

<b>APPLICATION NO:</b>	21/00001/FUL
<b>LOCATION:</b>	Former Greenoaks Farm Industrial Estate, Warrington Road, Widnes, Cheshire, WA8 0SY.
<b>PROPOSAL:</b>	Proposed erection of three storey 20 bed specialist unit and 2 no. two storey 4 bed step down houses with associated parking and site improvements.
<b>WARD:</b>	Halton View
<b>PARISH:</b>	None
<b>APPLICANT:</b>	Mr David Wormald, Care Developments (North West) Ltd, Suite 10, 2 <sup>nd</sup> Floor Britannia House, St Georges Street, Douglas, Isle of Man, IM1 1JD.
<b>AGENT:</b>	Condy & Lofthouse Ltd, 17 Connect Business Village, 24 Derby Road, Liverpool, L5 9PR.
<b>DEVELOPMENT PLAN:</b>  Halton Unitary Development Plan (2005)  Halton Core Strategy (2013)  Joint Merseyside and Halton Waste Local Plan (2013)	<b>ALLOCATIONS:</b>  Primarily Residential Area – HALTON UNITARY DEVELOPMENT PLAN PROPOSALS MAP
<b>DEPARTURE REPRESENTATIONS:</b>	No.
<b>KEY ISSUES:</b>	Development in a Primarily Residential Area, Requirement for Residential Care Accommodation, Design, Amenity, Access, Parking and Servicing.
<b>RECOMMENDATION:</b>	Grant planning permission subject to conditions.
<b>SITE MAP</b>	



## **1. APPLICATION SITE**

### **1.1 The Site**

The site subject of the application is the Former Greenoaks Farm Industrial Estate located on Warrington Road in Widnes. The application site is 0.3ha in area and is designated as Primarily Residential Area on the Halton Unitary Development Plan Proposals Map.

The character of this area has changed in recent years and the site is now bounded by residential development on all sides.

The Council submitted the Submission Delivery and Allocations Local Plan to the Planning Inspectorate (DALP) for independent examination on 5th March

2020. This will replace the existing Unitary Development Plan Proposals Map in due course. This proposes to designate the site as a Residential Allocation – W31. This is now a material planning consideration, however at this point carries very little weight in the determination of this planning application.

## 1.2 Planning History

The site has some planning history as set out below:

08/00026/FUL - Proposed residential development comprising 10 No. semi-detached dwellings and 2 No. detached dwellings – Granted 07.03.2008.

08/00217/FUL - Proposed construction of three storey residential home for the elderly – Granted 10.06.2008.

11/00200/FUL - Application for a new planning permission to replace extant planning permission 08/00217/FUL, for proposed construction of three storey residential home for the elderly – Granted 13.09.2011.

14/00166/DEM - Proposed demolition of Industrial buildings – Granted 21.05.2014.

14/00269/S73 - Application under Section 73 of the Town and Country Planning Act to vary condition no.2 of Planning Permission 11/00200/FUL to replace approved drawings B09/0738-01 Rev B, 0738-02 Rev A, 0738-03 Rev B, 0738-04 Rev B, 0738-05 Rev A, 0738-06 Rev A, by amended drawings B09/0738-01 Rev C, 0738-02 Rev B, 0738-03 Rev C, 0738-04 Rev C, 0738-05 Rev B & 0738-06 Rev B to incorporate amendments to parking layout, internal alterations and additional/repositioned windows on NW, NE and SE elevations – Granted 10.09.2014.

## **2. THE APPLICATION**

### 2.1 The Proposal

Proposed erection of three storey 20 bed specialist unit and 2 no. two storey 4 bed step down houses with associated parking and site improvements.

### 2.2 Documentation

The application is accompanied by the associated plans in addition to a Design and Access Statement, Preliminary Ecological Appraisal, Phase 2 Site Investigation Report, Arboricultural Impact Assessment with Tree Protection Measures, Drainage Statement, Foul and Surface Water Drainage Design Strategy, Demand Study, Framework Travel Plan, Transport Statement and a Construction Management Plan.

## **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**

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

The site is designated as Primarily Residential Area on the Halton Unitary Development Plan Proposals Map.

The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- BE22 Boundary Walls and Fences;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodland;
- H4 Sheltered Housing;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP1 Public Transport Provision as Part of New Development;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;
- TP14 Transport Assessments;
- TP16 Green Travel Plans;
- TP17 Safe Travel for All.

### **3.2 Halton Core Strategy (2013)**

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

- CS1 Halton's Spatial Strategy;
- CS2 Presumption in Favour of Sustainable Development;
- CS3 Housing Supply and Locational Priorities;
- CS12 Housing Mix;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS20 Natural and Historic Environment;
- CS23 Managing Pollution and Risk.

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

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

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

## **MATERIAL CONSIDERATIONS**

Below are material considerations relevant to the determination of this planning application.

### 3.4 Halton Borough Council – Design of Residential Development Supplementary Planning Document

### 3.5 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in July 2021 to set out the Government’s planning policies for England and how these should be applied.

#### Achieving Sustainable Development

Paragraph 7 of the NPPF states that *the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.*

Paragraph 8 states that *achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

*a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*

*c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

Paragraph 9 states that *these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.*

Paragraph 10 states so that *sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.* As set out in paragraph 11 below:

#### The Presumption in Favour of Sustainable Development

Paragraph 11 states that *for decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

#### Decision-making

Paragraph 38 states that *local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*

#### Determining Applications

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

### 3.6 Other Considerations

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the

home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

**4. CONSULTATIONS SUMMARY – FULL RESPONSES CAN BE LOCATED AT APPENDIX 1.**

4.1 Highways and Transportation Development Control

No objection to the proposed development subject to conditions.

4.2 Lead Local Flood Authority

Object to the proposed development.

4.3 Contaminated Land Officer

No objection to the proposed development subject to a condition.

4.4 Environmental Protection

No objection to the proposed development subject to conditions.

4.5 Open Spaces

No objection to the proposed development.

4.6 Public Health

No observations received.

4.7 People Directorate

No high demand for this kind of provision within Halton but does not preclude either a potential future need or demand from outside of the borough.

4.8 Environment Agency

No observations received.

4.9 Merseyside Environmental Advisory Service – Ecology and Waste Advisor

No objection to the proposed development subject to conditions.

4.10 Natural England

No objection to the proposed development.

4.11 Cheshire Police

No objection to the proposed development.

#### 4.12 United Utilities

No objection to the proposed development subject to conditions.

### **5. REPRESENTATIONS**

5.1 ORIGINAL CONSULTATION - The application was advertised by a press advert in the Widnes and Runcorn Weekly News on 14/01/2021, three site notices posted in the vicinity of the site on 07/01/2021 and a total of one hundred and thirty three neighbour notification letters sent on 07/01/2021 and 15/01/2021.

5.2 FURTHER CONSULTATION ON AMENDED SUBMISSION - The application was advertised by a press advert in the Widnes and Runcorn Weekly News on 03/06/2021, two site notices posted in the vicinity of the site on 27/05/2021 and one hundred and thirty three neighbour notification letters sent on 26/05/2021.

5.3 A total of eight representations have been received from the publicity given to the application. A summary of the issues raised in the representations are below:

- What is the intended use of this specialist unit?
- It is the wrong location for such a facility adjacent to family housing.
- No reference made to the properties on Vineyard Way in relation to separation.
- The height / massing of the building would block sunlight and compromise privacy.
- The development will meet a local need, however it should only meet the identified needs of Halton and not that of other authorities.

#### 5.4 Ward Councillor Representations:

Cllr Rob Polhill – Concerns over parking the area is built up and busy. Concerns of how this would affect surrounding roads

Cllr Louise Whitley – Concerns of parking and refuse and that this would affect surrounding roads. As there are staff, visitors and large amount of new residential in the area.

Cllr Tom McInerney – Concern as to the future use for the building and the need for the facility.

### **6. ASSESSMENT**

#### 6.1 Residential Development in a Primarily Residential Area



The site is designated in the Halton Unitary Development Plan as a Primarily Residential Area. Whilst the last use of the site was not for residential purposes, it is noted from the planning history set out at 1.2 that there has been previous permissions for residential development on this site. As noted in the site description, the surrounding area has become more residential in nature in recent years. As noted at 1.1, the site is a proposed Residential Allocation in the Submission Delivery and Allocations Local Plan, however this carries very little weight at this point.

In conclusion, it is considered that a residential development would be sympathetic to surrounding land uses which includes family housing and the principle of development is acceptable.

## 6.2 Housing Supply and Locational Priorities

Policy CS3 of the Halton Core Strategy Local Plan states that a minimum of 9,930 new additional homes should be provided between 2010 and 2018 to ensure an adequate supply of suitable housing for the Borough's existing communities and to accommodate projected growth in the Borough's population.

This proposal would deliver new residential accommodation on a previously developed site in a sustainable location.

The proposal would be in compliance with Policy CS3 of the Halton Core Strategy Local Plan.

## 6.3 Housing Mix

This proposal is for the erection of three storey 20 bed specialist unit and 2 no. two storey 4 bed step down houses. The Design and Access Statement states that the accommodation would be focused on autism and challenging needs with the 2no. step down houses falling within Use Class C3(b) and the three storey 20 bed specialist unit falling within Use Class C2.

Policy CS12 of the Halton Core Strategy Local Plan relates to Housing Mix. It states that proposals for new specialist housing for the elderly, including extra-care and supporting accommodation will be encouraged in suitable locations, particularly those providing easy access to local services and community facilities. The policy also goes on to state that there will be a presumption against further Residential Care Accommodation resulting in or exacerbating an oversupply.

The applicant has submitted a Demand Study to accompany their planning application. This states that there is a need for such a facility in Halton. The site is in a sustainable location in relative close proximity to Widnes Town Centre and is accessible to local services and facilities.

A Ward Councillor has stated that it is his understanding that there is no call for such a facility. The comments from the Council's Peoples directorate is that at the current moment in time the analysis of the needs of Halton residents does not point to high demand for this kind of provision and is unlikely to feature in our demographic but that does not preclude either a potential future need or demand beyond Halton

The policy test is that there will be a presumption against further Residential Care Accommodation resulting in or exacerbating an oversupply and based on what evidence has presented in this regard, it is not considered that a refusal can be sustained on these grounds.

One of the representations states that this development should only meet the identified needs of Halton and not that of other authorities. Who would reside at the facility is a management issue rather than something which the Local Planning Authority would directly control. The suitability of the land uses proposed is the consideration with this planning application.

On the basis of the evidence provided by the applicant and there being no evidence to show that approval of the application would cause an exacerbated oversupply there is no reason to conclude that the development is contrary to policy CS12

The proposal is therefore considered to be in compliance with Policy CS12 of the Halton Core Strategy Local Plan.

#### 6.4 Highways, Transportation and Accessibility

The application is accompanied by a Transport Statement and a Framework Travel Plan. The Highway Officer has noted that the principle of residential use on the site was considered acceptable as the site benefits from good links to sustainable modes of travel.

The latest layout has addressed previous concerns with regards to level of parking provision and site layout and now shows 31 car parking spaces on site with additional space for motorcycles and improved pedestrian access and routing.

The Highway Officer has noted that although the 31 spaces is lower than desirable (3 spaces below the current UDP maximum) on balance they do not consider that an objection to the proposed development could be sustained.

Suitable provision has been made for disabled bays and 2 number bays are marked from the charging of EV vehicles. In terms of promoting the use of bicycles as a sustainable mode of travel the applicant has increased on site provision to an acceptable level.

The existing access point does not meet current standards in terms of pedestrian provision and therefore the proposed changes would need to include dropped kerbs and tactile paving.

The Highway Officer has requested that a condition be attached securing the submission of a construction management plan. This is an issue for the applicant to manage accordingly and it is considered reasonable to deal with this by way of an informative relating to the Considerate Contractors Scheme.

It is however considered reasonable to attach conditions which secure the implementation and maintenance of the car parking and servicing, cycle parking, electric vehicle charging provision, visibility splays, framework travel plan and associated off-site highway works.

Based on all the above, the proposed development is considered to be acceptable from a highways perspective in compliance with Policies BE1, TP1, TP6, TP7, TP9, TP12, TP14, TP16 and TP17 of the Halton Unitary Development Plan.

## 6.5 Flood Risk and Drainage

The application is accompanied by a Flood Risk Assessment and a Drainage Design Strategy which has been reviewed by the Lead Local Flood Authority.

The site is only 0.3ha in area, located in Flood Zone 1 (low probability of flooding) and not within a Critical Drainage Area. On this basis, a Flood Risk Assessment was not a requirement with this application.

The Lead Local Flood Authority consider that the applicant has adequately assessed the site with regards to the drainage hierarchy and that discharge to combined sewer is the only realistic option for surface water runoff, however they have raised an issue regarding flow rates on which they object to the application. Whilst United Utilities do not object to the proposed development, they make clear in their observations that they are not responsible for advising on rates of discharge to the local watercourse system and that this is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

The observations of the Lead Local Flood Authority are noted, however it is considered that a satisfactory solution can be reached and that this can be secured by condition. The suggested condition should also include implementation of the agreed scheme and its subsequent maintenance.

United Utilities have requested that a condition be attached stating the foul and surface water should be on separate systems which is considered reasonable.

The attachment of the suggested conditions would ensure that the proposal is 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

The application is not accompanied by a Noise Assessment, however the Environmental Health Officer notes that this is a brownfield site in a primarily residential area of the borough and is satisfied that the development can come forward in acceptable manner from a noise perspective and notes that the acoustic report for the adjacent recent residential development required a scheme of mitigation for the properties that faced out onto Warrington Road.

Based on the above, the Environmental Health Officer raises no objection to the proposed development subject to an acoustic assessment in respect of road traffic noise and implement any recommended mitigation measures accordingly to ensure that the sound levels specified in BS BS8233:2014 are met which can be secured by condition.

The Environmental Health Officer has also suggested a condition restricting construction hours which is considered reasonable.

Subject to the suggested conditions, the proposal is considered acceptable from a noise 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 Phase II Site Investigation Report.

This have been reviewed by the Contaminated Land Officer and they consider the report and its recommendations which include a remediation strategy to be acceptable. They advise that a condition should be attached which secures the implementation of the remediation strategy and the submission of a verification report on completion of the works.

The attachment of the suggested 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

The application is accompanied by a Preliminary Ecological Appraisal.

Firstly considering Protected National and International Sites, the Council's Ecological Advisor has considered the proposals and the possibility of likely significant effects using the source-pathway-receptor model and advises that there is no pathway for the reasons set out in the consultation response and that the proposals do not warrant a detailed Habitats Regulations Assessment. Natural England have been consulted on this and consider that the proposed

development will not have significant adverse impacts on designated sites and raise no objection.

Secondly considering Protected Species, habitats on site and adjacent to the site may provide foraging and commuting habitat for bats and a condition securing a lighting scheme which protects ecology has been suggested. Records of amphibians such as common toad, common frog and palmate newt have been made within 1km of the application site and on this basis, a reasonable avoidance measures condition during the construction phase is suggested. The proposed development will result in the loss of habitat suitable for breeding birds. Conditions securing protection during breeding bird season and the installation of bird boxes is suggested. The habitats on site and within the surrounding area are suitable for terrestrial mammals such as hedgehog, a reasonable avoidance measures condition during the construction phase is suggested.

Thirdly considering Invasive Species, it is noted that Japanese Knotweed is present along the eastern boundary and within the north eastern corner of the application site. A method statement securing the information outlined in the Council's Ecological Advisor's observation in Appendix 1 should be secured by condition along with a condition which secures the submission of a validation report.

Subject to the attachment of the suggested conditions, the proposal is acceptable from an Ecology perspective compliant with Policies GE21 of the Halton Unitary Development Plan and Policy CS20 of the Halton Core Strategy Local Plan.

## 6.9 Trees

The application is accompanied by an Arboricultural Impact Assessment with Tree Protection Measures.

There are no Tree Preservation Orders in force at this site and the area does not fall within a designated Conservation Area.

The proposal would result in the loss of the existing trees located on the site, however it is considered that a replacement planting scheme would mitigate for their loss. An indicative scheme is shown on the site plan, however the submission of a detailed scheme, its implementation and maintenance should be secured by condition.

For the existing trees which are to be retained, it is considered reasonable to attach a condition which secures appropriate tree protection measures throughout the construction phase.

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 Layout

The proposed site layout is considered to provide active frontages, appropriate relationships with existing dwellings in the locality and sufficient parking provision.

The layout provides separation in accordance with the privacy distances for residential development set out in the Design of Residential Development Supplementary Planning Document.

Existing site level details have been provided and it is considered that an acceptable scheme having regard for the site's topography can be achieved. A condition securing the submission of proposed site levels and their subsequent implementation is suggested.

With regard to private outdoor space, it is considered that reasonable private garden space for use by the residents is provided for the specialist accommodation proposed.

It is noted that the surrounding area includes a variety of property types including terraced houses, semi-detached houses and apartment blocks. It is considered that the proposed development would have regard for and respect the site surroundings.

The site plan details an appropriate range of boundary treatments according to their location within the scheme. A condition is suggested which secures the implementation and subsequent maintenance.

The layout of the proposed development is considered to be acceptable and compliant with Policies BE1, BE2 and H4 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

#### 6.11 Scale

The main building would be a partly two storey and partly three storey in height. The proposed step down houses would be two storey in height. Having regard

for the scale of the buildings in the surrounding area and are considered acceptable in respect of scale.

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

#### 6.12 Appearance

The elevations show that buildings proposed would be of an appropriate appearance with some variety in materials to add interest to the overall external appearance. The submission of precise external facing materials should be secured by condition along with implementation in accordance with the approved details.

This would ensure compliance with Policies BE 1 & BE 2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

#### 6.13 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 proposed development includes two dwellings which would fall within Use Class C3(b) and the consideration of affordable housing is therefore relevant. As the proposal is below the threshold of 10 or more dwellings, there is no affordable housing requirement with this scheme.

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

#### 6.14 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.

As acknowledged in 6.13 above, the proposed development includes two dwellings and the consideration of recreational greenspace is relevant. 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.

The supporting text for Policy H3 states that “in the case of sheltered housing and special needs housing, developers will be required to provide reasonable private garden space for use by the residents in compliance with Policy H4”. As set out at 6.10, this proposal is considered to provide reasonable private garden space for the residents.

#### 6.15 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.

NPPF states that to further enhance the opportunities for sustainable development 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 can be realistically achieved for a development of this nature and the applicant is proposing to introduce two parking spaces which would be served by such provision. It is suggested that a condition is attached securing the submission of precise details of the scheme, its implementation and maintenance.

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.

The proposal is compliant with Policy CS19 of the Halton Core Strategy Local Plan.

#### 6.16 Crime Reduction

Policy BE1 (2)(e) of the Halton Unitary Development Plan states that development must be designed in such a way that minimises the fear and risk of crime.

Cheshire Constabulary have made observations on the proposal predominantly relating to the detailing of the scheme for items which would not in themselves need planning permission. It is considered reasonable to attach an informative setting out the observations received for the applicant to consider.



In general layout terms, the proposed development is designed in a manner which reduces the risk of crime and is considered acceptable in this regard in compliance with Policy BE1 (2)(e) of the Halton Unitary Development Plan.

#### 6.17 Waste Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application along with policy CS24 of the Halton Core Strategy Local Plan. In terms of waste prevention, construction management by the applicant will deal with issues of this nature and based on the development cost, the developer would be required to produce a Site Waste Management Plan. The submission of a waste audit should be secured by condition.

In terms of on-going waste management, there is sufficient space within the development to deal with this as demonstrated by the proposed site layout.

The proposal is considered to be compliant with policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan and policy CS24 of the Halton Core Strategy Local Plan.

#### 6.18 Planning Balance

Based on the above assessment, it is considered that the proposed scheme would not have an adverse impact that would outweigh its benefits through the delivery of residential accommodation on this last remaining vacant site in the locality in a manner which would be sympathetic to surrounding land uses. The proposed development would also create employment opportunities with the peak staffing number being 26.

When assessed against the policies in the NPPF taken as a whole, taking into account the details of the scheme and any material planning considerations, the proposal is thus sustainable development for which the NPPF and Policy CS2 of the Halton Core Strategy Local Plan carries a presumption in favour. As such, the proposal is considered to accord with national guidance in the NPPF and the Development Plan subject to appropriate planning conditions / obligations.

### 7. CONCLUSIONS

In conclusion, the proposal would deliver residential development in a Primarily Residential Area as defined by the Halton Unitary Development Plan. The character of the area has become more residential in recent years and this proposal is considered sympathetic to surrounding land uses. The development of this site would result in the only vacant site in the immediate locality being brought back to use in line with the desire to make effective use of previously developed land.

The question of need for the proposed development has been raised and whether the further Residential Care Accommodation would result in or exacerbate an oversupply. The details of this consideration are set out above and the proposal is considered to comply with policy.

The site's good links to sustainable modes of travel are noted and the latest layout shows 31 car parking spaces on site with additional space for motorcycles and improved pedestrian access and routing to the satisfaction of the Highway Officer.

The proposed site layout is considered to provide active frontages, appropriate relationships with existing dwellings in the locality. A reasonable private garden space for use by the residents would be provided and it is considered that an appropriate soft landscaping scheme including replacement tree planting can be achieved.

The application is recommended for approval subject to conditions.

## **8. RECOMMENDATION**

Grant planning permission subject to conditions:

## **9. CONDITIONS**

1. Time Limit – Full Permission.
2. Approved Plans.
3. Restriction on Use.
4. Submission of Proposed Site Levels (Policy BE1)
5. Submission of Facing Materials (Policies BE1 and BE2)
6. Submission of Soft Landscaping Scheme and subsequent maintenance (Policy BE1)
7. Implementation of Submitted Boundary Treatments Scheme and subsequent maintenance (Policy BE1)
8. Submission of Tree Protection Measures – (Policies BE1 and GE27)
9. Breeding Birds Protection – (Policy GE21 and Policy CS20)
10. Submission of Bird Boxes Scheme – (Policy GE21 and Policy CS20)
11. Reasonable Avoidance Measures - Amphibians– (Policy GE21 and Policy CS20)
12. Reasonable Avoidance Measures – Terrestrial Mammals – (Policy GE21 and Policy CS20)
13. Lighting Scheme to Protect Ecology – (Policy GE21 and Policy CS20)
14. Submission of Method Statement – Invasive Species – (Policy GE21 and Policy CS20)
15. Submission of Validation – Invasive Species – (Policy GE21 and Policy CS20)

16. Hours of Construction – (Policy BE1)
17. Electric Vehicle Charging Points Scheme (Policy CS19)
18. Submission of an Acoustic Assessment – (Policy PR8)
19. Implementation of Remediation Strategy and Submission of Validation Report - (Policy PR14 and Policy CS23)
20. Submission of Off Site Highway Works – (Policy BE1)
21. Provision & Retention of Parking and Servicing – (Policy BE1 and TP12)
22. Submission of a Cycle Parking Scheme – (Policy BE1 and TP6)
23. Implementation of Framework Travel Plan – (Policy TP16)
24. Submission of a Drainage Strategy – (Policy PR16 and Policy CS23)
25. Foul and Surface Water on a separate system – (Policy PR16 and Policy CS23)
26. Waste Audit (Policy WM8)

#### Informatives

1. Considerate Constructor Scheme Informative.
2. Cheshire Constabulary Informative.
3. United Utilities Informative.

### **10. 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

### **11. SUSTAINABILITY STATEMENT**

As required by:

- The National Planning Policy Framework (2021);
- 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.

### **APPENDIX 1 – FULL CONSULTATION RESPONSES**

#### **1.1 Highways and Transportation Development Control**

Further to your consultation we have considered the proposed application as the Highway Authority and would make the following representation;

It is noted that pre-application advice was given in August 2020 to set out the Highway Authorities position with regards to the development of the site.

It was agreed that the principal of residential use on the site was considered suitable benefitting from good links to sustainable modes of travel.

The Highway Authority were consulted on a full application in January of this year which raised concerns regarding layout and a significant issue with under provision of car parking.

Subsequent discussion was undertaken to with the LPA and the applicant to address the issues and the Highway Officer is pleased to see comments in terms of layout and car parking have largely been incorporated.

For clarity drawing 18-238-110 Rev F (site plan proposed) has been used by the Highway Officer for their considerations.

The proposed layout now shows 31 car parking spaces on site with additional space for motorcycles and improved pedestrian access and routing.

Although the 31 spaces is lower than desirable (3 below the current UDP maximum) on balance the Highway Authority do not consider an objection would be sustainable.

Suitable provision has been made for disabled bays and 2 number bays are marked from the charging of EV vehicles.

Details of the charging equipment will need to be submitted for approval and in line with our previous comments and additional 2 bays should be first fixed to allow for additional provision as demand increases.

In terms of promoting the use of bicycles as a sustainable mode of travel the applicant has increased on site provision to an acceptable level. Details of the final specification of provision should be submitted for approval or suitably conditioned.

The car parking spaces adjacent to the C3 dwellings to the North of the site have been amended as requested and the applicant proposes to relocate the existing pedestrian refuge island which was considered to be a road safety issue.

The existing access point does not meet current standards in terms of pedestrian provision and therefore the proposed changes would need to include dropped kerbs and tactile paving.

Works to the frontage including the access and relocation of the refuge island will require pre-commencement approval from the Highway Authority.

In terms of visibility and road safety the applicant has taken the Highway Officers concerns on board and increased the Southern splay to the requested 2.4m x 63m envelope.

A suitable landscaping/ planting scheme would need to be conditioned to deliver the above mentioned splays.

It is noted that the applicant has submitted additional information with regards boundary treatment which is acceptable to the Highway Authority.

In terms of conditions the Highway Officer would request that the following be applied to any permission.

1. Car parking laid out as per the approved plans and maintained for the life of the development.
2. EV charging equipment details to be provided for approval and provided prior to first occupation.
3. A scheme of offsite highway works including access and relocation of pedestrian refuge island be approved and implemented prior to first occupation.
4. Details of planting/ landscaping be submitted for approval.
5. Details of hard and soft landscaping be submitted for approval.
6. A CEMP be developed to manage construction in the interests of road safety.
7. Surface water drainage details submitted for approval.

## 1.2 Lead Local Flood Authority

After reviewing 21/00001/FUL planning application the LLFA has found the following:

- The site is 0.3ha, it is a vacant brownfield site following the demolition of industrial units.
- The proposed development is for a three storey 20 bed specialist unit and 2No. 4 bed step down houses with associated parking and site improvements. This is considered 'More Vulnerable' development by PPG. The development would increase the hardstanding area currently on site.
- The applicant has provided the following documents as a Flood Risk assessment for the site 'OTH\_2020-12-11 Clancy - Widnes - Drainage Design Strategy - Rev A(1).pdf. These show the site lies within Fluvial Flood Zone 1. The site is not located within a Critical Drainage Area as identified within the Halton Strategic Flood Risk Assessment and with the site being smaller than 1ha, a Flood Risk Assessment Report was not required.
- The documents show the closest watercourse to the site is an unnamed Ordinary Watercourse which runs along the A562 approximately 250m south east of the proposed development. The document 'OTH\_2020-12-11 Clancy - Widnes - Drainage Design Strategy - Rev A(1).pdf. states the risk of onsite flooding associated with these features is very low.
- The document 'OTH\_2020-12-11 Clancy - Widnes - Drainage Design Strategy - Rev A(1).pdf identifies that Warrington Road is at risk from surface water

flooding during the 3.3% AEP flood event based on Environment Agency mapping but that the site itself is at low risk.

- The document 'OTH\_2020-12-11 Clancy - Widnes - Drainage Design Strategy - Rev A(1).pdf. identifies that the development site is not within an area shown to be at risk from reservoir flooding on Environment Agency mapping. However, other sources of artificial flooding such as small reservoirs and canals are not discussed
- The risk of flooding from groundwater has not been assessed.
- The document 'OTH\_2020-12-11 Clancy - Widnes - Drainage Design Strategy - Rev A(1).pdf provides a conceptual drainage design that allows for a 40% increase in rainfall intensity due to climate change.
- The document "OTH\_2020-12-11 Clancy - Widnes - Drainage Design Strategy - Rev A(1).pdf shows the proposed development to increase the hard standing on site by approximately 1313m<sup>2</sup>, effectively reducing the permeable area on site by 44%.
- Surface water run-off rates have been calculated for pre-development with greenfield runoff rates during a 1 in 1-year event of 1.65l/s. It is not proposed to restrict flow to this level or to reduce existing runoff rates by 50% as per standing advice for brownfield sites and instead it is proposed to restrict flow to 5l/s. This is stated to be the minimum achievable discharge rate without a risk of blockage. The LLFA does not accept this justification for setting the runoff rate as it does not take into account the potential use of vortex flow control devices which could achieve the required level of flow control.
- The applicant has provided a Drainage Strategy documents for the site "OTH\_2020-12-11 Clancy - Widnes - Drainage Design Strategy - Rev A(1).pdf
- The document 'OTH\_2020-12-11 Clancy - Widnes - Drainage Design Strategy - Rev A(1).pdf indicates the applicant plans to discharge foul drainage from the site to the existing 675mm diameter combined sewer that runs along Warrington Road. It is acknowledged that a Section 106 application would be required but no evidence of this process has been submitted and no details of the foul drainage is presented.
- The document 'OTH\_2020-12-11 Clancy - Widnes - Drainage Design Strategy - Rev A(1).pdf states the following with regard to the drainage hierarchy being applied on site:
  - o Soakaways/ Infiltration – Soakaways tests have been carried out on site and are reported in document OTH\_5237R02-1 - Greenoaks Industrial Estate - Widnes Phase 2 - FINAL. The conclusion is that *'soakaway is not a viable option for use on the site'*.
  - o Watercourse / Ditches – *'There are no watercourses or local to the site.'* The LLFA agrees with this statement.
  - o Surface Water / Combined Sewers – *'There are unfortunately no surface water drainage apparatus in the area local to the site... There are no separate foul sewers local to the site'*. Therefore, the report concludes that the only realistic destination for surface water runoff is the combined sewer along Warrington Road

Based on the above the LLFA considers the applicant has adequately assessed the site with regards to the drainage hierarchy and that discharge to combined sewer is the only realistic option for surface water runoff.

Whilst the Applicant has demonstrated that the drainage hierarchy has been followed, and has considered the effect of climate change on peak rainfall intensity, the restriction of flows from the site to 5l/s would not be sufficient to prevent an increase in runoff from the site due to the increase in the impermeable area that the development would result in. The LLFA does not accept the assertion that safe control of discharge below this rate is not possible due to the availability of vortex control devices on the market. The LLFA would therefore object to the application as proposed and would recommend the applicant review the documents submitted with regard to the LLFA comments above and address them.

### 1.3 Contaminated Land Officer

I have considered the land contamination aspects of the above application and I have the following comments.

The application is supported by the following document;

- Unit 1A Greenoaks Industrial Estate, Widnes. Phase 2 site investigation report, ref 5237/02 Issue 1, TerraConsult Ltd, December 2020

The report presents a good quality review of existing information, including previous site investigation and preliminary risk assessment, and details a further site investigation to delineate previously identified contamination. An appropriate risk assessment has been conducted on the results of those investigations.

The site was previously a farm and then an industrial estate, which included a tyre sales and servicing garage. As a result there is a reasonable likelihood of sources of land contamination being present. The investigation has identified moderate contamination with metals and hydrocarbons in a number of locations across the site. Trace levels (below laboratory quantification limits) of asbestos was also identified across the site.

The risk assessment has determined that those elevated concentrations are unsuitable for the proposed end use, and were they will not be located beneath hardstanding or the proposed buildings (with the exception of the single location of elevated potentially volatile contamination), some form of remediation will be necessary to ensure the site is suitable for use. The proposed remedial strategy is to remove the identified contamination hotspot from site, and to introduce a 600mm clean cover layer where made ground is to be left in situ.

The submitted site investigation and assessment is acceptable, and I am in agreement with the need for site remediation, with the proposed strategy also being acceptable.

Therefore I do not object to the application, but recommend that any approval be conditioned to require the implementation of the remedial strategy as set out on the above listed document and submission of a verification report upon completion of the remedial works.

#### 1.4 Environmental Protection

This application is on a brownfield site in a primarily residential area of the borough and is adjoined to Warrington Road.

The applicant has not submitted an acoustic report in support of their application, however the site and in particular the 'step down' houses are likely to be subject to road traffic noise from Warrington Road. In particular it is noted that the applicant for the development site directly opposite, application reference 17/00504/FUL did submit an acoustic report which recommended a scheme of mitigation for properties that faced out onto Warrington Road.

We would therefore require that prior to first use the applicant conduct an acoustic assessment in respect of road traffic noise and implement any recommended mitigation measures accordingly to ensure that the sound levels specified in BS BS8233:2014 are met.

The applicant has submitted an Construction Management Plan as part of their application, however the proposed hours of work proposed are not acceptable, particularly given the location of the site within an existing residential area. It will therefore be necessary to condition the hours of work.

#### **Conclusion**

Environmental Health has no objection to the application, subject to the following conditions being applied, in the interests of residential amenity;

- The hours of noise generative demolition / construction works taking place during the development (and associated deliveries to the site) are restricted to:

Monday – Friday	08:00 to 18:00 hrs
Saturday	09:00 to 14:00 hrs
Sundays and Public Holidays	Nil

- Prior to first occupation, the applicant shall commission an acoustic report in order to assess the likelihood of the development site being adversely affected by external noise source and ensure an appropriate scheme of mitigation is in place, in order to ensure that the noise standards detailed in BS8233:2014 are achieved.

#### 1.5 Open Spaces

Further to your consultation I have considered the Open Space implications and would make the following comments.

##### Trees

The proposal seeks to remove trees T24, G23, G20 and G22 (applicable to both trees identified as 'G22' on 'Drawing 2. Tree Protection Plan') which sit on adopted Highway. Removal of these trees are satisfactory on the grounds of



access arrangements and requisite visibility. The developer should incorporate replacements of these trees within their plans in the interest of local ecology.

Any pruning works of trees should be carried out to British Standard 3998.

Any development within the RPA should be carried out in accordance with British Standard 5837 2012. Further information is required on what methods the developer will use in the construction of the site, taking RPA's in to consideration as none have been submitted.

Tree work shall be carried out strictly in accordance with British Standard 3998:1989 "Recommendations for Tree Work" to safeguard the health and visual amenity of the tree and that the consent shall be valid for a period of two years from the date of this notice.

Work shall not be carried out between April and September if it would result in disturbance to nesting birds.

Hedgerows

There are no hedgerow constraints on site.

Ecology

If this proposal is successful, we would recommend that all works comply with current bird nesting legislation.

Wildlife and Countryside Act 1981 Part 1 Section 1 (1)

Consult W&C Act 1981 (with amendments) for full details of protection afforded to wild birds.

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

### **FIRST RESPONSE**

The applicant has submitted a Preliminary Ecological Appraisal (*Pennine Ecological, December 2020*) in line with Core Strategy Local Plan policy CS20. The report has minor limitations. However, these do not affect the conclusions of the report and the report can be accepted.

I have also reviewed the Construction Management Plan (*November 2020*) which has been submitted with the application with regard to construction waste management.

### **Bats**

Habitats on site and adjacent to the site may provide foraging and commuting habitat for bats. Lighting for the development may affect the use of these areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the habitats in line with NPPF (paragraph 180). This

can be secured by a suitably worded planning condition. It would be helpful for the applicant to refer to *Bat Conservation Trust website* <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>. See Part Two regarding enhancements for bats.

## **Amphibians and Ponds**

Records of amphibians such as common toad, common frog and palmate newt have been made within 1km of the application site. There are no records of great crested newt within 1km, no further ponds within 500m and it is unlikely great crested newt will be found on site. Suitable terrestrial vegetation (such as grassland) and two shallow/seasonal ponds are present on the application site for use by amphibians such as common toad, a Priority Species (NERC Act S41<sup>1</sup>) and Core Strategy Local Plan policy CS20 applies. Protected species are a material consideration.

As a precaution, I advise that the undertaking of the following Reasonable Avoidance Measures (RAMs) during the construction phase is secured by a suitably worded planning condition or included within the Construction Management Plan:

- Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians present to move away from the affected areas;
- The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them; and
- Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians.

Furthermore, in order to mitigate for the loss of the two small ponds on site, a pond should be installed within the amenity gardens to provide habitat for animal species such as common toad. The pond should be included within the Site Plan – As Proposed (18-238-110, *Condy Lofthouse Architects, December 2020*) and/or any landscape plan for the site and amenity gardens. This mitigation can be secured by a suitably worded planning condition.

## **Breeding Birds**

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<sup>1</sup> Natural Environment and Rural Communities (NERC) Act 2006

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

#### CONDITION

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

Vegetation on site may provide nesting opportunities for breeding birds, which are protected and Core Strategy CS20 applies. The following planning condition is required or should be included within the Construction Management Plan.

#### CONDITION

No vegetation management, ground clearance or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

### **Terrestrial Mammals**

The habitats on site and within the surrounding area are suitable for terrestrial mammals such as and hedgehog, a Priority Species (NERC Act S41<sup>3</sup>), and Core Strategy policy CS20 applies. The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them:

- A pre-commencement check for terrestrial mammals;
- All trenches and excavations should have a means of escape (e.g. a ramp);
- Any exposed open pipe systems should be capped to prevent terrestrial mammals gaining access; and
- Appropriate storage of materials to ensure that terrestrial mammals do not use them.

These measures can be secured by a suitably worded planning condition or included within the Construction Management Plan.

Hedgehog highways (13cm x 13cm gaps in fences) should be incorporated into any newly constructed fences to enable hedgehog and other species to move through the site. This can be secured by a suitably worded condition.

### **Japanese Knotweed**

Japanese knotweed is present along the eastern boundary and within the north eastern corner of the application site. Japanese knotweed is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) and national Planning

Policy Guidance applies<sup>2</sup>. The Preliminary Ecological Appraisal states that the Japanese knotweed appeared to have been treated with herbicide which suggests works to remove the invasive species may be taking place. The applicant should submit a method statement, prepared by a competent person, which includes the following information:

- A plan showing the extent of the plants;
- The method that is being, or will be, used to prevent the Japanese knotweed spreading further, including demarcation;
- The method of control that is, or will be, used, including details of post-control monitoring; and
- How the plants will be disposed of after treatment/removal.

The method statement should be submitted for approval to the Local Planning Authority prior to commencement of any works on site. The requirement for a method statement can be secured by a suitably worded planning condition.

A validation report is then required confirming the remediation treatment carried out and that the site has been free of the invasive species for 12 consecutive months for approval in writing by the Local Planning Authority. This can be secured by a suitably worded planning condition.

## Waste

### **Policy WM8**

The proposal is major development and involves construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal.

In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

### **Policy WM9**

The applicant has provided sufficient information in Site Plan – As Proposed (18-238-110, *Condy Lofthouse Architects, December 2020*) to comply with policy WM9 (Sustainable Waste Management Design and Layout for New Development) of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8).The Site Plan – As

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<sup>2</sup> <https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants>

Proposed can be secured as an Approved Drawing by a suitably worded planning condition.

**The applicant, their advisers and contractors should be made aware that if any European protected species (such as bats or great crested newt) are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.**

### Biodiversity Enhancements

In line with NPPF paragraph 175 and the NERC biodiversity duty, I advise that native tree, hedgerow and flower planting, bat boxes and invertebrate boxes should be provided on site.

### SECOND RESPONSE

MEAS have previously commented on this application (*HA21-001, Sarah Nicholson, January 2021*). Natural England have provided comments on the application via email (*reference 339369, Corben Hastings, January 2021*).

Natural England's advice states that *"For residential development in this area, proportionate assessment of recreational disturbance impacts on the coastal designated sites resulting from the development is required via the Screening stage of the Habitats Regulations Assessment, as required under the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations')"* and *"If your authority can be satisfied that the proposal can conclude no likely significant effects there is no further need to consult Natural England."*

I have considered the proposals and the possibility of likely significant effects on national and international sites using the source-pathway-receptor model. I advise that there is **no pathway** that could result in likely significant effects on the national and international sites and the proposals do not warrant a detailed Habitats Regulations Assessment for the following reasons:

- The Mersey Estuary SPA and Ramsar site are situated 2.7km south east. Due to the distance from any such designated sites, no construction impacts are anticipated; and
- The application is for supported living accommodation and two dwellings. Due to the nature of the proposals, the residents of the living accommodation and step-down houses are unlikely to make regular recreational visits to the designated sites;
- There are local Suitable Alternative Natural Greenspaces such as Spike Island and King George's Park within a short driving distance to the application site; and
- The two dwellings are unlikely to generate significant recreational pressure alone or in combination with other residential development. Therefore, recreational pressure impacts can be reasonably discounted on this occasion.

## 1.7 Natural England

### **SUMMARY OF NATURAL ENGLAND'S ADVICE**

#### **NO OBJECTION**

Based on the additional information submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Natural England's further advice on designated sites is set out below.

#### Internationally and nationally designated sites

The application site is within 2.6km of the Mersey Estuary Special Area of Protection (SPA), Mersey Estuary Ramsar and Mersey Estuary Site of Special Scientific Interest (SSSI).

Please see the subsequent sections of this letter for our advice relating to SSSI features.

#### Habitat Regulation Assessment (HRA)

Based upon the additional information provided in your email of 26 January 2021, Natural England has no objection to the proposed development providing the application is undertaken in strict accordance with the details submitted.

Having reviewed the additional information provided by Merseyside Environmental Advisory Service (MEAS) in their response dated the 25 January 2020 regarding potential recreational disturbance impacts from the development, we are satisfied that the proposals are unlikely to have significant effects on designated site features.

To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out. The following may provide a suitable justification for that decision:

- The application site is located 2.6km away from the nearest designated site and is for supported living accommodation. Due to the distance and nature of the development, it is unlikely the application will contribute to significant increased recreational disturbance to nearby protected coastal sites.
- The provision of closer Suitable Alternative Natural Greenspaces (SANGs) to the development site, which are more likely to be used for recreational purposes by the residents of the development.

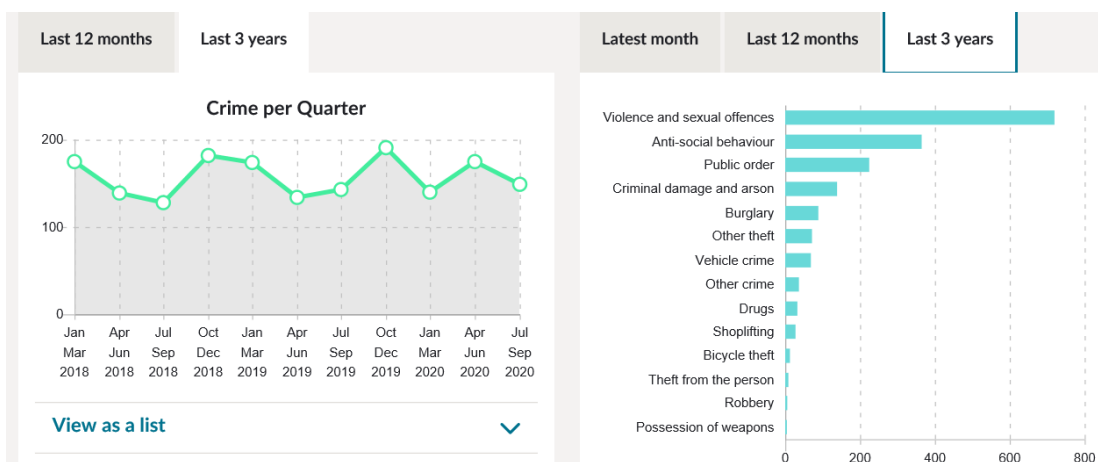
#### **Mersey Estuary SSSI**

Our concerns regarding the potential impacts upon the Mersey Estuary SSSI coincide with our concerns regarding the potential impacts upon the international designated sites, therefore we are content that providing the application is undertaken in strict accordance with the details submitted the development is not likely to damage the interest features for which the site has been notified.

Should the proposal change, please consult us again.

## 1.8 Cheshire Police

Thank you for consulting the Constabulary on the above planning application on 20 bed specialist unit and 2 no. two storey 4 bed step down houses with associated parking at former Greenoaks Farm Industrial Estate, Warrington Road, Widnes, Cheshire, WA8 0SY . I wish to make the following points for consideration by the applicant:



- I recommend access controlled gates into the rear amenity garden
- I would recommend minimum of 1.8 metre close boarded fencing on to Vineyard Way and on to the rear gardens on the far side.
- Access Control should also be in place in the Step Down units as key management may prove difficult, this should be for both the units and the garden.
- It is good to see that the main office control the main foyer and has visual supervision of the building approach. This provides the unit with a capable guardian.
- Is there any access control proposed for the individual doors within the main unit?
- I would recommend some form of alarm on external doors in communal areas so people will be made aware if they are left open.
- It is positive to see there is a fence proposed at the front building line which ensures the defensible space round the site is clearly defined.

### General Information for Applicants

A design objective of the National Planning Policy Framework (NPPF) paragraph 127(F) states that the development should;

‘create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime do not undermine the quality of life or community cohesion and resilience.’

I would welcome a Secured by Design Application for the scheme, which would enhance the development and provide greater benefits.

Applicants can get more information about Secured by Design (including Design Guides) available at [www.securedbydesign.com](http://www.securedbydesign.com).

In the case of larger developments: Other crime reduction initiatives are also available for the applicant to consider, for example, Secured Environments ([www.securedenvironments.com](http://www.securedenvironments.com)) and the Park Mark Award ([www.parkmark.co.uk](http://www.parkmark.co.uk)). Further information is also available from [www.securedbydesign.com](http://www.securedbydesign.com).

Detailed security advice concerning this development can be obtained by contacting myself on the contact information below or one of my DOCO colleagues at [crime.reduction@cheshire.pnn.police.uk](mailto:crime.reduction@cheshire.pnn.police.uk)

#### **Approved Document Q (ADQ)**

ADQ sets out strict requirements for the use of SBD standard (PAS 24 2012 or equivalent or higher) doors and windows. Whilst this aspect of the planning and building lifecycle is inspected by Building Control, I am more than happy to provide the applicant with advice.

#### **BREEAM**

If the applicant is applying for BREEAM, then a Security Needs Assessment is required for the development. This can be obtained by a suitably qualified specialist (including myself or one of my DOCO colleagues).

#### **Crime Impact Statements**

Depending on the scale (usually major or significant) applications may require a Crime Impact Statement. Again these can be obtained by a qualified specialist including DOCOs and this may be a separate statement or be included in the Design and Access Statement.

### **1.9 United Utilities**

With regards to the above development proposal, United Utilities Water Limited ('United Utilities') wishes to provide the following comments.

#### **Drainage**

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Following our review of the submitted Flood Risk Assessment, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice:

Condition 1 – Surface water



The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Drainage Strategy Document (Ref No. 1/21220, Dated 11/12/20) which was prepared by (Clancy Consulting). For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, surface water must drain at the restricted rate of 5 l/s. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

Condition 2 – Foul water

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

The applicant can discuss any of the above with Developer Engineer, Shoaib Tauqeer, by email at [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk).

Please note, United Utilities are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consults with the Lead Local Flood Authority regarding the exact wording of any condition. You may find the below a useful example:

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

#### Water Supply

Water pressure in this area is regulated to around 20 metres head. This should be taken into account when designing the internal plumbing.

For larger premises or developments of more than one property, including multiple connections, where additional infrastructure is required, a water network behaviour/demand modelling exercise would be required to determine the network reinforcements required to support the proposed development. With this in mind we recommend the applicant contacts us at the earliest opportunity.

Should this application be approved the applicant must contact our water fittings section at Warrington North WwTW, Gatewarth Industrial Estate, off Liverpool Road, Sankey Bridges, Warrington, WA5 1DS.

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk).

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

#### United Utilities' Property, Assets and Infrastructure

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets – [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk)

Wastewater assets – [WastewaterDeveloperServices@uuplc.co.uk](mailto:WastewaterDeveloperServices@uuplc.co.uk)

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you

wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>