

**REPORT TO:** Development Control Committee  
**DATE:** 14 May 2012  
**REPORTING OFFICER:** Strategic Director, Policy & Resources  
**SUBJECT:** Planning Applications to be determined by the Committee  
**WARD(S):** Boroughwide

---

**PLAN NUMBER:** 11/000429/FUL  
**APPLICANT:** European Metal Recycling Limited  
**PROPOSAL:** Proposed part demolition of existing building and change of use of site to metal recycling facility, including construction of two storey office building, siting of weigh bridge and associated cabin, erection of various timber and steel 6m, 7m and 8m high boundary treatments, siting of external plant and machinery and associated works at  
**ADDRESS OF SITE:** Land at, Everite Road, Widnes, Cheshire, WA8 8PT  
**WARD:** Ditton

**SUMMARY RECOMMENDATION:**

Refuse

**SITE/LOCATION:**

The application site is located fronting Everite Road, a primarily employment area north of the A562 (Speke Road) and the "Mersey Multi-Modal Gateway" at Ditton, Widnes.

The locality has the character of an industrial estate and comprises industrial buildings used for storage, manufacturing, and engineering activities. None of the surrounding businesses undertake open air processing activities.

The nearest residential properties are approximately 85m away to the north west of the site on Edgewood Close, further residential properties are located 125 metres away on Wyncroft Road to the East of the site.

The application site covers an area of 1.77ha (0.44acres). The existing site is rectangular in shape and comprises a single storey steel portal frame warehouse building with profile sheet metal clad elevations and surrounding concrete and hard-core covered yard. The existing site is accessed via Everite Road.

### **RELEVANT HISTORY:**

The site was previously occupied by Merseyside Coatings Limited who specialised in metal spraying and shot blasting. There have been a number of planning permissions at the site including permission for the display of signs (2/24178/A), erection of warehouse unit (2/25363/FB) and application for a concrete batching plant (2/5141/F).

### **UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:**

The site falls within an area designated as primarily employment land within the Unitary Development Plan. The key policies of relevance are:

Policy BE1 General Requirements for Development  
Policy BE2 - Quality of Design  
Policy PR14 – Contaminated Land  
Policy TP12 – Parking Standards  
Policy E3 – Primarily Employment Land  
Policy S7 – Minerals and Waste  
Policy S8 – Sustainable Waste Management Facilities  
Policy MW1 – All Minerals and Waste Management Developments  
Policy MW7 – Waste Recycling and Collection facilities  
Policy MW3 – Requirements for all waste management applications  
Policy E3 – Primarily Employment  
Policy TP12 – Car Parking

The Halton Borough Council Core Strategy Revised Submission Document May 2011 is now also a material consideration as is the National Planning Policy Framework.

### **CONSULTATION AND REPRESENTATION:**

The proposal has been advertised by way of a site notice and press notice. There was extensive public consultation carried out and the responses are summarised below.

The Environment Agency and, United Utilities have been consulted and have no objection to the proposal, subject to conditions relating to surface water drainage design, ground contamination investigation, mitigation and verification, removal of suspended solids from surface water run-off, and details of foul and surface water drainage.

The Council's Highways Engineer, Environmental Health Officer, Contaminated Land Officer and Open Spaces Officer have been consulted and these responses are summarised in the observations and issues section of the report.

43 representations and a petition of 85 signatures have been received from local residents, as well as an objection from the local MP, objecting to the proposal on the following grounds: visual impact, noise, air pollution, light pollution, scale and height of the proposed boundary treatments, contamination of ground and waterways, additional dirt on the roads, scrap metal yard would increase vandalism and theft in the area, increase in vermin and flies, hours of operation, increase in traffic on the roads and impact on highway safety.

## **OBSERVATIONS AND ISSUES:**

### *Summary of the Development*

Planning permission is sought for the change of use of the land to a scrap metal storage and processing facility, and the following operational development:

- Part demolition of existing building
- Construction of a two storey office / staff amenity building
- Construction of a single storey office building and installation of two 50' long weighbridges
- Construction of a solid barrier to surround the site and also act as a noise transfer deterrent
- The installation of a Metso 1240 Metal Shear (hydraulic scissors for cutting scrap)
- Utilising the existing building to buy in small quantities of non-ferrous metals and also to store re-usable steels
- Utilising the existing building to house an End of Life Vehicle facility and associated tank farm
- Construction of 7 to 8m high boundary screens.

The facility will manage (once operating at its predicted 5 year established level) circa 50,000 tonnes per annum (tpa), the majority of this would be of ferrous (45,000 tonnes) and the remainder non-ferrous (5,000 tonnes). this is likely to be sourced from End of Life Vehicles (ELV's) and demolition/manufacturing scrap arising in the local area.

The whole of the yard will be concreted and drained via a Class 1 full retention interceptor under specific discharge consent from the Environment Agency and United Utilities. All site activities will be carried out under the terms of a full waste management permit issued and regulated by the Environment Agency.

### Policy Context

The proposal is considered to be a waste management facility located within a primarily employment area. Policies E3, MW1, MW2, MW3 and MW7 are therefore of most relevance.

Policy MW1(a) states that developments should not have an unacceptable detrimental impact on dwellings or other environmentally sensitive uses and identified development sites in terms of visual amenity, noise, vibration, dust, windblown materials, odour, litter, vermin, air, land or water pollution or other nuisance.

Furthermore Policy MW7 (a) states that such developments should be located in a primarily employment area, provided that it can be demonstrated that it would not have an unacceptable impact on existing industries. And (b) should be sited sufficient distance away from dwellings and other sensitive properties, laid out, fenced and screened so as to avoid nuisance (c) sited to adjacent to other waste management facilities and finally (d) located within a building when handling non-inert wastes, unless it can be demonstrated that a nuisance would not result.

### Amenity and Visual Impact

The site is located within a primarily employment area, the nearest residential properties are approximately 85m away to the north west of the site on Edgewood Close, further residential properties are located 125 metres away on Wyncroft Road to the East of the site. The application has received a number of objections from residents on both of these roads raising concerns in relation to the visual impact that the site would have, and impact on outlook.

There are a number of vantage points, particularly from residential properties at a distance that are particularly sensitive, notably the three storey block of flats at the southern end of Wyncroft Road, and nos.32 to 58 Wyncroft Road, the backs of which are 125m metres away, with first floor bedrooms having an outlook directly across to the site. Other residential properties that are particularly sensitive receptors are those on Edgewood Close. In particular no. 12 Edgewood Close is approximately 85m away, with an outlook at the first floor towards the site.

The applicant has therefore included in it's proposal a series of high boundary treatments ranging from 6m to 8m. Whilst these provide mitigation for noise they are also using them to provide a visual screen from the scrap metal processing activities within the site.

The main residential properties that have an outlook towards the site are those from the first floor rear windows along Wyncroft Road, and Edgewood Close. To mitigate visual impacts, the applicant has proposed using facing materials similar to those of an industrial building in appearance. This would consist of a lower level brick wall with cladded panels to the upper levels, these finishes would be applied to boundary treatments along the western

boundary and northern boundary. Whilst it is appreciated that the applicant has tried to mitigate visual impact, it is felt that the proposal would still not provide sufficient guarantee that all activities could be screened effectively from local residents.

For example, the applicant has provided detail of the 'Liebherr' long arm grabber which would be used to move the scrap metal around the site. The boom has the capability to extend over 15m into the air, with the associated grabber shifting around the scrap metal. Clearly the proposed screening would not be able to screen this activity which would be particularly visible to the affected local residents. Because of the proximity to existing residential properties, it is considered that the proposed screening afforded in the proposal is not sufficient enough to mitigate the obtrusiveness and visual intrusion to residents' outlook. This combine with the perception of the proposed use, is considered to be of significant detriment to the amenity of local residents.

This proposal would be the only site in the Borough to operate continuous open air processing operations on a daily basis.

### Noise

The applicant has carried out a noise assessment (in accordance with BS4142). The impact of noise has been assessed taking into account the distance to sensitive properties and the report concludes that the impacts can be satisfactorily mitigated through the use of acoustic screens, and restrictions on the hours of operation.

The Council's Environmental Health Officers have been consulted and based on the noise assessment carried out they have no objections provided the development is carried out in accordance with the recommendation in the noise report and conditions restricting the hours of working to 7am to 7pm Monday to Friday, 7am to 2pm on Saturdays and no working on Sundays or Bank Holidays.

### Trees

The site is predominantly hard surface, though there are a number of large Poplar trees along the Everite Road frontage of the site. There are also trees in the south eastern corner of the site. The application has been submitted with a tree survey and arboricultural method statement, and the Open Spaces Officer has been consulted. None of the trees are protected by tree preservation orders nor are they in a conservation area. The removal of 6 trees is considered to be acceptable, and the works to a further 8 trees along Everite Road are considered acceptable. Conditions are recommended for tree protection measures during demolition and construction works of those trees to be retained, and that no works are carried out within the bird nesting season.

### Highways

Objections have been received from local owners and occupiers of businesses on the grounds that the proposed scrap metal facility would increase the number of vehicles to the detriment of the local road network.

The applicant has submitted a transport statement report in support of the application.

The figures in the report state that the site would generate 360 Heavy Goods Vehicle (HGV) movements (i.e. 180 going in and 180 out of the site) a day between the hours of 07:00 and 18:00 hours. The vast majority of these trips are expected to come to and from Speke Road, via Marshgate. Due to the presence of weight restrictions, limited movements are expected to come from the north end of Everite Road.

The report concludes that the proposed facility at Everite Road can be accommodated safely and efficiently by the immediate local highway network. It is therefore concluded that there are no highway capacity or safety reasons for objection to the proposed development scheme. The highways department are satisfied that the number of vehicles would not have a detrimental impact on the highway network.

### Flood Risk

The site is within an area that is not at a particularly high risk of flooding. However, the site is over 1 hectare in size, and in accordance with the National Planning Policy the application has been accompanied with a flood risk assessment. The Environment Agency has been consulted but at the time of writing no comments have been received. Members will be updated at committee.

### Contaminated Land

The site has a history of industrial uses. The application has been submitted with site investigations and these have identified significant levels of contamination. The Council's Contaminated Land Officer and the Environment Agency have been consulted. Both the Contaminated Land Officer and the Environment Agency have no objections, subject to conditions relating to further investigations and a remediation strategy.

### **CONCLUSION**

In conclusion, whilst development plan policies direct such uses to Primarily Employment Areas, in this particular instance the site is considered to be too close to sensitive uses, notably the existing residential properties on Wyncroft Road and Edgewood Close.

For this reason, it is considered that due to the proximity of existing residential properties the screening proposed in the proposal is not sufficient enough to

mitigate the obtrusiveness and visual intrusion caused by the sorting, processing and storage of scrap metal in an open air environment. This negative impact on residents' outlook, combined with the perception of the use is considered to be detrimental to the amenity of local residents. The proposal is therefore considered to be contrary to Policy MW1, MW7(b) and (d) of the Halton Unitary Development Plan and is therefore recommended for refusal.

**RECOMMENDATION:** Refuse for the following reasons:-

The proposal would not provide sufficient enough screening to mitigate the obtrusiveness and visual intrusion of the processing of metal wastes in the open air on local residents' outlook, and combined with the perception of the use, it is considered that the proposal would be detrimental to the amenity of local residents. The proposal is therefore contrary to Policy MW1, MW7(b) and (d) of the Halton Unitary Development Plan and is recommended for refusal.

---

**PLAN NUMBER:** 12/00026/FUL  
**APPLICANT:** PDM Widnes  
**PROPOSAL:** Proposed demolition of existing stores and construction of new stores  
**ADDRESS OF SITE:** PDM Widnes, Desoto Road, Widnes  
**WARD:** Riverside

**SUMMARY RECOMMENDATION:**

Approve subject to Conditions

**SITE/LOCATION:**

Area to the north boundary of the PDM site, Desoto Road, Widnes.

**RELEVANT HISTORY:**

A number of previous planning permissions have been granted for extensions/alterations and new buildings at the site as part of the ongoing improvements/expansion. Planning permission 08/00262/FUL was previously approved for a proposed meal store building which is currently under phased construction. None are directly relevant to the current application.

## **UDP PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:**

In the Halton Unitary Development Plan the site is designated as:  
Within a Primarily Employment Area  
Within Potential Extent of the Ditton Strategic Rail Freight Park and Developed Coastal Zone.  
The following policies are considered to be of particular relevance:  
E3 Primarily Employment Area  
E7 Ditton Strategic Rail Freight Park  
GE30 The Mersey Coastal Zone Design of New Industrial and Commercial Buildings Supplementary Planning Document

The Halton Borough Council Core Strategy Revised Submission Document May 2011 is now also a material consideration, as is the National Planning Policy Framework.

## **CONSULTATION AND REPRESENTATION:**

Adjoining premises have been consulted and the application advertised by way of site notice and in the press. The Council's Highways Engineer, Environmental Health and retained advisers on ecology and environmental matters have been consulted as has the Environment Agency, English Nature and the Health and Safety Executive.

Consultation with the Health and Safety Executive through the PADHii+ system has confirmed that they do not advise against, on safety grounds, the granting of planning permission.

Any comments not covered within the body of this report will be reported orally to the committee.

## **OBSERVATIONS AND ISSUES:**

This application was deferred by the Development Control Committee in April 2012 to allow further detail on the storage capacity at the facility to be provided and assurance that the storage would not create environmental nuisance with regards to potential odours. Additional information was also being awaited to demonstrate that the Planning Authority had satisfied its responsibilities with regards the Habitats Regulations. At the time of writing efforts are on-going to secure the required information and members will be updated orally at the Committee.

### ***Scheme Proposals and Justification***

The proposed store will be used for the storage of animal by-products, namely dry bone meal and ash (currently housed within stores elsewhere on the site) along with a central stores facility for electrical and other equipment necessary to maintain the plant which is currently spread over a number of smaller stores

within the site. In addition, there will also be an open sided, covered trailer store for parking of lorry trailers.

The need for this proposed new facility has come about because the existing storage buildings are due for demolition to facilitate the future development of areas of the site which will be subject to a future application. A small electrical services store located in the service yard to the front of the new stores will also be demolished and the existing vehicle wash gantry will be repositioned within the yard area.

The development will incorporate new areas of concrete hard standing to connect up to the existing road way. There will be no change to the principal vehicular or pedestrian access. Existing site levels to the north boundary will be adjusted to facilitate the construction of the stores. Building work in the form of a retaining wall is required to raise an existing embankment up to a construction level.

### *Design and Visual Impact*

The proposed building will be located on an area of vacant grass/ scrub land to the northern boundary/ north-west corner of the site of the existing PDM complex. The proposed building is approximately 160m x 35m x 17.5m with 12.7m to the ridge/ 10m to eaves providing approximately 3973 sq.m gross floor space. Due to the nature of the materials to be stored it is necessary to construct the lower sections of perimeter walls from solid concrete to a height of approximately 6m to form a retaining structure. The remainder of the walls above the concrete and roofing will consist of sheet cladding with materials and colour palette proposed to match earlier phases of redevelopment at the site.

The proposed building adjoins the boundary of the site with the proposed Ditton Strategic Rail Freight Park. It will however be viewed in the context of the wider industrial complex which will also substantially screen the building when viewed from the adjoining Mersey Estuary. The proposed larger and more modern building will act as a partial screen to some of the older and more utilitarian plant within the site which is currently visible from the road and rail bridge approaches. The proposal also facilitates the demolition of a significant number of dated buildings, many clad in asbestos containing cement sheets. It is considered that the proposed modern building could only be viewed as a significant improvement on the current outdated buildings and, in the context of on-going improvements at the site, it is not considered that the proposals raise significant issues with regard to overall character and visual impact. Exact details of the building materials can be controlled and secured through appropriate conditions and the proposals are not considered to impact unduly on the future development of the Ditton Strategic Rail Freight Park and surrounding areas.

### Ground Conditions and Asbestos Removal

The site is known to be contaminated and a phase 1 and 2 Site Investigation has been submitted to support the application. On that basis the Environment Agency raises no objections and has confirmed that it considers no requirements for further works at this time. Whilst the Council's Environmental Health Officers have confirmed that additional investigation and analysis is required, but no objection is raised in principle and it is considered that this can be adequately secured by condition.

A detailed Asbestos Refurbishment and Demolition Survey has also been submitted in support of the application due to the nature of the buildings to be demolished. On that basis the Council's Environmental Health Officers have confirmed that they are satisfied that sufficient consideration has been given to the risks associated with the asbestos and to the relevant legislation and codes of practice.

### Ecology and Bats

In light of recorded bat activity in the area the application is supported by a bat survey of the five buildings to be demolished and an adjacent group of trees. One building (B4) was judged to be of 'Medium' habitat value and the surveyor has concluded that further emergence surveys between May and September should be undertaken prior to demolition of this building. On this basis standing advice from Natural England suggests that, in accordance with good practice guidelines, such additional information should be provided prior to approval. The Council's retained adviser on ecological matters has however advised that such information could be subject to planning condition. As the construction of the new store building is not directly dependent upon the demolition of this building and in order to avoid unnecessary delay in the demolition of buildings considered not to be of negligible or low roosting potential it is considered that this can be adequately controlled by condition.

The trees within the site have been identified as having low roosting potential for bats. They are not protected by a Tree Preservation Order but are not identified to be felled as a result of this development.

Natural England has advised that the Council must ensure that the application is determined in accordance with the Habitats Regulations and ensuring that it fulfills its obligations in this regard. A detailed assessment covering Habitats Regulations is awaited from the Council's retained adviser on environmental and waste matters and this will need to be agreed by Natural England. Members will be updated accordingly.

### Odour and Environmental Concerns

The proposed store will be used for the storage of Meat and Bone Meal (MBM) and ash which are fully processed products from the approved process.

Meal is a dry, granular protein based product. Meal produced from the processing of Category 1 animal by-products is used as a fuel in the fluidised bed combustors. Meal produced from the processing of Category 3 animal by-products is generally sold for use in pet food. Good management practices and building integrity should ensure that there is no detectable odour outside of the building from the storage of either Category 1 or Category 3 meal. Cat 1 and Cat 3 meal cannot be stored in the same building hence the need for separate buildings.

Ash is produced from the combustion of Category 1 meal and is an inert, odourless, dry, powder/granular product. There are considered to be no issues relating to odour from this and the adoption of good management practices and building integrity should ensure that there are no impacts from its storage outside of the building.

All handling of ash and meal is designed to take place within their respective stores accessed through high-speed roller style door and secured by planning condition. Potential issues have been identified with regards the phasing of the works to ensure interim and appropriate storage of ash and meal is available to minimise potential problems such as dust from external or sub-standard storage. It is considered that this can be secured by condition and on that basis the Council's Environmental Health Officer has confirmed that they raise no objections.

## **SUMMARY AND CONCLUSION**

The application proposes a new store building at PDM Granox in Widnes for the segregated store of meat and bone meal and ash, to provide storage of general equipment and a covered trailer store. The proposed building will be set within the context of the existing industrial complex and as such it is not considered that it will impact unduly with regard to visual impact. The proposals are expected to form part of the ongoing improvement and modernisation of the existing facility. The proposals are not considered to raise significant potential impacts with regards to odour or other environmental issues and, as such, it is considered that the relevant policy criteria can be met and that all outstanding matters resolved through suitable condition.

## **RECOMMENDATION:**

Approve subject to conditions relating to the following:

1. Materials condition, requiring the submission and approval of the materials to be used (BE2)
2. Landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting. (BE2)
3. Boundary treatments including retaining walls to be submitted and approved in writing. (BE2)
4. Construction Management Plan including wheel cleansing facilities to be submitted and approved in writing. (BE1)

5. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
  6. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
  7. Submission and agreement of finished floor and site levels. (BE1)
  8. Site investigation, including mitigation to be submitted and approved in writing. (PR14)
  9. Restriction of external lighting (PR4)
  10. Securing provision of high speed access doors (BE1)
  11. Submission and agreement of boundary treatments (BE22)
  12. Requiring development be carried out in accordance with the submitted bat survey (GE21)
  13. Submission and agreement of a scheme of habitat creation including nest/ roost boxes on buildings for birds and bats (GE21)
  14. Restricting use to storage in accordance with the approved plans (BE1)
  15. Requiring submission and agreement of development phasing plan and plan for development/ construction phase storage (PR1 and PR3)
- 

**PLAN NUMBER:** 12/00142/OUT

**APPLICANT:** Halton Borough Council

**PROPOSAL:** Outline application (with all matters reserved) for up to 35 no. two and three storey residential dwellings at

**ADDRESS OF SITE:** Land opposite Motherwell Close, Lanark Gardens. Widnes, Cheshire

**WARD:** Birchfield

**SUMMARY RECOMMENDATION:**

Approve with Conditions

**SITE/LOCATION:**

The site comprises land that is currently vacant but identified for development of a primary school in the Unitary Development Plan (Policy S24). It is located on the corner of Lanark Gardens and Falkirk Avenue in north Widnes. To the west is the land for the proposed new local centre and to the north and east are existing residential areas.

## **RELEVANT HISTORY:**

The site formed part of a wider area of land subject to outline permission 26575P granted in 1990 for the development of housing, school, shops, community facilities, park, amenity open space, roads and landscaping.

## **DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:**

The site is allocated as a school site under Policy S24 in the Halton Unitary Development Plan (UDP) which is of relevance. Policy CS1 of the Core strategy is also of relevance.

The other key policies of relevance are BE1 General Requirements for Development, BE2 Quality of Design, H2 Design and Density of New Residential, TP12 Car Parking, PR16 Development and Flood Risk,

The Council's New Residential Guidance Supplementary Planning Document is also of relevance.

The Halton Borough Council Core Strategy Revised Submission Document May 2011 is now also a material consideration, the most relevant Policies being; CS3 'Housing Land Supply and Locational Priorities' CS18 'High Quality Design'.

The National Planning Policy Framework is now a material planning consideration, in particular chapters 6 'Delivering High Quality Homes' and 7 'Requiring good design,' are of relevance.

## **CONSULTATION AND REPRESENTATION:**

The application has been advertised by means of a site notice, press notice and neighbouring properties have been consulted via letter. Consultation has been undertaken with United Utilities, the Environment Agency, Cheshire Wildlife Trust (in their capacity as the Council's ecology advisors), and officers from the following Divisions of the Council: Open Spaces, Environmental Health and Highways.

The Environment Agency have not yet commented, any comments received will be reported at the committee as an update.

7 representations have been received; including one in support the others raise the following concerns:

- Increased traffic from proposal
- Parking
- Loss of privacy and light
- Loss of footpath route between nos. 3 and 23 Falkirk Avenue

## **OBSERVATIONS AND ISSUES:**

The application has been submitted in outline with all matters reserved for up to 35 no. two and three storey residential dwellings, with associated vehicle access, parking and landscaping at land opposite Motherwell Close, Lanark Gardens. Widnes, Cheshire.

### *Policy and Principle of Development*

The site is located south of Lanark Gardens opposite Motherwell Close, the land currently forms part of the land identified for a primary school in Policy S24 of the Halton UDP. Taking this into account the current proposal would not accord with current development plan policy, the application has therefore been advertised as a departure.

At Executive Board on 15th December 2011 The Executive Board was advised that land at Upton Rocks had been reserved for a number of years for the development of a new school, should it have been needed. In Widnes the published admission number was for 736 pupils per year. With the basic need capital development at two Widnes schools (Lunts Heath Primary and St Bede's Catholic Infant and Junior), infant capacity would increase to 756 places, once the work had been completed.

Members noted that there was no additional need for a school to be developed in Widnes, as sufficient capacity would be achieved, which included anticipated increases predicted to peak by 2015, and considered the request to release the site for development. Consideration was given to retaining the reserved site. However Primary pupil numbers were insufficient to justify any new development. Therefore the board resolved that the reserved school site at Upton Rocks be released.

### *Design and Character*

The indicative layout shows a proposal of 35 dwellings, consisting of a mix of two storey detached, semi-detached, and some three storey town houses. The dwellings would be predominantly two storey, with proposed three storey dwellings in suitable locations adjacent to the local centre and opposite existing three storey dwellings on Lanark Gardens. These house types are considered to be in character and height to those existing properties fronting onto Lanark Gardens and also those on Motherwell Close.

The indicative design, appearance and scale is considered to be similar and in keeping with the existing in the surrounding area. The external materials will be similar to the adjoining existing residential properties, and conditions are recommended to ensure that final external materials are approved by the local planning authority prior to commencement to ensure a good design and maintain the appearance.

### Amenity

The nearest existing residential properties are on the opposite side of Lanark Gardens to the north of the site, and along Falkirk Avenue to the east. The proposal demonstrates that the minimum standards for private amenity/garden space can be achieved, the interface distances set out in the Council's Design of New Residential Guidance SPD. Therefore, an objection on loss of privacy or light could not be upheld.

### Highway Safety

The proposed development includes establishing the principle of access for the site and the principle of an internal road layout.

The Council's Highway Engineer has been consulted and raises no objection, and considers the principle of the new access, the internal site layout and parking provision to be in accordance with policy. Representations have been previously received to the local centre and also to this application in relation to the provision of a relief road to take traffic off Falkirk Avenue.

The proposal includes the provision of a relief road to carry traffic from the southern extent of Falkirk Avenue and Dinnington Court to the south east, and linking up with Lanark Gardens opposite Greenock Mews.

Conditions are recommended for wheel cleaning facilities and for the submission of a construction traffic management plan.

One representation was received raising concern that the footpath between nos. 3 and 23 Falkirk Avenue would be closed. This is not the case as this footpath falls outside of the application boundary.

### Ecology

The application has been submitted with an ecological appraisal which outlines a number of mitigation measures. The Council's ecological advisor (Cheshire Wildlife Trust) has been consulted and has no objections to the proposal provided that further survey work is carried out on surrounding ponds for Great Crested Newts. As these are a European protected species this has to be carried out prior to the determination of the application. These additional surveys are currently being carried out and members will be updated at committee of the outcome and any mitigation measures that may be required.

Conditions should be attached which will ensure that the recommended mitigation measures are carried out, and that no site clearance works are carried out within the bird nesting season (March to September). It has also been recommended that native flora species be included within the landscaping scheme to enhance wildlife, together with the inclusion of bird and bat boxes.

### Flood Risk

The site is within an area not at risk of flooding. However, the site is over 1 hectare in size, and in accordance with the National Planning Policy the application has been accompanied with a flood risk assessment. The Environment Agency has been consulted but at the time of writing no comments have been received. Members will be updated at committee.

### **SUMMARY AND CONCLUSIONS**

The application demonstrates that safe access can be achieved off Lanark Gardens and Falkirk Avenue, and that an internal access road can be provided to adoptable highway standards. The proposal demonstrates that this can be achieved whilst meeting the minimum standards for private amenity/garden space, interface distances, parking standards and design principles set out in the Council's Design of New Residential Guidance SPD.

The application therefore complies with Unitary Development Plan Policies BE1, BE2, H3 and the New Residential Guidance SPG and the Draft Design of new Residential Development SPD.

Although the site is allocated for a School the Council has identified that the site is no longer required.

Subject to the completion of the outstanding Great Crested Newt surveys and associated mitigation measures, the proposal is unlikely to be to the detriment to protected species. Delegated authority is therefore requested for officers to issue the decision upon satisfactory completion of the outstanding ecology matters and confirmation from the Environment Agency that they raise no objection.

### **RECOMMENDATION:**

That delegated authority be given to officers to approve the application following completion of outstanding Great Crested Newt surveys, confirmation that the Environment Agency raise no objection and subject to the following conditions listed below: -

1. Standard condition relating to time limit for commencement.
2. Standard outline planning permission conditions(s)
3. Condition listing all plans / amended plans (BE1).
4. Wheel wash condition required for construction phase (BE1).
5. Condition(s) in relation to submission of details of hard and soft landscaping including planting scheme (BE2).
6. Condition requesting submission and approval of materials (BE2).
7. Condition in relation to boundary treatment details (BE2).
8. Condition relating to the provision of bins prior to occupation (BE2).
9. Condition that the development is carried out in accordance with the submitted ecological reports and mitigation measures (GE21 and GE25).

10. Condition that no clearance works shall be carried out during bird nesting season (GE21).
  11. Condition in relation to the submission and agreement of a construction traffic management plan (BE1).
  12. Construction hours to be adhered to throughout the course of the development (BE1).
-