

**REPORT TO:** Development Control Committee

**DATE:** 14 September 2009

**REPORTING OFFICER:** Strategic Director - Environment

**SUBJECT:** Planning Applications to be determined by the Committee.

The following applications for planning permission are submitted to the Committee for consideration with a recommendation in each case. Those applications marked \* are considered to have significant employment implications.

An Amendments List, containing the categorisation of planning applications, additional information and amendments to recommendations, will be circulated to Committee Members before the meeting together with plans showing the location of each application site. Those applications now before the Committee, where the planning issues are considered clear by the Chairman, will be included in List A. Unless a Member considers that additional information is required on a particular application in List A it is **RECOMMENDED** that each of the applications be determined (whether for approval or for refusal) in accordance with the conditions or the reasons printed in the Agenda and in the Amendments List previously circulated.

The remaining applications are included in List B. Together with those applications about which Members require further information, List B applications will be considered following determination of applications remaining in List A.

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**APPLICATION DEFERRED FROM AUGUST COMMITTEE**

**PLAN NUMBER:** 09/00224/COU

**APPLICANT:** Continuum Care and Education Group

**PROPOSAL:** Change of use from existing ground floor office to 3 residential care bedsits at

**ADDRESS OF SITE:** 1 Peel House Lane, Widnes, WA8 6TN

**WARD:** Appleton

**SUMMARY RECOMMENDATION:**

Approve subject to conditions

## CONSULTATION AND REPRESENTATION:

The application was advertised by way of a site notice displayed near to the site and a press notice. The nearest affected occupiers of the adjacent residential properties were notified by letter.

The Health and Safety Executive has been consulted, and does not advise against the proposal. The Council's Highway Engineer and the Health and Community Divisional Manager have also been consulted. No objections have been raised.

At the time of writing the report six representations have been received from local residents raising the following concerns; the applicant company do not have a good reputation locally; the information provided in the application; residents who would live in the property; work has begun on the site before planning permission has been granted.

Since reporting the application to the August Development Control Committee the Community Safety Team and the police have been consulted. Their combined response has been provided by the Community Safety Supervisor, who has the following comments to make:

### 1. Crime data Analysis

The Community Safety Supervisor has looked at the crime and disorder data in Appleton ward and within the vicinity of the site. A lot of the anti social behaviour incidents are likely to be attributed alcohol and the night time economy due to proximity to the town centre. The data does not show any significant problem within the vicinity of the application site.

### 2. Introduction

The Crime and Disorder Partnership recognises the benefits of such premises to promote social cohesion. The proposed bedsits will offer 3 young people and many more with an opportunity for them to build their aspirations and careers whilst learning how to live independently with access to training opportunities. We also have to acknowledge that these young people will not have the benefit of transport so access to local services such as local shops, church, takeaways, health services and computer technology is imperative.

On the other hand we accept the concerns of local residents and we also accept that the residents may come to the attention of Cheshire Police or the local community. We also accept that the Design and Access Statement does not go into sufficient detail around the security, management and access control of the building. Whilst this may not be a planning matter I think the applicant may wish to provide some further detail so that local residents can be reassured.

### 3. Comments

These young people, who have probably come from a difficult up bringing should be given every opportunity to be able to integrate into a successful community. The crime data for the area of Peel House Lane does not indicate a serious problem of Anti Social Behaviour (ASB), however Widnes Neighbourhood Policing Unit will require the full support of the local community to keep them fully informed of incidents and intelligence.

### 4. Recommendations

- CCTV plus signage to be provided along the public footpath. This will help protect/secure the residents property, especially as their windows abut a public footpath. It will also deter the residents from allowing access to unscrupulous visitors outside of normal hours via their bedroom windows or opportunities for drugs to be exchanged.
- CCTV and Access Control to be provided to the main communal door.
- Management Information to be available to concerned residents, including details of staffing/visitor policy to be provided.
- Alleygate at rear to be closed and monitored.
- Local residents to be encouraged to set-up a Community Watch scheme.

### 5. Conclusion

The question we need to ask is "Could we refuse this application and the opportunity for young people to make something of their lives based upon existing crime data and perceptions?"

In my opinion, the ASB data provided does not provide sufficient evidence to refuse the application. Should the application be approved then Halton Safer Halton Partnership (Cheshire Police) will monitor the ASB figures and respond to them in accordance with our ASB enforcement strategy e.g Acceptable Behaviour Contracts, Injunctions and ASBO`s. Any crime related matters will obviously be dealt with through Cheshire Police and the relevant enforcement/custodial measures undertaken.

### SITE/LOCATION

No; 1 Peel House Lane, Widnes, which has previously been, used as a doctor's surgery and more recently an office for Green Corns, a care provider, now called Continuum.

### RELEVANT HISTORY:

Planning permission (02/00237/COU) granted for the change of use from a doctor's surgery to offices (B1) in 2002.

## UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

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

BE1 General Requirements for Development  
BE2 Quality of Design  
TP12 Car Parking  
H8 - Primarily Residential Areas

## OBSERVATIONS AND ISSUES:

Planning permission is sought for the change of use of the ground floor of an existing office building to three residential care bed-sits (Use Class C2).

The building has previously been used as a doctor's surgery, and more recently as an office building by Green Corns, a company which is now called Continuum Care (the applicant).

The proposal is to convert the ground floor into 3 small self contained flats, staff office and toilet facilities, and a communal lounge area. The first floor of the building would be retained as office space for employees.

The Company would provide transitional accommodation for three care leavers between the ages of 16 and 21, with care assistance provided by on-site staff.

### Policy

The property is located within an area designated as primarily residential in the Halton Unitary Development Plan. Residential institutions are considered to be acceptable in these areas. The proposal would not detract from the character of the area or the amenity of local residents, and the development would not result in an over concentration of non-dwelling uses in the area.

### Amenity of local residents

Six representations have been received from local residents raising concerns over the type of use and that the company does not have a good reputation locally. Further concerns have been raised that the work has begun on the site before planning permission has been granted. In response to this point it should be noted that the proposal is for a change of use of the building, currently no change of use has occurred in that no one is living there. All the works that are being carried out are internal and do not require planning permission, therefore this is out of planning control. The applicant is aware

that Building Regulation approval is required and has submitted an application to the Building Control Department.

Further comments have been received in relation to the level of information provided in the application.

### Highway safety

The Highways Department has not objected, as any parking needs can be provided on street. Given the previous uses of the site and taking into account the property is within close proximity to the town centre, it is considered that off-street car parking is not required, and a refusal on these grounds could not be upheld.

### Crime and Disorder

The site is located within a primarily residential area and therefore in principle is considered to be an acceptable use in this area. Further to this the Planning Authority needs to give consideration to section 17 of the Crime and Disorder Act 1998. The Community Safety Supervisor has been consulted, and the anti-social behaviour (ASB) data for the area does not provide sufficient evidence to refuse the application.

Should the application be approved then Halton Safer Halton Partnership (Cheshire Police) will monitor the ASB figures and respond to them in accordance with our ASB enforcement strategy e.g. Acceptable Behaviour Contracts, Injunctions and ASBO`s. Any crime related matters will be dealt with by Cheshire Police and the relevant enforcement/custodial measures undertaken.

It is also important to consider 'Secure by Design' and whether there are any implications for this application. The Community Safety Supervisor has recommended a condition for security measures including CCTV on the building and entrance.

As for making management information available to concerned residents, including details of staffing/visitor policy, the closure of the alley gate to the rear and the setting up of a Community Watch scheme, these are considered to be a matter of site management and would not be enforceable planning conditions, and therefore are not recommended.

### Conclusion

The proposed change of use from a ground floor office to three residential care bedsits is considered to be an acceptable use in the primarily residential area and complies with Policy H8 of the Unitary Development Plan. The proposal would not be detrimental to the character of the area or the amenity of local residents, and the development would not result in an over concentration of non-dwelling uses in the area. The site is in close proximity

to the town centre, and off-street car parking is not required, the proposal complies with Policies BE1, BE2, and H8 of the UDP.

### **RECOMMENDATION:**

Approve, subject to the following conditions:

- 1) Standard time limits condition (BE1)
- 2) Condition for full details of bin storage (BE1)
- 3) Condition relating to security / CCTV

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**PLAN NUMBER:** 09/00245/OUT

**APPLICANT:** Liverpool R.C. Archdiocesan Trustees Inc.

**PROPOSAL:** Outline application (with landscaping, appearance and scale matters reserved) for proposed residential development (up to 19 no. dwellings) at

**ADDRESS OF SITE:** Former Our Lady of Perpetual Succour R.C. Infant School Avondale Drive, Widnes, Cheshire, WA8 7XE.

**WARD:** Broadheath

### **SUMMARY RECOMMENDATION:**

Approve subject to conditions

### **CONSULTATION AND REPRESENTATION:**

The application has been advertised by way of a site notice displayed near to the site and a press notice. The nearest affected occupiers of the adjacent residential properties were notified by letter.

United Utilities and Cheshire Fire & Rescue have been consulted. United Utilities have no objection, Cheshire Fire and Rescue have no objection but recommended that sprinkles be used in the houses as good practice. Landscape Services and Council's Highway Engineer have also been consulted. No objections have been raised.

At the time of writing the report nine representations had been received from local residents raising the following concerns; the impact of proposed parking area in the north west corner of the site, loss of privacy, the height of the buildings, concerns that there may be a footway through to Marling Park, what boundary fencing would replace the existing security fencing, could there be an access onto Liverpool Road.

### **SITE/LOCATION**

The site is the former Our Ladies of Perpetual Succour Primary School, off Avondale Drive, Widnes, Cheshire. The site was cleared following the cessation of use, and now remains overgrown with vegetation. The existing access to the site is off Avondale Drive.

#### RELEVANT HISTORY:

No relevant planning history

#### UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The following Council's Unitary Development Plan policies and policy documents are relevant to this application:-

BE1 General Requirements for Development

BE2 Quality of Design

BE22 Boundary Walls and Fences

H2 – Design and Density of New Residential Development

PR14 Contaminated Land

GE6 – Protection of Designated Green Space

GE9 – Redevelopment and changes of uses

GE12 – Protection of Outdoor Playing Space for Formal Recreation

TP12 Car Parking

#### OBSERVATIONS AND ISSUES:

##### The Development

Outline planning permission is sought for the construction of 19 dwellings at the former Our Ladies of Perpetual Succour Primary School, which has not been used since the amalgamation of the infants and juniors at the Clinton View site in 2001. The development would consist of 16 semi-detached houses and 3 detached properties, with associated gardens, garages and parking.

##### The Principle of the Development

The site is designated in the Halton Unitary Development Plan as protected educational green space, therefore Policies GE6, GE9 and GE12 are relevant to the proposal.

Our Lady of Perpetual Succour infant school closed down approximately eight years ago in 2001 following a drop in pupil numbers and an amalgamation of the infants and juniors to form Our Lady of Perpetual Succour Primary School off Clinton View, Widnes.

The school playing fields have therefore not been used since then, and are in an overgrown state. The buildings were demolished some time ago and the

site is fenced off and secured. The site is not used by local residents for recreation. Therefore, the redevelopment of the site would not cause a loss of recreation to local residents by making them travel further to recreational green space. In light of this the proposal is considered to comply with Policies GE6, GE9 and GE12.

The development would constitute a density of 31 dwellings per hectare on a site of 0.611 hectares. This complies with the Council's UDP policy H2 which requires densities between 30-50 dwellings per hectare.

### Design and Appearance

The detailed appearance and scale of the houses are reserved matters and will require approval before the development commences, though the applicant has indicated that thirteen of the houses would be two-storey, six will have dormer windows on the front elevations (2.5 storey). This would be to provide a usable room in the roof space. The dwellings would be traditional in appearance constructed in facing brick and tiled roofs, there would be a mix of 3 and 4 bed properties.

The applicant has provided an indicative cross section of the site to demonstrate the acceptability of 2.5 storey buildings, the ridge heights of these would be approximately 9.5m high, and would not have dormer windows that would overlook existing properties to the rear of Marling Park. A condition is recommended to restrict dormer windows to the front elevation.

### Highway safety

The proposal will require the widening of the existing access to meet highways standards. The application seeks the approval of access, and layout and the submitted amended plans show a widened access and new road within the site. The highways engineer has been consulted and has no objections to the plans.

### Trees

A tree survey has been carried out for the site, this has identified a number of trees to be removed including a large sycamore tree which is not protected. The proposed layout allows for the retention of a small area for landscaping and replacement planting. The Council's Tree Officer has been consulted and is satisfied with the submitted information. Conditions are recommended for replacement planting and a landscaping scheme.

### Amenity of Existing Residents

At the time of writing the report nine representations had been received from local residents raising the following concerns; the impact of proposed parking area in the north west corner of the site, loss of privacy, the height of the buildings, concerns that there may be a footway through to Marling Park, what



boundary fencing would replace the existing security fencing, could there be an access onto Liverpool Road.

The plans have been amended reducing the scheme from 21 to 19 dwellings, and removing the shared car parking area from the northwest corner of the site. The amended layout plan now shows that two off-street car parking spaces can be achieved for each dwelling by having their own garage or driveway, without the need for shared parking areas.

With regards to privacy the proposed amended layout demonstrates that the required interface distances can be achieved, an objection on loss of privacy grounds can therefore not be upheld.

The proposal does not include vehicle or pedestrian access onto Marling Park or on to Liverpool Road as neither of these are considered to be necessary.

With regards to boundary treatments this will be subject to a condition that requires approval prior to commencement to ensure that it is acceptable in scale and appearance, and suitable security. Furthermore a condition is recommended for landscaping, including planting.

A further condition is recommend for a section 106 agreement for a financial sum in lieu of open space provision.

### Ground Conditions

The planning application has been accompanied by a ground investigation report. The Environmental Health Department has been consulted, from the findings they have recommended conditions for further assessment and information to be supplied.

There is a main sewer across the site United Utilities have been consulted on the amended plans and have no objection as there would be no encroachment of buildings into the easement.

### Conclusion

The principle of the development is considered to be acceptable. The site has been left for many years and is no longer in educational use and does not provide recreation for local residents. The proposed layout demonstrates that 19 dwellings can be accommodated, providing adequate garden spaces and parking, and meets interface distances with existing properties. The proposed access road is considered to the necessary standards. The proposal complies with Policies BE1, BE2, H2, TP12, GE6, GE9 and GE12 of the Halton Unitary Development Plan, and the New Residential Development SPD.

### **RECOMMENDATION:**

Approve

Subject to the following conditions:

- 1) Standard time limits condition (BE1, BE2)
- 2) Amended plans condition
- 3) Standard reserved matter condition(s) for landscaping, appearance and scale (BE1, BE2, H2).
- 4) Condition relating to the section 106 agreement for open space provision/ improvement ,prior to the commencement of development (S25)
- 5) Details of boundary fencing/treatment to be submitted for approval before commencement. (BE22)
- 6) Condition relating to the approval of wheels wash facility details prior to commencement (BE1, BE2).
- 7) Details of construction materials prior to the commencement of development (BE2)
- 8) Condition(s) for details of hard and soft landscaping prior to the commencement of development (BE1, BE2)
- 9) Condition relating to further investigation and mitigations of ground conditions prior to commencement (PR14)
- 10) Condition for final site levels and floor levels prior to commencement
- 11) Condition(s) relating to full details and implementation of bin provision prior to commencement
- 12) Conditions relating to renewable, low carbon, decentralised energy prior to commencement
- 13) Condition(s) removing permitted development rights A, B and E (BE1, BE2, H2)
- 14) Condition(s) relation to access and highways being constructed to highways authority standards
- 15) Conditions relating to hours of construction and delivery (BE1, BE2)
- 16) The provision of bins for each residential unit prior to occupation. (Policy BE1)

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**PLAN NUMBER:** 09/00269/FUL

**APPLICANT:** Mr K Dewsnap

**PROPOSAL:** Proposed two storey side extension and single storey extension to front / rear at

**ADDRESS OF SITE:** 33 Hale Gate Road, Widnes

**WARD:** Ditton

**SUMMARY RECOMMENDATION:**

Approve subject to conditions

## CONSULTATION AND REPRESENTATION:

The application has been publicised by letter to nearby neighbours. The Council's Highway Engineer has been consulted and Halebank Parish Council have also been notified.

One objection has been received from the adjoining neighbour at 35 Hale Gate Road on the grounds that the proposed extension would cause loss of light to their property.

Any further representations received will be reported orally to the Committee.

## SITE/LOCATION:

The site is located within an established residential area, within the Ditton ward of Widnes. The property is a semi-detached dwelling house and is one of several semi-detached properties on Hale Gate Road. Many of the surrounding properties have already been extended. The property has an existing driveway to the side / front, and front and rear gardens. There is also an existing detached garage within the site which is proposed to be demolished.

## RELEVANT HISTORY:

There is no planning history of relevance to the proposed development.

## DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The following policies within the adopted Halton Unitary Development Plan are of relevance to this application:

BE1 - General Requirements for Development  
BE2 - Quality of Design  
H6 - House Extensions

In addition, the Council's Supplementary Planning Document – House Extensions is of relevance.

## OBSERVATIONS AND ISSUES:

Planning permission is sought for a proposed two storey side extension and single storey extension to front / rear of the property. The side extension will project 3.1m to the side of the property but it will be set off the boundary with No. 35 by 150mm. The single storey rear extension will project 3 metres from the rear elevation in line with the existing kitchen but set away from the boundary with No. 35 by around 1.5 metres. A pitched roof is proposed across the rear extension and existing kitchen extension. The proposed porch and garage will project 1.2 metres from the main front elevation of the

property. The existing detached garage within the rear garden is to be demolished.

At ground floor the extension will include a garage, shower room, utility and porch and at first floor an additional bedroom with ensuite to create a 3 bed property.

The main issues and material planning considerations arising as a result of the proposal relate to the design of the extension and the impact of the extension on the amenity of neighbouring properties.

### Design

The proposed extension has been appropriately designed to be in keeping with the original dwelling house in terms of scale, proportions, materials and appearance, and a condition has been recommended to ensure the materials used in the proposed extension match those in the original building.

Although the proposed extension is proposed to be 150mm away from the boundary with No. 35 and the side projection is marginally over half the width of the original dwelling, the plans show the extension to be set back 1 metre from the main front elevation of the property at first floor with a lower ridge height than the existing roof. The proposed extension will therefore remain subordinate to the original dwelling. In addition, as a result of this design, it is considered that no terracing or unbalanced effect will occur and the proposal will contribute positively to the street scene.

With regard to access from front to rear, although the plans do not allow for an 800mm gap to the side of the extension and the site boundary, the ground floor layout has been designed so that there is unrestricted access from the front of the property through the garage and out to the rear garden. This is considered to be acceptable and will allow for the storage of bins and bicycles to take place in the rear garden in order to retain the visual amenity of the residential street. For these reasons, it is considered that this alternative design should be viewed as an exception to the policy. It is also noted that although applications 08/00203/FUL and 07/00275/FUL for domestic side extensions were refused as they did not retain 800mm between the side of the proposed extension and the plot boundary, these were lost at appeal. On this basis, it is therefore considered that it would be difficult to defend a refusal of the current application at appeal.

### Amenity

One objection has been received from the neighbouring occupiers at No. 35 on the grounds that the proposed extension would cause loss of light to their property.

The neighbouring property (No. 35) has a ground floor side kitchen window and door, and a first floor side landing / stairs window which has obscured glass. As these are not habitable rooms, it is considered that the proposed

extension will have minimal impact on the amenity currently enjoyed by the occupiers of No. 35. Furthermore, it is considered that a refusal on these grounds would be difficult to defend at appeal. The requirement in the 'House Extensions' SPD for rear extensions to not cross a 45 degree line taken from the centre of any neighbouring rear habitable room windows is also satisfied.

In addition to this, it is also noted that between the edge of the proposed extension and the side wall of the neighbouring property at No. 35, there is shown to be a gap of 150mm, and a driveway at the neighbouring property. This leaves an overall distance between the proposed development and side elevation of the neighbouring dwelling house of approximately 3.2 metres. This is considered to be acceptable and therefore minimises the impact of the extension on the adjoining occupier further.

With regard to privacy, there are no side windows proposed within the extension, and therefore there are no overlooking issues with the neighbouring property at No. 35.

### Conclusion

The proposed extension is considered to be acceptable and will have a positive impact on the street scene. Although external access from front to rear is not provided, the alternative design is considered to be acceptable and should be viewed as an exception to the policy for the reasons given above. Sufficient garden space has been retained to the rear and two off-road parking spaces are provided within the site.

### **RECOMMENDATION:**

Approve subject to conditions relating to the following:

1. Standard condition relating to timescale and duration of the permission.
2. Materials to be used shall match those in the existing building.

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<b>PLAN NUMBER:</b>	09/00270/FUL
<b>APPLICANT:</b>	Mr N McGrath, Halton Housing Trust, Daresbury Point, Manor Park, Green Wood Drive, Runcorn, WA7 1UP
<b>PROPOSAL:</b>	Proposed construction of a two storey block of 12 No. new build flats with 3 communal entrances, 6 No. new build bungalows in two terraces (including 1 No. disabled bungalow), associated groundworks, parking and stopping up of public footpath at
<b>ADDRESS OF SITE:</b>	Clarke Gardens, Widnes

**WARD:** Riverside

**SUMMARY RECOMMENDATION:**

Approve subject to conditions

**CONSULTATION AND REPRESENTATION:**

The application was advertised in the local press and by a site notice displayed near to the site. The nearest affected occupiers of the adjacent and nearby residential properties were notified by letter. The Health & Safety Executive, Cheshire Fire and Rescue Service, United Utilities, the Environment Agency, the Council's Highway Engineers, Waste Officers, Environmental Health Officers, Trees and Woodlands Officer, Ecologist and Landscape Services have all been consulted.

Cheshire Fire and Rescue Service have no objection in principle but have requested that a risk assessment is carried out to achieve an appropriate level of fire safety.

The Environment Agency has raised no objection in principle, but has recommended conditions relating to compliance with the submitted Flood Risk Assessment and that details are submitted for the provision and implementation of a surface water regulation system.

United Utilities raise no objection. The HSE does not advise, on safety grounds, against the granting of planning permission.

The Council's Ecologist is satisfied with the contents of the Ecological Assessment. Ongoing negotiations are currently taking place with regard to ground conditions on the site and Members will be updated on this at the appropriate time.

No further comments have been received at the time this report was produced, any further comments, will be reported orally to Committee.

**SITE/LOCATION:**

The site is located within an established residential area, and close to Widnes Town Centre.

The site is currently a flat vacant piece of grass land, which is landscaped with trees and bounded by railings of approximately 2 metres in height. The site previously contained a sheltered housing complex arranged in three blocks, each containing 8 flats, with separate community block and warden accommodation. This was demolished in 2006 and the land has remained open since. Surrounding the site there are residential properties which are mixed in size and design.

## RELEVANT HISTORY:

The most recent application of relevance on the site was 06/00446/DEM for the proposed demolition of existing sheltered housing complex comprising 3 No. blocks (each containing 8 No. flats) / separate community block / warden accommodation and associated bin stores / low level boundary walling. The site is now clear and is fenced off to prevent intruders.

## DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The following policies within the adopted Halton Unitary Development Plan are of relevance to this application:

BE1 General Requirements for Development  
BE2 Quality of Design  
BE3 Environmental Priority Areas  
BE22 Boundary Walls and Fences  
H2 Design and Density of New Residential Development  
H3 Provision of Recreational Greenspace  
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  
TP15 Accessibility for New Development  
TP17 Safe Travel for All

In addition the Council's Supplementary Planning Guidance / Documents – New Residential Development and Designing for Community Safety are also relevant to this application.

## OBSERVATIONS AND ISSUES:

Full planning permission is sought for the proposed construction of a two storey block of 12 No. new build flats with 3 communal entrances, 6 No. new build bungalows in two terraces (including 1 No. disabled bungalow), associated groundworks, parking and stopping up of public footpath.

The proposed development will provide rented accommodation with Halton Housing Trust acting as landlord. The core tenant group of the accommodation has been identified as the over 55's. The supporting information confirms there is currently a large amount of existing HHT tenants awaiting alternative accommodation. The proposed development will therefore, provide suitable housing to help to meet this strong demand.

The main issues and material planning considerations arising as a result of the proposal are: -

- Design and Layout suitability

- Amenity Space
- Highways
- Trees and Landscaping
- Decentralised Energy

### Design and Layout Suitability

The proposed development will result in a housing density of 44 dwellings per hectare. This falls within the 30-50 density target as encouraged in Policy H2 of the UDP. The proposed density is within the upper end of the target density, which is considered to be appropriate given the site is located close to the town centre.

The scheme will be pivoted around a central garden area. The 12 apartments will be positioned over two storeys and in the main, will front onto Lacey Street which is to the south of the site. The 6 bungalows will be positioned to the north of the apartments with 3 facing Charlotte Walk and 3 facing Elizabeth Court.

Internal habitable living space within the proposed development will be alternated into and out of the site, giving a good level of natural surveillance. Where habitable rooms do not face into the site, the less overlooked areas are shown to be gated to prevent intruders and will therefore maintain a good feel of security and safety.

Interface distances have been maintained to the Council's minimum standards within the site and with the existing properties outside the site. This provides a good degree of privacy both within and out of the site.

Materials have been shown to include a mix of cream render, grey Marley slate, red brickwork and natural stained Larch timber cladding. These will create a unique development in its setting, and are considered to create an appropriate high quality design. Samples of materials have been requested for approval by condition.

The majority of the site will remain open plan with the existing development surrounding the site. However, 900mm high timber fencing to the south of the site around the parking area and a mix of 2.1 metres high brick walls and fences are proposed within the site for security and privacy. These are considered to be appropriately sited and at suitable heights.

### Amenity Space

A central garden area provides amenity space for future occupiers of the proposed apartments within the scheme. This will be private and gated to prevent trespassers. Private 'Juliette' balconies are also shown on the southern elevation of the apartment block, which are considered to be appropriately sited within the development.



Although some of the garden sizes for the proposed bungalows fall short of the minimum standards required for new residential development, in order to prevent over development of the plots and to safeguard residential amenity, permitted development rights have been restricted. This is considered to be satisfactory. In addition, occupiers of the bungalows and flats have access to public open space at St Marie's Park, which is within close proximity to the site.

### Highways

The Highways Engineer has no objection to the proposed development in principle. A new cul-de-sac is proposed into the site from the north with access directly from the existing turning head within Elizabeth Court. The cul-de-sac will be gated for the future residents of Clarke Gardens and will provide access into the centre of the site.

The plans show the creation of 18 parking spaces and 16 cycle parking spaces within the site. Parking for the apartments is shown to be both off Lacey Street itself and also via a separate car parking area within the south eastern corner of the site. Parking for the bungalows is shown to be located centrally within the site and will be accessed from Elizabeth Court and gated for security. The disabled bungalow has 2 parking spaces located on a private driveway. Although the overall parking numbers fall short of the minimum required for the number of dwellings proposed, this is considered to be acceptable given that the site is located close to Widnes Town Centre which is therefore highly accessible by means of sustainable transport. The site location therefore easily and well connected to public transport and community facilities, jobs, key services and infrastructure as encouraged in PPS3. The Highways Engineer is satisfied with the parking numbers, types and locations shown.

An existing footpath which connects Lacey Street with Elizabeth Court, is proposed to be closed as part of the development. A stopping up application is currently being processed. As pedestrian access will still be provided around the site via Charlotte Walk, closure of this footpath is considered to be acceptable.

Bin stores are located sporadically within the site for inclusive use. Highways have requested that refuse collections are managed so that bins are brought to appropriate locations for collection.

With regard to fire access, the Fire Officer has provided comments as above, however details of fire access will also be addressed within the application for Building Regulation approval.

Highways have also requested that dropped crossings with tactile paving are installed at all appropriate desire line points. This has been addressed via planning condition.

### Trees and Landscaping

The scheme will involve the removal of certain trees on the site but also replacement planting. The Council's Trees and Woodlands Officer has no objections in principle to the proposed works, but has suggested conditions relating to the submission of an arboricultural method statement, the protection of trees to be retained, and the submission of a planting plan for approval.

The Council's Landscape Officer has no objection to the landscaping proposals.

### Decentralised Energy

As the developer is a Registered Social Landlord, a commitment to achieving Code Level 3 of the Code for Sustainable Homes is required. In addition, the applicant has suggested installing heat recovery technology within the proposed development to reduce energy consumption. As a result, this is considered to be acceptable and will contribute to the provisions required in Policy EM18 of the Regional Spatial Strategy.

### Conclusion

The proposed use is considered to be acceptable given the land allocation as 'Primarily Residential' and will provide accommodation which is of high quality design for those unable to afford market housing.

It is considered that all substantive matters have been adequately addressed and that all other outstanding matters can be adequately controlled by condition. On this basis, the application is recommended for approval.

### **RECOMMENDATION:**

Approve subject to conditions relating to the following:

- 1 Standard condition timescales for development commencement.
- 2 Prior to commencement approval of materials (Policy BE2).
- 3 Prior to commencement of development, a scheme for the provision and implementation of a surface water regulation system to be submitted for approval. (Policy PR16)
- 4 Details relating to off-site highway works involving dropped crossings and tactile paving to be submitted and approved. (Policy TP7)
- 5 Before site works commence protective fencing to be erected to protect trees to be retained. (Policy BE1)
- 6 Prior to commencement an arboricultural method statement to be submitted and approved. (Policy BE1)
- 7 Prior to commencement wheel washing details to be submitted and approved. (Policy BE1)
- 8 Submission and agreement of finished floor and site levels prior to commencement (Policy BE1).

- 9 Vehicle access, parking, servicing etc to be constructed prior to occupation of properties / commencement of use (Policy BE1).
  - 10 Development should be carried out in accordance with the approved Flood Risk Assessment and identified mitigation measures. (Policy PR16)
  - 11 There shall be no ground disturbance close to the trees to be retained. (Policy BE1)
  - 12 Planting plan shall be implemented as soon as practical after completion of the development. (Policy BE1)
  - 13 Restricted hours of construction (Policy BE1)
  - 14 Restricted hours of delivery (Policy BE1)
  - 15 The provision of bins and management of collections for each residential unit prior to occupation. (Policy BE1)
  - 16 Withdrawal of Permitted Development Rights for extensions and fences.
  - 17 No trees shown to be retained shall be damaged in any way as a result of the development (Policy BE1)
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**PLAN NUMBER:** 09/00340/HBCCOU, 09/00341/HBCLBC and 09/00342/HBCCAC

**APPLICANT:** Halton Borough Council

**PROPOSAL:** Proposed change of use of former Kingsway Health Centre to a youth centre, rear extension with glazed link connection, associated parking, gardens, courtyard, ball court, demolition and rebuilding of part of boundary wall/railings, partial demolition of south boundary wall and replacement with railings and ancillary works.

**ADDRESS OF SITE:** Kingsway Health Centre, Kingsway, Widnes.

**WARD:** Kingsway

**SUMMARY RECOMMENDATION:**

Approve subject to conditions

**CONSULTATION AND REPRESENTATION:**

Surrounding properties have been notified and the application advertised by way of site and press notices. English Heritage, the Council's retained Conservation Advisor, The Twentieth Century Society, The Victorian Society and United Utilities have been consulted as have the Council's Highways and Tree Officers.

The scheme has been designed in consultation with focus groups for each target group including disabled users and those from deprived backgrounds. This is referred to as the Youth Design Team who have played an active role in the design of the centre, the proposed activities and services, delivery and future governance arrangements.

#### SITE/LOCATION:

Kingsway Health Centre is a listed building (Grade 2) fronting Kingsway, Widnes. Vehicle access is from the side of the building onto Vicarage Road

#### RELEVANT HISTORY:

None directly relevant. The building was however recently listed by English Heritage (Grade 2).

#### UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is within Action Area 2 Central Widnes and also lies within the Victoria Square Conservation Area. The following Council's Unitary Development Plan policies are relevant to this application:-

RG2: Action Area 2 Central Widnes,  
BE12: General Development Criteria Conservation Areas,  
BE8: Changes of Use of Listed Buildings,  
BE9: Alterations and Additions to Listed Buildings,  
BE10: Protecting the Setting of Listed Building,  
BE19: Disabled Access for Changes of Use, Alterations and Extensions  
GE27: Protection of Trees and Woodlands.

#### OBSERVATIONS AND ISSUES

##### Scheme Proposal and Historical Context

The proposal is for the change of use of the former Kingsway Health Centre to a youth centre including a two-storey extension to the rear of the retained building with glazed link connection, associated parking, gardens, ball court and demolition and re-building of boundary walls with railings.

According to the listing description, the former Kingsway Health Centre was opened in 1939 to address the issue of inadequate and scattered healthcare facilities in Widnes. It was built just before the outbreak of World War two and is a rare example of a 1930s comprehensive health centre outside of London. The building design is in the Modern style and incorporates well preserved Art Deco elements both externally and internally.

##### Policy Considerations and Development Principles

The site is within the Central Widnes Action Area which is identified within the Halton Unitary Development Plan as a proposed “mixed-use area for uses supporting and enhancing the vitality and viability of the Widnes Town Centre”. Within the policy, use as ‘assembly and leisure’ is specifically identified as acceptable. The plan proposes the transformation of this listed building by restoring and retaining as far as possible key original features and by the addition of a modern extension to the rear.

The former Kingsway Health Centre has remained vacant since January 2006 and was last used to provide health care for the people of Widnes. Securing a use for this building is widely accepted as the most effective way of securing the long-term future of such buildings. When measured against the provisions of UDP Policies and the wider aspirations of the Central Widnes Action Area, it is considered that the proposed uses are acceptable in principle. The principle of the modern design as an obvious addition to such historical buildings is also accepted in line with current conservation principles and has previously been used in the recent modernisation of the Runcorn Town Hall annexe building and the ongoing extension and conversion of the former Widnes Town Hall to provide a hotel, bars and restaurants.

### Specific Design Issues

The proposals will retain the main original building of the former health centre with limited demolition of a single storey outrigger to the rear to make way for the glazed link and the proposed extension. The existing building will be refurbished including the glazing which is a prominent feature of the building. Internally it is necessary to knock through a number of rooms which are relatively small to provide more functional spaces but retaining, as far as possible, coved ceilings, original tiling and stub walls to provide reference to the original form of the building. The central area of 3 existing three-quarter height windows to the rear elevation will be opened up with full height modern folding doors providing access to a rear courtyard space.

A key issue has been the issue of securing disabled access throughout the building and the impact of this particularly on the retention of original doorways with feature architraves particularly within the original central ground floor waiting room. These are seen as important features in terms of character but are not currently capable of providing disabled wheelchair access. Following detailed discussions, including the Council’s retained advisor and English Heritage, a scheme has been agreed to retain existing where possible, block redundant doorways but retain the architrave detailing and where necessary provide new openings with modern architrave detailing to be agreed, thereby allowing suitable disabled access to be achieved. These elements of the proposal are therefore considered acceptable when balancing the need to secure a viable future for the building whilst meeting modern standards and expectation.

The scheme also proposes a modern 2 storey height building to the rear connected to the main building by glazed link. The principle of obvious modern additions to such buildings has been previously accepted at Runcorn

Town Hall and the former Widnes Town Hall and is in line with current guidance and thinking on such projects. The proposed extension will provide a full height multi-functional hall for a wide variety of activities including, sports, theatre, music etc. The proposed hall will be clad in standing seam zinc cladding or similar with curtain wall glazing overlooking the proposed courtyard with horizontal brise soleil. A contrasting feature element fronting Vicarage Road will provide “chill out” space and youth parliament accommodation projecting over the rear entrance and finished in pre-patinated copper cladding with glazed elevations facing the courtyard and the adjoining spire at St Pauls Church. The remainder of the proposed extension providing circulatory space, control rooms, changing facilities etc is to be clad in opaque channel glazing or similar. The proposal is also designed to offer particular gains in terms of energy efficiency including passive ventilation using wind catchers to the roof and an air source heat pump.

The two elements will be joined by external courtyard with seating, pergola etc to allow the uses of both buildings to link through the outside space. Other facilities will include a multi-use games area to one side and landscaped gardens to front and side. The proposals are considered to offer a very high quality of design and materials providing a flagship development in its own right yet sympathetic and relating well to the original building and its listed status.

### Highways and Parking

The scheme will retain its primary pedestrian entrance direct on to Kingsway. Vehicle access will be provided into the rear yard area as existing via the existing highway network. The proposed extension will result in the loss of a significant proportion of the parking available to the former health centre. Limited parking will be retained for 3 parking spaces to the rear including one disabled parking space. The proposed is considered as an acceptable use for the location, accessible by pedestrians and well served by public transport. The parking and highway demand for the use has been assessed by the Council's Highways Engineers based on the predominantly young people who will use the centre, the current travel patterns of staff to be relocated and the potential for shared parking surrounding the site. Whilst further justification has been requested to support the case the Council's Highways Engineer has confirmed that they raise no objections in principle.

### Loss of Trees

The scheme will result in the loss of a number of trees which currently surround the boundaries of the site. These are predominantly poplars many of which have been heavily pruned/ pollarded. They are thought to be partly responsible for the damage to the existing walls and railings (which are to be rebuilt and restored) and are considered to block key views of the building. As such the current trees are not considered of particular merit and are considered unsuitable for their location. It is therefore proposed to remove the existing trees and to provide replacement planting of more appropriate

species along the frontage subject to agreement by condition. The Council's Tree Officer has agreed this course of action as most appropriate.

### Noise

The scheme proposes a youth centre with multiuse hall and external courtyard which will provide potential venues for theatre, music, sports etc and therefore the potential to raise noise issues. The application is therefore supported by a noise assessment which provides recommendations in terms of hours of use and acoustic insulation to the buildings and plant. A degree of screening is provided naturally to the proposed court yard being surrounded on three sides by buildings up to 2 storeys and mature green screen to the remaining side. The Council's Environmental Health officer has confirmed that no objections are raised in principle but discussions are ongoing with regards to the details of the attenuation and mitigation required. Members will be updated as required.

### Summary and Conclusions

The current proposals represent a bold scheme and the proposals for such modern additions to such a prominent historical building could divide opinion. It is however considered that to produce a pastiche of the original building would represent a missed opportunity and conflict with current conservation principles. The proposed uses are considered to be appropriate for the building and in accordance with the Unitary Development Plan. It is considered that a good balance has been achieved between the retention of key elements of the main building and modernisation to meet current standards and expectations to secure a viable future. The proposals have resulted from lengthy consultation with the future users of the centre, the Council's retained advisor and English Heritage. The application(s) are therefore recommended for approval.

### **RECOMMENDATION:**

Application 09/00340/HBCCOU – Approve subject to conditions relating to the following:

1. Specifying amended plans (BE1)
2. Materials condition, requiring the submission and approval of the materials to be used (BE2)
3. Requiring that the scheme be implemented in full accordance with the approved plans/ details unless otherwise agreed. (BE1)
4. Specifying the use as a Youth Centre within use class D2 (BE1).
5. Boundary treatments to be submitted and approved in writing. (BE2)
6. Wheel cleansing facilities to be submitted to and approved in writing and used during construction. (BE1)
7. Submission and agreement of landscaping details including replacement tree planting (BE1)

8. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
9. Restriction of opening hours (BE1)
10. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use. (BE1)
11. Agreement and implementation of cycle parking provision (TP6)
12. Restricting external lighting (BE1)
13. Site investigation, including mitigation to be submitted and approved in writing. (PR14)
14. Requiring additional details relating to associated plant/ noise attenuation (PR2)
15. Requiring submission and agreement of additional details relating to brise soleil, glazed roof, pergola, bin stores etc. (BE2)

Application 09/00341/HBCLBC - Approve subject to conditions relating to the following:

That Authority is delegated to the Operational Director – Environmental and Regulatory Services to approve the application subject to the Secretary of State not calling the application in and to conditions relating to the following:

1. Specifying amended plans (BE9)
2. Materials condition, requiring the submission and approval of the materials to be used (BE9)
3. Requiring that the scheme be implemented in full accordance with the approved plans/ details unless otherwise agreed. (BE9)
4. Requiring submission and agreement of additional details relating to detailed features including door architraves, hand rail, glazed roof, brise soleil, pergola etc (BE9)

Application 09/00342/HBCCAC – Approve subject to conditions relating to the following:

1. Requiring submission and agreement of method statement for demolition, rebuilding and refurbishment (BE8)
2. Requiring that the demolition, rebuilding, refurbishment be implemented in full accordance with the approved plans/ details unless otherwise agreed. (BE8)
3. Materials condition, requiring the submission and approval of the materials to be used (BE8)