

<b>APPLICATION NO:</b>	21/00161/FUL
<b>LOCATION:</b>	East Lane House East Lane, Runcorn Cheshire, WA7 2UR
<b>PROPOSAL:</b>	Proposed demolition of the existing vacant office building and the erection of apartment block and townhouses totalling 153no. dwellings (use class C3), a 66no. bedroom care home (use class C2) and a 85no. bedroom hotel (use class C1) with associated hard and soft landscaping and parking.
<b>WARD:</b>	Halton Lea
<b>PARISH:</b>	None
<b>APPLICANT:</b>	Shah Capital Trading Ltd 71 Knowl Piece, Wilbury Way, Hitchin, Hertfordshire, SG4 0TY
<b>AGENT:</b>	Nexus Planning Holmes House, 4 Pear Place, London, SE1 8BT
<b>DEVELOPMENT PLAN:</b>  Halton Unitary Development Plan (2005)  Halton Core Strategy (2013)  Joint Merseyside and Halton Waste Local Plan (2013)  Proposed Modification version DALP	<b>ALLOCATIONS:</b>  Primarily Employment Area – HALTON UNITARY DEVELOPMENT PLAN PROPOSALS MAP  Retail and Town Centre allocation – PM - DALP
<b>DEPARTURE</b>	Yes.
<b>REPRESENTATIONS:</b>	15 representations have been received from the publicity given to the application.
<b>KEY ISSUES:</b>	Development in a Primarily Employment Area, Noise , Amenity, Access, Parking and Servicing.
<b>RECOMMENDATION:</b>	Grant planning permission subject to conditions and legal agreement
<b>SITE MAP</b>	

## **1. APPLICATION SITE**

### The Site

The site subject of the application is known as East Lane House, located on East Lane in Runcorn. The application site is approximately 1.2ha in area and is located to the east of Runcorn Shopping City. On the opposite side of Crown Gate is the Royal Mail Delivery Office and to the east of the site is the Territorial Army Centre. The site is identified as a Primarily Employment Area on the Halton Unitary Development Plan Proposals Map.

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. The Draft DALP is currently out to consultation on the main modifications to the plan the policies and the weight to be given to them are set out below.

### Planning History

The site has some planning history as set out below:

- 05/00289/OUT – Outline application for a retail store – Application Granted – no longer extant.
- 15/00012/FUL and 15/00034/FUL Change of use to 448 residential units. Refused but allowed on appeal – No longer extant.

## **2. THE APPLICATION**

### The Proposal

Proposed demolition of the existing vacant office building and the erection of apartment block and townhouses totalling 153no. dwellings (use class C3), a 66no. bedroom care home (use class C2) and a 85no. bedroom hotel (use class C1) with associated hard and soft landscaping and parking.

### Documentation

The application is accompanied by the associated plans in addition to a Design and Access Statement, Health Impact Assessment, Bat reports, Noise assessment, Construction Management Plan, Planning Statement, Transport Statement, Economic Paper, Daylight and Sunlight assessment, Flood risk and Drainage statement

## **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**

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

The site is designated as Primarily Employment 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;
- GE21 Species Protection;
- PR7 Development Near to Established Pollution Sources
- 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;
- LTC9 Tourism Development;
- H3 Provision of Recreational Greenspace;
- H4 Sheltered Housing;
- E3 Primarily Employment Area.

### Halton Core Strategy (2013)

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

- CS2 Presumption in Favour of Sustainable Development;
- CS3 Housing Supply and Locational Priorities;
- CS12 Housing Mix;
- CS13 Affordable Housing;
- CS15 Sustainable Transport;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS20 Natural and Historic Environment;
- CS22 Health and Well-Being;
- CS23 Managing Pollution and Risk.

### 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.

### Delivery and Allocations Local Plan (DALP) - Proposed Modifications December 2021

The following policies within the DALP are of relevance:

- CS( R) 1 Halton's Spatial Strategy
- CS( R) 12 Housing Mix and Specialist Housing
- CS( R) 13 Affordable Housing
- CS( R) 15 Sustainable Transport
- CS( R) 18 High Quality Design
- CS( R) 19 Sustainable Development and Climate Change
- CS( R) 20 Natural and Historic Environment
- CS( R) 22 Health and Well Being
- RD4 Greenspace Provision for Residential Development
- C1 Transport Network and Accessibility
- C2 Parking Standards
- HC2 Retail and Town Centre Allocations
- HE1 Natural Environment and Nature Conservation
- HE8 Land Contamination
- HE9 Water Management and Flood Risk
- GR1 Design of Development
- GR2 Amenity

## **MATERIAL CONSIDERATIONS**

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

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

### 3.2 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.*

## 3.3 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.

### Equality Duty

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development that justify the refusal of planning permission.

#### **4. CONSULTATIONS SUMMARY**

##### Highways and Transportation Development Control

No objections subject to conditions

##### Lead Local Flood Authority

No objection subject to conditions

##### Contaminated Land Officer

No objection subject to conditions

##### Environmental Protection

No objection subject to conditions

##### Public Health

No observations received.

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

No objection subject to conditions

##### Natural England

Have outstanding concerns in relation to the HRA. They are awaiting the details of the final agreement for the provision of off-site open space.

##### Cheshire Police

No objection has raised considerations in respect of CCTV and lighting and other secured by design considerations.

##### United Utilities

No objection subject to conditions

##### Regeneration Officer

No comments to make

## 5. REPRESENTATIONS

The application was advertised by a press advert in the Widnes and Runcorn Weekly News, site notices posted in the vicinity of the site and a total of 1220 neighbour notification letters sent.

A total of 15 representations have been received from the publicity given to the application. Approximately 7 in support and 8 in objection (the reason for stating approximately as some objections contained support for some elements of the proposal ) A summary of the issues raised in the representations are below:

- Eyesore needs to go, so if genuine, let it happen
- Housing and Care Home Yes
- Hotel no not good use of space. Who would want to stay in a hotel between deprived council estate and rundown shopping centre
- Welcome demolition but question demand for apartment and hotel. Should consider parkland or leisure use for the site.
- Good to demolish but to build anything overlooking a derelict shopping centre would result in same eyesore. Provide better shopping and replace existing shopping centre.
- Demolish good but this kind of housing not needed
- Full support more investment and jobs
- Concerns of increased traffic on Main Street
- What benefits does a hotel bring should be used for much needed leisure facility
- Object more people in overpopulated area schools, shops doctors and hospital are rammed and struggling to manage. Roads are crazy massive impact on pollution and health.
- Care home maybe positive need more data on flats density still high. Has demand been established? Hotel seems positive all other factors look positive. Site in need of redevelopment
- Support redevelopment of major site. Active travel and reduction in parking and support for cycleway. Issues over safety for cyclist and laybys. Design needs to prevent pavement parking
- Support redevelopment question over the size and problems with Castle View House. Support more jobs and families.
- Potential to improve and enhance the area surrounding areas needs to be improved. Concerns over large apartment block and question the need for this type of housing? Care Home positive. Is there need for Hotel?
- Given energy bills and climate change should be passivhaus and heating network should be considered
- Not enough infrastructure to support the plans. Question living space standards. Not suitable for hotel and enough parking spaces should be demolished and turned into a park.

An objection has been received from Royal Mail this sets out the importance of the Delivery office to service provision and the times of operation (04:00 – 20:00). The objection is based on the amenity of residential development from the Delivery Office,

impact on Royal mails traffic movements and any obstruction would impact on their operations.

Councillor Kath Loftus – Total agreement with this. Happy that the eyesore is going to be demolished.

Councillor Peter Lloyd Jones – Questions adequate size of space and car parking provision.

## **6. ASSESSMENT**

### Principal of Development

The site is designated in the Halton Unitary Development Plan as a Primarily Employment Area. Therefore, Policy E3 of the UDP would be applicable. The uses proposed in the application are not listed within the policies permitted within employment use areas. However, given the history of the site and the state of the current building it is unlikely to come forward for employment purposes. In addition the previous permissions have been either for retail or residential. In addition in the DALP proposed modifications the site is allocated for a retail and town centre allocation and policy HC2 would apply the site is identified as TC5 the proposed use is Mixed (Retail, Leisure & Residential) therefore the proposal would be compatible with the DALP policy. Whilst the plan is not adopted, it has been through examination and this policy is not subject to modification and on this basis is a material consideration that carries substantial weight.

In relation to the Care Home policy CS12 does state that proposals for new specialist housing for the elderly ,including extra-care and supported accommodation, will be encouraged in suitable locations, particularly in locations which provide easy access to local services and community facilities. This policy position is carried forward into the DALP. This element of the policy is not subject to modification and is therefore considered to have substantial weight in determining the application. Therefore the application for the Care Home is compliant with Policy CS12 as it has easy access to local services.

Policy LTC9 in the UDP sets out that development that would enhance the tourism potential of the Borough will be permitted. The Policy states that proposals that would increase the provision of accommodation in hotels will be considered favourably. Furthermore, Large-scale, new build accommodation should be located in or adjacent to town centres or close to existing major leisure or tourism facilities. Therefore, the proposal is considered to comply with Policy LTC9.

### Design, Appearance and Residential Amenity

The development proposal comprises four core elements, being the Hotel (Use Class C1), which will front onto East Lane, the Care Home (Use Class C2) which will front onto Crown Gate, the Apartment Block (Use Class C3), which will be located centrally within the site and the Mews Houses (Use Class C3), which will be located at the rear of the site.

The majority of the existing building on site is proposed to be demolished, with the exception to the building fronting on to East Lane. It is proposed that this building will be modified particularly the top floor.

The proposed apartment building is nine storeys comprising of 144 residential units. The mix is split as follows:

- 40x 1 bedroom studios
- 70 x 1 bedroom
- 34 x 2 bedroom

The proposal includes 25% affordable housing of 36 units. This is policy compliant with Core Strategy policy CS13. This will be secured through a legal agreement

The proposal seeks permission for the construction of 9 mews houses along the boundary of the site. This includes 7 x 2 bedroom (2 storey) and 2 x 4 bedrooms (3 Storey). The proposal includes a policy compliant (25%) level of affordable housing.

The proposal seeks permission for the construction of a 7 storey care home, falling within Use Class C2. The care home comprises a total of 66 units, of which 36 would be 1 bedroom, and the remaining 30 would be 2 bedrooms.

It is intended that the proposed care home will cater to people who require some assistance or care to help with their daily life, but still seek to maintain a degree of independence. The applicant has stated that the proposed care home will employ approximately 10 full time equivalent (FTE) employees who would work in shifts onsite.

The proposal seeks permission for the construction of a 5 storey hotel building (Use Class C1). The hotel would comprise 85 rooms. The applicant has stated that proposed hotel is anticipated to employ approximately 28 FTE employees.

The height of the development is considered appropriate to the scale of the area and the existing structure at the site. The design and the materials of the buildings are considered to be of high quality and reflect the materials in the area and will comprise stone, brick and metal. The proposed facades of each use will feature a different material in order to define the uses. The materials will be secured by way of a condition.

The site currently is predominantly hard landscaped with very little soft landscaping. The proposal includes enhancement of the public realm and improves the provision of soft landscaping across the site, improving biodiversity, and creating attractive, tree lined streets. The implementation and management will be secured by way of a condition.

A Daylight and Sunlight Report has been submitted with the application. This is due to the fact that the distances between buildings does not meet the distances set out within the Council's SPD which is guidance. This SPD does state that should the distances not be met consideration to the daylight and sunlight should be taken into

account. The report submitted by the applicant assesses the internal daylight achieved by the development, as well as the daylight, sunlight and overshadowing impacts to surrounding properties.

With respect to internal daylight levels, the report concludes that all habitable rooms within the dwellings, hotel and care home, would achieve the average daylight factors greater than the minimum target daylight factors. Furthermore, the overshadowing results show that the rear gardens to the mews houses, and the communal Play Space would satisfy the BRE Guidelines.

In relation to the impact on surrounding buildings, the daylight and sunlight assessment concludes that results have shown that the surrounding properties windows and external amenity spaces would only be negligibly affected in terms of daylight, sunlight and overshadowing.

The proposal will use high-quality materials and has been designed to create visually interesting buildings with high-quality landscaping and public realm. Therefore, the proposal complies with Policy CS18 in the Core Strategy, Policies BE1 and BE2 in the UDP and Policies CS(R)18 and GR1 in the DALP.

#### Open Space Requirements

The proposal does include on site soft landscaping and amenity space including private amenity for the housing through gardens to the rear and the apartment have balcony space. Due to the character of the area and the nature of the proposal it is limited to the amount that can be provided on site. The site is however, in close proximity to Town Park and on off-site payment has been sort for the improvement of off-site open space in the vicinity this would be secured by way of a legal agreement.

#### Highways, Transportation and Accessibility

The application is accompanied by a Transport Assessment and subsequent Transport Assessment Addendum.

The Transport Assessment and Addendum reports produced by Prime Transport confirms that the site is highly accessible with a range of local amenities within walking distance of the site including bus services and as a result, the site is considered to be located within a sustainable location.

To align with polices TP6, TP7 and TP17 the development needs to fully detail how the site will be accessed safely by all users both motorised and non-motorised. A suitably worded condition is therefore recommended to ensure that, in addition to offsite highway works including new and improved vehicular access, full details of walking and cycling routes to frontages adjacent to the existing adopted highway be submitted for approval prior to commencement.

Additional survey work was undertaken and subsequent traffic modelling undertaken. The outputs contained within the technical report are considered to be accurate and acceptable demonstrating that the proposed access strategy and quantum of

development would not result in an unacceptable impact on the existing highway in the area.

Access to the site is a mix of one way routes on and off East Lane and a smaller element of two way access from Crown Gate. The technical work undertaken demonstrates that this approach would not result in an unacceptable impact on either road safety or operational capacity.

The scheme seeks to deliver a total of 211 car parking spaces across the site. The breakdown of the proposed car parking provision is as follows:

Apartments -104 standard spaces and 13 accessible

Houses – 17 standard spaces and 1 accessible

Care Home – 11 standard spaces, 2 accessible spaces and 10 staff

Hotel – 42 Standard Spaces, 8 accessible spaces and 3 staff spaces

Across the site the current proposal falls 17 spaces below the relaxed recommended standard which, given the sites previous history and constraints, the highway officer concedes that the layout and provision is now at a level that would not justify a sustained objection.

Measures would need to be taken to ensure that the supporting strategies are in place to control both access and use of the car parks. These include a car parking management plan and full details of the car club referred to within the submission documentation.

Both of these aspects should be secured via condition for approval and implemented on site for the life of the development.

An appropriate level of cycle parking will be provided on site, as well as disabled parking, motorcycle parking and EV facilities. The provision and management of the parking and its implementation will be secured by condition.

The highways officer has outlined that further details of the off-site highway works in relation to access, lay-bys and the interface between the site and adopted network needs to be provided and this can be secured by way of a condition.

In addition the highway officer has requested that a Construction Phase Management Plan be secured by condition.

It is therefore considered, that the proposal provides adequate car parking provision and will not result in an adverse impact on highways. Therefore, the proposal complies with Policy CS15 in the Core Strategy, Policies TP1, TP14 and TP16 in the UDP and Policy CS(R)15 in the DALP.

## 6.1 Flood Risk and Drainage

In line with Policy HE9 (Water Management and Flood Risk) a Flood Risk Assessment and Drainage Strategy has been prepared. The Flood Risk Assessment and Drainage Strategy concludes that the site has a very low risk of flooding from surface water.

Sustainable Urban Drainage Systems are also proposed to be integrated into the development including rainwater attenuation and green roofs, reducing the risk of flooding on and off site further.

The Environment Agency interactive flood map identifies the site as being within Flood Zone 1, meaning it has a low probability of flooding, equating to less than a 1 in 1000 annual probability of river or sea flooding. Therefore, the site is considered to be at low risk of flooding.

The site currently predominantly comprises hard standing. The proposed development seeks to introduce green infrastructure and landscaping, including permeable surfaces, which will reduce the impact of surface water run off or potential flood risks.

The LLFA have confirmed that the applicant has adequately assessed the risk of flooding to the site and has a clear strategy for the disposal of surface water from the site through SuDS. The LLFA recommends conditions should be attached in relation to drainage and SUDs implementation and verification.

Therefore, it has been demonstrated that the proposed development will not increase flood risk on and off site and complies with Policy CS23 in the Core Strategy, Policy PR14 in the UDP and Policies HE8 and HE9 in the DALP.

### Noise

The application is accompanied by a Noise Assessment. The report assesses the proposed noise implications of the development. Following the noise survey and assessment, several mitigation measures have been recommended in order to protect the proposed habitable spaces from external noise intrusion, and these can be secured via an appropriately worded condition.

Given the considerable setback from the development and nearby sensitive uses, it is not anticipated that the proposals would cause any undue impacts with respect to light pollution and/or residential privacy.

It has therefore been demonstrated that the development will protect the existing and future amenities of occupants and complies with Policies PR2.

Following the objections from Royal Mail an updated noise report was submitted.

The Environmental Health Officer has assessed the noise report supplied in October. The applicant has considered the noise environment at the various different facades and heights of the building and designed a detailed scheme to ensure that all units on all facades can attain the noise levels outlined in BS8233. This includes a mix of different glazing specifications for different units based on the room use and the external noise exposure in that location. This ensures that all units can meet the appropriate internal specifications to permit relaxation and sleep.

In particular it addresses the concerns regarding potential noise from the Royal Mail depot and will ensure that future residents can adequately protect themselves against intrusive noise from this site.

Any future development based on this application must ensure that the details of the noise report are included in the construction of the development, this is therefore recommended as a condition

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.

### Ground Contamination

The application is accompanied by a Site Investigation Report.

This has 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.

### 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 there remain an outstanding issue as natural England wish to be informed of the provision of offsite open space in order to finalise their comments. Members will be updated orally on this.

Secondly considering Protected Species, habitats on site and adjacent to the site may provide foraging and commuting habitat for bats MEAS have considered the details submitted by the applicant and are satisfied that appropriate regard has been had. MEAS have suggested conditions in relation to the provision of an appropriate licence from Natural England and a condition securing a lighting scheme which protects ecology has been suggested. MEAS has also requested conditions in relation to securing protection during breeding bird season and the installation of bird boxes is suggested.

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.

## Sustainable Development and Climate Change

The applicant has stated that in line with Policy CS19 the proposed development will adopt an Energy Statement and Strategy that is based on the defined hierarchy of: Be Lean; Be Clean and Be Green. The proposed development will seek to reduce CO<sub>2</sub> emissions and include measures to save energy.

Policy CS19 in the Core Strategy seeks non-residential development to achieve BREEAM 'Excellent'; however, the DALP has set this to 'Very Good'. The proposed non-residential development will seek to achieve BREEAM 'Very Good' in line with the DALP. An appropriately worded condition is suggested to seek to meet this target. The proposed residential development will seek to meet the standards of BRE's Home Quality Mark. In addition the applicant is to provide EV charging points details are contained within the highway section of this report.

Therefore, it is considered that the proposed development complies with Policy CS19 in the Core Strategy and Policy CS(R)19 in the DALP.

### 6.2 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.

### 6.3 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.

#### **6.4 Health Impact Assessment**

Policy CS22 of the Halton Core Strategy Local Plan states that healthy environments will be supported and healthy lifestyles encouraged across the borough by ensuring that applications for large scale major developments are supported by a Health Impact Assessment (HIA) to enhance potential positive impacts of development and mitigate against any negative impacts.

The application is accompanied by a HIA. The assessment indicates that it provides recommendations to seek maximising health gains and remove or mitigate potential adverse impacts on health. It also considers that the development would have a positive health effect in relation to the majority of the key health themes as a result of the proposed development.

It is acknowledged that that proposed residential development would create an environment for future residents that would be both of a high quality and a healthy environment.

The proposal is therefore compliant with CS22 of the Halton Core Strategy.

### **7. CONCLUSIONS**

In conclusion, the proposal would deliver a mix of uses on a vacant site and deliver both housing and employment. Whilst there is a degree of non-compliance with policy E3 given that the site does have employment benefits and given other policies in relation to the delivery of housing and redevelopment of brownfields sites it is considered to comply with the development plan as a whole. In addition the DALP policies are a material consideration weighing in favour of the development.

The proposal is of a high quality and would bring back in the use a vacant brownfield site. The proposal is not considered to have an adverse effect to surrounding properties.

The application is recommended for approval subject to conditions.

### **8. RECOMMENDATION**

Grant planning permission subject to conditions and a legal agreement:

### **9. CONDITIONS**

The application be approved subject to the following:

- a) a legal or other appropriate agreement relating to securing financial contributions to open space.

- b) Conditions relating to the following:
1. Time Limit – 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. Breeding Birds Protection – (Policy GE21 and Policy CS20)
  9. Submission of Bird Boxes Scheme – (Policy GE21 and Policy CS20)
  10. Lighting Scheme to Protect Ecology and to consider safety – (Policy GE21 and Policy CS20)
  11. Hours of Construction – (Policy BE1)
  12. Electric Vehicle Charging Points Scheme (Policy CS19)
  13. Noise condition in respect of implementing recommendations in the report – (Policy PR8)
  14. Implementation of Remediation Strategy and Submission of Validation Report - (Policy PR14 and Policy CS23)
  15. Implementation of Off Site Highway Works – (Policy BE1)
  16. Provision & Retention of Parking and Servicing including EV spaces – (Policy BE1 and TP12)
  17. Cycle Parking Scheme to be implemented – (Policy BE1 and TP6)
  18. Implementation of Travel Plan – (Policy TP16)
  19. Implementation of a Drainage Strategy including SUDS and verification report – (Policy PR16 and Policy CS23)
  20. Foul and Surface Water on a separate system – (Policy PR16 and Policy CS23)
  21. Waste Audit (Policy WM8)
  22. Requiring the climate change standards to be met
  23. Resident information park in relation to impacts on protected sites
  24. Provision of the appropriate bat licence
  25. Submission of CCTV scheme
  26. Provision and implementation of car club
  27. Implementation of a car parking management plan.
  28. Construction phase management plan.
- 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.

## 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.