

REPORT TO: Development Control Committee

DATE: 14th March 2007

REPORTING OFFICER: Strategic Director – Environment

SUBJECT: Planning applications to be determined by the Committee

The following applications for planning permission are submitted to the Committee for consideration with a recommendation in each case. Those applications marked * are considered to have significant employment implications.

An Amendments List, containing the categorisation of planning applications, additional information and amendments to recommendations, will be circulated to Committee Members before the meeting together with plans showing the location of each application site. Those applications now before the Committee, where the planning issues are considered clear by the Chairman, will be included in List A. Unless a Member considers that additional information is required on a particular application in List A it is **RECOMMENDED** that each of the applications be determined (whether for approval or for refusal) in accordance with the conditions or the reasons printed in the Agenda and in the Amendments List previously circulated.

The remaining applications are included in List B. Together with those applications about which Members require further information, List B applications will be considered following determination of applications remaining in List A.

PLAN NUMBER: 06/00879/OUT

APPLICANT: Elliot Maunders Homes Ltd

PROPOSAL: Outline application for demolition of dwelling/ stables/ outbuildings, proposed redevelopment (comprising of 17 No houses) and associated access

ADDRESS OF SITE: Manor Farm, Manor Farm Road, Runcorn

WARD: Daresbury

SUMMARY RECOMMENDATION:

Approve subject to Conditions

CONSULTATION AND REPRESENTATION:

Adjoining properties/ businesses have been consulted and the application advertised by way of site and press notice. The Council's Highways Engineer, Environmental Health, Nature Conservation and Trees and Woodlands Officer have been consulted, as have United Utilities and the Environment Agency.

2 letters of representation have been received relating to the loss of stables and horse grazing and concerns that the previous adjoining residential scheme has remained largely vacant due in part to the incompatible surrounding uses.

United Utilities have confirmed that they raise no objections in principle. The Environment Agency have also confirmed that they raise no objections in principle subject to 2 conditions relating to drainage details. Cheshire County Archaeological Officer has suggested that the historical interest of the site is due to the age of the buildings which have been substantially altered and unlikely to present archaeological features of note. As such the proposals are not considered to raise significant archaeological issues justifying intervention. Any other significant issues and comments not covered later in this report will be reported orally.

SITE/LOCATION:

An area providing approximately 0.46 hectares of land which is designated as Primarily Residential in the Halton Unitary Development Plan, currently occupied by a former farmhouse, stables and outbuildings and associated grazing land within the Manor Park employment area, Runcorn

RELEVANT HISTORY:

None directly relevant to this development. Permissions were previously granted/ allowed (00/00583/COU and 02/00551/FUL) for the conversion/ redevelopment of a group of barns directly adjoining the application site for 14 dwellings.

UDP PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as a Primarily Residential Area in the Halton Unitary Development Plan. Policies H2 Design and Density of New Residential Development, H3 Provision of Recreational Greenspace and S25 Planning Obligations and the Council's Supplementary Planning Guidance for New Residential Development and Provision of Openspace are considered to be of particular relevance.

OBSERVATIONS AND ISSUES:

Permission is sought for the erection of 17 No. mews style properties on the site of a former farm house and associated stables, outbuildings and grazing land within the Manor Park employment area. The application is in outline

only with approval sought for access, layout and scale with appearance and landscaping reserved for future consideration.

Policy Considerations

The site is designated as a primarily residential area in the Halton Unitary Development Plan. The land is, however, surrounded predominantly by offices and other employment uses forming part of the Manor Park employment area. Notwithstanding, that the stables/ barns on the adjoining site have in recent years been converted/ redeveloped to provide residential dwellings. In this context it is considered that the proposed use is considered acceptable in principle and that, despite the apparent vacancy rates in the adjoining residential development, refusal on principle could not be supported in this case.

Design, Character and Amenity

Whilst the application is in outline only approval is sought for the access, layout and scale. As such details are provided of the principle defining elements including layout and outline silhouette of the proposed properties. The scheme as submitted offers a mews style development around a central frontage area of open space with trees. The dwellings as proposed include a variation in scale throughout the scheme including various elements at 2, 2.5 and 3 storeys. Providing 17 dwellings at a density of approximately 37 dwellings per hectare the proposed density is considered to be in accordance with national and local policy. Whilst relatively minor amendments have been requested the proposals are considered to offer the opportunity for a quality residential scheme of a scale and form in keeping with the site and surrounding features especially given consideration to the adjoining residential and surrounding primarily office uses, the scale of the existing farmhouse and differences in levels across the site. Given the nature of existing surrounding uses, which are primarily residential and office based, it is considered that significant risk of nuisance and conflict is unlikely to arise. The proposals as submitted are not considered to impact unduly on the amenity of existing surrounding uses including the existing residential properties which directly adjoin the site.

Highways and Parking

A single access is proposed to the development from Manor Farm Road via the existing Manor Park highway network which the Councils Highways Engineer has confirmed are of sufficient capacity to accommodate the proposed additional dwellings. Whilst a number of relatively minor amendments have been requested relating to the internal layout and further minor amendments have been requested it is considered that adequate provision can be made for highway circulation and parking within the scheme. As such no significant highway objections are raised. Conditions to restrict permitted development rights for frontage boundary treatment to protect adequate highway visibility throughout the scheme and restricting conversion

of garages to habitable rooms to allow sufficient off-street parking to be maintained are however considered necessary to maintain this position.

Contaminated Land

Whilst no objections are raised in principle the Councils Environmental Health Officers have confirmed that due to the historical use of the site and particular sensitivity of the proposed residential use, detailed ground investigation and appropriate mitigation are considered necessary. It is considered that this can be adequately secured by condition.

Trees and Landscape Features

The site is currently occupied by a number of mature trees and adjoined by substantial woodland area on two sides under the ownership of the Woodland Trust and with branches that overhang the application site. One oak tree within the site is also protected by Tree Preservation Order.

The application is supported by a detailed tree survey. Whilst a number of trees are to be removed amendments have been submitted in accordance with the advice of the Councils Trees and Woodlands Officer to provide adequate protection for the protected oak tree and trees to be retained within the site.

Concern has, however, been raised by the Woodland Trust regarding the potential future conflict arising from future occupiers and protecting the future health of trees outside but overhanging the rear gardens of the properties as proposed. Such conflicts potentially arise from the actions and desires of future occupiers such as flytipping, extensions to properties and pressures for pruning and tree felling to reduce the overshadowing effect of trees. The Councils Trees and Woodlands Officer has, however, confirmed that, whilst such concerns are shared, the layout complies with the guidance of the British Standard and that it would be possible to carry out the development without affecting the health of the trees. It is also suggested that the issue of overshadowing is likely to be less significant due to the orientation of the affected gardens. As such it is considered that refusal on this issue could not be justified in this case subject to agreement and implementation of an arboricultural method statement covering demolition and construction, adequate tree protection and boundary treatments which can be secured by condition. It is also suggested that removal of permitted development rights for extensions and outbuildings will also allow the local planning authority to retain further control. The developer is also in negotiation with the Woodland Trust to agree additional protection measures through means such as restrictive covenants attached to the properties.

Ecology

Despite the location of the farmhouse in close proximity to business premises, the surrounding land and adjoining woodland is identified as providing potentially valuable habitat to wildlife in an area of known bat activity and the

demolition of the property will result in the loss of a bat roost. As such the application is supported by a detailed bat mitigation report which includes proposed mitigation measures including construction of a replacement dedicated roost. The Councils Nature Conservation Officer has confirmed that the submitted details and proposed mitigation measures are acceptable subject to additional details and implementation which can be secured by condition.

Summary and Conclusion

The proposals are considered to offer the opportunity for a high quality residential scheme suited to the character of the site and the wider area. It is considered that adequate contribution to off-site open space can be secured through appropriate legal agreement in accordance with the Councils Supplementary Planning Document. It is considered that the overall objectives of the Supplementary Planning Documents on New Residential Development and the Provision of Open Space, the Halton Unitary Development Plan and other policy guidance are met within the proposed submission and all outstanding matters can be adequately controlled through reserved matters and by condition. As such the proposals are recommended for approval.

RECOMMENDATION:

Approve subject to:

- A) The applicant entering into a legal agreement in relation to the payment of a commuted sum for the provision and improvement of off-site open space
- B) Conditions relating to the following:
 - 1. Reserved matters condition, for the submission of and approval prior to the commencement of development.
 - 2. Time limit for the submission of reserved matters.
 - 3. Time limit for the commencement of development.
 - 4. Reserved matters to be submitted and carried out as approved.
 - 5. Condition specifying amended plans (BE1)
 - 6. Materials condition, requiring the submission and approval of the materials to be used (BE2)
 - 7. Landscaping condition, requiring the submission of both hard and soft landscaping. (BE2)
 - 8. Boundary treatments to be submitted and approved in writing. (BE2)
 - 9. Wheel cleansing facilities to be submitted and approved in writing and used. (BE1)
 - 10. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
 - 11. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
 - 12. Submission and agreement of finished floor and site levels. (BE1)
 - 13. Ground investigation, including mitigation to be submitted and approved in writing. (PR14)

14. Conditions relating to tree protection during construction including arboricultural method statement (BE1)
15. Conditions relating to restriction of permitted development rights relating to garage conversions and frontage boundary treatments, extensions and outbuildings and rear boundary treatments including insertion of gates. (BE1)
- 16.2 conditions relating to drainage details (BE1)
17. Conditions relating to submission, agreement and implementation of dedicated bat roost and carrying out development strictly in accordance with submitted bat mitigation report (GE21)
18. Provision of appropriate refuse collection bins for use by the occupiers (BE1)

C) That if the legal agreement is not executed within a reasonable period of time authority be delegated to the Operational Director- Environmental and Regulatory Services in consultation with the Chairman or Vice Chairman to refuse the application on the grounds that it fails to comply with UDP Policy S25 Planning Obligations.

PLAN NUMBER: 06/00958/OUT

APPLICANT: Mr Murphy

PROPOSAL: Outline application (with landscaping matters reserved) for the erection of 14 No. apartments.

ADDRESS OF SITE: Essex Garage 24 – 30 Farnworth Street

WARD: Farnworth

SUMMARY RECOMMENDATION:

Refusal

CONSULTATION AND REPRESENTATION:

The application has been advertised by site and press notices and a number of local residents have been consulted.

To date, 4 objections have been received in respect of the application. These raise concerns relating to the following:-

No demand for apartments in the area and particularly that the apartments opposite the site have not sold, loss of privacy/ overlooking, loss of light, presence of asbestos on the site.

The Environment Agency, United Utilities, Environmental Health and Highways have all been consulted.

United Utilities have no objections to the proposal. The Council's Environmental Health Officer and The Environment Agency have no objections but require a ground investigation and remediation condition. The Council Highways Engineer has no objections provided conditions requiring a visibility splay, disabled parking spaces and cycle parking are attached to any permission.

SITE/LOCATION:

The site is located off Farnworth Street, and is bounded by properties on Griffin Mews and Windermere Avenue and is known as the Essex Garage. The proposal is located within walking distance of a local centre and is within easy access to public transport links.

RELEVANT HISTORY:

A recent application for 18 apartments on the site (06/00080/OUT) was refused by the committee in April 2006. Since this application a number of pre application discussions have been had with the agents.

DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as within a residential area in the Halton Unitary Development Plan (UDP) and the key policies, which relate to the development, are: -

BE1: General Requirements for Development
BE2: Quality of Design
PR14: Contaminated Land
TP12: Car Parking
H2: Design and Density of New Residential Development
H3: Provision of Recreational Green Space

Also of relevance is the Council's Supplementary Planning Guidance on New Residential Development.

OBSERVATIONS AND ISSUES:

This is an outline application for the erection of 14 No. apartments with landscaping reserved.

Design and Character of the Area

The proposal is for 14 No. apartments in three two-storey high blocks. Two blocks are located on the Farnworth Street frontage with the access between. Located behind this frontage is the third apartment block and parking area. The proposal provides no on-site amenity space for the residents with in the

development. The character of this side of Farnworth Street is one of a terraced street with all properties facing directly on to Farnworth Street itself.

Residential Amenity

The privacy distances are considered acceptable and in line with guidance given within the New Residential Development, guidance note (SPG).

The developer has been asked to pay a commuted sum in respect of off- site open space provision although this is in addition to the requirement in the SPG for on site amenity/ garden space.

In assessing proposals for apartment developments, the Council will require appropriate provision on site for a recreational space for occupiers of the units. This is in order to ensure that a scheme has fundamental qualities to achieve a sustainable development, which will allow future occupiers the opportunity to enjoy outdoor space. PPS3 Housing lists matters to consider when assessing design quality. This includes: "Provides, or enables good access to, community and green and open amenity space (including play space) as well as private outdoor space such as residential gardens, patios and balconies." The developer has shown no area of on site amenity space for use by future residents of the proposed scheme.

The internally located residential block is considered to be back land development, as the building has no road frontage. This rear block is considered to adversely impact upon existing and future residents living alongside the access through the loss of privacy and noise disturbance from pedestrian and vehicular use of the access.

Highway Safety

The access to the site is to be provided to the centre of the site with the frontage on Farnworth Street. The entrance will be between two blocks of apartments. The plan shows 21 car parking spaces provided to the rear of the property, which is the equivalent of 1.5 spaces per unit. Amended plans have been received providing an internal turning area and an acceptable entrance allowing vehicles a passing place before entering and existing the site.

Conclusion

Due to the lack of on-site amenity space and the proposed rear block the proposal is considered to be an over development of the site that is out of character with the surrounding area that would adversely affect the amenity of the future residents of the site and neighbouring properties. Amendments have been requested during application process and during pre application discussions, however, the applicant has not been willing to provide satisfactory amendments.

RECOMMENDATION:

Refuse on the grounds that the proposal is contrary to Policy BE1, BE2, H2, the Council's Supplementary Planning Guidance on New Residential Development and PPS 3, in particular the lack of amenity space, poor layout and over development of the site that is out of character with the surrounding area and that would adversely affect the amenity of the future residents of the site and neighbouring properties.

PLAN NUMBER: 06/00971/FUL

APPLICANT: CDS Housing Association

PROPOSAL: Proposed demolition at Caesars Close and construction of 50 No. new two storey houses and three storey flats (some with mezzanines) for sale and rent

ADDRESS OF SITE: Caesars Close, Castlefields, Runcorn

WARD: Castlefields

SUMMARY RECOMMENDATION: Approve subject to Conditions

CONSULTATION AND REPRESENTATION:

Adjoining properties have been consulted and the application advertised by way of site and press notice. The Council's Highways Engineer, Environmental Health and Trees and Woodlands Officers have been consulted as have United Utilities and the Environment Agency.

United Utilities have confirmed that they raise no objections in principle. The Council's Environmental Health Officers have confirmed that they raise no objections in principle subject to suitable ground investigation and mitigation by condition. 2 letters of representation have been received raising concerns about the loss of pedestrian footpaths/ routes especially affecting adjoining elderly residents, loss of light and privacy as a result of the new taller properties, noise and dust and the effect of demolition and construction works on adjoining residents, likely additional noise and disturbance from a proposed car park and loss of communal car parking. Any further comments not covered within the body of this report will be reported orally to the committee.

SITE/LOCATION:

An area of approximately 0.75 hectares currently occupied by existing Castlefields residential properties and car parks within the Castlefields residential area, Runcorn.

RELEVANT HISTORY:

None directly relevant although a number of previous planning permissions have been granted predominantly for residential developments within the surrounding area as part of the ongoing redevelopment and regeneration of the Castlefields area.

UDP PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is identified as falling entirely within the allocated Action Area 6 Castlefields and Norton Priory in the Halton Unitary Development Plan. Policy RG6 Action Area 6 Castlefields and Norton Priory is considered to be of particular relevance. The site is identified as a Potential Reinvestment Site for redevelopment within the adopted Supplementary Planning Document (SPD) for Castlefields and Norton Priory Action Area (2005). The SPD for New Residential Development is also considered of relevance.

OBSERVATIONS AND ISSUES:

This scheme forms part of the wider regeneration proposals for Castlefields which seek to replace existing deck access and outdated dwellings with new build and refurbished dwellings. The phase under consideration relates to sites currently occupied by deck access flats and adjoining car parks.

The scheme as submitted comprises a mix of 12 No. two bedroom and 14 No. 3 bedroom dwellings (at 2 storeys) and 24 No. 2 bedroom apartments at three storeys with some having a proposed additional mezzanine within the mono-pitched roof structure.

Design, Character and Amenity

The scheme proposes a mix of residential houses and apartments constructed predominantly of a mix of traditional brick with render and weatherboard detail and tiled roof. The proposed apartments have a mono-pitched roof design comparable with similar properties in earlier schemes.

The scheme is not wholly compliant in terms of minimum privacy distances and garden provision when tested against standards that relate to new green field development. Due to the constrained nature of such sites such shortfalls are considered to be largely inevitable and provision is made accordingly for such variations within the adopted Supplementary Planning Document for the area. Relatively minor amendments to the scheme have been requested to ensure that satisfactory design and space standards are achieved within the scheme and to minimize additional impacts on existing occupiers of dwellings to be retained and discussions are ongoing with the applicant on these matters. It is, however, considered to provide an opportunity to provide a high quality development particularly given the constrained nature of the site, the scale and nature of the existing buildings to be demolished and the context of earlier residential developments in the area and the wider regenerative initiative. Members will be updated accordingly. It is, however, considered necessary to restrict permitted development rights for the resultant dwellings

to avoid potential over-development of the plots and to safeguard residential amenity into the future.

Highways and Parking

Whilst the Councils Highways Engineer has confirmed that no significant highway objections are raised in principle, the application as submitted raises a number of issues relating to the closure of a number of recognised pedestrian routes within the scheme. Discussions are ongoing with the applicant and the Councils Highways Engineers to provide satisfactory resolution of these outstanding issues and ensure that suitable pedestrian linkages are provided throughout the scheme and that adequate provision can be made for highway circulation, servicing and parking. Members will be updated accordingly. It is considered necessary to restrict permitted development rights for frontage boundary treatments to allow control to be retained over highway safety matters.

Loss of Trees

The proposals will result in the loss of a number of mature trees from the area. As a result of the constrained nature of the site limited opportunity is provided for trees to be retained however scope is provided for replacement planting within the proposals. Whilst such loss is regrettable it is, however, considered that the wider benefits of the scheme outweigh any harm resulting from the loss of the trees especially in the context of the wider regeneration proposals for the Castlefields area. Some replacement planting can be required by condition.

Summary and Conclusion

The scheme will play an important role in the ongoing redevelopment and regeneration of the area. Whilst the submitted proposals raise a number of issues and discussions are ongoing, it is considered that the outstanding matters can be resolved. The scheme is considered to offer a good quality of development suited to the character of the site and the wider area and that the requirements and aspirations of UDP policy, the Castlefields Masterplan and SPD can be met.

RECOMMENDATION:

Approve subject to conditions relating to the following:

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

5. Wheel cleansing facilities to be submitted and approved in writing. (BE1)
6. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
7. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
8. 2 conditions relating to the agreement and implementation of bin stores cycle parking provision (TP6)
9. Submission and agreement of finished floor and site levels. (BE1)
10. 2 conditions relating to restriction of permitted development rights relating to extensions and outbuildings and boundary fences etc. (BE1)
11. Site investigation, including mitigation to be submitted and approved in writing. (PR14)
12. 4 conditions relating to tree protection during construction (BE1)
13. Agreement of details and construction design of all retaining walls (BE1)
14. Provision of appropriate refuse collection bins for use by the occupiers (BE1)

PLAN NUMBER: 06/00972/FUL

APPLICANT: Cheshire Fire Authority/ McInerney Homes

PROPOSAL: Residential development consisting of 43 No. dwellings

ADDRESS OF SITE: Former Fire Station, Heath Road, Runcorn.

WARD: Heath

SUMMARY RECOMMENDATION:

Approve with conditions

CONSULTATION AND REPRESENTATION:

The application was advertised by way of a site notice, a press notice and the neighbouring properties and Ward Councillors were also consulted.

59 letters of representation have been received from a total of 47 properties raising concerns regarding the proposed density being too high, properties being 'crammed into site', over-development of the site, blocking sunlight into surrounding properties, decrease in property values, increase in traffic movements, detrimental to highway safety, height of building too high, proposal out of character with surrounding, safety hazard for local school children, no demand in the area for apartments, layout of the proposal is further forward than existing, increase in numbers parking on Bellingham Drive, damage to boundary fence of property adjacent, presence of asbestos

on the site, protections of trees on the site, errors on plans, overlooking, inadequate drainage, no family housing provided, access not suitable, fumes and noise from car park, and light pollution.

Representations have also been received from a Ward Councillor and local MP.

The Health and Safety Executive and United Utilities have been consulted, and do not raise any objections.

The Council's Highways Engineer, Environmental Health Officer, Trees and Woodland Officer and Waste Management Services have also been consulted and any issues raised will also be discussed in the Observations and Issues section of this report.

SITE/LOCATION:

The site is the existing Runcorn Fire Station Site and is located at the corner of Heath Road and Bellingham Drive. The site is currently accessed from Bellingham Drive, with access and egress for emergency vehicles on Heath Road. The site falls within an established residential area.

RELEVANT HISTORY:

There have been a number of applications for telecommunications equipment and extensions or adaptations relating to the fire station use.

An application has been submitted for proposed construction of single storey fire station on land off Hallwood Link Road, Runcorn, which is currently being considered (application no. 07/00074/FUL). This would be for the relocation of the existing fire station.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as within a residential area in the Halton Unitary Development Plan (UDP) and the key policies, which relate to the development, are: -

H2: Design and Density of New Residential Development

H3: Provision of Recreational Greenspace

BE1: General Requirements for Development

BE2: Quality of Design

TP12: Car Parking

The Council's New Residential Development Guidance Note is also of relevance.

OBSERVATIONS AND ISSUES:

The application is for 43 dwellings consisting of 2 no. 3 bedroom houses, 2 no. 4 bedroom houses, 6 no. 1 bedroom apartments and 33 no. 2 bedroom apartments.

Design & Access Statement Principles

The proposal comprises 43 dwellings, with 39 apartments in two blocks, and four terraced houses, covering a larger footprint than the existing fire station on the site.

i) Design- The proposed buildings are of attractive design and reflect the style and character of dominant buildings on the same side of the road. By incorporating features characterised on some of the surrounding dwellings such as timber and render, the buildings will add to and enhance the general street scene.

ii)- Access- It is proposed that vehicles will access the site from Bellingham Drive, and pedestrians will access the site via the same entrance, or via a pedestrian access from the frontage on Heath Road that divides the two apartment blocks.

Residential and Visual Amenity

The existing site when viewed in cross section varies considerably in level from nearby and adjacent dwellings, which in themselves are of generally 1 and two storey in height. As a consequence, the siting of the proposed building blocks, the fenestrative detailing and general massing all required specific and careful consideration. As originally submitted, the buildings proposed were considered to be unacceptably sited and did require change.

In relation to these issues, amended plans have been agreed to by the applicant to reduce the apartment block to 2.5 storeys, and to reposition the apartment block adjacent to 120 Heath Road in order to preserve the amenity of the neighbouring property. Further changes to the detail of the scheme are still being discussed, and an update on these matters will be given to the committee.

The development includes an area of on site amenity space for use by future residents of the proposed scheme. The amenity space will be to the rear of the proposed buildings, separating the apartments from the car parking area.

Density

This type of development by its very nature provides a high density solution and in this respect could be considered to be out of character. However, having regard to the levels of parking and amenity space which can be provided on site, and that the buildings can be positioned without detrimental impact on the neighbouring properties on Heath Road, Bellingham Drive and Abbots Close the density can be deemed appropriate to the site.

Open Space and Landscaping

The developer will pay a commuted sum in respect of off- site open space provision.

Currently Heath Road is lined with mature trees at intervals, and the proposal includes the planting of trees at regular spaced intervals along the road frontages, along with grassed areas, shrub and hedge planting at various points within the site.

There is an existing tree within the curtilage of the site adjacent to the boundary with 120 Heath Road, and one nearby on the boundary, both are subject to a Tree Preservation Order.

The scheme has been amended to pay regard to these trees.

Contaminated Land

The Council's Environmental Health Officers have commented that the proposal is particularly sensitive to contamination, and as recommended in PPS23 the possibility of contamination should be assumed. The use of the site as a fire station with diesel storage tanks means hydrocarbon contamination is possible. These issues will be dealt with by way of conditions.

Highways Issues

Whilst the Council's Highways Engineer has confirmed that no significant highway objections are raised in principle, the application as submitted raises minor concerns relating to parking provision and the width of the footway along the frontage of the site, however it is felt that these matters can be resolved via amendments.

The above issues are still subject to discussion, and will be reported orally to the committee.

Conclusion

The proposed use is considered to be acceptable. The proposed buildings are of a scale, character and quality considered to be in keeping with surrounding residential area, and will present attractive frontages on Heath Road. The buildings will be surrounded by amenity space, and planting schemes enhance the development. A number of issues have however been raised as outlined above, and negotiations are ongoing. It is considered that those matters can be resolved satisfactorily through amendments to the current scheme and/ or additional information and members will be updated fully. It is considered that all other matters can be adequately controlled by condition and, on that basis, the application is recommended for approval.

RECOMMENDATION:

Approve subject to the following conditions:-

- A) The applicant entering into a legal agreement in relation to the payment of a commuted sum for the provision and improvement of off-site open space.
- B) Conditions relating to the following;
 - 1. Standard commencement condition.
 - 2. Condition specifying amended plans (BE1).
 - 3. Construction hours (BE1).
 - 4. Wheel cleansing facilities to be submitted and approved in writing. (BE1)
 - 5. Materials condition, requiring the submission and approval of the materials to be used (BE2)
 - 6. Boundary treatments to be submitted and approved in writing. (BE2)
 - 7. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
 - 8. Conditions relating to restriction of permitted development rights relating to boundary fences, extensions and enclosures and windows, (BE1)
 - 9. Site investigation, including mitigation to be submitted and approved in writing. (PR14)
 - 10. Landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting. (BE2)
 - 11. Drainage condition, requiring the submission and approval of drainage (BE1)
 - 12. Conditions relating to tree protection during construction and lifetime of development (BE1)
 - 13. Submission and agreement of finished floor and site levels. (BE1)
 - 14. Condition to ensure that windows on the east elevation (adjacent to 120 Heath Road) are obscure glazed.
 - 15. Provision of appropriate refuse collection bins for use by the occupiers (BE1)
- C) That if the legal agreement is not executed within a reasonable period of time authority be delegated to the Operational Director- Environmental and Regulatory Services in consultation with the Chairman or Vice Chairman to refuse the application on the grounds that it fails to comply with UDP Policy S25 Planning Obligations.

APPLICANT: Inspired Developments

PROPOSAL: Proposed redevelopment of Halton Brook Neighbourhood Centre and erection of 114 No. new dwellings with associated landscaping and public open space.

ADDRESS OF SITE: Land at Halton Brook, Runcorn

WARD: Halton Brook

SUMMARY RECOMMENDATION:

Approve subject to Conditions

CONSULTATION AND REPRESENTATION:

The application has been advertised by site and press notices and a number of local residents have been consulted.

The Council's Highways Engineer, Trees and Woodlands Officer, Nature Conservation Officer and Environmental Health Officers have been consulted, as have United Utilities and the Environment Agency.

The Environment Agency and United Utilities have confirmed that they raise no objections in principle subject to conditions relating to drainage. The Police Community Safety Officer has confirmed that the existing open space including the area surrounding 'the Knoll' has problems with anti social behaviour.

To date 8 letters of objections and 1 petition containing 85 signatures have been received in respect of the application. They raise concerns relating to the following:

- The proposed development on green space/ open space and playing areas
- The increase in traffic
- The anti social behaviour in the area.
- The number of trees to be felled
- The impact on the quality of life for existing residents
- The increase in noise and pollution from construction
- The residents raised issues relating to the use of the money from the sale of the properties.
- Development not in keeping with the new towns development
- The issues of the decreasing ratio of older peoples accommodation
- A resident has raised an issue that they believe Riverside Housing Association need to legally contact and get relevant consents from the government.
- The amount of development on the site

- Parking problems already exist and the development would make this worse
- That the alterations to the junction is unnecessary and a waste of money
- The residents feel the developer has not consulted them properly.

The applicant have engaged the local community throughout the design process through a series of consultation events and Riverside Housing Association through their area office and local housing management officers have kept the residents informed in addition to a series of news letters.

SITE/LOCATION:

An area of approximately 6.1 hectares currently occupied by existing residential properties, community facilities and local centre, open space, and access at land at Halton Brook, Runcorn.

RELEVANT HISTORY:

The only application directly relating to the proposal is an application in 2006 (06/00581/DEM) for demolition consent for the demolition of 1 –18 Hillcrest.

UDP PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as green space, neighbourhood centre and as a residential area in the Halton Unitary Development Plan (UDP) and the key policies, which relate to the development, are: -

BE1: General Requirements for Development

BE2: Quality of Design

PR14: Contaminated Land

TP12: Car Parking

H2: Design and Density of New Residential Development

H3: Provision of Recreational Green Space

BE16: Alterations to and New Shop Fronts

GE5: Outdoor Sport and Recreation Facilities in the Urban Fringe and Open Countryside.

GE6: Protection of Designated Green space

Also of relevance is the Council's Supplementary Planning Guidance on New Residential Development.

OBSERVATIONS AND ISSUES:

The scheme as submitted comprises a mix of 21 No. two bedroom dwellings, 39 No. 3 bedroom, 33 No. 4 and 5 bedroom dwellings and 21 No. 2 Bedroom apartments. The properties are two and three storeys. The proposals also

include the redevelopment of the neighbourhood centre and enhancement to landscaping, public area and public open space.

The regeneration of the neighbourhood centre including:

- Opening up the shopping area with the demolition of the Hillcrest apartment block
- Upgrading shop frontages,
- New parking area with improvements to the public realm.

The main issues of note are summarised below and members will be updated fully as appropriate.

Design, Character and Amenity

The scheme is compliant with the Council's Supplementary Planning Guidance on New Residential Development and provides acceptable garden provision. The layout is considered to enhance the character of the surrounding area and is unlikely to adversely effect neighbouring properties through having an overbearing appearance. The proposal involves a significant amount of developing on current green and incidental spaces/ land adjacent to the Expressway. These areas currently include informal landscape which is neglected and has been used as a dumping area. The steep slopes in the green space limit its use as informal open space. The design of the proposal is of a high quality and similar to the new developments on Castlefields. The design of the proposed properties is considered to raise the quality in the surrounding area.

Highways and Parking

Whilst the Council's Highways Engineer has confirmed that parking levels as proposed are generally acceptable and that there are no objections in principle to the development, the application as submitted does raise a number of issues. It is, however, considered that satisfactory resolution can be achieved and discussions are currently ongoing with the applicant and the Council's Highways Engineer to provide satisfactory resolution of outstanding issues.

Loss of Trees and Green space

The scheme will result in the redevelopment of a significant area of designated green space. The proposals will also result in the loss of a number of mature trees from the area. However, the proposal would result in the improvement of the amenity value of the remaining informal and formal open space. The Council's Trees and Woodlands officer has stated that the tree survey and landscaping proposals submitted are of a good quality but that there is considerable loss of trees. Whilst such loss is regrettable it is, however, considered that the wider benefits of the scheme outweigh any harm resulting from the loss of green space and trees especially in the context of the wider regeneration proposals for the area. The loss is also outweighed by improvements and quality of on site open space.

The nature conservation officer has no objection to the scheme and has asked for the enhancement of pond facilities in the area.

Summary and Conclusion

The scheme is considered to offer a good quality development and will play an important role in the redevelopment and regeneration of the area. Whilst the submitted proposals raise a number of issues and discussions are ongoing, it is considered that the outstanding matters can be resolved.

RECOMMENDATION:

Approve subject to:

- A. The applicant entering into a legal agreement in relation to the payment of a commuted sum for the provision and improvement of off-site open space
- B. Conditions relating to the following:
 - 1. Condition specifying amended plans (BE1)
 - 2. Materials condition, requiring the submission and approval of the materials to be used (BE2)
 - 3. Drainage condition, requiring the submission and approval of drainage details. (BE1)
 - 4. Boundary treatments including retaining walls to be submitted and approved in writing. (BE2)
 - 5. Wheel cleansing facilities to be submitted and approved in writing. (BE1)
 - 6. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
 - 7. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
 - 8. Agreement and implementation of cycle parking provision (TP6)
 - 9. Submission and agreement of finished floor and site levels. (BE1)
 - 10. Site investigation, including mitigation to be submitted and approved in writing. (PR14)
 - 11. 4 conditions relating to tree protection during construction (BE1)
 - 12. Prior to the commencement of development details of recycling facilities shall be submitted. (BE1)
 - 13. Prior to the commencement a noise survey shall be submitted with appropriate remediation measures. (BE1)
 - 14. Prior to the commencement of development shutter details shall be submitted and approved. (BE16)
 - 15. Prior to the commencement of development details of the play area, including structures and materials shall be submitted. (BE1)
 - 16. Provision of appropriate refuse collection bins for use by the occupiers (BE1)
- C) That if the legal agreement is not executed within a reasonable period of time authority be delegated to the Operational Director- Environmental and

Regulatory Services in consultation with the Chairman or Vice Chairman to refuse the application on the grounds that it fails to comply with UDP Policy S25 Planning Obligations.

PLAN NUMBER: 07/00003/FUL

APPLICANT: Mr and Mrs Drakeley

PROPOSAL: Proposed single storey rear extension

ADDRESS OF SITE: 2 Garrigill Close, Widnes

WARD: Farnworth

SUMMARY RECOMMENDATION:

Approve with conditions

CONSULTATION AND REPRESENTATION:

Adjoining properties have been consulted. No comments have been received to date. Any significant issues raised will be reported orally to Committee as required.

SITE/LOCATION:

No.2 Garrigill Close is located on a corner plot at the cul-de-sac junction within the residential estate of Finsbury Park.

RELEVANT HISTORY:

None directly relevant.

DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as within a Primarily Residential Area in the Halton Unitary Development Plan (UDP). Policy H6: House Extensions and the Councils Supplementary Planning Document on House Extensions are considered to be of particular relevance.

OBSERVATIONS AND ISSUES:

The proposed extension is located to the rear of a modern detached dwelling within an estate of similar but varied properties. The extension proposes a rearward projection of 4m.

Design and Character of the Area

The design and scale of the extension is considered to be in keeping with the existing property. The extension is single storey only and is not considered to impact unduly on the street scene or character of the area nor is it considered to impact significantly on the amenity of the occupiers of neighbouring properties. It is considered that adequate parking and amenity space will be retained and, as such, the proposal is considered to be policy compliant.

RECOMMENDATION:

Approve subject to the conditions relating to:

1. Requiring materials to match the existing property (H6).

PLAN NUMBER:	07/00005/COU
APPLICANT:	Morris Homes Developments Ltd, Morland House, Altrincham Road, Wilmslow, SK9 5NW
PROPOSAL:	Full application for the conversion and refurbishment of Lawson House into 20 No. apartments, including demolition of newer extensions and additions to the rear
ADDRESS OF SITE:	Lawson House, Moughland Lane, Runcorn
WARD:	Heath

SUMMARY RECOMMENDATION:

Approval

CONSULTATION AND REPRESENTATION:

The application was advertised in the local press and by a site notice displayed near to the site. The nearest affected occupiers of the adjacent and nearby residential properties were notified by letter. United Utilities, Health & Safety Executive the Council's Highway Engineers, Environmental Health Officers and Landscape Officers have all been consulted.

United Utilities have raised no objection to the proposal providing that the site is drained on a separate system with only foul drainage connected into the foul sewer and surface water to be discharged to the watercourse/soakaway/surface water sewer. The Health & Safety Executive advises against the proposal and have been asked whether or not they wish the application to be called in. Any further comments will be reported orally to Committee.

The Council has received comments from 2 local residents at the time of the writing of this report, which are material to this application relating to:-

- Too many units;
- Insufficient car parking provision;
- Possibility of car parking taking place on Moughland Lane and Campbell Avenue;
- Lack of communal garden area for residents;
- The proposal is not required to deliver Halton's housing need to 2016;
- The proposal will damage and/or destroy protected trees and harm nature conservation interests;
- Not in keeping with character of the area;
- Existing drainage unable to cope with surface water and foul sewage, possible surface water run off leading to flooding;

Any further comments received will be reported orally.

SITE/LOCATION:

The development is proposed for the existing Lawson House, with access shown from Moughland Lane. The area is designated within a primarily residential area within the Halton Unitary Development Plan and the site has no historical protected status. The proposal is proposed to be served by accesses from Moughland Lane with a secondary access from Campbell Avenue.

RELEVANT HISTORY:

The current site has a planning history relating to the pre-existing use of Lawson House, which are not of particular relevance. However, two recent applications for residential schemes have been approved REF: - 05/00957/FUL (5 dwellings) and 06/00683/FUL (12 dwellings) were granted planning permission to the west and north of this site both of which are currently the grounds of Lawson House.

DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The Council's New Residential Supplementary Planning Guidance is relevant to this application, as are the following key policies within the adopted Unitary Development Plan; S2 The Built Environment; S13 Transport; S25 Planning Obligations; BE2 Quality of Design; GE21 Species Protection; GE27 Protection of Trees and Woodland; PR12 Development on Land Surrounding COMAH Sites; TP12 Car Parking; TP16 Safe Travel for All; H3 Provision of Recreational Greenspace; H4 Design and Density of New Residential Development; and the Council's Supplementary Planning Document – Designing for Community Safety.

OBSERVATIONS AND ISSUES:

The application proposes to convert Lawson House, into 20 apartments, fourteen two bedroom and six 1 bedroom. This proposal forms the final phase of the three proposals for the entire Lawson House site. The main issues and material planning considerations arising as a result of the proposal are: - Protection of Trees on site; Design Quality and Density; Provision of on-site amenity space; Highway Safety; Interface distances and protection of privacy for future occupiers; Provision of off-site open space.

Impact on existing Protected Trees

The Council's Landscape Officer has raised concerns with regard to the location of the proposed bin and cycle storage areas, as this is likely to conflict with the health of the adjacent protected trees. The Council requires a high standard of development on this site and integral to this is the provision of secure brick and tiled roofed cycle and bin storage areas for use by the occupiers of the apartments. The applicant has provided amended plans showing the bin store in the middle of two previously approved double garages. However, as this is located 22m away from the adopted highway, this will result in difficulty in refuse collection and is unacceptable and contrary to Policy BE1 and BE2 of the Halton Unitary Development Plan. Therefore, the applicant has been requested to revise the plans further to address this issue. Amended plans are awaited, the content of which will be reported orally to committee.

The cycle storage is located adjacent to the building explained by the applicant as utilising an area where an existing single storey building is situated which is to be demolished, as this will not increase harm to the nearby trees. The applicant would be required to provide a method statement to ensure the construction process is sufficiently controlled so as to avoid harm the protected trees. In view of this the proposed location of the cycle store as shown on the amended plan is acceptable.

One car parking space will be placed under the canopy of a mature protected tree, currently located near the Hotel entrance. Conditions will be attached to ensure that the materials and methods of construction do not harm the health of the tree.

Design Quality and Density

The proposal seeks to refurbish the main house, through internal alterations and demolition of the newer additional elements of the building to the rear. The areas to be demolished are of no particular architectural quality and there are no policy objections to their demolition. The integrity of the main building, including the building frontage, side and roof details are to be retained and incorporated within the overall refurbishment. The minor alterations as proposed i.e. the inclusion of rooflight windows are considered as an acceptable addition, which will not detract from the character of the building or the wider locality.

It is considered that although the building is not listed, that it nevertheless has architectural qualities and contributes successfully to the wider character of the area. The proposed conversion scheme has dealt with this sympathetically, retaining the older elements of the building. The scheme proposes to replace the demolished newer extensions to the rear with a two storey central block and improvements to the roof at the rear. The proposed extensions are acceptable visually and harmonise with the existing character of the building. The removal of the newer, predominantly flat roofed extension will only enhance its appearance to the rear.

Provision of On-Site Amenity Space

In assessing proposals for apartment developments, the Council will require appropriate provision on site for a communal garden space for occupiers of the units. This is in order to ensure that a scheme has fundamental qualities to achieve a sustainable development, which will allow future occupiers the opportunity to enjoy outdoor space. This is of particular importance where there are two-bedroom units and the potential for families to be accommodated.

Planning Policy Statement 3 – Housing (PPS3) lists matters to consider when assessing design quality. These include in paragraph 16:- ‘ Provides, or enables good access to, community and green and open amenity and recreational space (including play space) as well as providing outdoor space such as residential gardens, patios and balconies.’ Paragraph 17 states that ‘Particularly where family housing is proposed, it will be important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens, play areas and informal play space. These should be well-designed, safe, secure and stimulating areas with safe pedestrian access.’

The applicant has proposed areas at the front of the building and to the south east corner of the site, to the front of the building, a landscaped footpath to the south of the building which will link to another area of amenity space to the south west corner of the site. The area to the front of the building is raised from the adjacent car parking area by approximately 600mm and is edged with mature hedging. This area will be for the use of the occupiers of those units directly adjacent. The remainder of the space is at the lower land level and is proposed to be suitably separated with low railings, landscaped and furnished, in order to ensure its exclusivity and attractiveness. It is considered that the proposed amenity area is acceptable as it provides several areas of usable and attractive spaces for the enjoyment of the future occupiers. The application will be subject to a landscaping condition and it is considered that in addition to the above provisions, that a sympathetic landscaping scheme in these areas will provide a high standard of communal garden space.

Therefore the proposal provides an acceptable level of communal amenity space for the apartment occupiers and fulfils the requirements of the New Residential Guidance and Policy BE1 and BE2 of the Halton Unitary

Development Plan, and the requirements of Planning Policy Statement 3 – Housing.

Interface Distances and Protection of Privacy for Future Occupiers

The scheme ensures compliance with Council interface standards by incorporating a splayed window design on the rear elevations to plots 2, 5, 7, 13 and 15. Whilst this is unusual, due to the orientation of the building which has the rear south west facing, this window design should allow for sufficient light into the rooms they serve whilst complying with Council privacy and interface standards.

Highway Safety

The Council's Highways Engineer has confirmed that there are no significant highway objections to the proposal, however there are minor outstanding issues relating to car parking layout and details of boundary treatment in the visibility splay. It is considered that these issues can be successfully addressed through amendments to the scheme.

Further amended plans are expected from the applicant on this basis and will be reported orally to the committee.

Provision of Off-Site Open Space

The applicant has been requested to make a financial contribution towards off-site open space provision in accordance with Policy H3 and the Draft Open Space Supplementary Planning Document. The applicant has provided written agreement to the provision of a financial contribution of through a Section 106 Legal Agreement.

Conclusion

The Council agrees with the principle of the change of use of Lawson House to apartment dwellings, the scheme has proved that the density of accommodation is appropriate as it results in a development which provides an appropriately good standard of layout and design required by Council policy and guidance and Government's national planning policies.

RECOMMENDATION

Approve subject to the entering into of a Legal Agreement for off-site Open Space provision and the following conditions:-

1. Condition specifying amended plans (BE1 & BE2)
2. Entering into of a S.106 Legal Agreement for a financial contribution towards off-site open space (H3)
3. Site investigation (PR14)

4. Materials condition, requiring the submission and approval of the materials to be used (BE2)
5. 3 landscaping conditions, requiring the submission of both hard and soft landscaping to include replacement tree planting. (BE2)
6. Boundary treatments including retaining walls to be submitted and approved in writing. (BE22)
7. Wheel cleansing facilities to be submitted and approved in writing. (BE1)
8. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
9. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
10. Maintenance of appropriate visibility splays at site entrance (BE1)
11. 2 conditions relating to the agreement and implementation of bin stores cycle parking provision (TP6)
12. 5 conditions relating to tree protection during construction (BE1)
13. Provision of appropriate refuse collection bins for use by the occupiers of the apartments (BE1)
14. No lighting to be installed on building without further approval (BE1)
15. No installation of satellite dishes without further approval (BE2)

PLAN NUMBER: 07/00011/OUT

APPLICANT: Widnes Regeneration Ltd

PROPOSAL: Outline application (with all matters reserved for future consideration) for leisure facility consisting of cinema, Ten Pin bowling, bingo hall, climbing centre, ice rink and ancillary A1/A3 uses at,

ADDRESS OF SITE: Land adjoining Earle Road and Ashley Way, Widnes

WARD: Riverside

SUMMARY RECOMMENDATION:

Approve with conditions

CONSULTATION AND REPRESENTATION:

The proposal has been advertised by a site notice and a press notice. The surrounding businesses have also been consulted and no objections have been raised.

The Health & Safety Executive, Environment Agency and United Utilities have been consulted. The Health and Safety Executive does not advise on safety grounds against the granting of planning permission. The Environment Agency has not provided comments to date upon the Flood Risk Assessment,

which accompanied the application. An oral update will be provided at the meeting.

United Utilities do not object to the proposal in principle, but express concern over water supply. The reason for concern is that the overall development requires a significant amount of water and the existing network will not support the total demand. This could, however, be overcome by providing a connection to the large diameter mains.

The Council's Highways Engineer, Environmental Health Officer, and Landscape Officers have also been consulted and any issues raised will also be discussed in the Observations and Issues Section of this report.

SITE/LOCATION:

The site is 4.23 hectares in area located off Earle Road and bounded by Ashley Way. The site is situated to the southeast of Widnes Town Centre and is within the Economic Development Zone Area of the Widnes Waterfront.

RELEVANT HISTORY:

An application was approved in 1988 for erection of 36,500 sqft non-food retail warehouse with 10,000 sqft garden centre, and car wash together with ancillary car parking, landscaping and new accesses to highway on land off Ashley Way (Application no.23042F).

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated in the Widnes Waterfront Action Area where Policy RG3 Action Area 3, of the Halton Unitary Development Plan is of relevance.

The additional Unitary Development Plan Policies of relevance are:

BE1 General Requirements for Development
BE2 Quality of Design
PR14 Contaminated Land
PR16 Development and Flood Risk
TP1 Public Transport Provision as Part of New Development
TP5 Taxi Ranks and Offices
TP6 Cycle Provision as Part of New Development
TP7 Pedestrian Provision as Part of New Development
TP12 Car Parking
TP14 Transport Assessments
TP16 Green Travel Plans
LTC3 Development of Major Leisure and Community Facilities in Out of Centre Locations
TC1 Retail and Leisure Allocations

The Widnes Waterfront Supplementary Planning Document, Planning Policy Statement 23 Planning and Pollution Control and Planning Policy Statement 25: Development and Flood Risk are also of relevance.

OBSERVATIONS AND ISSUES:

The proposal is for a leisure facility including an Ice Rink (including Laser Quest, restaurants, Climbing Wall, Cinema, Bowling Alley, Bingo Hall and a small element of specialist retailing.

The application is an outline planning application (i.e. seeking to establish the principle for the uses and development) and all matters such as layout, design and access are reserved for future consideration.

Design & Access Statement Principles

The Design and Access Statement that accompanies the application does sets out the design and access principles for the proposed development. It provides a contextual appraisal of the proposed development that follows the assessment, involvement, evaluation, and design process recommended by Circular 01/2006.

For the purposes of this report the proposal will be discussed under the headings of design and access only.

i) Design

The site is a vacant site within the Widnes Waterfront Area. There is no clear street structure or design theme in the area, therefore the proposal seeks to complement the existing built form of the wider area. This will set a precedent for future development and is a prominent site therefore the design has to be of a high quality.

An illustrative design has been provided and it has been acknowledged in the Design and Access Statement that the elevation onto Ashley Way is as important to have a high quality design, as that viewed from Earle Road. The details will be provided at the reserved matters stage and it has been encouraged that a high quality scheme shall be shown. A condition should be added to the decision to ensure that good quality materials are provided throughout the scheme.

The front area of the development currently shows areas of car parking and the access road right up to the front of the buildings. This area could be made more 'public' as a plaza area that people can use safely, as opposed to being a 'dropping off' point for people using the facilities. This will be considered in more detail at the reserved matters stage and a condition should be added to ensure that the public realm area is provided as part of the proposal.

The signage and lighting of a development of this scale is also important. This has been conveyed to the applicants and will be looked at during the detailed

design stage. Conditions should be added to ensure that a scheme for both signage and lighting are provided in detail.

ii) Access

The access into the site is a reserved matter. However it is clear that access will be provided off the existing roundabout on Earle Road. This will need to be realigned to accord with any internal site layout.

The links to and from the site are an important part of the development and are relevant to Policy TC1 (2), to ensure the development complies with the Unitary Development Plan. This includes links to and from the site for vehicles, cycles and pedestrians. There are minimal details shown on the plans at this stage, however, this is a matter, which the applicant is considering further and will be built into any final design.

It states in the design and access statement that pedestrian and cyclists crossing points will be incorporated into the internal layout and link into the existing infrastructure in the vicinity of the site. This will be provided at the detailed design stage.

The access to the buildings is also an important issue. Due to the nature of the development and the attraction of having a number of leisure activities to the site it needs to be accessible by everyone. This needs to extend to the public realm area, as well as the car park and actual buildings. This issue has been flagged up to the applicants and will also be considered at the detailed design stage.

Policy

The site is allocated within the Action Area 3: Widnes Waterfront, where policy RG3 is relevant. Leisure uses are acceptable where they comply with Policy TC1 (2) Retail & Leisure Allocations and LTC3 Development of Major Leisure and Community Facilities.

A leisure assessment was submitted as part of the application, where the qualitative need for the leisure elements of the proposal is proven, whilst the retails and restaurant uses are not. However, these are ancillary to the main leisure use and will not give rise to issues of significance.

The development would be in scale with the nearest town centre of Widnes. However, as an out of centre location the site has to consider sequentially along with other alternatives. There is however, when viewed in this way no other sites capable of delivering and accommodating this scale of development nearer to the centre or within the centre itself. Importantly albeit just out of centre it is not considered that the development would have any adverse impact upon either Widnes or Runcorn Old Town Centres. There may be in the longer term some impact upon the levels of patronage at Cineworld at Halton Lea, however at this stage this is impractical to predict.

The proposal is sufficiently separated from the Widnes Town Centre by walking distance to have to demonstrate that it complies with Policy TC1 (2) Retails and Leisure Allocations and LTC3 Development of Major Leisure and Community Facilities in Out of Centre Locations. However, as discussed above, further details have been requested and proposals to demonstrate compliance will emerge in developing detail.

The Supplementary Planning Document for the Widnes Waterfront Area is also relevant to this application. The proposal fits into the objectives of the SPD.

Contaminated Land

The site has been subject to previous ground investigation and whilst contamination was identified, it would appear that the risks could be managed accordingly in the context of commercial development. Further investigation is required and supporting documentation is to be submitted in due course. Any further updates will be provided orally at Committee. The Council's Environmental Health Officer has suggested that a condition requiring additional investigations and suitable remediation measures is added to any decision.

Flood Risk Assessment

A Flood Risk Assessment has been provided and any comments made by the Environment Agency will be reported orally at Committee. The applicant is required to demonstrate where any proposed development is likely to be affected by current or future flooding from any source. Any remediation works as suggested in the report need to satisfy that the development is safe and where possible reduces flood risk overall. Conditions suggested by the Environment Agency should be added to the decision notice.

Other Highways Issues

There is adequate access and a link off the existing roundabout has already been provided into the site. This has been discussed above under the Design and Access Statement section of the report.

There are 705 car parking spaces included on the illustrative layout. There is a shortfall in the number of car parking spaces. However, a viable alternative to this is to provide a dedicated bus link to the site from appropriate areas in the Borough.

The site is currently not within easy access to public transport, due to Ashley Way running to the rear of the site. To comply with Policy TP1 Public Transport Provision as Part of New Development there is a requirement for provision for bus stops provided as part of the proposal to ensure that the links will be there. A condition can be added to ensure that bus stops are provided as part of the development. This along with the introduction of/ or a contribution to a dedicated bus service could overcome this issue.

To comply with Policy TP5 (2) Taxi Ranks and Offices of the Halton Unitary Development Plan it states that taxi ranks should be provided as part of major new leisure developments. This can be conditioned accordingly to ensure that the proposal complies with that policy.

Cycle parking areas will be required to be included in any proposal and a condition can be added to ensure that details are provided.

Disabled car parking spaces will be required to be included as part of the development and a condition can be added accordingly.

Due to the size of the development and how it fits in with the existing area, there is a requirement for a Travel Plan to be produced. This can be conditioned accordingly.

Conclusion

The proposal is on a prominent/gateway site within the Waterfront Area and is covered by the adopted SPD. The proposal is a 'flagship' development for the Borough and will complement further the redevelopment of the Windmill Centre in Widnes Town Centre and other developments in the EDZ area. The applicant's have considered and applied the objectives of the SPD when designing the scheme.

The proposal meets the regeneration ambitions of the area and will provide employment opportunities. This proposal will enhance the image of the area and boost confidence in the EDZ for further investment.

The proposal is therefore recommended for approval with conditions: -

RECOMMENDATION:

The proposal is therefore recommended for approval subject to the appropriate conditions: -

1. Standard Outline Conditions and Reserved Matters
2. Submission of good quality materials (BE2)
3. Boundary Treatment (BE2)
4. Landscaping both hard and soft landscaping (BE2)
5. Cycle parking (TP6)
6. Provision of Green Travel Plan (TP16)
7. Pedestrian and cyclists access (TP6)
8. Details of service roads (BE1)
9. Details of air conditioning, extraction flues (BE1)
10. Provision of Bin Storage/Waste (BE1)
11. Wheelwash during construction (BE1)
12. Construction and delivery hours (BE1)
13. Provision of bus stops (TP1)
14. Provision of taxi lay-by (TP5)

15. Provision of public art (BE2)
16. Details of public realm area (BE2)
17. Details of lighting scheme (BE2)
18. Details of signage (BE2)
19. Provision of Recycling Facilities (BE2)
20. Details of swept paths (BE2)
21. Parking Management Plan (BE1)
22. Disabled parking (BE1)
23. No outside storage (BE1)
24. Opening hours (BE1)
25. Delivery hours (BE1)
26. Drainage (BE1)
27. Site Investigation report/remediation strategy (PR14)
28. Environment Agency conditions (BE1)
29. Use restrictions (BE1)
30. A1 & A3 uses ancillary to the development, and shall not be used until the development of the other facilities (BE1)