal Agreement section of this report
- b) Schedule of conditions set out below
- c) That if the S106 agreement is not signed within a reasonable period of time, authority given to refuse this planning application.

Recommended conditions as follows with any additional conditions recommended through the resolution of the HRA compliance issue to be added to the list below:

In relation to 22/00178/FUL:

1. Standard 3 year permission
2. Condition specifying plans
3. Bird nesting boxes scheme
4. CEMP and additional reasonable avoidance measures
5. Lighting scheme
6. Vehicle access and parking to be constructed prior to commencement of use
7. External Materials
8. Drainage condition(s) to include culvert survey, ownership details, drainage calculations, verification of SuDS implementation, Maintenance and Management
9. Levels
10. Hard and soft landscaping
11. POS implementation and management
12. Grampian style condition securing off site Highways works
13. Submission and agreement of traffic calming works
14. Waste Audit
15. Site investigation, remediation and mitigation

16. Relating to unidentified contamination
17. Protection of water infrastructure
18. Landscape and ecological/ habitat management plan
19. Removal of permitted development rights HS/ fencing
20. Hard and soft landscaping
21. Submission and agreement of ecological enhancement features
22. Submission and agreement of boundary treatments
23. Securing ecological and habitat protection through a Construction and Environmental Management Plan
24. Restriction construction and delivery hours
25. Requiring implementation of scheme of noise mitigation
26. Submission and agreement of play facilities
27. Submission, agreement and implementation of measures for reducing carbon emissions and adapting to climatic conditions

In relation to 22/00179/FUL:-

1. Standard 3 year permission
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9. Levels
10. Hard and soft landscaping
11. POS implementation and management
12. Grampian style condition securing off site Highways works
13. Submission and agreement of traffic calming works
14. Waste Audit (WM8)
15. Site investigation, remediation and mitigation

16. Relating to unidentified contamination
17. Protection of water infrastructure
18. Landscape and ecological/ habitat management plan
19. Removal of permitted development rights HS/ fencing
20. Hard and soft landscaping
21. Submission and agreement of ecological enhancement features
22. Submission and agreement of boundary treatments
23. Securing ecological and habitat protection through a Construction and Environmental Management Plan
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25. Requiring implementation of scheme of noise mitigation
26. Submission and agreement of play facilities
27. Securing an scheme of archaeological works
28. Submission, agreement and implementation of measures for reducing carbon emissions and adapting to climatic conditions

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

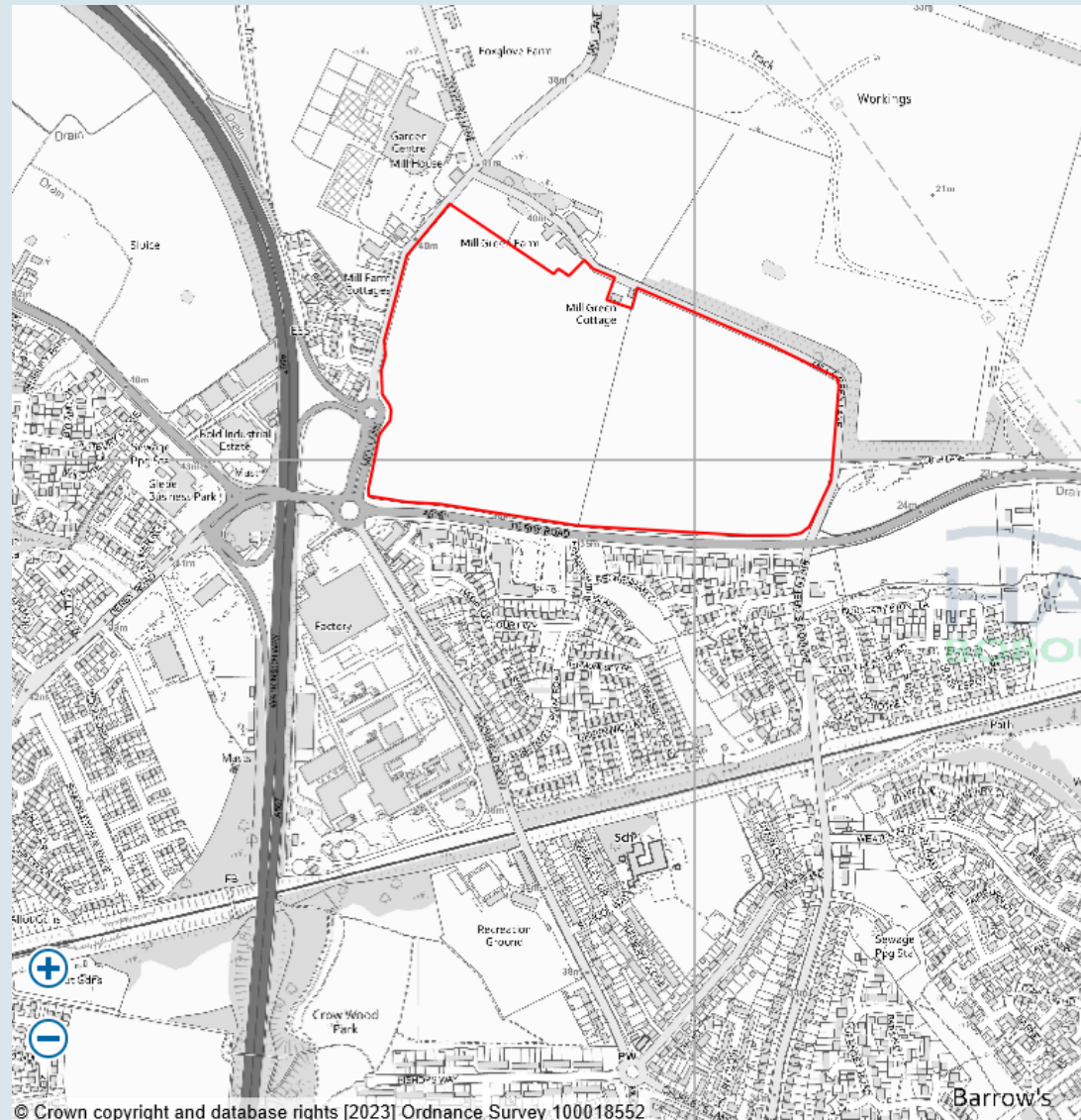
SUSTAINABILITY STATEMENT

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.



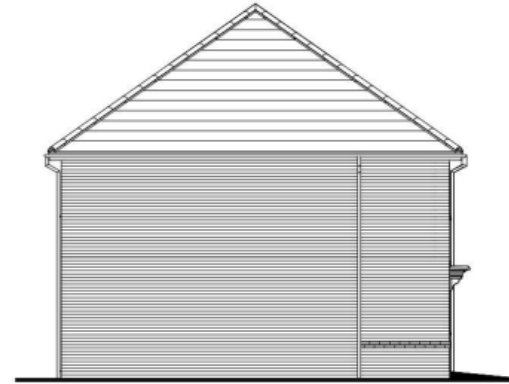








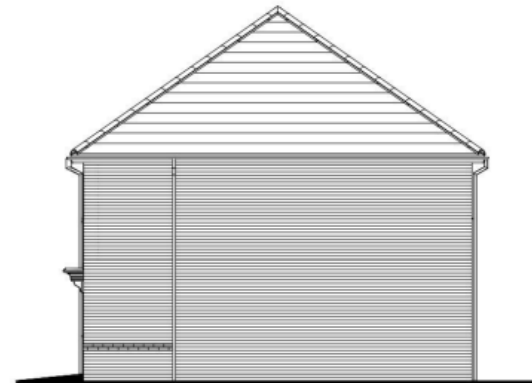
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



Front Elevation



Side Elevation



Rear Elevation



Side Elevation





Front Elevation



Side Elevation



Rear Elevation



Side Elevation



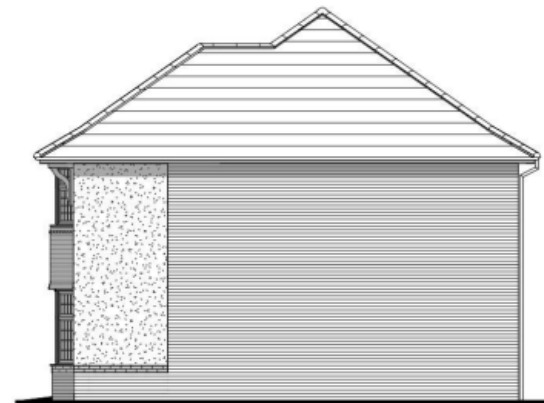
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



Front Elevation

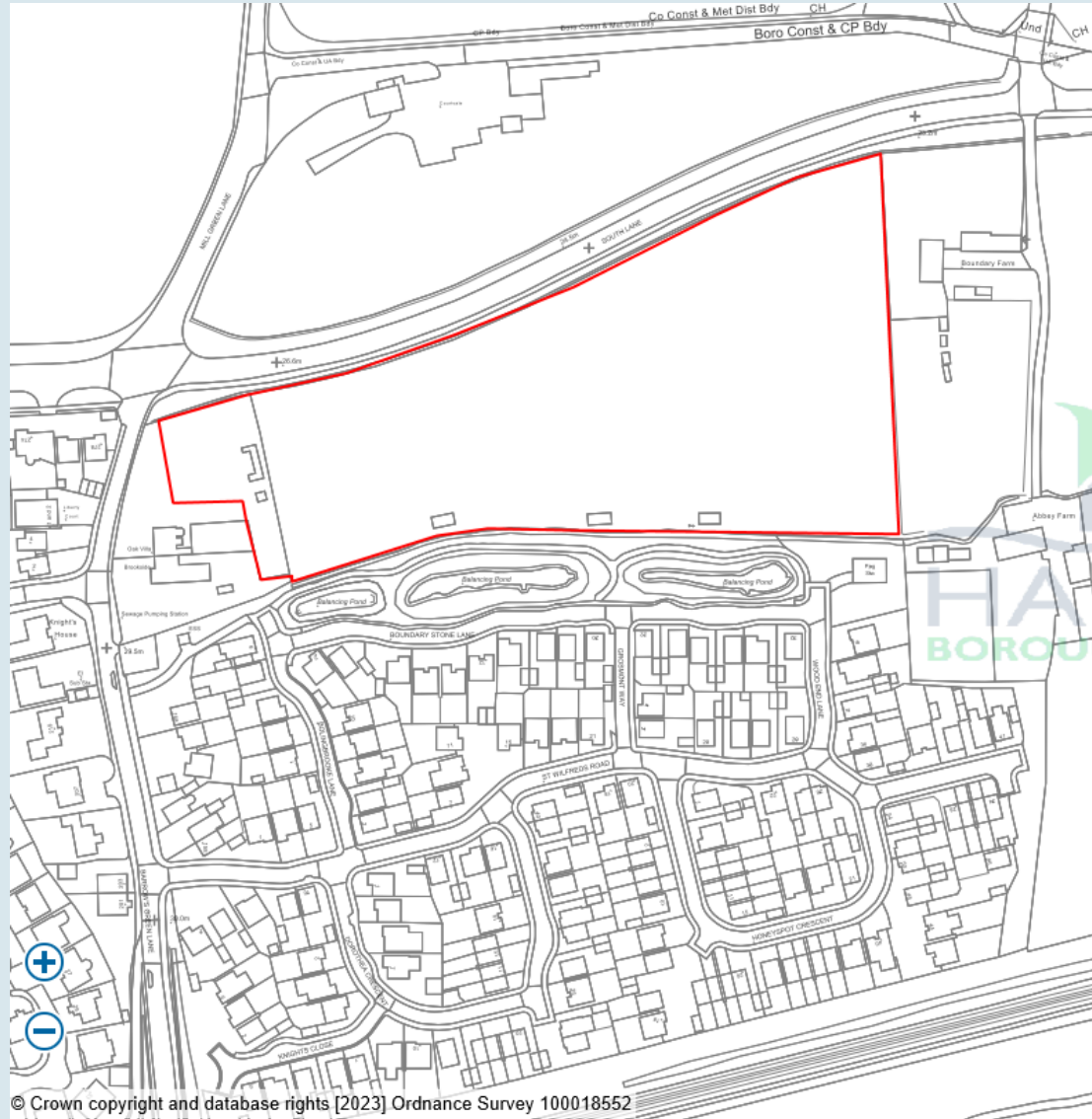
Side Elevation



Rear Elevation

Side Elevation











Front
Elevation



Rear Elevation



Front Elevation



Side Elevation



Rear Elevation



Side Elevation



Front Elevation



Side Elevation



Rear Elevation



Side Elevation



Front Elevation



Side Elevation



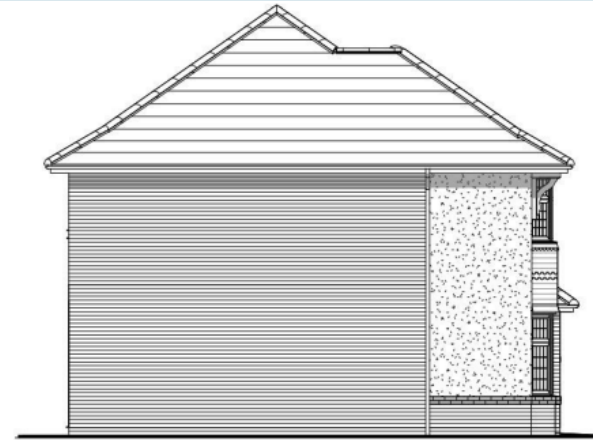
Rear Elevation



Side Elevation



Front Elevation



Side Elevation



Rear Elevation



Side Elevation



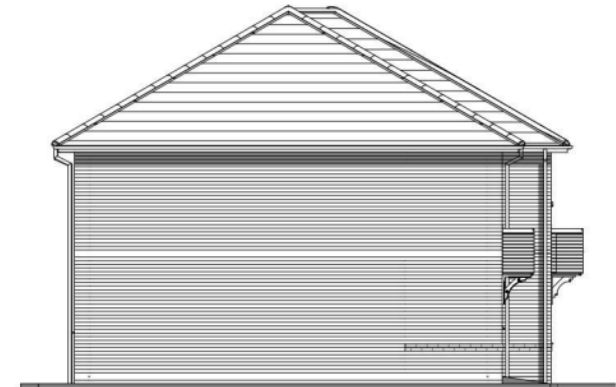
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

