

APPLICATION NUMBERS & PROPSALS:	<p>20/00329/P3JPA – Prior notification for proposed change of use of offices (use class B1) to 108 no. residential apartments (use class C3 (PRIOR APPROVAL APPLICATION));</p> <p>20/00354/COU – Proposed change of use of part of the ground floor and third floor from offices into 5 residential apartments, resident's gym and external alteration (PLANNING APPLICATION);</p>
LOCATION:	Halton 5, Northway, Runcorn, Cheshire, WA7 2HF.
WARD:	Halton Lea
PARISH:	None
AGENT(S) / APPLICANT(S):	<p>AGENT – Ms Louie Sneddon – DLP Planning.</p> <p>APPLICANT – Ms Emma Thompson – Empire Property Concepts Ltd.</p>

SITE MAP



Members should note that both applications relate to the same building complex and are to be determined by the Development Control Committee due to the cumulative number of residential units being proposed. One application is a prior approval applications under Schedule 2, Part 3, of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended). The second application is a full planning application for a proposed change of use of part of the ground floor and third floor from offices into 5 residential apartments, resident's gym and external alteration. Due to the interrelated nature of the applications, they are presented as one report.

RELEVANT PLANNING HISTORY

15/00154/FUL - Proposed external alterations comprising recladding, refenestration, canopies, landscaping, car parking spaces accessed directly from Northway and creation of a new access and ramp providing access to car parking in a rear courtyard – Granted 01/05/2015.

15/00155/P3JPA - Proposed change of use from former office building to residential (Use Class C3), creating 63 dwellings comprising of 2no. 1 bedroom apartments, 55no. 2 bedroom apartments and 6no. 3 bedroom apartments including the provision of 41no. car parking spaces – Prior Approval Required and Given 01/05/2015.

19/00575/P3JPA - Prior notification for proposed change of use of ground to fourth floors inclusive from office (use class B1) to 170 no. residential flats (use class C3) – Withdrawn.

CONSIDERATION OF APPLICATION 20/00329/P3JPA.

This application proposes a change of use from Class B1(a) offices to Class C3 (dwellinghouses) which is permitted development under Schedule 2, Part 3, Class O of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended).

There are a number of instances set out below where this change of use is not permitted development.

Development is not permitted by Class O where—

(b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order—

(i) on 29th May 2013, or

(ii) in the case of a building which was in use before that date but was not in use on that date, **DOES NOT APPLY**

(c) when it was last in use; **DOES NOT APPLY**

- (d) the site is or forms part of a safety hazard area; THIS LAND IS NOT WITHIN THE CONSULTATION ZONE OF A MAJOR HAZARD SITE OR PIPELINE. **DOES NOT APPLY**
- (e) the site is or forms part of a military explosives storage area; **DOES NOT APPLY**
- (f) the building is a listed building or is within the curtilage of a listed building; **DOES NOT APPLY**
- (g) the site is, or contains, a scheduled monument. **DOES NOT APPLY**

None of the above instances apply to these proposals.

These proposals are therefore permitted by Class O subject to the condition that before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) **transport and highways impacts of the development;**
- (b) **contamination risks on the site;**
- (c) **flooding risks on the site;**
- (d) **impacts of noise from commercial premises on the intended occupiers of the development;**
- (e) **the provision of adequate natural light in all habitable rooms of the dwellinghouses,**

and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

Publicity undertaken

The prior approval application has been publicised by two site notices posted on Northway on 8th July and thirty-nine neighbour notification letters sent on 9th July. The representations received on this application are set out below.

Representation received from Mike Amesbury MP

Summary of issues raised and responses in *italics*:-

- Some of the flats would be below the minimum space standards recommended by the Government; *(not a consideration with this prior approval application)*
- The market for one and two bedroom apartments in the immediate area is already saturated; *(not a consideration with this prior approval application)*
- This development does not answer the need for high quality affordable housing for families; *(not a consideration with this prior approval application)*
- No mention of plans to investigate and safely remove asbestos that may exist in the building; *(not a consideration with this prior approval application)*
- Concerns over fire safety and emergency services accessing the building in an emergency; *(not a consideration with this prior approval application)*

- There is no mention of the existing single-glazed aluminium sash windows being replaced which raises concerns over safety and energy efficiency; (*not a consideration with this prior approval application*)
- There will be no contribution to the local services or infrastructure and a very likely increase in Police, Fire and Rescue and Council resources required should the development go ahead; (*not a consideration with this prior approval application*)
- The level of car parking seems insufficient and there is nowhere in the vicinity for overflow parking. (*to be considered in the Transport and highway impacts of the development section below*)

Representation received from Cheshire Fire and Rescue Service

Summary of issues raised and responses in *italics*:-

- They strongly advise the applicant to consult with Cheshire Fire and Rescue Service; (*The observations made by Cheshire Fire and Rescue Service should be attached as an informative*)
- Can you confirm that the intention is to fit a sprinkler system as part of the conversion? (*not a consideration with this prior approval application. The Building Regulations cover fire safety and this legislation is regulated by a local authority building control department or approved inspector for building regulations*).
- The conversion is highly likely to compromise compartmentation; (*not a consideration with this prior approval application. The Building Regulations cover fire safety and this legislation is regulated by a local authority building control department or approved inspector for building regulations*).
- A full compartmentation survey should be completed with remedial works completed before the premises is occupied; (*not a consideration with this prior approval application. The Building Regulations cover fire safety and this legislation is regulated by a local authority building control department or approved inspector for building regulations*).
- Cheshire Fire and Rescue Service wish to be made aware should staged occupation be considered to ensure compliance with the Fire Safety Order; (*The observations made by Cheshire Fire and Rescue Service should be attached as an informative*).
- The immediate area has suffered considerably with various forms of Antisocial Behaviour; (*not a consideration with this prior approval application*).
- A similar project has resulted in the Fire and Rescue Service and the Police having considerable interaction with the building due to issues at the site with a minority of tenants. This development is likely to have similar resource issues; (*not a consideration with this prior approval application*).
- Under the Fire Safety Order 2005, a suitable and sufficient fire risk assessment should be produced that underpins the robust management of the building once

complete. *(not a consideration with this prior approval application. In the majority of premises, the local fire and rescue authorities are responsible for enforcing fire safety legislation).*

As the proposals are permitted development, the principle of development is accepted and the only considerations relevant to the determination of this prior approval application are the **five considerations** set out above.

Transport and highway impacts of the development

The procedure for dealing with prior approval applications makes clear that the National Planning Policy Framework is relevant to the subject matter of the prior approval. In respect of transport impacts, it states that “development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”.

The Highway Officer noted that the applicant previously submitted an application for this site under the prior approval procedure (19/00575/P3JPA) for 170 dwellings on this site which was withdrawn due to significant concerns being raised. The Highway Officer notes that the applicant has comprehensively reviewed the scheme in line with the previous Highway Authority responses to develop a scheme providing a reduced number of dwellings with enhanced access arrangements, car parking provision and consideration of sustainable modes of travel.

The applicant’s Highway Consultant has been in dialogue with the Highway Officer to scope the submitted Transport Statement which is considered to be acceptable reflecting the operation of the existing highway network and the likely impact of the proposed development.

The Highway Officer’s overarching concern with the development of the site has been provision of adequate car parking given the location and lack of on street provision in the area. The application includes for 70 car parking spaces including accessible provision and charging facilities for electric vehicles. This car parking provision is provided at lower ground level and is accessed via a ramp that meets the standards set out in current guidance for multi-storey car parks.

In terms of number of spaces provided the application falls short of the maximum car parking standard for dwellings set out in the Halton Unitary Development Plan (127 spaces based upon 1 space per 1 bed unit and 1.5 spaces per 2 bed unit). As this is a prior approval application, the Council is unable to apply all the same planning considerations as if it were a planning application with the test in this case being are the residual cumulative transport and highway impacts of development are severe.

It is considered reasonable to allow a relaxation based on the Town Centre location. The Highway Officer has commented that the proposed 70 spaces is below the ideal but is a vast improvement on both the previously submitted scheme and is comparable to other previously approved prior approval application in the area. The Highway

Officer therefore on balance raises no objection to proposed parking provision and arrangement in this instance.

The provision of cycle parking within the building and outside the building for visitors is welcomed and considered to be appropriate for the scale and type of development.

The Highway Officer has requested the provision of an electric vehicle charging point scheme be secured by condition. The use of low and ultra-low emission vehicles are a sustainable transport mode and the condition is considered to be justified in this instance.

The new left in/ left out access arrangement and access ramp connecting the adopted highway to the North (Northway) and circulation within the car park area requires large sections of the existing building to be demolished and this more comprehensive strategy is welcomed as the resulting arrangement is considered to be acceptable meeting design standards for a priority junction with good visibility. Convenient servicing is proposed via a lay-by formed adjacent to the Northway to deal with regular movements such as refuse collections.

In terms of pedestrian provision the proposals now demonstrates users can access the building at both ground and lower ground levels. The proposal has been updated to show pedestrian access at ground level facing Northway as shown would serve users of the parking bays or people utilising the steps from the car park at lower ground level to the West and a proposed pedestrian link to the existing footway network to the North. The detailing of this pedestrian link should be secured by condition. At lower ground level users would access from the East from an existing pedestrian link to the wider amenities including the main shopping area and Halton Lea North Bus Station.

A key consideration for a residential scheme of this scale would be accessibility by sustainable modes of travel. The applicant's consultants have covered the travel options available to future residents within the supporting transport statement and although there are some residual issues with regards level of local bus services they would not warrant an objection given other previously approved prior approval application in the area. The applicant has also included a Travel Plan as part of the submission which should be suitably conditioned to see that it is implemented and suitably managed to ensure future residents receive the benefits.

It is not considered that the proposal would have a severe transport and highway impact.

The proposals are therefore considered acceptable in this regard.

Contamination risks on the site

Considering the proposal in respect of contamination risks and whilst the development is for new residential units, the nature of the conversion and a lack of historical

potentially contaminative land uses mean that there is no requirement for detailed land contamination assessment for the site.

Based on the above, it is not considered that as a result of the proposed change of use, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990 and the proposal is acceptable in this regard.

Flooding risks on the site

The site subject of the application is located within Flood Zone 1 and has a low probability of river or sea flooding (less than 1 in 1000 annual probability). The proposal is therefore considered acceptable in this regard.

Impacts of noise from commercial premises on the intended occupiers of the development

The site is located in the designated town centre of Runcorn which includes a wide range of uses. The proposed residential use is considered to be compatible with the adjacent land uses and it is not considered that the impacts of noise from commercial premises would have a significantly detrimental impact on residential amenity.

The provision of adequate natural light in all habitable rooms of the dwellinghouses.

In terms of definitions, The Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended) states that a habitable room means any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms. Adequate natural light is not defined.

The separation distances contained within the Council's Design of New Residential Development Supplementary Planning Document would usually be a determining factor when considering a planning application. As this is a prior approval application, the Council cannot apply all its policies and guidelines in this instance, however must still consider whether there is provision of adequate natural light in all habitable rooms of the dwellinghouses.

Officers noted that a large number of the resultant relationships of habitable room windows in this scheme ensure sufficient separation for light. There are however some relationships with the adjacent Halton Lea Library which Officers do not provide the level of separation which implies adequate natural light would be available in all habitable rooms of dwellinghouses in this part of the scheme. The applicant has considered this point and has amended the layout of apartments in this part of the scheme so the ground floor units now become dual aspect with the main habitable living space containing the lounge facing in the opposite direction away from the Halton Lea Library elevation. The apartment layouts at ground floor in this part of the

scheme now just contain bedroom windows which would typically be used at night where there would be a lower demand for adequate natural light and the applicant's rationale for the amended layout is understood. Based on the amendments made, it is not considered that a refusal on the basis of the provision of adequate natural light could now be sustained.

It is considered that the proposal demonstrates the provision of adequate natural light in all habitable rooms of the dwellinghouses.

Conclusion

Based on the five considerations with a prior approval application, the proposals are acceptable and prior approval is required for the matters secured by condition which require further submissions.

RECOMMENDATION – 20/00329/P3JPA - 108 no. residential apartments
It is recommended that prior approval for the change of use from Class B1(a) offices to Class C3 (dwellinghouses) is required.
Conditions:
1. Development under Class O is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.
Reason - In accordance with the provisions of Schedule 2, Part 3, Class O of The Town and Country Planning (General Permitted Development) Order 2015 (as amended).
2. The development shall be carried out in accordance with the following application drawings:
<ul style="list-style-type: none">• Proposed Floor Plans Ground Floor – Scale 1:100 @ A0 – Drawing No: A(20)001 Rev H – Date June 2020 – AMENDED PLAN RECEIVED 09/09/2020.• Proposed Floor Plans First Floor – Scale 1:100 @ A0 – Drawing No: A(20)002 Rev J – Date May 2020 – AMENDED PLAN RECEIVED 09/09/2020.• Proposed Floor Plans Second Floor – Scale 1:100 @ A0 – Drawing No: A(20)003 Rev F – Date May 2020 – AMENDED PLAN RECEIVED 27/07/2020.• Proposed Floor Plans Third Floor – Scale 1:100 @ A0 – Drawing No: A(20)004 Rev F – Date May 2020 – AMENDED PLAN RECEIVED 27/07/2020.• Proposed Floor Plans Fourth Floor – Scale 1:100 @ A0 – Drawing No: A(20)005 Rev F – Date May 2020 – AMENDED PLAN RECEIVED 27/07/2020.

- **Location Plan & Block Plan Existing Plan Level & Roof Plan – Scale 1:200, 1:500 & 1:1250 @ A0 – Drawing No: A(10)006 Rev B – Date May 2020.**
- **Proposed Crossing at Northway – Scale 1:250 @ A3 – Drawing Number CH5016-1PD-005 – RECEIVED 07/09/2020.**

Reason – For the avoidance of doubt.

- 3. The development shall not be brought into use until the areas indicated on the submitted plans to be set aside for parking and servicing have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown in Drawing No: A(20)001 Rev H which have been granted planning permission (application reference 20/00354/COU). The parking and servicing areas shall be retained as such thereafter.**

Reason - In the interests of mitigating transport and highways impacts, in accordance with the provisions of Schedule 2, Part 3, Class O of The Town and Country Planning (General Permitted Development) Order 2015 (as amended).

- 4. The development shall not be brought into use until the areas indicated on the submitted plans for cycle parking have been implemented in accordance with the details and specifications shown in Drawings: A(20)001 Rev H and A(20)002 Rev J. The cycle parking shall be retained as such thereafter.**

Reason - In the interests of mitigating transport and highways impacts, in accordance with the provisions of Schedule 2, Part 3, Class O of The Town and Country Planning (General Permitted Development) Order 2015 (as amended).

- 5. No development shall take place until an electric vehicle charging point scheme has been submitted to and approved in writing by the Council as Local Planning Authority. The development shall be carried out in accordance with the approved scheme and maintained thereafter.**

Reason - In the interests of mitigating transport and highways impacts, in accordance with the provisions of Schedule 2, Part 3, Class O of The Town and Country Planning (General Permitted Development) Order 2015 (as amended).

- 6. The approved Residential Travel Plan (prepared by Sustainable Development and Delivery – July 2020 – CH5016 – 1PD) shall be implemented in accordance with the timetable contained therein and shall continue to be implemented so long as any part of the development is occupied.**

An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for

a period of 5 years. The report shall include a review of the Travel Plan measures, monitoring data and updated action plan.

Reason - In the interests of mitigating transport and highways impacts, in accordance with the provisions of Schedule 2, Part 3, Class O of The Town and Country Planning (General Permitted Development) Order 2015 (as amended).

7. No development shall take place until a scheme for the design and construction of highway improvement works has been submitted to and approved in writing by the Council as Local Planning Authority. For the avoidance of doubt, the works shall include:

- A north/south pedestrian link across Northway (as indicated on Drawing Number CH5016-1PD-005).

The approved scheme shall be implemented before the development is brought into use.

Reason - In the interests of mitigating transport and highways impacts, in accordance with the provisions of Schedule 2, Part 3, Class O of The Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Informatives

1. **Cheshire Fire and Rescue Service Observations.**

CONSIDERATION OF PLANNING APPLICATION 20/00354/COU

This application proposes a change of use of part of the ground floor and third floor from offices into 5 residential apartments, resident's gym and external alteration.

Publicity undertaken

The planning application has been publicised by two site notices posted on Northway on 22nd July and thirty-nine neighbour notification letters sent on 23rd July. Due to an error with the description, a further two site notices were posted on Northway on 10th August and forty neighbour notification letters sent on 7th August. The one representation received on this application is set out below.

Representation received from Mike Amesbury MP

Summary of issues raised and responses in *italics*:-

- Some of the flats would be below the minimum space standards recommended by the Government; (*Halton does not have an adopted policy for minimum space standards for dwellinghouses and the refusal of a planning application on this basis could not be sustained*)

- The market for one and two bedroom apartments in the immediate area is already saturated; *(The refusal of this planning application for 5no. dwellinghouses could not be sustained on the basis of housing mix)*
- This development does not answer the need for high quality affordable housing for families; *(The refusal of this planning application for 5no. dwellinghouses could not be sustained on the basis of housing mix)*
- No mention of plans to investigate and safely remove asbestos that may exist in the building; *(The refusal of the planning application on this basis could not be sustained. The Building Regulations control how buildings are modified and this legislation is regulated by a local authority building control department or approved inspector for building regulations)*
- Concerns over fire safety and emergency services accessing the building in an emergency; *(The refusal of the planning application on this basis could not be sustained. The Building Regulations control how buildings are modified and this legislation is regulated by a local authority building control department or approved inspector for building regulations)*
- There is no mention of the existing single-glazed aluminium sash windows being replaced which raises concerns over safety and energy efficiency; *(The refusal of the planning application on this basis could not be sustained. The Building Regulations control how buildings are modified and this legislation is regulated by a local authority building control department or approved inspector for building regulations. It is noted that on the latest plans that the applicant is intending to replace the existing windows with uPVC windows (anthracite in colour))*
- There will be no contribution to the local services or infrastructure and a very likely increase in Police, Fire and Rescue and Council resources required should the development go ahead; *(Developer contributions cannot be requested in this instance based on the amount of development proposed)*
- The level of car parking seems insufficient and there is nowhere in the vicinity for overflow parking. *(To be considered in the Highway Considerations section below)*

Principle of Residential Development and Associated Resident's Gym

The site is located in a Primarily Employment Area as designated by the Halton Unitary Development Plan (UDP). Policy E3 'Primarily Employment Area' of the UDP indicates that B1, B2, B8 and Sui Generis Industrial Uses will be acceptable in this area. This proposal does not form one of the uses considered acceptable by the policy so therefore needs to be considered on its merits.

It is important to note that this particular Employment Area comprises of predominantly B1 (office) uses. B1 uses are considered to be compatible with residential in planning terms and the provision to change of use from Class B1(a) offices to Class C3 (dwellinghouses) which is permitted development under Schedule 2, Part 3, Class O

of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended) is also noted.

As set out in the applicant's Planning, Design and Access Statement, the reason why full planning permission is being sought for 5 residential apartments is due to small parts of the building not being used for a use falling within Use Class B1 hence their exclusion from the prior approval application.

The application site is located in a sustainable location adjacent to the town centre and as stated in the consideration of the prior approval application above, the proposed residential use (5 apartments along with an ancillary resident's gym is considered to be compatible with the adjacent land uses and acceptable in principle.

Design

A number of external alterations are proposed to make the building suitable for residential use for the 5 apartments subject of this application and also for those proposed as part of the prior approval application as there no provision for external alterations in Class O. The external alterations proposed are detailed in the Planning, Design and Access Statement and shown on the submitted plans. One of the key alterations would be the removal of existing brickwork and concrete retaining wall to form vehicular access from Northway. Replacement windows are also proposed.

The alterations proposed would secure some enhancements to the appearance of the building whilst making it functional for residential purposes. In order to ensure satisfactory appearance, it is considered reasonable to attach a condition ensuring that the development is carried out in accordance with the material details shown on the submitted plans.

In conclusion, the resultant external appearance of the building is considered acceptable in compliance with Policies BE1 and BE2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

Amenity

The proposed 5no. residential apartments subject of this planning application are considered acceptable in terms of light and privacy by virtue of the location of the window openings which would serve habitable rooms.

The Council's Design of Development SPD seeks that apartment developments make provision for private outdoor amenity space with 50sqm being used as a guide. This proposal is for the conversion of a building and the existing courtyard areas would become parking provision for the wider scheme. There are many examples in and around town centres where apartments do not benefit from private amenity space. The close proximity to Town Park is also noted in this instance. The refusal of this application on the basis of lack of private amenity space is not considered to be substantiated.

In conclusion, the proposal is acceptable from an amenity perspective in compliance with Policy BE1 of the Halton Unitary Development Plan.

Highway Considerations

As set out in the description of development, the majority of the residential units proposed are being dealt with through the prior approval procedure with this development just including 5 residential apartments and a resident's gym. This application does however include the external alterations required for both this application and also the prior approval application.

In terms of parking provision, the Highway Officer considered it reasonable to allow a relaxation based on the Town Centre location and has commented that the proposed 70 spaces for the overall scheme is below the ideal but is a vast improvement on both the previously submitted scheme for the site. A refusal of this planning application for the amount of development proposed based on the overall parking provision for the site could not be sustained.

The provision of cycle parking within the building and outside the building for visitors is considered to be appropriate for the scale and type of the overall development and should be secured by condition.

The Highway Officer has requested the provision of an electric vehicle charging point scheme be secured by condition. The use of low and ultra-low emission vehicles are a sustainable transport mode and should be secured by condition.

A proportion of the external alterations proposed involve the creation of the vehicular access to the site and the associated parking provision which the Highway Officer considers to be acceptable in terms of design standard as set out in the assessment with the prior approval application. The implementation of the proposed parking and servicing provision should be secured by condition.

The implementation of the proposed pedestrian link to the existing footway network to the North of the site would ensure that the site is accessible for pedestrians. The detailing of the required pedestrian link along with its implementation should be secured by condition.

The applicant's consultants have covered the travel options available to future residents within the supporting transport statement and although there are some residual issues with regards level of local bus services they would not warrant an objection. The applicant has also included a Travel Plan as part of the submission which should be secured by condition to see that it is implemented and suitably managed to ensure future residents receive the benefits.

Based on the above, it is not considered that any significant highway implications result from the proposals subject of the full planning application and the proposal is

compliant with Policies BE1, TP6, TP7, TP12 and TP17 of the Halton Unitary Development Plan.

Open Space

Policy H3 of the Halton Unitary Development Plan states that for new residential development, developers will be required to ensure that there would be sufficient recreational greenspace to meet the local needs of the people living there.

Based on the ministerial statement in government policy on small scale developers dated 28th November 2014 and the changes to the Planning Policy Guidance (PPG), contributions for schemes which are for less than 10 dwellings are no longer being sought.

Trees and Landscaping

The proposed development would result in the loss of some trees within the existing courtyard areas on which car parking is proposed. None of the trees are protected by Tree Preservation Order and are not considered to be a constraint to development. It is however considered reasonable to attach a condition securing protection for breeding birds.

There are number of trees shown as being retained. In order to ensure their successful retention during the implementation of development, it is considered reasonable to ensure the implementation of tree protection measures during the development of the site.

Some proposed soft landscaping is indicated on the proposed plans which is considered acceptable in principle. The detail along with implementation and subsequent maintenance should be secured by condition.

The hard landscaping and boundary treatments proposed are considered to be acceptable and their implementation and subsequent maintenance should be secured by condition.

In conclusion, the proposal is considered acceptable in this regard in compliance with Policies BE1, BE2, BE22, GE21 and GE27 of the Halton Unitary Development Plan and Policy CS20 of the Halton Core Strategy Local Plan.

Ground Contamination

Considering the proposal in respect of contamination risks and whilst the development is for new residential units, the nature of the conversion and a lack of historical potentially contaminative land uses mean that there is no requirement for detailed land contamination assessment for the site.

Based on the above, the proposal is considered to be compliant with Policy PR14 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

Flood Risk / Drainage

The site subject of the application is located within Flood Zone 1 and has a low probability of river or sea flooding (less than 1 in 1000 annual probability).

In order to ensure the satisfactory implementation of an appropriate drainage scheme, it is considered that a condition securing the submission of a drainage strategy for the site along with its subsequent implementation and maintenance should be attached.

Based on the above, the proposal is considered to be compliant with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

Waste Management

Policy WM9 of the Joint Merseyside and Halton Waste Local Plan is applicable to this application. In terms of waste management based on the amount of development proposed, there is likely to be sufficient space for the storage of waste including separated recyclable materials within the proposed bin store. The proposal is considered to be compliant with Policy WM9 of the Joint Merseyside and Halton Waste Local Plan.

Crime Reduction

Cheshire Constabulary have made observations regarding the detailing of scheme which covers matters such as the specification of doors, windows etc., as well CCTV, door access systems and lighting. It is considered appropriate to attach the observations made as an informative.

Conclusion

The proposed change of use of part of the ground floor and third floor from offices into 5 residential apartments, resident's gym and external alteration is considered to be acceptable and the application is recommended for approval.

RECOMMENDATION – 20/00354/COU – PROPOSED CHANGE OF USE OF PART OF THE GROUND FLOOR AND FIRST FLOOR FROM OFFICES INTO 5 RESIDENTIAL APARTMENTS, RESIDENT'S GYM AND EXTERNAL ALTERATIONS.

Grant planning permission subject to conditions:

1. Time Limit

The development must be begun within three years of the date of this decision notice.

Reason - Section 91 (as amended) of the Town and Country Planning Act 1990.

2. Approved Plans

The development shall be carried out in accordance with the following application drawings:

- **Existing Floor Plans Ground Floor – Scale 1:100 @ A0 – Drawing No: A(11)001 – Date June 2020.**
- **Existing Floor Plans First Floor – Scale 1:100 @ A0 – Drawing No: A(11)002 – Date June 2020.**
- **Existing Floor Plans Second Floor – Scale 1:100 @ A0 – Drawing No: A(11)003 – Date June 2020.**
- **Existing Floor Plans Third Floor – Scale 1:100 @ A0 – Drawing No: A(11)004 – Date June 2020.**
- **Existing Floor Plans Fourth Floor – Scale 1:100 @ A0 – Drawing No: A(11)005 – Date June 2020.**
- **Location Plan & Block Plan Existing Plant Level & Roof Plan – Scale 1:200, 1:500 & 1:1250 @ A0 – Drawing No: A(11)006 - Date June 2020.**
- **Existing Elevations Sheet 1 of 2 – Scale 1:100 @ A0 – Drawing No: A(11)007 – Date June 2020.**
- **Existing Elevations Sheet 2 of 2 – Scale 1:100 @ A0 – Drawing No: A(11)008 – Date June 2020.**
- **Proposed Floor Plans Ground Floor – Scale 1:100 @ A0 – Drawing No: A(21)001 Rev D – Date June 2020 – AMENDED PLAN RECEIVED 09/09/2020.**
- **Proposed Floor Plans First Floor – Scale 1:100 @ A0 – Drawing No: A(21)002 Rev C – Date June 2020 – AMENDED PLAN RECEIVED 09/09/2020.**
- **Proposed Floor Plans Second Floor – Scale 1:100 @ A0 – Drawing No: A(21)003 Rev A – Date June 2020 – AMENDED PLAN RECEIVED 27/07/2020.**
- **Proposed Floor Plans Third Floor – Scale 1:100 @ A0 – Drawing No: A(21)004 Rev B – Date June 2020 – AMENDED PLAN RECEIVED 27/07/2020.**
- **Proposed Floor Plans Fourth Floor – Scale 1:100 @ A0 – Drawing No: A(21)005 Rev A – Date June 2020 – AMENDED PLAN RECEIVED 27/07/2020.**
- **Location Plan & Block Plan Existing Plant Level & Roof Plan – Scale 1:100, 1:200 & 1:500 @ A0 – Drawing No: A(21)006 Rev D – Date May 2020 – AMENDED PLAN RECEIVED 27/07/2020.**
- **Proposed Elevations – Sheet 1 of 2 – Drawing No: A(21)007 Rev F – Date May 2020 – AMENDED PLAN RECEIVED 09/09/2020.**
- **Proposed Elevations – Sheet 2 of 2 – Drawing No: A(21)008 Rev F – Date May 2020 – AMENDED PLAN RECEIVED 09/09/2020.**

- **Proposed Crossing at Northway – Scale 1:250 @ A3 – Drawing Number CH5016-1PD-005 – RECEIVED 07/09/2020.**

Reason - For the avoidance of doubt

3. External Facing Materials

Prior to the commencement of the use of the building for the purposes permitted, the external alterations shall be carried out in accordance with the external facing materials detailed on the plans below and shall be maintained thereafter:

- **Proposed Elevations – Sheet 1 of 2 – Drawing No: A(21)007 Rev F – Date May 2020 – AMENDED PLAN RECEIVED 09/09/2020.**
- **Proposed Elevations – Sheet 2 of 2 – Drawing No: A(21)008 Rev F – Date May 2020 – AMENDED PLAN RECEIVED 09/09/2020.**

Reason - To ensure that the development has a satisfactory appearance, in accordance with Policies BE1 and BE2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

4. Implementation of Bin and Cycle Storage

Prior to the commencement of the use of the building for the purposes permitted, the bin and cycle storage shall be implemented in accordance with the details on the plans below and shall be maintained thereafter:

- **Proposed Floor Plans Ground Floor – Scale 1:100 @ A0 – Drawing No: A(21)001 Rev D – Date June 2020 – AMENDED PLAN RECEIVED 09/09/2020.**
- **Proposed Floor Plans First Floor – Scale 1:100 @ A0 – Drawing No: A(21)002 Rev C – Date June 2020 – AMENDED PLAN RECEIVED 09/09/2020.**

Reason – To ensure that appropriate bin and cycle storage is implemented in the interests of waste management, highway safety and encouraging travel by sustainable modes in accordance with Policy TP6 of the Halton Unitary Development Plan and Policy WM9 of the Joint Merseyside and Halton Waste Local Plan.

5. Provision of Parking and Servicing

The development shall not be brought into use until the areas indicated on the submitted plans to be set aside for parking and servicing have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown in Drawing No: A(21)001 Rev D. The parking and servicing areas shall be retained as such thereafter.

Reason - To ensure that adequate provision is made on the site for the traffic generated by the development, including allowance for safe circulation, manoeuvring, loading and unloading of vehicles as well as parking, and that hard-surfaced areas have a satisfactory appearance, in accordance with policies BE1, TP12 and TP17 of the Halton Unitary Development Plan.

6. Pedestrian Link to the North

No development shall take place until a scheme for the design and construction of highway improvement works has been submitted to and approved in writing by the Council as Local Planning Authority. For the avoidance of doubt, the works shall include:

- A north/south pedestrian link across Northway (as indicated on Drawing Number CH5016-1PD-005).**

The approved scheme shall be implemented before the development is brought into use.

Reason - To ensure that sufficient measures are taken to ensure that the required pedestrian link to the existing footway network is created. This is in accordance with policies TP7 and TP17 of the Halton Unitary Development Plan.

7. Electric Vehicle Charging Points

No development shall take place until an electric vehicle charging point scheme has been submitted to and approved in writing by the Council as Local Planning Authority. The development shall be carried out in accordance with the approved scheme and maintained thereafter.

Reason – To ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles to help reduce pollution in accordance with the National Planning Policy Framework and policy CS19 of the Halton Local Plan Core Strategy.

8. Travel Plan

The approved Residential Travel Plan (prepared by Sustainable Development and Delivery – July 2020 – CH5016 – 1PD) shall be implemented in accordance with the timetable contained therein and shall continue to be implemented so long as any part of the development is occupied.

An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for a period of 5 years. The report shall include a review of the Travel Plan measures, monitoring data and updated action plan.

Reason - To maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable, in accordance with policies TP6, TP7, TP16 and TP17 of the Halton Unitary Development Plan.

9. Soft Landscaping

No development shall take place until a soft landscaping scheme has been submitted to and agreed in writing with the Council as Local Planning Authority. The scheme shall include the following:

- **Layout drawing/planting plans;**
- **Planting Schedule (indicating size, species, spacing, number and density of plants);**
- **Written specifications;**
- **Tree pit specifications;**
- **Ground condition enhancement (including cultivation and other operations associated with trees, shrub, hedge or grass establishment);**
- **Method statements;**
- **Implementation and maintenance programme;**
- **Management and monitoring plans.**

The agreed scheme shall be implemented prior to any part of the development being brought into use.

Any planting which within a period of 5 years of implementation dies, is removed, or becomes seriously damaged or diseased shall be replaced during the next planting season with others of a similar size or species, unless the Council as Local Planning Authority gives written consent to a variation.

Should replacement planting be necessary, the Council shall be notified in writing not less than 7 days prior to the planting taking place. Notification shall include details of the problem with the implemented scheme and the specification and timing of the replacement planting.

Reason - To ensure that an appropriate landscaping scheme is agreed, implemented and maintained in accordance with policy BE1 of the Halton Unitary Development Plan.

10. Hard Landscaping and Boundary Treatments

Prior to the commencement of the use of the building for the purposes permitted, the hard landscaping and boundary treatments shall be implemented in accordance with the details on the plans below and shall be maintained thereafter:

- **Proposed Floor Plans Ground Floor – Scale 1:100 @ A0 – Drawing No: A(21)001 Rev D – Date June 2020 – AMENDED PLAN RECEIVED 09/09/2020.**

Reason – To ensure that appropriate hard landscaping and boundary treatments are implemented and maintained in accordance with policies BE1 and BE22 of the Halton Unitary Development Plan.

11. Tree Protection

No development shall take place until a scheme of temporary measures to provide physical protection to all trees, hedges and shrubs shown to be retained on the submitted plans, has been submitted to and agreed in writing by the Council as Local Planning Authority. The agreed scheme shall be implemented prior to the commencement of development and shall be retained for the duration of the construction phase.

The submitted details must show the provision of total exclusion zones to not less than the minimum standard contained in British Standard BS5837 (2012). The areas so defined shall be kept free of machinery, stored materials of all kinds and any form of ground disturbance not specifically catered for in the agreed measures, for the duration of the construction phase.

Reason - To ensure that the development is carried out with minimum loss of existing landscape features and, in particular, that trees to be retained on the site suffer minimum disturbance, in accordance with policies BE1 and GE27 of the Halton Unitary Development Plan.

12. Breeding Birds Protection

No tree or hedgerow felling, lopping or pruning shall take place from 1st March to 31st August inclusive, unless a survey for breeding birds has been undertaken and the results, together with a scheme of mitigation and protection measures has been submitted to and approved in writing by the Council as Local Planning Authority. Should tree or hedgerow felling take place between the dates stated above, the agreed mitigation and protection measures shall be implemented in full and retained through the duration of the relevant works.

Reason - To protect breeding bird habitat, in accordance with policy GE21 of the Halton Unitary Development Plan.

13. Drainage Scheme (Policies PR16 and CS23)

No development shall take place until details of the implementation, maintenance and management of the sustainable drainage (SuDS) scheme for the disposal of surface water in accordance with the SuDS hierarchy have been submitted to and approved by the local planning

authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. This should be reported within a stand-alone Surface Water Drainage Assessment and referred to within the main report, this should include the following details:

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, attenuation structures and calculations to demonstrate a reduction in surface water runoff rate to greenfield runoff rates for the new hardstanding areas as a minimum, with additional improvements for existing runoff where practical (50% reduction required as a minimum in critical drainage areas). Calculation should demonstrate no flooding to buildings in the NPPF design event (1 in 100 year + climate change allowance).

Reason - To ensure that surface water is drained appropriately from the site, in accordance with policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

Informatives:

- 1. Construction Management**
- 2. Cheshire Constabulary Observations**
- 3. Cheshire Fire and Rescue Service Observations**

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.