

Public Document Pack



Development Control Committee

**Monday, 2 October 2017 6.30 p.m.
The Board Room - Municipal Building,
Widnes**



Chief Executive

COMMITTEE MEMBERSHIP

Councillor Paul Nolan (Chair)
Councillor Keith Morley (Vice-Chair)
Councillor John Bradshaw
Councillor Arthur Cole
Councillor Robert Gilligan
Councillor Ron Hignett
Councillor Carol Plumpton Walsh
Councillor June Roberts
Councillor Dave Thompson
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, 6 November 2017*

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

Part I

Item No.	Page No.
1. MINUTES	1 - 5
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	6 - 109
4. MISCELLANEOUS ITEMS	110 - 112

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 August 2017 at The Board Room - Municipal Building, Widnes

Present: Councillors Nolan (Chair), Morley (Vice-Chair), J. Bradshaw, Cole, R. Hignett, C. Plumpton Walsh, June Roberts, Thompson, Woolfall and Zygadllo

Apologies for Absence: Councillor Gilligan

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, A. Plant, G. Henry, R. Bradshaw and P. Peak

Also in attendance: None

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

	<i>Action</i>
DEV5 MINUTES	
<p>The Minutes of the meeting held on 5 June 2017 having been circulated, were taken as read and signed as a correct record.</p>	
DEV6 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p>	
DEV7 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS	
<p>The Committee was advised that a matter had arisen which required immediate attention by the Committee (Minute 10 refers), therefore, pursuant to Section 100 B (4) and 100 E and due to the need to allow the maximum time for a considered response by Members as early as possible in the consultation process, the Chairman ruled that the item be considered as a matter of urgency.</p>	

DEV8 - 17/00291/FUL - PROPOSED PARTIAL DEMOLITION AND DEVELOPMENT OF A TWO STOREY THEATRE BUILDING WITH EXTENSION TO EXISTING BRASSERIE IN THE REAR ELEVATION AT WIDNES SIXTH FORM COLLEGE, CRONTON LANE, WIDNES

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

Officers presented the item to Members who agreed that the application could be approved subject to the relative conditions.

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

1. Time limit;
2. Drawing numbers (BE1 and BE2);
3. Site levels (BE1);
4. Surface water drainage details required (BE1 and PR16);
5. Phase 2 Ground Contamination Report required (PR14 and CS23);
6. Breeding birds' protection (GE21);
7. Hours of construction (BE1);
8. Construction Management Plan (Highways) (BE1);
9. Reasonable avoidance measures – bats (GE21);
10. Site Waste Management Plan (WN8); and
11. Electric vehicle charging points (CS19)

DEV9 - 17/00194/FUL - FULL PLANNING PERMISSION FOR 9200 SQ METRE INDUSTRIAL UNIT FOR B1, B2 AND B8 USE INCLUDING NEW ACCESS OF A533 ON LAND BETWEEN ASTON FIELDS ROAD AND NORTHWICH ROAD, RUNCORN

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

Following the Officer's presentation, the following updates were noted:

- a full impact assessment had now been received regarding associated ecological implications and the numbers of trees that would be lost;
- the Council's Open Spaces Officer had confirmed that he raised no objection subject to adequate mitigation for the loss of trees as outlined in the update;

- the applicant would submit a bat survey prior to the felling of any trees which would be secured by condition; and
- a further condition was recommended requiring the development to be carried out in accordance with the Arboricultural Impact Assessment and tree protection measures within it.

Clarity was also provided to Members over queries relating to the impact of the development on the proposed Junction 11a and HGV access to the site from the nearest roundabout on the A533. It was confirmed that Highways England had been consulted on the proposal and raised no objections.

RESOLVED: That the application be approved subject to the additional conditions discussed above and conditions relating to the following:

1. Standard 3 year timescale for commencement of development;
2. Specifying approved and amended plans;
3. Requiring submission and agreement of a Construction Environmental Management Plan;
4. Materials condition(s) requiring the submission and approval of the materials to be used with the exception of external cladding and brick which shall be carried out as approved (BE2);
5. Landscaping condition, requiring submission and approval both hard and soft landscaping (BE1/2);
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. Grampian style planning condition relating to off-site tree management to include selective felling/pruning and replanting (BE1);
10. Requiring submission and agreement of cycle parking details (TP6);
11. Requiring submission and agreement of electric vehicle parking and charging point(s) details (NPPF);
12. Requiring retention of the approved overflow car park for the life of the use (TP12);
13. Conditions relating to further detailed site investigation / mitigation / verification (PR14/15);
14. Conditions relating to / requiring submission and agreement of detailed foul surface water / highway

- drainage scheme including attenuation (BE1 / PR5);
15. Requiring submission and agreement of a green travel plan (TP16);
 16. Requiring submission and agreement of site and finished floor levels with finished floor levels to be a minimum of 300 mm above estimated flood levels (BE1);
 17. Submission and agreement of Site Waste Management Plan (WM8);
 18. Submission and agreement of a sustainable waste Management plan (WM9);
 19. Requiring submission and agreement of a car park management plan (Tp12);
 20. Requiring submission and agreement of entrance feature detail (BE2);
 21. Submission of a bat survey prior to the felling of any trees; and
 22. A condition requiring the development to be carried out in accordance with the Arboricultural Impact Assessment and tree protection measures within it.

In order to avoid any allegation of bias, Councillor Thompson did not take part in discussions or vote on the following item due to his involvement in challenging matters concerned with business rates to the premises.

DEV10 - 17/00375/P3JPA - PROPOSED CHANGE OF USE FROM OFFICE BUILDING TO 248 NO. RESIDENTIAL UNITS AT CASTLE VIEW HOUSE, EAST LANE, RUNCORN, CHESHIRE

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

The Committee was reminded that two similar prior approval applications had been made for this site. 15/00520/P3JPA which proposed a change of use from office to 188 residential units; and more recently 17/00209/P3JPA which proposed a change of use from office to 241 residential units. This application, to convert the same building, proposed an increase of 7 units, making a total of 248 residential units.

Members were advised that this was not a full planning application and that a change of use from Class B1 (a) offices to Class C3 (dwellinghouses) was permitted development under Part 3, Class O, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended).

The instances where this change of use was not permitted development were set out in the report and Members noted that none of the instances applied to this proposal. The proposal was therefore permitted by Class O subject to the condition that before beginning the development, the developer shall apply to the Local Planning Authority (LPA) for a determination as to whether the prior approval of the LPA would be required with regards to:

- a) Transportation and highways impacts of the development;
- b) Contamination risks on the site;
- c) Flooding risks on the site; and
- d) Impacts of noise from commercial premises on the intended occupiers of the development.

The report provided commentary on the above areas of consideration and the proposal was recommended to be acceptable; so prior approval was not required. The Committee agreed with the Officer's recommendation and that prior approval for the change of use from Class B1 (a) to Class C3 was not required. It was noted that development under Class O was permitted subject to the condition that it must be completed within a period of 3 years starting from the prior approval date.

Representations had been received from Cheshire Fire Authority recommending the use of sprinklers and an objection had been received from a resident expressing concern over the size of the units and squeezing people in. Councillor Woolfall raised concerns over the level of car parking to be provided.

RESOLVED: Delegated Authority be given to the Operational Director – Planning, Policy and Transportation to determine this prior approval for the change of use from Class B1 (a) offices to Class C3 (dwellinghouses) following the expiry of the publicity and the consideration of any representations received.

Meeting ended at 6.50 p.m.

REPORT TO: Development Control Committee

DATE: 2 October 2017

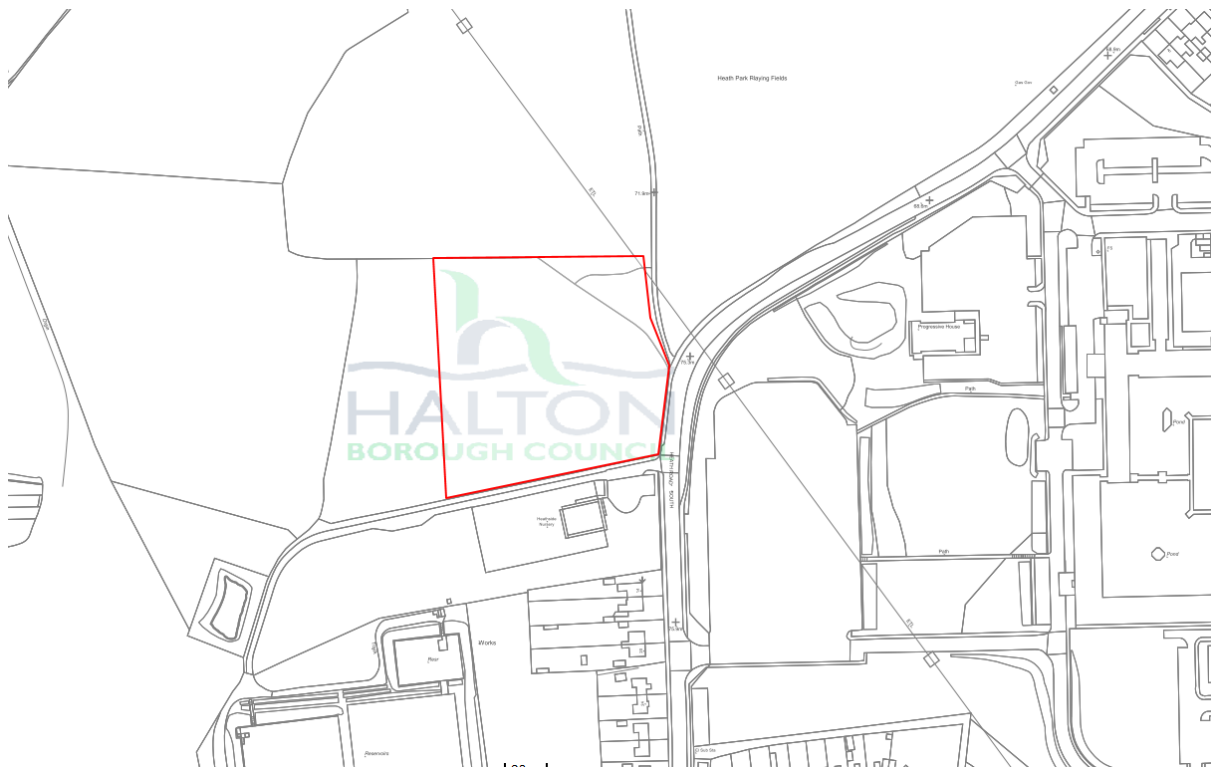
REPORTING OFFICER: Strategic Director – Enterprise, Community and Resources

SUBJECT: Planning Applications to be Determined by the Committee

WARD(S): Boroughwide

Application No	Proposal	Location
16/00320/OUT	Outline application, (with access reserved for future consideration) for a development comprising 30 bed hotel with function room and restaurant.	Land to the west of Heath Road South, North of Heathside Nursery, Runcorn, Cheshire.
17/00304/FUL	Proposed development of 45 no. dwellings together with associated access, landscaping and infrastructure.	Land to the East of Castlefields Avenue East, Runcorn.
17/00353/FUL	Proposed erection of one industrial unit with use Classes B1c, B2 and B8.	Shell Green, Bennetts Lane, Widnes.
17/00376/FULEIA	Retrospective application for rebuilding of facility to house a third alumina fibre production line with associated electrical switch room and process plant.	Saffil Ltd, Tanhouse Lane, Widnes.

APPLICATION NO:	16/00320/OUT
LOCATION:	Land to the west of Heath Road South, North of Heathside Nursery, Runcorn, Cheshire.
PROPOSAL:	Outline application, (with access reserved for future consideration) for a development comprising 30 bed hotel with function room and restaurant.
WARD:	Heath
PARISH:	None
AGENT(S) / APPLICANT(S):	Mr John Lewis – SOG Pension Fund.
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Greenspace & Area of Special Landscape Value.
DEPARTURE	Yes.
REPRESENTATIONS:	92 representations received from the publicity given to the application in 2016. As a result of further publicity undertaken, 22 representations have been received from the publicity given to the application in 2017.
KEY ISSUES:	Development on a Greenspace, Impact on the area of Special Landscape Value, Impact on the Local Nature Reserve, Ground Contamination, Biodiversity, Risk.
RECOMMENDATION:	Grant outline planning permission with conditions subject to the application not being called in by the Secretary of State following referral to the Health and Safety Executive.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site is located to the west of Heath Road South and to the north of Heathside Nursery in Runcorn. The site is 1.21ha in area.

The site is designated as a Greenspace and part of an area of Special Landscape Value in the Halton Unitary Development Plan.

Located to the north and west of the site is heathland which is designated as a Greenspace and part of an area of Special Landscape Value in the Halton Unitary Development Plan

Located to the east of the site on the opposite side of Heath Road South is the Heath Business and Technical Park which is key employment site in the Borough and is designated as a Primarily Employment Area.

Located to the north east of the site on the same side of Heath Road South as the application site is the Heath Playing Fields. They also have the same designations in the Halton Unitary Development Plan.

2. THE APPLICATION

2.1 The Proposal

This outline planning application seeks to establish the principle of the development of a 30 bed hotel with function room and restaurant with access reserved for future consideration.

2.2 Documentation

The outline planning application is supported by a Design, Access and Planning Policy Statements, Outline Arboricultural Impact Assessment, Phase I Preliminary Risk Assessment, Ecological Assessment, Badger Walkover Survey Report, Compliance with Policy GE23 (Clause C), Impact Assessment in relation to Runcorn Hill LNR, Flood Risk Assessment, Advice on the implications of COMAH Installations on proposed hotel development.

3. POLICY CONTEXT

3.1 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.

3.2 Halton Unitary Development Plan (UDP) (2005)

The site is designated as a Greenspace and an Area of Special Landscape Value in the Halton Unitary Development Plan. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- BE18 Access to New Buildings Used by the Public;
- BE22 Boundary Walls and Fences;
- GE6 Protection of Designated Greenspace;
- GE8 Development within Designated Greenspace;
- GE10 Protection of Linkages in Greenspace Systems;
- GE20 Protection and Creation of Local Nature Reserves;
- GE21 Species Protection;
- GE23 Protection of Areas of Special Landscape Value;
- GE27 Protection of Trees and Woodlands;
- PR2 Noise Nuisance;
- PR12 Development on Land Surrounding COMAH Sites;

- 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;
- TP12 Car Parking;
- E4 Complementary Services and Facilities.

3.3 Halton Core Strategy (2013)

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

- CS2 Presumption in Favour of Sustainable Development;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS20 Natural and Historic Environment;
- CS23 Managing Pollution and Risk.

3.4 Supplementary Planning Documents

- Planning for Risk Supplementary Planning Document (2009)

3.5 Other Relevant Documents

- Halton Landscape Character Assessment (2009)

3.6 Joint Merseyside and Halton Waste Local Plan (2013)

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

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

4. **CONSULTATIONS**

4.1 Highways and Transportation Development Control

Layout/Highway Safety

The site appears to offer good visibility from its position on Heath Road South providing good access for service vehicles and its proximity to the nursery leaves an appropriate distance (40m) between accesses.

There are no details of pedestrian access through the site and on a full application we would require details of safe pedestrian and disabled access to the hotel entrance.

There are also some concerns over the speeds on this road and we would require speed readings in advance of an approval to be taken to adequately assess what measures may be necessary in regard to highway safety. Given this issue, and the proximity to the public right of way adjacent to the site, we would like to see measures implemented in line with the application to allow safe pedestrian accesses across Heath Road South.

Dropped crossings with tactile paving should be installed at all appropriate desire line points (ie where it is safe or advised for pedestrians to cross roads or major access points).

We would require appropriate signage providing advance warning or the access and 'slow' markings added to the existing highway.

The applicant will be required to enter into a section 278 agreement with the Council in respect of any works required within the Council's adopted highway.

Parking

The UDP requires that the maximum parking standard for a proposal within the C1 use class as 1 space per bedroom (therefore in this case 30 car parking spaces). The floor space indicated in the application for the restaurant is 500 square metres. Based on the most common standard ratio of 60/40 in favour of dining for restaurant layouts we would base the parking standard on an approximation of 300 square metres of dining space which requires a maximum parking allocation of 60 spaces. The application proposes 83 spaces which we would consider to be sufficient. Therefore the Highway Authority would have no objections to the parking numbers.

Fra/drainage

The main highway will need to be reconstructed to highway authority satisfaction following drainage connections etc.

Any new or extended hardstanding (flags, block paving, tarmac, concrete) within the property boundary shall be constructed in such a way as to prevent surface water runoff from the hardstanding onto the highway.

Levels/Highway sections/retaining walls.

There are some significant differences in levels across the site. Designs for any retaining walls or barriers required as a result of the works should be submitted for approval prior to commencement on site.

Access by sustainable modes

A bus service exists every 30 minutes on Heath Road South within 400m. We would also require electric vehicle charging points in line with the application in dedicated electric charging parking bays.

Construction Phase Considerations

All construction traffic to be parked off highway.

Recommended conditions

We would require speed readings to be taken to adequately assess what measures may be necessary in regard to highway safety.

We would like to see measures implemented in line with the application to allow safe pedestrian access across Heath Road South.

4.2 Lead Local Flood Authority

I would like to comment on the outline planning application for hotel development at land off Heath Road South, Runcorn, WA7 4QR.

The existing site is greenfield and the developer will be expected to mimic the existing drainage conditions. There is a proposed increase in impermeable area and flows generated will have to be attenuated to greenfield runoff rates. The drainage hierarchy, as described in Part H of the Building Regulations, shall be used. It should be noted that United Utilities will expect to see proof that the drainage hierarchy has been considered before allowing any discharges to the public sewer. The LLFA will also want to see this evidence in any detailed drainage strategy.

The site is sloping so any drainage strategy will have to show how any overland flows or exceedance routes stay within the site and do not flood adjacent properties. This should be described in the full flood risk assessment.

4.3 Environmental Protection

No comments to make on the application.

4.4 Contaminated Land

The application is supported by the following document;

- Land at Heath Road South Runcorn, Phase 1 preliminary risk assessment, ref LKC 16 1274, LK Consult Ltd, July 2106.

The report sets out a preliminary conceptual site model based on a review of desk top information and site reconnaissance. Whilst the report does an effected job of reviewing the information gathered, and identifies the site as previously undeveloped with adjacent quarrying and subsequent landfilling, it does not have the important and specific details of the nature of the landfilling (the infilling with chlorinated hydrocarbon contaminated lime wastes from the former ICI Castner-Kellner works) and the associated land contamination problems.

The report does recognise landfill gas as a high risk issue for the development, although this is based on methane and carbon dioxide being the risk drivers, as associated with general waste landfills. It concludes that site investigation is required to fully assess the site, sampling of near surface soils and ground gases, but it recommends that this is appropriate to be controlled by condition if planning permission is granted.

The applicant must take into account the details of the landfilling and the local geology (which has a major impact on the zone influence of the gases diffusing from the waste mass) when designing the investigation phase. Plans indicate that the eastern edge of the quarry is a reasonably well defined boundary and that the development is not over the former quarry area, situated on unquarried, solid sandstone. Unlike the western boundary of the former quarry, this is confused by the deposit of quarry spoil (sandstone blocks, cobbles and sand). This is where the transport of chlorinated hydrocarbon vapours through the spoil necessitated the demolition of a large number of properties along Weston Road. Therefore, the risk that the development site will be adversely affected by vapours from the former quarry is low, but this must be confirmed by site investigation. Plans for the investigation will need to be reviewed and agreed by the LPA before any such works are undertaken, along with the associated risk assessment and, if necessary, mitigation/remediation measures.

In summary, there is a potential risk from ground gases from the adjacent infilled quarries, as well as a need to determine the near surface soil quality, however, I agree with the conclusions within the applicant's consultant's report that this can be appropriately assessed and controlled by a pre-commencement condition.

4.5 Open Spaces

Previous comments have been submitted for this development proposal and are still relevant. On review of the latest submitted information, I would draw attention to the following:

TEP document Compliance with Policy GE23 (Clause C)

Section 2.38 of this submitted document lists the Landscape Guidelines identified in the HBC Runcorn Hill and Heath Parkland Local Character Assessment. Point 6 of this list states "Enhance the recreational character of the area", however I can find no such statement in the Council document. Also point 7 states "Enhance the open space by ensuring built development does not marginalise or fragment the green corridor". The Council document actually states "Conserve the open space by ensuring built development does not marginalise or fragment the green corridor".

Section 2.57 and 2.58 (Summary) of this submitted document states the site: "does not make a strong contribution to the character of the Runcorn Hill ASLV. The site largely comprises horse-grazing pasture that continues to the west beyond the Site boundary and which is in context of horse grazing

pasture to the north. It does not demonstrate the highly distinctive qualities of the Runcorn Hill ASLV identified in the review of policy GE23 and the Halton Landscape Character Assessment 2009.”

However, the Key Characteristics listed in Halton Borough Councils Landscape Character Assessment for Runcorn Hill and Heath Parkland includes (point 9):

“Frequent horse grazing paddocks”.

The statement offered by TEP appears to be contradictory to the HBC document.

Section 3.13 of the submitted document lists Landscape Guidelines identified for the Runcorn Hill and Heath Parkland LCA relevant to the site and the wider Runcorn Hill ASLV and states:

(point 5) “Enhance and restore the character and condition of the horse grazing paddocks” however the HBC document does not mention the word “restore”.

Point 6 again quotes “Enhance the recreational character of the area” but I cannot find this statement in the HBC document.

Point 7 repeats the miswording of “Enhance the open space by ensuring built development does not marginalise or fragment the green corridor” instead of “Conserve the open space ...”.

Point 9 states “Enhance the quality and range of recreational facilities ensuring that they integrate and respect their surroundings” however I cannot find this statement in the HBC document.

Section 4.4 of the submitted TEP document Compliance with Policy GE23 (Clause C) again uses the word “enhancing open space by ensuring...” when the HBC document uses the word “Conserve open space by ensuring...”.

Section 4.4 goes on to state:

“The description for this LCA also notes that an increase in the amount of development in this area would change the character of the area, and could, marginalise or fragment existing land cover and land use”.

The HBC document does not include the word “could”, it clearly states:

“an increase in the amount of development would change the character of the area and marginalise or fragment existing land cover and land use”.

There are a number of discrepancies within the text of the TEP document that, when referencing the HBC LCA document, appear incorrect and could be interpreted as favouring the proposed development.

The HBC LCA document for Runcorn Hill and Heath Parkland, section “Main Threats or Threats to the Landscape” states:

“Loss of open space and agricultural land at the margins of the area due to urban expansion weakens the field pattern and put additional pressure on the remaining green space”.

Section 4.6 of the submitted TEP document states however:

“The Proposed Development would be adjacent to existing development and would not fragment green space or weaken the field pattern within the southern extent of the Runcorn Hill ASLV, and this part of the Runcorn Hill and Heath Parkland LCA”.

It should be clarified at this point that the proposed development site is included in the Runcorn Hill and Heath Parkland LCA and therefore the statement in the HBC document applies to the application site. It is my opinion that this development would clearly disrupt the field pattern. The Capacity to accommodate change section of the HBC document also states that change “should reflect the character of built form, which is of low and scattered density”. The construction of a 30 bed hotel with function room and restaurant hotel does not appear to comply with this statement?

Section 3.20 of the submitted TEP document proposes to translocate specimen turves from Runcorn Hill LNR to the development site as part of the landscape proposal. This is not something that HBC would want to happen. There should be no impact on the LNR in relation to this proposal.

The supplied TEP badger survey, section 5.4, states that the presence of a badger sett within the nearby fenced off pond area cannot be ruled out, but it seems unlikely. Given that in 2016 it was noted that there was a suspected sett in this location, I would have expected TEP to gain permission/access to this location (if possible) to clarify the presence/absence for certain.

4.6 Ecological Advisor

Ecology

The applicant has submitted the following report in accordance with Local Plan Policy CS20:

- Ecological Assessment report (Ecological Assessment: The Heath, Runcorn, TEP, July 2016, Ref: 5822.002);
- Great Crested Newt eDNA Survey report (Great Crested Newt eDNA Survey: Heath Road South, Runcorn, TEP, June 2015, Ref: 5030.005); and
- Outline Arboricultural Impact Assessment (Outline Arboricultural Impact Assessment, The Heath – Hotel Development, Runcorn, TEP, July 2016, Ref: 5822.003).

I advise the surveys are acceptable and will be forwarded to Merseyside BioBank.

The Ecological Assessment report has limitations because:

- It identifies the need for further survey for “national and European protected” invertebrates, these are Priority Species under the NERC Act. No further survey is required, although consideration should be given to the potential for these species to be present in the design of the proposals; and

- Further survey is recommended to determine whether badgers are using the site which should have been undertaken as part of the Ecological Assessment.

On this occasion the report is acceptable provided that further protected species surveys are carried out, and the Reasonable Avoidance Measures for reptiles are submitted for approval. **2017 UPDATE – Based on the Badger Walkover Survey Report submitted – No further surveys are required.**

Great crested newt

The report states that no evidence of great crested newt use or presence was found. The Council **does not** need to consider the proposals against the three tests (Habitats Regulations) or consult Natural England.

Bats

The report states that no evidence of bats use or presence was found. The Council **does not** need to consider the proposals against the three tests (Habitats Regulations) or consult Natural England.

Reptiles

The Common Lizard is known to be present within this area (specifically within the Runcorn Hill Local Wildlife Site, which is close to the proposed development site) and is protected. Additionally, there is suitable foraging habitat within the proposed development site. Therefore, I advise that the applicant submits Reasonable Avoidance Measures to prevent harm to reptiles for approval. This can be secured through a suitably worded planning condition. Further advice on Reasonable Avoidance Measures for reptiles can be found in Part Two.

Breeding Birds

Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected. No tree felling, hedgerow clearance, ground clearance and/or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees and hedgerows are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected would be required. This can be secured by a suitably worded planning condition.

Waste

The proposal involves demolition and construction activities and policy WM8 of the Joint Merseyside and Halton Waste Local Plan (WLP) applies. This policy requires the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded

planning condition. The details required within the waste audit or similar mechanism is provided in Part Two.

The applicant has not provided sufficient information to demonstrate compliance with policy WM9 of the Joint Merseyside and Halton Waste Local Plan. I advise that the information set out in policy WM9 of the Waste Local Plan is required and can be secured by a suitably worded condition.

4.7 Liverpool John Lennon Airport

No observations received.

4.8 Natural England

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

4.9 Health & Safety Executive

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of major Hazard sites / pipelines. Their assessment indicates that the risk to harm to people at the proposed development site is such that HSE's advice is that there are sufficient reasons on safety grounds, for advising against the granting of planning permission in this case.

4.10 United Utilities

United Utilities will have no objection to the proposed development provided that conditions relating to foul water, surface water and sustainable drainage systems. Their other observations should be attached as an informative.

4.11 Sabir UK Petrochemicals

SABIC will not be affected by the proposed works as the proposed development would fall outside the outer zone of the above Major Accident Hazard Pipeline as defined by the HSE development control guidelines (PADHI – HSE’s Land Use Planning Methodology document).

5. REPRESENTATIONS

5.1 In 2016, the application was advertised by a press advert in the Widnes & Runcorn World on 11/08/2016, a site notice was posted on Heath Road South on 05/08/2016 and 20 neighbour notification letters sent on 04/08/2016.

5.2 92 representations (89 in objection and 3 in support) were received from this period of publicity given to the application. The observations received are summarised below:

- The proposal would have a detrimental effect on all local businesses.
- It would impact on wildlife.
- There would be no net gain in biodiversity.
- The site is ecologically unacceptable for development.
- The beauty of the area would be taken away.
- The site is located on a dangerous bend.
- The road network is insufficient to cater for the proposed development.
- The speed of traffic on Heath Road South is a concern.
- There would be heavy construction traffic.
- Safeguarding issues would result with the proposal being next to a children’s nursery.
- No benefit for the residents of Runcorn.
- Profit for the Council and developers at the expense of the community.
- No need for a hotel.
- Heath offices should not have got rid of Lawson House if there is a need for a hotel.
- Any hotel requirements should be catered for on a brownfield site.
- There are four public houses within 5 minutes’ walk of the site all of which serve food.
- Investment should be made in the Old Town of Runcorn.
- Restrict and spoil views over the Mersey Estuary.
- Loss of an area to walk dogs.
- Loss of a public space.
- Takes away grazing land for horses.
- This does not fit with protecting and enhancing where appropriate to expand the boroughs green infrastructure.

- How will there be a net increase in Greenspace accessible to the public?
 - Loss of more Greenspace in Runcorn.
 - This is Green Belt land.
 - The site is in a Conservation Area will be affected by the proposed development.
 - The land contains hazardous waste contamination which is harmful to human life and wildlife.
 - Gas is being released from the tip.
 - The land is next to a nature reserve.
 - This is one of the few remaining heathlands in Cheshire.
 - Light pollution would result at night.
 - There are restrictions on the title to the land.
 - How does the proposal deal with drainage?
 - Mere lip service has been paid to public consultation by the applicant.
 - The proximity to COMAH (Control of Major Accident Hazards) sites.
- Would replace the missed dining facility at Lawson House.

5.3 Further submissions have recently been made to accompany the application and the description has been amended to reflect the matters under consideration. The updated application was advertised by a press advert in the Widnes & Runcorn World on 17/08/2017, a site notice was posted on Heath Road South on 09/08/2017 and 117 neighbour notification letters (letters to those originally notified and those who made representations) sent on 10/08/2017.

5.4 22 representations (21 in objection and 1 in support) were received from this period of publicity given to the application. The observations received are summarised below:

- This is greenfield land and should not be used for this purpose.
- This is another Level Fields, Halebank.
- There are brownfield sites that could be used.
- Spare land in the Heath Business Park should be used instead
- A hotel in the local area has been converted into housing in recent years.
- A hotel is not needed.
- The area is well served by hotels.
- A hotel should not be put next to a nursery.
- Safeguarding of children who attend the nursery.
- The field is a wildlife haven used by walkers and has equestrian facilities.
- Weston is a quiet village and will be spoilt by heavy traffic.
- Increased traffic flow on a dangerous bend. A full traffic survey needs to be completed.

- Access should not be reserved for future consideration.
 - No development should be considered on land adjacent to a piece of land which is still being monitored for chemicals (HCBd). It is too risky to disturb this field and expose likely contamination.
 - The development is oversized and out of character with surrounding area.
 - The Health and Safety Executive will not support the proposed development.
 - No public notices have been displayed.
 - It would have a detrimental impact on the local environment and nature reserve (Runcorn Hill is a Green Flag award winning nature reserve).
 - Air quality would be reduced further.
 - It would have an adverse visual impact.
 - There would be increased noise from numerous sources.
 - The rural setting of the nursery would be compromised.
 - Are the Inland Revenue aware of this speculative development by the pension fund?
 - This development would compromise existing businesses in the local area.
 - Invest money into the Old Town.
 - There are no benefits for the community.
-
- A hotel and a good restaurant in this area would be welcomed.

6. ASSESSMENT

6.1 Designation - Greenspace

The site is designated as a Greenspace on the Proposals Map accompanying the Halton Unitary Development Plan. This is a much wider designation including land located to north, west and south of the application site. There is a presumption to protect designated Greenspaces. Policy GE6 of the Halton Unitary Development Plan is relevant. This proposal seeks to develop on a designated Greenspace. In terms of local policy, within Policy GE6 of the Halton Unitary Development Plan, there is a presumption against development within a designated greenspace unless it is ancillary to the enjoyment of the greenspace. There are exceptions set out in the policy where the loss of amenity land is adequately compensated for.

When considering whether one of the exceptions in policy GE6 has been met, assessing the current amenity value of the site as a Greenspace is key.

- Its value in providing an important link in the greenspace systems;

The site is bounded by built form to both the south and the east and is located at the edge of the greenspace system rather than being a important link or compromising links with adjacent greenspace.

- Its value in providing an important link in the strategic network of greenways;

The site is not considered to be an important link in the strategic network of greenways. To the north of the site is a proposed greenway linking Runcorn Hill and Heath Road South. Further to the west of the site is a potential greenway linking Cheshyre's Lane with Runcorn Hill.

- Its value for organised sport and recreation;

The site does not offer any value in terms of organised sport and recreation.

- Its value for informal or unorganised recreation;

The site offers no value for informal or unorganised recreation.

- Its value for children's play, either as an equipped playing space or more casual or informal playing space;

The site offers no value for children's play.

- Its value as an allotment;

The site is not used as an allotment.

- Its wildlife and landscape interest;

The ecological assessment which accompanies the application is acceptable. The site does not contain any protected or notable habitats or plant species. This is considered in more detail at section 6.?? The site is located within an Area of Special Landscape Value as designated by the Halton Unitary Development Plan and based on this designation has value in this regard. This is considered in more detail at section 6.??

- Its value for an existing or potential role as part of the Mersey Forest;

Tree cover is limited on this site. The site is considered to have a limited role as part of the Mersey Forest.

- Its value for environmental education;

The site offers nothing in this regard.

- Its visual amenity value (such as providing a visual break or visual variety in an otherwise built-up area);

The site does appear as a green open space in the urban area and therefore does provide a visual break.

- Its structural value, such as defining local communities or providing a buffer between incompatible uses (such as noise attenuation zones);

The site does form part of a much larger greenspace which provides a buffer between Higher Runcorn and Weston Village.

- Its value in enhancing the overall attractiveness of the area;

The site does have some value in terms of contributing to the overall attractiveness of the area.

- Its contribution to the health and sense of well-being of the community.

The site offers some value in this respect.

After considering the amenity value of this designated Greenspace, whilst not being a publicly accessible site, the site does have a number of amenity values.

The case made by the applicant is that the proposal would raise the overall amenity of the greenspace and that exception (a) in Policy GE6 applies.

Exception (a) states that loss of amenity value may be compensated for where development on part of the site would fund improvements that raise the overall amenity value of the greenspace, as measured against the criteria for designation of greenspace set out in the justification to this policy. In assessing whether a proposal would raise the overall amenity value of the site, consideration will also be given to the extent to which accessibility to and through the site, including linkages with other greenspaces, would be improved.

The applicant is seeking to develop this private non-accessible land into a site whose landscape and habitat qualities are enhanced as well as the provision of facilities and public access to the amenity views available to the west over the Mersey Estuary.

One of the amenity values of this designated Greenspace is its landscape value and the applicant has commissioned a detailed landscape review and has designed a scheme which seeks to integrate and enhance this designated Greenspace. The impact of the proposed development on the Area of Special Landscape Value is to be considered in detail at section 6.2.

6.2 Designation - Area of Special Landscape Value.

The site is designated as an Area of Special Landscape Value on the Proposals Map accompanying the Halton Unitary Development Plan. This is a much wider designation including Runcorn Hill Local Nature Reserve and land which is located adjacent. As with Greenspaces, there is a presumption to protect designated Areas of Special Landscape Value. Policy GE23 of the Halton Unitary Development Plan is relevant. It states that *development*

within Areas of Special Landscape Value will not be permitted if it would have an unacceptable effect on the visual and physical characteristics for which an area was designated as having special landscape value.

The policy then goes to state that *Development in Areas of Special Landscape Value should be capable of meeting all of the following criteria:*

- a) It is in character with the Area, sensitively sited and designed, and constructed of appropriate materials.
- b) It is integrated and landscaped to a high standard.
- c) It can be accommodated without affecting the overall quality of the area.

In the Halton Landscape Character Assessment (2009) which looked at the landscape and visual character of Halton Borough as part of the evidence base for the Local Development Framework, the application site is located within the Runcorn Hill and Heath Parkland Landscape Character Area.

This notes the landscape strength as being moderate with the landscape condition being moderate – poor. The landscape guidelines are to ENHANCE and RESTORE with the emphasis placed on restoring the condition of the unique landscape around Runcorn Hill Local Nature Reserve and protecting the views from the rocky viewpoints. Further restoration of hedgerows would strengthen the landscape condition. Enhancement of planting around the peripheries would strengthen the landscape character of the area.

The applicant has commissioned a report which seeks to demonstrate compliance with policy GE23.

The applicant notes that the proposed development is in the southern periphery of the Runcorn Hill Area of Special Landscape Value adjacent to and in the context of existing development including larger scale built development at the Heath Business and Technical Park to the east of the site (beyond Heath Road South) and including the Heathside Day Nursery immediately to the south of the site.

The applicant also notes that proposed development would be adjacent to existing development and would not fragment green space or weaken the field pattern within the southern extent of the Runcorn Hill Area of Special Landscape Value and this part of the Runcorn Hill and Heath Parkland Landscape Character Area.

The applicant details aspects of the proposal including its landscaping scheme that would assist in minimising its effects on the wider Runcorn Hill Area of Special Landscape Value as listed below:

- Retention of mature trees within the north-eastern corner of the site and woodland proposed to the south and west of these trees would provide filtering and screening of new development on site..
- The proposed hotel and restaurant building would be on lower ground within the western extent of the site and would be sympathetically

designed to accommodate the sloping landform, incorporating three terraces comprising hotel rooms.

- The proposed hotel and restaurant building would incorporate 'green' or 'brown' roofs and 'green walls' each comprising vegetation and natural materials, which would assist in integrating the proposed built-form in the landscape.
- Tree planting proposed within new native hedgerow alongside new timber post and rail fencing defining the site's northern boundary would provide filtering and screening of the proposed development in views from the north, in particular from higher ground on Runcorn Hill within the Local Nature Reserve.

Landscape features that contribute to the high scenic value of the Runcorn Hill Area of Special Landscape Value including red sandstone walling along the eastern boundary, red sandstone boulders within raised ground at the site entrance; gorse, heather and birch at the site entrance and within the new greenspace in the north-western corner of the site; heath grassland to the east and north of the site; and new timber post and rail fencing and native hedgerow to the site's northern and western boundaries with adjacent horse-grazing pasture.

The proposed development would be constructed of appropriate materials, including red sandstone cladding, and green walls; would incorporate green or brown roofs; and would include hard and soft landscape elements of a high standard.

The proposed development, including Proposed Landscape Scheme, can be accommodated without detrimentally affecting the overall quality of the Runcorn Hill Area of Special Landscape Value.

The applicant considers that the scheme design and proposed landscape scheme ensure compliance with Policy GE23 and their future implementation can be secured by condition.

6.3 Impact on the Runcorn Hill Local Nature Reserve / Local Wildlife Site

The Runcorn Hill Local Nature Reserve / Local Wildlife Site is located approximately 150m from the application site at its closest point.

Policy GE20 of the Halton Unitary Development Plan states that development will not be permitted if it is likely to have an unacceptable impact on existing and proposed Local Nature Reserves, as defined on the Proposals Map.

Policy GE19 of the Halton Unitary Development Plan states that development and land use change will not be permitted if it is likely to have a significant effect on a Site of Importance for Nature Conservation, as defined on the Proposals Map, unless it can be clearly demonstrated that there are reasons for the proposal that outweigh the need to safeguard the substantive nature conservation of the site.

In all cases where development or land use change is permitted which would damage the nature conservation of the site or feature, such damage will be kept to a minimum. Where appropriate, the authority will consider the use of conditions or planning obligations to provide compensatory measures.

New sites identified during the Plan period will receive the same protection as those identified on the Proposals Map.

The applicant has commissioned an impact assessment in relation to the impact on the Runcorn Hill Local Nature Reserve / Local Wildlife Site.

The applicant notes that the grassland habitat on site is sub-optimal semi-improved neutral grassland and, as such, offers little to functionally support the acidic grassland and lowland heath on the Local Nature Reserve for which it is designated.

The applicant also notes that combined with the distance from the Local Nature Reserve and the lack of connectivity to it, they consider that the development would have a negligible impact on the Local Nature Reserve.

They also state that biodiversity enhancements linked to the ecological priorities of the Nature Improvement Area would be incorporated into the landscape design. This would complement the local sandstone features, hedges and woodland with improvements made to introduce heathland species and to translocate bluebell.

6.4 Principle of Development on Designated Greenspace and Area of Special Landscape Value in close proximity to the Runcorn Hill Local Nature Reserve / Local Wildlife Site.

The relevant policy considerations pertaining to these considerations are set out in sections 6.1, 6.2 and 6.3. These considerations need to be considered as a whole due to their interrelated nature. With the site designations (Greenspace and Area of Special Landscape Value), it is a matter of whether the proposal meets the exceptions / criteria in the policies.

Considering the site's designation as a Greenspace, the proposal would inevitably result in the loss of some of the amenity values highlighted in section 6.1; however one of the exceptions in the policy is that if the proposal provides compensation which raises the overall amenity value of the site.

Based on the proposal developing this private non-accessible land into a hotel, function room and restaurant which would be accessible to members of the public combined with the enhancement of the sites landscape and habitat qualities proposed by the applicant as detailed in the report are enhanced which raises the overall amenity value of the site, exception a) in Policy GE6 of the Halton Unitary Development Plan is considered to be met. The proposal is also considered to accord with Policies GE8 and GE10 of the Halton Unitary Development Plan.

Considering the site's designation as part of the Runcorn Hill Area of Special Landscape Value and its location within the Runcorn Hill and Heath Parkland Landscape Character Area the proposal would inevitably have an impact on this landscape. The question is whether it would have an unacceptable effect on the visual and physical characteristics for which it was designated. There is a criterion for development in Policy GE23 of the Halton Unitary Development Plan and meeting these criteria would confirm that the proposal would not have an unacceptable effect on the visual and physical characteristics of this landscape.

The landscape guidelines contained in the Halton Landscape Character Assessment for this particular Landscape Character Area / Area of Special Landscape Value are to ENHANCE and RESTORE with the emphasis placed on restoring the condition of the unique landscape around Runcorn Hill Local Nature Reserve and protecting the views from the rocky viewpoints.

Members will note that the Council's Open Spaces Officer has made some observations on the proposal in respect of the impact of the proposal on the Area of Special Landscape predominantly in relation to the wording used in the document which has been submitted by the applicant to support the application.

The recommendations on the compliance of the proposal with Policy GE23 of the Halton Unitary Development Plan is below.

The proposed development would be adjacent to existing development and would not fragment green space or weaken the field pattern within the southern extent of the Runcorn Hill Area of Special Landscape Value and this part of the Runcorn Hill and Heath Parkland Landscape Character Area. The proposal includes a comprehensive landscaping scheme (including tree planting to screen views of the building from the Runcorn Hill Local Nature Reserve) and the introduction of landscaping features to enhance the landscape. It is considered that this proposal fits with the guidelines to ENHANCE AND RESTORE this Landscape.

Linking this back to the policy wording, criteria a) is the development needs to be in character with the area, sensitively sited and designed, and constructed of appropriate materials. As referred to above, the site is at the southern end of the Area of Special Landscape Value adjacent to existing development on two sides. Based on the siting and design of the proposal and its relationship with existing developments, it is considered that the proposal meets criteria a).

Criteria b) require development to be integrated and landscaped to a high standard. The building has been carefully designed to integrate into the sloping landform and the proposal is accompanied by a comprehensive scheme of hard and soft landscaping to ensure that it enhances the landscape in which this site is located. It is considered that the proposal meets criteria b).

Criteria c) require development to be accommodated without affecting the overall quality area. As stated above, the scheme has been designed to a high quality with a well-designed building which integrates into the sloping landform and a comprehensive scheme of hard and soft landscaping. It is considered that this proposal would not affect the overall quality of the area and meets criteria c).

Based on the above, it is considered that the proposal would not have an unacceptable effect on the visual and physical characteristics of this landscape and meets the criteria for development in an Area of Special Landscape Value in accordance with Policy GE23 of the Halton Unitary Development Plan.

Considering the impact of the proposed development on the Runcorn Hill Local Nature Reserve / Local Wildlife Site, the lack of connectivity along with the sub-optimal semi-improved neutral grassland and, as such, offers little to functionally support the acidic grassland and lowland heath on the Local Nature Reserve for which it is designated and the biodiversity improvements proposed, the proposal would not have an unacceptable impact on the Local Nature Reserve / Local Wildlife Site. The proposal is considered to comply with Policies GE19 and GE20 of the Halton Unitary Development Plan.

To conclude, the principle of locating the proposed hotel, function room and restaurant on this designated Greenspace and Area of Special Landscape Value in relative close proximity to the Runcorn Hill Local Nature Reserve / Local Wildlife Site is considered to be acceptable.

6.5 Risk

Policy PR12 of the Halton Unitary Development Plan is relevant to the determination of the application. It states that *development on land within consultation zones around notified COMAH sites will be permitted provided that all of the following criteria can be satisfied:*

- a) The likely accidental risk level from the COMAH site is not considered to be significant.*
- b) Proposals are made by the developer that will mitigate the likely effects of a potential major accident so that they are not considered significant.*

The justification for the above policy indicates that the accidental risk level from the COMAH site is not considered to be significant where an individual accidental risk level does not exceed 10 chances per million in a year.

Appendix D of the Planning for Risk Supplementary Planning Document includes maps which identify this risk and this site is inside of the area affected by an individual accidental risk of in excess of 10 chances per million in a year.

On this basis, the individual accidental risk would be considered significant. Part b) of the policy indicates that proposals will be permitted where the

developer would mitigate the likely effects of a potential major accident so that they are not considered significant.

In an attempt to satisfy this policy, the applicant has commissioned a Land Use Planning Risk Assessment which advises on the implications of COMAH installations on the proposed hotel development.

The applicant notes that the proposed development is at the edge of the area where Halton Borough Council exercises development control because of the risk from the Ineos Mexichem Complex. The part of the development nearest to the Ineos Mexichem Complex is subject to a risk of 29 chances per million in a year of death.

The applicant advises that if practicable measures were incorporated into the design of the hotel, the risk to the most exposed person could be reduced to as low as 5 chances per million which would be at a level which would not be considered significant in terms of Policy PR12.

The process of quantitative risk assessment gives numerical estimates of risk; these predictions are subject to uncertainty. Two of the major uncertainties in the prediction of risk from the Ineos Mexichem Complex results from the exclusion of the impacts of the difference in elevation (the site of the development is 74m above ordnance datum while Ineos Mexichem Complex is 13m above ordnance datum) and the process changes at the Complex between 2005/6 and 2017. They consider it likely that if a new 10 chances per million line were to be calculated which considered topographical features around the Ineos Mexichem Complex and the process changes since 2005/6, the proposed hotel development would lie outside this line and so would not be subject to development control as the risk would not be considered significant.

Based on the assessment undertaken by the applicant, it considered that the accidental risk level is not significant due to topographical features around the Ineos Mexichem Complex and the process changes since 2005/6 likely to show that the site is outside of the 10 chances per million line if it were to be recalculated. Even when considering the proposed development on the map which identifies individual accidental risk of in excess of 10 chances per million in a year in Appendix D of the Planning for Risk Supplementary Planning Document, there are mitigation measures in the form of reducing the air infiltration rate to the buildings which would could reduce the accidental risk level to 5 chances per million which again is not considered significant.

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of major Hazard sites / pipelines. Their assessment indicates that the risk (societal risk) to harm to people at the proposed development site is such that HSE's advice is that there are sufficient reasons on safety grounds, for advising against the granting of planning permission in this case.

If the Council is minded to grant permission, the Local Planning Authority is required to give the HSE 21 days' notice to consider whether to request that the Secretary of State for Communities and Local Government call-in the application for their own determination.

In terms of risk, for the reasons outlined above, it is considered that the proposal is in compliance with the Council's adopted policies in Policy PR12 of the Halton Unitary Development Plan, Policy CS23 of the Halton Core Strategy Local Plan and also the Council's Planning for Risk Supplementary Planning Document.

6.6 Access

Access is reserved for future consideration.

In the applicant's Design, Access and Planning Statements, they allude to the fact that access to the site would be gained from a new access off Heath Road South. They also comment that access to public transport and pedestrian routes can be found in the same location. They also note that easy access would be gained to the Heath Business and Technical Park and the café and visitor centre at Runcorn Hill.

The Highway Officer has commented that the site appears to offer good visibility from its position on Heath Road South and would likely provide good access for vehicles.

Both the Highway Officer and members of the public have raised concerns over the speeds on this road and it would be important to adequately assess what measures may be necessary with regard to highway safety to deal with this issue. Measures would also need to be implemented to allow safe pedestrian accesses across Heath Road South.

The application proposes that 83 parking spaces would be available which the Highway Officer considers to be sufficient for the amount of development sought.

Based on the above, the Highway Officer has concluded that the 30 bed hotel with function room and restaurant proposed is acceptable from a highway perspective and the finer access details would be dealt with through a subsequent reserved matters application.

Access which covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site would be considered as part of a reserved matters application.

The Highway Officer has noted that it will be necessary to provide details of how the unit is to be serviced for deliveries, waste and emergency vehicles. Tracking details will be necessary illustrating how a service vehicle can enter and exit the site in forward gear. Details on safe pedestrian access into the

site would also be required. These observations should be attached as an informative to inform any subsequent reserved matters application.

One of the representations raises the issue of construction traffic. This is common place with all development proposal and could be managed appropriately through a planning condition securing the submission of a construction management plans and its implementation throughout the construction period.

6.7 Site Layout

Layout is one of the matters being considered by this reserved matters application. As considered at sections 6.2 and 6.4, the layout of the site has been designed having regard for the site characteristics, constraints and designations. Having had regard for the site's designation as an Area of Special Landscape Value, the applicant has sympathetically designed the building to integrate into this sloping landform. The site's layout has been designed around the retention of mature trees within the north-eastern corner of the site and the creation of further woodland areas to enhance the periphery of this Area of Special Landscape Value in line with the Halton Landscape Character Assessment and also screen the building when viewed from the Runcorn Hill Local Nature Reserve / Local Wildlife Site.

Additional landscape features such as red sandstone walling along the eastern boundary, red sandstone boulders within raised ground at the site entrance; gorse, heather and birch at the site entrance and within the new greenspace in the north-western corner of the site; heath grassland to the east and north of the site; and new timber post and rail fencing and native hedgerow to the site's northern and western boundaries with adjacent horse-grazing pasture to contribute the high value of the landscape in this location.

From a highway perspective, the site layout makes sufficient parking provision for the amount of development sought and a suitable access point from Heath Road South can be achieved to ensure a severe highway impact would not result. The finer detail of access would be considered as part of a reserved matters application.

Considering the site layout in relation to adjacent land uses, the proposed development is sufficiently distant from the Heathside Day Nursery and the Heath Business and Technical Park in order not to have a significantly detrimental impact on amenity and the proposed land use is considered compatible with the existing adjacent land uses.

The proposed site layout is considered to be acceptable and in compliance with policies BE1, BE2, BE18 and BE22 of the Halton Unitary Development Plan.

6.8 Scale

As noted above, the proposal has been designed to integrate into the Area of Special Landscape Value and has regard for the sloping landform in an attempt to ensure that the proposal appears of an appropriate scale and is not unduly prominent.

The applicant is proposing a three storey building, however it would only present a 1 ½ storey height to Heath Road South with the opposite side of the building being stepped to have regard for the site contours to disguise its apparent height. It is also noted that the ground floor level of building would be lower than Heath Road South by approximately 1m again reducing its prominence.

The applicant is seeking to build a 30 bed hotel with a function room and restaurant on a site which is 1.21 ha in area. The built form would only occupy a modest amount of the site and makes sufficient space for enhancements to be made to this designated Area of Special Landscape Value and Greenspace as previously detailed.

The scale of the proposed development is considered to be acceptable and is compliant with policies BE1 and BE2 of the Halton Unitary Development Plan.

6.9 Appearance

The proposed building is of a high quality and distinctive design and regard has been given to the way in which it would be viewed from all sides in terms of the way it presents itself to Heath Road South on the south eastern elevation as a modest 1 ½ storey height building, its stepped nature on the north western elevation which reflect how it would be viewed from the adjacent lower land.

The proposed building would be constructed of appropriate materials, including red sandstone cladding, green walls and would incorporate green or brown roofs resulting a high quality appearance. The finer detail as to the materials to be used can be secured by planning condition.

Appearance of the proposal extends to the hard and soft landscape elements all of which are considered to be of a high standard.

The appearance of the proposed development is considered to be acceptable and is compliant with policies BE1 and BE2 of the Halton Unitary Development Plan.

6.10 Landscaping and Trees

The application is accompanied by an Outline Arboricultural Impact Assessment. The proposal has been designed around the existing trees all of which have a long contribution to make from the Arboricultural Survey undertaken.

The application is also accompanied by a Landscaping Scheme which contains a significant amount of detail on both hard and soft landscaping within the site. Additional tree planting is proposed within new native hedgerow alongside new timber post and rail fencing defining the site's northern boundary which would provide filtering and screening of the proposed development in views from the north, in particular from higher ground on Runcorn Hill within the Local Nature Reserve. New tree planting is not confined to the northern boundary of the site with planting proposed across the whole site which would provide a number of functions including screening views of the Heathside Day Nursery as well as delivering landscape enhancements in the Runcorn Hill and Heath Parkland Landscape Character Area and Runcorn Hill Area of Special Landscape Value.

Whilst the landscape scheme is detailed, more information on species and specifications is required and the submission of this detail along with subsequent implementation can be secured by planning condition.

A detailed tree protection scheme and its implementation during the construction period would also need to be secured by condition.

The proposal is considered to accord with Policies BE1, BE22 and GE27 of the Halton Unitary Development Plan.

6.11 Ground Contamination

The application is supported by a Phase 1 preliminary risk assessment.

The Contaminated Land Officer acknowledges that there is a potential risk from ground gases from the adjacent infilled quarries, as well as a need to determine the near surface soil quality, however agrees with the conclusions within the submitted report that this can be appropriately assessed and controlled by a pre-commencement condition.

The attaching of the suggested condition would ensure that the proposal is compliant with Policy PR14 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

6.12 Ecology

The application is accompanied by an Ecological Assessment report and a Great Crested Newt eDNA Survey report. It is recommended that these documents are accepted as an accurate assessment of the current ecological content. Our Ecological Advisor advises that these reports are acceptable and that no further surveys are required. In relation to the badger survey undertaken and the requirement to undertake additional survey work, the comments made by the Council's Open Spaces Officer are discounted as the Council's Ecological Advisor who is appropriately qualified in this field has provided observations which ensure regulatory compliance.

The reports confirm that there is no evidence of Bats or Great Crested Newts and therefore, the Council does not need to consider the proposals against the three tests (Habitats Regulations) or consult Natural England.

No objection to the proposed development is raised from an ecological perspective subject to the attachment of conditions which secure breeding bird protection and the submission of Reasonable Avoidance Measures to prevent harm to reptiles.

Based on the above, it is considered that the proposal is compliant with Policy GE21 of the Halton Unitary Development Plan and Policy CS20 of the Halton Core Strategy Local Plan.

6.13 Noise

The site is located adjacent to the Heath Business and Technical Park and Heathside Day Nursery. The proposed use is considered to be both complementary and sympathetic to surrounding land uses. The Council's Environmental Health Officer raises no objection to the proposed development on noise grounds.

The proposal is considered to be compliant with Policy PR 2 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

6.14 Flood Risk and Drainage

The application site is located in Flood Zone 1 and is at low risk from flooding. The application is accompanied by a Flood Risk Assessment.

The existing site is greenfield and the developer will be expected to mimic the existing drainage conditions. The site is sloping so any drainage strategy will have to show how any overland flows or exceedance routes stay within the site and do not flood adjacent properties. A condition securing the submission of a detailed drainage strategy and its subsequent implementation is suggested.

This would ensure compliance with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

6.15 Complementary Facilities

This site is located adjacent to the Heath Business and Technical Park which is designated as a Primarily Employment Area in the Halton Unitary Development Plan. Within a Primarily Employment Area, there is provision for complementary facilities within Policy E4 of the Halton Unitary Development Plan. Whilst just being on the opposite side of Heath Road South to the Heath Business and Technical Park and the designated Primarily Employment Area, it is considered that a hotel, function room and restaurant

in the location could be a complementary facility which would help the employment area function well.

6.16 Sustainable Development and Climate Change

Policy CS19 of the Halton Core Strategy Local Plan outlines some principles which will be used to guide future development.

NPPF paragraph 35 which states that to further enhance the opportunities for sustainable development any future developments should be located and designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles.

The incorporation of facilities for charging plug-in and other ultra-low emission vehicles could be realistically achieved for a hotel development and a condition requiring investigation into the provision of future charging points for ultra-low emission vehicles is considered reasonable.

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

6.17 Waste Prevention/Management

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

The proposal is compliant with Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan.

6.18 Issues raised in representations not addressed above

With regard to there being no benefit for the residents of Runcorn, the consideration with this planning application is compliance with the Council's adopted policies and guidelines which are in place to guide development in the borough.

In respect of there being no requirement for a hotel, market forces must prevail.

The Council acknowledges that the development should ideally be focused on brownfield sites ahead of greenfield sites however this proposal has been submitted for this particular site and it has to be considered on its merits.

This is not a Council proposal, nor would the Council receive profit from the development.

With regard to the proposal having a detrimental effect on all local businesses, the planning system does not exist to protect the private rights of one individual against another nor would competition constitute a reason for refusing the application.

The site owner has submitted a planning application for this site and it has to be considered on its merits. Applications in the Old Town of Runcorn would also be considered on their merits.

With regard to the site being lost for dog walkers and the loss of a public space, it should be noted that this is a private site and access to the site by members of the public is a matter for the site owner.

The site is not designated as Green Belt in the Halton Unitary Development Plan.

The site is not located within a Conservation Area and is approximately 650m from the Higher Runcorn Conservation Area.

There would inevitably be lights associated with the proposed development but it is not considered that this issue would be significantly detrimental to warrant the refusal of the application.

In respect of air quality, the Council's Environmental Health Officer has not requested an air quality assessment be undertaken nor have they raised an objection to the application.

In respect of safeguarding issues arising from locating a hotel next to a day nursery, the requirement for the day nursery for safeguarding and promoting the welfare of children is noted, however in land use planning terms, the uses are considered compatible and would have an appropriate relationship. It is noted that the applicant is proposing some additional planting to provide some additional screening for the Heathside Day Nursery.

Any restriction on the title to the land is a legal issue rather than a planning issue.

Whether the Inland Revenue is aware of this speculative development or not is not material to the determination of this planning application.

Whilst public consultation prior to the submission of planning application is encouraged, this is not mandatory and not a reason why a planning application could be refused.

7. CONCLUSIONS

In conclusion, the principle of locating the proposed hotel, function room and restaurant on this designated Greenspace and Area of Special Landscape Value in relative close proximity to the Runcorn Hill Local Nature Reserve / Local Wildlife Site is considered to be acceptable.

The proposal would develop this private non-accessible land into a hotel, function room and restaurant which would be accessible to members of the public combined with the enhancement of the sites landscape and habitat qualities which raise the overall amenity value of this designated Greenspace.

It would not have an unacceptable effect on the visual and physical characteristics of this landscape and meets the criteria for development in an Area of Special Landscape Value.

Based on the lack of connectivity with the Runcorn Hill Local Nature Reserve / Local Wildlife Site along with the sub-optimal semi-improved neutral grassland and, as such, offers little to functionally support the acidic grassland and lowland heath on the Local Nature Reserve for which it is designated and the biodiversity improvements proposed, the proposal would not have an unacceptable impact on the Local Nature Reserve / Local Wildlife Site.

The site is located within a consultation zone around notified COMAH sites. Appendix D of the Planning for Risk Supplementary Planning Document includes maps which identify risk. This site is inside of the area affected by an individual accidental risk of in excess of 10 chances per million in a year which is considered significant.

The applicant has undertaken an assessment to demonstrate that the level of risk is not significant. After reviewing the assessment, the accidental risk level is not considered to be significant due to topographical features around the Ineos Mexichem Complex and the process changes since 2005/6 likely to show that the site is outside of the 10 chances per million line if it were to be recalculated. Even when considering the proposed development on the map which identifies individual accidental risk of in excess of 10 chances per million in a year in Appendix D of the Planning for Risk Supplementary Planning Document, there are mitigation measures in the form of reducing the air infiltration rate to the buildings which would could reduce the accidental risk level to 5 chances per million which again is not considered significant.

The Highway Officer has commented that the site appears to offer good visibility from its position on Heath Road South and would likely provide good access for vehicles.

The application proposes that 83 parking spaces would be available which the Highway Officer considers to be sufficient for the amount of development sought.

Based on the above, the Highway Officer has concluded that the 30 bed hotel with function room and restaurant proposed is acceptable from a highway perspective and the finer access details would be dealt with through a subsequent reserved matters application.

The proposal is considered to be of an appropriate layout, scale and design have regard for its location and would be sympathetic to neighbouring land uses.

The Contaminated Land Officer acknowledges that there is a potential risk from ground gases from the adjacent infilled quarries, as well as a need to determine the near surface soil quality, however agrees with the conclusions within the submitted report that this can be appropriately assessed and controlled by a pre-commencement condition.

8. RECOMMENDATIONS

Grant outline planning permission with conditions subject to the application not being called in by the Secretary of State following referral to the Health and Safety Executive.

9. CONDITIONS

1. Time Limit – Outline Permission.
2. Submission of Reserved Matters.
3. Development Parameters.
4. Plans Approved.
5. Site Levels (Policy BE1)
6. Facing Materials to be Agreed (Policies BE1 and BE2)
7. Breeding Birds Protection – (Policy GE21)
8. Reasonable Avoidance Measures – Reptiles – (Policy GE21)
9. Landscaping Scheme – (Policy BE1)
10. Tree Protection – (Policy BE1)
11. Ground Contamination – (Policy PR14)
12. Construction Management Plan (Highways) – (Policy BE1)
13. Electric Vehicle Charging Points – (Policy CS19)
14. Site Waste Management Plan – (Policy WM8)
15. Sustainable Waste Management Design – (Policy WM9)
16. Surface Water Regulatory Scheme – (Policy PR16)

Informatives

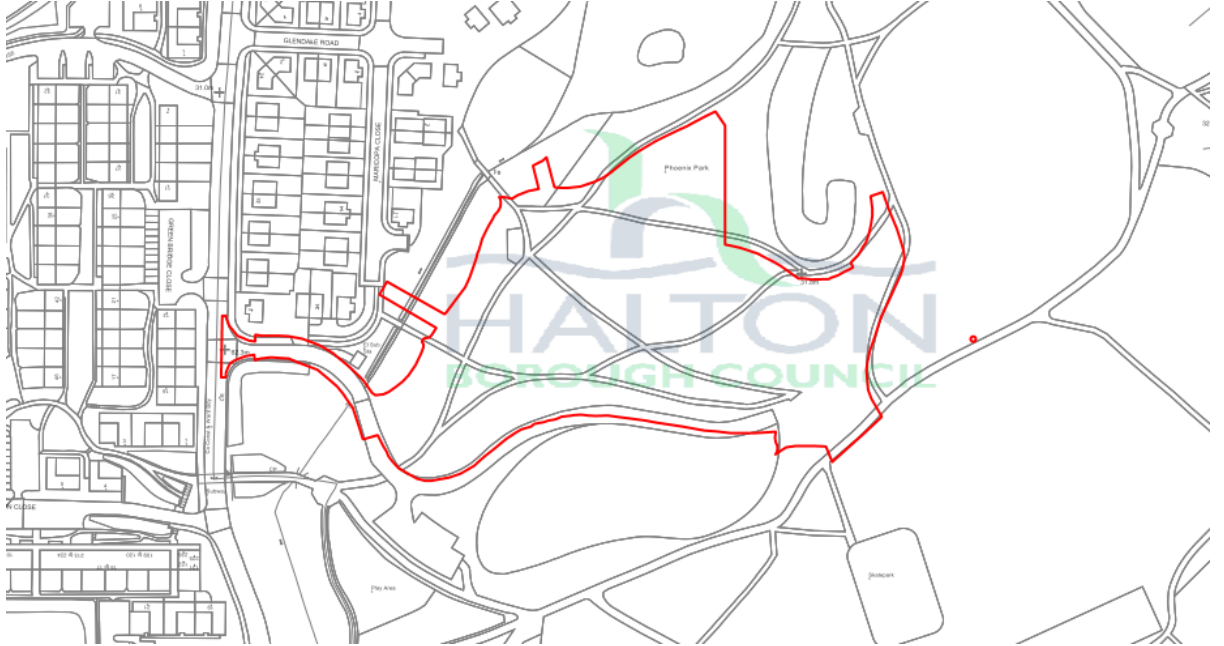
1. Highway Informative.
2. Ecology Informative.
3. Waste Informative.

10. 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.

APPLICATION NO:	17/00304/FUL
LOCATION:	Land to the East of Castlefields Avenue East, Runcorn
PROPOSAL:	Proposed development of 45 no. dwellings together with associated access, landscaping and infrastructure.
WARD:	Windmill Hill
PARISH:	N/A
AGENT(S) / APPLICANT(S):	Keepmoat Homes Ltd
DEVELOPMENT PLAN ALLOCATION:	
Halton Unitary Development Plan (2005)	RG6 Action Area 6 Castlefields and Norton Priory
DEPARTURE REPRESENTATIONS:	Yes 4
RECOMMENDATION:	Approve subject to Conditions.
SITE MAP	
	

1. APPLICATION SITE

1.1 The Site and Surroundings

Site of approximately 1.25Ha located within the Lakeside Development area within the Castlefields SPD. The site is accessed off Castlefields Avenue East with Town Park Lake to the north, Lakeside Phase 1 and 2 lie to the north west and Phoenix Park to the south and west.

1.2 Planning History

None directly relevant. Planning permissions have previously been approved for adjoining residential development at Lakeside Phase 1 (12/00238/FUL) and Phase 2 (15/00263/FUL) which is complete subject to outstanding highway adoption issues.

1.3 Background

This scheme forms part of the wider regeneration proposals for Castlefields which seeks to replace existing deck access and outdated dwellings with new build and refurbished dwellings and to widen the tenure mix within the area. The regeneration strategy for the Castlefields area sets out to deliver a broader based community in the area. This requires the radical restructuring of housing provision including the demolition of a significant number of properties, predominantly in the form of unpopular deck access blocks, redevelopment of more popular social housing and introduction of private sector housing stock as part of an overall masterplan. Given the high density of the original deck access blocks the scope to provide adequate redevelopment within the existing built form was limited. In order to secure a balance of new housing, areas of undeveloped land were identified through the masterplan to accommodate new development. This principle was translated into the Supplementary Planning Document for the Castlefields and Norton Priory Action Area adopted by the Council in 2005.

This site is identified as forming part of the 'Lakeside' neighbourhood extension within the Masterplan. The purpose of Lakeside was to introduce private sector led open market housing to diversify the tenure mix (away from predominantly social rented) to create a mixed and balanced sustainable community within the neighbourhood. The site proposed to be developed forms a continuation of the developments at the former Barge Public House and later Phase 2 Lakeside scheme.

2. THE APPLICATION

2.1 Proposal Description

The scheme proposes residential development consisting of 45 no. dwellings, roads and ancillary development being a mix of 2 and 3 bed dwellings at 2 and 2.5 storeys and designed as detached, semi-detached and mews format.

2.2 Documentation

The planning application is supported by a Design and Access Statement, Tree Survey, Ecology Survey, Flood Risk Assessment, Transport Statement, Statement of Landscape Design, Travel Plan and Site/ Ground Investigation Report.

3. POLICY CONTEXT

3.1 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.

3.2 Halton Unitary Development Plan (UDP) (2005)

The site lies entirely within Action Area 6 Castlefields and Norton Priory but also designated as Greenspace and within an area defined as an Area of Special Landscape Value in the Halton Unitary Development Plan. The application has been advertised as a departure from the development plan.

The site is identified as a Proposed Housing Site (ref 8076/14) in the adopted Supplementary Planning Document for Castlefields and Norton Priory Action Area. Land use allocations for such sites cannot be made through Supplementary Planning Documents and the Unitary Development Plan is the development plan. Such documents are however a material consideration in the determination of planning applications.

The following National and Council Unitary Development Plan policies and policy documents are of particular relevance: -

- RG6 Action Area 6 Castlefields and Norton Priory
- BE1 General Requirements for Development
- BE2 Quality of Design
- GE10 Protection of Linkages in Greenspace Systems
- GE6 Protection of Designated Greenspace
- GE23 Protection of Areas of Special Landscape Value
- H3 Provision of Recreational Greenspace
- TP6 Cycling Provision as part of New Development

TP7 Pedestrian Provision as Part of New Development
TP12 Car Parking
PR14 Contaminated Land
TP17 Safe Travel for All
PR16 Development and Flood Risk

3.3 Halton Core Strategy (2012)

CS2 Presumption in Favour of Sustainable Development
CS12 Housing Mix
CS13 Affordable Housing is of particular relevance
CS18 High Quality Design
CS19 Sustainable Development and Climate Change
CS21 Green Infrastructure
CS23 Managing Pollution and Risk
CS24 Waste

3.4 Relevant SPDs

Castlefields and Norton Priory Action Area; New Residential Development SPD; Designing for Community Safety SPD; Draft Open Space Provision SPD are significant material considerations.

4. CONSULTATIONS

- 4.1 HBC Highways– No objection in principle
- 4.2 HBC Open Spaces – No objection in principle
- 4.3 HBC Contaminated Land – No objection in principle
- 4.4 United Utilities - No objection in principle
- 4.5 Natural England – Confirm no comments to make
- 4.6 HBC Major Projects - No objection in principle

5. REPRESENTATIONS

5.1 3 letters of representation have been received stating the following:

- Loss of Park/ Public Open Space/ green space
- Impact on character of the area
- Loss of habitat and impact on ecology
- That the development does not accord with the development plan
- That the proposal does not provide affordable housing
- That the applicant did not make purchasers aware of this development when they purchased a house on the earlier phase
- Construction noise and other impacts

- That roads and paths into the site would become busier and impact on houses fronting the access road
- Loss of view
- Potential highway safety issues

Bridgewater Canal Company Limited (BCCL) has submitted a letter stating that they raise no objection in principle but making a holding objection and raising queries on the following grounds:

- Has the assessment of the potential increase in the level of the lake taken account of all sources of water to the lake? BCCL would be concerned if there was potential for the lake to overtop and flows enter the Bridgewater Canal.
- That the applicant should demonstrate whether there are any outlets from the lake and what impact the surface water drainage proposals may have beyond the lake
- That in line with the Core Strategy new developments in the vicinity of the Canal should make the most of potential interfaces with the canal – visual, leisure, recreation, sustainable transportation and amenity. That the Council should give consideration to securing developer contributions towards the Canal corridor's ongoing enhancement and maintenance.

The issues raised by objectors and BCCL are addressed through the individual sections of the report.

5. ASSESSMENT

5.1 Principle, Loss of Greenspace and Impact on Area of Special Landscape Value

The site lies within Action Area 6 Castlefields and Norton Priory in the Halton Unitary Development Plan. Within that wider designation the site is designated as Green Space and as within Area of Special Landscape Value. A number of Proposed Greenways bound the site.

The Castlefields and Norton Priory Supplementary Planning Document (SPD - adopted September 2005) provides a planning framework for Action Area RG6. The SPD identifies the site as suitable for housing development (site ref 8076/14). The overall policy aim is to facilitate a prosperous and sustainable community within the residential neighbourhood of Castlefields. Redevelopment of green space and areas of undeveloped land to provide housing in lieu of demolished outdated dwellings and re-balancing the tenure mix forms an integral part of the Castlefields regeneration strategy. Reflecting the Masterplan desire for encouraging open market housing, SPD para 8.2.2 identifies the release of the Lakeside sites for residential development as an opportunity for encouraging diversification of tenure and different forms of home ownership.

Development on Greenspace

SPD para 8.2.5 which states “in order to provide an element of compensation for loss of open space... the site of the former Norton Priory School is proposed to be used for formal open space.” This work has been implemented and continues to be improved on an ongoing basis. Both the Castlefields Masterplan and SPD justify the need to release Lakeside for open market ‘step up’ housing. It is also important to recognise that the development of Lakeside has been off-set and compensated by a number of enabling works:

1. Creation of Phoenix Park

The site chosen for Phoenix Park covers 8 hectares and incorporates the remediation and ‘greening’ of a 5 hectare brownfield site previously occupied by a redundant secondary school and leisure centre. The site was derelict waste ground that attracted anti-social behaviour and was a general nuisance and eyesore. The selected location has the added benefit of serving and ‘connecting’ the two neighbourhoods of Castlefields and Windmill Hill. This is set out in Masterplan Projects HD18 & I11. Since opening in 2006, the Park has been successful and contributed to revitalising the local area, encouraging physical activity and improving the appearance of the general environment. The park is now an established and valued local amenity and forms parts of the wider Town Park green lung.

2. Town Park Lake Enhancement

In advance of the development of Lakeside, since 2008, the Council has undertaken a series of enhancement works to Town Park Lake to improve this environmental asset for the benefit of all users and integrate it into Phoenix Park. These measures include:

- Using mud track desire lines to create a new formal footpath that circumnavigates the Lake edge;
- Lake edge bank stabilisation works;
- Wetland aquatic planting and lake edge habitat restoration work;
- New fishing pegs (in partnership with Warrington Anglers);
- Creating a Lake Conservation Area comprising a no fishing zone, dipping platform, interpretation board and outdoor classroom.

These works have helped transform the lake from a magnet for anti-social behaviour into a safer, accessible and well-used amenity.

3. Town Brook Habitat Corridor

As part of the Phase 2 Lakeside development, the developer is due to undertake a package of enhancements to the existing landscape and watercourse of Town Park Brook which runs along the South-western boundary of the development site and feeds into the Lake. This area is currently overgrown and suffers from fly tipping. These works are aimed at

improving the aesthetic and habitat value of this corridor and includes improving the pedestrian bridge and revealing a sandstone ha-ha wall feature. This area will be retained as a public asset.

The site also falls within the wider area of Norton Wooded Parkland defined as an Area of Special Landscape Value in the Halton Unitary Development Plan. The Halton Landscape Character Appraisal (2008) provides an assessment of the landscape and visual character of the Borough and will provide part of the evidence base for the Local Development Framework (LDF). It is also intended to be used by the planning authority to aid development control decisions on planning applications and to guide landscape enhancement where funding and opportunities allow. Norton Wooded Parkland is defined as a central band of land set between high points at Halton Village/ Halton Castle and Windmill Hill. With a high proportion of woodland it forms a continuous network of formal and informal open space and provides a buffer between areas of housing.

The development of this site at Lakeside must however be viewed in the wider context of the Castlefields Regeneration. The development site is located on the edge of the designated Area of Special Landscape Value adjoining existing and earlier schemes of residential development. Phoenix Park which covers 8 hectares and incorporates the remediation and 'greening' of a 5 hectare brownfield site previously occupied by a redundant secondary school and leisure centre is located much more prominently within the central open part of the designated area. The park is now an established and valued local amenity and forms parts of the wider Town Park green lung. By greening the redundant brownfield site and creating a new high quality and useable green space it is considered that the development of green field land to deliver the 'Lakeside' residential scheme can be argued to have been appropriately mitigated by such an extensive programme of compensation and overall improvement to the designated area.

The site has been identified for development through the adopted Supplementary Planning Document. The area designated as green space is informal rough grassland only with groups of trees and whilst it does provide some amenity value it is considered, on balance, that the loss of the greenspace would not be significantly harmful to the wider area and must be considered in the context of the wider open space strategy for the area which has included substantial investment in the nearby Phoenix Park. It is also considered that any harm resulting from its loss would be far outweighed by the contribution of the scheme to the wider area regeneration strategy.

The Bridgewater Canal Company Limited (BCCL) has requested that developer contributions are sought towards the enhancement and maintenance of the nearby Bridgewater Canal. BCCL identify that Core Strategy Policy CS21 includes reference to "...using developer contributions to facilitate improvements to the quality, connectivity and multifunctionality of the Borough's green infrastructure network."

Appendix A to the adopted Provision of Open Space SPD sets out a calculation for contributions towards the improvement of the canal towpath where development is sited “within the locality” of the Bridgewater Canal.

Since the introduction of the CIL (Amendment) Regulations 2014 a planning obligation must comply with the three statutory tests that it must:

- (i) be necessary to make the development acceptable in planning terms;
- (ii) directly relate to the development; and
- (iii) be fairly and reasonably related in scale and kind to the development.

It is not considered that such a contribution would meet these tests and could not be secured in this case. According to the website of The Bridgewater Canal, the Runcorn section of the canal from Waterloo Bridge in Runcorn to Acton Bridge, Moore is listed under the completed sections of the Bridgewater Canal regeneration.

Any application for residential development at such a site would normally require developer contributions to compensate for the loss of open space, provision of off-site open space in accordance with adopted UDP Policy and the SPD. Given the unique nature of the development with the Council as landowner, the wider open space strategy and the role of the scheme in the wider regeneration of the area it is considered that an exception to policy can be justified in this case. This approach has been accepted through earlier grant of planning permissions for Phase 1 and Phase 2. The developer’s contribution to the localised improvements to the lakeside edge and footpath and to the Town Brook Corridor must also be taken into account.

5.2 Design Character and Amenity

The scheme proposes residential development consisting of 45 no. dwellings, roads and ancillary development being a mix of 2 and 3 bed dwellings at 2 and 2.5 storeys and designed as detached, semi-detached and mews format. The houses will be constructed predominantly of a mix of traditional brick and ridged tiled roofs taking reference from earlier phases of the Lakeside development by the same developer. The layout of the scheme has been heavily guided by a UU easement which crosses the site and efforts to achieve, as far as possible, outward facing properties overlooking the park and lake.

The scheme has been amended from that as originally submitted in accordance with officer recommendations. These amendments relate predominantly to detailing within the scheme to secure a better relationship between the development, the brook corridor and surrounding open space, boundary, landscape and details. The scheme as amended is considered to provide an opportunity to provide a quality development suited to the character of the site and in context with earlier residential developments in the area and the wider regeneration initiative.

Neighbours from the earlier phase have raised issue with respect to loss of view and that they were not informed of the potential phase 3 at the time they purchased their house. The latter is not a matter for the Planning Authority. Whilst loss of view is not considered a material consideration in its own right perception with respect to visual amenity, proximity and other residential amenity issues are considered capable of being material. In this case however, the proposed dwellings are approximately 50m away at the nearest point and are intervened by a reasonable dense wooded area and other areas of landscaping. It is not considered such an objection could be sustained in this case to justify refusal of planning permission.

5.3 Highways, Parking and Servicing

The Council's Highways Engineer has confirmed that no significant highway objections are raised in principle. The scheme as originally submitted raised a number of potential issues relating to design of the main access road, pedestrian links to the park and levels. The scheme as amended is considered to provide satisfactory resolution of these issues to ensure that adequate provision can be made for highway circulation, servicing and parking. It is considered necessary to restrict permitted development rights for frontage boundary treatments to allow control to be retained over highway visibility and to maintain the character of the street scene. It is considered that this can be secured by appropriately worded planning condition. Neighbours have raised issue with that road and paths into the site would become busier, impact on houses fronting the access road and potential highway safety issues. Likely traffic levels associated with 45 houses is not considered likely to result in such an increase in traffic or impact on highway safety so as to justify refusal of planning permission. The scheme includes provision to improve pedestrian access to the park. The Council's Highways Engineer raises no objection.

5.4 Contamination

The application is supported by a detailed site investigation report. This identified areas of made ground but no concentrations of potential contaminants in excess of their respective threshold levels. It advises that no further action is required in this regard. Special mitigation measures are anticipated to be required with respect to potential ground gas pending the results of ongoing monitoring. It is considered that this can be secured by planning condition as well as issues relating to discovery of any previously unidentified contamination and validation with respect to imported materials and top soil. At the time of writing detailed comments of the Council's Contaminated Land Officer are outstanding. No objection is anticipated in principle however. Members will updated as required.

5.5 Trees and Non-Conformity with the Castlefields Tree Strategy

In response to residents' concerns about the perceived impact of the Regeneration Programme on the tree population within the neighbourhood, the Council developed a Tree Strategy. Adopted in January 2008, the

Castlefields Tree Strategy recognises the importance of trees as part of the environmental capital of Castlefields and provides a strategy for maintaining a sustainable tree population within the neighbourhood.

In respect of new development, The Strategy seeks to ensure that development schemes make provision for retaining the best of existing trees and provide for new tree planting to compensate for any that have to be felled. Supporting text clarifies that through informed decision making, established trees must be given due regard so that the most important of them are retained within new development sites as far as is practicable. This will be informed by detailed tree surveys and arboricultural implication studies.

In respect of replacement tree planting it states that "In cases where tree felling is unavoidable, suitable replacement planting should take place at a minimum rate of two for one".

Both the established Masterplan and SPD acknowledge that the regeneration of the area can only be realised with the release of some open space for development, which by their nature have a high concentration of trees.

As part of the creation of Phoenix Park, 550 new trees were planted within the Park boundary in 2005 and are now maturing. A further planting programme was undertaken in 2014 with an additional 105 trees planted to enhance the existing woodland structure within the Park. This process of new tree planting will continue as the new Park continues to mature and evolve.

The application is supported by and Arboricultural Impact Assessment (AIA). This identifies 26 individual trees; 9 tree groups; and parts of a further 2 groups (totalling 0.4 ha) would be removed to facilitate the development proposals. . Many of these are identified as generally low quality trees. There are however several very large trees which will be removed to facilitate the development including three moderate quality trees. None are covered by Tree Preservation Order or considered worthy of such statutory protection.

The AIA states that "due to the extent of proposed tree removal and the location within an area frequented by the public, the impact of development on the amenity and landscape value provided of existing trees will be high. In terms of individual tree quality however, new tree planting could provide a stock of equal value in the short to medium term subject to an appropriate quantum being provided. Tree cover outside but immediately adjacent to the site will remain ensuring some continuity of well-established maturing trees."

It is not feasible to provide the full tree replacement within the site boundary due to the limited site area, extent of housing and hard surfacing. Trees have been proposed for planting in locations which are suitable for the layout The Council's adopted Castlefields Tree Strategy seeks to achieve replacement tree planting at a ratio of 2 for 1. This is however currently being reviewed by the Council's Open Spaces Officers as the strategy makes no provision for replacement based on the quality of the trees being lost or practical consideration of the quality and maturity of trees to be replanted. Space for replacement planting within the immediate area is also now becoming limited given past planting undertaken. As the Council is the land owner in this case

discussions are ongoing between Officers responsible for the sale and Open Spaces to secure a proportion of the receipt from the land sale to be allocated for replacement tree planting in the area and better management of trees to be retained to be undertaken by Halton Borough Council Open Spaces.

Whilst the trees to be lost are considered to have amenity value and the loss of trees is regrettable, it is not considered possible to retain the trees. Securing financial contribution from the land sale to provide replacement planting and maintenance is considered appropriate mitigation for such loss. It is also considered that the wider benefits of the scheme could be argued to outweigh any harm resulting from the loss especially in the context of the wider regeneration proposals for the Castlefields area.

Members do need to be aware however that the scheme is unlikely to result in replacement planting on a 2 for 1 basis and will not therefore be in accordance with the Castlefields Tree Strategy.

5.6 Affordable Housing

Policy CS13: Affordable Housing of the emerging Core Strategy seeks to secure 25% of total residential units for affordable housing provision. The scheme proposes 100 per cent open market housing and therefore fails to comply with this policy requirement. It must be noted that an aspiration of the Castlefields regeneration strategy is to provide a broader mix of housing tenure. Reflecting the Masterplan desire for encouraging open market housing, SPD para 8.2.2 identifies the release of the Lakeside sites for residential development as an opportunity for encouraging diversification of tenure and different forms of home ownership. The proposals are considered to make a valuable contribution to this aim and it is therefore considered that an exception to the development plan can be justified in this case.

5.7 Flooding

As the site area is over 1 hectare the application is supported by a Flood Risk Assessment. The site itself is considered to be at low risk of flooding but efforts are required to ensure that the proposed development does not impact unduly on drainage and flooding elsewhere. It is proposed that the surface water from the development will be attenuated before being drained to the existing watercourse located to the north west which in turn discharges to the existing fishing lake. The report acknowledges that some surface water will drain naturally direct to the lake. The report originally submitted with the application predicted that such this discharge would cause an increase in the level of the lake of approximately 23mm which the report claims to be “a negligible increase”.

Bridgewater Canal Company Limited (BCCL) has raised queries regarding the potential for the lake to overtop and for flows to enter the Bridgewater Canal and whether all outlets to the lake have been fully considered through the assessment. A detailed response on these points is being prepared by the applicant. BCCL have also requested clearer topographical information which

is awaited from the applicant and will be provided upon receipt. Members will be updated in this regard.

The Council's Drainage Engineer acting for the Lead Local Flood Authority has however advised taking a risk based approach, a 23mm increase in the level of the pond for a 1 in 100 + 40% is a low offsite flood risk and that no objection is raised.

Since that time the FRA has been updated to take account of the amendments required to the scheme. This latest version of the FRA predicts a substantially lower increase in levels of the lake of 4mm for a 1 in 100 + 40% event. Whilst updated comments are awaited from BCCL and the LLFA, it is not considered that refusal of planning permission could be sustained on this basis.

5.8 Ecology

The application is supported by an ecological assessment. This identifies the site as predominantly amenity grassland, with broad-leaved woodland, running and standing water and areas of hard-standing. Priority Woodland Habitat is present within the south of the site and adjacent to the site boundary and should be retained within the proposals where possible. According to the submitted survey information approximately 750m² of this woodland will be lost. Issues relating to replacement tree planting are addressed under the "Trees and Non-Conformity with the Castlefields Tree Strategy" section of this report.

The report advises that there are records of badgers within 1km of the site but no evidence of badgers was found during the survey. No roosting opportunities were noted for bats within the trees on the site but bat boxes will be installed on new builds within the site to enhance roosting habitat for these species. This habitat provides linear features which could be valuable for commuting and foraging bats. Some of this woodland will be lost but the report states that compensatory planting will be of benefit to bats.

It is advised that the loss of woodland habitat will reduce nesting opportunities for birds at the site but compensatory planting will offset this loss. Sensitive work programming is advised to minimise impacts to nesting birds. In addition, bird boxes will be installed. The woodland on the site may provide suitable foraging and sheltering habitat for hedgehogs. Enhancement opportunities for this species are outlined within the report.

The report also identifies potential for biodiversity and habitat creation opportunities. It is considered that these matters can adequately be secured through appropriately worded planning condition. The report has been updated in response to comments received from the Council's retained adviser on ecology matters and their revised comments are outstanding. Members will be updated accordingly.

5.9 Waste Prevention/Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, a construction management plan will deal with issues of this nature and based on the development cost, the developer would be required to produce a Site Waste Management Plan. In terms of waste management, there is sufficient space for the storage of waste including separated recyclable materials for each property as well as access to enable collection.

6. CONCLUSIONS

The scheme will continue the on-going redevelopment and regeneration of the area completing the final phase of the Lakeside development as identified in the Castlefields and Norton Priory SPD. Whilst the submitted scheme as originally submitted raised a number of issues with respect to layout design, levels, landscaping and highway and pedestrian links these are considered to have been successfully resolved by amendment to the scheme. Final responses on outstanding consultation are awaited but it is considered that these outstanding issues can be resolved and members will be updated accordingly. The scheme is considered to offer a high quality of development suited to the character of the site and the wider area and it is considered that the scheme is in accordance with Development Plan policy, and the Castlefields Masterplan and SPD, which are significant material considerations in the assessment of this scheme.

7. RECOMMENDATIONS

Approve subject to conditions.

8. CONDITIONS

1. Standard 3 year permission (BE1)
2. Condition specifying approved/ amended plans (BE1)
3. Requiring submission and agreement of a Construction Management Plan (BE1)
4. Conditions requiring site and finished floor levels, external building materials, landscaping and boundary treatment to be carried out as approved (BE1/2)
5. Requiring development be carried out in accordance with advice and recommendations of the submitted ecology report (GE21)
6. Requiring development be carried out in accordance with the Aboricultural Impact Assessment and mitigation measures contained therein (BE1)
7. Wheel cleansing facilities to be submitted and approved in writing. (BE1)
8. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
9. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
10. Requiring submission and agreement of hard surfacing materials (BE1)
11. Requiring submission and agreement of lighting details including measures to minimise light spill and minimise impact on bats (GE21)

12. Conditions relating to contamination including relating to unidentified contamination, validation of imported material/ topsoil and ground gas protection. (PR14)
13. Conditions relating to tree protection during construction (BE1)
14. Restricting Permitted Development Rights for fences, walls etc (BE1).
15. Submission and agreement of biodiversity enhancement features including native wildlife friendly planting, bird/ bat nest boxes and insect house (BE1 and GE21)
16. Requiring development be carried out in accordance the submitted FRA (PR16).

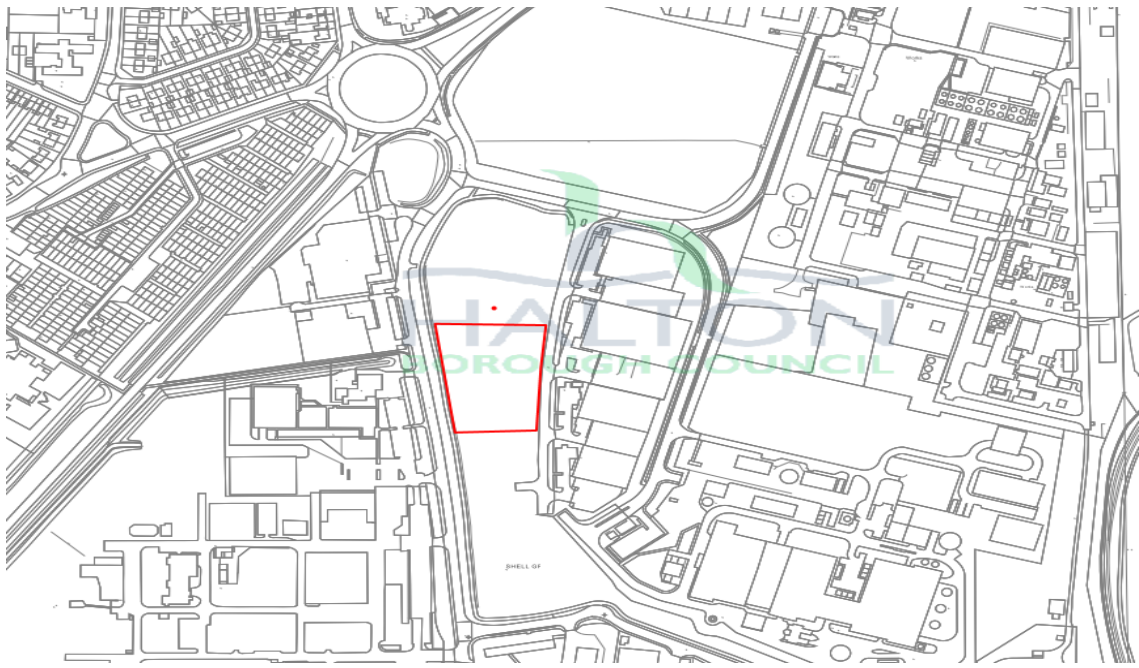
9. SUSTAINABILITY STATEMENT

As required by:

Paragraph 186 – 187 of the National Planning Policy Framework;

- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and

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.

APPLICATION NO:	17/00353/FUL
LOCATION:	Shell Green, Bennetts Lane, Widnes
PROPOSAL:	Proposed erection of one industrial unit with use Classes B1c, B2 and B8
WARD:	Halton View
PARISH:	
APPLICANT(S):	Mr Peter Taylor, Dormole Ltd and Daffodil Developments Ltd
DEVELOPMENT PLAN ALLOCATION:	Employment
National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	
DEPARTURE REPRESENTATIONS:	No
KEY ISSUES:	Ecology Highway Safety Design
RECOMMENDATION:	Approval, subject to conditions
SITE MAP	
	

1. APPLICATION SITE

1.1 The Site

The site known as Shell Green and is located on Bennetts Lane, Widnes. The site is currently vacant and has been since the early 1990's. The entire site extends to 8,092 sqm (under 1 hectare).

The entire campus is designated as primarily employment Ref: 28/0 on the UDP proposals map. The land surrounding the site is in either industrial or some form of commercial use, for example a trampoline facility is situated nearby to the east.

The closest affected properties are those of the existing commercial units on Bennetts Lane, which have similar buildings and layout to that being proposed on this application. There are no residential properties affected by the development.

2. THE APPLICATION

2.1 The Proposal

This planning application seeks permission to for the erection of a light industrial/warehouse unit B1c; B2 and B8 uses with ancillary offices, car parking and a service yard.

The proposal seeks to utilise all of the site but with a building of 3,012 sqm floorspace consisting of warehousing; offices, meeting rooms and ancillary accommodation – the latter consisting of 404.6 sqm overall. The unit is two storey where the office areas are situated.

The proposal includes car parking; access and servicing; and landscaping.

2.2 Documentation

In addition to the suite of existing and proposed drawings, the planning application is supported by the following:-

- Design and Access Statement;
- Energy Strategy;
- Tree Survey;
- Ecological Survey;
- Geo Environmental Assessment;
- Transport Statement;

3. POLICY CONTEXT

3.1 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.

3.2 Halton Unitary Development Plan (UDP) (2005)

The site is designated as Greenspace in the Halton Unitary Development Plan. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- E3 Primarily Employment Area;
- GE21 Species Protection;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP6 Cycle Provision as Part of New Development;
- TP12 Car Parking;
- TP16 Green Travel Plans;
- TP17 Safe Travel for All.

3.3 Halton Core Strategy (2013)

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

- CS2 Presumption in Favour of Sustainable Development;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS20 Natural and Historic Environment;
- CS23 Managing Pollution and Risk;
- CS24 Waste.

3.4 Joint Merseyside and Halton Waste Local Plan (2013)

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

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

4. SITE HISTORY

4.1 The following planning applications are relevant to the site and this proposal:-

- 92/00282/FUL- (OUT) -** Outline application for the construction of 22,120 sq m Class B1 (Business), 8,000 sq m Class B2 (General Industrial), 7,800 sq m Class B8 (Storage and Distribution) floorspace, and a petrol filling station and car wash.
- 93/00680/CPO – (OBJ) –** Consultation by Cheshire County Council on proposed sludge processing centre including an incinerator for North West Water Ltd.
- 93/00681/CPO – (OBJ) –** Consultation by Cheshire County Council on proposed sludge processing centre including an incinerator for North West Water Ltd.
- 93/00682/CPO – (OBJ) –** Consultation by Cheshire County Council on outline application for a filtrate treatment plant for North West Water Ltd.
- 93/00683/CPO – (OBJ) –** Consultation by Cheshire County Council on outline application for a filtrate treatment plant for North West Water Ltd.
- 03/00882/OUT – (PER) -** Outline application for a combined B1, B2, B8 with ancillary roads, parking and landscaping.
- 06/00629/S73 – (PER) -** Application under Section 73 of the Town and Country Planning Act to provide an extension of time for the submission of reserved matters (variation of Cond.3 of planning permission 03/00882/OUT).
- 08/00355/REM – (PER) -** Reserved Matters application (with all matters for consideration) for construction of light industrial/warehouse units with ancillary offices and associated forecourt/yard facilities.
- 10/00221/S73 – (PER) -** Proposed variation of condition No.4 on planning consent 03/00882/OUT to allow for a further 2 years for the commencement of development.

5. CONSULTATIONS

5.1 Local Highway Authority

Recommend for approval with a condition recommended for construction management plan. The Local Highway Authority comments are included in the assessment of the report below.

5.2 Lead Local Flood Authority

No objections have been raised in relation to flooding and a condition for further information has been recommended as set out in the assessment below.

5.3 Environmental Health – Contaminated Land

Comments are awaited from the Council's Land Contamination Officer.

5.4 Open Spaces

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

The submitted Application for Planning Permission document sections 13 and 15 boxes ticked that no trees or important biodiversity features will be affected by the proposal. The site in fact contains broadleaf plantation /scrub, species rich unimproved grassland and several other habitats. The submitted Ecological Survey by Clarkson & Woods records the grassland in particular as BAP Priority habitat of possibly district level importance.

As the mitigation proposed is minimal at best, and the landscaping proposal does not appear to reflect the proposed replanting contained within the Ecological report, I have contacted Andrew Plant and requested that MEAS are consulted on this application. The evidence provided within the submitted Ecological Report would warrant further investigation of the site by HBC as it appears to have the potential to be designated as a Local Wildlife Site. As the plot of land has been highlighted as a development site, it is essential that if the development goes ahead, the correct levels of mitigation/compensation are provided.

5.5 Merseyside Environmental Advisory Services

In relation to ecological aspects MEAS have provided the following comments:-

1. "Thank you for consulting Merseyside Environmental Advisory Service in respect of this planning application. The proposals comprise erection of an industrial warehouse unit.
2. Having reviewed the application and supporting documentation, our advice is set out below in two parts.
 - Part One deals with issues of regulatory compliance, action required **prior to determination** and matters to be dealt with through planning conditions. Advice is only included here where action is required or where a positive statement of compliance is necessary for statutory purposes.
 - Part Two sets out guidance to facilitate the implementation of Part One advice and informative notes.

In this case Part One comprises paragraphs 3 to 22, while Part Two comprises paragraphs 23 to 28.

PART ONE

Ecology

3. The applicant has submitted an Ecology Survey report (*Clarkson and Woods Ecological Consultants, project number 5707, version 1, July 2017*) in accordance with Core Strategy Local Plan policy CS20. The survey report is acceptable with some limitations and will be forwarded to Cheshire rECOrd.
4. Valuation of grassland as BAP Priority Habitat is not considered justified for reasons set out below (paragraph 9). Further, some of the recommendations for mitigation and enhancement (Section 6 of the report) are considered not to be proportionate. Overall, however, the report does provide sufficient information to assess ecology on site including a desktop search and Extended Phase 1 Habitat Survey.
5. The Extended Phase 1 Habitat Survey was carried out at an optimum time of year (June). However, the report states that the Phase 1 survey was carried out in accordance with the Handbook for Phase 1 Habitat Survey 2003. This version has been superseded and subsequent editions comprise minor revisions / editions¹ therefore this is not considered to be a significant issue.
6. I do not therefore consider these limitations to materially affect the assessment of the site.

Birds

7. The proposals will result in the loss of woodland plantation and scrub on site which provide nesting opportunities for breeding birds, which are protected. No tree felling, scrub clearance vegetation management and ground clearance is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees and scrub are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected would be required. This can be secured by a suitably worded planning condition.
 8. The report states that 6 nesting boxes will be incorporated into the newly planted amenity areas and on land to the north of the site to mitigate loss of bird breeding habitat in accordance with Core Strategy Local Plan policy CS20. These mitigation measures are acceptable and the Soft Landscape Proposals (*bea landscape design ltd, Soft Landscape Proposals, number 17-060-03, July 2017*) should be amended to show nesting box locations. A suitably worded planning condition is required to secure this amendment and the soft landscape proposals.
-

Grassland

The report states categorises two areas of grassland as unimproved, species-rich and of BAP Priority Habitat status. Whilst the grassland does share characteristics of Lowland Meadows I do not accept this valuation as:

- Paragraph 4.6.1 states that a high proportion of ruderal species are present which suggests that the grassland is succeeding to scrub;
- Ribwort plantain, Common knapweed, Red fescue and Common bent are frequent and dominant. These plants are common, widespread and quick-growing species which are more typical of improved or semi-improved grassland; and
- Soil characteristics have changed circa. 2000 (GoogleEarth image date: 1/1/2000) when the site was cleared and profiled in readiness for development. The Phase I and II Geo-Environmental Site Investigation and Risk Assessment (*Roberts Environmental Ltd, May 2017*) supports this and states that the site comprises made ground to a level of 1.6m in places.

That said inclusion of a wildflower meadow area on the northwestern corner of the site is proportionate to mitigate this loss of grassland. These measures are shown on the Soft Landscape Proposals which are required by condition in paragraph 8.

Bats

10. Planting of the boundaries of the site with trees and hedgerow is recommended in the report to mitigate loss of potential habitat for foraging / commuting bats and this has been included in the Soft Landscape Proposals in accordance with Core Strategy Local Plan policy CS20. To secure this mitigation, the Soft Landscaping Proposals should be submitted to the Local Planning Authority for approval prior to development commencing. This can be secured by a suitably worded planning condition as stated in paragraph 8.
11. Habitats on site and adjacent to the site may provide foraging and commuting habitat for bats. Lighting for the development may affect the use of these areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the habitats, in line with NPPF (paragraph 125). The report includes lighting proposals to minimise detrimental impact on bats (paragraph 6.4.6). These proposals can be secured by a suitably worded planning condition.
12. In addition to the above mitigation the report recommends 'bat scoping surveys' (Section 6) to gather further information about bat activity on site. I consider that activity surveys are unnecessary for the following reasons:
 - Mitigation secured in paragraphs 10 and 11 of this memo provides for foraging and commuting bats;

- The lighting scheme will help ensure that lighting from the development is designed with bats in mind;
- The report states that the site is relatively isolated from other suitable habitat; and
- The Extended Phase 1 Habitat Survey did not identify any suitable features for roosting bats in the trees.

Taking this into account further activity in my view would not add to those surveys already undertaken and the recommended mitigation. However, see Part Two.

Reptiles

13. The Extended Phase 1 Habitat Survey and desktop search did not identify presence of reptiles on site or within 1km of its bounds. The report states that the likelihood of presence is low and the sites relatively isolated position in the landscape suggests that it is not well connected to other suitable habitat. Furthermore, clearance of the site and wider site (land immediately to the north, south and east) occurred in the early 2000s followed by development of land to the east; therefore any historic populations would have been lost at this time. It is unlikely that reptiles such as Common lizard and Grass snake would then re-populate the site. Therefore, in my view recommendations for further reptile survey are not required on this occasion.

Badger and hedgehog

14. The survey report recommends pre-commencement checks for badger and hedgehog. I consider these checks to **not** be required because:
- No signs or sighting of these species were identified;
 - The Tree Survey Tree Survey (*bea landscape design ltd, ref: 17060/DP/TR001, 07.07.2017*) states (paragraph 3.3) that woodland on site is relatively young and considered low quality and value due to its age;
 - The site is relatively isolated and adjacent to roads to the east and west; and
 - The wider site was cleared of vegetation within the recent past and land immediately to the east has been developed.

Part Two provides further guidance.

Landscape Environmental Management Plan

15. The survey report requires a Landscape Environmental Management Plan outlining how the landscaping will be managed for wildlife. The Soft Landscape Proposals include maintenance and watering proposals. In our view this is sufficient for a proposal of this type and scale. These proposals should be secured by condition as advised in paragraph 8.

16. A Construction and Environmental Management Plan (CEMP) is also recommended to protect habitat on adjoining sites. A CEMP has been advised in this memo (paragraphs 19 and 20) to manage and mitigate environmental effects from the construction phase of this application.

Waste

17. The proposal is major development and involves excavation and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8, bullet point 3) apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition. The details required within the waste audit or similar mechanism is provided in Part Two.
18. The applicant has provided sufficient information on the Proposed Site Plan (*hale architecture design management, drawing no. PL002, 12 July 2017*) and Transport Statement (*Vectos, June 2017*) to comply with policy WM9 (Sustainable Waste Management Design and Layout for New Development) of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8, bullet point 2).

Construction Environmental Management Plan

19. I advise that the applicant prepares a Construction Environmental Management Plan (CEMP) document to manage and mitigate the main environmental effects during the construction phases of the proposed development. The CEMP should address and propose measures to minimise the main construction effects of the development and, amongst other things, should include details of ecological mitigation, construction and demolition waste management, pollution prevention and soil resource management. The CEMP would normally be expected to include the agreed method statements to mitigate or avoid adverse environmental impacts.
20. The CEMP should be compiled in a coherent and integrated document and should be accessible to site managers, all contractors and sub-contractors working on site as a simple point of reference for site environmental management systems and procedures. I advise that the CEMP should be secured through planning condition.

Energy

21. The applicant has submitted an Energy Strategy (*Watkins Payne, Project Re 4230, Issue 1 July 2017*) to support the application. The use of passive low carbon technologies reduces carbon emissions so that the proposal is in compliance with the Building Regulation Part L

targets, which combined with the addition of an air source heat pump achieves an overall carbon reduction by 32.02%.

22. This is in accordance with Core Strategy Local Plan policy CS19, although we will defer to Building Control colleagues with regard to compliance with Building Regulations.

PART TWO

Ecology informative

23. **The applicant, their advisers and contractors should be made aware that if any European Protected Species (bats) are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.**
24. **The applicant, their advisers and contractors should be made aware that if any badger or hedgehog are found, then as a legal requirement, work must cease and advice must be sought from an ecologist.**
25. Mitigation measures which the survey report states are expressly required (summarised at paragraph 6.7) are discussed in Part One. Additional biodiversity enhancements are also discussed in the survey report and are stated to be not expressly required (paragraph 6.6.2). I concur with this, and these additional enhancements could be implemented at the applicant's discretion.

Waste Local Plan - Policy WM8 informative

26. A waste audit or similar mechanism (e.g. a site waste management plan) provides a mechanism for managing and monitoring construction, demolition and excavation waste. This is a requirement of WLP policy WM8 and the National Planning Policy for Waste (paragraph 8, bullet point 3), and may also deliver cost savings and efficiencies for the applicant. The following information could be included within the waste audit (or similar mechanism) as stated in the Planning Practice Guidance for Waste:
 - the anticipated nature and volumes of waste that the development will generate;
 - where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development;
 - the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities; and
 - any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete.

Guidance and templates are available at: <http://www.meas.org.uk/1090>, <https://www.gov.uk/guidance/waste> and http://www.wrap.org.uk/http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item_id=8983

27. This information could be integrated with any Construction Environment Management Plan (CEMP) produced for the development.

Energy informative

28. The Energy Strategy identifies that photovoltaic panels could also be deployed on the site, but this is not necessary to achieve the carbon emissions reduction required by policy CS19. Roof mounted PV panels could be a useful addition in terms of meeting electrical demand and further greening the project, as well as assisting the UK in achieving the target of 15% electricity generated from renewables by 2020. However this needs to be balanced with ecology mitigation proposed for the site.”

5.6 Natural England

No comments made. However they recommend that further advise is sought by the LPA in relation to ecology.

5.7 United Utilities

United Utilities have no objection in principle to the proposed development but have noted the requirement for surface water to be dealt with in accordance with the hierarchical approach contained in the NPPF. A condition is added to the recommendation for details to be submitted to the Lead Local Flood Authority.

6. REPRESENTATIONS

- 6.1 The application has been advertised by a press advert in the Widnes & Runcorn Weekly News on 27/07/2016, site notice posted on Bennetts Lane on 20/07/2017 and neighbour notification letters sent on 20/07/2017.
- 6.2 At the time of writing this report, no representations had been received from the publicity given to the application.

7. ASSESSMENT

7.1 Development Plan Policy and Principle of Development

The site is designated as a Primarily Employment Area within the Halton UDP proposals map, which seeks to enable developments within the borough which promote the creation of jobs. The proposed development seeks uses of B1a - business/offices; B2 - general industry; and B8 - warehousing; all of

which have the potential to create employment and are uses which conform to the related Policy E3 of the development plan.

7.2 National Planning Policy Framework

The National Planning Policy Framework (NPPF), published in March 2012, sets out the Government's planning policies for England. It replaces all previous National Planning Policy Statements and Guidance. It is a material consideration in the determination of all planning applications.

NPPF paragraph 14 states clearly that there should be a presumption in favour of sustainable development in decision making and Local Planning Authorities should approve development proposals which accord with an up to date development plan without delay.

The Halton local plan policies that relate to this proposal are up to date.

7.3 Highway Matters

The Local Highway Authority has commented as follows:-

'Layout/Highway Safety :-

The application proposes permission be granted for classes B1c, B2 and B8 usage.

We would require tracking details for HGV's accessing and exiting the site in forward gear. We would also require boundary treatment details indicating the necessary visibility sightlines for exiting the site can be achieved.

Parking:-

The application proposes parking provision of 41 spaces. For an application of this nature, the minimum parking standard amongst the use classes stated is 1 space per 50sqm. The application advises that the unit is 34,000 sq ft which equates to 3158 sq metres. Provision of 41 spaces amounts to a 35% shortfall from this standard. Whilst the standard represents a maximum, it is felt that this represents a significant shortfall. However, from the plans provided it is clear that there is sufficient space within the HGV service yard to provide additional parking if this was to be required in the future. As such the parking provision is deemed acceptable.

The cycle and disabled provision is deemed to be satisfactory.

FRA/drainage:-

Any new or extended hardstanding (flags, block paving, tarmac, concrete) within the property boundary shall be constructed in such a way as to prevent surface water runoff from the hardstanding onto the highway.

Any additional comments to be provided by the Lead Local Flood Authority.

Access by sustainable modes:-

Dropped crossings with tactile paving should be installed at all appropriate desire line points (ie where it is safe or advised for pedestrians to cross roads or major access points).

Construction Phase Considerations:-

Construction Management Plan via condition.

Recommendations:-

Access crossings should be constructed by the highway maintenance section at the applicant's expense prior to start on site.

Conditions:-

- Construction Management plan.
- Any new or extended hardstanding (flags, block paving, tarmac, concrete) within the property boundary shall be constructed in such a way as to prevent surface water runoff from the hardstanding onto the highway.
- Tracking details for HGV's entering and exiting the site to be provided along with details of boundary treatment and sightline details.'

On this basis the proposal complies with Policies BE1, E2, TP6, TP12 and TP17 of the development plan and is acceptable.

7.4 Design and Appearance

The proposed building has an overall height of 14m at the ridge and 8m at the eaves. The unit is a single large portal frame rectangular build which will be constructed in steel sheet cladding. The proposed colours are a mixture of grey shades which a similar to others in this area. Given the location of the site within a commercial/industrial backdrop the buildings design and materials are appropriate and harmonise within this setting.

Existing landscaping outside of the site boundary to the west will be retained and tree planting will take place as part of an overall landscaping scheme within the site to the north, west and south boundaries.

Although details of boundary treatment has not been provided, this can be the subject to a planning condition when the Council will insist on a visually acceptable finish.

The design and material finishes are appropriate to the proposed use within its setting and comply with Policy BE2 and E3 of the Halton UDP.

7.5 Flood Risk

The Lead Local Flood Authority has commented as follows:-

'There are existing sewers running across the site. Before the applicant considers connecting the site drainage to these pipes the ownership should be determined. If these are United Utilities sewers then a connection agreement will be required that will include agreed discharge rates. I note that the drainage layout drawing (8973-9100) states that there is an agreed discharge rate to the existing surface water of 58 l/s. This will need confirming with the owner of the pipe.

The developer proposes attenuation to bring the surface water flow rates down to the acceptable discharge rates, presumably 58 l/s, as shown on the drainage layout drawing. I would like to see drainage calculations to show how the site discharge reaches the acceptable discharge rate of 58 l/s.

The site appears to be currently greenfield and the proposal is almost entirely impermeable surfacing. Therefore, I would like to see confirmation in the drainage calculations that the developer has considered the requirements of Defra's non statutory technical standards for sustainable drainage systems. Drainage from the new development should not exceed the greenfield runoff for the 1 in 1 year and 1 in 100 rainfall events. I would like the site drainage to mimic the existing drainage conditions.

The applicant needs to provide evidence of a sewer connection agreement and the relevant calculations to confirm the information in the drainage layout drawing (8973-9100).'

Further information is awaited at the time of writing this report and members will be updated further once the information is received.

7.6 Ecology

The Council's ecological consultants, Merseyside Environmental Advisory Services have commented as above. They have raised no objection to the development on the land but have recommended several conditions to ensure the proposals contained in the submitted mitigation measures are undertaken and that statutory habitat protections are adhered to.

Based on this, it is considered that the proposal is compliant with Policy GE21 of the Halton Unitary Development Plan and CS20 of the Halton Core Strategy.

7.7 Sustainable Development and Climate Change

Policy CS2 of the Halton Core Strategy Local Plan States "When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in NPPF".

As stated above, paragraph 14 of the NPPF states that “at the heart of NPPF there is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision making”. Sustainable development is principally defined in paragraph 7 of the NPPF. Paragraph 7 states “There are three dimensions to sustainable development: economic, social and environmental”.

The incorporation of facilities for charging plug-in and other ultra-low emission vehicles could be realistically achieved for this development and a condition requiring the provision of a charging point for ultra-low emission vehicles is considered reasonable and the applicant is in agreement.

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

7.8 Waste Prevention/Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, a construction management plan will deal with issues of this nature and based on the development cost, the developer would be required to produce a Site Waste Management Plan. In terms of waste management based on the amount of development proposed, existing provision of waste storage at the site will be utilised for this proposal.

8 CONCLUSIONS

In conclusion, the principle of the proposed development is considered to be acceptable and will deliver further employment space on a site identified for employment use.

The applicant has demonstrated that the proposal achieves a good standard of development in terms of: appearance; scale; on-site provision of car parking; landscaping; and ecological mitigation.

The proposal meets sustainability objectives, with good connections to public transport and the provision of electric car charging points. With the use of planning conditions this scheme, conforms with requirements of the Halton Local Plan and NPPF.

9 RECOMMENDATIONS

Grant planning permission subject to conditions summarised below.

10 CONDITIONS

1. Time Limit.
2. Drawing Numbers - (Policy BE1 and BE2)
3. Site Levels to be implemented- (Policy BE1)

4. Any new or extended hardstanding (flags, block paving, tarmac, concrete) within the property boundary shall be constructed in such a way as to prevent surface water runoff from the hardstanding onto the highway. (Policy BE1 and TP17)
5. Details of sightlines to be provided (Policy BE1 and TP17)
6. Tracking details for HGV's entering and exiting the site to be provided (Policy TP17)
7. Details of boundary treatment (BE22 and TP17)
8. Surface water drainage details required – (Policies BE1 and PR16)
9. Phase 2 Ground Contamination Report required (PR14 and CS23)
10. Facing Materials to be implemented - (Policies BE1 and BE2)
11. Breeding Birds Protection – (Policy GE21)
12. No development shall begin until details of the Soft Landscape Proposals, as recommended in the submitted Ecology Survey (bea landscape design ltd, Soft Landscape Proposals, number 17-060-03, July 2017) has been submitted to and approved in writing – Details to be implemented to an agreed timescale - (Policy GE21)
13. The mitigation measures as proposed in the Ecology Survey report (Clarkson and Woods 5707, version 1, July 2017) and incorporated into the Soft Landscape Proposals should be amended to show nesting box locations and implemented during the construction of the development - (Policy GE21)
14. The mitigation measures as proposed in the Ecology Survey report (Clarkson and Woods 5707, version 1, July 2017) to included a wildflower meadow are to the northwestern corner of the site shall implemented during the construction of the development or within an agreed timescale - (Policy GE21)
15. The lighting proposal as outlined in the Ecology Survey report (Clarkson and Woods 5707, version 1, July 2017) shall implemented during the construction of the development and retained throughout the lifetime of the development - (Policy GE21)
16. The wildlife management (including maintenance and watering) as outlined in the Ecology Survey report (Clarkson and Woods 5707, version 1, July 2017) shall incorporated within the submitted Soft Landscaping Proposal, implemented to an agreed timescale and retained throughout the lifetime of the development - (Policy GE21)
17. No development shall begin until details of a Waste Management Plan (incorporating a Waste Audit) has been submitted to and approved by the LPA. Details to be implemented during the course of construction – (WM8)
18. No development shall begin until details of a CEMP has been submitted to and approved in writing. Details to be implemented during the course of construction – (WM8)
19. Hours of Construction – (Policy BE1)
20. Construction Management Plan (Highways) – (Policy BE1)

21. Electric Vehicle Charging Points – (Policy CS19)

Informatives

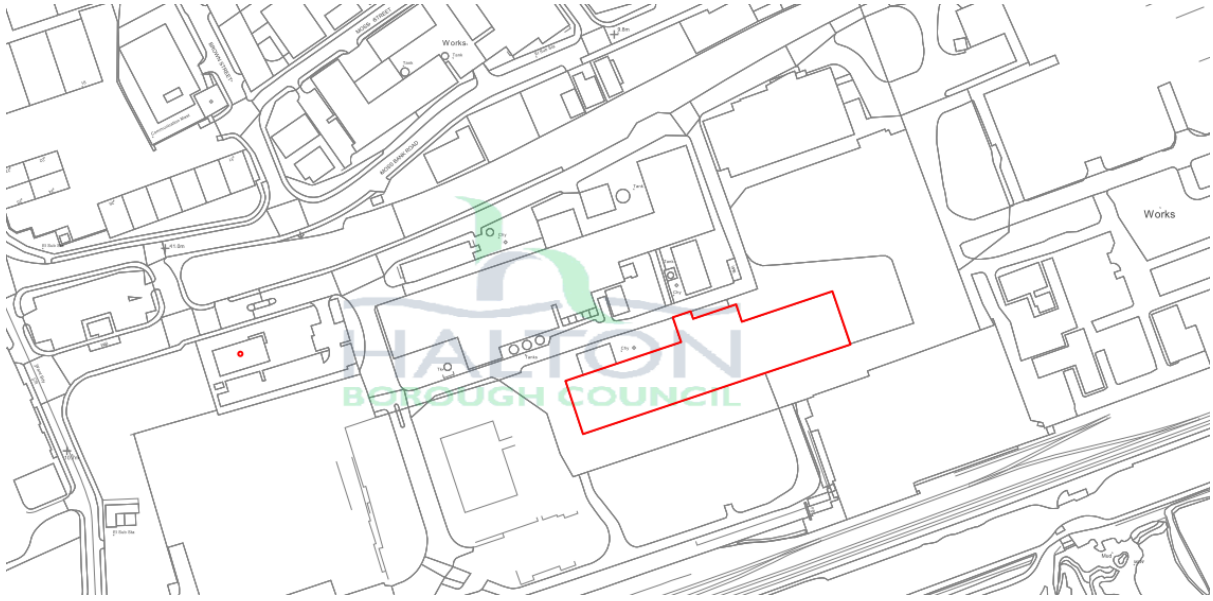
1. Highway Informatives
2. Building Regs
3. Coal Authority standing advice

11 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.

APPLICATION NO:	17/00376/FULEIA
LOCATION:	Saffil Ltd, Tanhouse Lane, Widnes, Cheshire
PROPOSAL:	Retrospective application for rebuilding of facility to house a third alumina fibre production line with associated electrical switch room and process plant
WARD:	Halton View
PARISH:	None
APPLICANT(S):	Saffil Limited
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)	Policy RG3 – Widnes Waterfront Regeneration Area
DEPARTURE	No
REPRESENTATIONS:	No objections
KEY ISSUES:	Principle of development; regeneration and employment
RECOMMENDATION:	Approve Subject to Conditions
SITE MAP	
	

THE APPLICATION SITE

The Site

The site is located, approximately 1.5km south east of Widnes town centre, within the Tan House Lane Industrial Estate. The site is situated on the Widnes Waterfront

with vehicular access gained via an existing private road off Tanhouse Lane/Moss Bank Road .

The existing site covers an area of approximately 4.5 ha, which was formally part of the ICI Pilkington Sullivan Works, which has a long history of chemical processing from the mid-19th Century through to the end of the 20th Century.

Planning History

In 2011 prior notification was approved for the demolition of redundant industrial building (Ref.11/00407/DEM) and 11/00396/EIA. Permission granted in 2006 for proposed new building to house a third alumina fibre production line, electrical switchroom and process plant (Ref. 06/00936/FUL). Permission granted in 2003 for proposed extension (2940sq.m.) to existing production building and associated external structures, including a 40m stack to proposed effluent treatment works and extension to existing substation (Ref. 03/00185/EIA). In 1993 planning permission granted for the erection of a new flue vent stack (Ref. 9300383FUL).

THE APPLICATION

The applicant seeks planning permission for a new production building to house a third alumina fibre production line, associated electrical switchroom, process plant. Saffil produces alumina fibre which is used in a number of automotive applications, including catalytic converters and diesel particulate filters. A fibre production line (Saffil Line 3) is required to replace a facility recently destroyed by fire, and to satisfy European automotive demand created in part by implementation of new emission regulations for commercial vehicles.

Once constructed it is envisaged that the site would operate 24 hours a day as per the existing site operations, and the production line would provide for the retention of 25 full time jobs.

Documentation

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

Design and Access Statement
Environmental Statement

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: -

Policy RG3 – Widnes Waterfront Regeneration Area

Policy BE1 – General Requirements for Development

Policy BE2 – Quality of Design

Policy GE17 – Protection of Sites of International Importance for Nature Conservation

Policy GE18 – Protection of Sites of National Importance for Nature Conservation

Policy GE19 – Protection of Sites of Importance for Nature Conservation

Policy E5 – New Industrial and Commercial Development

Policy TP7 – Pedestrian Provision as part of new development

Policy TP12 – Car Parking

Policy PR1 – Air Quality

Policy PR14 – Contaminated Land

Policy PR15 – Groundwater

Policy PR16 – Development and Flood Risk

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
- CS4 Employment Land Supply and Locational Priorities
- CS15 Sustainable Transport
- CS18 High Quality Design
- CS19 Sustainable Development and Climate Change
- CS23 Managing Pollution and Risk

Joint Waste Local Plan 2013

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

Supplementary Planning Documents (SPD)

Design of New Industrial and Commercial Development SPD

Widnes Waterfront Supplementary Planning Document

CONSULTATIONS

The application has been advertised 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:

Environment Agency – No objection

St Helens Council – No comments

Coal Authority – No objection and recommend an informative

Historic England – No comments

Cheshire fire and rescue – Contacted the applicant recommending sprinklers

Council Services:

HBC Emergency Planning – highlighted the presence of COMAH sites in the area.

HBC Open Spaces – No Objection

HBC Contaminated Land – No objection

HBC Highways – No Objection

Conservation Consultant – no objection

Merseyside Environmental Advisory service – comments are contained in the report below. They state that overall the Environmental Statement provides an adequate basis on which to proceed and recommend conditions.

ASSESSMENT

Planning Policy

The application site is designated as an Action Area and, Policy RG3 of the Halton Unitary Development Plan is of relevance. This policy lists the variety of use classes that are considered to be acceptable within the area, this includes B2 uses. The proposal is considered to be a B2 use and is acceptable in principle. The site is within the area of the South Widnes Key Area of Change (CS9). The proposal is for additional production facilities associated with an established employment use and this is in conformity with policy CS9.

Design, Appearance and Visual Impact

The proposal is to construct a new building and associated plant to accommodate a third manufacturing line. The new production building would have a footprint of approximately 132m x 26m, the height of the eaves would be 7.3m high, and the maximum height at the apex approximately 11.6m high. In terms of scale and appearance this is considered to be consistent with the existing main production building on site, and considered to be in character with the wider waterfront area. The switch room would be sited between the proposed new production building and the existing onsite boiler house, adjacent to the internal service road.

The scale of the building would only really be of significance when viewed in relative close proximity, for example, from the Trans-Pennine Trail on the opposite side of the canal.

The proposed building would provide a gross floor space of 3,432 Sq.m, and would have a steel frame construction, with main elevations finished predominantly in cladding, the west end of the building would be constructed in a brick face, as the staff amenities are housed in the western end of the building.

Regeneration and Action Area

The site is located within the Widnes Waterfront Action Area. The proposal therefore needs to be considered in the context of Widnes Waterfront and against Policies S1, RG3 of the Halton Unitary Development Plan, the adopted Widnes Waterfront Supplementary Planning Document, and the most recent revised Waterfront Masterplan.

The existing site is manufacturing and therefore falls within the use class B2 'General Industrial', this new proposal is to provide a new building and continue this

existing employment use and provide additional employment which is one of the acceptable uses listed in Policy RG3.

Air Quality

The Environmental Statement submitted with the application includes an air quality assessment. This includes a study of the existing sources of pollution and background concentrations within the vicinity of the site, potential effects on air quality during site construction and during the site's operational stage.

During construction it is envisaged that no significant emissions to air would occur. The main production activities would take place within the building, though the manufacturing process requires the several new chimney stacks to extract various emissions resulting from the manufacturing process (please see those referred to in the design section above).

The new production line includes significant abatement equipment to mitigate the process emissions to air. These include water scrubbing systems to abate Hydrogen Chloride (HCl) emissions, regenerative thermal oxidisers to reduce emissions of Volatile Organic Compounds (VOCs) and dioxins, bag filters to minimise particulate emissions, steam raising boilers are to be changed from oil to gas fired reducing emissions of carbon and sulphur oxides.

The report concludes that the changes in concentrations of background emissions will be insignificant when compared to existing background levels and will be minimised by use of suitable abatement technologies and stack heights.

It should also be noted that any emissions from the industrial process are controlled through the Environmental Permitting Regulations.

Noise and Vibration

The nearest existing residential property is approximately 800metres away from the site. All the mechanical processing and sorting would be carried out within the proposed buildings, the applicant proposes to maintain all equipment with sound attenuation and abatement measures. Taking into account the distance to sensitive properties there would be no impact.

Ground Conditions and Contamination

The site is a former chemical works and has a long industrial history. Site investigations have identified significant levels of contamination. The Council's Contaminated Land Officer and the Environment Agency have been consulted. Both the Contaminated Land Officer and the Environment Agency have no objections.

Transport and Highways

The proposed development would result in an additional 35 vehicle movements to and from the site a week (20 for deliveries of materials to the site and 15 for the transportation of finished goods from the site). The proposal is to utilise the existing

access and car parking facilities. The Highways Officers are satisfied that cumulatively the number additional vehicle movements would not have a detrimental impact on the highway network.

Ecology and Nature Conservation

The Environmental Statement has been accompanied with a phase 1 habitat survey. The site is currently underused, with old brick built industrial buildings due to be demolished, this was the subject of a separate prior approval application (11/00407/DEM). The Council's retained advisor on nature conservation has confirmed that the buildings were unsuitable for bats.

The Mersey Estuary RAMSAR, SPA and SSSI are approximately 2.5km away to the south west of the site. The local nature reserves of Wigg Island and Widnes Wharf are also within 1km of the site.

The Council's nature conservation advisor is of the opinion that the site as a whole is also considered to be of minimal habitat value to nature, and the proposals would have no significant impact on the ecology of the site or surrounding area.

Residential Amenity

The site is located within the Widnes Waterfront Regeneration Area, existing surrounding sites are either derelict or within existing industrial and employment uses. There are no existing residential properties within the vicinity of the site; therefore the proposal would not impact on residential amenity. The consented scheme for the nearby Routledge site took into account this sites operation prior to the fire on site.

Summary and Conclusions

The proposal is considered to comply with national planning policy NPPF, and Development Plan policies contained in the UDP (RG3, BE1, BE2, E5, GE17, GE18, GE19, TP12 and TP16) and Core Strategy (CS1, CS2, CS4, CS9, CS15, CS18, CS19, CS23).The Environmental Statement and supplementary information demonstrates that the development would be acceptable in terms of potential flood risk, ecology, ground contamination, noise, air quality and landscape and visual impact. The proposed development would facilitate the retention and expansion of an existing business in the Borough. It is therefore recommended for approval.

RECOMMENDATIONS:

APPROVE

Subject to the following conditions:

- 1 List of approved plans, amended plans and documents (BE1, BE2)
- 2 Requiring submission and agreement of a Construction Environmental Management Plan
- 3 Submission of a lighting scheme.

SUSTAINABILITY STATEMENT

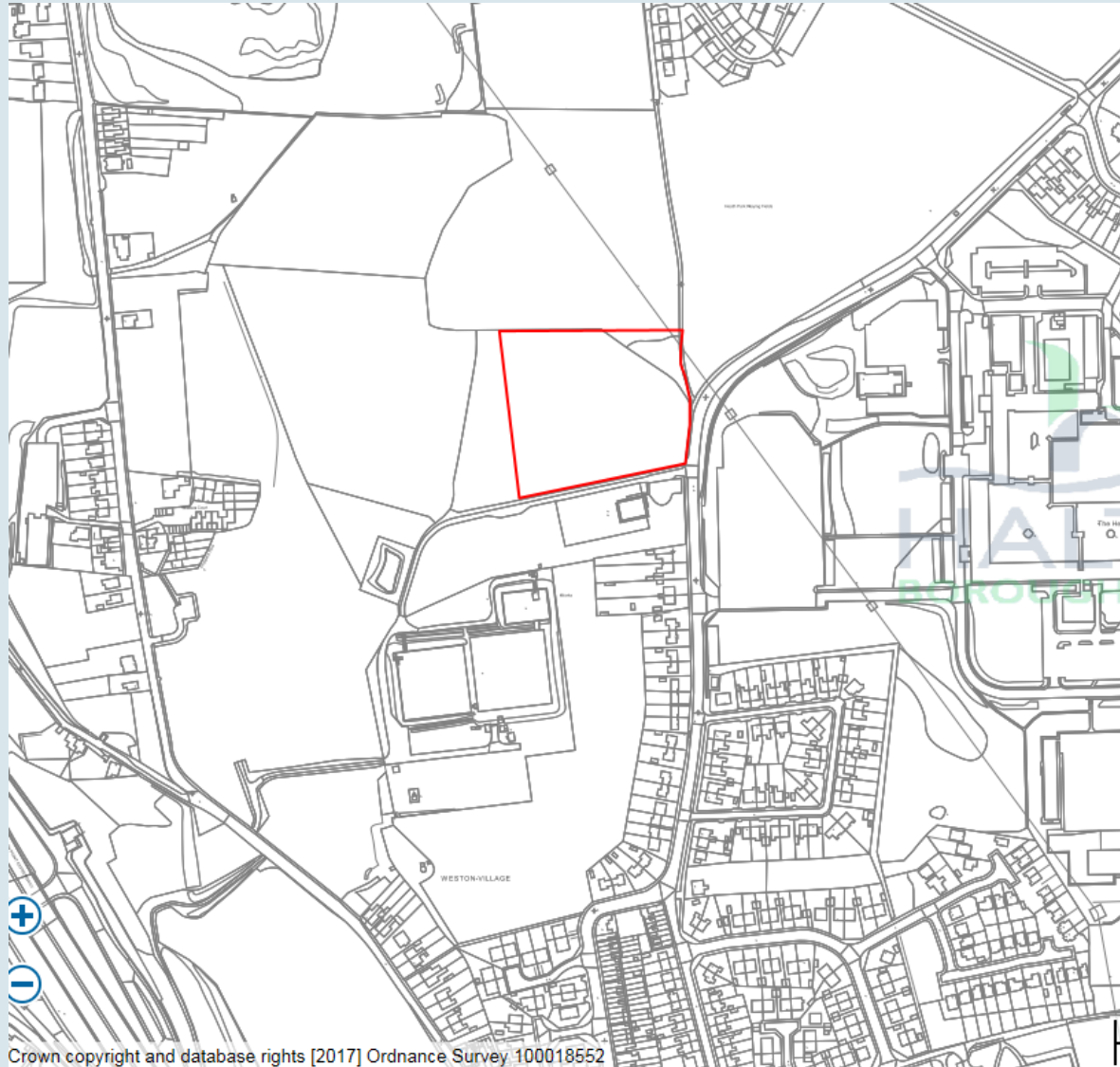
As required by:

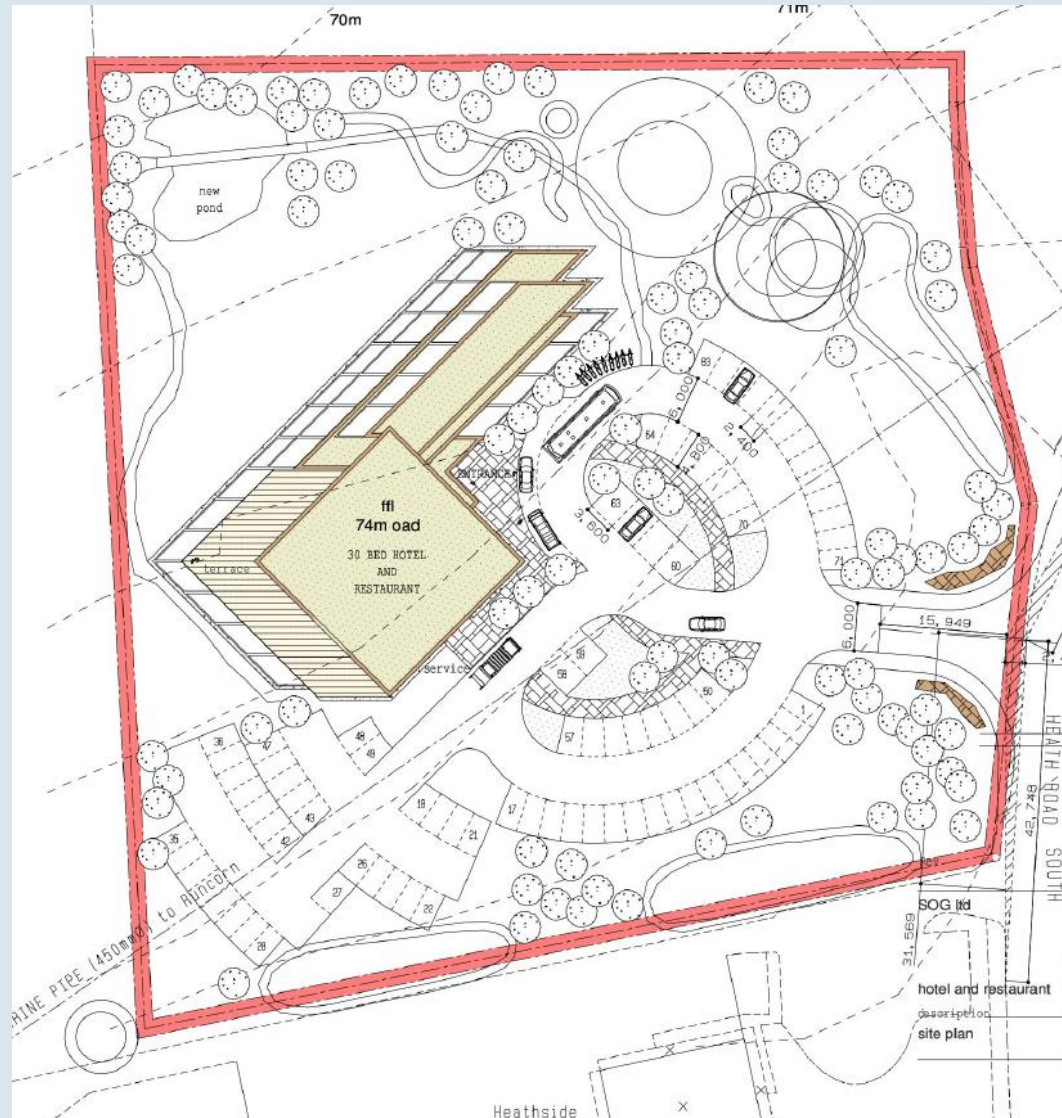
Paragraph 186 – 187 of the National Planning Policy Framework;

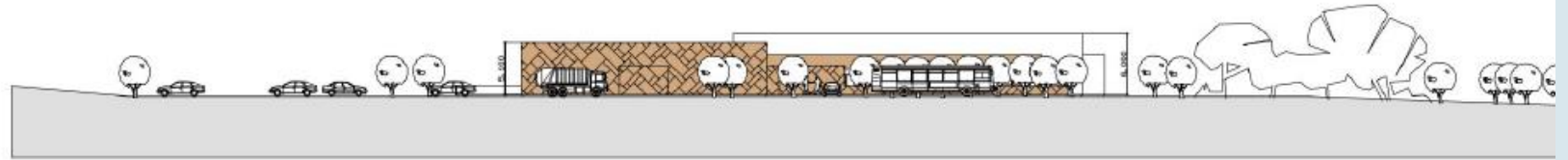
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and

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.





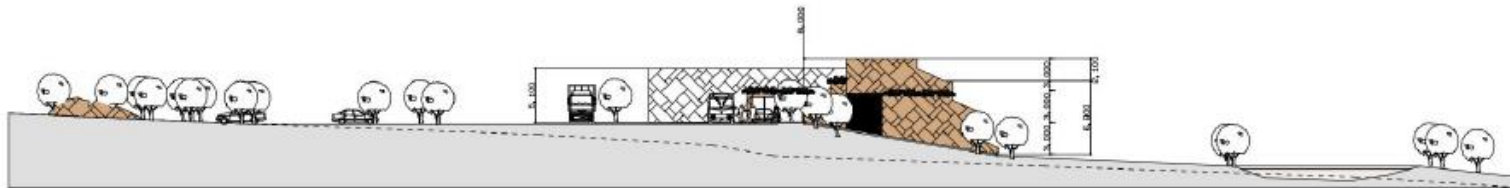




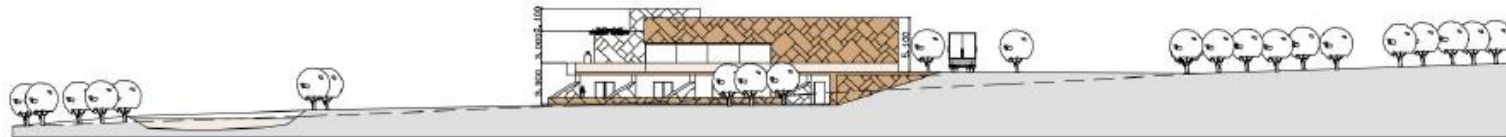
SOUTH EAST (to Heath Road South)



NORTH WEST

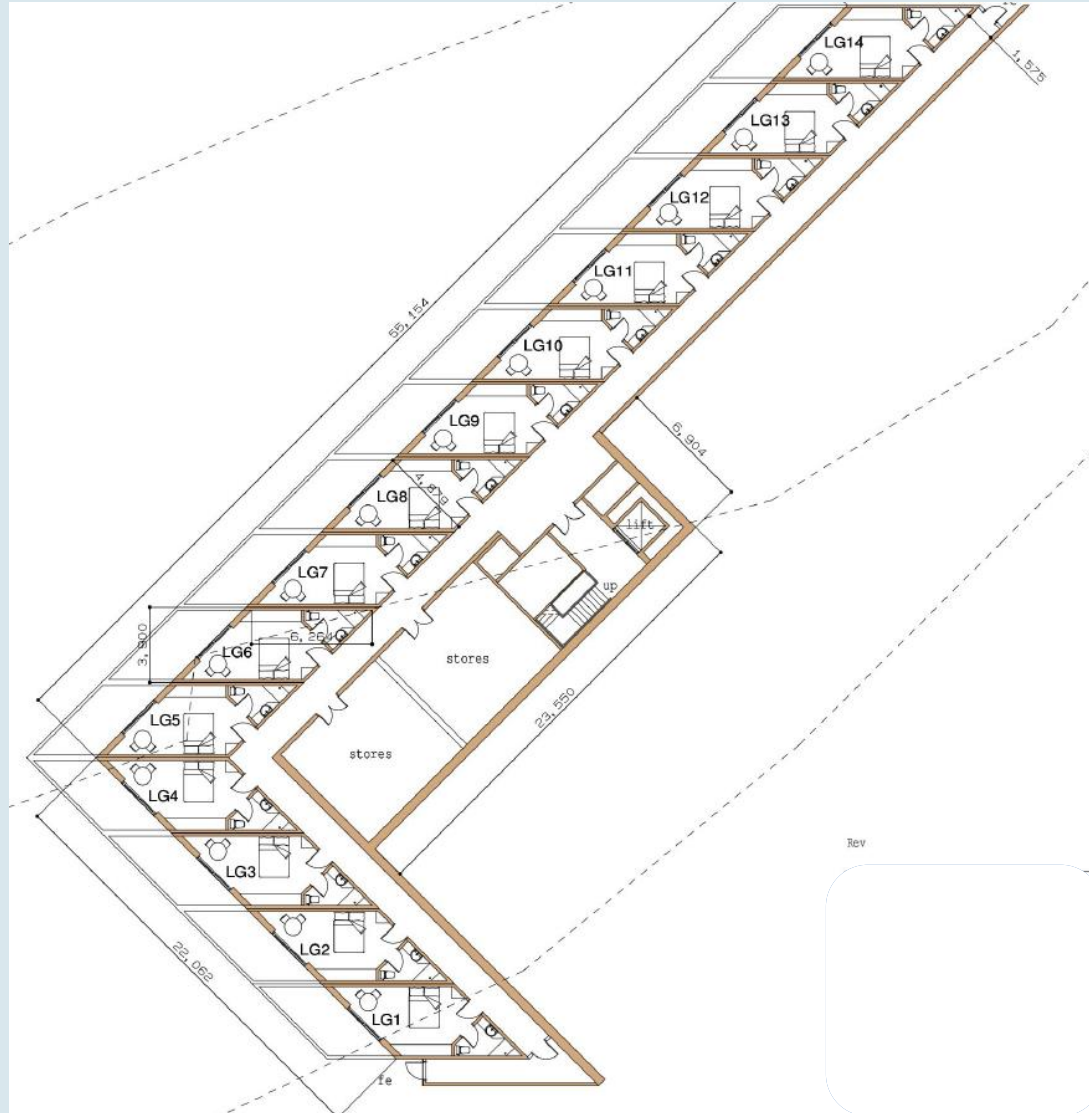


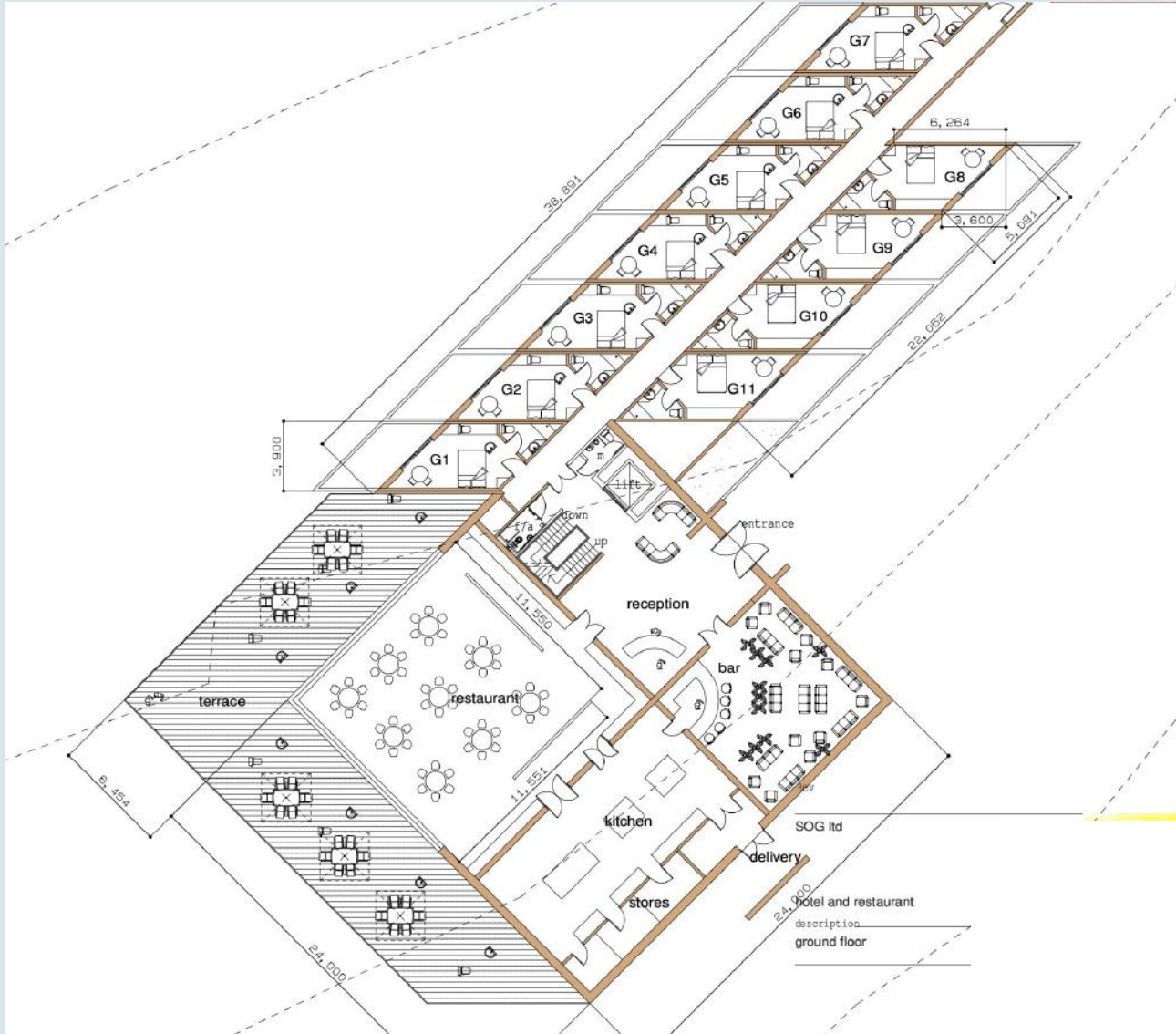
NORTH EAST (to The Heath playing fields)

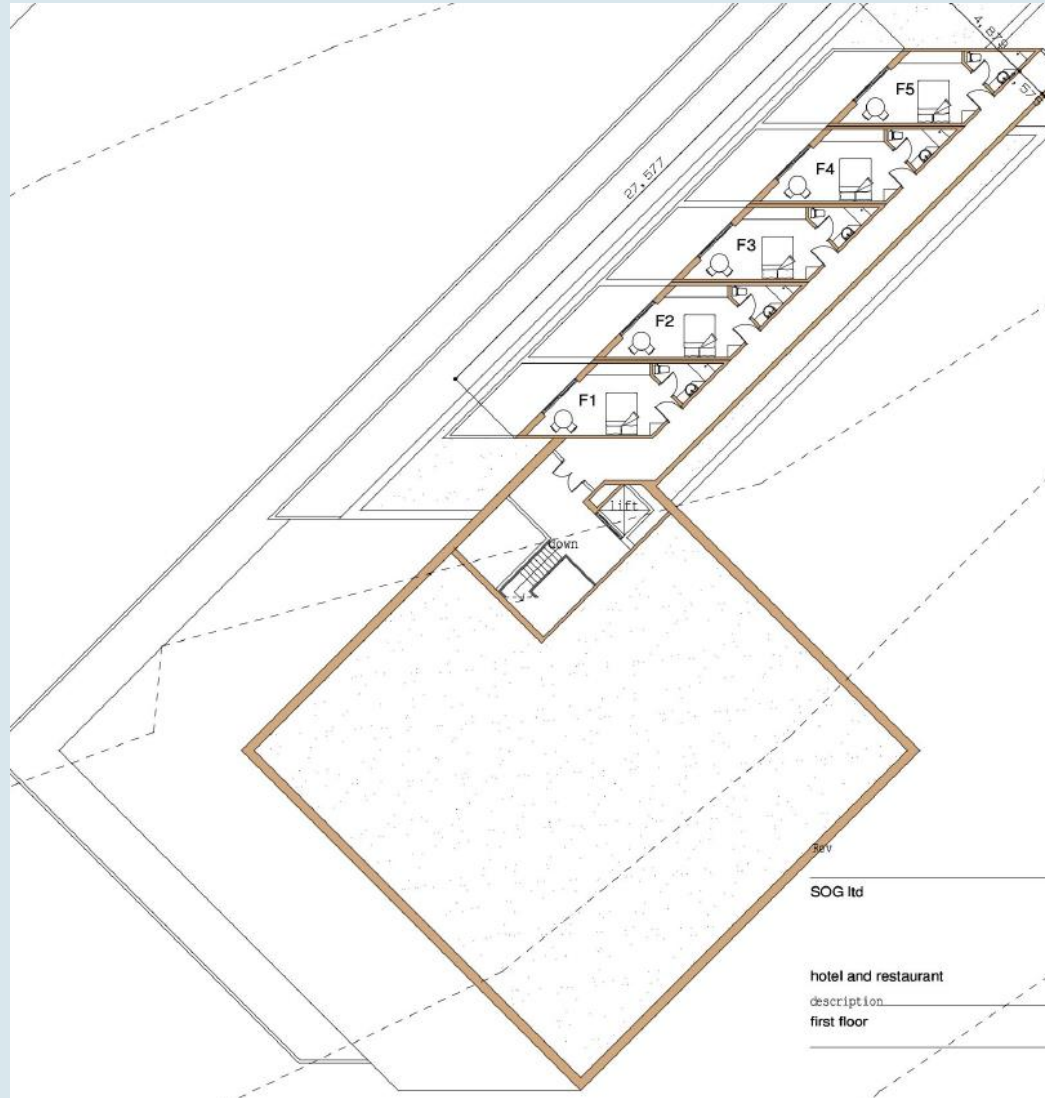


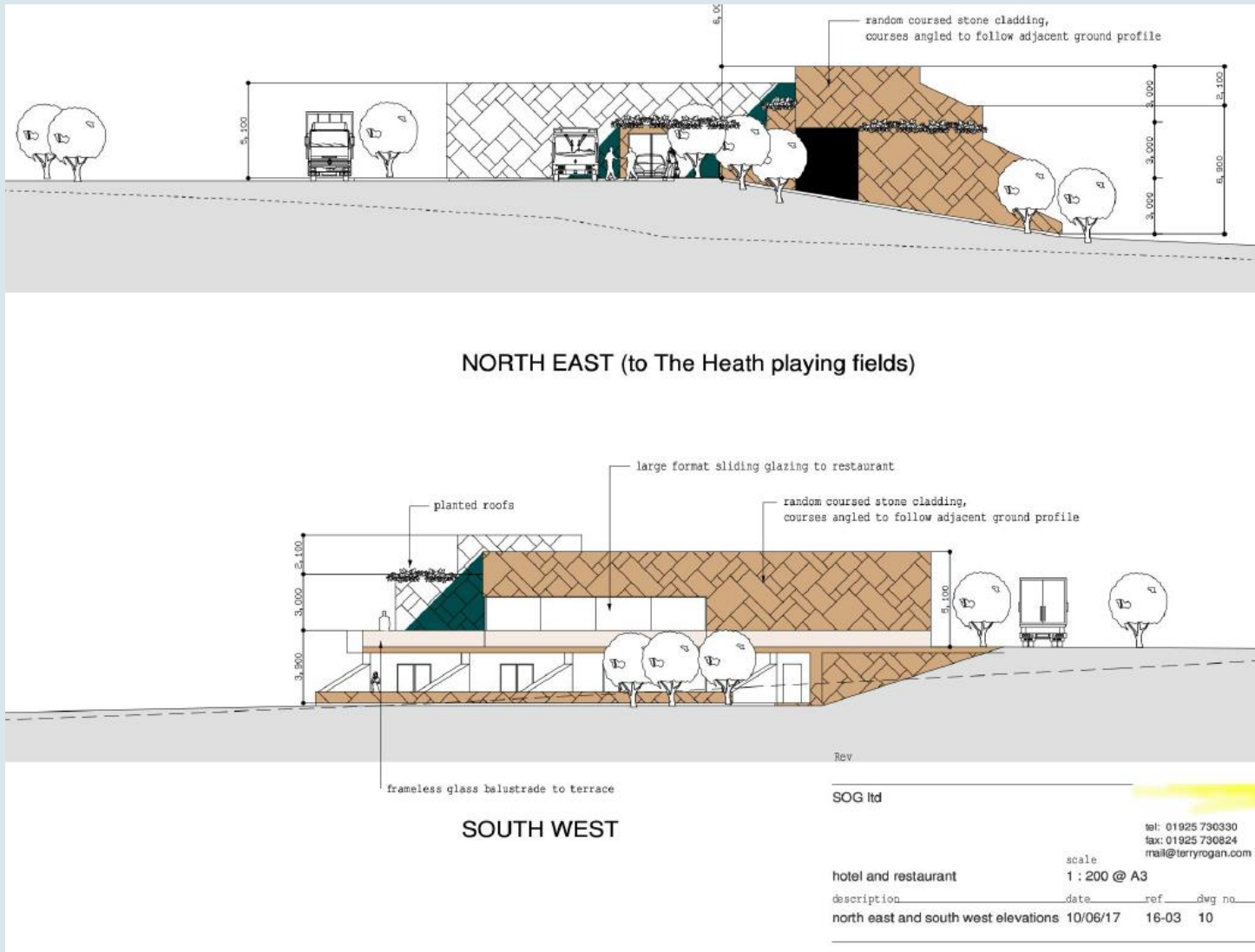
SOUTH WEST

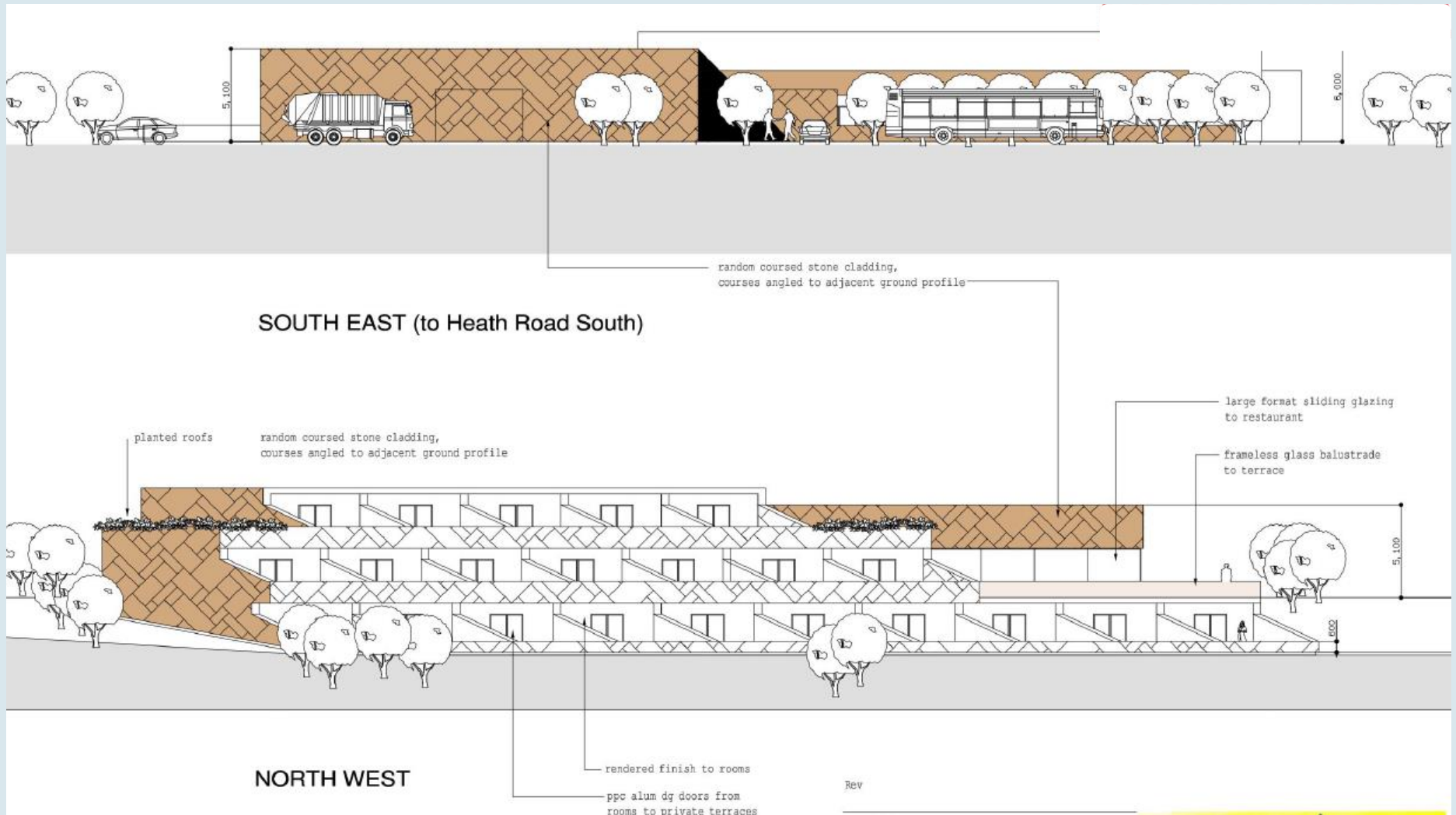
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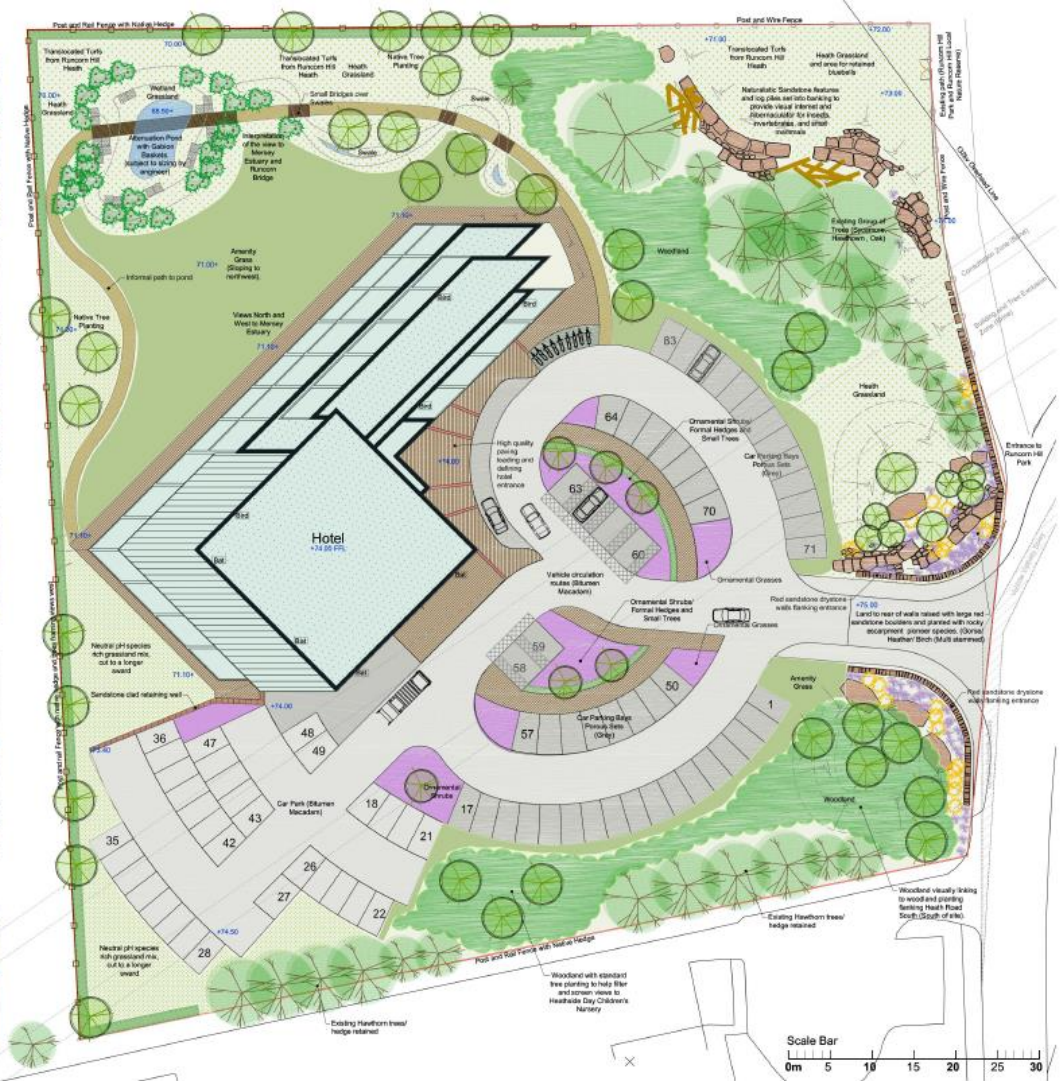
**The Heath Hotel and Restaurant
Precedent Images**



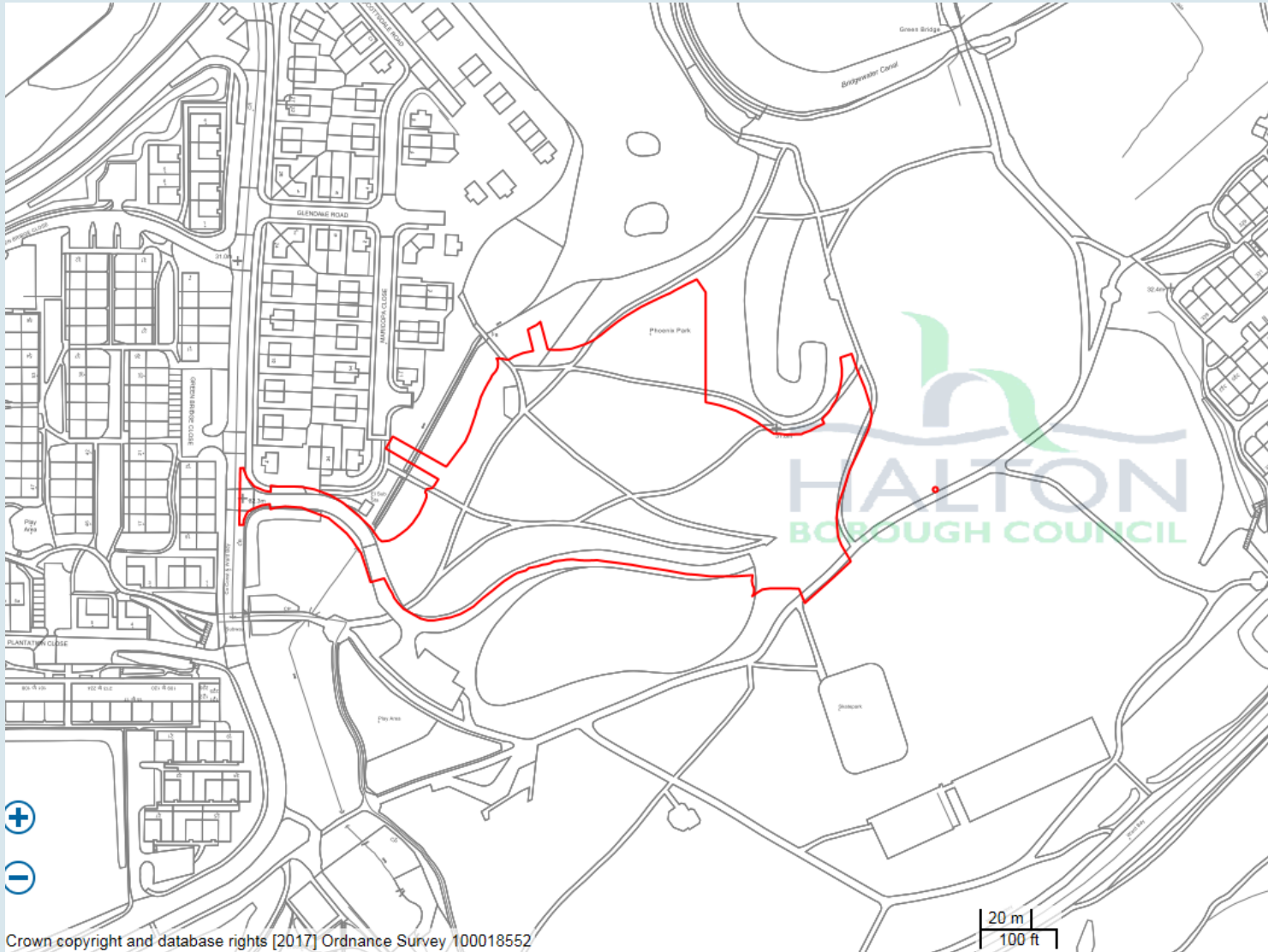
Brick, Stone, Heather, Heath Grassland



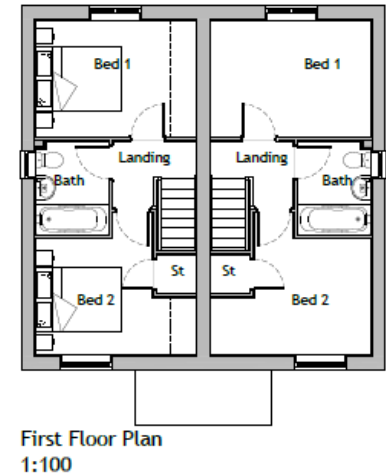
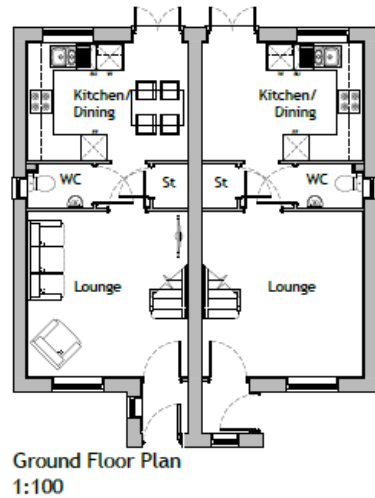
Use of red sandstone for walls and features similar to naturally occurring materials found in Runcom Local Nature Reserve and at Runcom Hill Park













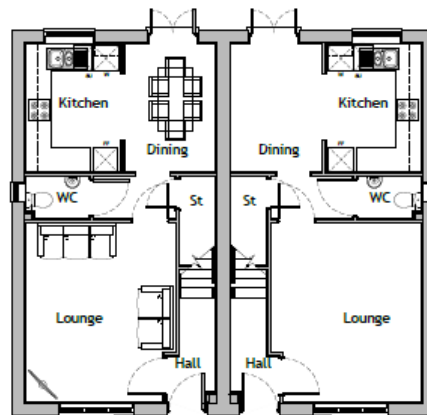
Front Elevation
1:100



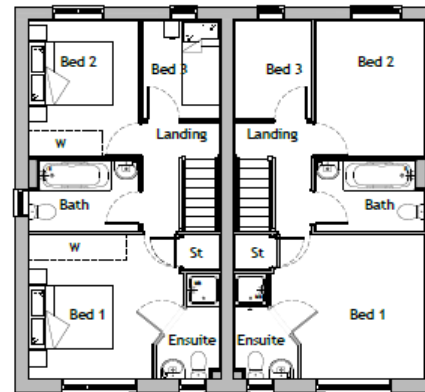
Side Elevation



Rear Elevation



Ground Floor Plan
1:100



First Floor Plan
1:100

Option 1



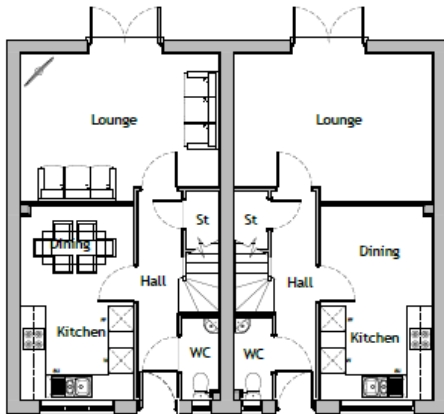
Front Elevation
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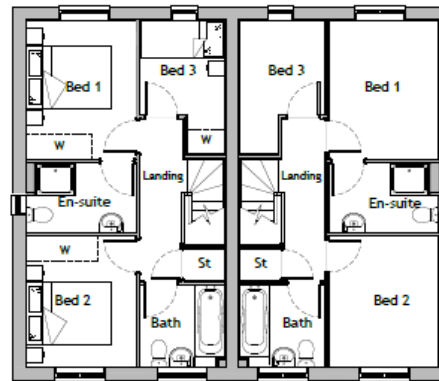
Side Elevation



Rear Elevation



Ground Floor Plan
1:100



First Floor Plan
1:100



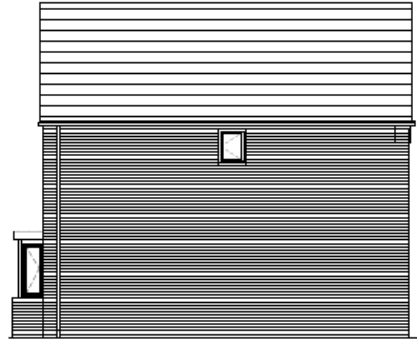
Side Elevation



Front Elevation
1:100



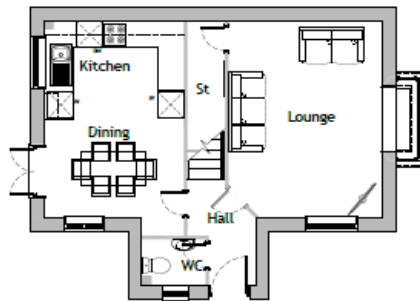
Side Elevation



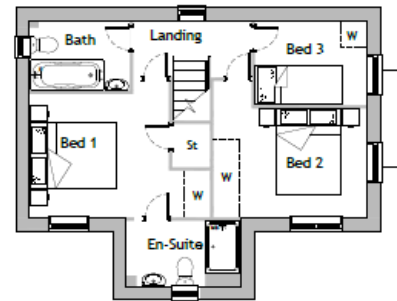
Rear Elevation



Side Elevation



Ground Floor Plan
1:100



First Floor Plan
1:100



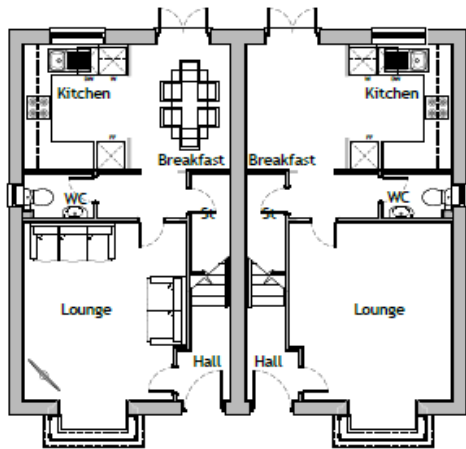
Front Elevation
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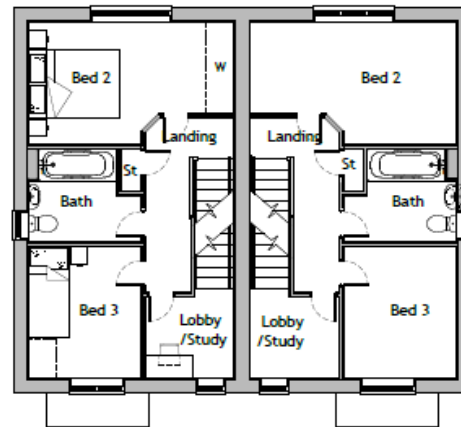
Side Elevation



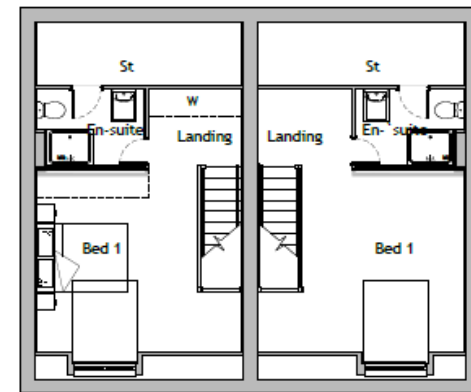
Rear Elevation



Ground Floor Plan
1:100

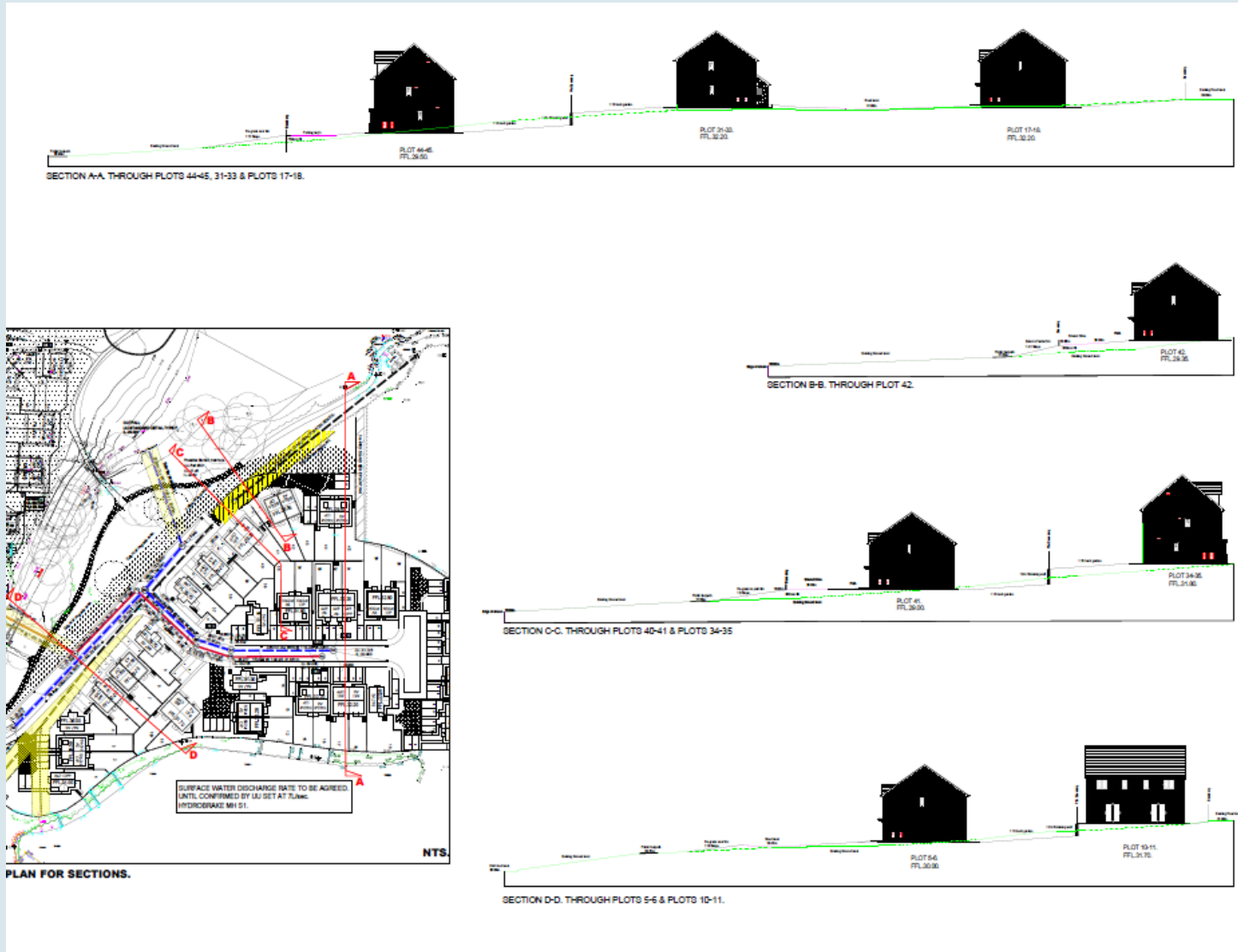


First Floor Plan
1:100

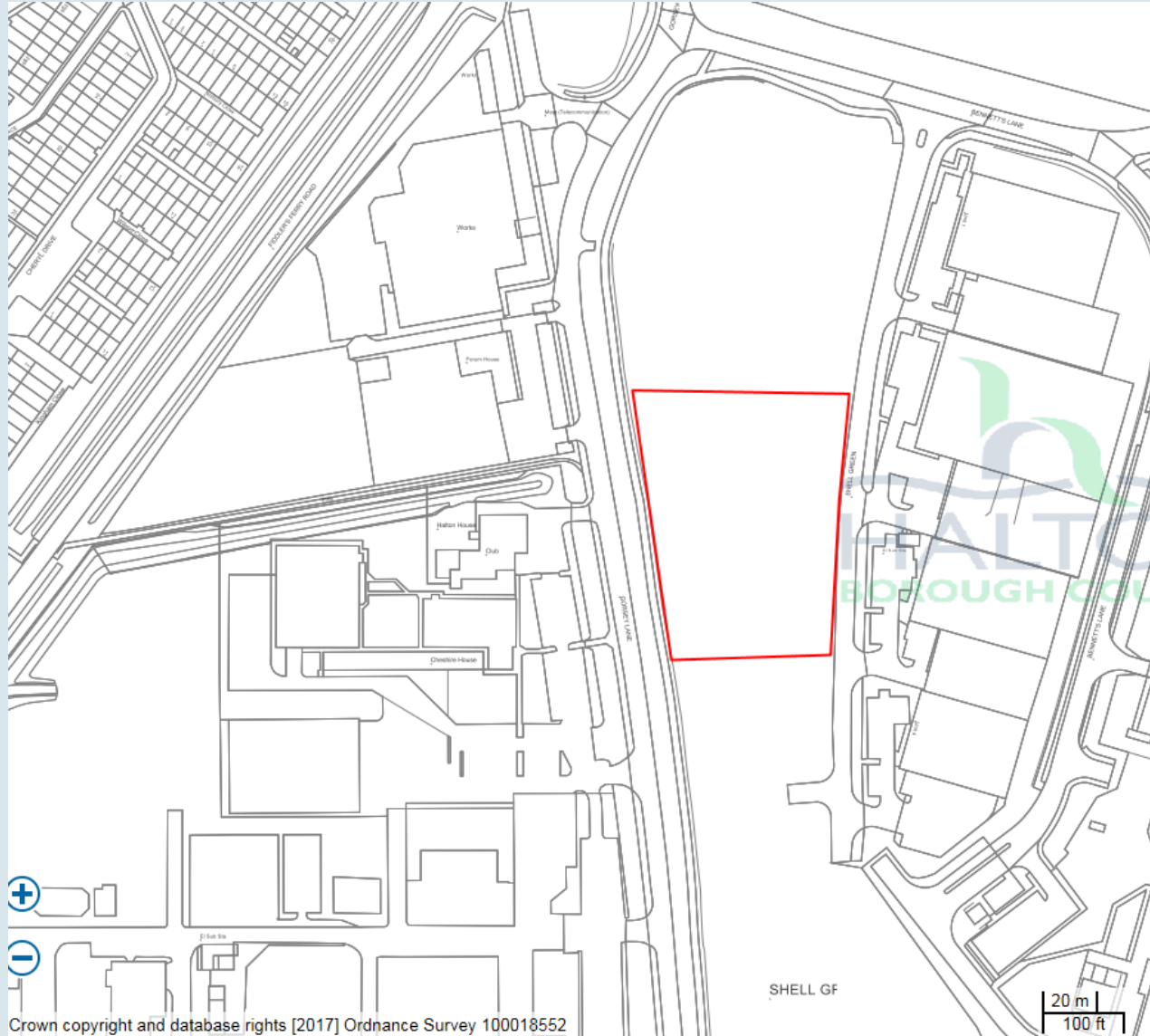


Second Floor Plan
1:100

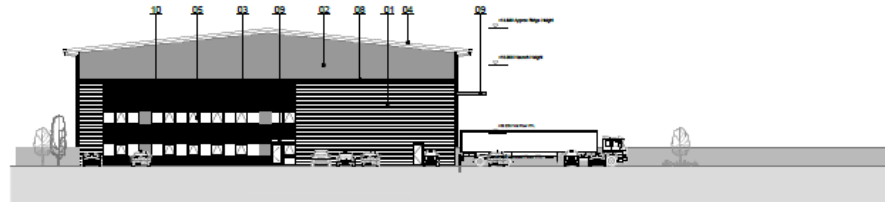




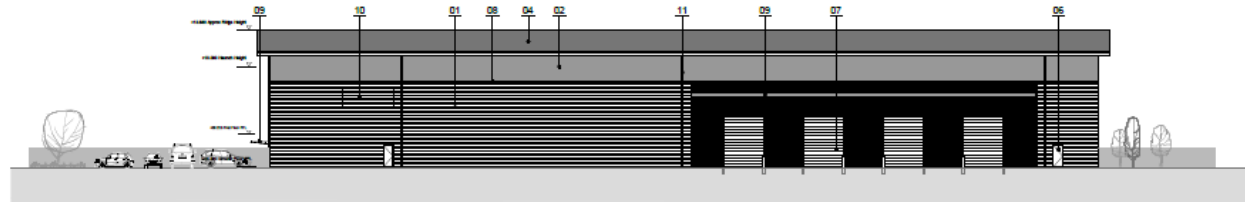




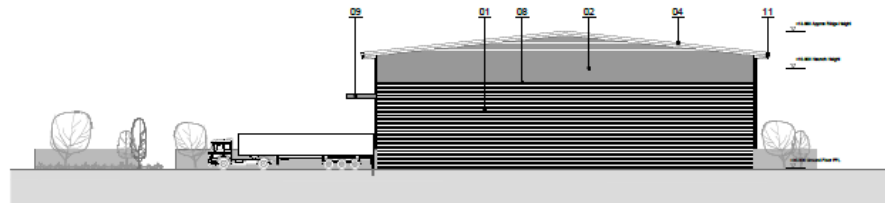




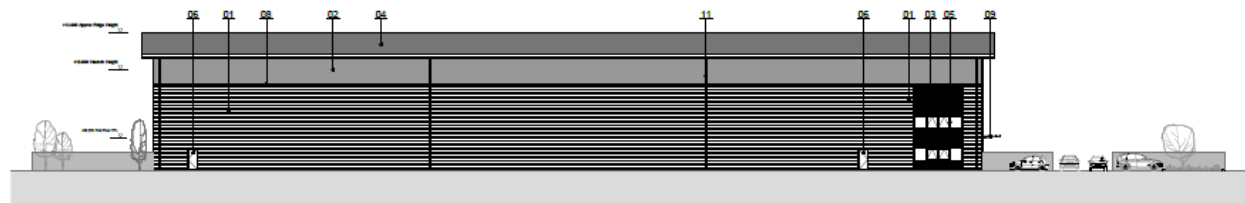
01 South Elevation
1:200 @ A1



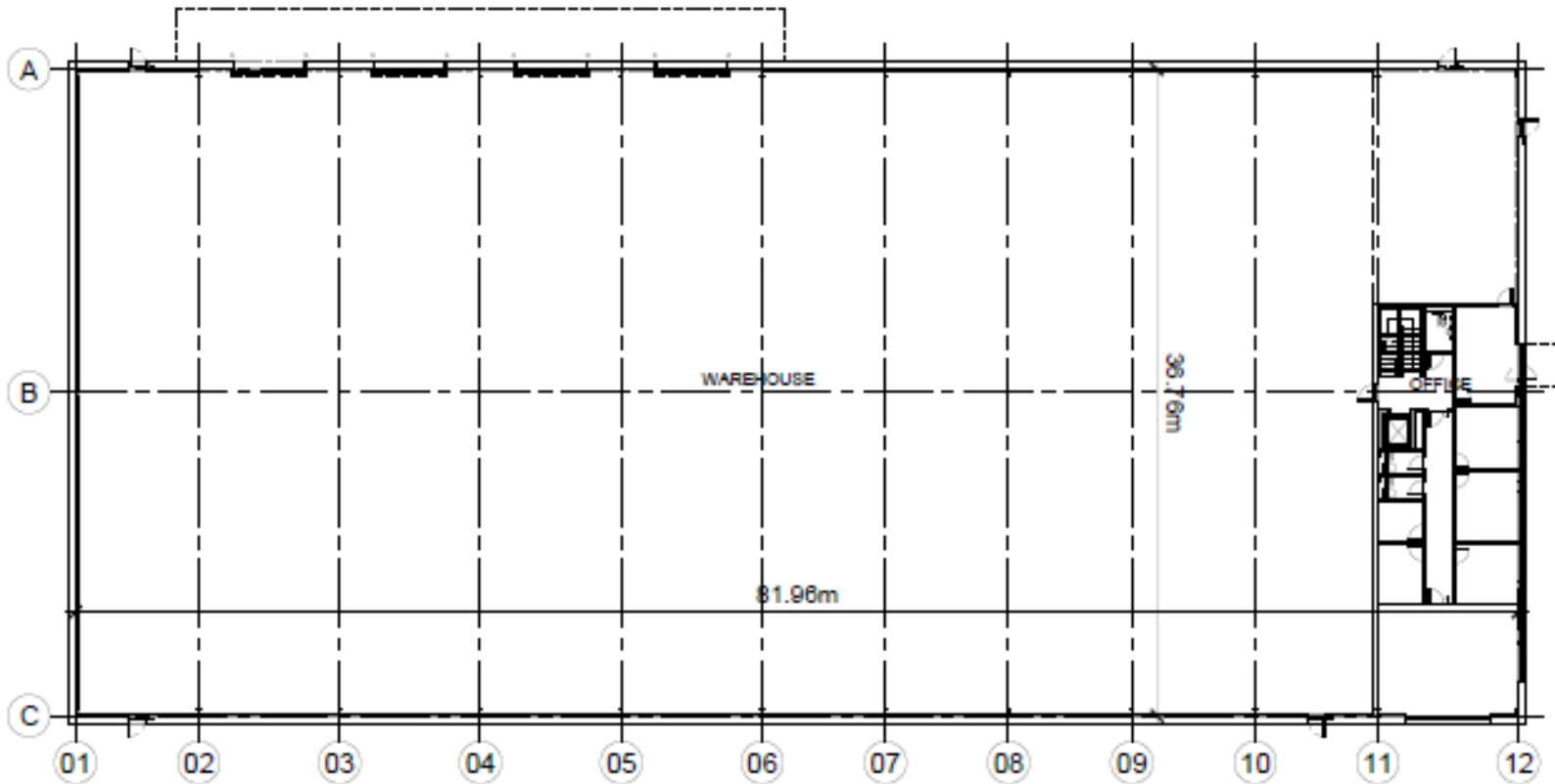
02 East Elevation
1:200 @ A1



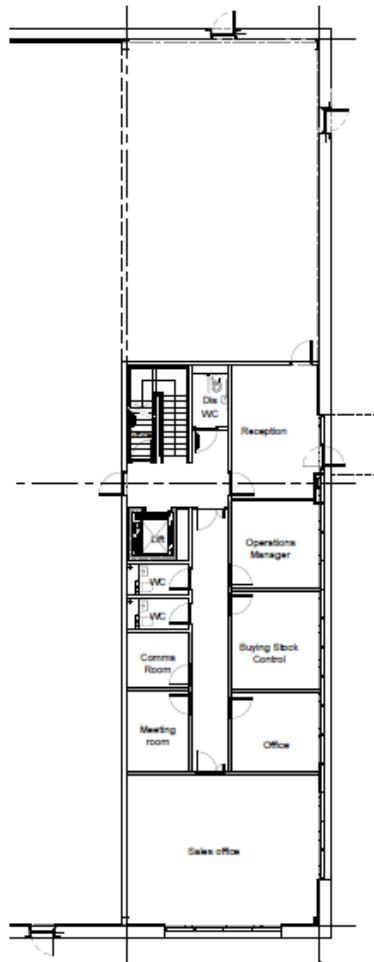
03 North Elevation
1:200 @ A1



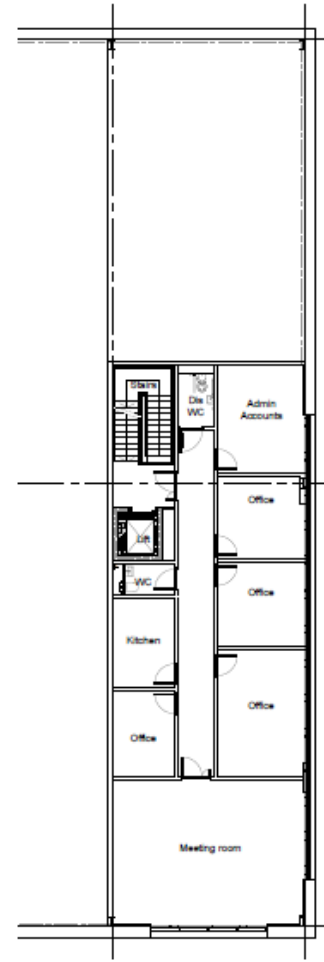
04 West Elevation
1:200 @ A1



01 Ground Floor Plan
1300 @ A1

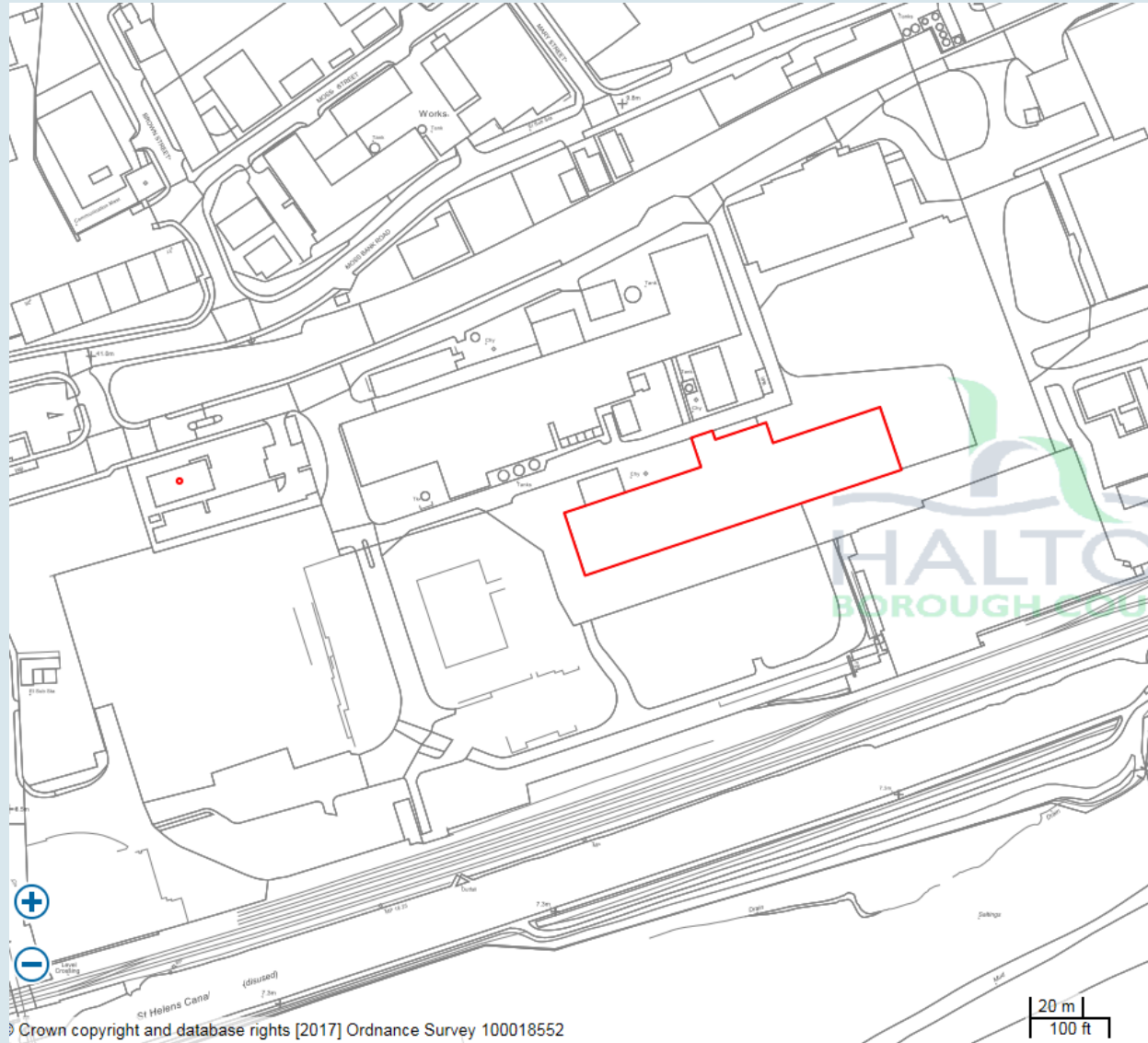


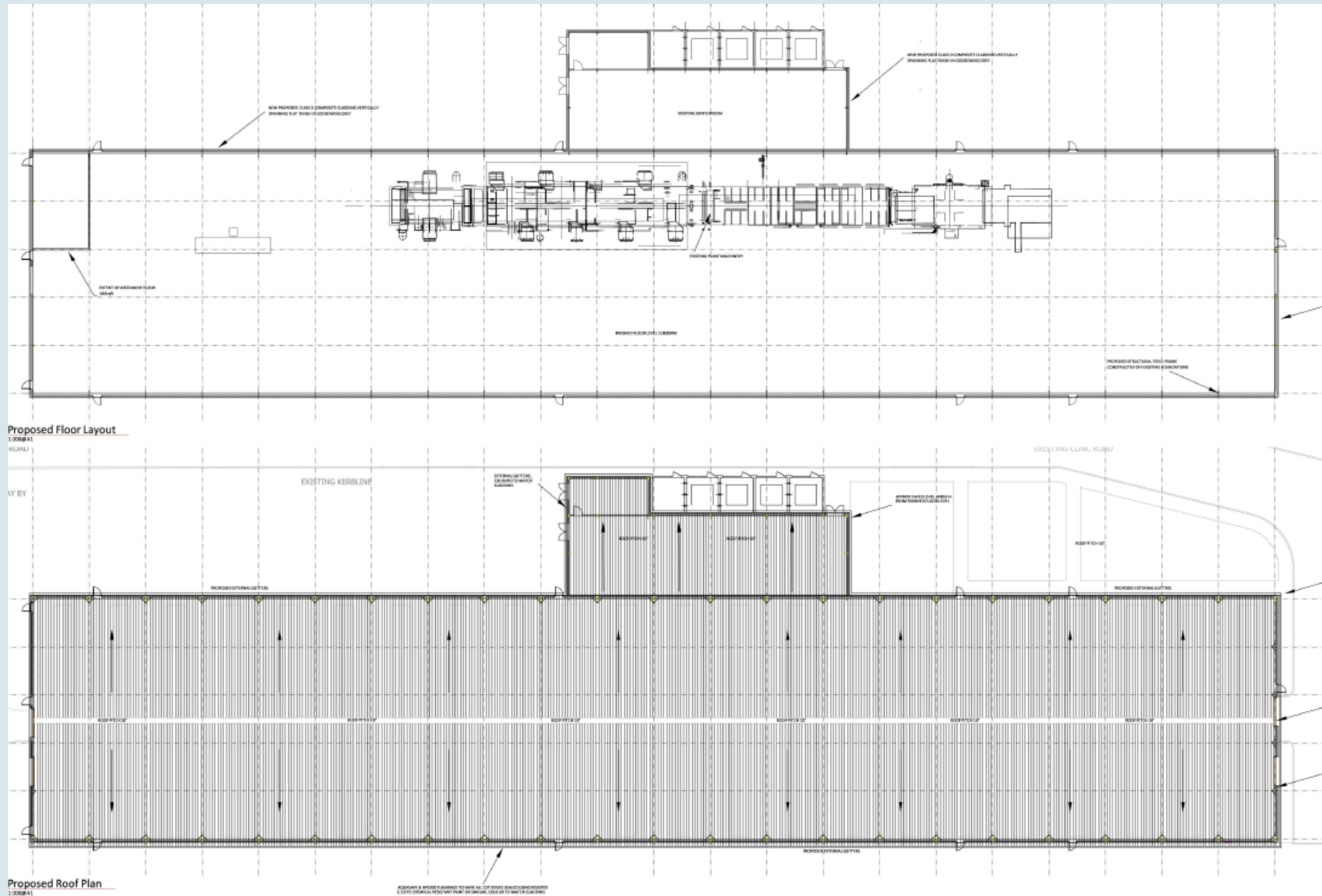
01 Ground Floor Office Plan
1:100 g.n

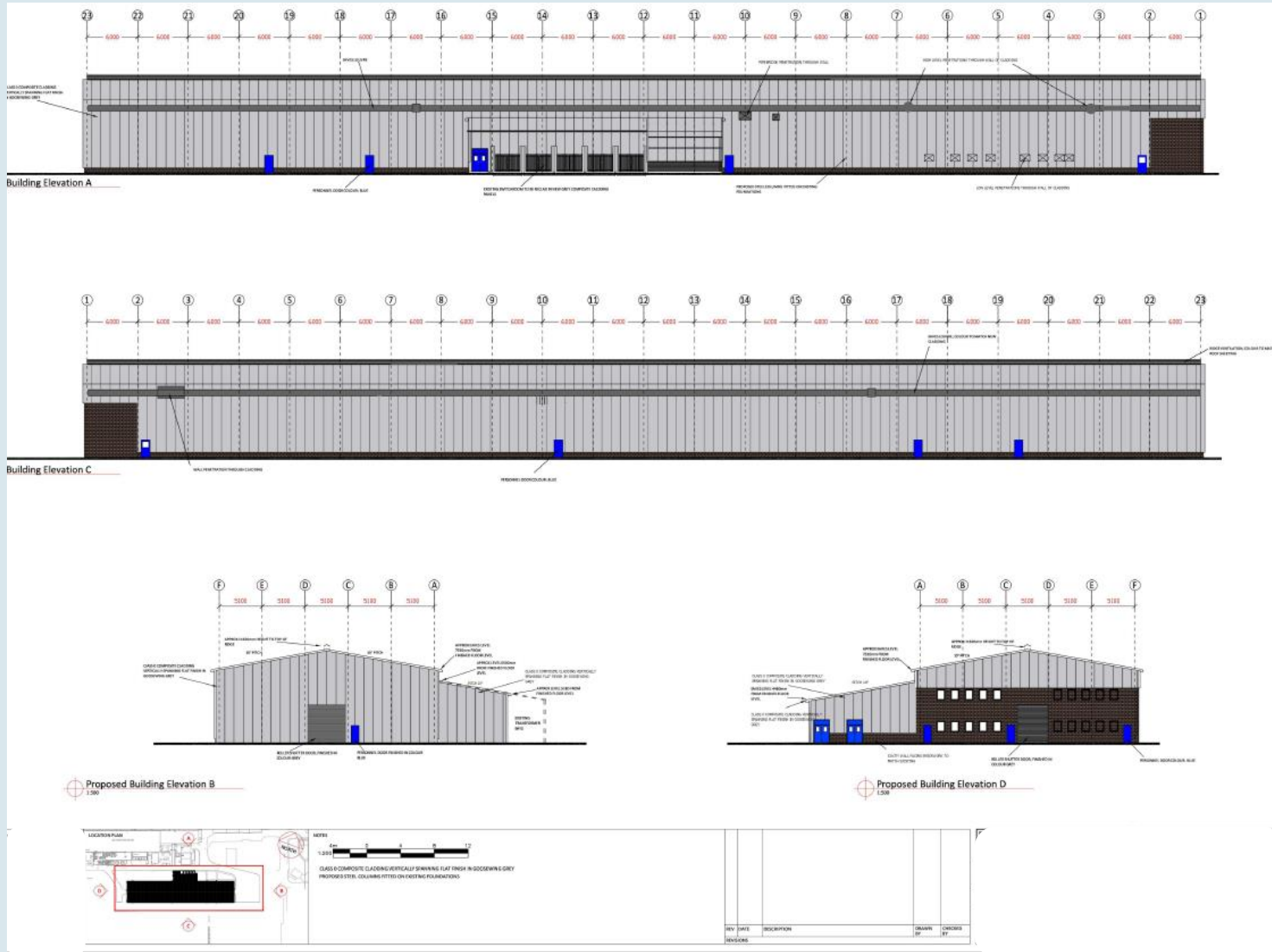


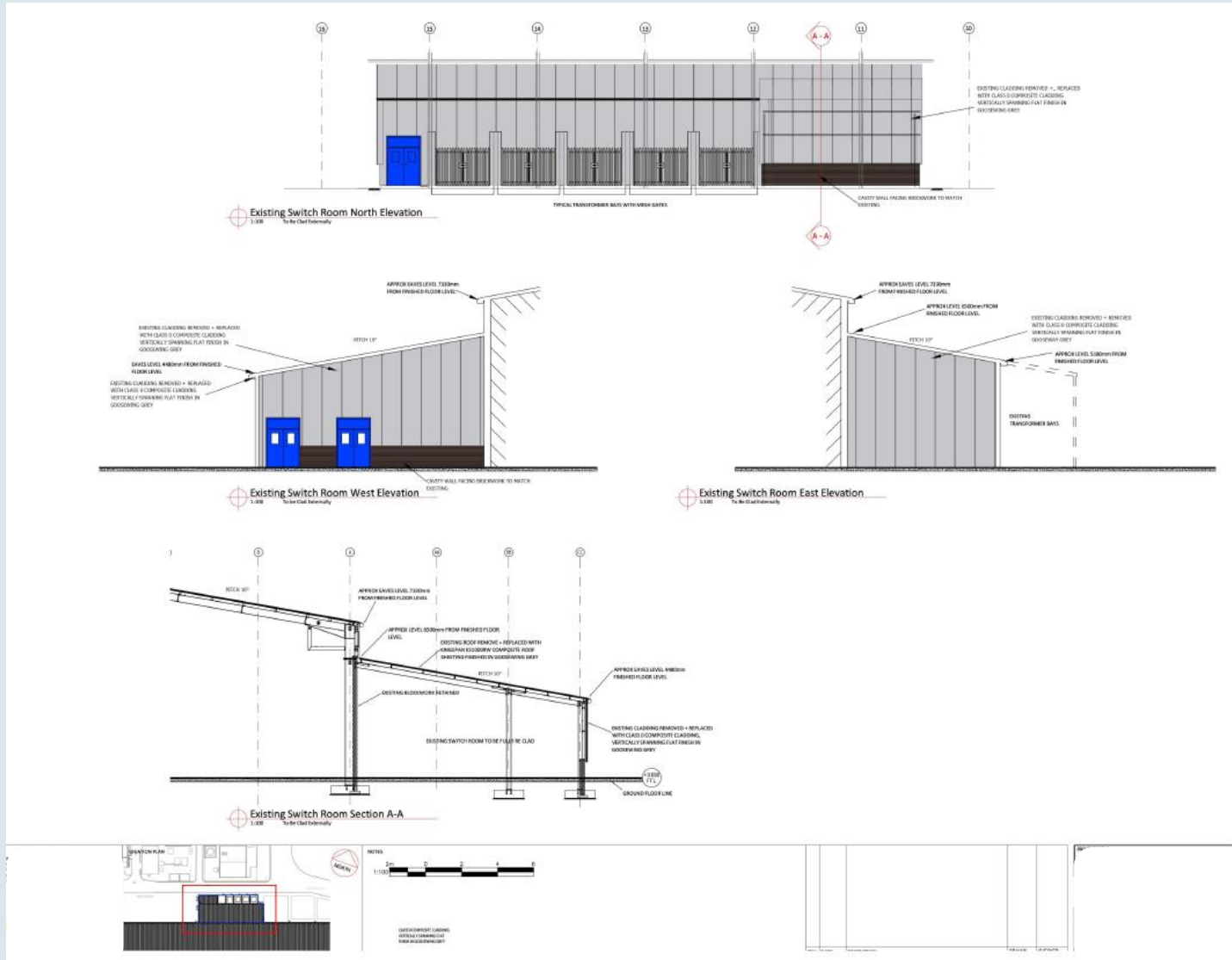
02 First Floor Office Plan
1:100 g.n













REPORT TO: Development Control Committee

DATE: 2 October 2017

REPORTING OFFICER: Strategic Director, Enterprise, Community & Resources

SUBJECT: Miscellaneous Items

WARD(S): Boroughwide

The following applications have been withdrawn:

- 95/00657/FUL** Proposed community social club with ancillary parking and servicing on Land Adjoining Palacefields Avenue, Runcorn, Cheshire.
- 04/00029/FUL** Proposed two storey side/rear extension and rear extension for swimming pool enclosure at 22 Hale Road, Hale, Liverpool, L24 5RE.
- 02/00562/FUL** Proposed formation of new access onto A56 and construction of new private service road at Ivax Pharmaceuticals, Aston Lane North, Whitehouse Vale Development Park, Runcorn, Cheshire, WA7 3FA.
- 02/00671/FUL** Proposed erection of 25 No. two storey houses, including road, external works and associated car parking at Former Ditton Primary School, Liverpool Road, Widnes, Cheshire, WA8 7HL.
- 17/00177/PDE** Proposed single storey rear extension projecting from the rear wall by 4 metres, the extension has a maximum height of 3.18 metres and an eaves height of 2.1 metres at 92 Simonside, Widnes, Cheshire, WA8 4YN.
- 11/00013/S73** Proposed variation of condition 57 of BERR permission 01.08.10.04/8C (Halton Ref 07/00068/ELC) to allow for the increase in the maximum tonnage of fuel delivered to the energy from waste combined heat and power station by road from 85,000 tonnes to 480,000 tonnes per annum at Ineos Chlor, South Parade, Runcorn, Cheshire.
- 17/00088/FUL** Proposed removal of section of brick wall to rear and replacement with pallisade fencing at Co Op Store, 7 Grangeway, Runcorn, Cheshire, WA7 5LY.

- 02/00772/EIA** Proposed construction of single storey cereclor packing building/warehouse and single storey office at Ineos Chlor Limited, Castner Kellner Site, Weston Point, Runcorn, Cheshire.
- 97/00104/FUL** Proposed single storey warehouse facility with associated two storey offices, external loading and lorry parking area and car park at Fair oak Lane, off Rivington Road, Whitehouse Industrial Estate, Runcorn, Cheshire, WA7 3DR.
- 03/01089/REM** Application for approval of reserved matters relating to development of part of site for B2 industrial development (6900sq.m. approx) with ancillary offices, plant rooms, parking etc Land At Shell Green, Bennetts Lane, Widnes, Cheshire.
- 98/00529/HSC** Application for Hazardous Substance Consent for storage of ammonium nitrate and ammonium nitrate based products at Finland No.2 Shed, Percival Lane, Runcorn Docks, Runcorn, Cheshire.
- 99/00395/HBCWST** Proposed household waste and recycling centre on Land Off Earle Road, Bowers Retail Park, Widnes, Cheshire.
- 99/00394/HBCWST** Proposed household waste and recycling centre on Land to East of Earle Road, Bowers Retail Park, Widnes, Cheshire.
- 17/00233/TPO** Proposed work to trees covered by TPO 008 as follows (tree numbers relate to accompanying sketch plan) T1, poplar, fell T2-9 inclusive, comprising various trees within group A4 of the TPO, reduce by 50%, all at 106 Runcorn Road, Moore, Warrington, Cheshire, WA4 6UB.
- 17/00256/PLD** Application for a Certificate of Proposed Lawful Development for use of premises as a Hot Food Takeaway (Use Class A5) at 85 - 87 Victoria Road, Widnes, Cheshire, WA8 7RS.
- 17/00235/FUL** Proposed loft conversion incorporating escape windows to both side elevations at 15 Penrhyn Crescent, Runcorn, Cheshire, WA7 4XJ.
- 17/00136/FUL** Proposed erection of bungalow with access from Moss Lane within the rear garden area at Ivy Cottage, 106 Runcorn Road, Moore, Warrington, Cheshire, WA4 6UB.
- 17/00321/PLD** Application for a certificate of Proposed Lawful Development for single storey ground rear extension at 15 Heathfield Park, Widnes, Cheshire, WA8 9WY.
- 14/00222/TPO** Proposed works to trees T930 to T943 inclusive as detailed in the attached report and with the following proviso's: T931, Fell, T932 Fell, T934, remove secondary stem and crown raise,

T936, crown raise and remove scaffold branch, T938, crown raise and crown reduction, T940, fell, all at Church End Amenity Woodland, Hale, Liverpool.

17/00226/FUL Proposed 3 new dwellings at Builders Yard, Runcorn Road, Moore, Warrington, Cheshire.

The following applications have gone to appeal:

17/00048/FUL Proposed erection of 1 no. detached house with associated landscaping and vehicular access from Chester Road on Land Adjacent To The Old Post Office, Chester Road, Daresbury, Cheshire.