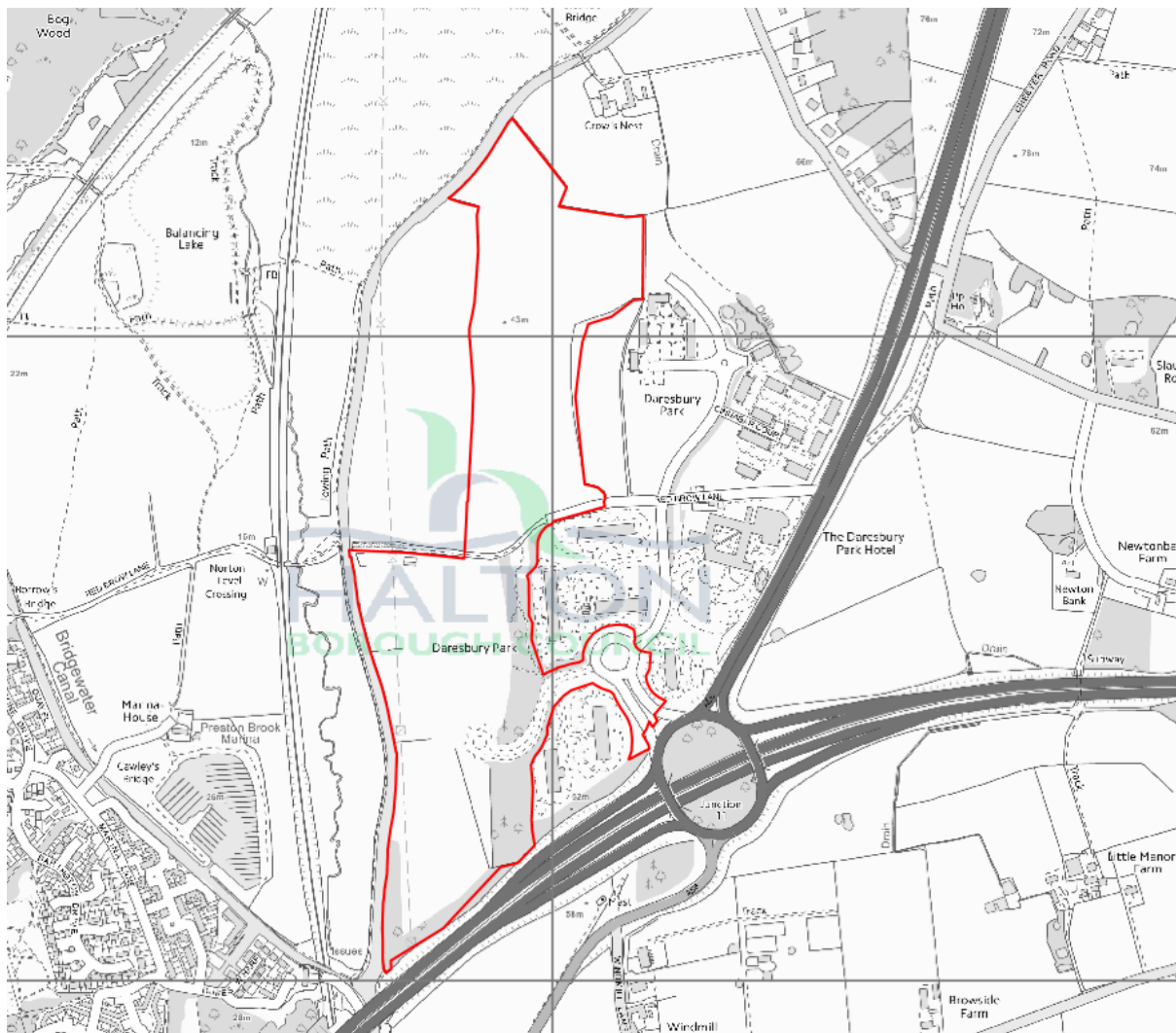


<b>APPLICATION NO:</b>	20/00337/OUTEIA
<b>LOCATION:</b>	Land at Daresbury Park Warrington WA4 4BB
<b>PROPOSAL:</b>	Outline planning permission, with all matters reserved except for access, for the residential led mixed use development of the site, comprising of residential (Use Class C3), employment (Use Class B1) and local centre uses (Use Class A1-A4/D1) and associated infrastructure, landscaping and land remodelling
<b>WARD:</b>	Daresbury
<b>PARISH:</b>	Daresbury
<b>APPLICANT:</b>	Marshall Commercial Development Projects Limited
<b>AGENT:</b>	Avison Young
<b>DEVELOPMENT PLAN:</b>	<b>ALLOCATIONS:</b>
Halton Unitary Development Plan (2005)	Regional Employment Land Allocation (Site Ref. 240/7, 240/0 and 241) (E1)
Halton Core Strategy (2013)	Proposed Greenspace system (GE7)
Joint Merseyside and Halton Waste Local Plan (2013)	
<b>DEPARTURE REPRESENTATIONS:</b>	Yes
<b>KEY ISSUES:</b>	Principle of Residential Development on Allocated Employment Land, Design and Layout, Highways/Transport/Access, Flood Risk/Drainage, and Ecology
<b>RECOMMENDATION:</b>	That delegated powers are given to the Operational Director – Policy, Planning & Transportation in consultation with the Chair or Vice Chair of the Development Control Committee to make the decision subject to conditions once the following have occurred:  The satisfactory completion of a Section 106 agreement to secure the following: <ul style="list-style-type: none"> <li>• financial contribution in lieu of on-site open space provision;</li> <li>• financial contribution towards the improvement of public rights of way including railway crossing; and</li> </ul>

	<ul style="list-style-type: none"> <li>financial contribution towards sustainable transport improvements.</li> </ul>
<b>SITE MAP</b>	



## 1. APPLICATION SITE

### 1.1 The Site

The application site covers an area of land of approximately 26.6 hectares, and is located approximately 3.5 miles to the east of Runcorn Old Town, and 0.5 miles to the south east of the Sandymoor. The sites forms part of East Runcorn Key Area of Change as defined in Policy CS11 of the Core Strategy, and it is within the Daresbury Strategic Area.

Redbrow Lane transects the application site currently splitting it in two. The land to the north comprises agricultural fields. Whereas the land to the south consists of unmanaged grassland, trees and existing road infrastructure. The southern part of the site is bound to the west by the Bridgewater Canal, with over-head power lines running in a north / south direction.

The southern part of the site is accessible by the already constructed road infrastructure via Daresbury Park. The wider East Runcorn area is accessible from the southeast via the M56 motorway (junction 11) and the A56 Chester Road to the east, or alternatively via Keckwick Lane to the north.

## 1.2 Planning History

The site has been subject to numerous applications in relation the employment use of the wider Daresbury Park. Some planning history with the more recent applications being as follows:

02/00050/S73 Proposed variation of condition Nos.2 and 3 of permission 98/000253/OUT to extend time period for compliance/implementation (Granted 20/03/2002)

03/00653/FUL - Proposed infrastructure and landscape works for plots B1 (a), B1(b) and A3 uses permitted by permissions 98/00253/OUT and 02/00054/OUT (Granted 11/09/2003)

04/00500/S73 Proposed variation of conditions 2 and 3 on permission 98/00253/OUT to extend the period to 20/05/2010 and 20/05/2012 respectively (Granted 05/10/2004)

05/00907/REM - Proposed approval of reserved matters (98/00253/OUT) for two and three storey detached and semi-detached office accommodation (Granted 13/12/2005)

05/00695/REM - Proposed two storey detached and semi-detached office accommodation- reserved matters pursuant to outline permission (Withdrawn)

01/00356/OUT - Outline application for 2/3 storey office buildings (40,000sq.m.) and office park amenity/cafe building (Granted 12/11/2001)

04/00502/S73 - Proposed variation of conditions 2 and 3 on permission 01/00356/OUT to extend time periods to 20/05/2010 and 20/05/2012 respectively (Granted 05/10/2004)

10/00181/S73 - Proposed variation of Condition Nos. 2 & 3 of planning consent 01/00356/OUT to replace extant planning permission and extend the time limit for implementation by a further 10 years (Granted 31/03/2017)

## **2. THE APPLICATION**

### 2.1 The Proposal

The applications seeks outline planning permission, with all matters reserved except for access, for the residential led mixed use development of the site, comprising of residential (Use Class C3), employment (Use Class B1) and local centre uses (Use Class A1-A4/D1) and associated infrastructure, landscaping and land remodelling.

In summary, the proposed parameters of the application include the following uses and amounts:

Residential - Up to 350 Dwellings (Use Class C3)

Local Centre - Up to 2,000sq.m (Gross Internal Floor Space) comprising Use Classes A1, A2, A3, A4 and D1

Employment - Up to 30,000sq.m (Gross Internal Floor Space) of Use Class B1

## 2.2 Documentation

The application is accompanied by the associated plans, planning statement, design and access statement (DAS), and an Environmental Statement (ES) covering the topics of landscape and visual, ecology and nature conservation, transport and access, air quality and dust, noise and vibration, climate change and cumulative impact.

In addition to above individual reports have also been submitted including a Statement of Community Involvement (SCI), Drainage and Flood Risk Statement, Transport Assessment, Framework Travel Plan, Geoenvironmental Report, Arboricultural Report, Heritage Assessment, Ecological Survey Reports, Habitat Regulations Assessment and Market Report.

## **3. POLICY CONTEXT**

Members are reminded that planning law requires for development proposals to be determined in accordance with the development plan, unless material considerations indicate otherwise.

### **THE DEVELOPMENT PLAN**

The Development Plan for Halton is made up of the Halton Unitary Development Plan (2005), the Halton Core Strategy (2013), and the Joint Merseyside and Halton Waste Local Plan (2013). The following policies from each document are considered to be of particular relevance.

#### 3.1 Halton Unitary Development Plan (UDP) (2005)

The site is allocated for proposed employment development (Site Ref. 240/7, 240/0 and 241) on the Halton Unitary Development Plan Proposals Map.

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- BE5 Other Sites of Archaeological Importance;
- BE22 Boundary Walls and Fences;
- GE21 Species Protection;
- H3 Provision of Recreational Greenspace;
- PR4 Light Pollution and Nuisance;
- PR8 Noise Sensitive Developments;
- 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;
- TP14 Transport Assessment;
- TP15 Accessibility to New Development;
- TP17 Safe Travel For All;
- TC6 Out of Centre Retail Development
- H2 Design and Density of New Residential Development
- H3 Provision of Recreational Greenspace
- E1 Local and Regional Employment Land Allocations
- E4 Complementary Services and Facilities within Primarily Employment Areas

### 3.2 Halton Core Strategy (2013)

- CS1 Halton's Spatial Strategy;
- CS2 Presumption in Favour of Sustainable Development;
- CS3 Housing Supply and Locational Priorities;
- CS5 A Network of Centres
- CS7 Infrastructure Provision;
- CS12 Housing Mix;
- CS13 Affordable Housing;
- CS15 Sustainable Transport;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS20 Natural and Historic Environment;
- CS21 Green Infrastructure;
- CS22 Health and Well-Being;
- CS23 Managing Pollution and Risk;
- CS24 Waste.

### 3.3 Joint Merseyside and Halton Waste Local Plan (2013)

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

## **MATERIAL CONSIDERATIONS**

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

The following Supplementary Planning Documents are material considerations, and provide specific guidance in support of the Development Plan Policies: Design of New Residential Development SPD, Design of New Industrial and

Commercial Development SPD, Shop Fronts, Signage and Advertising SPD; and Provision of Open Space Draft SPD.

#### **4. CONSULTATIONS**

##### Highways and Transportation Development Control

No objection to the proposed development subject to conditions.

##### Lead Local Flood Authority (LLFA)

No objection to the proposed development subject to conditions.

##### Environmental Protection

No objection to the proposed development, subject to conditions and final design.

##### Contaminated Land Officer

No objection to the proposed development subject to a conditions relating to ground investigation, remediation and verification.

##### Environment Agency

No objection to the proposed development subject to a conditions relating to ground investigation, remediation and verification.

##### Highways England

Highways England offers no objection to the proposals, subject to conditions relating to drainage and fencing details adjacent to the motorway.

##### Network Rail

Network Rail have raised concerns in relation to additional footfall and additional risk on Norton Level Crossing. They have recommended closure of the crossing and diversion of the footpath.

##### Landscape Architect – Design & Development, Open Space Services

Proposals contained within the Design and Access Statement and supporting Illustrative Layout plan comprise brief descriptions of the proposed development. At this stage there is insufficient information to comment in detail on the quality of Landscape Design elements. Guidance provided which should be used in the layout and landscaping design at reserved matters stage.

##### Merseyside Environmental Advisory Service – Ecology and Waste Advisor

No objection to the proposed development, subject to conditions.

Canal and River Trust

This application falls outside the notified area for its application scale. No requirement for you to consult.

Cheshire Archaeology Planning Advisory Service

No objection to the proposed development, subject to a condition securing a scheme of archaeological work.

Cheshire Police – Designing Out Crime Officer

No objection.

Pipelines (Penspen)

The Essar and Shell pipelines will not be affected by the proposed development.

United Utilities

No objection, subject to conditions.

Natural England

No objection, subject to conditions.

Conservation & Design Advisor / Archaeological Planning Advisor

No objection to the proposed development subject to a condition for a scheme of archaeological work.

SP Energy Networks

No objection, subject to easements being maintained in final design.

Mike Amesbury MP

The MP has outlined his constituents concerns if Red Brow Lane were to be closed, which would prevent to access agricultural fields that she farms. The MP asks for these concerns be into account and, if the developer is seeking to obstruct Red Brow Lane in this way, consider requiring alternatives to keep Red Brow Lane open and accessible.

Daresbury, Preston Brook and Sandymoor Parish Councils

No comments received.

## **5. REPRESENTATIONS**

A total of 30 representations have been received in relation to the application. The principle issues raised relate to the following:

- Provision of safe walking routes connected to existing built up areas
- Loss of greenfield land
- Loss of trees and woodland
- Loss or views from property
- Visual impact
- Impact on wildlife and habitats
- Impact on local badger populations
- Vacant buildings and brownfield land should be used instead
- Pollution of Bridgewater Canal
- Noise and light pollution
- Lack of infrastructure including shops and schools
- Insufficient bus services to serve the site, people would be reliant on cars
- Already enough housing in the area
- Anti-social behaviour
- Access to Bridgewater Canal from Redbrow Lane
- Houses would not be affordable
- Lack of need for more offices
- Did not receive consultation letter
- Impact on access to agricultural land off Redbrow Lane

One representation has been received support.

## **6. ASSESSMENT**

### **6.1 Principle of Development**

The application site is predominantly greenfield with the exceptions of existing road infrastructure. It is allocated for employment development in Policy E1 of the Halton Unitary Development Plan and the associated proposals map, and is identified as regional employment allocation made up of Site Refs 240/7, 240/0 and 241. It also forms part of East Runcorn Key Area of Change as defined in Policy CS11 of the Core Strategy.

The use of housing on the site therefore constitutes a departure from Halton's Development Plan. In accordance with the Development Management Procedure Order 2015 the application has therefore been advertised in the local press and by site notice, as a departure.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the NPPF require applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.



Policy CS4 of the Core Strategy states that in order to secure Halton's economic future existing employments uses in Halton's Local Employment Areas and Regional Employment Sites will be retained as such, unless an alternative use can be proven to be of greater benefit to the Borough than retaining the land for employment purposes.

Whilst the land covered by the application site is not currently in employment use as such, it does form part of the wider Daresbury Park area and over the years has benefited from multiple planning permissions for further office park development. Therefore, the principle of reviewing the need for existing employment areas, as outlined in CS4, is considered to be a material consideration.

Therefore, in accordance with CS4 the applicant has provided a planning statement and associated market report (Knight Frank, May 2020) in support of the application. These documents provide an examination of the overall employment land situation, a review of the suitability of the land for employment use and for the proposed use, having regard to the site location surrounding uses and the supply and demand of offices in the area.

In summary the report outlines how Daresbury Park was conceived several decades ago in different market conditions. In more recent years demand has shifted towards town and city centres which provide employees with a choice of modes of travel and a variety of amenities. It also notes that schemes are now being built to respond to occupiers' requirements instead of being built speculatively.

The market report explains how in recent years Daresbury Park has had significantly less take up than similar competing out of town sites in the Warrington area. In particular those which are located near to the M62/M6 have been more attractive for occupiers. For example, in the Warrington area over the last 7 years 41% of office take up has been in Birchwood compared to only 9% at Daresbury Park.

The reports states that the original Daresbury Park scheme was envisaged to take 20-25 years to build out, but given it is now 25 years into the scheme, it is likely to take much longer, possibly twice as long. In response to the changes in supply and demand, the report concludes that a more realistic approach would be to reduce the amount of land for employment use to meet the expected demand over the next 5 to 10 years. This would require the mixed uses to be built alongside to act as a catalyst, attract occupiers and aid in their retention.

Therefore, a realistic view has to be taken on the likelihood of the land being brought forward entirely for employment or whether it would currently be more sustainable to release part of the land for residential and mixed use. This is a position which is reflected within the emerging Delivery and Allocations Local Plan (DALP) and associated proposals map which proposes to allocate the land for the north part of the site for residential use, allowing the central part for

mixed uses, whilst retaining some employment land in the southern part closest to the M56.

Based on the evidence put forward by the applicant and the level of demand for out of town offices, the proposal represents a more realistic approach that would help secure a deliverable amount of employment land, alongside new housing. The mix of local centre uses would also provide complementary services to the existing and future occupiers of the business park, helping to attract new occupiers and retain existing ones, these are considered to be significant material consideration. Consequently, despite being allocated for employment development in the UDP and Core Strategy, the application should not be refused on the grounds of retaining the entire site for employment use any further.

## 6.2 Layout, Scale and Appearance

The application has been submitted in outline, and seeks to establish the principle of a mixed use development comprising up to 350 dwellings, up to 2,000sq.m of local centre uses consisting of Use Classes A1, A2, A3, A4 and D1, and up to 30,000sq.m of employment Use Class B1.

The layout, scale and appearance are reserved for future consideration, however the applicant has provided a number of plans including a parameters plans, an illustrative layout plan, and an illustrative framework plan. These show how the applicant proposes to separate the site into three distinctive areas, including residential to the north of Red Brow Lane, mixed residential and local centre uses in the middle, and employment (B1) uses in the southernmost part of the site.

The submitted plans also illustrate how the internal roads, footpaths and general circulation routes could be laid out, as well how areas of public open space could be integrated into the layout of the different areas. These plans are only intended to demonstrate the suitability of the amount of development being sought. The layout would not be restricted to that shown on the indicative layout.

A suitable detailed layout for the site is something which would need to be demonstrated through a reserved matters application. The scale and appearance of the proposed buildings is also something that would also be considered as part of a reserved matters application.

The submitted illustrative plans provide enough information to demonstrate that the development is acceptable in principle. The final design to be submitted reserved matters will need to demonstrate, and that layout, scale and appearance of the development meet the relevant design standards contained within the Design of New Residential Development SPD, Design of New Industrial and Commercial Development SPD, Shop Fronts, Signage and Advertising SPD and Policies BE1, BE2 and H6 of the Halton UDP and CS18 of the Halton Core Strategy.

### 6.3 Highways and Access

The application has been submitted with a Transport Statement to support the proposal, as well as plans detailing the location and geometry of the proposed access from the Daresbury Park roundabout to the east of the site. These have been provided. The illustrative layout and framework plans show how the internal roads, pedestrian and cycle routes could be laid out and connect into the surrounding networks.

Based on the information that has been provided, including the details of the primary access from the Daresbury Park roundabout, the Highway Officer is satisfied that the site is accessible, and that the proposed access arrangements will cater for the number of anticipated movements generated by the development. Sufficient space would also be set aside within the site to allow for it to be suitably serviced, whilst providing the required number of car parking spaces for each of the proposed uses. The Highway Officer does note that improvements would need to be made to the illustrative layout to promote better connectivity to adjoining sites. However, at this stage they are only indicative, the final design and layout of the highway and circulation routes would be considered as part of a reserved matters application.

A financial contribution towards sustainable transport improvements is also recommended. This would include improvements to bus services in the area which is considered necessary to ensure new residents and occupiers of the site have access to public transport, and to promote more sustainable modes of travel other than the private motor vehicle.

The Highway Officer also recommends that the reserved matters and conditions make provision for and secure the implementation of secure cycle parking, electric vehicle charging points, parking provision and a construction management plan.

Representations have been received from an adjoining land owner and numerous anglers, raising concerns that the proposed development would prevent or hinder access to the agricultural fields either side of the site, and access to the canal if Red Brow Lane were to be closed to vehicles. As they need to bring farming machinery to the fields, and anglers need to park near the canal.

In light of the above concerns the application has been amended, and it is no longer proposed to close off Red Brow Lane. Whilst a new junction would be required on Red Brow Lane to allow for the connectivity between the north and southern parts of the site, this will be designed to ensure that access to adjoining sites and to the canal is not affected. The final construction details of this would need to be submitted and approved at the reserved matters stage.

Based on all the above, the proposed development is considered to be acceptable from a highways, transportation and accessibility perspective. It accords with Policies BE1, TP6, TP7, TP12, TP14, TP15, TP17 and TP18 of

the Halton Unitary Development Plan and Policy CS15 of the Halton Core Strategy Local Plan.

#### 6.4 Network Rail

Network Rail (NR) have raised concerns in relation to additional footfall and associated risk on Norton Level Crossing. They have provided an assessment of three options, including its closure and diversion, the provision of a pedestrian overbridge, or a new underpass. Due to land ownership, physical constraints and cost implications, NR consider these three options prohibitive, and have deemed the risk at the existing crossing to be as low as is reasonably practicable. Therefore, they have recommended closure of the crossing.

The pedestrian and cycle route at Norton Crossing is identified in figure 12 of Policy CS11 in the Halton Core Strategy, it forms part of the adopted strategy for connecting east Runcorn to surrounding areas. Therefore, its closure would be inconsistent with CS11. It is acknowledged that there is likely to be an increase in crossings because of the new residential development, and the Council is committed to investigating improvements and provide safe links to surrounding communities. However, this is considered to be a long term issue, to be addressed as new development within the wider east Runcorn area comes forward.

As part of this proposal a financial contribution is recommended, this will provide opportunities to deliver improvements to connectivity and public rights of way, including safe routes across the railway. This is considered to be in accordance with Policy CS11 of the Core Strategy and paragraph 108 of the NNPF.

The maintenance and safety of the level crossing is the responsibility Network Rail. The Council can make a decision in favour of the development in accordance with the NPPF paragraph 11 as in this regard, it accords with an up to date development plan, and there are no material considerations to indicate otherwise.

#### 6.5 Flood Risk and Drainage

The application site is less than 1ha in area, and located in Flood Zone 1 which is shown to have a low fluvial, tidal flood risk on the Environment Agency Long Term Flood Risk Maps, with less than 1:1000 annual probability of sea or river flooding.

As the application site is over 1 hectare and proposal would introduce a more vulnerable residential use onto the site the applicant has provided a drainage and flood risk report in support of the proposals to demonstrate how surface water drainage could satisfactorily be addressed.

The flood risk and drainage report makes recommendations for mitigation against the risk of surface water flooding, and recommended the use of Sustainable Urban Drainage where possible.

The LLFA is satisfied the applicant has considered flood risk and drainage from the site appropriately for an outline application. As the drainage strategy has not been finalised, the LLFA recommended conditions for the submission of a final detailed strategy based on the SUDS hierarchy, including its implementation, maintenance and management, and verification of the scheme.

Based on the above, and subject to the relevant conditions the proposal is considered to be acceptable from a flood risk and drainage perspective in compliance with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

#### 6.6 Noise, Vibration and Air Quality

The applicant has supplied a noise assessment report to support the application. The report assesses the potential impact from the construction phase and its impact on existing dwellings, as well as the noise impact from the surroundings on the operational phase.

The report concludes that during the construction phase acceptable noise levels based on the standards (BS5228-1:2009) can be achieved across most of the site. Although in the northern part near Crows Nest, mitigation measures would be required. Given the temporary nature of the construction works, this can be satisfactorily addressed by a conditions requiring a mitigation plan and hours of construction work. The report also concludes that the vibration impact from construction activities and traffic during the construction phase would be negligible.

In terms of the operational phase, the report concludes that the impact of additional traffic generated by the development would be negligible in acoustic terms.

With regards to the new dwellings, the indicative layout plan shows that these would be located to the north of the site, separated from the M56 by the proposed local centre uses which would be located centrally, and the B1 uses which would be closest to the motorway. All residential properties would need to meet the relevant standards (BS8233:2014) internally with the windows open at the point of occupation.

The Environmental Health Officer notes that this cannot be reliant on the commercial buildings to the south of the proposed dwellings acting as an acoustic screen as there is no guarantee in which order the site would be built out. Therefore a further noise report would be required to demonstrate the

above standard can be met. Given the proposal is outline it is reasonable for this matter to be dealt with by way of condition.

The Environmental Health Officer would have some concerns if the commercial units were to be used for general industry (B2) or storage and distribution (B8) as these uses could have the potential to generate greater noise, as further details would be required on the end users. However, the employment uses proposed in this application are only Use Class B1 (office, light industrial, research and development). Therefore any future B2 or B8 uses would need be assessed in a separate application.

The submitted air quality report recognises that there will be the potential for some dust generation during construction, but that it will present a low risk to human health. Given the size of the site, and potential proximity of dwellings during construction it is recommended that a scheme for dust mitigation is conditioned. This could form part a construction environmental management plan. The air quality report also concludes that during the sites operation the additional traffic would have a negligible impact on air quality.

Based on the above, subject to approval of the final design and conditions the proposal is considered acceptable from a noise, vibration and air quality perspective in compliance with Policies BE1 and PR8 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

#### 6.7 Ground Contamination

The application is accompanied by a geo-environmental desk study report (JPG Ltd, June 2020). This has been reviewed by the Contaminated Land Officer who notes that the land is largely undeveloped as far as historical records show, with the exception of a number of small buildings that were located in the southern part of the site, and some areas of quarrying. He also notes there was a world war two anti-aircraft battery sited at Red Brow which will need to be considered as part of further site investigation.

Given that the application is outline, no objection has been raised subject to a condition being attached which for further detailed site investigation, assessment, and if necessary, a remediation strategy, securing of its implementation, and provision of a verification report to ensure that any ground contamination is dealt with appropriately.

The attachment of the condition above will ensure compliance with Policy PR14 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

## 6.8 Ecology & Geological Conservation

The application site consists predominantly of previously undeveloped land agricultural fields bound by mature hedgerow in the northern part, and unmanaged grassland and trees in the southern part of the site. It is located approximately 6.5km from the Mersey Estuary which is internationally designated for protection as a Special Protection Area (SPA) and is also designated as a Ramsar for its importance as a unique wetland types and importance in conserving biological diversity.

The applicant has submitted a Habitats Regulations Assessment (HRA) report. The report concludes no impacts on the protected site as a result of the loss of habitat for qualifying bird species, and that there would be no likely significant effects on the European site as a result of recreational pressures impacts.

The application has also been submitted with a number of ecological surveys and reports including birds, bats, reptiles, badgers and great crested newts. These are considered to be acceptable and conditions are recommended to secure protection of nesting birds, bats, badgers and hedgehogs. As well as the provision of birds nesting boxes, a landscaping details, biodiversity management plan, and the submission of a Construction Environmental Management Plan (CEMP).

Merseyside Environmental Advisory Service have no objections subject to conditions in relation to this mitigation, a construction environmental management plan. The proposal is therefore considered to comply Policies GE21 of the Halton Unitary Development Plan and Policy CS20 of the Halton Core Strategy Local Plan.

Red brow lane passes through a cutting, this is a located adjacent to the northern boundary of the southern part of the site. Red Brow cutting is a Site of Special Scientific Interest ('SSSI'), designated for its geological interest. Natural England have been consulted as a statutory consultee in respect of this matter, conditions are recommended for a scheme to ensure that the integrity of the SSSI is protected during the construction works.

## 6.9 Trees and Landscaping

The application is accompanied by an Arboricultural Impact Assessment. The majority of trees within the site are located within the southern part of the site south of Red Brow Lane. There are no Tree Preservation Orders in force at this site and the area does not fall within a designated Conservation Area, therefore do not benefit from statutory protection.

Clearly a substantial amount of trees in the southern part of the site, many which would appear to be self-seeded, would be removed. However, the proposals contained within the Design and Access Statement and supporting Illustrative layout plan comprise brief descriptions of the proposed development. At this stage there is insufficient information to comment in detail on the any quality of landscape design elements, or any existing trees or landscaping that would benefit from being integrated into the scheme. The Council's Landscape Architect has provided guidance and will assess the landscaping design at reserved matters stage.

A planning condition would ensure that the proposed landscaping scheme would adequately compensate for the loss. In respect of the trees to be retained, a tree protection method statement has been submitted, and its implementation should be secured by condition.

Based on the above, the proposal is considered acceptable from a tree perspective in compliance with Policies BE1 and GE27 of the Halton Unitary Development Plan and Policy CS21 of the Halton Core Strategy Local Plan.

#### 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.

The indicative plans submitted with the application show that there is potential within the site for onsite public open space provision. However, given that the proposal is in outline and the layout and landscaping are to be reserved, the amount or type of any onsite provision is yet to be finalised.

Planning conditions will ensure that any onsite provision is adequately landscaped and maintained, whilst any outstanding deficiencies would be met through a financial contribution in lieu of on-site provision. It is recommended that the financial contribution be secured by Section 106 agreement.

Based on the above, it is considered that the proposal would meet the local needs of the people living there, with regards to open space provision. It would also be in compliance with Policy H3 of the Halton Unitary Development Plan.

#### 6.11 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 policy states affordable housing will be sought at 25% of the total residential units proposed. The affordable housing contribution may only be reduced where robust and credible evidence is provided to demonstrate that the affordable housing target would make the development unviable.

Given that the application is outline and the details are yet to be confirmed, it is considered that the tenure of the properties could also be deferred to reserved matters stage when the scheme is finalised.

Therefore, it considered reasonable to attach a condition which secures the submission of a scheme, its subsequent implementation and maintenance thereafter. For the avoidance of doubt and in accordance with the Council's adopted Affordable Housing SPD.

Subject to securing affordable housing in the S106, the proposal is considered to be compliant with Policy CS13 of the Halton Core Strategy Local Plan and the Affordable Housing Supplementary Planning Document.

#### 6.12 Archaeology

The Council's Conservation Advisor has been consulted on the application, and has advised that archaeological deposits within the proposed development area include two WWII aircraft features and the township boundary which runs west to east through the centre of the PDA before turning north to south at the east of the site. Each of these archaeological features will require works in order to identify and record any surviving below ground remains.

It is recommended that the suggested archaeological work be secured by condition to ensure that the proposal is compliant with Policy BE5 of the Halton Unitary Development Plan, Policy CS20 of the Halton Core Strategy Local Plan and paragraphs 189-192 of NPPF.

#### 6.13 Sustainable Development and Climate Change

Policy CS19 of the Halton Core Strategy Local Plan outlines some principles which will be used to guide future development. The NPPF is supportive of the enhancement of opportunities for sustainable development and it is considered that any future developments should be located and designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles.

The incorporation of facilities for charging plug-in and other ultra-low emission vehicles could be realistically achieved for this development. A condition is recommended to secure this.

One of the principles referred to in the policy is Code for Sustainable Homes. Whilst it is desirable to meet such a standard, given links with Sustainable Development and Climate Change, following the Government's Written

Ministerial Statement in March 2015, it is no longer for Local Authorities to secure the implementation of a particular level of Code for Sustainable Homes by planning condition. Based on the above, the proposal is considered compliant with Policy CS19 of the Halton Core Strategy Local Plan.

#### 6.14 Waste Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, the developer would be required to produce a Site Waste Management Plan which can be secured by condition. In terms of waste management, the application is outline, so details relating to household, commercial and industrial waste storage and collection will be required at reserved matters stage, which can also be secured by condition.

#### 6.15 Other Matters

The designing out crime officer at Cheshire Police has commented on the application. The area is generally low in crime, and whilst no objections are made, recommendations for the detailed design have been made and the applicant is asked to consider providing robust perimeter fencing between the industrial and residential areas, the need to consider natural surveillance and location of car parking areas to avoid anti-social behaviour, the use of 1.8m high close boarded fencing to rear of residential properties, try to avoid blank gables on end properties for natural surveillance. As well a more general recommendations in relation to the standard of windows and doors. They would also welcomed a Secured by Design Application from the developers.

SP Energy Networks operate and manage the electricity network on behalf of the licenced network operator for the area. They have reviewed the application and are satisfied that the proposed development does not undermine the existing overhead power lines which cross the site. They do however note that some buildings on the indicative plans do come within close proximity to the overhead lines. The final design will need to ensure that the statutory clearances between any new buildings and overhead lines are met. A copy of these comments have been provided to the applicant, to ensure this matter is addressed at the detailed design stage. An informative providing the operators contact details is also recommended.

### 7. CONCLUSIONS

In conclusion, the level of demand for out of town offices in the area has significantly reduced in recent years. The applicant's proposal represents a more realistic approach to developing out the remaining parts of Daresbury

Park. The mix of residential and local centre uses would act as a catalyst for the development of the rest of Daresbury Park.

The proposal would provide complementary services to support the retention of existing occupiers, attract new ones, and help to secure a deliverable amount of employment land to meet future needs. These are considered to be significant material considerations.

The proposal is in outline with layout, scale, appearance and landscaping matters reserved for future determination. The applicant has provided enough information to demonstrate that a scheme of up to 350 dwellings, the local centre and employment floor space proposed can be designed and accommodated within the site. There is sufficient space within the site to accommodate the Council's standards for new residential and commercial development in the final design.

The details of the primary access point to site from Daresbury Park are considered to be acceptable. The final layout at reserved matters stage will ensure suitable circulation and connectivity for motor vehicles, pedestrians and cyclists routes, and that there is sufficient levels of car parking to serve the development.

Although the proposal is a departure from Policy E1 of the Halton Unitary Development Plan, it is considered to be sustainable development consistent with the economic, social and environmental roles of sustainable development outlined in paragraph 8 of the NPPF.

Consequently, despite being allocated for employment development in the UDP and Core Strategy, the application should not be refused on the grounds of retaining the entirety of the site for employment use any further.

## **8. RECOMMENDATION**

That the application is approved subject to the following:

**a) The entering into a Legal or other agreement relating to a financial contribution in lieu of on-site open space provision; financial contribution towards the improvement of public rights of way including railway crossing; and financial contribution towards sustainable transport improvements.**

**b) Conditions relating to the following:**

1. Standard outline conditions for the submission of reserved matters applications (BE1)
2. Condition setting out the parameters of the permission including number of dwellings, permitted uses and floor space (BE1).
3. Condition for a phasing plan (BE1)

4. Plans condition listing relevant drawings i.e. site location / red edge, access details (BE1 and TP17)
5. Submission and agreement of a submission of a construction environmental management plan which will include, dust mitigation wheel cleansing details, hours of construction and deliveries (BE1)
6. Submission of ground investigation report, mitigation measures and validation (PR14 and CS23)
7. Submission of existing and agreement of proposed site levels ( BE1)
8. Submission and agreement of external facing materials (BE1 and BE2)
9. Condition(s) for the submission and agreement of boundary treatments, landscaping, management and maintenance (BE1 and BE22)
10. Condition(s) for tree report and protection measures (GE27)
11. Conditions(s) for breeding birds protection and bird nesting boxes scheme (GE21 and Policy CS20)
12. Condition(s) securing the protection and mitigation measures for bats (GE21 and Policy CS20)
13. Condition(s) for badger and hedgehog reasonable avoidance measures (GE21 and Policy CS20)
14. Method statement for the irradiation of invasive species (GE21 and CS20)
15. Submission of a biodiversity action plan (GE21 and CS20)
16. Electric Vehicle Charging Points Scheme (CS19)
17. Condition(s) for parking, access and servicing provision (BE1, TP6, TP7, TP12, TP15 and TP17)
18. Submission of noise report (PR2)
19. Drainage strategy based on the SUDS hierarchy, including its implementation, maintenance, management, and verification of the scheme (PR16 and CS23)
20. Foul and surface water on a separate system (PR16 and CS23)
21. Waste Audit – (WM8)
22. Submission and implementation of a scheme for archaeological work (CS20)
23. Provision of affordable housing (CS13)

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. BACKGROUND PAPERS**

The submitted planning applications are background papers to the report. Other background papers specifically mentioned and listed within the report are

open to inspection at the Council's premises at Municipal Building, Kingsway, Widnes, WA8 7QF in accordance with Section 100D of the Local Government Act 1972

## **10. SUSTAINABILITY STATEMENT**

As required by:

- The National Planning Policy Framework (2019);
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 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.