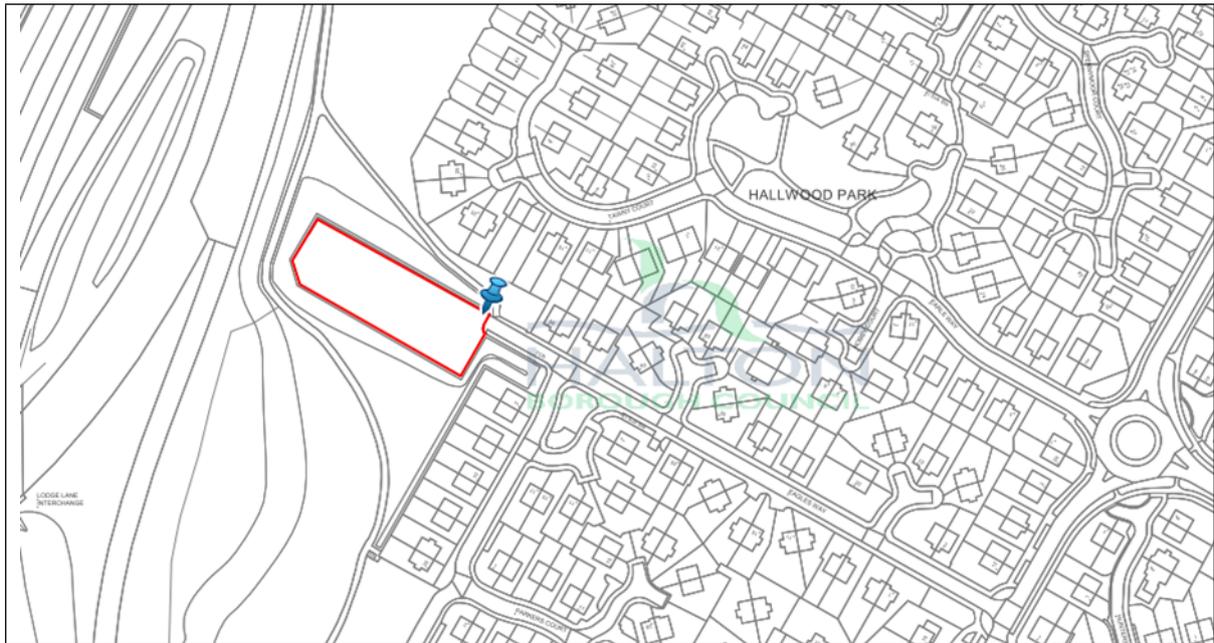


APPLICATION NO:	18/00516/OUT
LOCATION:	Location of former Hallwood Raven Pub at Eagles Way, Halton Lea, Runcorn.
PROPOSAL:	Application for Outline Planning Permission (with landscaping reserved) for proposed development of 27 No. Apartments (consisting of 19 No. 2 bed and 8 No. 1 bed) and 31 associated car parking spaces
WARD:	Halton Lea
PARISH:	None
AGENT(S) / APPLICANT(S):	Agent: Neil Pike Architect Applicant: Mr. W. Smith
DEVELOPMENT PLAN ALLOCATION: Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Primarily Residential Area
DEPARTURE	No
REPRESENTATIONS:	6 objections received, one of which following substantial revision to the scheme.
KEY ISSUES:	Design, Amenity, Affordable Housing, Open Space, Drainage, Access, Ground Contamination, Parking and highway issues.
RECOMMENDATION:	Grant planning permission subject to conditions and the securing of a commuted sum in lieu of on-site open space provision



1. APPLICATION SITE

1.1 The Site

Site of approximately 0.2 Ha in area currently vacant following the demolition of the derelict Hallwood Raven pub.

Land to the north/east/south east of the site is predominantly housing stock. To the south and south west there are remnants of open space suspected to date back to the New Town era of landscaping. The site is bounded to the west by a steep landscaped embankment with an acoustic fence. Beyond this is the Central Expressway that is the direct route of traffic from J12 of the M56 over the Mersey Gateway.

The site is located within the Halton Lea Ward and is designated by the Halton Unitary Development Plan as a primarily residential area.

2. THE APPLICATION

2.1 The Proposal

The application proposes the development of 27 No. Apartments (consisting of 19No. 2bed and 8No. 1bed) and 31 associated car parking spaces. The Applicant has agreed to a contribution toward off site open space. This is to be secured by a S.106 agreement. The Applicant's representative has agreed the pre-commencement conditions that form part of the overall suite of conditions detailed at the end of this report.

Members attention is brought to the fact that the application as originally submitted related to a proposal for 67 sheltered accommodation apartments within Use Class C2. However, during the processing of the application, the amount of development sought has reduced in an effort to overcome officer concerns regarding overdevelopment of the application site, design, parking and servicing, concerns of objectors and the true nature of the proposed use. For the avoidance of doubt the development being sought is now that of 27 No. within Use Class C3, open market residential accommodation.

2.2 Documentation

The planning application is supported by the following documents:

- Planning Statement;
- Air Quality Assessment;
- Transport Statement;
- Site Investigation/ Remediation Reports;
- S106 agreement for off site contribution

3. POLICY CONTEXT

3.1 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 to set out the Government's planning policies for England and how these should be applied.

Paragraph 196 states that the planning system is plan led. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise, as per the requirements of legislation, but that the NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

3.2 Halton Unitary Development Plan (UDP) (2005)

The site is designated as a Primarily Residential Area in the Halton Unitary Development Plan. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- BE22 Boundary Walls and Fences;
- PR7 Development Near to Established Pollution Sources;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;

- TP15 Accessibility to New Development;
- TP17 Safe Travel For All;
- TC5 Design of Retail Development;
- TC6 Out of Centre Retail Development;
- H3 Provision of Recreational Greenspace;
- H8 Non Dwelling House Uses

3.3 Halton Core Strategy (2013)

The following policies, contained within the Core Strategy are of particular relevance:

- CS2 Presumption in Favour of Sustainable Development;
- CS3 Housing Supply and Locational Priorities;
- CS5 A Network of Centres
- CS12 Housing Mix;
- CS13 Affordable Housing;
- CS15 Sustainable Transport
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS23 Managing Pollution and Risk.

3.4 Joint Merseyside and Halton Waste Local Plan (2013)

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

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

3.5 Supplementary Planning Documents (SPD)

- New Residential Development Supplementary Planning Document
- Designing for Community Safety Supplementary Planning Document
- Draft Open Spaces Supplementary Planning Document

4. CONSULTATIONS

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

Following a redraw of the scheme, a follow up consultation exercise was undertaken in the form of letters to the same properties as originally consulted along with anyone who had made representation in response to the first exercise.

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

External Consultees:

Cheshire Constabulary - Designing Out Crime Officer

Council Services:

Highways
Lead Local Flood Authority
Contaminated Land Officer
Environmental Health Officer

5. REPRESENTATIONS

5.1 Six objections have been received. Five of which were in response to the scheme as first submitted. As noted above the scale of the proposal has reduced significantly since the first consultation exercise with number of proposed units reducing from 67 to 27. The objections raised are summarised as follows:

- Privacy interference as a result of the proposed roof top garden.
- Development would reduce potential for crime in the area
- Object to scale and massing of the development
- Noise impact to future residents from Central Expressway, Liverpool Airport Traffic, Trainline in Beechwood
- Insufficient parking
- Construction disturbance
- Increase in traffic

No new issues were raised by the subsequent letter of representation

The modifications to the proposed scheme have dealt with the majority of the concerns set out in the objections. However, not all expressed concerns relate to the design and end use of the development.

Construction disturbance is a natural consequence of development. In the past conditions have been recommended requiring submission and agreement of a Construction Environmental Management Plan including construction vehicle routeing and management and wheel wash facilities in an effort to protect local residents. Experience has however lead to a realisation that such conditions are unenforceable and lead to unrealistic expectations on the level of control available. On that basis it is not considered that imposition of conditions relating to construction management, use of wheel wash facilities or routeing and parking of vehicles could be justified with respect to the 6 tests for use of planning conditions set down within the National Planning Policy Framework. A condition restricting hours of construction and delivery in order to minimise construction impacts is considered appropriate.

6. ASSESSMENT

6.1 Principle of Residential Development

The land is known locally as the site of the former Hallwood Raven Pub. The structure of the pub was demolished and the site cleared in 2018. As a result the site remains empty with no planning permission.

The site is located within the Primarily Residential Area as designated by the Halton Unitary Development Plan. Residential development is therefore considered acceptable in principle.

6.2 Highway Considerations

Highway Authority Planning Consultation Response

18/00516/OUT - Hallwood Raven Eagles Way Runcorn

Proposed development of 27 No. Apartments (consisting of 19 No. 2bed and 8 No. 1bed) and 31 associated car parking spaces

The application has been in the system since 2018 and the Highway Authority has commented on various iterations of the scheme.

A revised ground floor and external layout has been submitted following previous concerns raised by the Highway Authority.

The plans now show the loss of a ground floor 1 bedroom unit to accommodate internal bin storage and cycle storage and it is noted that there has been a small reduction in parking provision to allow for improved pedestrian access.

The description on the application has not been changed to reflect the reduction in unit numbers and it is the Highway Officers opinion that the submitted plans demonstrate the maximum density of units whilst allowing sufficient space for suitable car parking, pedestrian links and servicing arrangements.

The site is connected to the adopted highway network on Eagles Way but there appears to be an area of unregistered land that provided access to the former car park areas to the rear of the site. This access is not shown on the Highway Records as being adopted but does appear to have statutory undertaker's apparatus shown on third party plans.

The proposed car parking provision for the mix of one and two bed units is considered to be acceptable given the improvements made to the layout to cater for sustainable modes of travel, namely cycling and walking. The parking provision sits at 1.25 spaces per 2 bedroom unit and 0.8 spaces per 1 bedroom unit.

The development provide disabled parking bays to the current standards and spaces have been identified for electric vehicle charging provision. A condition will be required to ensure that suitable equipment is provided for EV charging, details should be submitted to the Highway Authority for approval.

The revised scheme includes for the storage of cycles within the building itself which is considered acceptable. The applicant now includes for short term cycle storage by utilising 2 cycle stands to the front of the building.

Concerns with regards to pedestrian links from the building to adopted footway have been addressed by the provision of a footway through the site. An uncontrolled tactile crossing point has also been included to link to the wider footway network to the North of the site.

This crossing point would be outside the red line for the proposal but would be on adopted Highway therefore deliverable relatively simply at the applicants expense.

The final point we would raise with regards to failings against the Halton UDP would be the distance from bus services which does not accord with TP1. The applicant has provided a narrative with walking routes and links but the current policy states that "Development will only be permitted where provision exists or is made for adequate access by public transport. No building within a development should be more than 400m walking distance from a bus stop or railway station." We would defer to the LPA to advise on if the application is considered above this policy.

The Highway Authority have not raised an objection to the development proposal. The majority of the scheme has been supported, the only observation to draw discussion on is the matter concerning the developments proximity to the public transport network.

As noted in the comments from the Highway Authority, Policy TP1 of the Halton UDP requires that residential development be no further than 400m from a public transport node. Whilst the development is outside of the 400m set by Policy TP1 there are sufficient mitigating considerations as follows:

- The development red line is located within a large residential area a large portion of which is already located further than 400m set by Policy TP1 regarding 400m distance from a bus stop or railway station.
- There is a precedent for residential development in this location
- The development red line is 530m from the Halton Lea town centre (approximately 900m to the southern bus station) and 595m from the Halton Hospital campus.
- The Halton Lea Town Centre is a significant public transport bus terminal where several bus routes converge with routes to Warrington, Chester and rail stations in the locality.
- Such deficiency is considered no worse than existed for the former pub which occupied the site and surrounding existing residential development. area

- A purchaser of the scheme will be aware of the distances to and from bus stops and the nearby town centre.

On balance the benefits of the location, specifically its proximity to the nearby hospital campus, the Halton Lea town centre with its services, including the wide access to the public transport network from this nodal point, is of considerable benefit to the future occupiers of the development proposal. Such benefit is greater than access to a bus stop within 400m of the development site boundary as envisaged by Policy TP1. Therefore sufficient material considerations exist that support this proposal despite its shortfall in proximity to a bus stop.

The proposed development is sited within an existing residential development. It would not be a sustainable objection to state that the proposed development is not sustainable when there is an existing community residing around the application boundary.

6.3 Layout

The proposed site layout has been amended in line with officer advice. The building is now considered to be appropriately located within the site having regard to securing appropriate access and providing an active frontage to ensure good monitoring of the site and the surrounding footpaths.

The reduction in the size of the apartment block and its re-orientation has resolved issues relating to providing a satisfactory outlook for future residents of the proposed building and those existing site residents that interface with the boundary.

Appropriate provision is given to servicing and refuse storage. Appropriate separation distances are considered to be provided to existing surrounding uses securing appropriate levels of amenity for existing and future residents and uses.

With regard to private outdoor space, the Design of Residential Development Supplementary Planning Document states that flats/apartments are required to ensure that there is a private outdoor space appropriate to the size of the development and as a guide, 50sqm per residential unit should be used. The scheme provides approximately 550sqm of general amenity space which represents a shortfall of approximately 850sqm. The Architect to the scheme acknowledges that there is shortfall to this level of on-site provision. However, there are existing parks in the locality that residents will be able to enjoy.

Given the overall size of the site, there is limited scope to provide the required level of amenity space in full on site without either significantly changing the form of the development or reducing its scale. . A change in the form of the apartment building and/ or inclusion of roof top gardens and balconies could

allow more open space provision. However, this would result in a taller building and potentially greater degrees of overlooking of surrounding existing properties that would have a greater impact on the surrounding residents and be out of character with the surrounding area. It is acknowledged that further reduction in development could affect the viability of the scheme.

It is the opinion of the LPA that an appropriate balance has been struck between selecting the appropriate form of building with an accompanying level of on-site garden space and off site payment contributions.

The layout of the proposed development is considered to be acceptable and compliant with Policies BE 1 & BE 2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

Scale

Members will note that the representations to the scheme as originally submitted raised concerns that the proposed scale of development and that this would be out of character with the area. Significant amendments have been made to the scheme in line with officer advice and no further representations have been received as a result of the re-consultation undertaken.

Whilst the application site is located in an area of residential development there are no other apartment buildings in the vicinity, nor are there buildings above a traditional two storey house. However, the site and situation of the proposed apartment building is such that its juxtaposition will be minimalised. A modern apartment building will present a contrast to the surrounding housing stock. However, such a contrast has existed on site previously with the presence of a single storey pub. The use of the site as a residential use is more harmonious and as a result this assists to mitigate the contrast in build types.

The proposal is considered to be acceptable in terms of scale and is compliant with Policy BE 1 of the Halton Unitary Development Plan.

6.4 Appearance

The scheme as submitted has been amended in line with officer advice. This has resulted in a change to the buildings positioning within the site and move in the principal facade to create an active frontage that faces Eagles Way. This change has also created an improved interface with surrounding properties and to the site boundaries.

Whilst the surrounding area consists of traditional two storey housing stock the proposed 3.5 storey structure would not appear so out of scale or character with the area especially given the surrounding landforms and landscaping. The

building is considered to be of a modern design comprised of high quality materials and provides an opportunity to bring a vacant site back into use and providing much needed housing. The scheme as amended is considered to overcome the earlier expressed concerns of surrounding residents and to represent a better outlook for those residents than the current derelict site.

The development of the application site will result in a significant enhancement to this area of the Hallwood estate. The choice of materials will be key in achieving the maximum quality of the final development. The submission of precise external facing materials and their subsequent implementation can be secured by condition. This would ensure compliance with Policies BE 1 & BE 2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

6.5 Landscaping & Trees

The application is outline in nature. Landscaping matters are the only matters reserved for future consideration. Notwithstanding that limited scope exists within the scheme for proper landscaping, the site is well surrounded by existing designated greenspace and landscaping which will soften the development.

There are currently no trees within the application site. There are however a significant number of trees which directly adjoin the site on land owned by others.

The applications is supported by an arboricultural impact assessment and method statement. Whilst this identifies that closer trees will need work either by removing or pruning the submitted method statement includes provisions for the carrying out of those works and the protection of trees to be retained.

6.6 Designing Out Crime

Cheshire Constabulary Designing Out Crime Officer has provided a number of comments and recommendations with the aim of improvement in terms of a secured by design perspective. The following recommendations have been made:

- The shrubbery and trees to the site perimeter will need to be well maintained. The crown of any trees will need to be above 2 metres and any shrubbery below 1 metre to facilitate a clear line of sight and facilitate natural surveillance.
- The car park would need to be fitted with access controlled (compatible to UL 293) gates so only residents can gain access to the complex. The pedestrian access would also need to be access controlled.
- A video entry system needs to be fitted to the main building to prevent any unauthorized access. There should be special arrangements for post or tradespeople.

- The bin store lacks natural surveillance. If the bin store is an open structure it needs to be designed so people walking past cannot throw rubbish in, alternatively any enclosed structure would need to be designed to ensure it did not become a climbing aid into the development. The bin store should be added to the access control system.
- All doors and windows to the site should be PAS 24:2016 or equivalent.
- There should be limiters on any non fire windows to prevent sneak in crimes.
- Defensible space in the form of planting or decorative fencing should be positioned round ground floor windows to aid privacy.

In response to the recommendations by Cheshire Police the following comments are made.

Landscape maintenance within the site and access control are matters for the owner and boundary treatments will be secured by planning condition and consideration can be given to the above through subsequent determination. Maintenance of the landscape and woodland areas that surround the site are outside the control of the landowner. It is not considered that any policy justification exists to justify any insistence that the car park and any pedestrian access would need to be fitted with access controlled gates as advised. The bin store has been relocated within the building as a result of the latest amendments.

Significant improvement has been secured with the scheme and any issues must be balanced against the benefits of the scheme including those provided by the increased natural surveillance offered by the development of the site. Notwithstanding, the comments of Cheshire Constabulary can be attached to any planning permission by means of informative to ensure the Applicant is aware of the Police concerns for the area. It is understood that the opportunity exists for developers to liaise with the Police outside the planning process in order to consider the most appropriate measures in this regard.

6.7 Site Levels

The site is relatively level across its entire area. This level is the same as the access connection and that of Eagles Way and there are no proposed significant levels changes indicated as part of the application submission. Detailed site and finished floor levels can be secured by appropriately worded planning condition.

6.8 Noise

The application is not accompanied by an Environmental Noise Assessment. Given the close proximity to the A533 (Central Expressway) it is appropriate to require that a noise survey be undertaken prior to development commencing and that any recommendations to mitigate any noise disturbance e.g. high quality glazing or recirculated air are implemented to ensure that health standards are safeguarded.

Given the existing noise environment and that residential development exists in close proximity to the potential noise source, it is considered that readily available construction solutions are available to address any potential issues that may be identified in a future acoustic report.

The attachment of conditions securing the undertaking of an acoustic report and the subsequent implementation of the recommended noise mitigation measures are considered reasonable. On this basis the proposals are considered to be compliant with Policy PR7 of the Halton Unitary Development Plan.

6.9 Affordable Housing

Policy CS13 of the Halton Core Strategy Local Plan states that affordable housing units will be provided, in perpetuity, on schemes including 10 or more dwellings (net gain) or 0.33 hectares or greater for residential purposes.

The applicant has yet to provide a scheme which demonstrates compliance with the Council's affordable housing policy however they are prepared to accept a condition attached to a subsequent planning permission which secures such provision. It is considered reasonable to attach a condition which secures the submission of a scheme, its subsequent implementation and maintenance thereafter.

Subject to the proposed condition the proposal is considered to be compliant with Policy CS 13 of the Halton Core Strategy Local Plan and the Affordable Housing Supplementary Planning Document.

6.10 Open Space

The requirements for the provision of recreational greenspace within new residential developments are set out in Policy H3 of the Halton Unitary Development Plan.

It has been identified that there are open space deficiencies within the area across a number of open space typologies and no open space provision is proposed on-site. In the absence of any form of viability appraisal, a commuted sum in lieu of on-site provision is appropriate which can be secured by way of upfront payment or be secured by a S106 agreement.

Subject to such payment of a commuted sum in lieu of on-site provision / securing of such provision by S106 agreement, it is considered that the provisions of Policy H3 of the Halton Unitary Development Plan are met.

6.11 Ground Contamination

The application is accompanied by a Preliminary Risk Assessment. The Council's Contaminated Land Officer has reviewed this report and recommended that a condition be attached to any planning permission that requires submission of a detailed site investigation and risk assessment with a requirement if necessary as a result of the investigation and assessment, that a remediation strategy and verification reporting be implemented. This can be secured by appropriately worded planning condition.

6.12 Flood Risk and Drainage

The LLFA have reviewed the application. The site is located in Flood Zone 1 and not in a critical drainage area and no FRA is therefore required. However as this is a major development, there is requirement for the development to give consideration towards surface water mitigation in line with the NPPF, specifically that of the drainage hierarchy.

No such consideration has been made by the Applicant. The LLFA recommend the following condition to address this shortcoming;

No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. (This shall include setting of building threshold levels to be above EA surface water flood risk levels where applicable.) The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. *A management and maintenance plan for the lifetime of the development which shall include the arrangements for i) drainage to soakaway, including calculations and arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime or ii) if i) is not feasible then drainage to watercourse or iii) if i) or ii) is not feasible connection to any system adopted by, any public body or statutory undertaker.*
- ii. *Interceptors and attenuation structures and calculations to demonstrate a reduction in surface water runoff rate to greenfield runoff rates for the new hardstanding/roof areas as a minimum, with additional improvements for existing runoff where practical (50% reduction required as a minimum in critical drainage areas).*

No development shall be occupied until a verification report confirming the system has been constructed in accordance with the approved details have been submitted to and approved by the local planning authority.

Provision to attach such a condition is included within the recommendation section of this report.

6.13 Waste Prevention/Management

The proposal is major development and involves excavation and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the

National Planning Policy for Waste paragraph 8, bullet point 3 and Planning Practice Guidance 49 apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

It is considered that sufficient scope exists within the scheme with respect to provision of on-site waste storage and management to demonstrate compliance with policy WM9 of the Joint Merseyside and Halton Waste Local Plan.

7. CONCLUSIONS

The application proposes residential development on a derelict brown field site that is surrounded by housing stock and is designated as within a primarily residential area in the Halton Unitary Development Plan. The principle of residential development is therefore considered acceptable. It would further assist in the redevelopment of a site that is known to the local community as a site of anti-social behaviour with past instances of fly tipping and vandalism is welcomed.

The site benefits from an existing appropriate access point and a level ground across its site that is the same as the surrounding housing stock. The proposal complies with interface standards and is of good modern design Amendments have been secured to the scheme which it is considered will result in a quality of development which will make a positive addition to the area and secure appropriate levels of amenity for existing residents and future occupiers of the scheme.

Based on the sites location in an existing housing area, together with the scheme benefits of housing provision and visual improvement to the area, it is considered that the benefits of the scheme outweigh any outstanding issues and that refusal of planning permission cannot be justified in this case.

The application is recommended for approval subject to conditions and the securing of a commuted sum in lieu of on-site open space provision.

8. RECOMMENDATION

The application be approved subject to the following:

- a) a legal or other appropriate agreement relating to securing financial contributions to Open Space.
- b) Conditions relating to the following:
 1. Time Limit.
 2. Approved Plans.
 3. External Facing Materials (Policies BE1 and BE2)

4. Soft Landscaping Scheme (Policy BE1)
5. Boundary Treatments Scheme (Policy BE1)
6. Electric Vehicle Charging Points Scheme (Policy CS19)
7. Provision & Retention of Parking (Policy BE1)
8. Provision and retention of cycle parking
9. Requirement for Acoustic Report and Implementation of Noise Mitigation Measures – (Policy PR2)
10. Affordable Housing Scheme – (Policy CS13)
11. Ground Contamination - (Policy PR14)
12. Drainage Strategy/ Scheme– (Policy PR16)
13. Waste Audit (WM8)
14. Submission and agreement of site and finished floor levels
15. Surface Water Drainage Strategy

16. Conditions relating to tree protection through the course of the development

c. That if the S106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.

9. SUSTAINABILITY STATEMENT

As required by:

- the National Planning Policy Framework; and
- The Town and Country Planning (Development Management Procedure) Order 2015;

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