

APPLICATION NO:	20/00241/FUL
LOCATION:	The Croft, 1 Halton Lodge Avenue, Runcorn, WA7 5YQ
PROPOSAL:	Proposed construction of 15 no. 1 bed apartments for assisted living (use class C2) with associated communal amenity space, car/cycle parking, refuse storage and ancillary works
WARD:	Grange
PARISH:	None
AGENT(S)/APPLICANT(S):	Mr Craig Welsh, Studio KMA/Mr Daniel Anders, Hindle Property Investments Ltd.
DEVELOPMENT PLAN:	National Planning Policy Framework (2019) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)
DEPARTURE:	No
REPRESENTATIONS:	No public representations have been received as part of the advertisement of the application
KEY ISSUES:	Principle of development, loss of public house; loss of tree; highway, car parking and traffic issues; impact on bat habitat; design; amenity
RECOMMENDATION:	Approve subject to conditions
SITE MAP:	 <p>The site map shows a residential area with several streets. A specific plot of land is highlighted with a red outline, indicating the location of the proposed development. The map includes details of buildings, roads, and green spaces within the area.</p>

1. APPLICATION SITE

1.1 The Site

The application site is located along Halton Lodge Avenue in Runcorn, measures approximately 0.175 Ha in area and has vehicular access directly from Halton Lodge Avenue.

The application site comprised a derelict former public house, The Croft, which fronts on to Halton Lodge Avenue. It was a part single, part two storey building and the remainder of the site includes hardstanding and overgrown landscaping. It is thought that the public house had been closed since November 2014 and was demolished following a series of fires and ongoing complaints of anti-social behaviour. The site is located within a Primarily Residential designation in the Halton Unitary Development Plan.

1.2 Planning History

The site has a planning history dating back to September 1984 pertaining to its use as a public house. This application is a re-submission of a previous application with the same description 19/00506/FUL which was withdrawn in January 2020.

2. THE APPLICATION

2.1 The Proposal

The proposal seeks permission for the erection of 15No. 1 bedroom apartments for assisted living (Use Class C2) with associated communal amenity space, car/cycle parking, refuse storage and ancillary works.

2.2 Documentation

The planning application is supported by the following documents:

- Planning Statement Martin Planning Ltd. September 2019
- Design & Access Statement T832_DAS Studio KMA September 2019
- Design & Access Statement Addendum T832_DAS Studio KMA November 2019
- Phase 1: Preliminary Risk Assessment Ref: LKC 19 1467 LK Group September 2019

- Flood Risk Assessment & Outline Drainage Strategy Ref: 19 1069 LK Group September 2019
- Transport Statement VN91442 Vectos September 2019
- Noise Impact Assessment Report Ref: 27210/NIA Hann Tucker Associates October 2019
- Trees and Construction BS5837 Tree Survey Assessment Ref:19446/A1 Indigo Surveys Ltd. October 2019
- Trees and Construction BS5837:2012 Tree Survey, Arboricultural Implications Assessment & Method Statement Ref: 19446/A3 Indigo Surveys Ltd. October 2019
- Preliminary Roost Assessment Survey ARBTECH April 2020
- Bat Emergence and Re-entry Surveys ARBTECH May 2020

3. POLICY CONTEXT

3.1 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was updated in June 2019 to set out the Government’s planning policies for England and how these should be applied.

Paragraph 47 states that “planning law requires for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on application should be made as quickly as possible and within statutory timescale unless a longer period has been agreed by the applicant in writing”.

Paragraph 11 and paragraph 38 state that “plans and decisions should apply a presumption in favour of sustainable development and that local planning authorities should work in a positive and creative way, working pro-actively with applicants to secure developments that will improve economic, social and environmental conditions of their areas.”

Paragraphs 80-82 states the “need for planning policies and decisions to be made to create conditions in which business can invest, expand and adapt. Significant weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It encourages an adaptive approach to support local and inward investment to meet the strategic economic and regenerative requirements of the area”.

3.2 Halton Unitary Development Plan (2005)

The following Unitary Development Plan policies and policy documents are relevant to this application:

- BE1 General Requirements for Development
- BE2 Quality of Design
- BE22 Boundary Walls and Fences
- GE21 Species Protection
- H8 Non Dwelling House Uses
- LTC5 Protection of Community Facilities
- PR1 Air Quality
- PR2 Noise Nuisance
- PR4 Light Pollution and Nuisance
- PR14 Contaminated Land
- PR16 Development and Flood Risk
- TP6 Cycling 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

3.3 Halton Core Strategy Local Plan (2013)

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

- CS1 Halton's Spatial Strategy
- CS2 Presumption in Favour of Sustainable Development
- CS12 Housing Mix
- CS15 Sustainable Transport
- CS18 High Quality Design
- CS19 Sustainable Development and Climate Change
- CS20 Natural and Historic Environment
- CS23 Managing Pollution and Risk
- CS24 Waste

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

- Design of Residential Development SPD

4. CONSULTATIONS

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

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

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

Council Services

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

5. REPRESENTATIONS

5.1 The application has been advertised by 88 neighbour notification letters sent on 04.06.2020 and a site notice posted on 03.06.2020. At the time of writing the report, no representations or objections have been received.

6. ASSESSMENT

6.1 Principle of Development

The submitted Planning Statement provides the following background information:-

The property has been vacant since about 2014 and the windows and doors are currently boarded. The site has been the subject of anti-social behaviour and makes little contribution to the streetscene in terms of its design.

The Proposal seeks permission to demolish the existing building and to erect 15 no 1 bedroom apartments for supported living with communal areas and car park for 10 vehicles. The development will provide supported accommodation for people with disabilities and on completion by the applicant it will be leased to Hilldale Housing Association who, working with 1st Enable (a social care provider), will take over full management responsibility. The primary function of the development will be to offer suitable, supported accommodation to people with learning disabilities and enduring mental health problems. Some adults will also have autism and / or physical disabilities.

Hilldale Housing Association is a specialist housing association. The sole purpose of the operation is to provide high quality supported living to people that need additional support. Formed in 2009, they are a Not for Profit Company, whereby any money made is put back into providing further quality homes or investing in better services for their residents. In 2013 they became a Registered Provider with the Homes and Community Agency (Registered Number 4760).

Each unit within the development provides living accommodation to include a bedroom, bathroom, living area and kitchen with residents being given personal support to help them live more independently. There are also internal and external communal areas for residents to socialise. There will be at least one member of staff on site at all times with the number of staff increasing dependant on needs. There is a dedicated staff room located within the development to enable staff to be available at all times. This includes sleeping accommodation and bathroom facilities.”

6.2 The site is designated as a within a Primarily Residential Area. The proposed end use is C2, which includes uses such as a residential care home. The type of property proposed is that of ‘supported living’ with one unit acting as an office and used for an on-site carer, with the remaining 15 units provided as self-contained apartments. As such UDP Policy H8 applies.

H8 allows for the provision of non-dwelling house uses are considered mainly with regard to their effect on residential amenity and this can be approved providing the following criteria are met:-

- a. The development itself would not detract from the character of the area or the amenity of residents.
- b. The development would not result in an over-concentration of non-dwelling house uses to the detriment of the character of the area or the amenity of residents.
- c. Where parking is to be provided in any area fronting a highway, one third of that area should be provided with soft landscaping and screening.

Core Strategy Policy CS12: Housing Mix encourages proposals for new specialist housing for the elderly, including extra care and supported accommodation in suitable locations particularly those providing easy access to local services and community facilities.

Both these policies support the principles of the proposal subject to other matters of amenity being met and those are dealt with below.

6.3 Design and Character

The proposed front elevation of the proposed building is in the approximate position of the existing public house. This is 32m distance from the nearest affected residential occupiers directly opposite on Halton Lodge Avenue, numbers 53 to 61. The proposal is two-storey only therefore the Council's minimum interface distance of 21m is more than achieved. There are no residential properties to the rear (east of the site).

To the south the site is an existing building which is in use as a YMCA establishment which has residents living in the building as a multi-occupied unit. The building occupies a similar plot line on this side of the site. There are no habitable room windows which face this property and as such there are no significant impact on the occupiers in excess of that resulting from the existing building and the amenity of the occupiers of it is not significantly adversely affected.

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

The proposed design of the building is two storey brick face at ground floor and render at 1st floor with a profiled flat roof. The building is of a modern

appearance with a good amount of glazing on the front and rear elevation, with feature window casement frames on the front elevation at first floor. The proposal includes a feature porch and name plate. The side elevations include obscure and ghost windows to break up the elevation massing and to provide the perception of overlooking on both sides of the building.

Boundary treatment is provided to enclose the on-site amenity space in the form of metal railing type manor ball-top perimeter fencing 1.8m in height which will increase the visual permeability of the site. This is considered acceptable.

Landscaping is proposed indicatively to the side and front of the building. A bin collection area is provided on the frontage of the property adjacent to the highway with secure bin storage provided. Secure cycle parking is provided to the side of the car parking area and close to the building for adequate surveillance. Additional Sheffield cycle stands are provided for visitors. Two Electric vehicle charging points are provided within the car parking area as well as two marked out disabled parking bays. These are considered acceptable.

It is considered that the proposal meets the design requirements of the Council and is appropriate for its location. On this basis it complies with Policy BE1, BE2, BE22 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan and the NPPF.

6.4 Impact on Trees

The application has been accompanied by a Tree Survey and Method Statement for construction. There are several mature trees that the proposal will affect and the Council's Open Spaces Officer has been consulted to provide comments on the submitted information.

The Council's Open Spaces officer has agreed with the proposed tree removal and reduction, albeit that the applicant is required to obtain the permission from adjacent land owners for some of the reduction work proposed.

The Council's Open Spaces Officer has confirmed that there is no objection to the proposed development. On this basis the proposed impact on the existing trees at the site is acceptable and will not result in a significant detrimental impact on the amenity of the area. On that basis the proposal complies with Policy BE1 and H8 of the Halton UDP and NPPF.

6.5 Highway Safety

The Local Highway Authority have provided the following comments in relation to the proposed development:

Based on a C2 use with the specified number of employees and residents the car parking provision shown on the plans meets the requirements and is considered acceptable in terms of catering for the proposed development.

We would expect to see robust conditions to secure this usage as a more general residential apartment would require consideration against different standards as per Halton's UDP.

Following recent, and previous site visits it was noted that although the Croft has ceased to trade there is an established pattern of local residents parking within the site as it has been left unsecured allowing access.

There is an assumption that this practice is a carryover from when the business was operating and that the car park has functioned in some way as a community asset. Although these users may have no legal right to park on site the Local Highway Authority considers the displacement of these vehicles to be material to the consideration of parking provision.

There is a lack of available on street parking on Halton Lodge Avenue due to existing Traffic Regulation Orders and the surrounding residential area is subject to high demand for space both on street and within the un-adopted parking courts.

The applicant was advised of the potential parking issue and context as part of an earlier application process (19/00506/FUL) and the Highway Officer requested that a parking study should be undertaken to support any under-provision of car parking spaces and to determine what impact the loss of the parking amenity enjoyed traditionally by residents would result in.

This study would be a simple practical exercise of viewing the area throughout a non-conflicting day to establish parking habits and capacity at key times i.e. early morning, peak hours and night time (the Highway Officer would be happy to scope the survey to agree study area and times etc.). The base information would identify practical available provision and usage throughout a non-conflicting day to allow assessment if there is capacity in the local area to sustain the displacement of vehicles.

A car parking study has not been provided as part of the planning application. Given that the use of the carpark is on what is private land, and is currently unauthorised, the Council cannot insist on the study being undertaken. The use of the site for this current car parking could easily be terminated at any time should the land owner decide to do so.

The Council's Highways Officer further comments that:

In terms of access to the site the proposed connection onto the highway is considered suitable with good visibility and the trip generation/ traffic movements associated with a C2 residential use will not have an adverse impact on the operation of existing highway.

The site is well served in terms of access to bus services and walking routes to local services and sits within an existing residential area, therefore the proposed use is considered acceptable.

The scheme encourages the use electric vehicles by inclusion of two number car parking bays served by and charge point. Details of proposed equipment should either be submitted for approval or conditioned accordingly.

Cycle parking as part of the scheme catering for longer dwell times is considered to be of a good standard and the inclusion of additional Sheffield style stands caters for shorted dwells times in welcomed.

There is an amenity pathway that runs from Fieldhouse Row to the existing site car park at the rear of the site and then informally connects across the site to the adopted footway linking to the busway. Whilst this connection appears to be informal the surfaced nature of the path from Fieldhouse Row suggests it was intended as a defined route by whomever constructed it.

We would therefore raise concern that it may be claimed as a public right of way by a third party which may impact on the scheme. As the pathway was neither constructed by the Highway Authority nor any claims made we would not look to take the path at this time. It should be noted that the Highway Authority would need to review any evidence of usage submitted should it be claimed and that a stopping up may need to be sought in the future.

This information was passed to the applicant as part of previous discussion and no action to secure the site or investigate further the nature of the path have been taken.

Given the proximity to local schools and current on street parking restrictions a construction phase management plan is recommended. This document would demonstrate an understanding of how the works can be carried out safely with consideration for users of the adjacent adopted highway.

In summary, the Highway Authority would not object to the proposal on specific transportation policies set out within the Halton Unitary Development Plan. As such, the proposal is acceptable based on NPPF and UDP Policies TP6, TP7, TP12, TP15 and TP17.

6.6 Ecology

The application has been supported by a Preliminary Roost Assessment Survey and Bat Emergence and Re-entry Surveys. The Merseyside Environmental Advisory Service have been consulted for comments.

It is advised that there is no pathway that could result in the likely significant effects on the European sites and the proposals do not warrant a detailed Habitats Regulations Assessment for the following reasons:

- The development site is located approximately 2.9km from the Mersey Estuary as the nearest European site. Construction related impacts will not be significant due to the distance and barriers in the form of large-scale residential, industrial and retail development. No likely significant effects;*
- A residential development of 15 units can be considered to be contributory towards recreational pressure on the Mersey Estuary SPA and Ramsar sites as part of the quantum of development. However, on this occasion, the assisted living nature of the proposal means recreational use is likely to be significantly reduced in comparison to conventional residential development. The development can be discounted from recreational pressure impacts. No likely significant effects*

Priority Habitat

Trees adjacent to the north and east boundaries are Priority Habitat deciduous woodland (*Natural Environment and Rural Communities (NERC) Act 2006/Habitats Regulations 2017*) and Local Plan policy CS20 applies. This habitat is a material consideration. I advise that tree protection and construction exclusion zone measures recommended by the submitted Arboricultural Implications Assessment are sufficient to protect the woodland during construction and can be secured by a suitably worded planning condition

Bats

The submitted bat report contains the following limitations:

- The survey and report are not informed by an LERC record search;*
- The report does not include identification of and assessment of impacts to nearby Land North of Hallwood Park LWS;*
- The report does not include a Phase 1 Habitat Map showing the location of trees to be felled. The report also lacks detailed information of trees (age, condition, distinguishing features of possible bat roost potential such as ivy).*

However, on this occasion, I advise that the omission of an LRC data search is not a significant limitation, in line with CIEEM guidance for single dwelling developments, and the required bat emergence survey can account for the

limitation in relation to bats. Additionally, my own assessment has concluded that the development will not have significant impacts upon Land North of Hallwood Park LWS. Whilst the report does not include detailed information on trees, photographs of individual trees and descriptive text provide adequate information when read in conjunction with the separate Arboricultural Impact Assessment which provides the location and condition of trees on site. I advise appropriate survey has been undertaken to allow for a robust conclusion to be reached regarding potential ecological impacts from development and the report is accepted.

*The submitted Bat Emergence and Re-entry Surveys report is accepted (Bat Emergence and Re-entry Surveys, Arbtech, 20th May 2020). The report states that no evidence of bat use or presence was found. The Council **does not** need to consider the proposals against the three tests (Habitats Regulations).*

Breeding birds

Trees T5, T6, T7, T30, T31 and T34 on site are to be felled or subject to Arboricultural works and may provide nesting opportunities for breeding birds, which are protected and Core Strategy policy CS20 applies. The following planning condition is required:

CONDITION

No tree felling or tree works to trees T5, T6, T7, T30, T31 and T34 are to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season, then trees are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

Bird nesting boxes

The proposed development will result in the loss of bird breeding habitat and Core Strategy policy CS20 applies. To mitigate for this loss, details of bird nesting boxes (e.g. number, type and location on an appropriately scaled plan) that will be erected on the site should be provided to the Local Planning Authority for agreement. The following planning condition is required:

CONDITION

The development hereby permitted shall not be occupied until details of bird boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, has been provided for approval and implemented in accordance with those details.

Biodiversity enhancements

In line with Table 5 of the submitted Bat Emergence and Re-entry Surveys report, Core Strategy policy CS20, NPPF paragraph 175 and the NERC biodiversity duty I advise that bat boxes should be provided on site.

Appropriate bat and bird box mitigation can be secured by appropriately worded planning condition. Protection of nesting birds is covered by alternative legislation and a reminder of the obligations in this regard can be added by way of informative to any planning permission. It is considered that the proposed development would not result in a significant detrimental impact on the habitat of any protected species in accordance with the NPPF, Policy GE21 of the Halton Unitary Development Plan and Policy CS20 of the Core Strategy Local Plan.

6.7 Flood Risk and Drainage

The proposal has satisfied the requirements of the Lead Local Flood Authority subject to their recommended conditions and on this basis the proposal satisfies UDP Policy PR16 and the NPPF. United Utilities raise no objections subject to conditions.

6.8 Contaminated Land

The Council's Land Contamination Officer has raised no objection to the proposal subject to further detailed phase 2 investigation which can be secured by appropriately worded planning condition. The proposal satisfies UDP Policy PR14 and the NPPF.

7. CONCLUSIONS

It is accepted that the principle of the use as C2 assisted living apartments is appropriate for the location and site. The proposed development complies with and is in line with the provisions of the Halton Unitary Development Plan, Core Strategy Local Plan and NPPF. Further, the scheme will deliver benefits in meeting specialist housing needs whilst bringing a currently vacant site back in to use.

The previous use as a public house ceased a number of years ago and the building remained vacant for some time. The building has recently been demolished following a series of fires and complaints about antisocial behaviour. The proposals are considered to offer an number of benefits in providing supported residential development involving the regeneration of a brownfield site in a sustainable location.

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

8. RECOMMENDATION

The application is recommended for approval subject to conditions relating to the following:

1. Time
2. Approved Plans
3. Confirming permitted use class
4. Site levels
5. Material details
6. Landscaping details
7. Boundary treatments
8. CEMP
9. Vehicle access, parking, servicing etc. constructed prior to occupation/use
10. Cycle parking details
11. Surface water
12. Drainage scheme
13. Contaminated land
14. Tree protection
15. No tree felling
16. Provision of bird nesting boxes & bat boxes

9. INFORMATIVES

1. National Grid

10. SUSTAINABILITY STATEMENT

The decision to grant permission and impose any conditions has been taken having regard to the relevant policies and proposals in the Development Plan set out above. The Local Planning Authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with planning applications in accordance with Part 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).