

Public Document Pack



Development Control Committee

**Tuesday, 12 April 2016 6.30 p.m.
The Board Room - Municipal Building,
Widnes**

A handwritten signature in blue ink that reads 'David W R'.

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Paul Nolan (Chairman)
Councillor Keith Morley (Vice-Chairman)
Councillor John Bradshaw
Councillor Arthur Cole
Councillor Ron Hignett
Councillor Stan Hill
Councillor Carol Plumpton Walsh
Councillor June Roberts
Councillor John Stockton
Councillor Dave Thompson
Councillor Kevan Wainwright
Councillor Bill Woolfall
Councillor Geoff Zygadlo

*Please contact Ann Jones on 0151 511 8276 Ext. 16 8276 or
ann.jones@halton.gov.uk for further information.
The next meeting of the Committee is on Monday, 16 May 2016*

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.	Page No.
1. MINUTES	1 - 9
2. DECLARATIONS OF INTEREST	
Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting prior to discussion and voting on the item.	
3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	10 - 27
4. MISCELLANEOUS ITEMS	28 - 29

In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 7 March 2016 at Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Morley (Vice-Chairman), Cole, R. Hignett, S. Hill, June Roberts, J. Stockton, Thompson and Woolfall

Apologies for Absence: Councillors J. Bradshaw, C. Plumpton Walsh, Wainwright and Zygadllo

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, A. Plant, J. Eaton, J. Farmer and G. Henry

Also in attendance: Councillor N. Plumpton Walsh and 7 members of the public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

	<i>Action</i>
<p>DEV36 MINUTES</p> <p>The Minutes of the meeting held on 8 February 2016, having been circulated, were taken as read and signed as a correct record.</p>	
<p>DEV37 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE</p> <p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p>	
<p>DEV38 - 15/00430/FUL - PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 116 DWELLINGS, ROADS, OPEN SPACE, SUBSTATION AND ALL ASSOCIATED WORKS AT FORMER MARLEY ETERNITY SITE, DERBY ROAD, WIDNES</p> <p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p> <p>The Committee was advised that two further letters of representation had been received supporting the application but requesting adequate parking provision; a children's play</p>	

area; that the works are closely monitored and traffic congestion is considered.

Officers also advised that the Council's Contaminated Land Officers were satisfied that the site could be appropriately and safely remedied since they had received an updated report and appropriate planning conditions could now be applied. Further the applicant had confirmed that in order to avoid delay in commencing the site remediation they were willing to accept planning conditions to deal with this issue. It was noted that there would be additional conditions required to those contained in the recommendation and that these would be timed to allow the remediation to commence prior to the start of the housing development.

RESOLVED: That the application be approved subject to the addition of the above conditions and conditions below:

- a) A Legal or other appropriate Agreement relating to financial contributions towards off site highway improvements.
- b) Conditions relating to the following:
 - 1) Specifying amended/approved plans;
 - 2) Conditions relating to ground investigation and mitigation (PR14);
 - 3) Environment Agency conditions relating to preliminary risk assessment, site investigation, remediation and verification (PR14);
 - 4) Environment Agency condition relating to discovery of unidentified contamination;
 - 5) Environment Agency condition restricting infiltration of surface water drainage of contaminated land;
 - 6) Materials condition, requiring development be carried out as approved (BE2);
 - 7) Landscaping condition, requiring development be carried out as approved (BE2);
 - 8) Requiring submission and agreement of hard surfacing materials (BE2);
 - 9) Boundary treatments requiring development be carried out as approved (BE2);
 - 10) Requiring detail relating to sound attenuation fencing, trickle ventilation and other means of ventilation in accordance with the submitted noise report and implementation prior to occupation (BE1);

- 11) Wheel cleansing facilities to be submitted and approved in writing (BE1);
 - 12) Construction and delivery hours to be adhered to throughout the course of the development (BE1);
 - 13) Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/commencement of use (BE1);
 - 14) Finished floor and site levels condition requiring development be carried out as approved (BE1);
 - 15) Conditions relating to tree protection during construction (BE1);
 - 16) Requiring development be carried out in accordance with the approved PRA and mitigation measures (PR16);
 - 17) Submission and agreement of ecology / habitat enhancement features including bird/bat boxes (BE21);
- c) That if the S106 Agreement or alternative arrangement was 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.

The following three applications related to the overall redevelopment of the former Fairfield High School Site located on Peel House Lane, Widnes, so were considered together by the Committee.

DEV39 - 15/00551/FUL - PROPOSED DEVELOPMENT COMPRISING 162 NO. DWELLINGS WITH ASSOCIATED ACCESS ROADS, LANDSCAPING AND INFRASTRUCTURE AT FORMER FAIRFIELD HIGH SCHOOL SITE, PEEL HOUSE LANE, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

It was noted that the former Fairfield High School site was granted a release for non-education use by the Secretary of State under Section 77 of the Academies Act 2010. In relation to the protection of outdoor playing space for formal sport and recreation, Sport England raised no objection as they were satisfied that the School playing field was surplus to requirements in the light of the Playing Pitch Strategy.

It was reported that Local Ward Councillor Philbin had raised some concerns regarding surface water run-off from the site. In response it was commented that a further drainage strategy had been provided and implementation of an appropriate drainage strategy was recommended at condition number 18 below.

The Committee agreed the approval of the application subject to the conditions listed below.

RESOLVED: That the application be approved subject to the following conditions:

- 1) Time limit – full permission;
- 2) Approved plans;
- 3) Submission of proposed site levels (BE1);
- 4) Facing materials to be agreed (BE1 and BE2);
- 5) Submission of detailed soft landscaping scheme, implementation and subsequent maintenance (BE1);
- 6) Implementation of submitted hard landscape and boundaries layout and subsequent maintenance (BE1);
- 7) Breeding birds protection (GE21);
- 8) Hours of construction (BE1);
- 9) Removal of permitted development – all dwellings (BE1);
- 10) Submission of a construction environmental management plan (BE1);
- 11) Implementation of remediation method statement and submission of a completion report (PR14);
- 12) Provision and retention of parking for residential development (curtilage) (BE1);
- 13) Retention of garages (BE1);
- 14) Implementation of site access from Peel House Lane (linked to application 15/00552/FUL) (BE1);
- 15) Implementation of access and servicing provision (BE1);
- 16) Traffic calming scheme (BE1);
- 17) Off-site highway works scheme (BE1);
- 18) Submission of drainage strategy for approval and subsequent implementation (PR16);
- 19) Scheme for electrical vehicle charging points (CS23);
- 20) Noise mitigation measures scheme (PR8);
- 21) Scheme for bird nesting boxes (GE21);
- 22) Ecological mitigation strategy (GE21); and
- 23) Submission of a waste audit (WM8).

DEV40 - 15/00552/FUL - PROPOSED CONSTRUCTION OF ACCESS ROAD PROVIDING ACCESS TO CEMETERY AND HOUSING DEVELOPMENT INCLUDING

LANDSCAPING AT FORMER FAIRFIELD HIGH SCHOOL SITE, PEEL HOUSE LANE, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

The Committee approved the application subject to the conditions listed below.

RESOLVED: That the application is approved subject to the following conditions:

- 1) Time limit – full permission;
- 2) Approved plans;
- 3) Submission of proposed site levels (BE1);
- 4) Implementation of detailed soft landscaping scheme and subsequent maintenance (BE1);
- 5) Implementation of submitted hard landscape and boundaries layout and subsequent maintenance (BE1);
- 6) Breeding birds protection (GE21);
- 7) Hours of construction (BE1);
- 8) Submission of a construction environmental management plan (BE1);
- 9) Implementation of access and servicing provision (BE1);
- 10) Submission of drainage strategy for approval and subsequent implementation (PR16); and
- 11) Submission of a waste audit (WM8).

DEV41 - 15/00553/HBCFUL - PROPOSED CONSTRUCTION OF A NEW CEMETERY, ACCESS ROAD AND MAINTENANCE DEPOT WITH ASSOCIATED INFRASTRUCTURE AT FORMER FAIRFIELD HIGH SCHOOL SITE, PEEL HOUSE LANE, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

The Committee was advised that an updated drainage proposal had been received and observations from the Environment Agency were still awaited.

The Committee agreed to approve the application subject to the following conditions.

RESOLVED: That

- a) Delegated authority is given to the Operational Director – Policy, Planning and Transportation, in consultation with the Chairman or Vice Chairman of the Development Control Committee, to make the decision once the drainage design has been amended to the satisfaction of the Environment Agency and the Lead Local Flood Authority; and
- b) The application be approved subject to the following suggested conditions and any additional conditions required following the submission of further information and subsequent consultation:
 - 1) Time limit – full permission;
 - 2) Approved plans;
 - 3) Implementation of proposed site levels (BE1);
 - 4) Implementation of landscaping and boundary treatments scheme (BE1);
 - 5) Breeding birds protection (GE21);
 - 6) Protection of woodland habitat (GE21);
 - 7) Construction management plan (Highways) (BE1);
 - 8) Implementation of access road under application 15/00552/FUL (BE1);
 - 9) Provision of parking and servicing with cemetery (BE1); and
 - 10) Implementation of drainage strategy 9 PR16).

In order to avoid any allegation of bias Councillor R Hignett took no part in the following item as he had been involved with the scheme.

DEV42 - 15/00584/OUT - PROPOSED HYBRID APPLICATION SEEKING FULL PLANNING PERMISSION FOR DEVELOPMENT COMPRISING: TOWN CENTRE CAR PARK, PUBLIC HOUSE/RESTAURANT (USE CLASS A4) WITH ANCILLARY MANAGER'S ACCOMMODATION, ACCESS ROADS, PARKING AND SERVICING AREAS AND LANDSCAPING AND OUTLINE PERMISSION (WITH ALL MATTERS RESERVED) FOR A COMMERCIAL UNIT OF UP TO 195 SQUARE METRES (USE CLASS A1, A3, A5) ON LAND BOUNDED BY BRIDGEWATER CANAL, DARESURY EXPRESSWAY AND GREENWAY ROAD, RUNCORN, CHESHIRE

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

The Committee was advised that the Ecological Consultant had advised that the trees on site were category

2 as detailed in the update list. It was noted that the Merseyside Environmental Advisory Service advised that the sensitive working methods outlined in the Preliminary Ecological Appraisal be followed and secured by a condition. They were also satisfied that checks for water vole activity were appropriate. Now that these ecological issues had been addressed it was noted that delegated authority was no longer requested.

The Chairman requested that the case officer contact the archaeologist to see if a condition needed to be attached to any permission.

The Committee agreed to approve the application subject to the additional condition mentioned above and the following listed conditions.

RESOLVED: That the application be approved subject to the following:

Conditions applicable to all parts of the proposal:

- 1) Remediation strategy (PR14);
- 2) Verification report (PR14);
- 3) Unidentified contamination (PR14);
- 4) No piling or other foundation design using penetrative methods (PR14);
- 5) Detailed drainage strategy (PR16 and CS23);
- 6) Implementation of pedestrian crossing phase (BE1);
- 7) Breeding bird protection (GE21);
- 8) Lighting scheme to protect ecology (GE21);
- 9) Water vole protection (GE21);
- 10) Japanese knotweed eradication (GE21); and
- 11) Bridge works over Bridgewater Canal (BE1).

Conditions – Tenant Phase 1 – Public House

- 1) Time Limit – full permission;
- 2) Approved plans;
- 3) Facing material (BE1);
- 4) Hard landscaping and boundary treatments (BE1);
- 5) Soft landscaping (BE1);
- 6) Construction management plan (BE1);
- 7) Implementation of parking and servicing (BE1);
- 8) Implementation of cycle parking (BE1);
- 9) Implementation of Bridgewater access phase (BE1);
and
- 10) Site levels (BE1).

Conditions – Tenant Phase 2 – Outline application for Commercial Unit

- 1) Time Limit – outline permission;
- 2) Submission of reserved matters; and
- 3) Implementation of Bridgewater Access Phase and Western Access Phase (BE1).

Conditions – Town Centre Car Park and Western Access Phase

- 1) Time limit – full permission;
- 2) Approved plans;
- 3) Hard landscaping and boundary treatments (BE1);
- 4) Soft landscaping (BE1);
- 5) Site levels (BE1);
- 6) Construction management plan (BE1); and
- 7) Implementation of Bridgewater access phase and Western access phase before first use of Town Centre Car Park (BE1).

DEV43 - 15/00027/FUL - PROPOSED TWO STOREY ANNEXE EXTENSION TO EXISTING HOTEL TO CREATE AN ADDITIONAL 27 LETTING ROOMS INCLUDING ANCILLARY SERVICES, CAR PARK ALTERATIONS, CYCLE PARKING AND INTERNAL ALTERATIONS TO THE MAIN HOTEL TO CREATE TWO NEW FULLY ACCESSIBLE ROOMS AT PREMIER INN, CHESTER ROAD, PRESTON BROOK, RUNCORN, CHESHIRE, WA7 3BA

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

Members were referred to the update list where it was confirmed that the access/exit could remain where it was as the internal alterations to the car park did not affect the highway network. Further, the addition of 27 bedrooms and loss of 2 parking spaces had been demonstrated not to have a negative impact on the operation of the site, and that the level of parking required could be accommodated within the site. It was also reported that a further planning condition was recommended for a scheme to provide an electric vehicle charging point.

RESEOLVED: That the application be approved subject to the following conditions:

- 1) Standard condition relating to timescale and duration of the permission;
- 2) Condition listing approved plans (BE1 and BE2);
- 3) Submission of materials (BE2);
- 4) Details and provision of secure cycle parking (TP6);
- 5) Access and parking/layout, cycle parking provision to be implemented as approved (BE1);
- 6) Details of final drainage scheme (BE1);
- 7) Conditions specifying construction hours and hours of deliveries for building materials (BE1);
- 8) Construction traffic management plan and wheel wash facilities (BE1);
- 9) Details of existing final site levels (BE1);
- 10) Submission of a green travel plan (TP16).

Meeting ended at 6.55 p.m.

REPORT TO: Development Control Committee

DATE: 12 April 2016

REPORTING OFFICER: Strategic Director - Community and Resources

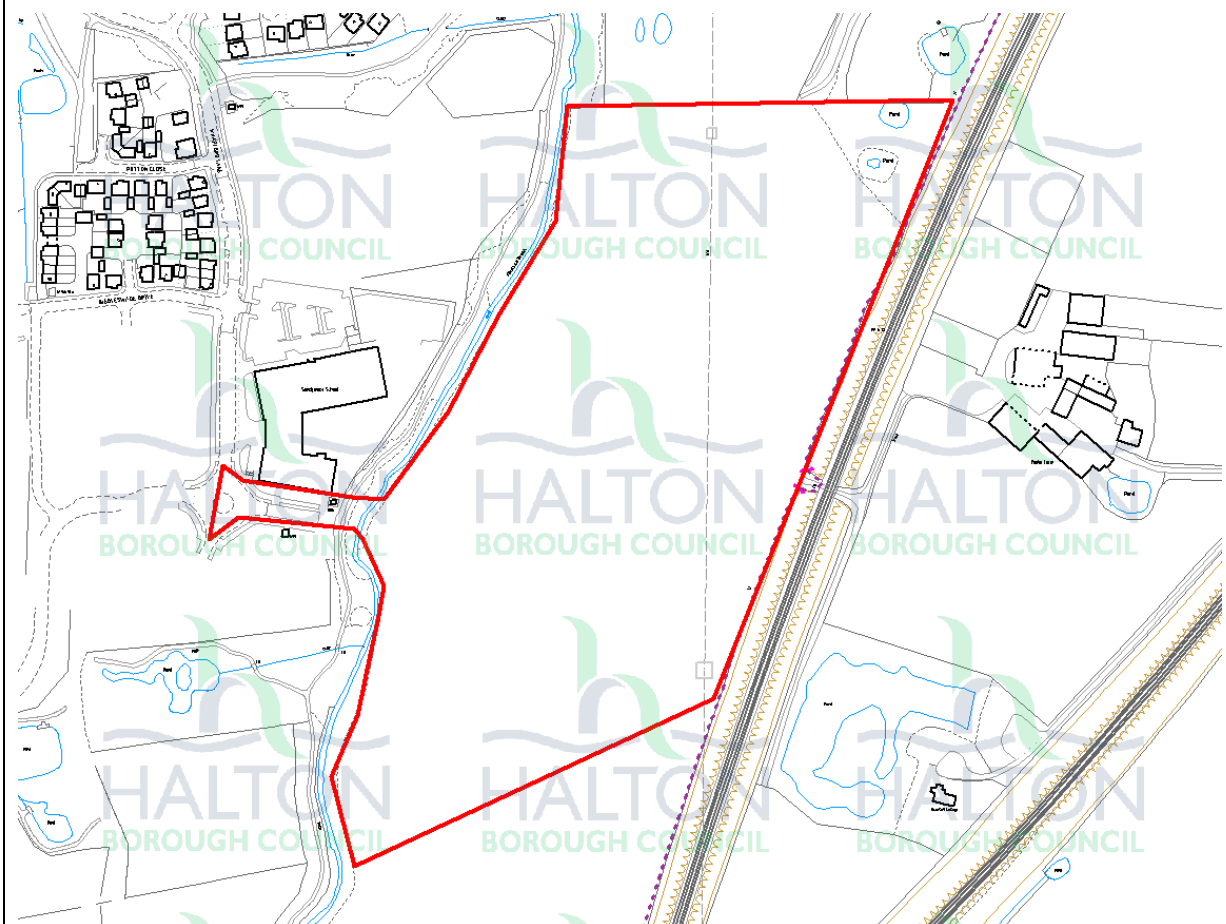
SUBJECT: Planning Applications to be Determined by the Committee

WARD(S): Boroughwide

Application No	Proposal	Location
15/00453/FUL	Proposed development of 205 dwelling houses together with associated infrastructure.	Land to rear of Sandymoor Free School, Wharford Lane, Sandymoor

APPLICATION NO:	15/00453/FUL
LOCATION:	Land To Rear of Sandymoor Free School, Wharford Lane, Sandymoor
PROPOSAL:	Proposed development of 205 dwelling houses together with associated infrastructure
WARD:	Daresbury
PARISH:	Sandymoor
AGENT(S) / APPLICANT(S):	Bloor Homes, Heather Jean Griffin & Robert Dickinson Griffin
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)	UDP Phase 2 Allocated Housing Site; Proposed Greenspace and Proposed Greenway
DEPARTURE	Yes
REPRESENTATIONS:	One
KEY ISSUES:	Allocated housing site; housing need; ecology impacts; loss of green space; drainage and highway impacts
RECOMMENDATION:	Resolution to approve, subject to resolution of outstanding matters advised. Delegate decision to Chair / Vice Chair and OD PPT

SITE MAP



APPLICATION SITE

The Site

The Site is approximately 8.5 hectares, and is located within the development area of Sandymoor. The West Coast Main Line runs on an embankment along the eastern boundary of the site and Keckwick Brook and Sandymoor School to the West. The site is a greenfield site and is predominantly allocated for housing in the Unitary Development Plan. An area of the development encroaches into land designated as greenspace adjoining The West Coast Main Line.

The wider Sandymoor neighbourhood is situated on the eastern edge of Runcorn. It is bounded to the north by the Daresbury Expressway (A558) which provides primary access points to the existing residential areas in Sandymoor. The West Coast Main Line and Manchester – Chester railway lines lie immediately to the east.

Planning History

Outline Planning Permission (04/01040/OUT) was approved in 2005 however that planning permission has now lapsed.

Planning permission (13/00190/FUL) was granted for a new secondary school to the west of the site for a 900 place school with sports and media / arts centre. Construction on the Sandymoor Free School is now complete and that use has commenced.

Numerous other planning permissions have been approved for residential development across the Sandymoor area including planning permission 14/00161/FUL on land also to the west for construction of 219 houses by Morris Homes. That development is currently under construction.

THE APPLICATION

The proposal

The proposal seeks permission to develop the site for a residential development of 205 houses mews style, detached and semi-detached dwellings together with associated infrastructure. The houses will be 2 and 2.5 storeys comprising two, three and four bedrooms. The application has been amended significantly from that as originally submitted including a change to house types and an increase in the number of dwellings from 185 as originally submitted to 205 as currently proposed. Consultation on the revised scheme remains ongoing and members will be advised of any significant comments as required.

Documentation

The applicant has submitted a planning application, drawings and the following reports:

- Design and Access Statement
- Transport Statement
- Contaminated Land Report
- Aboricultural Impact Assessment
- Ecological Constraints Report

Ecological Assessment Addendum
Water Vole Methods Statement
Flood Risk Assessment
Noise Assessment

POLICY CONTEXT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 to set out the Government's planning policies for England and how these should be applied.

Paragraph 196 states that the planning system is plan led. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise, as per the requirements of legislation, but that the NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 14 states that this presumption in favour of sustainable development means that development proposals that accord with the development plan should be approved, unless material considerations indicate otherwise. Where a development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF; or specific policies within the NPPF indicate that development should be restricted.

The government has published its finalised Planning Practice Guidance (PPG) to compliment the National Planning Policy Framework (NPPF).

Halton Unitary Development Plan (UDP) (2005)

The following 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
- GE6 Protection of Designated Greenspace
- GE8 Development within Designated Greenspace
- GE21 Species Protection
- PR2 Noise Nuisance
- PR5 Water Quality
- PR14 Contaminated Land
- PR16 Development and Flood Risk
- TP6 Cycle Provision as Part of New Development
- TP7 Pedestrian Provision as Part of New Development
- TP12 Car Parking
- TP14 Transport Assessments
- TP17 Safe Travel for All

- H1 Provision for New Housing
- H3 Provision of Recreational Greenspace

Halton Core Strategy Local Plan (2013)

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

- CS1 Halton's Spatial Strategy
- CS2 Presumption in Favour of Sustainable Development
- CS3 Housing Supply and Locational Priorities
- CS7 Infrastructure Provision
- CS11 East Runcorn
- CS12 Housing Mix
- CS13 Affordable Housing
- CS15 Sustainable Transport
- CS18 High Quality Design
- CS19 Sustainable Development and Climate Change
- CS20 Natural and Historic Environment
- CS23 Managing Pollution and Risk

Supplementary Planning Documents

- Sandymoor Supplementary Planning Document
- New Residential Development Supplementary Planning Document
- Designing for Community Safety Supplementary Planning Document
- Draft Open Spaces Supplementary Planning Document

CONSULTATIONS

The application has been advertised as a departure via the following methods: site notices posted near to the site, press notice, and Council website. Surrounding residents and landowners have been notified by letter.

The following organisations have been consulted and any comments received have been summarised below in the assessment section of the report:

Parish Council – No comments received
Environment Agency – Objection based on FRA issues
Network Rail – Underpass Objection

Council Services:

HBC Open Spaces – No Objection
HBC Environmental Health – No Objection
HBC Contaminated Land – No objection
HBC Highways – No Objection

REPRESENTATIONS

One letter of representation has been received raising the following concerns: regarding the existing traffic calming on Wharford Lane which is described as “dangerous”, querying whether the bus routes will serve the school site, and that the extra homes with extra cars will add to the “already dangerous road structure”.

ASSESSMENT

Principle of Use

The site is predominantly designated on the Unitary Development Plan (UDP) Proposals Map as a Phase 2 Allocated Housing Site.

The Core Strategy supports the greenfield expansion of East Runcorn. Policy CS3 seeks the development of a minimum rate of 500 units per annum (net gain). Policy CS11 sets out the requirement for an additional 1400 units to the south and west of the existing Sandymoor community. Development Plan policies are supplemented by the Sandymoor Supplementary Planning Document (SPD) adopted in 2009. This SPD sets out further detail on the development of the wider Sandymoor area, of which this site forms a component part.

A small area of the residential development overlaps onto an area designated as proposed greenspace and a proposed greenway also runs north/ south through the site as defined on the UDP Proposals Map. The area of encroachment is considered relatively minor, especially in the context of greenspace provision to be made within the scheme and the wider area, which is considered as providing sufficient compensatory provision. Such minor land use exchange is also considered acceptable as it provides for a more suitable development layout given the existing constraints of the site. The proposals are considered to make adequate provision and do not prejudice the future provision for a greenway link. Therefore the proposals are considered to accord with Unitary Development Plan Policies TP9 and GE6.

Sandymoor Wood, Keckwick Brook and Brook Wood are all classified as Areas of Special Landscape Value in the Unitary Development Plan. All these areas are to be retained in their entirety. The development proposal that is the subject of this application will deliver much needed housing on a long designated site and is considered acceptable in principle.

Design, Density and Residential Amenity

The application proposes a mix of two, three and four bed roomed, 2 and 2.5 storey dwellings of a traditional brick and tiled roof construction. The scheme makes suitable provision for the continuation of the Avenue to link Sandymoor North with Walsingham Drive as detailed by earlier infrastructure planning permissions and appropriate connection is made to the future phase development land to the south.

The scheme is heavily constrained by existing features and services including the railway embankment, drainage culverts, the brook and a high voltage power line and pylons running north/south through the site. Given these constraints the applicant has amended the application to increase the development density and the number of smaller and mews type properties to reflect what they consider to be the likely market demand for properties. Given such constraints it is considered that the proposals represent housing to an appropriate density and an efficient use of land in accordance with Policy CS3. It is considered that suitable consideration has been given to providing active frontages to key highway and pedestrian routes and other public areas. As with many sites across the Sandymoor area flood mitigation, drainage and general levels issues will necessitate the raising of levels across the

site but this is reported to be limited to approximately 500mm and it is considered that any issues at the boundaries can be dealt with through land profiling. Whilst detailed levels information is to be reserved by condition, it is considered that any such rise in levels will be capable of being achieved without significant visual or amenity impact.

The proposals are considered to offer a character and quality of development suited to the area, and in keeping with those previously approved and constructed across the Sandymoor area, albeit at relatively higher density and some smaller properties. The scheme is considered to offer appropriate spacing to achieve satisfactory privacy standards and interface distances in accordance with the principles within the Council's adopted Supplementary Planning Document for New Residential Development and as such complies with Policies BE1 and BE2 of the Halton Unitary Development Plan, Core Strategy and NPPF.

Conditions requiring submission and agreement of a Construction Environmental Management Plan including construction vehicle routeing and management, hours of construction and wheel wash facilities are proposed to be included on any permission given to ensure that disturbance to existing local residents are kept to a minimum. Conditions relating to materials to be used, boundary treatments and landscaping provision are also required to ensure the quality of the final scheme.

Highway Considerations

The application is supported by submission of a Transport Assessment (TA). The Council's Highways Engineer has confirmed that the Transport Assessment shows that in both 2018 and 2023 with committed developments in place (Sandymoor North, Sandymoor South full build and Sandymoor School full occupation) that Pitts Heath Lane/Wharford Lane junction will be over capacity. It is noted however that some allowance has also been made for general traffic growth, which coupled with addition of development traffic is likely to result in some double counting, and therefore the impact may not be as severe as modelled. It is recommended that the performance of this junction is monitored, with a view to an alteration to junction type or priority at some point in the future should this be required. It is recommended that a similar approach be taken with regard to the chicane on Wharford Lane.

It is noted that the assumed traffic distribution does not result in any traffic using Newmoore Lane in the am or pm peaks. Whilst this is considered unlikely, it is considered that any increase would be small and would make little difference to the capacity models. It is noted that the TA does not consider cumulative impact further afield than the Sandymoor site. Reference is to be made to the wider East Runcorn Sustainable Transport Study produced as part of the Halton Core Strategy. This considers improvements required to infrastructure in the area as a whole, to mitigate the impact of all East Runcorn development proposals.

It is therefore recommended that a Section 106 agreement based on a contribution per dwelling is sought, as has been the case for other Sandymoor developments, along with a financial contribution towards Pitts Heath/ Wharford Lane junction/ chicane alterations, should the junction become overcapacity. These suggested contributions are addressed later in the report under Other Material Matters.

On this basis, the Council's Highways Engineers have confirmed that they raise no objection based on highway capacity or safety issues relating to the existing highway network. The main issues arising from the proposals are considered to relate to detailed and general highway arrangements within the scheme including accommodating drainage and service provision, and the alignment of the proposed bridge crossing of Keckwick Brook. Amendments have been sought dealing with a number of highway details and drainage details. These latest proposals are currently being considered by the Council's Highways Engineers and, whilst further minor amendments may be required, it is considered that these can be resolved through ongoing negotiation with any outstanding matters resolved through further relatively minor amendments and/ or by condition.

Construction traffic is expected to use the existing road access from Wharford Lane passed the school. Timing of deliveries etc to avoid peak school drop-off and collection times are considered to be a potential issue and such matters, including routing, timing of deliveries, wheel wash and construction parking can be addressed through submission and agreement of a Construction Management Plan. This will also help to ensure that disturbance to existing local residents are kept to a minimum. Members do need to be aware however that, whilst all reasonable efforts can be made to minimise disturbance and potential conflict such issues are largely a site management issue. The applicant has shown efforts to address such issues and the application is being reported to this Committee at this time predominantly to allow completion of the Keckwick Brook bridge crossing into the site during school holidays and therefore minimising potential conflicts to be better managed within the development site.

Trees

The application is supported by an Arboricultural Impact Assessment. There are no tree preservation orders in force and the site does not fall within a Conservation Area. The development will require the removal of a small number of relatively insignificant trees but the layout indicates that provision can be made for a significant replanting scheme. It is considered that this can be secured by appropriately worded planning condition and on that basis the Council's Open Spaces Officers raises no objection in this regard.

Ecology

The application is supported by an Ecological Assessment. In response to earlier consultee responses the applicant has now submitted an Addendum to the Ecological Assessment and Water Vole Method Statement.

The assessment states that further Great Crested Newt surveys were undertaken across the Sandymoor area in 2015. No evidence of Great Crested Newts was recorded. Whilst a relatively minor clarification has been sought on this point this is not considered likely to raise any significant planning issues and Members will be updated accordingly.

The Addendum describes the updated Water Vole survey undertaken in 2015. This confirmed the presence of Water Vole on the banks of the adjacent Keckwick Brook within areas that will be affected by the construction of the proposed bridge and

outfalls. The submitted Water Vole method statement proposes the displacement of Water Vole from the working areas through vegetation removal.

The displacement of Water Voles under the Class Licence system can only be undertaken from 15 February to 15 April inclusive. Clarification has been provided that confirms that the mitigation works will be undertaken under supervision of an ecologist in possession of the relevant Class Licence from Natural England and follow the displacement protocol set out in the best practice guidance. The applicant has provided confirmation that the relevant Class Licence has been approved by Natural England and implementation can also be secured by a suitably worded planning condition.

The proposed development will result in the loss of bankside water vole habitat and compensation for this will be required. The Water Vole method statement states that banks of the brook in affected areas will be re-profiled and that they will be planted with native vegetation and an indicative cross section drawing has been provided to this effect. It has been suggested that this mitigation work will encompass 15m of bankside habitat upstream and downstream of the proposed bridge. The Council's retained ecology adviser has advised that this is considered acceptable and that full details of these mitigation measures should be secured by a suitably worded planning condition.

The applicant has yet to provide details on how newly created and retained habitats on the site will be managed and maintained post-development. Outline principles of habitat management have been requested to give sufficient re-assurance that areas of public open space, including the Keckwick Brook corridor and the proposed ditch habitat, will be managed appropriately in order to maximise their ecological value. Members will be updated orally on this matter. Following the approval of these outline principles a full and detailed habitat management plan for the site can be secured through a suitably worded planning condition.

The proposed development will result in the loss of bird breeding habitat and Local Plan policy CS20 applies. To mitigate for this, it is advised that details of bird nesting boxes that will be erected on the site can be secured by a suitably worded planning condition. Himalayan Balsam is present along Keckwick Brook. A method statement including details for preventing the spread of the plant can be secured by appropriately worded planning condition. Vegetation on site may provide nesting opportunities for breeding birds, which are protected. The applicant will be reminded of their duties to comply with relevant legislation in this regard by way of informative attached to any planning permission.

Noise

The application is accompanied by a Noise Report which identifies that the dominant source of noise affecting the site are trains travelling along the West Coast Main Line (WCML) which include Intercity Pendolino's and Freight trains with some noise from passenger trains running along the Manchester to Chester line 180m to the south east. The report assesses the internal noise environment of the proposed houses in line with BS8233:2014 to identify whether the noise levels contained within the standard (extrapolated from WHO guidance) can be met. It also looks at the predicted noise levels in the gardens.

The report identifies that predicted noise levels in some gardens will exceed the levels included in BS8233:2014. It states that the inclusion of an acoustic fence would have limited impact with regard to noise on the site and is therefore not a viable option. The report indicates that internal noise levels will exceed BS8233 in a number of properties. It indicates that enhanced glazing with passive ventilation will be required to meet the internal levels. In some bedrooms enhanced glazing and mechanical ventilation will be required to comply with the standards.

On the basis of the noise report, and in consideration of the NPPF policy, the Council's Environmental Health Officer has confirmed that refusal of planning permission could not be sustained on the basis of the identified garden noise exceedances and therefore raises no objection in principle. A suitably worded planning condition is however recommended to ensure that the acoustic glazing and ventilation meets the standards specified within the report.

The numbers of properties within the application has increased as outlined earlier in the report. This has had an inevitable effect on layout and property orientation. The submitted application documentation is therefore out of date with respect to the properties requiring mitigation measures. Notwithstanding that the principle of development and nature of the mitigation measures required is considered to remain unchanged and it is therefore considered that an update to the mitigation measures required can be secured by appropriate planning condition.

Flood Risk and Drainage

The application is supported by a Flood Risk Assessment (FRA). The FRA states that reference to the Environment Agency Flood Map identifies that the southern and eastern area of the site lie within an area of Zone 1 Flood Risk. However, areas of Flood Risk Zone 2 and 3 associated with Keckwick Brook affect the western and northern areas.

On the basis of the FRA as originally submitted the Environment Agency has objected to the current scheme on the basis that the FRA does not meet the requirements set out in the National Planning Policy Framework. In particular it is considered that it fails to demonstrate that the proposed buildings will be set at an appropriate level and that the proposed road bridge over Keckwick Brook will not increase flood levels.

The applicant has provided an updated FRA which has been sent to the Environment Agency for comment. The Environment Agency has however confirmed that this site was included in the calculations for the flood storage basin which has been approved and constructed on land adjacent to Keckwick Brook to the north of the site. It is not considered that the issues raised result in an in principle objection to the development and that any issues can be resolved. Members will be updated orally.

As part of proposals to re-lay existing culverted drains which drain land to the east the applicant has stated their intention to open up a culverted drain on the site to create new ditch habitat which will be approximately 100m long. Whilst details of the proposed ditch are awaited it will not be linked to Keckwick Brook and cannot, therefore, contribute towards Water Vole mitigation. It is however considered that the

proposed opening up of the culverted channel will add visually to the scheme and may assist in enhancing the ecological value of the site.

Queries have been made as to how appropriate levels of filtration will be provided for surface water before it is discharged to Keckwick Brook. Responses are awaited on this matter but they are not however considered to raise significant issues justifying delay in preparation of this report. Whilst minor amendments may be required, it is considered that these can be resolved through ongoing negotiation with any outstanding matters adequately resolved by further minor amendments and/ or by condition. Members will be updated accordingly on such outstanding issues.

Contaminated Land

The above application is supported by a detailed site investigation report. The site has been shown to be uncontaminated with the exception of a localised area of made ground associated with a historical backfilled pond. Clarification has been sought from the applicant regarding whether this area would extend into proposed plots/ gardens and whether there would be any risks associated with an area of grassed Public Open Space as opposed to a pond as had been proposed at the time the report was written.

The consultants have concluded that the existing topsoil on site is suitable for reuse within gardens. On that basis the Council's Contaminated Land Officer has recommended that any approval is conditioned to require additional confirmatory testing of topsoil to be re-used or imported to demonstrate suitability of the material. No objections are raised to the development proposals on this basis and it is considered that this can be adequately secured by appropriate planning condition.

Members will be updated as required with respect to any additional remediation measures are necessary as a result of the suggested clarifications and any alterations to the recommended conditions as required.

Network Rail Objection

Network Rail has objected to the application on the basis that the development involves utilising Network Rail's existing underbridge as part of a cycle and pedestrian route. They have stated that:

"The developer and the LPA should be made aware that there are no public rights through this private bridge and this bridge cannot be used as part of this development. The bridge was provided to afford agricultural access between the lands severed by the construction of the railway. Whilst we have no objection in principle to the dwellings the inclusion of Network Rail infrastructure for use as a public footpath /cycle path will not be permitted. The developer will therefore remove from their development the use of the underbridge as a means of cycling and pedestrian access and egress from the site. We cannot support this proposal until our infrastructure has been removed from the development scope. The developer will need to resubmit the application showing that the underbridge is no longer a part of the scheme. Therefore we are submitting an objection until the underbridge is removed."

The current plans include a footpath/ cycle link up to the boundary of the site adjoining the underbridge linking to an upgraded farm access track to which currently links under the rail line to farm land on the opposite side of the railway to the west. The current development is not considered to rely on this foot/ cycleway connection with respect to providing sustainable travel connections however that farmland to the west on the opposite side of the rail line is identified for future residential development. It is considered wholly proper that futureproofing connection to that land to allow more sustainable modes of travel in the future is secured at this stage in the name of good planning. Any legal rights to utilise the underbridge are considered to be a private matter for Network Rail and other future developer wishing to utilise it.

Network Rail has also provided a number of asset protection comments which have been forwarded to the applicant but are not considered to warrant further planning consideration or justify additional conditions attached to any planning permission.

Other Material Matters

Under normal circumstances the development would be liable for the provision of affordable housing in accordance with Core Strategy Policy CS5 and provision of open space in accordance with UDP Policy and the Open Space SPD. The wider area of the Sandymoor development is subject to an overarching legal agreement. This is considered to cover all available compensatory measures and planning gain and has been negotiated to secure those benefits that have been prioritised by the Council. That agreement did not cover affordable housing provision but did include provisions with respect to Open Space. Provision of affordable housing is acknowledged to place a financial burden and it is considered that any additional requirements in this regard would open that legal agreement to full re-negotiation and is likely to affect the viability of the scheme.

Unlike the majority of the Sandymoor development area this site is not under the ownership of the Homes and Communities Agency and is not subject to the previously agreed legal agreement. The applicant has however agreed to sign a legal agreement on the same terms with a variation to allow highways expenditure on the Pitts Heath Lane/Wharford Lane junction/ chicane as detailed within the Highways section of this report.

CONCLUSIONS

In conclusion, this proposal seeks to bring forward much needed housing on an allocated site identified for development through the local plan process over 10 years ago. The development proposal submitted is consistent with Halton's Development Plan Policies. UDP Policy H1 and Core Strategy Policies CS1, CS3 and CS11 provide policy support for the development of this site at East Runcorn. Policy CS2 and NPPF paragraphs 14-16 set out the presumption in favour of sustainable development whereby applications that are consistent with national and up-to-date local policy should be approved without delay. As set out in this appraisal, the proposal is considered consistent with the aims of the policies relative to this site.

At the time of writing consultations are ongoing with respect to the amended scheme and are not expected to have expired by time the application is reported to

Committee. The principle of development is however considered acceptable and outstanding matters are considered predominantly of a minor or technical nature. To avoid delay in presenting to a future Committee and avoid the planning process being blamed for delaying construction of the bridge crossing during the School holidays and the potential conflicts and dangers which could arise if that were not possible the application is being reported to committee at the earliest opportunity.

RECOMMENDATIONS

That authority to approve the application be delegated, on expiration of all relevant consultation periods, to the Operational Director Policy Planning and Transportation in consultation with the Chair or Vice Chair of the Development Control Committee subject to:-

- a) The entering into a Legal Agreement or other agreement for the provision of a financial contribution to the same effect as the existing overarching Sandymoor legal agreement with added provision to include use of such financial contribution for alterations to Pitts Heath/ Wharford Lane junction, should the junction become overcapacity with the proposed development (plus committed development) in place.
- b) Conditions relating to the following:
 1. Standard 3 year permission (BE1)
 2. Specifying Approved and Amended Plans (BE1)
 3. Requiring submission and agreement of a detailed Construction Environmental Management Plan including wheel cleansing facilities and construction vehicle access routes, construction parking and management plan and timing and management of deliveries to avoid peak school drop-off/ pick-up times to be submitted and approved in writing. (BE1)
 4. Materials condition, requiring the submission and approval of the materials to be used (BE2)
 5. Landscaping condition, requiring submission and approval both hard and soft landscaping, including replacement tree planting. (BE2)
 6. Submission and agreement of boundary treatment including retaining walls. (BE2)
 7. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
 8. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
 9. Condition restricting permitted development rights relating to frontage boundary fences etc. (BE1)
 10. Requiring submission and agreement of a scheme of confirmatory soil testing strategy/ remediation strategy and verification report upon completion of the remedial works as required (PR14)
 11. Submission and agreement of details of on-site biodiversity action plan for measures to be incorporated in the scheme to encourage wildlife including dwellings to be fitted with bird boxes (GE21)
 12. Conditions relating to tree protection during construction (BE1)

13. Submission and agreement of detailed surface water/ highway drainage (BE1/ PR5)
 14. Requiring submission and agreement of site and finished floor levels. (BE1)
 15. Submission and agreement of Himalayan Balsam method statement (PR14)
 16. Securing Water Vole displacement in accordance with the relevant Class Licence and best practice protocol (GE21)
 17. Submission and agreement of a detailed habitat management plan (GE21)
 18. Submission and agreement of detailed bankside habitat mitigation scheme (GE21)
 19. Submission and agreement of scheme of protective fencing to Keckwick Brook to secure 10m buffer zone (GE21)
 20. Conditions securing compliance with Ecological Assessment/addendum recommendations/ mitigation measures (GE21)
 21. Conditions requested by the Environment Agency relating to the revised Flood Risk Assessment and mitigation measures (PR16)
 22. Submission and agreement of update noise mitigation measures to be implemented (PR2)
 23. Requiring submission and agreement of bridge parapet/ materials details (BE1)
- 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.

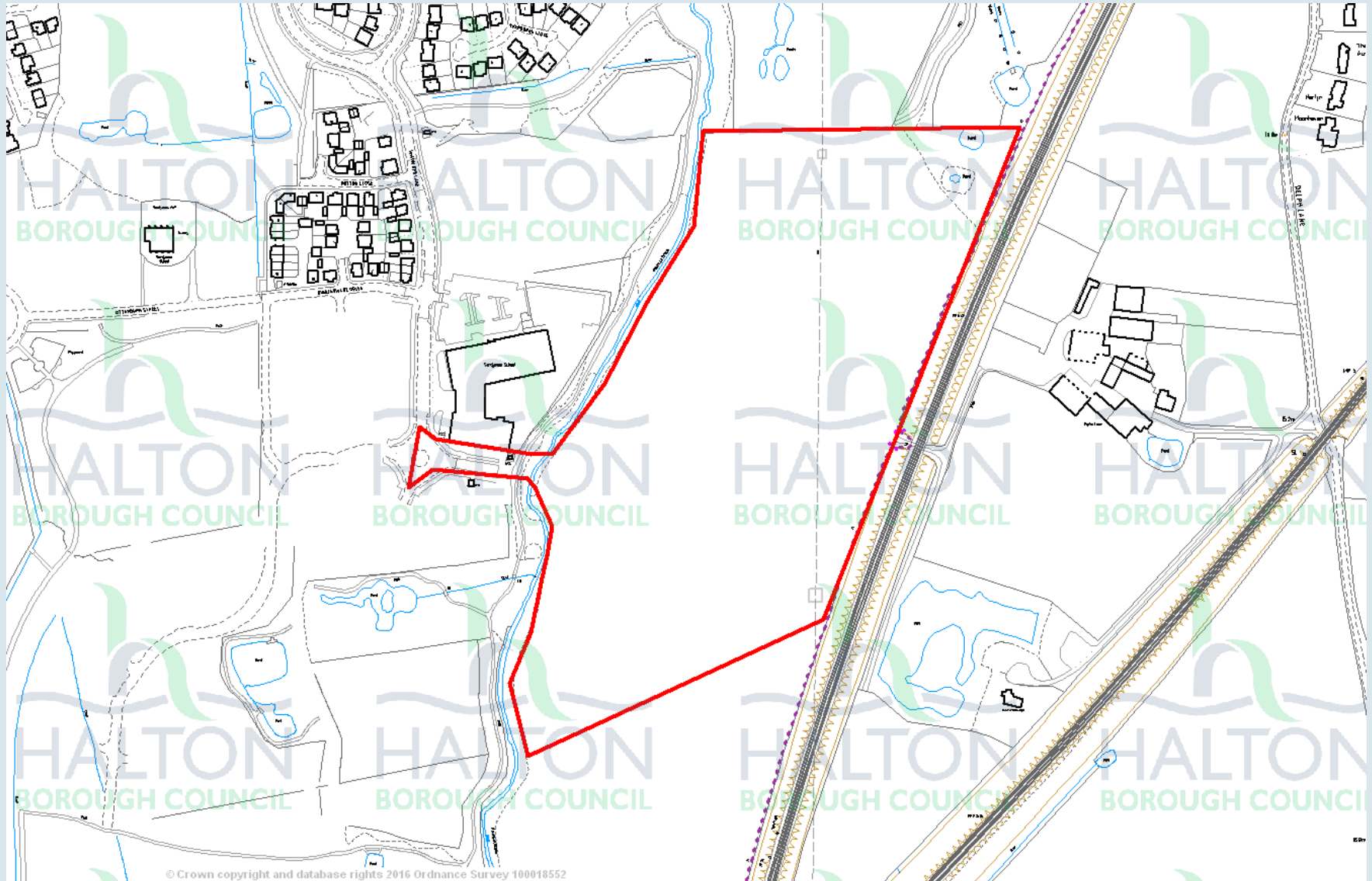
SUSTAINABILITY STATEMENT

As required by:

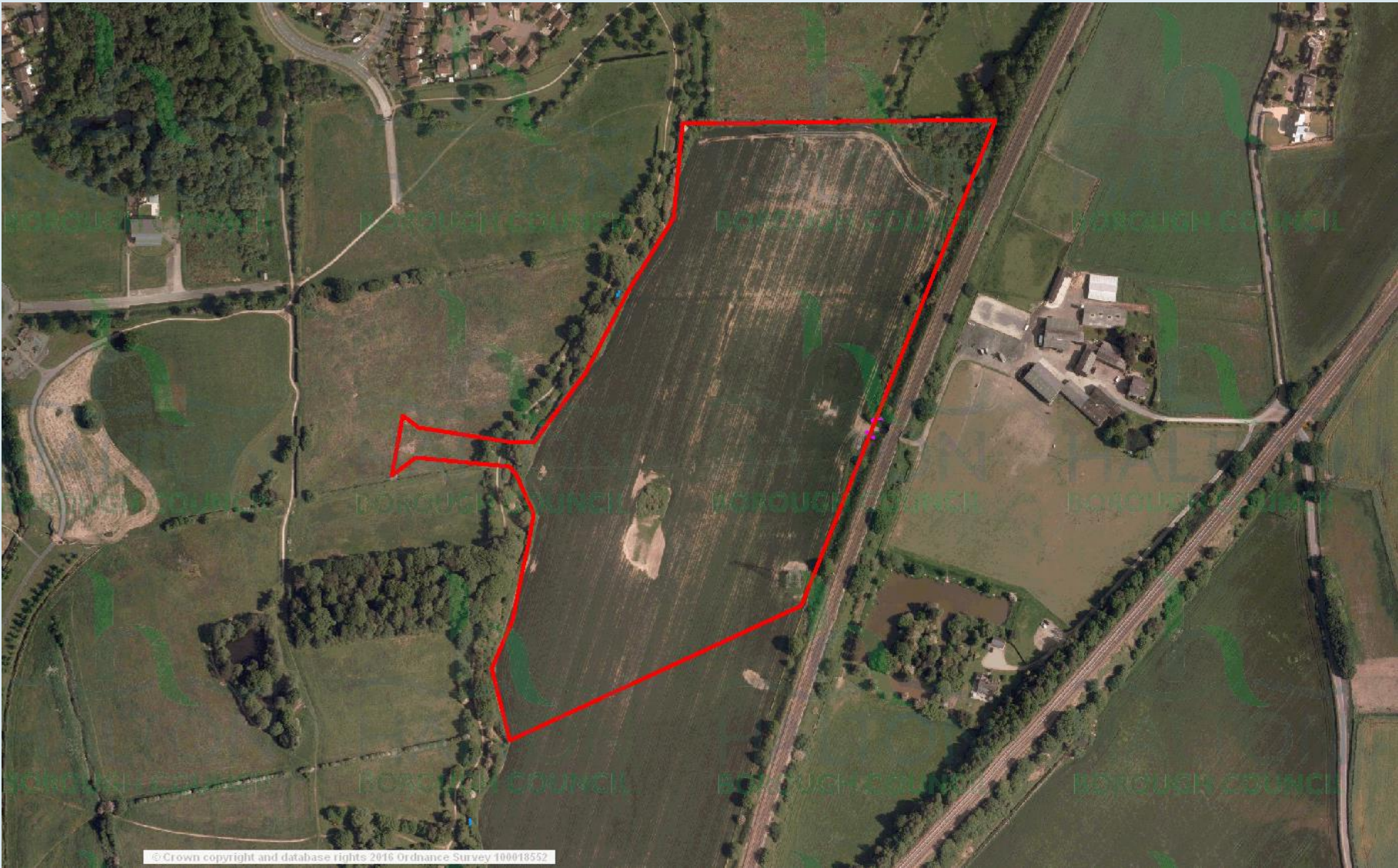
- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012.

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.









REPORT TO: Development Control Committee

DATE: 12 April 2016

REPORTING OFFICER: Strategic Director, Community & Resources

SUBJECT: Miscellaneous Items

WARD(S): Boroughwide

The following applications have been withdrawn:

15/00592/FUL

Proposed two storey side extension at Jamar, Halton Station Road, Runcorn, Cheshire, WA7 3EL.

13/00379/OUT

Outline application (with all matters reserved) for residential development of up to 131 dwellings on Land East of Dans Road and North and West of Bennetts Lane, Gorse Lane, Widnes, Cheshire.

The following Appeals have been received / are in progress:

15/00108/S73

Proposed removal of condition 1 from Planning Permission APP/D0650/C/10/2126943 to allow the permanent retention of a mixed use for the keeping of horses and a residential gypsy caravan site and the variation of condition 5 to allow the stationing of 12 caravans at any time (of which no more than one shall be a static caravan or mobile home) at Land to the South West of Junction Between Newton Lane and Chester Road, Daresbury, Cheshire.

Appeal to be heard at Public Inquiry for four days commencing on 4th October 2016 at the Runcorn Town Hall.

15/00005/REFUSE – 15/00115/COU

Proposed Change of Use to residential caravan site for up to 8 caravans including the laying of hardstanding and erection of three amenity blocks at Former Ivy House, Marsh Lane off Brindley Road, Runcorn, Cheshire, WA7 1NS.

To be dealt with by way of a Public Inquiry (date to be confirmed)

15/00006/REFUSE – 14/00656/FUL

Proposed construction of single storey convenience store with associated car parking, landscaping and ATM machine at Wellington Hotel Car Park 23, Town Lane, Hale, Liverpool L24 4AG.

The appeal was dismissed

15/00007/REFUSE - 15/00461/FUL

Proposed single storey rear and two storey side extension at 94 Hale Road, Hale
Liverpool, L24 5RF.

The appeal was dismissed