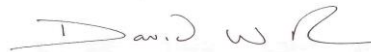


# Public Document Pack



## Development Control Committee

**Monday, 5 February 2018 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 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 Tuesday, 6 March 2018*

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

**Part I**

<b>Item No.</b>	<b>Page No.</b>
<b>1. MINUTES</b>	<b>1 - 2</b>
<b>2. DECLARATIONS OF INTEREST</b>	
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.	
<b>3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE</b>	<b>3 - 119</b>
<b>4. MISCELLANEOUS ITEMS</b>	<b>120</b>

***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, 8 January 2018 at Civic Suite, Town Hall, Runcorn*

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

Apologies for Absence: Councillors Morley, Zygadlo and Gilligan

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, A. Plant and P. Peak

Also in attendance: Two members of the public

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

*Action*

DEV24 MINUTES

The Minutes of the meeting held on 5 December 2017 having been circulated, were taken as read and signed as a correct record, subject to noting that Councillor J. Bradshaw's apologies were due to Council business.

DEV25 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE

The Committee considered the following application for planning permission and, in accordance with its powers and duties, made the decision described below.

DEV26 - 17/00504/FUL - PROPOSED DEVELOPMENT OF 118 DWELLINGS (INCLUDING AFFORDABLE HOUSING) TOGETHER WITH ASSOCIATED WORKS INCLUDING ACCESS AND LANDSCAPING ON FORMER BPI SITE OFF WARRINGTON ROAD, WIDNES, CHESHIRE

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

Officers advised the Committee that since the report was published the applicant had submitted a number of

small amendments and provided additional information that may discharge a number of the conditions recommended in the report. They requested that delegated authority be granted to the Operational Director – Planning, Policy and Transportation to attach the appropriate conditions in light of the amendments, in consultation with the Chair or Vice Chair of the Committee.

The Committee agreed with the request for delegated powers as discussed above.

RESOLVED: that delegated authority is given to the Operational Director – Planning, Policy and Transportation, to approve the application and to attach appropriate conditions, in consultation with the Chair or Vice Chair of the Committee.

DEV27 MISCELLANEOUS ITEMS

The following applications had been withdrawn:

**17/00456/FUL**

Proposed alterations and extension to existing property and erection of new dwelling in adjacent garden area at 4 Chapel Lane, Widnes, Cheshire, WA8 4NX.

**17/00542/FUL**

Proposed single storey rear extension at 3 King Oswald Crescent, Widnes, Cheshire, WA8 5AB.

*Meeting ended at 6.10 p.m.*

**REPORT TO:** Development Control Committee

**DATE:** 5 February 2018

**REPORTING OFFICER:** Strategic Director – Enterprise, Community and Resources

**SUBJECT:** Planning Applications to be Determined by the Committee

**WARD(S):** Boroughwide

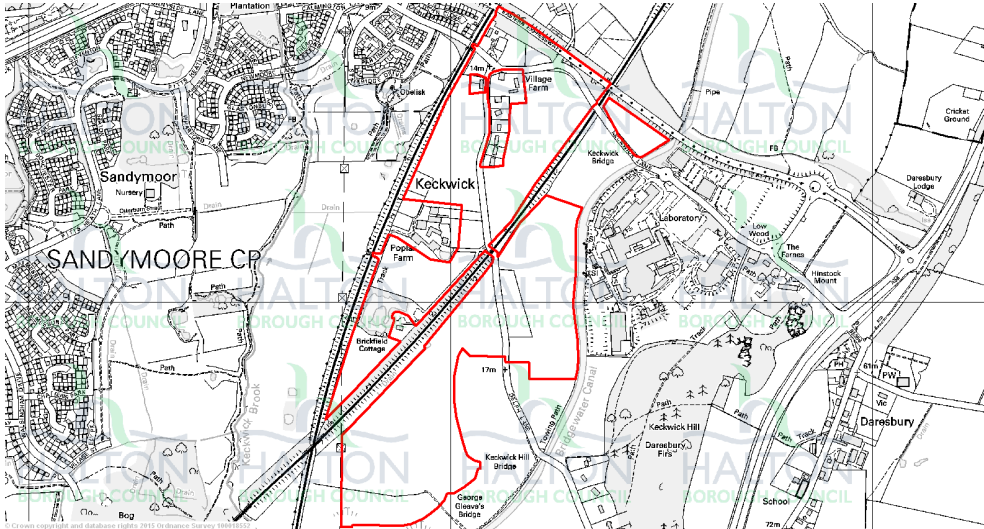
Application No	Proposal	Location
16/00495/OUTEIA	Resubmission of outline planning application 15/00266/OUTEIA by application for outline planning permission (with all matters other than access reserved) for mixed use development comprising: up to 550 residential dwellings; up to 15,000sqm of employment floorspace (Use Class B1); new local centre of up to 3,000 sqm (Use Classes A1 – A5 and D1 – dual use); provision of infrastructure including a new junction onto A558 Daresbury Expressway and details of access.	Land at Delph Lane, Daresbury.
17/00406/FULEIA	Resubmission of application 14/00539/FULEIA for the erection of 295 residential dwellings with associated landscaping and site infrastructure, construction of a new road junction onto Daresbury Expressway (A558), installation of a signalised junction to Delph Lane, provision of open space and play facilities and associated works.	Land at Delph Lane, Daresbury
17/00407/OUTEIA	Resubmission of application 13/00206/OUTEIA hybrid planning application for up to 300 residential dwellings comprising: full planning application for 122 residential dwellings (mix of 2, 3 and 4 bedroom houses), new	Land at Delph Lane, Daresbury

	spine road, turning head to the east of Delph Lane canal bridge, new junction between the proposed spine road and the A56, pedestrian/cycle routes and associated works (Phase A); and outline planning application for up to 178 residential dwellings (all matters reserved) (Phase B).	
17/00556/FUL	Proposed erection of 3 no. office buildings each with 3 floors plus plant level with associated parking, access, landscaping, substation and ancillary developments.	Daresbury Science Park, Keckwick Lane, Daresbury, WA4 4FS
17/00565/FUL	Proposed construction of extension to the existing production facility and warehouse	Teva Pharmaceuticals Aston Lane North, Runcorn
17/00571/CAAD	Application for Certificate of Appropriate Alternative Development for residential	The former Dray, Mullion Close, Brookvale, Runcorn

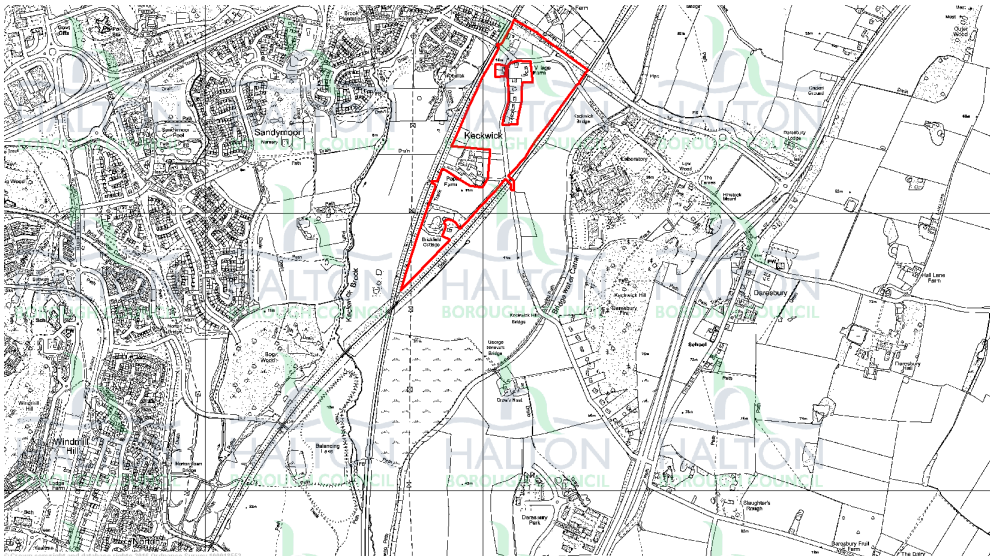
<b>APPLICATION NUMBERS:</b>	16/00495/OUTEIA, 17/00406/FULEIA and 17/00407/OUTEIA
<b>LOCATION:</b>	Land at Delph Lane, Daresbury
<b>PROPOSAL:</b>	<p><b>16/00495/OUTEIA:</b> Resubmission of outline planning application 15/00266/OUTEIA for outline planning permission (with all matters other than access reserved) for mixed-use development comprising: up to 550 residential dwellings; up to 15,000 sq m of employment floorspace (Use Class B1); new local centre of up to 3,000 sq m (Use Classes A1 - A5 and D1 - dual use); provision of infrastructure including a new junction on to A558 Daresbury Expressway and details of access</p> <p><b>17/00406/FULEIA:</b> Resubmission of application 14/00539/FULEIA for the erection of 295 residential dwellings with associated landscaping and site infrastructure, construction of a new road junction onto Daresbury Expressway (A558), installation of a signalised junction to Delph Lane, provision of public open space and play facilities and associated works</p> <p><b>17/00407/OUTEIA</b> Resubmission of application 13/00206/OUTEIA hybrid planning application for up to 300 residential dwellings comprising: full planning application for 122 residential dwellings (mix of 2, 3 and 4 bedroom houses), new spine road, turning head to the east of Delph Lane canal bridge, new junction between the proposed spine road and the A56, pedestrian/cycle routes and associated works (Phase A); and outline planning application for up to 178 residential dwellings (all matters are reserved) (Phase B)</p>
<b>WARD:</b>	Daresbury
<b>PARISH:</b>	Daresbury Parish Council
<b>AGENT(S) / APPLICANT(S):</b>	Redrow Homes North West Limited
<b>DEVELOPMENT PLAN ALLOCATION:</b> Halton Unitary Development Plan (2005)	H1 Provision for New Housing S23 open countryside E1Local and Regional Employment Land Allocations
Core Strategy (2013)	CS11East Runcorn
<b>DEPARTURE</b>	Yes
<b>REPRESENTATIONS:</b>	Detailed in the body of this report.
<b>RECOMMENDATION:</b>	Approve subject to conditions.

**PROPOSED RED LINE PLANS**

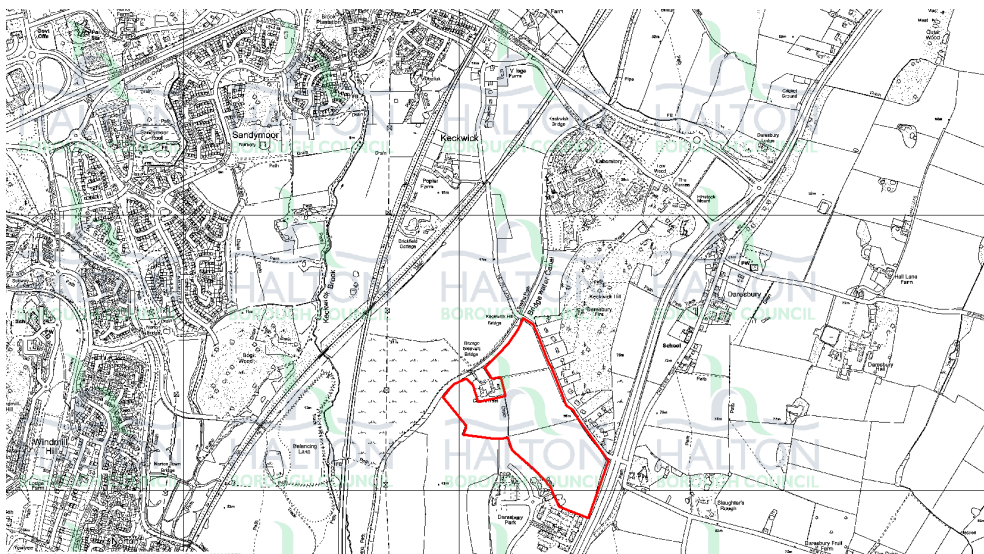
**16/00495/OUTEIA (equivalent 15/00266/OUTEIA)**



**17/00406/FULEIA (equivalent 14/00539/FULEIA)**



**17/00407/OUTEIA (equivalent 13/00206/OUTEIA)**





**1. BACKGROUND**

**1.1 The Site and Surroundings**

- 1.2 The sites cover approximately 73 hectares (combined figure of all three planning applications) and is located approximately 4 miles to the east of Runcorn town centre, immediately to the east of the Sandymoor area, forming a strategic area referred to as East Runcorn.
- 1.3 The area is currently accessible from the south via the M56 motorway (junction 11) and the A56 Chester Road or alternatively via Keckwick Lane to the north. Delph Lane currently runs from north to south through the application sites.
- 1.4 The surrounding area comprises Daresbury Science and Innovation Campus (DSIC) located to the east, Daresbury Park Business Park to the south, and Sandymoor to the west. The West Coast Mainline runs to the west of application sites and the Chester to Manchester rail line also runs adjacent to the sites, as does the Bridgewater Canal.
- 1.5 The sites are all part of East Runcorn Key Area of Change as defined in Policy CS11 of the Core Strategy. Within the East Runcorn Key Area of Change the application sites are within the Daresbury Strategic Area.

**1.6 Relevant Planning History**

- 1.7 The Applicant has previously submitted three planning applications 13/00206/OUTEIA, 14/00539/FULEIA and 15/00266/OUTEIA (the “former applications”) that are identical to those applications set out above. The former applications are currently at appeal and are due to be heard by an Inspector from the Planning Inspectorate at a Public Inquiry commencing in April 2018. These appeals have been ‘called in’ meaning the final decision will be by the Secretary of State.
- 1.8 Redrow are ‘twin tracking’ these applications (meaning there are live applications before the Local Planning Authority and simultaneously with the Planning Inspectorate) as they wish to commence development as soon as possible. If planning permission is granted by the LPA then it will potentially save significant public and private sector expense in dealing with the appeal.
- 1.9 It should be noted that the former applications cannot be determined by the Committee. Therefore, the decision made by the Committee on applications 16/00495/OUTEIA, 17/00406/FULEIA and 17/00407/OUTEIA will be the Council’s position on the set of applications that are with the Secretary of State.

**2. THE APPLICATIONS**

**2.1 16/00495/OUTEIA**

Application for outline planning permission (with all matters other than access reserved) for mixed-use development comprising: up to 550 residential dwellings; up

to 15,000 sq m of employment floorspace (Use Class B1); new local centre of up to 3,000 sq m (Use Classes A1 - A5 and D1 - dual use); provision of infrastructure including a new junction on to A558 Daresbury Expressway and details of access.

2.2 17/00406/FULEIA

Application for the erection of 295 residential dwellings with associated landscaping and site infrastructure, construction of a new road junction onto Daresbury Expressway (A558), installation of a signalised junction to Delph Lane, provision of public open space and play facilities and associated works.

2.3 17/00407/OUTEIA A hybrid planning application for up to 300 residential dwellings comprising: full planning application for 122 residential dwellings (mix of 2, 3 and 4 bedroom houses), new spine road, turning head to the east of Delph Lane canal bridge, new junction between the proposed spine road and the A56, pedestrian/cycle routes and associated works (Phase A); and outline planning application for up to 178 residential dwellings (all matters are reserved) (Phase B).

2.4 Documentation

The applications are supported by a number of accompanying documents including an Environmental Statement (EIA) which provides a detailed assessment of the anticipated effects of the applications through the construction and operational phases of the development.

**3. POLICY CONTEXT**

3.1 The development plan for Halton consists of the Halton Core Strategy, the remaining saved policies from the Halton Unitary Development Plan (UDP), and the Joint Merseyside and Halton Waste Local Plan 2013.

3.2 The application sites include land designated for residential and employment uses (UDP Policy H1 and E1) and Open Countryside (S23). In the Core Strategy, the site area is allocated as primarily residential and employment as part of the Key Area of Change Strategic Site in Policy CS11.

3.3 The following Core Strategy and UDP policies and other policy documents are of particular relevance: Halton Core Strategy (2013)

- CS1 Halton's Spatial Strategy
- CS2 Presumption in Favour of Sustainable Development
- CS3 Housing Supply and Locational Priorities
- CS4 Employment Land and Locational Priorities
- CS5 A Network of Centres
- CS7 Infrastructure Provision
- CS11 East Runcorn
- CS12 Housing Mix
- CS13 Affordable Housing
- CS15 Sustainable Transport
- CS18 High Quality Design
- CS19 Sustainable Development and Climate Change

- CS20 Natural and Historic Environment
- CS21 Green Infrastructure
- CS22 Health and Well-being
- CS23 Managing Pollution and Risk
- CS24 Waste

3.4 Joint Waste Local Plan 2013

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

3.5 Halton Unitary Development Plan (UDP) (2005)

- S23 Open Countryside
- BE1 General Requirements for Development
- BE2 Quality of Design
- BE10 Protecting the Setting of Listed Buildings
- BE12 General Development Criteria – Conservation Areas
- GE6 Protection of Designated Greenspace
- GE7 Proposed Greenspace Designations
- GE23 Protection of Areas of Special Landscape Value
- GE24 Protection of Important Landscape Features
- GE25 Protection of ponds
- GE26 Protection of hedgerows
- GE27 Protection of trees and woodlands
- GE28 The Mersey Forest
- GE29 Canals and Rivers
- PR1 Air Quality
- PR5 Water Quality
- PR8 Noise Sensitive Development
- PR12 Development and land surrounding COMAH sites
- PR16 Development and Flood Risk
- TP1 Public Transport Provision as Part of New Development
- TP4 New Public Transport Facilities
- TP6 Cycling Provision as Part of New Development
- TP7 Pedestrian Provision as Part of New Development
- TP9 The Greenway Network
- TP12 Car Parking
- TP14 Transport Assessments
- TP15 Accessibility to new developments
- TP17 Safe Travel for All
- TP18 Traffic Management
- TC6 Out of Centre Retail Development
- H1 Provision of New Housing
- H3 Provision of Recreational Greenspace
- E1 Local and Regional Employment Land Allocations

3.6 Supplementary Planning Documents

A number of adopted Supplementary Planning Documents relate to application site;

- Affordable Housing SPD
- Design of Residential Development SPD
- Designing for Community Safety

3.7 It is appropriate to note that the successor to the Core Strategy and UDP, the 'Delivery and Allocations Local Plan' ("DALP") is currently at an early stage of preparation and is not considered to be relevant in the consideration of these applications.

#### **4. CONSULTATIONS**

4.1 Whilst it is encouraged for major schemes, there is no legal obligation for developers to carry out pre-application consultation. Nevertheless, Redrow undertook pre-application consultation in the local area. A public exhibition event took place on Tuesday 17<sup>th</sup> June 2014. Further details on this exercise are contained within the Applicant's submission.

4.2 The applications were advertised as a departure by means of site notice and press notices. An extensive process of consultation was undertaken with a wide range of internal and external, statutory and non-statutory, consultees.

4.3 For all applications, notification letters were sent to the two Local Ward Councillors, the Parish Councils of Daresbury Moore and Sandymoor, together with the Daresbury Joint Venture and the Bridgewater Canal Company.

4.4 The following number of surrounding properties were consulted on the applications listed below.

- 16/00495/OUTEIA – 241 Neighbours consulted
- 17/00406/FULEIA – 241 Neighbours consulted
- 17/00407/OUTEIA – 142 Neighbours consulted

#### **4.5 LIST OF CONSULTEES**

##### **4.6 16/00495/OUTEIA**

- Environment Agency – no objection and set out standing advice in respect of drainage/ flooding
- National Grid – No objection in principle Applicant to contact National Grid when carrying out works in the area (to be included as informative).
- Coal Authority – No comments to make as it does not fall within a defined coalfield.
- National Planning Casework Unit – No comments
- Pipeline operators – none of the Essar Pipelines or Shell operational Pipelines should be affected by the proposal.
- Highways England – No objection
- Natural England – No objections and advises that the proposal is unlikely to affect any statutory protected sites or landscapes. Encourage the incorporation of green infrastructure.

- United Utilities – proposal is acceptable in principle and suggests conditions in relation to drainage, Suds condition.
- Warrington Borough Council – before determining the application the Council should obtain details to demonstrate that the increased traffic will not materially affect/ worsen existing traffic levels on the A56 within Warrington’s administrative area.
- Network Rail – request a number of conditions and in formatives to protect the line
- EA- no objection and set out standing advice in respect of drainage/ flooding

## **4.7 17/00406/FULEIA**

- Coal Authority – No comments to make as it does not fall within a defined coalfield.
- Highways England – No objection
- Historic England – Not required to be consulted
- HSE – Do Not Advise Against on Safety Grounds
- Natural England – No objections and advises that the proposal is unlikely to affect any statutory protected sites or landscapes. Encourage the incorporation of green infrastructure.
- Cadent Gas - access to the pipeline should not be restricted
- Pipeline operators – none of the Essar Pipelines or Shell operational Pipelines should be affected by the proposal.
- United Utilities – proposal are acceptable in principle and suggest conditions in relation to drainage, Suds condition
- Canal and River Trust – Outside of notified area
- Cheshire Police – the developer should consult to ensure designing out crime principles are taken into account.
- Cheshire West and Chester Council – no objection
- Network Rail – request a number of conditions and informatives to protect the line

## **4.8 17/00407/OUTEIA**

- Canal and River Trust – Outside of notified area
- Coal Authority – No comments to make as it does not fall within a defined coalfield.
- Highways England – No objection
- Historic England – No required to be consulted
- HSE – Do Not Advise Against

- Natural England – No objections and advises that the proposal is unlikely to affect any statutory protected sites or landscapes. Encourage the incorporation of green infrastructure.
- Cadent Gas - access to the pipeline should not be restricted
- Pipeline operators – none of the Essar Pipelines or Shell operational Pipelines should be affected by the proposal.
- United Utilities – proposal are acceptable in principle and suggest conditions in relation to drainage, Suds condition

### 4.9 LIST OF INTERNALS

#### **Application ref: 16/00495/OUTEIA**

- Open Spaces – No objection – Check for Gary’s comments. Landscape architect no objection subject to conditions concerning detailed landscape conditions.
- Lead Local Flood Authority (LLFA) – Set of comments provided. No objection subject to conditions.
- Environmental Health (EH)– No objection

#### **17/00406/FULEIA**

- Open Spaces – No objection
- Cheshire Archaeology - two areas of interest have been identified a condition is recommended in relation to a scheme of investigation
- LLFA – Set of comments provided. No objection subject to conditions.
- EH - No objection

#### **17/00407/OUTEIA**

- Open Spaces – No objection
- Conservation Advisor – No objection but consideration should be made on the impact of the development of the non-designated heritage asset of the railway arch on Delph Lane in the consideration of this proposal.
- LLFA – Set of comments provided. No objection subject to conditions.
- EH – No objection

**5. REPRESENTATIONS**

Consultation has been undertaken on a number of occasions (for all six applications plus re-consultations on amended information). This level of consultation may have been confusing and therefore the Council has received a number of duplicated objections and comments which have appeared to relate to more than one application. Therefore the objections listed below include all those received in whatever context. In addition, the objections have been considered for all applications, regardless of whether they were stated as applying to any one particular application.

**5.1 16/00495/OUTEIA**

Parish Councils

Daresbury Parish Council –

!“We fully support and agree with the Council’s position regarding grey areas within the application.”

Moore Parish Council –

Object on the following grounds:

- lack of infrastructure being provided in accordance with the Core Strategy
- location of the local centre is not acceptable

Sandymoor Parish Council and Moore Parish Council –

- Keckwick Lane Canal bridge should not be allowed to close until the new junction is fully opened as it will limit access to Sandymoor and Moore
- Concerns over the signalisation/ closure of the Keckwick lane under bridge. As well as signalisation widening should take place.
- Keckwick lane west underbridge should remain open to vehicles as access schools and amenities.
- Delph lane railway bridge should be signal controlled unless the new canal bridge and spine road completed.
- Before phase2 is approved the bridge and spine road must be under construction.
- S106 required for the funding of the new bridge and construction and completion of the spine road with a trigger point for commencement before consent is granted for phase 2 housing.
- An obligation must be placed on redrow to use the rail tunnel for pedestrians and cyclists at poplar farm underpass to sandymoor.
- Concerns over public transport accessibility given the layout and no spine road
- Poor quality design

- Suggest higher figures for the delivery of infrastructure and compensation for Peel to provide an easement.
- Phasing payments suggested unacceptable.
- Concerns over the viability claims from the applicant.

Note that a more detailed summary is set out in Table 4 of this report.

## 5.2 Peel Holdings

Peel on behalf of the Bridgewater Canal Company

- Major concerns regarding piecemeal planning approach
- Absence of strategy to deliver critical infrastructure including marina, new bridge crossing, improvement to the Bridgewater Canal (BWC) and linear openspace around the canal.
- No workable proposal for pooled contributions.
- Objection to closing of roads in the area due to the need to inspect and maintain the canal.
- Fails to take opportunities in layout to take account of the heritage asset of the canal.

## 5.3 DSIC Joint Venture (JV)

- Does not accord with the strategic site Framework
- Reduces significantly the extend of high quality employment land available at Daresbury
- Proposal will have a significant and detrimental impact on the masterplan principles set out in the Core Strategy
- Incremental planning applications not considered comprehensively
- Lack of a bus link as required by the Core Strategy
- Lack of transport connectivity
- Does not accord with the Development Plan

## 5.4 Representations following neighbour consultation

Representations have been received on the following issues:

- Noise and light pollution during construction
- Increase in traffic
- Pollution from construction traffic
- Access to existing properties.
- Need for gates to property
- Parking restrictions near to existing properties
- Creation of a dark alley
- Compensation for impact on property and business



- There should be no change to utilities to existing properties
- Keckwick lane should remain open as a 2Km diversion to Moore is unacceptable.
- Congestion problems on the expressway
- Difficult to access property
- The impact on the aspect of properties being changed from open fields to a housing estate
- Loss of habitat and trees
- Fails to provide affordable housing
- Issues of flooding
- Communications should be clearer and summary of amendments should be provided
- Removal of hedgerows
- Destruction of farmland
- Impact on wildlife
- Impact of noise from the railway on new properties
- Lack of a buffer to existing properties
- Numbers of properties too high
- Offices would industrialise the area
- Recreational walks should be maintained for health of the residents
- Loss of Green Belt
- What provision will be in place for parking for fishermen
- Who will be responsible for maintenance
- What are the timescales for the development
- What additional security features will our property be given due to the increase in houses
- Plans need to include health centre, pharmacy education facilities for adults with a café/bar provision
- Destruction of beautiful countryside
- Not in keeping with the area
- Not enough open space in the area
- Should use brownfield
- No need for additional employment space
- Not sustainable
- Lack of infrastructure
- Poor road network
- Poor public transport links
- Effect on financial viability of phased applications
  
- Local MP forwarded on constituents concerns which are as follows:
  - No provision of health care facilities and adult education

- Issues with access and traffic

- MP subsequently raised objections which are included within the above list.

#### 5.5 Campaign Protection Rural England (CPRE)

The CPRE raised a number of questions specifically

- Is this sustainable in general?;
- Is this sustainable given requirements for food security to use agricultural land?
- Does it enhance the amenity of the existing residents?
- Is the granting of an outline planning permission acceptable in principle?

#### 5.6 17/00406/FULEIA

##### Parish Councils

##### Daresbury Parish Council

Delph lane is unsuitable for the large amount of vehicles that will use the new houses when built. The road is very narrow and the drop from the new junction appears to involve a steep drop.

##### Moore Parish Council

- The design is of a poor quality.
- No provision for local facilities and not sustainable
- The application should be refused.

##### Sandymoor Parish Council and Moore Parish Council

- Keckwick Lane Canal bridge should not be allowed to close until the new junction is fully opened as it will limit access to Sandymoor and Moore
- Concerns over the signalisation/ closure of the Keckwick lane under bridge. As well as signalisation widening should take place.
- Keckwick lane west underbridge should remain open to vehicles as access schools and amenities.
- Delph lane railway bridge should be signal controlled unless the new canal bridge and spine road completed.
- Before phase2 is approved the bridge and spine road must be under construction.
- S106 required for the funding of the new bridge and construction and completion of the spine road with a trigger point for commencement before consent is granted for phase 2 housing.

- An obligation must be placed on Redrow to use the rail tunnel for pedestrians and cyclists at poplar farm underpass to Sandymoor.
- Concerns over public transport accessibility given the layout and no spine road
- Poor quality design.
- Suggest higher figures for the delivery of infrastructure and compensation for Peel to provide an easement.
- Phasing payments suggested unacceptable.
- Concerns over the viability claims from the applicant.

Note that a more detailed summary is set out in table 4 of this report.

## 5.7 Peel Holdings

Peel on behalf of the Bridgewater Canal Company

- Major concerns regarding piecemeal planning approach
- Absence of strategy to deliver critical infrastructure including marina, new bridge crossing, improvement to the bridgewater canal and linear openspace around the canal.
- No workable proposal for pooled contributions.
- Objection to closing of roads in the area due to the need to inspect and maintain the canal.
- Fails to take opportunities in layout to take account of the heritage asset of the canal.

## 5.8 DSIC Joint Venture (JV)

- Does not accord with the strategic site Framework
- Reduces significantly the extend of high quality employment land available at Daresbury
- Proposal will have a significant and detrimental impact on the masterplan principles set out in the Core Strategy
- Incremental planning applications not considered comprehensively
- Lack of a bus link as required by the Core Strategy
- Lack of transport connectivity
- Does not accord with the Development Plan

## 5.9 Representations following neighbour consultation

Representations have been received and they raised the following issues:

- Noise and light pollution during construction
- Increase in traffic
- Pollution from construction traffic
- Access to existing properties

- Need for gates to property
- Parking restrictions near to existing properties
- Creation of a dark alley
- Compensation for impact on property and business
- There should be no change to utilities to existing properties
- Keckwick lane should remain open as a 2Km diversion to Moore in unacceptable.
- Congestion problems on the expressway
- Roads to narrow
- No buffer in front of homes
- Poor design and layout
- Removal of hedgerows
- Access issues
- Vehicle tracking needed
- Too dense
- Lack of thought given to existing properties
- Loss of property prices
- Loss of natural beauty and rural feel
- Should has considering purchase of existing properties
- Too close to railway
- Vibration issues from the rail line
- Impact on wildlife
- Flooding issues
- Need to know finished floor levels and roof heights
- Want to know declared relationships between land owner and council members involved
- Object to closure of underpass to vehicles and need to access local amenities on Sandymoor and Moore
- No openspace buffers
- Object to the potential of social/cheap housing as will affect property prices
- How will existing properties be made secure
- Daresbury village will become more congested
- No provision of health care facilities and adult education
- Issues with access and traffic
- Unsafe highway junctions
- Need for speed reduction measures
- Needs the essential infrastructure
- Contrary to policies in UDP in terms of viability and not providing affordable housing
- Effect on business
- Light pollution

- Pollution from construction
- Impact of a marina opposite my home
- housing shortage could be solved by cutting immigration and regulating wealthy individuals and developers who bolster personal fortune at the expense of the many and the environment
- object to closure of underpass to vehicles and need to access local amenities on Sandymoor and Moore
- Poor public transport links
- Effect on financial viability of phased applications
- MP forwarded on Constituents concerns which are as follows:
  - No provision of health care facilities and adult education
  - Issues with access and traffic
  - MP subsequently raised objections which are included within the above list.

**5.10 17/00407/OUTEIA**

**Sandymoor Parish Council and Moore Parish Council –**

- Keckwick Lane Canal bridge should not be allowed to close until the new junction is fully opened as it will limit access to Sandymoor and Moore
- Concerns over the signalisation/ closure of the Keckwick lane under bridge. As well as signalisation, widening should take place.
- Keckwick lane west underbridge should remain open to vehicles as access schools and amenities.
- Delph lane railway bridge should be signal controlled unless the new canal bridge and spine road completed.
- Before phase2 is approved the bridge and spine road must be under construction.
- S106 required for the funding of the new bridge and construction and completion of the spine road with a trigger point for commencement before consent is granted for phase 2 housing.
- An obligation must be placed on Redrow to use the rail tunnel for pedestrians and cyclists at poplar farm underpass to Sandymoor.
- Concerns over public transport accessibility given the layout and no spine road
- Poor quality design.
- Suggest higher figures for the delivery of infrastructure and compensation for peel to provide an easement.
- Phasing payments suggested unacceptable.
- Concerns over the viability claims from the applicant.

Note that a more detailed summary is set out in table 4 of this report.

## 5.11 Peel Holdings

Peel on behalf of the Bridgewater Canal Company

- Major concerns regarding piecemeal planning approach
- Absence of strategy to deliver critical infrastructure including marina, new bridge crossing, improvement to the Bridgewater Canal and linear openspace around the canal.
- No workable proposal for pooled contributions.
- Objection to closing of roads in the area due to the need to inspect and maintain the canal.
- Fails to take opportunities in layout to take account of the heritage asset of the canal.

## 5.12 DSIC Joint Venture (JV)

- Does not accord with the strategic site framework
- Reduces significantly the extend of high quality employment land available at Daresbury
- Proposal will have a significant and detrimental impact on the masterplan principles set out in the Core Strategy
- Incremental planning applications not considered comprehensively
- Lack of a bus link as required by the Core Strategy
- Lack of transport connectivity
- Does not accord with the Development Plan

## 5.13 Representations following neighbour consultation

Representations have been received and they raised the following issues:

- Not been consulted about amendments to the types of housing as previously four and five bed housing was planned.
- Joining Delph lane and the spine road is not necessary
- Lack of clarity of stopping up of Delph lane
- Not enough amenities in the area.
- headlights shining into properties
- lack of public transport
- contrary to phasing in the plan
- should be built out as whole
- lack infrastructure including spine road
- Noise and light pollution during construction
- Increase in traffic
- Pollution from construction traffic

- Access to existing properties.
- Need for gates to property
- Parking restrictions near to existing properties
- Creation of a dark alley
- Compensation for impact on property and business
- There should be no change to utilities to existing properties
- Keckwick lane should remain open as a 2Km diversion to Moore is unacceptable.
- Congestion problems on the expressway
- Roads to narrow
- No buffer in front of homes
- Poor design and layout
- Removal of hedgerows
- Access issues
- Vehicle tracking needed
- Too dense
- Lack of thought given to existing properties
- Loss of property prices
- Loss of natural beauty and rural feel
- Should have considered purchase of existing properties
- Too close to railway
- Vibration issues from the rail line
- Impact on wildlife
- flooding issues
- need to know finished floor levels and roof heights
- want to know declared relationships between land owner and council members involved
- The location of 2 pump stations near to existing residential dwelling
- housing shortage could be solved by cutting immigration and regulating wealthy individuals and developers who bolster personal fortune at the expense of the many and the environment
- object to closure of underpass to vehicles and need to access local amenities on Sandymoor and Moore
- no openspace buffers
- object to the potential of social/cheap housing as will affect property prices
- how will existing properties be made secure
- Numbers of properties too high
- Offices would industrialise the area.
- Recreational walks should be maintained for health of the residents
- Impact on Daresbury Village
- Inconsistencies in the plans as one shows a marina

- Issues with closing the canal bridge
- Issues with access and traffic
- Needs the essential infrastructure
- Contrary to policies in udp in terms of viability and not providing affordable housing
- Poor public transport links
- Effect on financial viability of phased applications
- MP forwarded on Constituents concerns which are as follows:
  - No provision of health care facilities and adult education
  - Issues with access and traffic
  - MP subsequently raised objections which are included within the above list.



## 6. **POLICY ASSESSMENT**

### 6.1 **Development Plan**

#### Principles of Development of the Daresbury Strategic site

The Development Plan for Halton consists of the Halton Core Strategy, the remaining saved policies from the UDP, and the Joint Merseyside and Halton Waste Local Plan.

6.2 The following provides an overview of the key relevant general policies together with the specific Core Strategy Policy CS11. Other detailed policy issues are addressed later through the relevant sections of the report. Other detailed policy based development control matters are also dealt with later in the report.

- Policy CS1 – Halton’s Spatial Strategy identifies the quantum and broad location of development across the borough including the identification of four Key Areas of Change (KAoC) of which the application sites are identified within the East Runcorn Key Area of Change.
- Policy CS2 – ‘Presumption in Favour of Sustainable Development’ repeats NPPF and is discussed below in the report
- Policy CS4 – ‘Employment Land and Locational Priorities’, seeks to provide for employment land over the plan period. The sites include employment land and discussion of this is dealt with below in the analysis of policy CS11.

### 6.3 **Policy CS11- East Runcorn**

The three applications relate to land within the area subject to Core Strategy Policy CS11. Specifically, the applications come within that part of the policy described as the ‘Daresbury Strategic Site’. The policy contains a land allocation component together with principles of development. Areas within the Strategic Site are allocated for specific land uses. The policy states that as the identified land is a ‘Strategic Site’ the area will deliver many of the required outcomes intrinsic to the success and future prosperity of Halton. The specific land uses are indicated on Figure 11 on page 82 of the Core Strategy and are further described on page 80.

6.4 There are 6 broad principles of development (described at page 80) which are expected to apply across the Daresbury Strategic Site. These relate to the following matters:

- A requirement for a network of open spaces;
- Timely provision of physical and social infrastructure;
- The requirement for the whole of the development to be served by public transport;
- The promotion of walking and cycling routes and expansion of the greenway network;

- The design layout and style of individual plots to be guided by a design framework; and
  - The requirement to integrate with the existing residential community at Sandymoor.
- 6.5 There is a lengthy Justification section attached to the policy which sets out how to interpret these broad principles.
- 6.6 In assessing the compliance or non-compliance of the applications against Core Strategy Policy CS11 it is therefore necessary to consider whether the resultant land uses would substantially comply with policy in addition to whether they substantially reflect the stated principles of development.
- 6.7 Policy CS11 identifies the area as a Strategic Site and Figure 12 allocates land within the Daresbury Strategic Site. These land allocations are different from the allocation plan for the UDP. Parts of the sites in the UDP are allocated as Open Countryside (S23). As the Core Strategy is a more up to date land allocation, it take primacy, overriding Policy S23 of the UDP.
- 6.8 The housing development proposed by policy CS11 is envisaged to be delivered in 3 phases, as shown in Table 6 within the reasoned justification of Policy CS11. The applications that are the subject to this report cover Phases 1 and 2. Phase 3 relates to Wharford Farm, a separate area of land, and is therefore not material to these applications. In relation to the proposed employment sites, Table 7 (of Policy CS11) also has three phases. The applications that are the subject of this report only relate to Daresbury SIC. Table 8 deals with other infrastructure requirements to support the entire Strategic Site.
- 6.9 Policy CS11 sets out a requirement that 1400 homes and 96,883SQM of employment floorspace should be developed upon the whole Strategic Site. The infrastructure required to deliver the above development is described in the justification to policy CS11. This is set out at pages 83 – 87 of the Core Strategy. Tables 6-8 then specifically identify where this infrastructure is to be delivered to meet the requirements of the proposed development and which developers are responsible for its delivery.
- 6.10 Despite being a strategic policy, CS11 contains no requirement for a single planning application to be submitted in respect of the whole of the Daresbury Strategic Site. However, any individual application should not be inconsistent with or compromise the achieving of the aims of the strategic policy.

6.11 Paragraph 14.5 of the justification refers to a Masterplan. This is referenced purely for historical information. The document predates the policy and has no status with regard to the current applications.

6.12 Degree of Compliance with Policy CS11

Each application needs to be looked at separately. There are three elements in assessing compliance with Policy CS11. These are:

1. Does the propose land use comply with the land allocation set in Figure 12 to the policy?
2. Does the application comply with the principles of the development set out within the policy? and
3. Does the application produce or make sufficient contribution to the infrastructure identified in the policy?

6.13 Compliance Tables (Please read Tables 1 – 3 down each column, not across)

The following tables have been utilised to summarise each applications compliance with CS11.

**Table 1.** - Application 16/00495/OUTEIA

Land Allocation	Principles of Development	Infrastructure
Delph Lane West sector is compliant. Largely compliant but some employment land shown as housing.	<p>Principle 1 As an outline application could be compliant with principle one subject to conditions/ S106.</p> <p>For Principle 2 see infrastructure column.</p> <p>Principle 3 there is no way of knowing if it is capable of compliance. However, pro rata infrastructure can be provided.</p> <p>Principle 4 can be provided by condition.</p> <p>Principle 5 noncompliance cannot be established as no</p>	<p>a. Fails to provide Improvements to existing Delph Lane canal bridge</p> <p>b. Fails to provide Delivery of main vehicular road to link the A56 at Delph Lane with Keckwick Lane, including bridge over Bridgewater Canal</p> <p>c. Fails to incorporate and bring about improvements to George Gleave’s bridge for pedestrians and cyclists</p> <p>d. Fails to provide a marina</p> <p>e. Fails to signalise Keckwick Lane at West Coast Mainline.</p> <p>f. Fails to provide Keckwick Lane Vehicular bridge over Bridgewater canal</p> <p>G. Fails to provide improvements to Keckwick Lane bridge over the Chester-Manchester railway line to accommodate both vehicles and pedestrians/cyclists</p> <p>h. Does provide improvements to Delph Lane bridge under the Chester-Manchester railway line to accommodate two-way vehicular traffic</p>

	<p>design framework has been produced.</p> <p>Principle 6 – with regard to principle 6 they largely exist and can be conditioned.</p>	<p>i. Does provide Pedestrian/cyclist link to Sandymoor at Poplar Farm underpass.</p> <p>j. Fails to provide improvement to A56/Delph Lane junction</p> <p>k. local centre forms part of the application.</p>
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**Table 2.** - Application 17/00406/FULEIA

Land Allocation	Principles of Development	Infrastructure
<p>This only applies to Delph Lane West and compliant with the allocation.</p>	<p>Principle 1 is compliant subject to conditions/ S106.</p> <p>For Principle 2 see infrastructure column.</p> <p>Principle 3 there is no way of knowing if it is capable of compliance. However, pro rata infrastructure can be provided.</p> <p>Principle 4 is complied with and can be provided by condition.</p> <p>Principle 5 noncompliance cannot be established as no design framework has been produced.</p> <p>Principle 6 – with regard to principle 6 they largely exist and can be conditioned.</p>	<p>a. Fails to signalise Keckwick Lane at West Coast Mainline.</p> <p>b. Fails to provide Keckwick Lane Vehicular bridge over Bridgewater canal</p> <p>c. Fails to provide improvements to Keckwick Lane bridge over the Chester-Manchester railway line to accommodate both vehicles and pedestrians/cyclists</p> <p>d. Does provide improvements to Delph Lane bridge under the Chester-Manchester railway line to accommodate two-way vehicular traffic</p> <p>e. Does provide Pedestrian/cyclist link to Sandymoor at Poplar Farm underpass.</p>

**Table 3.** - Application 17/00407/OUTEIA (Hybrid Application part outline part detailed)

Land Allocation	Principles of Development	Infrastructure
<p>This only applies to Central Housing Area and compliant with the allocation with the exception of no inclusion of a marina.</p>	<p>Principle 1 As a hybrid application could be compliant with principle one subject to conditions/ S106.</p> <p>For Principle 2 see infrastructure column.</p> <p>Principle 3 there is no way of knowing if it is capable of compliance. However, pro rata infrastructure can be provided.</p> <p>Principle 4 can be provided by condition.</p> <p>Principle 5 noncompliance cannot be established as no design framework has been produced.</p> <p>Principle 6 – this site is not adjacent to Sandymoor</p>	<p>a. Fails to provide Improvements to existing Delph Lane canal bridge</p> <p>b. Fails to provide Delivery of main vehicular road to link the A56 at Delph Lane with Keckwick Lane, including bridge over Bridgewater Canal</p> <p>c. Fails to incorporate and bring about improvements to George Gleave’s bridge for pedestrians and cyclists</p> <p>d. Fails to provide a marina</p> <p>e. Does provide improvement to A56/Delph Lane junction</p> <p>k. Fails to provide for the local centre.</p>

6.14 It will be apparent from the above tables that there are sufficient non-compliances with Policy CS11 for all of the applications to be treated as departure applications. The assessment of the relevance of the degree of departure from the Development Plan is dealt with further below (Section 9).

#### 6.15 **National Planning Policy Framework**

NPPF paragraph 14 deals with the “presumption in favour of sustainable development”, which is said to be “at the heart of” the NPPF and which should be

seen as “a golden thread running through both plan-making and decision-taking”. It continues (so far as relevant here):

*For **decision-taking** this means:*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - *specific policies in this Framework indicate development should be restricted. {a footnote goes on to list examples of such policies}.”*

6.16 The Council has had regard to the recent case of Suffolk Coastal District Council and Cheshire East Borough Council [2017] UKSC 37 in interpreting these provisions. It will be apparent that there are two limbs to the presumptions under paragraph 14 as to the granting of permission: an unqualified presumption where proposals comply with an (up to date) development plan and a qualified presumption where the development plan is “absent, silent or relevant policies are out of date”. These presumptions are subject to the statutory provisions in section 70(2) Town and Country Planning Act 1990 and section 38(6) Planning and Compulsory Purchase Act 2004 which both stress the potential impact of material considerations which might result in not granting permission notwithstanding compliance with the development plan.

6.17 Specifically, section 70(2) of the 1990 Act states:

- “In dealing with such an application the authority shall have regard to*
- (a) the provisions of the development plan, so far as material to the application,*
  - (b) any local finance considerations, so far as material to the application, and*
  - (c) any other material considerations.”*

*And section 38(6) of the 2004 Act states:*

*“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”*

6.18 Unlike the development plan provisions, these sections contain no specific requirement to have regard to national policy statements issued by the Secretary of State. However, such policy statements may, where relevant, amount to ‘material considerations’.

- 6.19 Halton's development plan is not considered absent, silent or out-of-date. But since the applications (being departure applications) do not accord with the development plan in material respects neither of the limbs of NPPF paragraph 14 apply.
- 6.20 It follows that the presumptions applicable to the applications should be considered in accordance with section 70(2) of the 1990 Act and section 36(8) of the 2004 Act.
- 6.21 In October 2017 the LPA published an updated Strategic Housing Land Availability Assessment. This document demonstrates the LPA has a 7.56 years supply of deliverable housing.
- 6.22 Policies for the supply of housing contained in Halton's Development Plan are therefore considered current. In other words, the determination of these applications must be made in accordance with the Development Plan unless material considerations indicate otherwise.

## 7. ANALYSIS OF REPRESENTATIONS

### 7.1 Introduction

Local stakeholders Sandymoor PC, Moore PC, Peel Holdings, Joint Venture and Network Rail have each provided numerous responses to the extensive set of consultation exercises. Whilst an overall summary of representations received is set out above. Due to the aforementioned local stakeholders having presented extensive observations or objection, their representations are each considered in greater detail below. Issues raised relate to infrastructure provision and can be taken to apply to all three applications.

**Table 4 - 'Summary response of Sandymoor Parish Council' –**

<b>Issue Raised by Sandymoor and Moore Parish Councils</b>	<b>Response</b>
Closure of Keckwick Lane to vehicular traffic should not take place until the new junction of the A558 is opened.	Agree. Timings of closures will be part of a condition requiring further details to be submitted and agreed prior to the commencement of development.
Keckwick Lane underpass of the West Coast Mainline. This is a very important route for residents of Sandymoor and Moore to significantly reduce the number and length of car journeys they will have to undertake should the under bridge be closed.	The closure will be timed at an agreed point in future. It is anticipated that a closure will be limited to vehicular traffic only, therefore cycling and pedestrian movements will be unaffected. Whilst it is hoped that the access will remain open for public transport, there is no guarantee.
Keckwick Lane underpass should be widened and signalised.	Closure of Keckwick Lane at the WCML is a departure from the Local Plan. CS11 calls on for signalisation but not widening. There is no policy requirement for widening at this point. Assessment of this element of departure from the Local Plan is detailed within the comments from the Highways Department in the Transport section of this report.
It is not sustainable development for new housing to have a convoluted route to local amenities that requires car usage, exacerbated by the delivery of a local centre as part of phase 2	The existing pedestrian and cycling links will be unaffected by the proposals. Existing car journeys will be routed further from existing journey patterns. For local services this may lead to increase in the access to local facilities by foot or cycle. The delivery of a local centre is shown as being part of the Outline planning application. There is no guarantee that this will come forward at the same time as the housing. Such investment is



	<p>market led, it is common for population centres to be developed before any associated local centre is delivered. Similar experience of this has been seen at Upton Rocks Widnes, and of late discussions have advanced with a view to attracting a local centre investment at Sandymoor.</p>
<p>Phase 2 is wholly dependent on the proposed traffic light controlled access under a narrow railway arch. A bridge strike or other incident involving the under the railway arch would render part of the Proposal inaccessible. Before phase 2 is approved the Bridge and Spine Rd must be under consideration.</p>	<p>There is no secondary provision for access for the area of the Proposal beyond the railway arch. Preventative measures will be put in place to guard the railway structure from oversized vehicles e.g. height gates. Such provision will be secured by condition. It is not expected that oversized vehicles will frequent the route given there is no through road. Only residential and construction traffic will occupy the land in question.</p>
<p>Redrow's proposal is to downgrade the Delph Lane Canal Bridge and close it to vehicular traffic. There is no undertaking that the new bridge will be constructed and the Spine Rd completed.</p>	<p>Agreed and considered further below.</p>
<p>A legally binding agreement within the S.106 ensuring that the funding for the construction of the new bridge and the completion of the Spine Rd must have been signed by Redrow and stipulating a trigger point for commencement before consent is granted for Phase 2 housing.</p>	<p>The effect of this departure is assessed below.</p>
<p>CS11 Requirement for Cycle/Pedestrian Link at Poplar Farm. Redrow have stated that Network Rail objected to Bloor Home application for a pedestrian connection.</p>	<p>50% of the width of the land beneath the West Coast Mainline rail line, belongs to Redrow and 50% to Network Rail. Network Rail have raised objection that they do not want public access under the WCML. They perceive this to be a risk. The Council is in discussion with Network Rail to reach an amicable solution as a greenway link is a reduction in risk compared to the existing agricultural rights of access/egress.</p>
<p>Obligation must be placed on Redrow to complete negotiations with Network Rail over the use of the railway tunnel for pedestrians and cyclists by means of a planning condition.</p>	<p>If the key landowner involved will not allow access then this part of Policy CS11 is unachievable. The merit of the Proposal has been assessed against such</p>

	shortfalls in policy expectation.																
Redrow layout does not appear to be bus friendly	<p>The lack of a single route through the Strategic Site will have an impact on the bus routes envisaged.</p> <p>Redrow propose to subsidise a bus route for a period of 5-7 years. Whilst an early routing will be convoluted it will be assist with the establishment of a new service. Redrow are developing suitable levels to ensure the future development of a bus route between the Daresbury Business Park and the strategic site. The connection within the site Daresbury Business Park is the responsibility of the corresponding land owner. Redrow have proposed a contribution for costs of a future connection with Daresbury Business Park as part of a section 106 package.</p> <p>The absence of a new canal crossing at Delph Lane is noted. This shortfall in provision has been assessed against the merits of the Proposal.</p>																
There must be a condition that better house types are offered across both sites.	<p>The Council disagrees with the Parish Council assertion that the house types detailed for the 'Detailed' elements of the Proposal are of poor quality. Redrow Homes are a top tier housebuilder known for building aspirational homes. This development will see Redrow develop their heritage line of houses, which can be seen at Lunts Heath Rd in Widnes. This house type is acceptable in terms of design and is in keeping with the standards set by Sandymoor.</p>																
<p>Phasing Mechanism</p> <table> <tr> <td>Plots</td> <td>£/Plot</td> </tr> <tr> <td>0-100</td> <td>£nil</td> </tr> <tr> <td>101-200</td> <td>£9,000</td> </tr> <tr> <td>201-300</td> <td>£10,000</td> </tr> <tr> <td>301-400</td> <td>£11,000</td> </tr> <tr> <td>401-500</td> <td>£12,000</td> </tr> <tr> <td>501-850</td> <td>£13,000</td> </tr> <tr> <td>Total</td> <td>£8,750,000</td> </tr> </table> <p>Parish Council set out above to enable money to be specifically set aside from roof tax payments</p>	Plots	£/Plot	0-100	£nil	101-200	£9,000	201-300	£10,000	301-400	£11,000	401-500	£12,000	501-850	£13,000	Total	£8,750,000	<p>Comments are noted. S106 discussions have moved on and are detailed in the S.106 section of this report.</p> <p>As stated previously, the scheme is a departure from policy. Any shortfall in</p>
Plots	£/Plot																
0-100	£nil																
101-200	£9,000																
201-300	£10,000																
301-400	£11,000																
401-500	£12,000																
501-850	£13,000																
Total	£8,750,000																

to go towards cost of compensating Peel Holdings for the required easement as well as the actual cost of building the bridge.  The remaining area of the central housing area not part of the Proposal is capable of supporting more than 100 homes. Redrow have proposed 850 homes. Only 950 were proposed for phases 1 and 2 of the Strategic Site. Therefore it is anticipated a further departure will take place.	policy requirements has been measured against the merits of the Proposal.
Sales revenue should be increased to 250 SQFT. Building Costs should not increase as they have been established.	Viability has moved on and is discussed further in the body of the report.
To make sense of Redrow's viability assessments for these sites a meeting should be arranged to go through these costs in detail.	This is not appropriate. However, viability has moved on and is discussed further in the body of the report.

**Table 5. - Summary Discussion of Network Rail Correspondence.**

Network Rail Comments	Council Response
Concerns regarding bridge strikes at underpasses of Keckwick and Delph Lane.  <ul style="list-style-type: none"> <li>· Improved bridge signing/lighting</li> <li>· Traffic calming/single lane traffic control</li> <li>· Provision of collision protection beams</li> <li>· Advanced signing</li> </ul>	There is no secondary provision for access for the area of the Proposal beyond the railway arch. Preventative measures will be put in place to guard the railway structure from oversized vehicles e.g. height gates. Such provision will be secured by condition. It is not expected that oversized vehicles will frequent the route given there is no through road. Only residential and construction traffic will occupy the land in question
Concerns regarding drainage. NR make representation that they would want all drainage to be routed away from their land.	The Applicant has made clear that it has existing drainage rights through NR property. The issue of drainage rights are private matters between the Applicant and NR and will remain unaffected by the grant of planning permission. Notwithstanding the LLFA have assessed the surface water drainage proposal put forward by the Applicant and are satisfied that the drainage runoff rate will be within the existing greenfield water runoff rates within the existing drainage rights. A condition will be attached to a permission requiring detailed drainage details to be submitted and agreed by the Council prior to the development commencing on site.
If not already in place, the Developer must provide, at their own expense, a suitable	This request cannot be imposed as a planning requirement.

trespass proof steel palisade fence <b>of at least 1.8m in height</b> adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon or over-sailing of Network Rail land.	
Acoustic fencing / close boarded fencing that is proposed to be installed along the boundary with Network Rail is a cause for concern. Therefore the acoustic fence and its foundation design would be subject to the Network Rail Asset Protection Engineer approval. Any acoustic fencing should be set back from the boundary with Network Rail by 1m. Suggested condition.	All planning proposals are contained within the red line edge. Concerns regarding proximity to third party land are not concerns of the planning system.

**(Note to Table 5** - Network Rail (NR) have provided no direct objection to the scheme as proposed under planning applications 16/00495/OUTEIA and 17/00406/FULEIA. However, NR present two obstacles, the Greenway route under the WCML at Poplar Farm and the surface water drainage scheme that drains across their land. These issues will be discussed in greater detail within the Highways and Drainage sections. The remaining discussion points raised by Network Rail are summarised in the table below. Relevant conditions put forward by Network Rail feature in the schedule of conditions that follow this report).

**Table 6.** – Summary of objections raised by Peel Holdings

Peel Objection	Council Response
Local centre and Marina are not incorporated together	The delivery of a local centre is shown as being part of the Outline planning application. There is no guarantee that this will come forward at the same time as the housing. Such investment is market led, it is common for population centres to be developed before any associated local centre is delivered. Similar experience of this has been seen at Upton Rocks Widnes, and of late discussions have advanced with a view to attracting a local centre investment at Sandymoor. A separate delivery of a local centre would still meet the overall objectives of policy CS11. Issues to the Marina are set out below.
New Marina absent from proposal	This is covered below.
Absence of pooled contributions for future delivery of the Marina	This is covered below.
Proposed residential development on land allocated for a Marina in CS11 (Figure 12)	This is covered below.
No clear worthwhile green corridor/linear	This is covered below.

country park along the route of the Canal	
No open space contribution towards open space and wider improvements along the BWC corridor	This is covered below.
No improvements to existing canal bridge structures	This is covered below.
No improvements to the Bridgewater Canal	This is covered below.
Proposal has no integration with the Bridgewater Canal or appreciation for it as form of linear open space	Interfaces with the BWC form part of the Outline applications proposals. Final design matters are reserved for a future reserved matters application.
Closure of the Highways Keckwick and Delph Lane	This is covered below.
Access to the BWC for maintenance	No routes will be closed until the new junctions are opened. Service access will be granted to Peel beyond the highway closure in the form of collapsible bollards.
Objection to the discharge of surface water drainage into the BWC	This is covered below.
Lack of financial viability for remaining lands to deliver absent infrastructure	This is covered below.
Absence of sufficient land set aside along the BWC to create the Linear Park envisaged by the Core Strategy 'linear country park'.	This is covered below.
Absence of bus link to Daresbury Park	This is covered below.
Concerns over a future interface between the Canal and an employment site	Final design matters are reserved for a future reserved matters application. However, the precedent for a commercial interface with the BWC was set by the adoption of CS11 as part of the Core Strategy.

**(Note to Table 6 - Peel Holdings are the owners of the Bridgewater Canal Company).**

**Table 7. - Summary of objection raised by DSIC Joint Venture (JV)**

JV Points of Objection	Council's Response
Lack of comprehensive approach to the strategic policy CS11	There is nothing preventing the Ad-Hoc applications being submitted. The Council considers that it is properly approaching the policy CS11.
Loss of 6 HA of employment land	This is covered below.
Lack of transport connectivity	This is covered below.
The development poses critical impact on viability DSIC future development. Reduced amount of land will lead to taller more closely located buildings costing more to	This is covered below.

build.	
No bus link between Daresbury Business Park and DSIC	This is covered below.
The creation of a new junction on to the A558 will change traffic patterns through DSIC	This is covered below.
This land is extremely important to the delivery of the DSIC masterplan and to meet the aspirations of the DSIC partners and Central Government in creating a successful enterprise zone. Increasing the development by this magnitude will have a critical impact on the key infrastructure costs, most notably the provision of car parking spaces and an inevitable increase in the scale of structure multi-level car parking.	The DSIC masterplan referred to is not a statutory development plan and has limited relevance. The JV have not set out how the proposal will have such an impact The DSIC masterplan clearly contradicts land allocations of Figure 12 in Policy CS11.

**(Note to Table 7 – The Joint Venture is a partnership that comprises of the Science and Technologies Facilities Council, Halton Borough Council and Langtree).**

## **8. ASSESSMENTS BY CATEGORY OF MATERIAL CONSIDERATIONS**

### **8.1 Scheme Evolution**

The scheme has undergone alterations from that as originally submitted. Such changes have been limited to the details concerning Highways and Surface Water drainage design. Further submissions have been made on the viability of the scheme addressing the financial value of the scheme, looking in detail at costs and completed development values, the cost of infrastructure, and the potential for funding qualifying planning obligations. Other changes to the scheme have been limited to the accompanying documentation comprising of the Environmental Statement.

### **8.2 Housing**

The three applications detail a total of 850 new dwellings of which 417 are seeking detailed consent. The new dwellings will mainly comprise 2, 3, and 4 bedroom houses, the majority of which are detached having individual garages and or private driveways, and relatively large family gardens. The scheme includes the provision of approximately 5.96 hectares of on-site public open space including the adaptation of an existing pond for surface water retention and areas of incidental landscaping.

8.3 As stated earlier in this report, the LPA can demonstrate in excess of a five year land supply. If the housing units represented by these applications were delayed in coming forward, this delay could prejudice the five year land supply position and housing trajectory. This represents a very significant material consideration.

### **8.4 Density**

Planning permission is sought for the erection of 850 dwellings on a site area of approximately 46.71 hectares (18 dwellings per hectare) and 15,000 SQM of employment floorspace on approximately 29HA.

8.5 There is a density target in policy CS3, but that policy is a generic policy that applies unless a specific policy supersedes it. The constraints on this site have been taken into account by CS11 in its calculation for projected house numbers on the Daresbury Strategic Site. The applications represent densities less than that implied by Policy CS3 but the densities are in full compliance with CS11.

8.6 Overall the lower density is considered acceptable in order that the proposal reflects the existing character of the surrounding area and when balanced against wider design and character considerations within national and local planning policy.

### **8.7 Employment**

The application 16/00495/OUTEIA proposes 15,000QM of employment floorspace in outline only. The principle of employment shown within 16/00495/OUTEIA is considered acceptable as it complies with the land allocations in CS11. The employment would contribute to the wider provision of office floorspace to be delivered in the area. All matters apart from access have been reserved. The access issues have been dealt with in the Highways section of the report. The layout, scale,

landscaping and appearance have all been reserved for future consideration and would be considered as part of a reserved matters application.

- 8.8 The northern parcel of the proposed employment will be accessed off Keckwick Lane. Through traffic on Keckwick Lane is to be restricted as part of the application proposal. Detailed arrangements showing the restrictions will be part of a suitably worded condition.
- 8.9 There is no generic employment density target to that of Policy CS3. Policy CS11 gives a strategic site wide target of 96,883SQM for the allocated 26HA of land shown in figure 12 of CS11. This presents a basic figure of 3692 SQM per ha.
- 8.10 The written objections of the Joint Venture have been considered. To ensure that the 96,883SQM target is not undermined the Council has undertaken a review of recent developments at DSIC shown at Table 8 below.

**Table – 8.** Employment Development Densities at Daresbury Strategic Site

App ref:	SQM (SQM per ha)	Site Reference	Relevant Core Strategy Phase
<u>Delivered</u>			
09/00244/FUL	4,500	225 (UDP)	Phase 1
13/00349/FUL	5,421	225 (UDP)	Phase 1
<u>Proposed</u>			
16/00495/OUTEIA	2,000		Phase 1 & 2
17/00556/FUL	5577.58	225	Phase 1

- 8.11 The above developments at DSIC represents 4,500 – 5,500 SQM per ha. It is obvious that the densities being achieved are considerably higher than those implied in Policy CS11. It follows that the loss of 6ha of employment land would not compromise the CS11 policy goal of achieving 96,883SQM employment floor space within the Daresbury Strategic Site. The recent review of build out rates at DSIC show that the Core Strategy target can be achieved with 20ha of land.
- 8.12 The LPA understands the concerns of the JV that the proposed development is significantly below the established trend of employment development density (approximately 2000 SQM per ha). The Council also understands the Applicant’s reason for limiting the employment floor space to 15,000SQM due to access constraints onto the site. In order to resolve this apparent conflict between the application and the JV representations, the LPA will impose a condition that a minimum employment density be achieved of 5000sqm per ha.
- 8.13 It should be noted that the employment aspect of the proposal is outline and therefore establishes the principle that the area of land is suitable for employment and that suitable highway conditions are available to sustain the traffic generated from such a level of floor space.



8.14 Local Centre

A local centre is proposed by application 16/00495/OUTEIA. The local centre will feature 3000SQM of floor space. No unit will exceed 280SQM (Use classes A1-A5 and D1). The local centre complies with UDP policy TC6 and CS5. Peel raise concern that the marina and the local centre not occupying the same location is a missed opportunity. Whilst a marina may have provided a focal point for the local centre, it is the LPA's position that the separate delivery of the marina and local centre would still meet the objectives of policy CS11. This element of proposed development is not considered a departure.

8.15 Highway Comments

The highway and transportation impact of the applications have been assessed by the Council's Highways Department. Assessment covers two broad categories, the impact on existing highway network and the safety and overall standards of the proposed new highways works.

8.16 The primary means of access for the applications are onto the A558 and the A56. Both access points require extensive development works.

8.17 *(Note - This next section only deals with planning applications 16/00495/OUTEIA and 17/00406/FULEIA)*

8.18 Transport Assessment/Junction Proposals/Future Traffic Capacity

The access proposal differ from that originally envisaged in the Council's Core Strategy Policy. However, it is envisaged that the new A558 access and corresponding north-south spine road of 16/00495/OUTEIA & 17/00406/FULEIA will eventually link up with the east-west spine road and new A56 access.

8.19 The Applicant has submitted traffic modelling concerning the capacity of the new A558 junction over the development build out period for the following committed development. This does not include all of the development included in the Core Strategy Strategic Site:

- Further 28,000m<sup>2</sup> of employment at Sci Tech
- Further 47,699m<sup>2</sup> of employment at Daresbury Park
- Sandymoor North
- Sandymoor South

8.20 It is clear that to deliver any development beyond that described above would require dualling of the A558. Funding and a delivery strategy can be formulated to deliver the dualling of the A558 prior to 2030. A Section 106 contribution mechanism has been broadly agreed with the Applicant that will contribute toward a project to the A558 dualling project. It is considered that this development will cover its share of the necessary infrastructure costs for the whole of the East Runcorn development.

8.21 The proposed A558 junction has been designed to be future proof for a future A558 dualling project which, upon completion, would then support the development

objectives of Policy CS11. Therefore the Highway Authority does not object to the application on these grounds subject to appropriate contribution under a planning obligation.

8.22 Layout/Highway Safety/Levels (including Keckwick/Delph Lane connectivity and Emergency access)

Although the main features of the applications are acceptable in highway terms, a number of relatively minor issues remain outstanding. These are expected to be addressed by detailed design plans and can be resolved by condition. A condition will be required for submission of details of vertical and horizontal alignment of new highway works.

8.23 Core Strategy Policy CS11 sets out at pages 88-90 the envisaged infrastructure required to deliver the headline development requirements. In summary, these requirements are the use of existing infrastructure at Keckwick Lane over the Bridge Water Canal (BWC), Keckwick Lane underpass of West Coast Main Line (WCML) Bridge, the bridge over the Chester - Manchester railway, and the underpass to the Chester – Manchester railway at Delph Lane. The Applicant proposes to deliver signalised two way traffic improvements at the Delph Lane underpass of the Chester – Manchester railway in line with the requirement of Policy CS11. The proposals regarding the other matters do not comply with policy.

8.24 The Applicant's report on Keckwick Lane recommends a restriction on motor vehicles at the Keckwick Lane underbridge. The Highway Authority agree that this is an acceptable solution, subject to conditions to secure it.

8.25 The Applicant's Delph Lane report recommends a restriction to motor vehicles, and it is noted that there have been no responses at Redrow's public consultation in respect of a proposed closure. A closure would allow the existing Delph Lane to be used as a Greenway route, linking early phases of development to Sandymoor and Moore schools by foot/cycle. The Highway Authority agree that this is an acceptable solution subject to conditions.

8.26 The Applications do not contain provision for an overbridge of the BWC at Keckwick Lane. The conclusions regarding the access to the A558 (stated above) mean that the Highway Authority accepts that such a provision is no longer needed in the context of these applications.

8.27 The layout of the 17/00406/FULEIA application is acceptable, subject to confirmation of details on levels. The Outline layout will be part of a future reserved matters application. The proposals are acceptable in highway safety terms.

8.28 Servicing

Provision for service vehicles has been made. Concerns have been raised that service vehicles will not be able to access properties as per existing arrangements e.g. septic

tank servicing properties on Delph Lane. The existing highway of Delph Lane will be widened, Keckwick Lane will be realigned in places. At no point will a carriageway be narrowed. Therefore, if a property is currently able to be serviced it will be serviced upon completion of the proposed development.

8.29 Emergency Access

Emergency access will be provided either in accordance with the applications themselves or by condition.

8.30 Access via Sustainable Modes

The applications propose delivery of walking and cycling routes, with the provision of combined cycleway/footways on all spine roads, linkages to Daresbury village over the new A56 junction to the south east, and to the north and west links under the West Coast Mainline at Keckwick Lane via restriction to through traffic and conversion to greenway and links to the Bloor development site on the west side of the railway, which are then planned to be continuous through to Sandymoor School. Restrictions to Delph Lane would allow this route to be converted into a 'Greenway' (walking and cycling route). See below regarding contributions to Greenway improvements under a proposed planning obligation. The connectivity will be maintained in the context of the Greenway status.

8.31 Construction Phase Considerations

The Applicant has proposed a number of measures as part of the Construction Environment Management Plan (CEMP). These are considered to be broadly acceptable but will require further details. Compliance with the final CEMP will be secured through use of a planning condition.

8.32 Public Transport Provision

The proposed contribution to public transport provision is dealt with in the report section further below.

8.33 Parking Provision

Concerns have been raised with respect to insufficient parking provision with particular regard to visitor vehicles parking on the road. The proposed car parking provision complies with policy. Illegal parking obstructing highways would have to be reported to the Police.

8.34 *(Note - This section only deals with planning application 17/00407/OUTEIA except in relation to the bridge crossing at Delph Lane over the Bridge Water Canal (BWC)).*

8.35 Transport Assessment/Junction Proposals/Future Traffic Capacity

The primary means of access for this development is via a new signal controlled junction onto the A56 at the location of the existing Delph Lane/Daresbury junction, with the potential to serve a new east-west spine road. This is policy compliant.

8.36 Access to the existing Delph Lane would be enabled from the new spine road, and it is proposed as part of this phase of construction that Delph Lane is restricted to

through traffic at the canal bridge forming a 'T' shape cul-de-sac. The final design and implementation/timing of this would need to be subject to a condition.

8.37 Core Strategy Policy CS11 sets out at pages 88-90 the envisaged infrastructure required to deliver the developments. In the case of application 17/00407/OUTEIA the identified infrastructure is limited to over bridge to BWC at Delph Lane and bus connection with Daresbury Business Park.

8.38 Both applications 16/00495/OUTEIA and 17/00407/OUTEIA relate to the Central Housing Area. The policy requirement for a bridge at Delph Lane over the BWC is common to both applications. Neither application includes the provision of a bridge. However, it is envisaged that a future application, for the remaining land in the Central Housing area, but outside of the three current applications, would come forward with the provision of a bridge. The general road proposals (subject to the principles stated above) are compliant with the Core Strategy.

8.39 It is important to note that comments on the previous two applications above relating to: public transport provision, servicing, layout, highway safety, Keckwick/Delph Lane connectivity, emergency access, access via sustainable modes including walking and cycling, construction phase considerations, levels, and parking would all also apply equally to this application.

8.40 Drainage and Flooding

Foul and surface water drainage schemes have been proposed as part of the applications submission. Foul drainage is to be pumped to existing mains sewers. Surface water drainage will drain to neighbouring land; specifically, in the case of the applications 16/00495/OUTEIA and 17/00406/FULEIA the surface water scheme will drain using existing drainage rights across Network Rail land via culverts under the WCML. In the case of application 17/00407/OUTEIA the surface water will drain to the BWC using a mixture of open SUDs and existing water course system at greenfield runoff rates to the BWC.

8.41 These proposals have been assessed by the LLFA, comments from which are copied below. By way of summary, the surface water proposals are acceptable in principle subject to further design. A condition for the final design of surface water drainage will be attached to all planning permissions granted.

8.42 LLFA Comments

17/00406/FUL and 16/00495/OUTEIA - Delph Lane West and Central  
The LLFA notes (from supplementary note January 2017) that the developer proposes to drain surface water from both sites via **2 No.** existing culverts (900 and 450mm) under the West Coast Main Line (WCML) to replicate existing greenfield runoff from the site. Water, flowing through these culverts, ultimately outfalls into Keckwick Brook via a piped watercourse, which crosses the adjoining land to be

developed by Bloor Homes. The watercourse across the Bloor site is to be improved as part of their development. However it is noted that only one of the Network Rail culverts is currently in operation, and further work is required to re-establish both connections, in accordance with the calculations provided (and sizing of watercourse through the Bloor land).

- 8.43 There is no positive connection currently provided between the existing application site and the Network Rail culverts apart from an unconfirmed drain in the embankment toe along the railway. It is therefore necessary for the developer to make agreements with Network Rail to place headwall structures upon their land to provide positive connection to the culverts, to avoid significant surface water flood risk to properties due to lower land levels near the entrances to the two culverts. It is understood that these negotiations are ongoing (agreement in principle has been secured) and that these connections will need to be secured by condition. Upstream of this the applicant has designed an indicative adoptable (by United Utilities) drainage system and the details of this will be subject to condition.
- 8.44 The route of drainage from the central site under the Manchester to Chester railway is also unclear and further details are still to be provided by the developer (however greenfield runoff from the whole of this catchment has been included in the outfall calculations). As this is an outline application the supply of this information can be secured by condition, including whether the fishing pond can be included as part of the system and connected to the southernmost of the new headwalls.
- 8.45 Further information is also required on system capacity during the 1 in 100 year + climate change storm event , with flow attenuated to greenfield run off, including those areas which flood and exceedance flow paths. It is recommended this is included in the condition.
- 8.46 Contrary to the Flood Risk Assessment and Drainage Strategy the applicant has confirmed that soakaway testing had come back negative and therefore cannot be used. A summary of findings should be provided to the LLFA / LPA and secured by condition.
- 8.47 The Delph Lane East site (17/00407/OUTEIA) is proposed to drain to two outfalls into the Bridgewater Canal via existing partly piped watercourses. Most of the site is within watercourse catchment and so will be attenuated to appropriate levels. For a small part of the outline site a condition is required for a Sustainable Urban Drainage System to replicate existing greenfield runoff directly from the fields into the canal.

8.48 Objections to the Surface Water Drainage Schemes

The proposed surface water drainage schemes involve third party interests, including those of Network Rail and Peel Holdings.

8.49 Network Rail own and manage the WCML. Redrow propose to drain application 16/00495/OUTEIA and 17/00406/FULEIA by way of existing land owner drainage rights through existing drainage. Redrow has sought to acquire a letter of comfort from Network Rail indicating their landowners consent to the development of a drainage scheme across their land. However, this has not been achievable during the determination of this application. A condition will be attached to the relevant planning permissions requiring detailed drainage scheme plans to be submitted and approved prior to development taking place.

8.50 Peel Holdings are the owners of the Bridge Water Canal (BWC). Application 17/00407/OUTEIA has a surface water drainage design that ultimately drains to the BWC. Redrow have designed this drainage scheme so that it will replicate the existing greenfield water runoff rate. Peels object that no drainage scheme has been agreed that would allow Redrow to use the BWC as the method for drainage. Peel raise two specific objections:

- The drainage will not be the same due to the amount of hard surfacing proposed by the development; a throttled discharge point into the BWC will last for a longer period of time due to the loss of green field permeability.
- Peel object that single point sources of discharge will have a greater velocity impact compared to field width drainage, an issue for watercraft.

8.51 This is a private matter between the affected parties, any planning permission granted by the Council would still be subject to matters of private property and drainage law. The proposed drainage schemes have been assessed by LLFA and are acceptable in principle but require further design considerations which will be secured by condition.

8.52 Peel Holdings put forward that the following wording be attached to a surface water drainage condition draining to the BWC:

- Silt traps and oil interceptors will be required within the development to seek to ensure the quality of the runoff. A scheme for the management of the silt traps and interceptors in perpetuity will need to be approved to the satisfaction of the LPA. Outfall to the BWC should not exceed flow velocity of 0.5litres per second at any one drainage point.

8.53 The LLFA have responded to say that it is reasonable to ensure water quality in runoff and a condition will be attached to ensure this. However, there are other alternative means of ensuring quality runoff. A suitably worded condition will be attached to a planning permission.

8.54 The second point raised by Peel concerns outfall velocity. It is not reasonable to limit the outfall at any one point to the BWC, it is the Council's view that the majority of

the catchment greenfield runoff currently drains via a watercourse to a single point in the canal and will be at a significantly greater rate than stated by Peel.

8.55 In conclusion, the overall surface water drainage strategy is acceptable in principle subject to the provision of suitably worded conditions.

8.56 Residential Amenity

8.57 Outlook

Neighbouring residents have expressed concern over the impact that this development will bring to their existing outlook. It is inherent from the allocation of land by the Local Plan that the Daresbury Strategic Site is to deliver 950 homes and 96,883QM of employment floorspace and that their outlook will be affected as a result of this development. The development proposals comply with the SPD on new residential development. However, loss of outlook is an inevitable consequence of the development of allocated land in Policy CS11.

8.58 Criticism has been made by Delph Lane West residents concerning the lack of a green space buffer adjacent to their properties. Such a buffer is not required by planning policy and the main spine road does not pass the front of these properties. It should be noted that a buffer is deemed required at the eastern end of Delph Lane to separate properties from the main spine road, which has been addressed by application 17/00407/OUTEIA.

8.59 Noise and Vibration

As part of the LPA's assessment, it has taken advice from its internal advisors on noise pollution and no objection has been raised. The mitigation measures put forward by the Applicant's noise consultant will be secured by a condition.

8.60 Construction

A consequence of a development of this size is that there will be disturbance from construction activities. It is not for the planning system to repeat existing control regimes. However, planning is empowered to limit such impacts on amenity where reasonable. The Applicant has put forward a Construction and Environment Management Plan (CEMP) covering the matters typically associated with construction led amenity impacts. The terms put forward in the CEMP are considered acceptable and will be conditioned to ensure their compliance.

8.61 Materials

Conditions relating to materials to be used, landscaping and highways provision are also required to ensure the quality of the final schemes.

8.62 Services

Several objectors are concerned about the impact of the additional population on medical facilities and other community services. The difficulty of getting a doctor's appointment is not unique to this area and there is no specific evidence that the needs of the development cannot be reasonably accommodated.

8.63 Design and Layout

Design and layout is the subject of the adopted Residential SPD. For the outline applications they would be required to comply with this SPD and provide an acceptable design. For the detailed applications they are considered to comply.

8.64 It is considered that appropriate separation and privacy is provided within the site and that more than sufficient separation distances are maintained to existing and surrounding properties. The provision of on-site open space is considered to make a significant contribution to the character and quality of the schemes.

8.65 The proposals are considered to accord with the principles of high quality design in terms of the indicative layout, the mix and types of dwellings and the relationship between the built environment and proposed green corridors that encourage biodiversity and recreation.

8.66 It is considered that the built form and design of the residential schemes are of a good quality and will continue the growth of the East Runcorn Key Area of Change.

8.67 The detailed design of the residential elements of the proposals comply with the Council's SPD for new housing development.

8.68 Environmental Statement (ES)

Each application is EIA Development accompanied by an Environmental Statement. The accompanying Environmental Statement details a number of subjects which are covered separately in this report. The ES also deals with the following,

- Geology
- Hydrology and Flood Risk
- Air Quality
- Historic Environment
- Landscape and Views
- Socio-Economics
- Waste Management
- Climate Change

8.69 All matters within the ES have been taken into account and do not warrant or justify a refusal. Where they justify additional conditions, these have been incorporated. This includes waste management condition, and a watching brief condition relating to heritage.

8.70 Openspace

The Council's SPD relating to the provision of open space in new development provides further detail to the requirements of saved UDP Policy H3.

8.71 In addition to the open space requirements normally required of residential schemes, Policy CS11 references the creation of a Linear Country Park and improvements to the Bridge Water Canal (BWC) corridor.



8.72 The three applications propose a total of 5.96HA of public open space (POS) and will include the development of 6 local areas of play and a neighbourhood equipped area for play. The proposed open space breaks down as follows:

- Formal POS (Green Gateways) = 0.5ha
- Naturalistic open space and wildlife area = 2.41
- Green Corridors = 2.09ha
- Green buffer= 0.96ha

8.73 Conditions will be attached to planning permissions to secure the delivery of open space.

8.74 All three planning applications will contribute toward planning obligations which will fund the development of a new Linear Country Park and provide contributions toward improvements to the BWC corridor.

8.75 Ecology

The application sites are formed from several parcels of land, the majority of which are undeveloped agricultural land that runs alongside Delph Lane from the junction of Keckwick Lane to the junction of the A56. Delph Lane is bordered by mature trees and hedgerows. The relevant sections of the Environmental Statement have been reviewed by the Council's retained adviser for ecology and they raises no objections subject to conditions. The Environment Agency has confirmed that it raises no objections subject to conditions.

8.77 Many of the predicted environmental impacts identified are capable of being managed and mitigated and a range of measures will be required to do so. All mitigation measures proposed will be secured by way of a planning condition.

8.78 The Council's ecological advisor has raised an observation concerning the loss of two veteran oak trees, estimated to be each 250 years old. Whilst regrettable, it is considered necessary in order to make best use of the land available.

8.79 Daresbury Firs

The Council's ecological advisor also raised comment about the impact on the Daresbury Firs caused by the increased use of Daresbury Firs by the increased numbers of local residents. Payments towards a scheme of protection for the Firs is detailed within the planning obligations section of this report (see below).

8.80 Hedgerows

The loss of hedgerows has been raised as an objection during the consultation exercise. This loss has been assessed in the Environmental Statement and reviewed by the Council's retained ecology advisor who has provided the following comments:

*'Hedgerows on Delph Lane are priority habitat and considered 'important' under the Hedgerow Regulations 1997 due to the presence of native bluebell. The ES Addendum (paragraph 5.69) states that 895m of hedgerow will be lost, however, 843m of replacement more species-rich hedgerow is proposed. Mitigation for native bluebell and hedgerow protection measures are also*

*required. This can be secured through the CEMP (paragraph 21) and Landscape Strategy (paragraph 22)'.*

- 8.81 The relevant hedgerow regulations provide that the grant of planning permission takes hedgerows outside of the protection of those regulations. Therefore the assessment for removal forms part of the wider considerations of the proposal. The loss of hedgerows has been assessed by the LPA's ecology advisors who have considered the submissions in the ES and are of the opinion that appropriate compensatory measures will be implemented. A condition will be attached to the relevant planning permissions that will ensure these compensatory measures are implemented.

**9. DEPARTURE FROM DEVELOPMENT PLAN**

9.1 This section notes various departures by the Applications from the Development Plan. Some departures are strict departures from Policy, and some departures are departures to the Reasoned Justification (and therefore technically the Development Plan). All of these departures constitute material considerations but, some are directly affected by statutory presumptions. The reasons why these applications are considered departures are set out in the earlier Section 6 of this report.

9.2 Loss of Employment Land

The comments in this sub-section refer to planning application 16/00495/OUTEIA due to the proposed housing development on 6Ha of land allocated for employment as shown in Figure 12 of Policy CS11 in the Core Strategy.

9.3 Figure 12 shows a division between housing and employment allocations and CS11 had foreseen employment land uses adjacent to the Chester/Warrington Rail line due to noise impacts from the railway. The Applicant has put forward an alternative proposal with housing development in closer proximity to the rail line. Following assessment, it has been concluded that the proposed housing will meet the required noise standards for new residential development.

9.4 The Applicant has proposed to separate the residential and employment land uses in the Central Housing Area by the use of the main vehicular road through the site. This road must use the existing underbridge on Delph Lane as this is the only available crossing point along the Chester – Manchester rail line. The resulting design separates the employment and residential land uses to either side of that road. This is considered an improvement upon illustrated land allocations shown in Figure 12 because it creates a buffered interface between the two types of development, rather than the two land uses sitting directly abutting one another, which in practice is not desirable due to potential amenity impacts. The approach put forward by the Applicant is considered to be an improvement on the allocation in terms of land use separation and meets the desired needs of the local stakeholders.

9.5 The separation of the land uses is in line with the aspirations of the DSIC Joint Venture who have made clear in their own DSIC Masterplan that they want a private campus with private access routes for security.

9.6 The loss of 6 hectares of employment land to housing is not considered to prejudice the overall delivery of the Strategic Site, for reasons explained in the employment section above.

9.7 The loss of 6 hectares of employment land to housing is a matter to weigh in the planning decision. However, the delivery of new housing in the Borough is a primary concern, and for the purpose of this application the LPA considers that it is acceptable for this section of allocated employment land to be used for housing. Furthermore, the loss of 6 hectares of employment land can be demonstrated to

have no detrimental effect on the policy goal of achieving 96,883 Sq.m of employment floorspace within the Daresbury Strategic Site.

9.8 Improvement / Upgrades to Existing Bridges / Links

The proposals regarding the following bridges / links do not comply with reasoned justification of Policy CS11:

- Provision of Keckwick Lane vehicular bridge over Bridgewater Canal - This is absent from the applications. This is not required for the specific applications. An application to provide this link, if required, could come forward as part of future employment developments.
- Improvements to Keckwick Lane bridge over Chester/ Manchester railway - These are absent from the applications. However, as it is an important part of the application a Grampian style condition can be attached. With this condition this element would no longer be considered a departure.
- Signalisation of Keckwick Lane under West Coast Mainline to allow two way vehicular traffic. This is not being provided by the application, detailed comments on the reasons for this are detailed above.
- Pedestrian link to Sandymoor at Poplar Farm underpass - The expansion of the greenway network is a key principle of Policy CS11. Figure 12 of CS11 clearly shows the use of the existing WCML underpass at Poplar Farm to be used as an access point for the expansion of the greenway network. Network Rail were consulted as part of the public examination for the Core Strategy and provided no objection to the use of the existing underpass at Poplar Farm as a greenway route. The underpass is currently used as a private right of way by a local farmer for agricultural vehicles and will continue to be after the delivery of the approved development (the farm will retain some farmland on the opposite side of the railway to the south west, with the underpass offering the only means of connectivity). A greenway use of this underpass will present no greater risk to the West Coast mainline than the existing agricultural right of way, and provide a much needed lawful crossing of a rail line between the application sites and the existing neighbourhood of Sandymoor and its associated services. Although this footpath link cannot be guaranteed at this stage (making this a departure of CS11), this will be weighed in the planning balance. Notwithstanding, Redrow have proposed the delivery of greenway network element within their proposal boundary. Final design details as well as the securing of its provision in terms of application 17/00406/FULEIA and the details pertinent to a future reserved matters application will be secured by conditions. The Applicant has provided as much commitment and detail as it is able bearing in mind that the Applicant only controls up to the half width of these links. It will require action from those controlling the other half width to ensure that these links are put in. Negotiations between the LPA and Network Rail will also continue in the interests of securing this link.

- Improvements to Delph Lane canal bridge - As covered earlier in this report, this route is proposed to be part of the greenway network and will be utilised as an emergency access route. This is considered to be a downgrade of the exiting route and is therefore a departure from planning policy. However it is considered to be the best outcome given the overall proposal contained within the three planning applications.
- Delivery of main vehicular route to link the A56 at Delph Lane with Keckwick Lane - The applications do not include for this complete main vehicular route. The lack of vehicular connectivity has been dealt with above. Redrow will contribute toward public transport subsidy of public bus routes. Indications from preliminary discussions indicate that the subsidy will last between 5-7 years depending on future operator costs. Further details are included in the planning obligations part of this report. The proposed development can be successfully accessed and serviced by the proposed access arrangements to the highway network in the absence of a new canal crossing. The proposed access arrangements for all applications are considered acceptable and it is anticipated that the proposed canal crossing will form part of a future planning application for the remaining land in the Central Housing Area and be funded by that development.
- Separate bus link to Daresbury Park – A complete link is not being provided as it requires land outside of the Applicant’s control. However, Redrow are proposing a suitable link up to the edge of their site boundary. The remaining section can be delivered as part of development on the adjoining site. Future costs of the connection are contributed by Redrow in the agreed terms of the S.106 agreement. This is a long term aim of Policy CS11 for the Daresbury Strategic Site and would not be expected to come forward at this stage of development.
- Improvements to George Gleaves Bridge - This structure and the routes of access to it are outside of the red line of all three planning applications and are represent land outside of the Applicant’s control. Peel / BWCC, who are owners of the bridge have not provided any evidence to show the bridge is in urgent need of repair. Given that the bridge does not form part of any of these schemes, there is no reason to carry out improvements for its use e.g. re-surfacing to form part of a Greenway expansion. These improvements can be secured when these parcels of land come forward for development. The use of the bridge as part of the greenway network cannot be secured without the consent of Peel.

## 9.9 Marina

Core Strategy Policy CS11 sets out the requirement for a Marina. Figure 12 of the Core Strategy is the Council’s land allocation map for the Runcorn East Key Area of Change. Figure 12 shows the marina as being located on the East embankment of the BWC. It is the LPA’s view that this location is an annotation only and therefore

indicative. This is based on the following observations on CS11:

- i) The marina is marked on Figure 12 by a symbol
- ii) No boundary is indicated for the area of a Marina
- iii) The text of Policy CS11 states provision to be “alongside the BWC around the existing George Gleaves Bridge” and to be delivered including the local centre. The local centre is marked by a symbol on the opposite bank in Figure 12.
- iv) There is no mention as to the size of the Marina in terms of number of births etc.

9.10 The absence of a marina is one of the identified reasons why the application is considered a departure application. However, there is still the potential for a Marina to be developed along the Bridgewater Canal.

9.11 Redrow’s position on the Marina is set out in their submission. Their submission concludes that the east bank is capable of accommodating a 74 birth marina, however, in order to be commercially viable a minimum of 110 births is required. Such a sized marina would have to be located on the West bank of the BWC. No marina has been designed for this location by Redrow’s advisors GJP Marina Developments. Third party rights over this land complicate delivery on the east bank.

9.12 Peels response to this position is summarised as follows:

- The marina does not have to be commercially viable
- Concerned that the future marina will not come forward
- Peel will operate the marina
- Peel will want the land gifted to them
- Peel will want the marina built for them
- Peel will charge a connection fee for the marina to their network

9.13 Addressing each concern the LPA makes the following observations:

- Peel are correct that Policy CS11 does not require the Marina to be commercially viable. However, it is common sense to read into the policy that this an implied requirement.
- Peel are correct to have concerns that a Marina will not materialise or come forward, but this is not a pre-requirement of the Policy.
- Policy CS11 does not state that the Marina has to be built, operated or managed by either the developer of housing site or the commercial developer or anyone else.
- Policy CS11 does not provide an indication as to the size of the Marina required
- Policy CS11 provides no indication as to the form of accommodation that is to be provided by the Marina e.g. tourist or permanent mooring.
- Wording of the policy requires only the reservation of land for the marina
- There is no delivery mechanism for the Marina
- Planning policy is not drafted to grant the transfer of an asset from one party to another
- Policy CS11 does not guarantee that Peel would be the owner and/or operator of

the Marina

- Should a Marina be built, the financing of operations would not be a matter which comes within Policy CS11.

9.14 The Council has considerable reservations about the deliverability of a marina within the Daresbury Strategic Site boundary. Notwithstanding this, the S.106 agreement includes a contribution towards a feasibility study to assess the remaining land in terms of suitability for a marina.

9.15 The marina represents a departure because the marina is not part of any of the current applications and it is considered that there is only a small possibility, due to viability, topography, legal and deliverability constraints that a marina will come forward within the Strategic Site. The lack of marina provision has to be balanced against the provision of housing, and the same reasons for finding an overriding need in favour of housing as described in sections 8.2 and 9.7 apply here. The viability section of this report is also relevant to the balancing exercise that must be undertaken.

## **10. VIABILITY, PLANNING OBLIGATIONS, AND INFRASTRUCTURE FUNDING**

10.1 National Planning Guidance is clear that planning obligations should not threaten a development's viability to the point of making it unaffordable or unprofitable for the developer.

10.2 The National Planning Policy Framework policy on viability applies to decision-taking. Viability is important where planning obligations or other costs are being introduced. In these cases decisions must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth. Where the viability of a development is in question, local planning authorities should look to be flexible in applying policy requirements wherever possible.

10.3 Decision-taking on individual applications does not normally require consideration of viability. However, where the deliverability of the development may be compromised by the scale of planning obligations and other costs, a viability assessment may be necessary. This should be informed by the particular circumstances of the site and proposed development in question. Assessing the viability of a particular site requires more detailed analysis than at plan level.

10.4 A site is viable if the value generated by its development exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken.

### **10.5 Development Viability**

The developer has submitted an extensive amount of viability information in support of their applications. This has included a series of viability appraisals from a number

of consultants, cumulating with a Proof of Evidence from Cushman and Wakefield (Valuation experts) and an Expert Witness Statement from Expert QS Ltd with a detailed analysis of development costs. The conclusion on viability, in terms of a S106 offer in support of the development, was that £2,565,200 (£4,664 per unit) could be provided over the 550 units under the outline application to the west of the Bridgewater canal. For the 300 units on the east of the canal, an amount of £2,295,000 (£7,650 per unit) was determined as a viable S106 contribution. The total offer across the 850 units was therefore £4,860,200.

- 10.6 Following a period of negotiation, the applicant has submitted a letter with an increased S106 offer to an average of £10,000 per unit across the site. This would equate to a total of up to £8,500,000 for the 850 homes proposed under the three planning applications. This represents an increased offer of £3,639,800.
- 10.7 The Council accepts that the revised sum of £8,500,000 represents the maximum that can be expected for infrastructure.
- 10.8 Given the conclusions from the detailed assessment of viability, some decisions must be made on the priority and importance of the infrastructure that can be funded from the available S106 contribution. Following a detailed viability assessment of the proposed schemes, it is clear that not every item of development / infrastructure envisaged by Policy CS11 is viable. To put this in context, the provision of all of the infrastructure envisaged by Policy CS11 would be considered to cost not less than £20,000,000.
- 10.9 It is a matter of planning judgement to consider the priority that must be given to those elements listed in Table 9 that need to be secured as planning obligations. It is a matter of logic that those elements that make the development function efficiently and integrate into the local area must take priority. To that end, the priority for funding from the available S.106 offer should be:
1. Highway Improvement Works
  2. Public Transport
  3. Public Open Space
  4. Greenways
  5. Affordable Housing
  6. Other Infrastructure
- 10.10 Planning Obligations  
Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 (as amended) and as policy tests in the National Planning Policy Framework.



10.11 Halton’s Development Plan is clear that new development should provide the infrastructure required to establish a well-functioning, well designed area by the time a development is comprehensively complete.

10.12 Core Strategy Policy CS7 provides that:

*“where new development creates or exacerbates deficiencies in infrastructure it will be required to ensure those deficiencies or losses are compensated for, adequately mitigated or substituted before development is begun or occupied. On larger developments that will be completed in phases or over a number of years, an agreed delivery schedule of infrastructure works may be appropriate. Where infrastructure provision is not made directly by the developer, contributions may be secured by an agreement under Section 106 of the TCPA 1990, including where appropriate via a phased payment schedule”.*

10.13 There are specific requirements for infrastructure set out in CS11, both within the text and tables set out in that policy. Notably the policy comments that development across the Daresbury Strategic Site will be expected to provide:

*“the timely provision of physical and social infrastructure to support the development at the site and so as to not overly burden facilities in surrounding areas. On and off site provision and developer contributions, including the pooling of contributions across sites to deliver large items of infrastructure will be needed to meet the infrastructure requirements of the development area.”*

10.14 Table 9 provides a summary of infrastructure requirements:

TABLE 9		
REFERENCE	ITEM	DELIVERY
CS11 - 1	B1 science, high tech and research development	Built by developer
CS11 - 2	Phased delivery of dwellings	Built by developer
CS11-AFH1	Affordable housing	Contribution to the Council for off-site delivery of affordable housing
CS11 - 3	Local centre	Built by developer
CS11-OI1	Marina	Considered undeliverable / unviable by developer and canal operator in location identified by CS11.
CS11-POS1 CS11-POS2 CS11-POS3 CS11-POS4 CS11-POS5	Network of open spaces including conservation of Daresbury Firs and the creation of a linear country park, formal and integral greenspaces	Contribution to Daresbury Firs. Funding of linear country park. Green space within planning boundary by developer. Contributions sought to create and maintain existing and new areas of open space. All contributions payable to the Council.

CS11-PT2	Provision of transport facilities sited to serve the entirety of the site	Funding of transport facilities and network, contribution payable to the Council.
CS11-G2	Walking and cycling routes and expansion of the Greenway network to provide clear and safe links to surrounding communities	Funding of walking and cycling network to integrate development into wider area, contribution payable to the Council.
CS11-G3	Improvements to Bridgewater Canal corridor for sustainable transport	Funding of scheme upgrades to Bridgewater Way Initiative, contribution payable to the Council.
CS11 - 4	Integration of renewable energy technology as part of identified Energy Priority Zone	Feasibility for decentralised renewable and lower carbon technologies, including district heating, has been studied independently but concluded a scheme would be unviable for housing elements. No funding required.
CS11 – H3	New vehicular route through the site linking the A56, Central Housing Area, Daresbury SIC, and A558	Built by developer supporting the consecutive construction phases.
CS11-PT1 CS11-PT5	Bus facilities to serve the employment and residential areas, and local centre from key transport nodes including Runcorn East Station	Contribution towards bus facilities, payable to the Council.
CS11 – H2	Keckwick Lane bridge over Bridgewater Canal (provision of new vehicular bridge)	Not provided due to revised access strategy. No payment required.
CS11 – H5	Keckwick Lane bridge over the Chester-Manchester railway – provision of a new pedestrian/cyclist bridge	Existing bridge to have upgrades to favour pedestrians and cyclists. Secured via Grampian Style Condition. Therefore no payment is required.
CS11 - 5	Delph Lane bridge under the Chester-Manchester railway line - improvements to accommodate two-way vehicular traffic	Provided by the developer.
CS11 – H6 CS11-PT4	Keckwick Lane under bridge on West Coast Main Line railway (signalisation to allow two way vehicular traffic)	Not provided due to revised access strategy. Therefore no payment required.

CS11-G1	Greenway improvement at Poplar Farm underpass (Sandymoor – Delph Lane West)	Contribution to off site element of underpass provision. Contribution payable to the Council.
CS11 - 6	Improvements at A56/Delph Lane junction	Built by the developer
CS11 – H4	Improvements to existing Delph Lane canal bridge	Works to be carried out by the developer. Secured by condition.
CS11-PT3	Bus link into Daresbury Park	Built by developer to site boundary, contribution to Council to deliver barrier and connection outside boundary.
CS11-G4	Improvements to George Gleaves bridge for pedestrians and cyclists	Outside current application boundary. No payment required.
CS11 – H1	Widening of remainder of A558	Proportional contribution to A558 widening scheme to be paid to the Council.

10.15 It will be apparent that a number of the above elements will be provided directly by the Developer and will not form part of the planning obligations.

10.16 Item CS11-4 comprises renewable energy technology that was envisaged to be provided as part of the identified Energy Priority Zone. The Council has commissioned a Government funded expert study to look at the potential for larger scale decentralised energy at the strategic site. Unfortunately, a district heating scheme was not considered to be viable at the location due to the composition and layout of the housing. Renewable energy is available from the developer on a plot by plot basis, however a planning obligation to undertake a larger decentralised energy scheme to serve the housing elements of the strategic site will not be pursued on the basis of the study funded by the Department for Energy and Climate Change (DECC) (now abolished).

#### **10.17 Infrastructure Funding**

Regulation 122 of the Community Infrastructure Levy Regulations 2010 provides that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

10.18 The following Tables 10a - 10f summarise the items of infrastructure / development to be provided under S.106 as planning obligations:

10.19 Highway Improvement Works

Traffic impact analysis of the development indicates that, once completed, the strategic site will stretch the capacity of the current A558 expressway that is currently single carriageway. The need for dualling works was identified in the East Runcorn Sustainable Transport Strategy. Due to the need to bridge over two railway lines and a canal the dualling scheme is costly, with estimates being £25m - £30m. A contribution is being collected from the neighbouring Sandymoor development towards the scheme. A further proportional contribution will therefore be collected from the applicant (CS11-H1).

Table 10a. Highway Improvement Works

Scheme	Description	Amount £
CS11 – H1	A558 Daresbury Expressway dualling between Sandymoor roundabout and junction with Innovation Way	4,320,000

- 10.20 Public transport is an important element of the scheme and is relevant to the development's sustainability. The applicant will fund the establishment of a new bus service into the site (CS11-PT1).
- 10.21 Policy CS11 envisages a bus link from the neighbouring Daresbury Park into the housing area. The developer of Daresbury Park has agreed to include this link in the next phase of their development. A commuted sum will be provided by the Applicant to create this road link from the applicant's boundary into Daresbury Park and to provide a barrier control so that the through route is only available to buses (CS11-PT3).
- 10.22 The importance of sustainable transport and providing opportunities to reduce the reliance on the private car is a major consideration in establishing new development. Runcorn East station is a short distance away and provides a rail link into Chester / Warrington / Manchester and beyond. The applicant has offered a commuted sum to make improvement to the routes and connections to the station, together with improvements at the station itself (CS11-PT5).

Table 10b. Public Transport

CS11-PT1	Support for additional bus services and extension of existing routes. £640k toward peak hour travel. It is anticipated that this will be spent in years 5 – 7 years to establish the new bus route into the site.	640,000
CS11-PT3	Committed sum for road creation into Daresbury Park including barrier control – (land outside of Redrow boundary)	100,000
CS11-PT5	Committed sum for improvements at East Runcorn Railway Station - road connections etc	375,000

- 10.23 Public open space within the application boundaries is to be provided by the developer. Outside of the site, commuted sums will be provided by the applicant to ensure that their proposed developments integrate cohesively into the area. The

applicant is providing funding for structural landscaping within the greenway network, together with a sum to provide for future maintenance (CS11-POS1&2). A sum is being provided for Daresbury Firs to manage the anticipated additional public usage that this area is likely to receive in terms of recreation pressure (CS11-POS3) – Policy CS11 allocates land for the creation of a new linear park that will run north from the M56 on land between the canal and railway. The first phase of this park has been delivered. The applicant will provide a commuted sum for the creation of a park that runs from Red Brow Lane northwards to the crossing of the two rail lines. A sum is also included for future maintenance (CS11-PO4&5).

Table 10c. Public Open Space

CS11-POS1	Structural landscaping within strategic greenway network	50,000
CS11-POS2	Commuted sum for maintenance of greenspace and greenway network	335,000
CS11-POS3	Improvements to Daresbury Firs openspace	100,000
CS11-POS4	Linear Country Park creation	1,000,000
CS11-POS5	Commuted sum for maintenance of linear country park	500,000

10.24 The importance of Greenways has been explained above. Table 10d summarises the provisions in the planning obligation relating to Greenways.

Table 10d. Greenways

CS11-G1	Poplar Farm underpass. Commuted sum for linkage underneath the West Coast Mainline between Daresbury and Sandymoor	30,000
CS11-G2	Greenway provision – walking and cycling routes and integration into wider network.	250,000
CS11-G3	Contribution towards the Bridgewater Way Initiative	50,000

10.25 Core Strategy policy CS13 requires developments to deliver, where feasible, 25% affordable housing. As discussed earlier in this report, the financial viability of the development has been scrutinised in detail. This robust and credible evidence demonstrates that meeting the full affordable housing target for the site would make the developments unviable. Priority must first be given to the enabling works to open the site to phased development, and secondly, to those elements that make the development function efficiently and integrate into the local area. Therefore it is a matter of planning judgement that affordable housing must take its place in the queue lower down the priority list. Once appropriate contributions have been earmarked against the other items of higher priorities, there is only a relatively small residual amount remaining in the available ‘planning obligation pot’ to provide a contribution towards off-site affordable housing.

Table 10e. Affordable Housing

CS11-AFH1	Off-site affordable housing	550,000
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- 10.26 Given the issues encountered with the deliverability of the Marina in the location suggested in CS11, the applicant has offered to fund a study to look at the possibility of marina delivery elsewhere within the Strategic Site.

Table 10f. Other infrastructure

CS11-OI1	Capital funding towards an alternative sites study to assess the potential for alternative a marina locations	200,000
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- 10.27 The identified deficiencies and associated contributions are considered to fulfil the requirements of Policies CS7 and CS11, and meet the relevant tests as set out under the Community and Infrastructure Levy Regulations 2010. It follows that the above requirements could legitimately be required under a planning obligation. These contributions will be secured through a S106 agreement.
- 10.28 The precise timings for the delivery of the requirements to be included in the S106 agreement have yet to be agreed. It is requested that on the assumption that the applications are approved, delegated authority be given to negotiate this element of the S106 agreement together with all ancillary matters.

## 11. CONCLUSIONS AND RECOMMENDATIONS

- 11.1 The relative complexity of the applications will be apparent from the length of this report. Many elements of the applications comply with the Development Plan. Other elements do not and these have been highlighted in the report. The material considerations which must be taken into account have been covered in the report.
- 11.2 Where applications contain compliances and non-compliances with the Development Plan, and where some material considerations can suggest that the applications should be refused, but other material considerations suggest that applications should be approved, the Planning Authority must undertake a balancing exercise. Planning judgement must be used in undertaking the balancing exercise. The exercise of planning judgement can determine whether an application is approved or refused, the exercise involves determining the relative weight to be given to all of the material considerations.
- 11.3 Members are reminded that they are required by the planning Acts to determine these Applications in accordance with the Development Plan unless material considerations indicate otherwise.
- 11.4 It is worth highlighting the environmental impact of the proposals. The applications constitute development that is subject to environmental impact assessment (EIA), therefore the planning applications were accompanied by an Environmental Statement (ES). The ES has been publicised in accordance with the EIA regulations and the submitted information has been taken into account in arriving at a recommendation to Committee. Specific reference has been made in appropriate

places within the report. Any negative environmental impacts are considered acceptable.

- 11.5 The central policy within the Development Plan to consider in the context of the applications is Core Strategy Policy CS11. The essential feature of that policy is the allocation of land within the Daresbury Strategic Site for housing and employment purposes, and the other matters described in this report. The proposals achieve the development of housing and employment land. The non-compliances with a number of detailed aspects of Policy CS11 have been analysed earlier in this report. All compliances and non-compliances with the Development Plan as a whole have been analysed earlier in this report.
- 11.6 All material considerations have also been analysed individually in this report. The imposition of extensive conditions which have been highlighted below will remedy many concerns which have been received regarding the applications. Additionally, a number of standard conditions are proposed which are appropriate to these applications. The imposition of a number of requirements within the proposed S.106 agreement will secure the provision and funding of a significant amount of infrastructure. It is considered that the proposals contribute appropriately to local infrastructure requirements and therefore to the underlying objectives of CS11. It is noted that the provisions of the proposed S.106 agreement have been agreed in principle by the Applicant.
- 11.7 The amount of infrastructure which will be provided is sufficient for the servicing for the amount of development that is proposed.
- 11.8 The shortfall in provision of strategic infrastructure has been justified by a viability study which establishes that the total strategic infrastructure requirement is not viable. Nevertheless, elements of the required strategic infrastructure have already been provided in the context of other schemes.
- 11.9 On balance it is recommended that the applications all be approved subject to the conditions and S.106 agreement.

## **12. RECOMMENDATION**

- 12.1 The applications all be approved subject to the following:
- a) A planning obligation and/or or other appropriate agreement relating to securing matters as set out in Section 10 of this report.
  - b) That if the S.106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.

c) Delegated authority be given to the Operational Director – Policy, Planning and Transportation to determine and agree the terms of all matters to be included in the planning obligation and/or other appropriate agreement and the conditions mentioned below.

d) Conditions relating to the following:

**16/00495/OUTEIA Conditions**

- Reason for decision
- Approved Plans
- Standard Materials
- Minimum employment density condition
- Vertical and horizontal alignment (all applications)
- Restriction on motor vehicles Keckwick lane underbridge
- Emergency access condition
- Construction Phase management plan
- CEMP recommendations
- Site access condition – no development until final access arrangements have been constructed to satisfaction of the Local Highway Authority
- Final surface water drainage details condition
- Greenway routing
- Standard outline applications
- Open Space – Delivery of the amount
- Open Space – formal play provision and standard
- Boundary treatments
- Site levels
- Ground investigation
- Retained tree and hedgerow protection measures
- Ground nesting birds
- Remove PD
- UU standard foul and surface water drainage
- Grampian style condition for the employment access northern parcel from Keckwick Lane over the Cheshire Line concerning improvements to (16/00495/OUTIEA)
- Archaeological/heritage watching brief
- Keckwick Lane Railway Overbridge accessibility improvements Approval of vertical and horizontal alignment of new highway
- Works to create greenway at Poplar Farm underpass & route to/from highway
- Development levels/retaining wall details and necessary changes to layout Final
- Construction Environment Management Plan including low bridges
- Location/provision of bus stops/infrastructure
- Diversion/stopping up of highways and Public Rights of Way
- Traffic restrictions and walk/cycle improvement details at Keckwick Lane rail underbridge including appropriate turning provision
- Traffic restrictions & walk/cycle improvement details at Delph Lane canal overbridge including appropriate turning provision



- Final vehicle tracking plots
- A558 Access and bridge details approval including design departures (S278)
- Emergency access additional details where not shown in applications
- Electric Vehicle charging provision
- Details and programme of implementation for signalised two way traffic improvement scheme at Delph Lane rail underbridge
- Section 38/278 Agreements - including visibility splays to be within proposed highway
- Greenway provision
- Management remit plan
- Boundary treatment/deed clause adjacent to cycleways
- Priority Habitat Hedgerow and Ponds
- Bat mitigation measures proposed in section 6 of Appendix 5D (TEP, Bat Activity Appendix 2017 Appendix 5d, 6343.011, version 4, September 2017)
- Site waste management plan (WM8)
- Household waste storage and collection (WM9)
- Bat mitigation measures proposed in Chapter 5 (paragraph 5.103 to 5107) and section 6 of Appendix 5D (TEP, Bat Activity Appendix 2017 Appendix 5d, 6343.011, version 4, September 2017)
- Standard Outline Conditions
- Network Rail suggested conditions

### **17/00406/FULEIA Conditions**

- Reason for decision
- Approved Plans
- Vertical and horizontal alignment
- Restriction on motor vehicles Keckwick lane underbridge
- TRO condition on Delph Lane Bridge
- Emergency access condition
- Construction Phase management plan
- CEMP recommendations, compliance there of
- Site access condition – no development until final access arrangements have been constructed to satisfaction of the Local Highway Authority
- Final surface water drainage details condition
- Open Space –Standard landscaping scheme
- Boundary treatments
- Site levels
- Ground investigation
- Retained tree and hedgerow protection measures
- Ground nesting birds
- Remove PD
- UU standard foul and surface water drainage
- Approval of vertical and horizontal alignment of new highway
- Works to create greenway at Poplar Farm underpass & route to/from highway
- Development levels/retaining wall details and necessary changes to layout

- Final Construction Environment Management Plan including low bridges
- Location/provision of bus stops/infrastructure
- Diversion/stopping up of highways and Public Rights of Way
- Traffic restrictions and walk/cycle improvement details at Keckwick Lane rail underbridge including appropriate turning provision
- Traffic restrictions & walk/cycle improvement details at Delph Lane canal overbridge including appropriate turning provision
- Final vehicle tracking plots
- A558 Access and bridge details approval including design departures (S278)
- Electric Vehicle charging provision
- Details and programme of implementation for signalised two way traffic improvement scheme at Delph Lane rail underbridge
- Section 38/278 Agreements - including visibility splays to be within proposed highway
- Greenway provision
- Management remit plan
- Boundary treatment/deed clause adjacent to cycleways
- Archaeological/heritage watching brief
- Bat mitigation measures proposed in Chapter 5 (paragraph 5.103 to 5107) and section 6 of Appendix 5D (*TEP, Bat Activity Appendix 2017 Appendix 5d, 6343.011, version 4, September 2017*) Attenuation pond design and planting scheme
- Waste Audit (WM8)
- Household waste provision (WM9)
- Network Rail suggested conditions

## **17/00407/OUTEIA Conditions**

- Reason for decision
- Approved plans
- Standard Materials
- Vertical and horizontal alignment
- TRO condition on Delph Lane Bridge
- Emergency access condition
- Construction Phase management plan
- CEMP recommendations, compliance thereof
- Site access condition – no development until final access arrangements have been constructed to satisfaction of the Local Highway Authority
- Final design of T shaped cul-de-sac
- Final surface water drainage details condition
- Greenway routing JF to populate
- Standard outline applications
- Open Space – Delivery of the amount
- Open Space – formal play provision and standard
- Standard landscaping scheme
- Boundary treatments
- Site levels

- Ground investigation
- Retained tree and hedgerow protection measures
- Ground nesting birds
- Remove PD
- UU standard foul and surface water drainage
- Archaeological/heritage watching brief
- Keckwick Lane Railway Overbridge accessibility improvements
- Approval of vertical and horizontal alignment of new highway
- Works to create greenway at Poplar Farm underpass & route to/from highway
- Development levels/retaining wall details and necessary changes to layout
- Final Construction Environment Management Plan including low bridges
- Location/provision of bus stops/infrastructure
- Diversion/stopping up of highways and Public Rights of Way
- Traffic restrictions & walk/cycle improvement details at Delph Lane canal overbridge including appropriate turning provision
- Final vehicle tracking plots
- A56 Access, Spine Road and existing Delph Lane connection/turning head details and timing, including extent of reconstruction on A56 (S278/38)
- Emergency access additional details where not shown in applications
- Electric Vehicle charging provision
- Details and programme of implementation for signalised two way traffic improvement scheme at Delph Lane rail underbridge
- Section 38/278 Agreements - including visibility splays to be within proposed highway
- Greenway provision
- Management remit plan
- Boundary treatment/deed clause adjacent to cycleways
- Bat mitigation measures proposed in Chapter 5 (paragraph 5.103 to 5107) and section 6 of Appendix 5D (TEP, Bat Activity Appendix 2017 Appendix 5d, 6343.011, version 4, September 2017) Attenuation pond design and planting scheme
- Waste Audit (WM8)
- Household waste provision (WM9)
- Standard outline conditions
- Network Rail suggested conditions

## 12.2 SUSTAINABILITY STATEMENT

As required by: Paragraph 186 – 187 of the National Planning Policy Framework; The Town and Country Planning (Development Management Procedure) (England) Order; 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.

<b>APPLICATION NO:</b>	17/00556/FUL
<b>LOCATION:</b>	Daresbury Science Park, Keckwick Lane, Daresbury WA4 4FS
<b>PROPOSAL:</b>	Proposed erection of 3 No. office buildings each with 3 floors plus plant level, with associated parking, access, landscaping, substation and ancillary developments
<b>WARD:</b>	Daresbury
<b>PARISH:</b>	Daresbury
<b>CASE OFFICER:</b>	Pauline Shearer
<b>AGENT(S) / APPLICANT(S):</b>	Langtree SIC LLP, St James Business Centre, Wilderspool Causeway, Warrington WA4 6PS
<b>DEVELOPMENT PLAN ALLOCATION:</b>	National Planning Policy Framework (2012) North West Plan: Regional Spatial Strategy for the North West (2008) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)
<b>DEPARTURE</b>	No
<b>REPRESENTATIONS:</b>	No objections
<b>KEY ISSUES:</b>	Highway safety; design; landscaping
<b>RECOMMENDATION:</b>	Approval

**SITE MAP**



## **1. APPLICATION SITE**

### **1.1 The Site**

This 2.2ha site is located at the Daresbury Science and Innovation Centre (DSIC) on Keckwick Lane, Daresbury. The land is in the ownership of DSIC with the public highways of Keckwick Lane and Innovation Way to the south and west. The site is directly adjacent to Daresbury Expressway to the north and is seen as one of the gateway sites for DSIC.

The site is identified as the Daresbury Strategic Site within the East Runcorn Key Area of Change in the Halton UDP and Core Strategy.

### **1.2 Planning History**

Previous outline planning permissions:- 01/00785/OUTEIA – Science Park comprising office buildings and incubator building; 97/00700/OUT – Scientific Research Complex; 15/00059/FUL - Construction of new vehicular and pedestrian access into and throughout the site including lighting, drainage and amendments to Keckwick Lane.

## **2. THE APPLICATION**

### **2.1 The proposal**

The proposal seeks permission to develop the next phase in the expansion of the Sci-Tech Daresbury site. The works include the erection of three 3-storey buildings; Building 1 totalling 2175.38 sqm; Building 2 totalling a 1701.10 sqm; Building 3 totalling 1701.10 sqm; with car parking, cycle parking and service area. Access into the site is gained directly off Keckwick Lane.

### **2.2 Documentation**

The applicant has submitted a Planning Application, drawings and the following reports:

Design and Access Statement  
Ground Investigation  
Transport Assessment  
Travel Plan  
Flood Risk Assessment  
Ecological Assessment  
Landscape Character Assessment  
Tree Survey

## **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 following national and Council Unitary Development Plan policies and policy documents are relevant to this application: -

BE1 General Requirements for Development  
BE2 Quality of Design  
BE22 Boundary Walls and Fences  
TP6 Cycle Provision as Part of New Development  
TP7 Pedestrian Provision as Part of New Development  
TP17 Safe Travel for All

### 3.3 Halton Core Strategy Local Plan (2013)

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

CS2 Presumption in Favour of Sustainable Development  
CS7 Infrastructure Provision  
CS11 East Runcorn  
CS15 Sustainable Transport  
CS18 High Quality Design  
CS19 Sustainable Development and Climate Change  
CS20 Natural and Historic Environment

## 4. CONSULTATIONS

The application has been advertised by a site notice posted near the site. All adjacent land owners, residents and occupiers of the site have been notified by letter. Daresbury, Moore and Parish Councils have been notified by letter.

No comments have been received from Daresbury or Moore Parish Council.

The Council's Nature Conservation Consultants, Merseyside Environmental Advisory Services has been consulted in relation to the site's potential as habitat and other ecological factors and their response is included in the assessment below.

The Environment Agency have been consulted in relation to ground water protection and no comments have been received.

Natural England have been consulted and have no comments to make on this application.

Penspen have been consulted in relation to the proximity of the Shell/Essar pipeline who have confirmed that it will not be affected by the proposed development.

United Utilities have not objected providing that easement requirements are met and have suggested conditions in relation to the separation of foul and surface water; that surface water flow attenuation is controlled and under the agreement of United Utilities were necessary; construction method statement in relation to the existing water main.

The Lead Local Flood Authority have been notified of the proposal and require further information in relation to the Flood Risk Assessment. Any further comments will be presented verbally to members.

The Local Highway Authority and the Council's Open Spaces department have been consulted any comments received have been summarised below in the assessment section of the report.

The Local Authority's Land Contamination Officer has been notified and has raised no objection, nor requires any conditions.

Peel Holdings have been consulted due to the proximity of the development to the Bridgewater Canal.

The proposal is of a scale and has impacts which do not warrant the submission of an Environmental Statement under the Environmental Impact Assessment (EIA) Regulations 2011.

## **5. REPRESENTATIONS**

No objections have been received as a result of the public consultation.

## **6. ASSESSMENT**

### **6.1 Principle of Use**

The site is situated in an area which is identified as the East Runcorn Key Area of Change in the adopted Halton Core Strategy. This part of that area is currently dominated by the existence of the Daresbury Science and Innovation Centre campus, which straddles Keckwick Lane and runs from Keckwick Bridge to Innovation Way. The application site is a parcel of land bounded on three sides by highway, Daresbury Expressway, Innovation Way and Keckwick Lane and to the west by the existing developments of TechSpace and Vanguard House. The site is undeveloped and vacant.

The area is allocated as a Strategic Site within the East Runcorn Area of Change in the adopted Halton Core Strategy and as such, supersedes previous land allocations and related policies adopted through the Unitary Development Plan. Members should note that UDP policy E1 still exists and contains references to particular requirements for 'Daresbury Laboratory'. However as the Core Strategy Policy CS11 relates to a Key Area of Change, this enables a re-allocation of the land use in that area and the related policy supersedes the existing UDP Policy E1 where it relates to Runcorn East, specifically Sci-Tech Daresbury and Daresbury Park. In this regard significant weight should be given to Policy CS11.

Policy CS11 expects Sci-Tech Daresbury to expand with B1 uses that include science, high tech and research development. Development will be expected to deliver a network of open spaces for nature conservation and recreation including conservation of Daresbury Firs and creation of smaller green spaces integral to individual developments. Development should facilitate strong connectivity through public transport and promote walking and cycling routes.

The main issues to consider arising from the proposal are: - Highway safety; Design; Ecology; and Landscaping. These issues are explored below.

## 6.2 Highway Safety

The Local Highway Authority has commented as follows:-

"For clarity only the plans received on the 3<sup>rd</sup> Jan 2018 have been considered for comment.

The developer and their representatives have engaged in pre-application and continued dialogue throughout the process and on the whole the highway officer considers the site and access arrangements to be suitable for a development of this size and nature. There are however several points that we would raise to be addressed either prior to a decision, via condition or engineering issues to be dealt with under any future agreements with the Highway Authority.

- The submitted tracking information illustrates that the turning areas provided will cater for the current vehicles used for refuse collection, we would however state that the allocated space is tight and careful planning of collection times should be undertaken to minimise potential conflict with car park users.
- The 1036.1 arrow shown in the right hand approach lane to the roundabout should be a straight on arrow not a right turn.
- It is noted that a signage strategy/ plan has not yet been received.



- The uncontrolled crossing point to the East of the roundabout should be moved closer to the junction. Consideration should be given to providing pedestrian facilities within the splitter island.
- Tracking should be provided for vehicles turning into and out of the realigned Keckwick Lane junction.
- The back of footway detail to the South of the new 3m cycleway footway link to Keckwick Lane should be considered, the existing situation is a mix of batters, stone walls and timber retaining details. To ensure highway safety additional cross sections will be required showing proposals. **As the embankment/ back of footway detail may stray beyond the red line boundary to the South we consider that this issue should be addressed prior to any approval being granted.**
- It has become apparent that the areas to the South of Keckwick Lane have now been formed into car park areas with barriers and lighting. We have no details on these areas and seek clarification as to their use, drainage provision and how they will tie in with the proposed design. The dropped access provision shown on the current plans may not be considered suitable and a more formal arrangement may be required. **The required details/ changes should be submitted prior to any approval being granted.**
- The narrow grass verges shown on the latest layout plan to the access road may promote inconsiderate parking and given the known issues in the area, we would not accept the narrow grass strips as part of an adopted highway. We would request that an alternative proposal is submitted to prevent/ discourage verge/ footway parking. **It is considered that inconsiderate parking leads to road safety issues and we would therefore request that the necessary changes are made prior to any approval being granted.**
- Although we have agreed in principle to the tie in detail to the Eastern stub of Keckwick Lane the plans appear to stop slightly short, please show the new layout connecting to the existing carriageway.

#### Parking

*(Including cycle/disabled/motorcycle/taxi/drop-off) comment on compliance with UDP (+other) Standards)*

- Although the required maximum UDP car parking standard has been met the Highway Authority notes that the area is subject to high parking demand across the sites which has previously led to issues with inconsiderate parking. We would welcome additional parking as part of the application.
- If no additional car parking can be provided we would expect to see a robust car parking strategy linked to the travel plan.
- Cycle storage has been shown to acceptable level although it has been previously noted that some of the provision will potentially be masked by parked vehicles. We would request that methods of ensuring security be

considered.

- Provision should be made to encourage the use of electric vehicles, Further guidance on EV charging points can be found in the document produced by the Liverpool City Region <http://www.merseytravel.gov.uk/about-us/local-transport-delivery/documents/e-mobility-strategy.pdf>. Specific regard should be paid to 3.2.2 Table 3 “Min. provision of parking bays and charging points in new developments

Fra/drainage  
(Inc Suds)

- Agreement from the Lead Local Flood Authority would be required.

Levels/Highway sections/retaining walls.  
(inc need for topo,AIP, commuted sums)

- It is noted that the gradient of Keckwick Lane is steeper than set out in current guidance but the proposed realignment is no worse than the existing adopted carriageway. It is worth noting that previous permission has been given for a similar access road to the site (15/00059/ful).
- The site access road and footway links all appear to illustrate that the levels will work in terms of vehicle, cycle and pedestrian access.
- We would however request that 2 additional sections are provided through the North of the site, along the access road and through the car park.

Access by sustainable modes  
(including bus access (UDP 400m compliance) walk access, travel planning)  
(see GTA thresholds/local circumstances) (Greenways –UDP)

- The site is on a bus route with stops within walking distance.
- Improvements are proposed to improve walking and cycling on the adjacent highway network, namely provision of a 3m wide shared use cycleway/ footway to Keckwick Lane.
- The site also benefits from DDA compliant pedestrian access routes to the bus stop avoiding the 1 in 9 gradient on Keckwick Lane.
- A travel plan should be provided for the site or if an existing site wide plan exists this document should be updated.

Construction Phase Considerations  
(Inc wheelwash, routing construction management plan, personnel parking/facilities)

- A full construction management plan should be submitted prior to commencement of works. All construction related vehicle parking should be accommodated on site and deliveries to site be suitably managed. Wheelwash facilities and a road sweeper regime should be provided as appropriate, with winter management/gritting plan. Details of how underground services will be dealt with should also be included.

Transport Assessment/Traffic Impact  
*(if appropriate given thresholds in GTA/local circumstances)*

- The supporting information illustrates that the proposed junction will adequately serve the development traffic and that there will be no severe impact of the surrounding highway network.
- It is worth noting that preparatory works were undertaken to widen Innovation Way to create a dual carriageway which will cater for the increase in vehicle numbers.

Recommended conditions and  
*(including std conditions for access crossings, retaining wall details, travel plan (including monitoring timetable, nominated coordinator and measures to encourage sustainable access)*

- A full construction phase management plan is required for the proposed development prior to commencement.
- Development shall not commence on site until the scheme of offsite highway works is approved by local planning authority.
- These offsite works should be completed prior to first occupation of dwellings.
- A scheme of EV charging provision should be submitted for approval prior to occupation.

Informatives

- The offsite highway works will require a suitable agreement with the highway authority.
- The main highway will need to be reconstructed to highway authority satisfaction following any offsite highway works or drainage and utilities connections.
- Detailed design work of offsite highway works may result in works to the surrounding network beyond the extent of the works shown on the plans to ensure suitable tie ins and to negate road safety issues.

Other offsite works/S278 *inc making good of site frontage, access measures etc*

- A S278 or similar agreement would be required to carry out works on adopted highway and a S38 agreement to cover any new highway offered for adoption.”

On this basis the proposal is acceptable in principle and complies with Core Strategy Policy CS11; and TP6 and TP17 of the Halton Unitary Development Plan subject to the submission of amended drawings that satisfactorily deal with technical highway matters.

### 6.3 Design

The scheme comprises a set of three buildings. Building 1 is 2,175.38 sqm; Building 2 1,701.10 sqm; Building 3 1,701,10 sqm; plus car parking, cycle parking; refuse storage and landscaping.

The buildings are similar in scale and set out in a linear format alongside Innovation Way and are three storey and the height at the roof is 15m (with an additional central air conditioning/extraction box). The buildings are highly visible from the approach from Daresbury and from Runcorn along the A558 Expressway. The building design takes strong reference from the existing modern development of the Daresbury campus, in particular the most recent on the opposite side of Innovation Way, ‘Techspace’ and maintains the modern theme with a strong mix of cladding and glazing. Both these and the previous Techspace buildings continue the eclectic design approach for Sci-Tech Daresbury. Final materials will be dealt with through planning conditions.

The final details of the bin and cycle stores and any retaining walls will be dealt with by planning condition.

It is considered that the proposal’s design is of a sufficient quality to meet the overall objectives of the Daresbury Strategic Site and the principles of CS11 are met.

### 6.4 Impact on Ecology

The application was accompanied by an extended phase 1 habitat survey and the Council’s ecological consultants Merseyside Environmental Advisory Services have provided there assessment as follows:-

“Part One

1. The applicant has submitted an Extended Phase 1 Habitat Survey report in accordance with Core Strategy Local Plan policy CS20 (Ecus environmental consultants, Sci-Tech Daresbury (West) – Extended Phase 1 Habitat Survey, 10554, October 2017) which meets BS 42020:2013. I advise the survey is acceptable and will be forwarded to Cheshire rECOrd.

2. The applicant has also submitted an Extended Phase 1 Habitat Survey report (Ecus environmental consultants, Sci-Tech Daresbury (East) – Extended Phase 1 Habitat Survey, 10554, October 2017) for land adjoining to the east outside of the development site.

#### Bats

3. The report states that no evidence of roosting bats was found on site. Habitats on site do however provide opportunities for foraging and commuting, and several species are known to be active in the area. The report includes mitigation (section 4.4) which sets out proposals to avoid and mitigate impacts on the local bat population. If these measures are put in place it is unlikely that the species will be affected or an offence committed (Habitats Regulations). I advise that the measures are secured by a suitably worded planning condition. The Council does not need to consider the proposals against the three tests (Habitats Regulations) or consult Natural England.

#### Designated Sites

4. The development site is close to the following designated site and Core Strategy Local Plan policy CS20 applies:
  - Daresbury Firs LNR and LWS 40m to the south.

On this occasion the development is unlikely to harm the features for which the site has been designated:

- Daresbury Firs is a large conifer plantation on the slopes of Keckwick Hill. The LWS incorporates small areas of broad-leaved semi-natural woodland. The site selection criteria comprise lowland mixed deciduous woodland and accessible natural greenspace. The development site is dominated by species poor semi-improved grassland which is not publically accessible or functionally linked to the woodland at Daresbury Firs.

#### Landscaping

5. The Landscape Masterplan (Plant Intelligent Environments LLP, drawing no. PL1094.4-VW-001, 23.08.2017) suggests that no habitats will be retained on site. To mitigate for this loss the survey report recommends planting of a native hedgerow along the proposed southern access road, creation of a pond and/or linear features using locally native planting. These measures can be secured by a suitably worded planning condition as part of a detailed landscape plan.

#### Breeding Birds

6. Vegetation on site may provide nesting opportunities for breeding birds, which are protected. No tree felling, scrub clearance, hedgerow removal or vegetation management 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, scrub 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.

7. The proposed development will result in the loss of bird breeding habitat and Core Strategy Local Plan policy CS20 applies. To mitigate for this, the applicant must provide details of bird nesting boxes (e.g. number, type and location on an appropriately scaled plan) that will be erected on the site for agreement with the Council. This can be secured by a suitably worded planning condition.

#### Hedgehog

8. Hedgehogs are known to be present in the area and habitats on site provide suitable foraging and refuge opportunities. Hedgehog is a protected species and policy CS20 of the Core Strategy Local Plan applies. Mitigation and enhancements are proposed in section 4.4 and are acceptable. These measures can be secured by a suitably worded planning condition.

#### Badger

9. The report considers (paragraph 3.5.5) that given the proximity to the nearby science park and roads it is unlikely that this site is used by badger for foraging. These features in my view are not significant barriers to dispersal and there are several records of this species in the area. I advise that a pre-commencement check for badger is required and this can be secured by a suitably worded planning condition.

#### Amphibians

10. Common frog has been recorded within 1km of the site and the report considers habitats on site as suitable for winter refuges. The report includes recommendations for site clearance (section 4.4) which should ensure no harm to amphibians. This can be secured by a suitably worded planning condition.
11. The above measures could be secured through any CEMP produced for the development.

#### Waste

12. 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.

13. Sufficient information has been submitted to demonstrate compliance with policy WM9 of the Waste Local Plan.

#### Part Two

14. 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.
15. The applicant, their advisers and contractors should be made aware that if any hedgehog is found, then as a legal requirement, work must cease and advice must be sought from an ecologist.
16. 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](http://www.wrap.org.uk/http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item_id=8983).]”

#### 6.5 Landscape and Visual Appearance

The proposal is accompanied by a Landscape Character Assessment given its location close to the green belt and Daresbury Area of Special Landscape Value. The assessment identifies the location as surrounded by large areas of open fields. It identifies the location of the site and the highway boundaries and the nearby Bridgewater Canal which borders the already developed parts of the campus to the west. There are significant level changes across the campus as a whole as the topography rises from the lowlands along the canal up to Keckwick Hill and Daresbury Village. Daresbury Firs spans a large area of Keckwick Hill and is a Commercial Forestry Plantation and Local Nature Reserve which has mix of pine and larch trees.

The campus as a whole accommodates many unique science facilities with different architectural styles including laboratories, offices and the highly visible landmark particle accelerator tower. These structures when combined with the above natural features and canal help to define much of the immediate application site's unique landscape character.

The existing highway network already establishes visual boundaries with the wider more open and rural areas. The proposed buildings should be read within the context of Sci-Tech Daresbury and it is this which should influence their design. It is considered that on this basis the buildings are of a scale and design which sit well within the built form and features of the existing Sci-Tech Daresbury campus and are acceptable in this context.

The Council's Open Spaces Officer has provided the following assessment:-

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

### Trees

The proposal seeks to remove all current trees from the site. Several trees, situated on the embankment between Keckwick Lane and the development plot, are currently HBC owned and managed. The removal of these trees is unfortunate however the proposal does contain an acceptable replanting scheme.

### Landscaping

Clarification is required regarding the future maintenance responsibilities for the remainder of the Keckwick Lane embankment and the replanting scheme it will contain. Will this be maintained by the developer or HBC? The submitted Indicative Softworks Plan shows proposed tree planting and a hedge but also contains coloured swathes that indicate some form of other planting however this is not referenced in the drawing's key. If the land is to be retained by the council, changes to its composition that would demand increased levels of maintenance would be difficult to accommodate.

### Ecology

There are no formal ecological constraints associated with the proposal, and the site appears to be ecologically quite poor. The recommendations contained within the submitted Extended Phase 1 Habitat Survey (West) are acceptable.

All pruning works should comply with current bird nesting legislation.

<sup>1</sup>Wildlife and Countryside Act 1981 Part 1 Section 1 (1)

<sup>1</sup> Consult W&C Act 1981 (with amendments) for full details of protection afforded to wild birds."

The proposal meets the objectives of the Science and Innovation campus and the aims of Core Strategy Policy CS11 and policies BE1 and BE2 of the Halton Unitary Development Plan.



## **7. CONCLUSIONS**

In conclusion, Policy CS2 and NPPF paragraphs 14-16 set out the presumption in favour of sustainable development whereby applications that are consistent with national and up-to-date local policy should be approved without delay. As set out in this appraisal, the proposal is consistent with the over-arching policy for East Runcorn Strategic Site and complies with Policy CS11. It achieves development of an important gateway site with the aim of enhancing the strategic role of Sci-Tech Daresbury and with conditions, minimises any adverse impact on highway safety and ecology.

## **8. RECOMMENDATIONS**

Approve subject to the following conditions:-

1. Standard 3 year implementation period (BE1)
2. Amended Plans and DAS ( BE1 and TP17)
3. Prior to commencement submission of levels (BE1)
4. Prior to commencement submission of a highway signage scheme to be approved and implemented prior to occupation (TP17)
5. Prior to commencement submission of additional cross-sections through the north of the site along the access road and car park (TP17)
6. Prior to commencement submission of an updated tracking scheme in relation to vehicle movements within the scheme and on Keckwick Lane, for approval and implementation prior to occupation (TP17)
7. Prior to commencement details of the access tie-ins onto Keckwick lane shall be provided. Any required improvements shall be undertaken prior to occupation (TP17)
8. Prior to commencement an amended layout to show prevention methods for inappropriate parking along the access into the site from Keckwick Lane. Such details as approved to be implemented prior to occupation (TP17)
9. Prior to commencement a scheme of Electric Vehicle charging points to be approved and implemented prior to occupation (NPPF)
10. Prior to commencement a Travel Plan to be submitted and approved and implemented on occupation and updated on an agreed timetable with the LPA (TP16 )
11. Prior to commencement submission of surface and other drainage (BE1)
12. Prior to commencement submission of materials (BE1 and CS11)
13. Prior to commencement submission of hard and soft landscaping including use of native species for replacement tree and new shrub planting phase; planting of a native hedgerow along the proposed southern access road, creation of a pond and/or linear features using locally native planting; in accordance the submitted Landscaping Masterplan and to mitigate for this loss of habitat on the site (BE1)

14. Prior to commencement submission of construction management plan (TP17)
15. Prior to commencement submission of wheel cleansing details (TP17)
16. The 3m cycle and footway on Keckwick Lane shall be provided prior to the occupation of the buildings. (TP17 & TP6)
17. The development shall be carried out in accordance with report includes mitigation (section 4.4 - Extended Phase 1 Habitat Survey, Sci-Tech Daresbury (West) – Extended Phase 1 Habitat Survey, Sci-Tech Daresbury (East) - which set out proposals to avoid and mitigate impacts on the local bat population. (GE21)
18. Precautions to be taken to protect badgers prior to the construction phase (GE21)
19. Avoidance of actively nesting birds, no tree felling, scrub clearance, hedgerow removal or vegetation management 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, scrub and hedgerows are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. (BE1)
20. Precautions to protect hedgehogs during the construction phase and throughout the development in accordance with paragraph 4.4 of the submitted Extended Phase 1 Habitat Surveys (West and East) (GE21)
21. Precautions shall be taken to protect amphibians during the construction phase and throughout the development in accordance with paragraph 4.4 of the submitted Extended Phase 1 Habitat Surveys (West and East) (GE21)
22. Prior to the commencement of development details of bird nesting boxes (e.g. number, type and location on an appropriately scaled plan) that will be erected on the site shall be provided for agreement with the Council.(GE23)
23. Prior to the commencement of development a waste audit or similar mechanism shall be submitted to and approved in writing by the LPA, demonstrating 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. (WM8)
24. Prior to the commencement of development a lighting scheme shall be submitted to and approved in writing by the LPA and implemented in accordance throughout the development lifetime (BE1 and GE1)
25. Prior to commencement details of bin store and service areas (BE1 and BE2)
26. Prior to commencement details of secured cycle storage (TP6)
27. Prior to commencement details of boundary treatment (BE22)

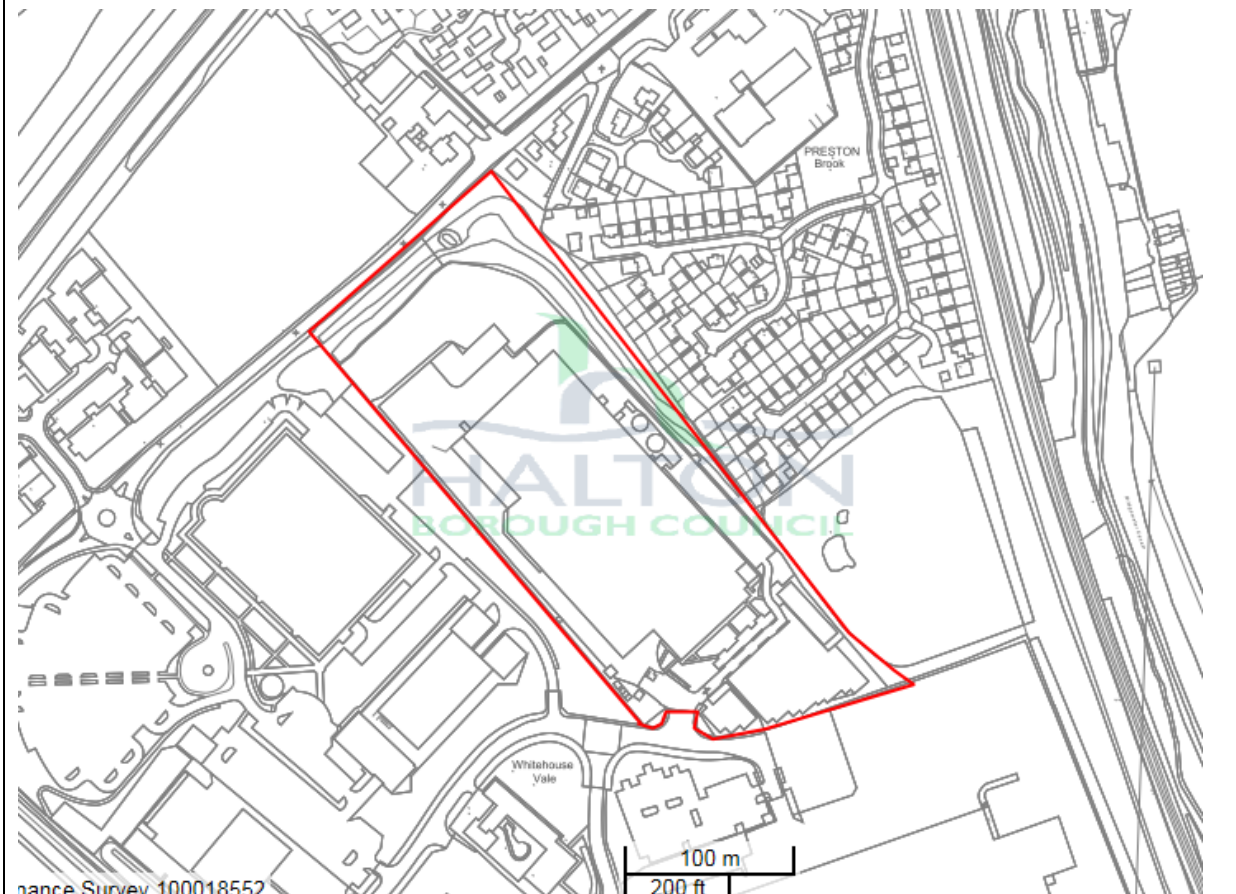
**9. SUSTAINABILITY STATEMENT**

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.

<b>APPLICATION NO:</b>	17/00565/FUL
<b>LOCATION:</b>	Teva Pharmaceuticals, Aston Lane North, Runcorn
<b>PROPOSAL:</b>	Proposed construction of extension to the existing production facility and warehouse
<b>WARD:</b>	Daresbury
<b>PARISH:</b>	Preston Brook
<b>AGENT(S) / APPLICANT(S):</b>	Teva Pharmaceuticals
<b>DEVELOPMENT PLAN ALLOCATION:</b> National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)	Primarily Employment Area
<b>DEPARTURE</b>	No
<b>REPRESENTATIONS:</b>	1 letter received
<b>KEY ISSUES:</b>	Principle of development; Reduction in mound/ screening, Lighting and Noise, Design, Flooding and Drainage, Highways, Residential Amenity, Employment Retention and Creation
<b>RECOMMENDATION:</b>	Approve Subject to Conditions

**SITE MAP**

nance Survey 100018552

## **THE APPLICATION SITE**

### The Site

Site of approximately 4.9 hectares within a Primarily Employment Area as defined by the Halton Unitary Development Plan. Site of existing pharmaceutical manufacture and distribution facility on eastern edge of White House Vale Industrial/ Commercial Area. The site is accessed from Aston Lane North and bounded by Chester Road to the north and ongoing residential development beyond. To the northeast of the site sits the Bridgewater Grange residential area separated from the site by a landscaped bund.

### Planning History

The site benefits from a lengthy history of planning permissions for various extensions and alterations. Of particular note previous planning permission (11/00078/FUL) was approved for an earlier extension to the pharmaceutical manufacturing facility with ancillary warehouse and distribution, extended loading area and hardstanding. A subsequent planning permission (ref. 16/00009/FUL) has also been approved for a proposed extension to provide a training facility at first floor level.

## **THE APPLICATION**

### The proposal

The proposed development comprises the construction of an extension to the existing pharmaceutical manufacture and distribution facility. The proposals will provide for approximately 4727m<sup>2</sup> of additional warehouse floor space. In order to make way for the proposed extension and circulation space, an existing mound which separates the proposed from adjoining residential properties at Bridgewater Grange will be removed in part and re-profiled. The facility will continue to be accessed via an existing access from Aston Lane North.

### Documentation

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

Planning Statement/ Design and Access 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: -

- BE1 General Requirements for Development
- BE2 Quality of Design
- PR2 Noise Nuisance
- PR4 Light Pollution
- PR6 Development and Flood Risk
- TP12 Car Parking
- TP16 Green Travel Plans
- E3 Primarily Employment Area
- E5 New Industrial and Commercial Development

### 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

CS18 High Quality Design

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

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 businesses 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:

United Utilities – No Objection in Principle

Moore Parish Council – No Comments Received

Council Services:

HBC Highways – No Objection in Principle

HBC Drainage – No Objection in Principle

Environmental Health – No Comments Received

REPRESENTATIONS

1 letters of representation has been received from a resident of the adjoining Bridgewater Grange estate. This raises the following issues/ queries:

*"I received the letter regarding this application to further extend the Teva facility which stands at the top end of my street (Bridgewater Grange). Having looked at the plans it is still unclear to me what visual impact this will have. There is also no mention of when the work will be carried out.*

*Last year they extended the facility upwards, making the unsightly building far more visible both from the street and from my garden (and many others I imagine). They were supposed to plant mature trees in front of the building to conceal it, but they never materialised. I emailed the man who had been dealing with queries about this but received no reply. They also performed work from an early hour on Saturdays, which was extremely inconvenient.*

*Frankly, their building is already an eyesore and I would be extremely grateful if I could receive practical information about their plans (in layman's terms) to determine whether I (and other neighbours) will have anything to object to. I already feel like the value of my property has been affected by the extension from last year."*

Issues raised including those relating to amenity and outlook of adjoining residential properties and the status of the existing landscaped mound are addressed later within this report. Detailed sections through the mound to show the impact of the proposed facilitating works to the existing mound have been requested. Once received, a response will be provided to the neighbour who will be given the opportunity comment further. Members will be updated accordingly.

## ASSESSMENT

### Background

In January 2006 Teva acquired this Runcorn site which now manufactures sterile products for use in the treatment of respiratory conditions such as asthma and chronic obstructive pulmonary disease. Teva have since extended the existing facility to include a new office building, laboratory and an extension to the existing warehouse. The site is however reported to now be working at capacity. As the production footprint has increased this has expanded to the detriment of warehouse space. An extension is therefore now proposed to ensure that adequate space is provided for safe and efficient warehouse operations.

In order to make way for the proposed extension and circulation space, an existing mound which separates the proposed from adjoining residential properties at Bridgewater Grange and from the A56 Chester Road will be removed in part and re-profiled. The facility will continue to be accessed via an existing access from Aston Lane North.

The proposals seek to extend the existing warehouse building by approximately 68m to the rear in a north westerly direction. The proposed will provide an additional gross internal floor space of approximately 4727m<sup>2</sup>. The building height will be 13.35m to ridge level which matches the height of the existing building being extended.

Whilst additional job creation associated with the development is expected to be limited the proposals are aimed at improving production and delivery systems and safeguarding the future of the existing facility and potential future growth at the site.



Additional information has been requested from the applicant with respect to job numbers. Members will be updated accordingly.

### Principle of Development

The site is designated as a Primarily Employment Area in the Halton Unitary Development Plan (UDP). UDP policy E3 provides that development falling within uses B1, B2 and B8 will be permitted in such areas. The proposals are therefore considered acceptable in principle.

### Design and Character

The proposal is for a modern warehouse extension with gross internal area of 4727m<sup>2</sup>. The height to underside of haunch will be approximately 9.27 metres and to the ridge it will be approximately 13.35 metres.

The building will be of steel framed construction and the external materials will comprise a mix of trapezoidal cladding in goosewing grey with merlin grey flashing. Personnel, loading dock and roller shutter doors will be coloured lazuli blue. All are to match the existing building being extended.

It is considered that the overall scale and appearance of the extensions and alterations has been designed to be in keeping with the existing building. The profile of the existing warehouse is to be continued with the existing ridge and eaves heights maintained to create a continuation of the existing warehouse of similar construction in terms of profiled cladding materials and colour.

Adjoining residential properties to the north east are, according to the submission, located at a lower ground level by approximately 1.5m. New dwellings are also currently under construction but yet to be occupied on land to the northwest on land at Tannery Farm. Whilst the upper portions of the building will likely be visible above the intervening mound and landscaping, the most closely affected properties are between 47m and 59m away on Bridgewater Grange. The scheme is also considered to be capable of demonstrating compliance with the 25 degree standard for ensuring that suitable daylight is maintained to those properties as suggested by the Building Research Establishment.

The site is also bounded by a substantial earth bund reaching approximately 5m in height to the northeast which is also heavily landscaped and 4m to the northwest alongside the A56 Chester Road which is also landscaped, albeit to a much lesser degree. This is considered to offer further protection and mitigation by providing a substantial visual and acoustic barrier to the proposed extension and use having particular regard to adjoining residential properties.

The proposed building is considered to be of a scale and character suited to the site and, even accounting for relative level changes, it is not considered that refusal of planning permission could be justified on these grounds.

Removal of parts of the mound is required to create the development plateau and provide space for circulation etc. Detailed cross section drawings are awaited. It is however expected that these will demonstrate that, whilst the mound will be reduced in depth, the overall height will be maintained. Also that existing landscaping on the top and on the residential sides of the mound will be capable of retention. Compensatory planting will also be capable of provision on the newly profiled slopes and further scope for planting exists on the mound to the northwest. In order to avoid unnecessary delay in determining the planning application this report has been prepared in advance of receipt of those cross sections. A further query has also been made with respect to confirming the company's intention with respect to elements of external storage which currently occupy the development site. Members will however be updated accordingly.

### Highways

A single access currently exists via Aston Lane North and the existing Whitehouse Vale highway network and this will continue to serve the site and the proposed development. The application indicates that the finished product is high in value and low in volume so there is generally a low traffic volume for the site. It states that the 2 new loading docks are designed to allow trailers to remain in their docked position for several days while they are slowly loaded with only approximately 5 HGV movements per day from the site. Van movements are not predicted to increase above existing. Given minimal or no increases in staff numbers the proposals are not considered to require alterations to existing parking and servicing provision and it is therefore considered that adequate provision can be made within the scheme for access, parking and servicing. Further clarification has been requested regarding current and proposed staff numbers and the potential for overspill parking to be provided at a nearby site recently leased by the applicant. Members will be updated in this regard. The Councils Highways Engineer has however confirmed that they raise no objections in principle subject to the requested clarification and appropriate travel plan update.

### Drainage and Flooding

The application site is identified as lying within Flood Risk Zone 1. In accordance with national and local policy the proposed development is therefore considered to be located within an area of low flood risk.

United Utilities has confirmed that they raise no objections subject to conditions relating to submission and agreement of a surface water drainage scheme based on the drainage hierarchy. It is considered that this can be adequately secured by appropriately worded planning condition. They have however also recommended conditions relating to submission and agreement of a plan for drainage management and maintenance. They have however stated that they are not in a position to comment on any future submission in this regard. It is not considered that such a

recommended condition relating to drainage maintenance and management plan can be justified with respect to the application of the 6 tests contained within the NPPF.

The application states that it is intended that the site will be drained to existing foul and surface water systems. The LLFA has confirmed detail is required with respect to the drainage strategy demonstrating compliance with the drainage hierarchy and/or that United Utilities are willing to accept the additional discharge. This has been queried with the applicant and members will be updated with their response. It is however considered that this could be addressed a appropriately worded planning condition.

#### External Lighting, Noise and Residential Amenity

The site directly adjoins an existing residential area and proposes the potential intensification of an existing commercial use. Members should be aware that the site is currently in 24 hour operation.

The building has been designed such that operations likely to involve the majority of external activity are orientated away from residential properties. The new goods yard and primary HGV loading bays are located to the south west elevation thus using the building itself as an acoustic barrier and being away from the existing residential uses. It is not considered that the proposed would result in an intensification of the use such that it would result in significant additional impacts so as to justify refusal of planning permission in this case.

The application includes no detail with respect to external lighting. Whilst lighting levels must be designed to meet health and safety standards on site it is considered that, using modern lighting technologies and careful design, issues with light spill etc and associated nuisance can be appropriately designed out and mitigated. It is considered that detailed lighting design and mitigation measures can be properly secured by appropriately worded planning condition.

Members should also be aware that approval of planning permission would not be considered to prejudice available powers to control nuisance under Environmental Protection legislation.

#### Summary and Conclusions

The proposals seek permission for extensions and alterations to an existing manufacturing and distribution facility considered to accord with national and local policy. In the context of the substantial, albeit reduced, landscape screen bund which bounds the site, the proposals are considered to be of a scale, character and quality in keeping with the site and surrounding area. It is not considered that refusal of planning permission could be justified having regard to additional impacts which would result from the proposed extensions, alteration and any intensification of the use having particular regard to the amenity of and visual impact on the occupiers of

adjoining residential properties. Subject to receipt of outstanding satisfactory detail relating to employment numbers, drainage and the re-engineered mound it is considered that all other outstanding matters can adequately be secured or controlled by appropriately worded planning condition. Members will be updated accordingly.

### RECOMMENDATION

The application be approved subject to Conditions relating to the following:

1. Standard 3 year timescale for commencement of development
2. Specifying approved/ amended plans
3. Requiring submission and agreement of a Construction Environmental Management Plan
4. Materials condition, requiring materials to match existing/ accord with submitted details (BE2)
5. Landscaping condition, requiring submission and approval both hard and soft landscaping including replacement/ enhanced landscaping of the mound (BE1/2)
6. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
7. Submission and agreement of detailed lighting scheme (PR4/GE1)
8. Submission and agreement of detailed drainage scheme/ to be carried out as approved ((PR16)
9. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
10. Requiring submission and agreement of an updated green travel plan. (TP16)
11. Requiring submission and agreement of finished site levels/ to be carried out as approved. (BE1)
12. Submission and agreement of Site Waste Management Plan (WM8)
13. Submission and agreement of a sustainable waste management plan (WM9)
14. Requiring submission and agreement of onsite waste storage (WM9)

### SUSTAINABILITY STATEMENT

As required by:

Paragraph 186 – 187 of the National Planning Policy Framework;

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

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.

<b>APPLICATION NO:</b>	17/00571/CAAD
<b>LOCATION:</b>	The former Dray, Mullion Close, Brookvale, Runcorn
<b>PROPOSAL:</b>	Application for Certificate of Appropriate Alternative Development for residential
<b>WARD:</b>	Norton South
<b>PARISH:</b>	
<b>APPLICANT(S):</b>	Navin Soni c/o Mr Riddle, Berrys, Kettering
<b>DEVELOPMENT PLAN ALLOCATION:</b>	Primarily Residential Area
National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	
<b>DEPARTURE</b>	No
<b>RECOMMENDATION:</b>	To issue a certificate of Appropriate Alternative Development

**SITE MAP**

## Background

An application has been made by owner of The Land at the Dray Former public house, Mullion Close, for a Certificate of Alternative Development and is made in accordance with Section 17 of the Land Compensation Act 1961. The application is for a Certificate of Appropriate Alternative Development for Residential Development.

The procedure for applications for Certificates of Appropriate Alternative Development under section 17 of the Land Compensation Act 1961 is a mechanism for assessing compensation for property being compulsorily acquired.

## The Site

The site is the former Dray Public House of mullion close and includes the building and car park area. The site was granted planning permission in 2009 to change the use to a dance/recording studio with two apartments above. This permission was implemented.

The Local Planning Authority currently has an application to convert the property into 6 retail units. This application is still pending consideration.

The site is within a primarily residential area in the Unitary Development Plan.

## **THE APPLICATION**

### The Proposal

The application is for a Certificate of Appropriate Alternative Development for Residential Development. The Documentation submitted includes the application form and a redline plan. No mention is made as to the number of units.

## **POLICY CONTEXT**

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

The site is designated as primarily Residential development in the Halton Unitary Development Plan. Any hypothetical planning application for residential development would need to be assessed against the following policies within the adopted Unitary Development Plan;

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- GE21 Species Protection;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;

Halton Core Strategy (2013)

Any hypothetical planning application for residential development would need to be assessed against the following policies within the adopted Core Strategy Policy;

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

Joint Merseyside and Halton Waste Local Plan (2013)

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

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

Supplementary Planning Documents

Design of New Residential Guidance  
Affordable Housing

**ASSESSMENT**

Development Plan Policy and Principle of Development

The site is designated as a Primarily Residential Area within the Halton UDP proposals map. Whilst the certificate for Appropriate Alternative Development for residential is acceptable in principle an application for planning permission would need to show compliance with the Council's policies and guidance set out in the Supplementary Planning Document, having particular regard to separation distances, garden sizes and adequate parking arrangements. Any planning Permission would also be subject to a number of conditions relating to contaminated land surveys, drainage, landscaping, provision of affordable housing, etc.

**RECOMMENDATIONS :**

To issue a certificate pursuant to Section 17 of the Land Compensation Act 1961 that permission would have been granted for residential development on the land shown on the plan received on the 16<sup>th</sup> November 2017. Subject to the following:

1. Compliance with the Council New Residential Design Guidance.
2. submission of surveys in relation to contaminated land and trees
3. Compliance with the Council's Affordable housing policy.

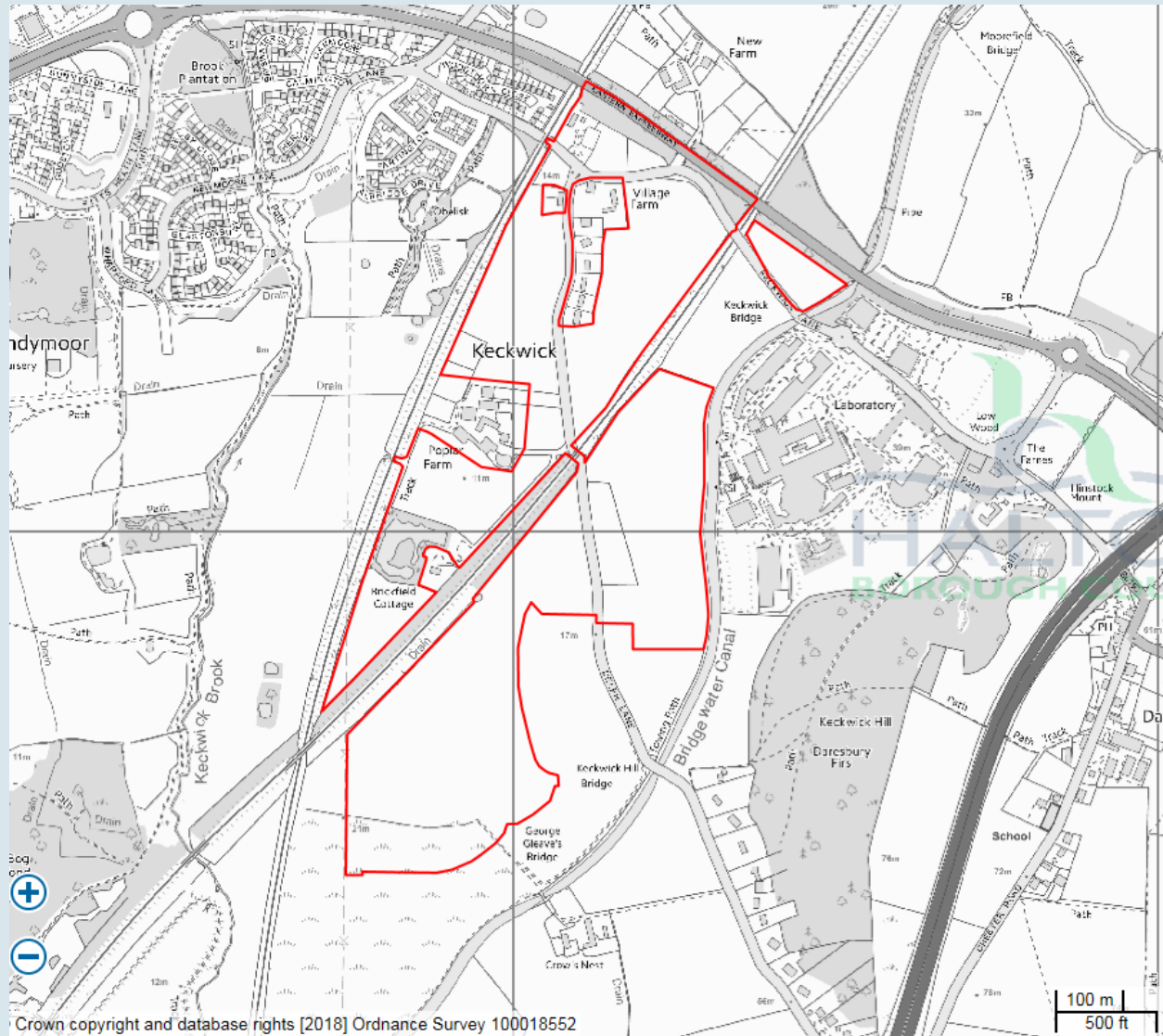
Any permission would also be subject to a number of conditions:

examples of typical conditions that would be included:

- Layout, appearance and scale and access details
- Construction Management plan.
- landscaping details
- submission of materials
- contaminated land conditions
- drainage details
- affordable housing provision
- Site Levels to be implemented
- 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.
- Details of boundary treatment

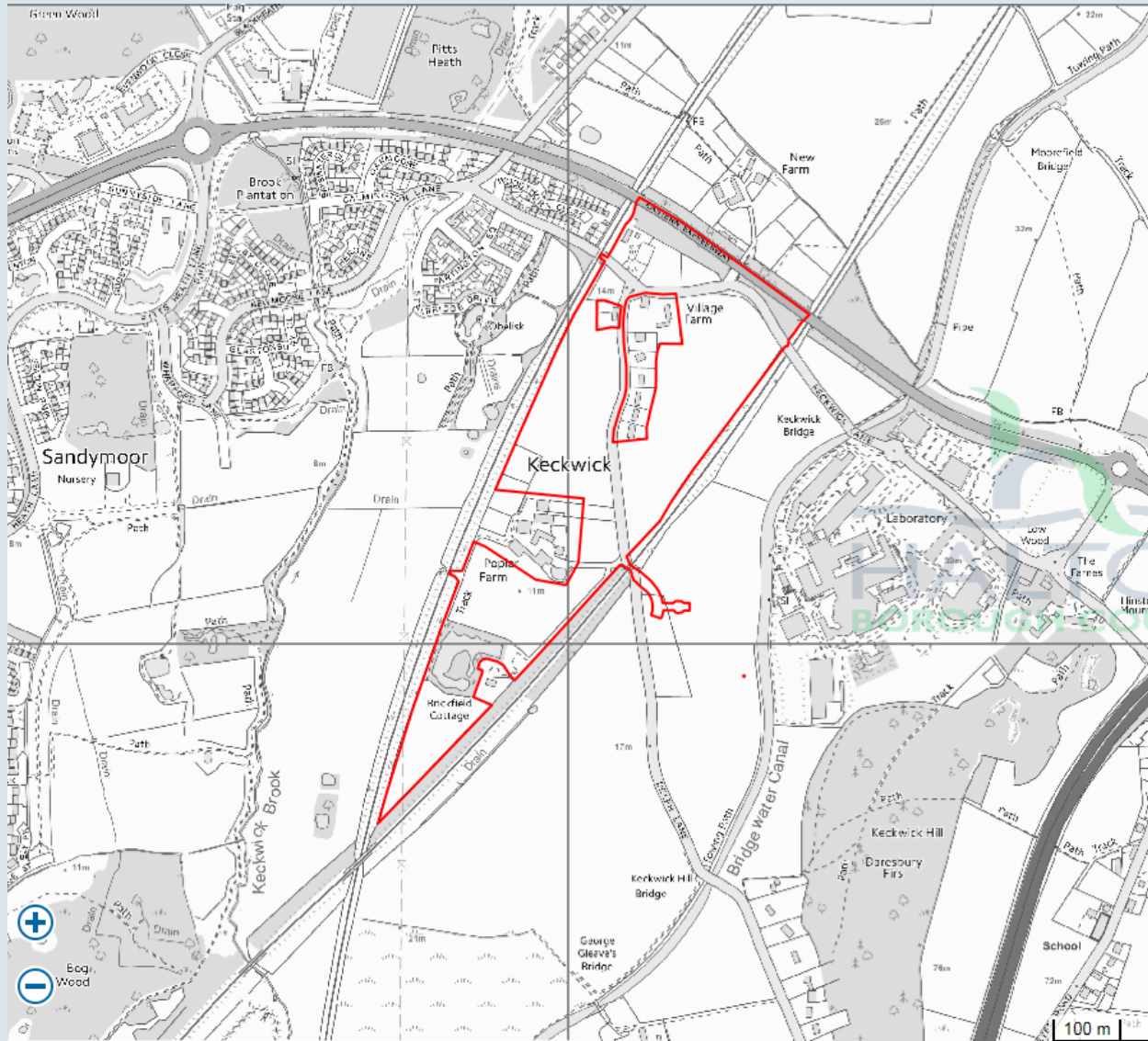






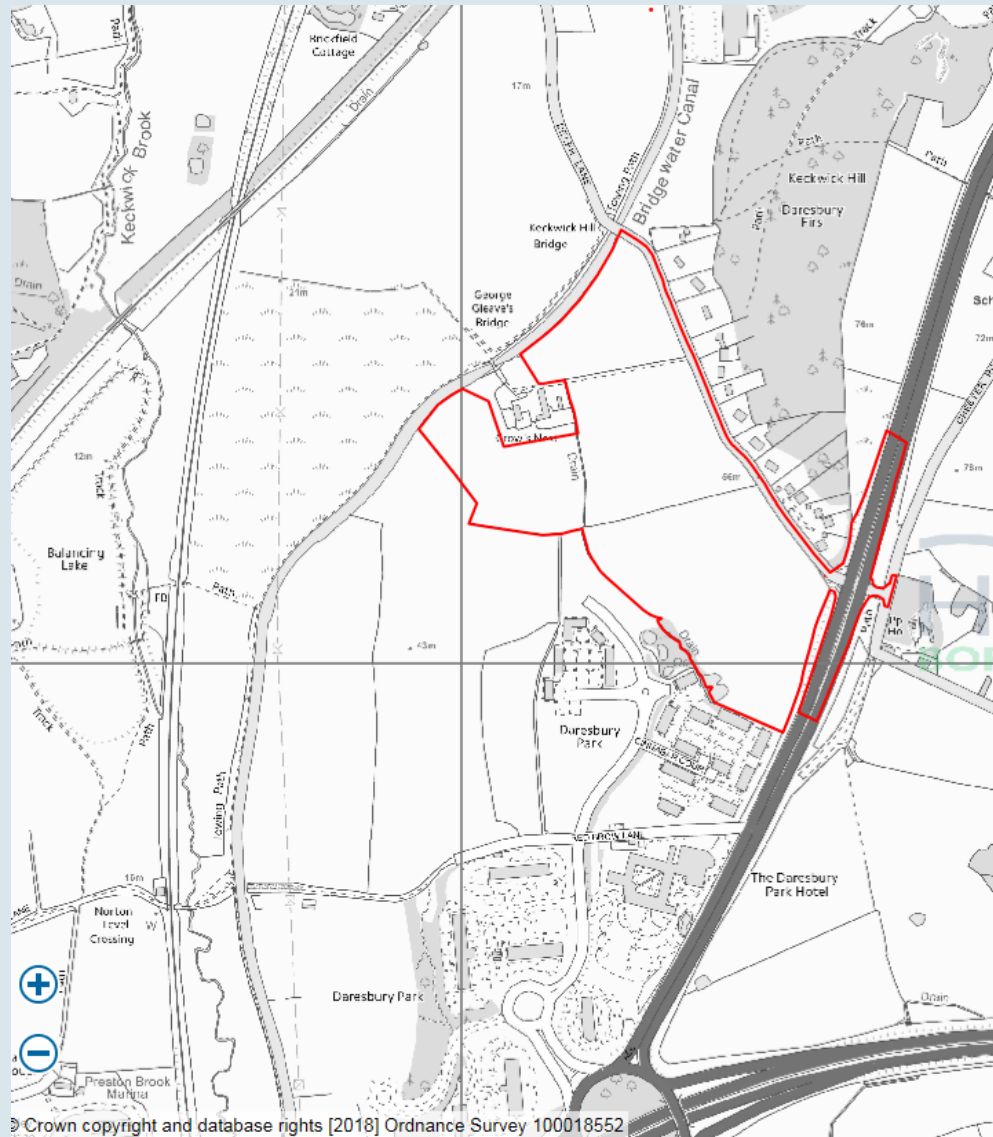








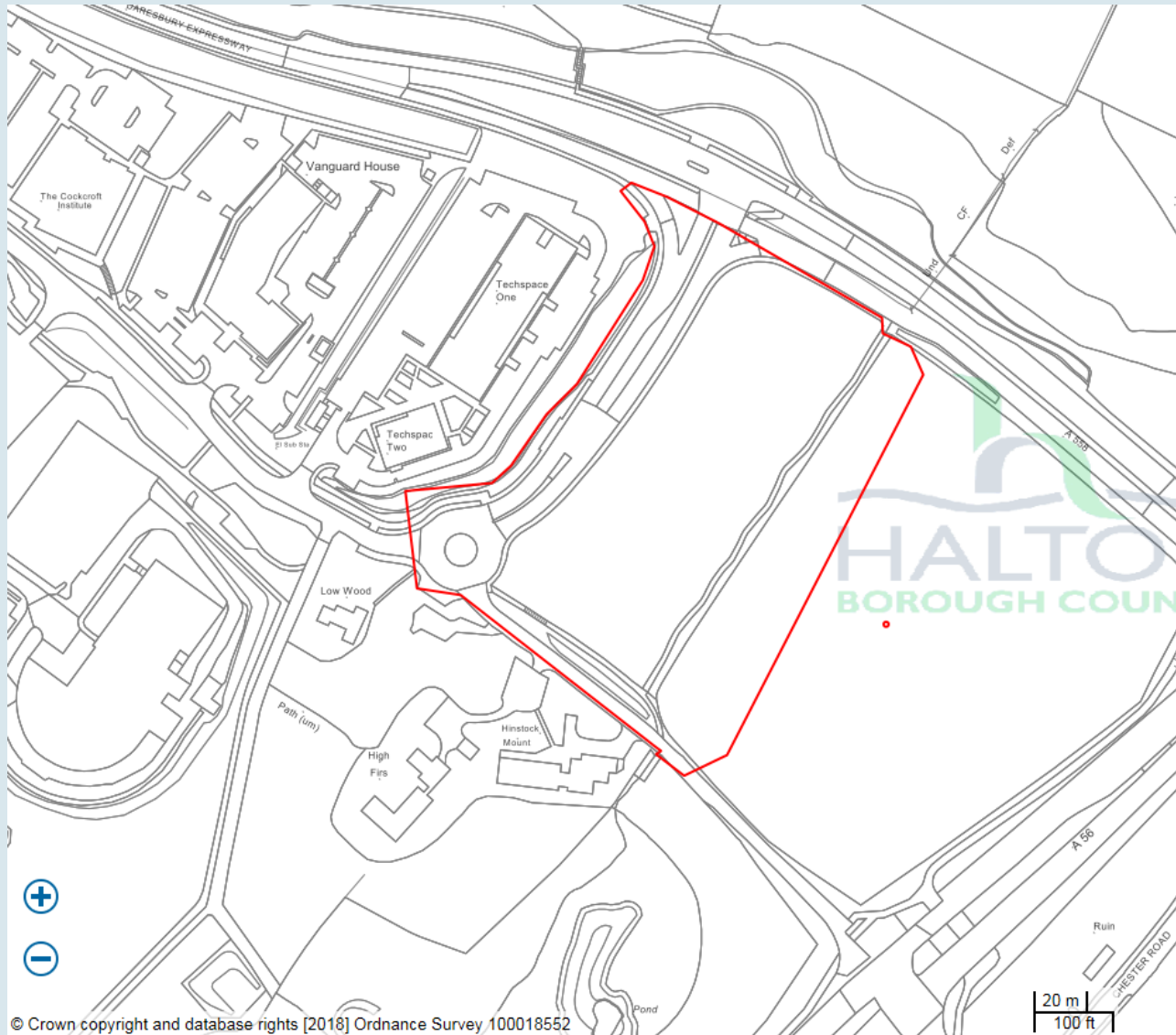












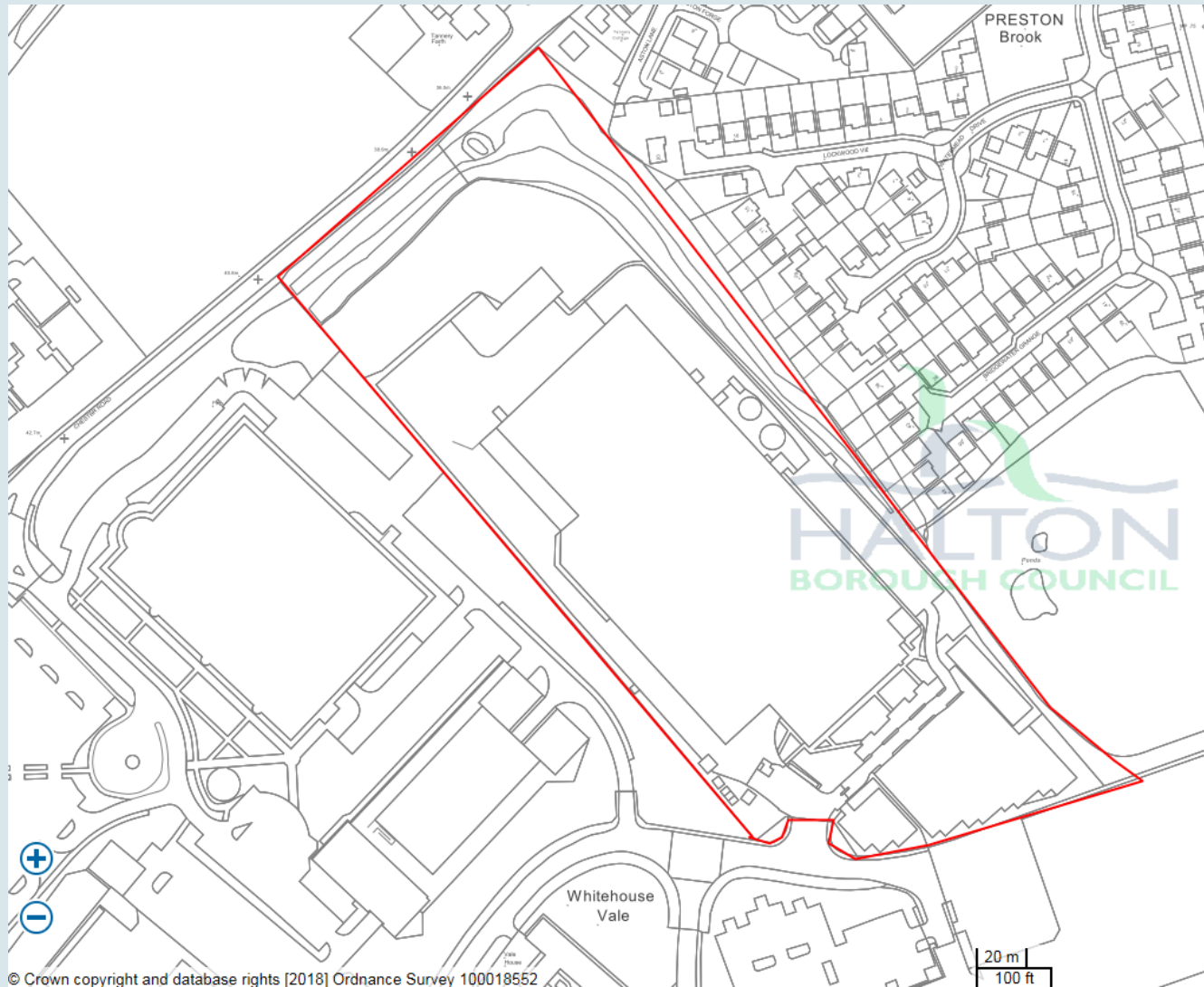


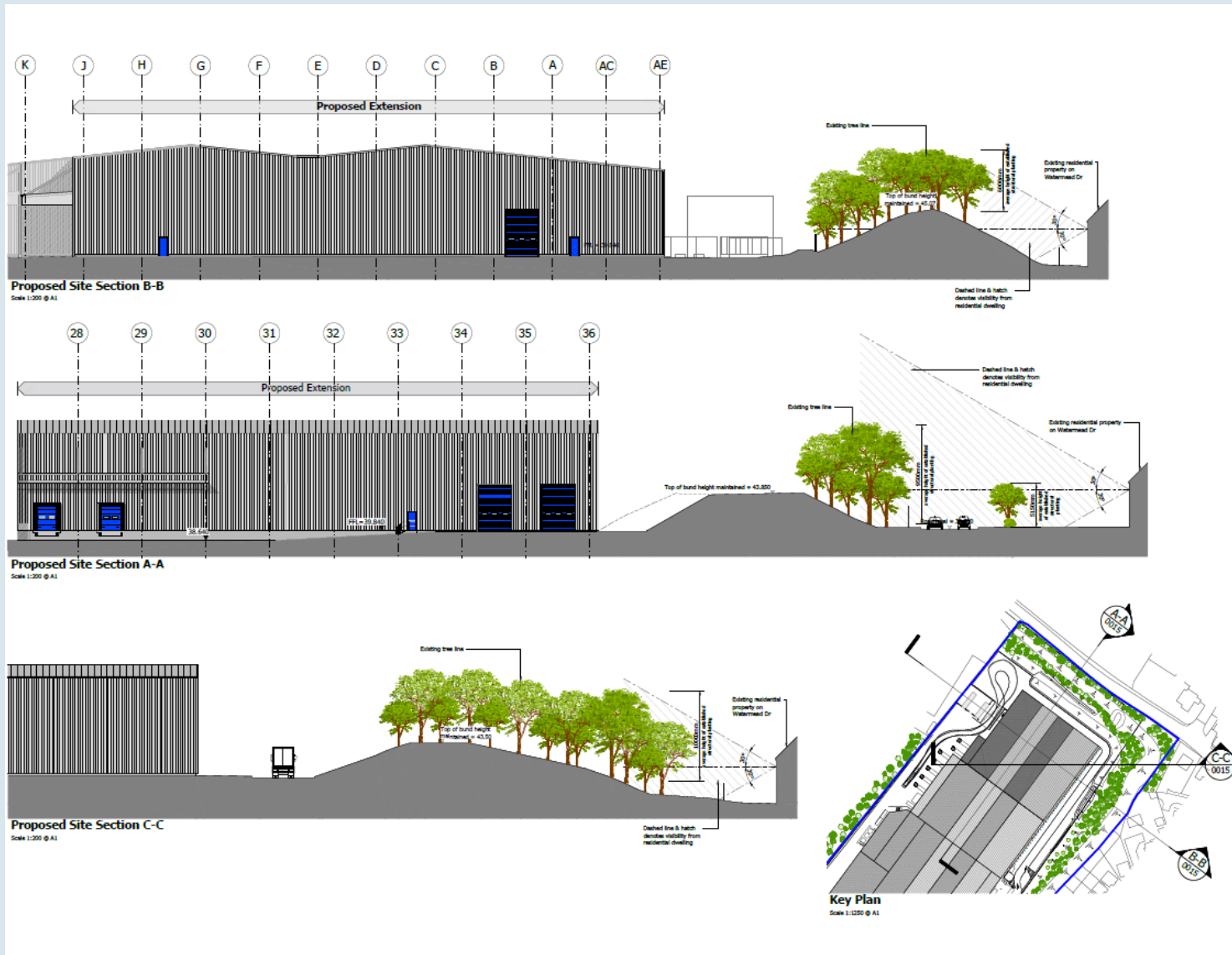


Building 1 Innovation Way Elevation  
1:25





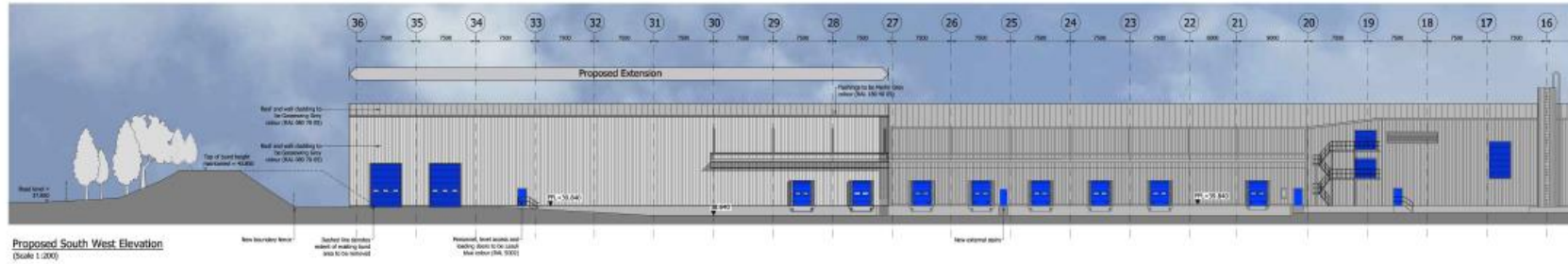






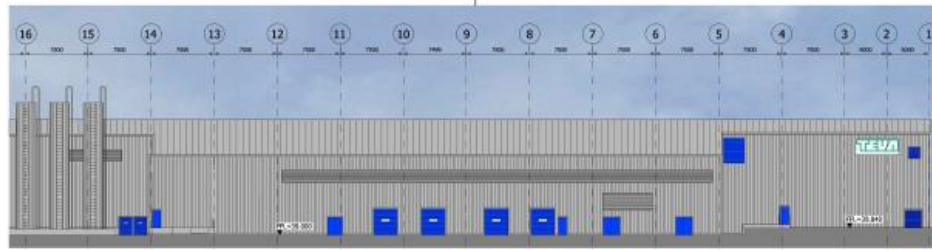




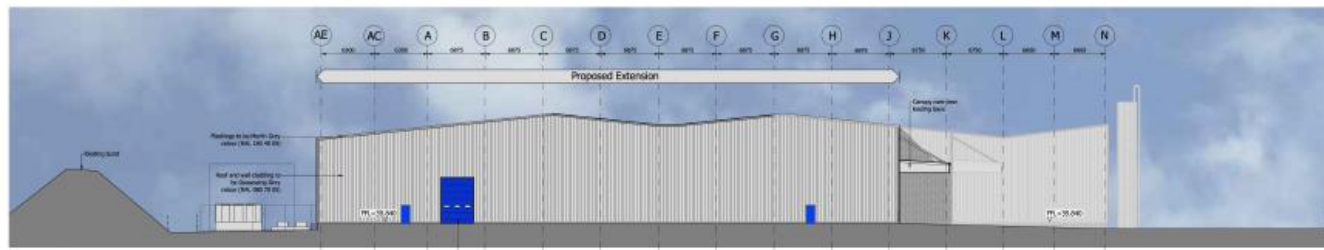


**Proposed South West Elevation**  
(Scale 1:2000)

Elevation Continued Below



**Proposed South Elevation Continued**  
(Scale 1:2000)



**Proposed North West Elevation**  
(Scale 1:2000)









**HALTON  
BOROUGH COUNCIL**

**APPLICATION FOR CERTIFICATE OF  
APPROPRIATE ALTERNATIVE  
DEVELOPMENT** 16 NOV 2017

1. I Navin Soni c/o Harrison Riddle BSc (Hons) MRICS, Berrys, 42 Headlands, Kettering, Northamptonshire NN15 7HR (a) (1) hereby apply to Halton Borough Council (b) ("The Authority") for a certificate of appropriate alternative development under Section 17 of the Land Compensation Act 1961 in respect of the land described in the First Schedule hereto ("the Land").
2. There is /are<sup>2</sup> in my opinion a class /classes<sup>2</sup> of development set out in the Second Schedule hereto which either immediately or at a future time would be appropriate for the Land if an interest in land were not proposed to be acquired by National Grid Electricity Transmission plc (c).

**Or**

3. ~~There is in my opinion no class of development which either immediately or at a future time would be appropriate for the land if it were not proposed to be acquired by~~ \_\_\_\_\_ (e)
4. The grounds for holding that opinion are that the land would otherwise constitute a windfall site of conforming use that is compliant with applicable planning policy and available to help meet the requirement for development on brownfield land (d).
5. A copy of the application ~~has been /~~ will be\* served on National Grid Electricity Transmission plc (c) (2) on 17<sup>th</sup> November 2017 (e).

**FIRST SCHEDULE (3)**

Glenda Hill Theatreworks (The Dray Former Public House), Mullion Close, Brookvale, Runcorn WA7 6AQ (f)

**SECOND SCHEDULE**

Residential (g)

Signature on behalf of owner: \_\_\_\_\_

Dated: 15<sup>th</sup> November 2017







**REPORT TO:** Development Control Committee

**DATE:** 5 February 2018

**REPORTING OFFICER:** Strategic Director, Enterprise, Community & Resources

**SUBJECT:** Miscellaneous Items

**WARD(S):** Boroughwide

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**The following applications have been withdrawn:**

**17/00558/LBC** Application for Listed Building Consent for the installation of 6 no non-illuminated advertising displays at Widnes Railway Station, Victoria Avenue, Widnes, Cheshire, WA8 7TJ.

**The following applications have gone to appeal:**

**17/00199/FUL** Proposed erection of 1 no. single storey detached dwelling with new vehicular access at 149 Main Street, Runcorn, Cheshire, WA7 2PP.

**The following Appeal Decisions have been made:**

**NONE**