

Public Document Pack



Development Control Committee

Tuesday, 6 March 2018 6.30 p.m.
Civic Suite, Town Hall, Runcorn

A handwritten signature in black ink, appearing to read 'David W R'.

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Paul Nolan (Chair)
Councillor Keith Morley (Vice-Chair)
Councillor John Bradshaw
Councillor Chris Carlin
Councillor Robert Gilligan
Councillor Ron Hignett
Councillor Carol Plumpton Walsh
Councillor June Roberts
Councillor Dave Thompson
Councillor Bill Woolfall
Councillor Geoff Zygodllo

*Please contact Ann Jones on 0151 511 8276 Ext. 16 8276 or
ann.jones@halton.gov.uk for further information.
The next meeting of the Committee is on Monday, 9 April 2018*

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

Part I

Item No.	Page No.
1. MINUTES	1 - 13
2. DECLARATIONS OF INTEREST	
Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting prior to discussion and voting on the item.	
3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	14 - 47
4. MISCELLANEOUS ITEMS	48

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, 5 February 2018 at The Board Room - Municipal Building, Widnes

Present: Councillors Nolan (Chair), Morley (Vice-Chair), J. Bradshaw, Gilligan, R. Hignett, June Roberts, Thompson, Woolfall and Zygadlo

Apologies for Absence: Councillor C. Plumpton Walsh

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, A. Plant, Evans, P. Shearer and J. Farmer

Also in attendance: 13 Members of the public

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

Action

DEV28 MINUTES

The Minutes of the meeting held on 8 January 2018, having been circulated, were taken as read and signed as a correct record.

DEV29 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE

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

In order to avoid any allegation of bias, Councillor R. Hignett did not take part in the debate or vote in the following item as he sits on the JV Board at Daresbury Sci-Tech.

In order to avoid any allegation of bias, Councillor Morley did not take part in the debate or vote on the following item as he is a member of the Bridgewater Canal Trust.

DEV30 - 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 DARESBUY EXPRESSWAY AND DETAILS OF ACCESS ON LAND AT DELPH LANE, DARESBUY;

- 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 DARESBUY EXPRESSWAY (A558), INSTALLATION OF A SIGNALISED JUNCTION TO DELPH LANE, PROVISION OF OPEN SPACE AND PLAY FACILITIES AND ASSOCIATED WORKS; AND

- 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 SPINE ROAD, TURNING HEAD TO THE EAST OF DELPH LANE CANAL BRIDGE, NEW JUNCTION BETWEEN THE PROPOSED SPINE ROAD AND THE A56, PEDESTRAIN / CYCLE ROUTES AND ASSOCIATED WORKS (PHASE A); AND OUTLINE PLANNING APPLICATION FOR UP TO 178 RESIDENTIAL DWELLINGS (ALL MATTERS RESERVED) (PHASE B)

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

The Committee was advised that since the publication of the agenda, correspondence had been received from Peel Holdings focussing on the need for a marina and improvements to the Bridgewater Canal, as stated in the published supplementary information update list. It was noted that this correspondence added details in relation to the improvements to the Canal that were covered in the original objection, as detailed in the report.

In addition it was reported that Network Rail had provided a number of recommendations, which would be attached to the relevant planning permissions; one was concerning boundary treatment details along the development boundary of the West Coast Mainline. A further condition was recommended to application

17/00407/OUTEIA for the treatment and eradication of Japanese Knotweed.

The Committee was addressed by Mr Thompson who was a representative from the Bridgewater Canal Company. He stated that the proposals did not pay enough attention to what was a 250 year old leisure, tourist and wildlife facility and had played a role in shaping the region. He argued that the fact that there was no mention of a marina or linear country park alongside the Canal was contrary to the Core Strategy. He felt the Canal had not been embraced and criticised the lack of consideration given to enhancing it in the proposed development. He did not object in principle to the development but urged that the Canal be integrated more into the proposals and that funding be made available for this.

Mr Page, a representative of the applicant, then addressed the Committee. He stated that this site was of strategic importance to the Borough and the Core Strategy showed the whole site was allocated for primarily residential and employment development, reflecting the uses suggested by the planning applications. He outlined the social benefits to the scheme and employment benefits considering the neighbouring site Sci-Tech Daresbury. He also stated that the proposals would bring an improvement in local services and open spaces. In response to the comments made regarding the inclusion of a marina in the proposals, he referred to paragraphs 9.9 to 9.15 of the Officer's report and stated the applicant shared the concerns in relation to this.

Councillor J. Bradshaw raised concerns over the narrow access to the site through Delph Lane and the fact that Keckwick underbridge would be closed to the public thus impacting on local residents accessing Moore Village. In response it was confirmed that the underbridge would be closed to motor vehicles and only a small number of them used the underbridge each day as more of a 'cut through', so it was an on balance decision made to include a high quality path instead. Regarding the narrowness of Delph Lane, Officers advised that this would be widened to construct a proper carriageway.

Discussions around the viability and planning obligations from the development pursued and what funding was / could be used for improvements to the Bridgewater Canal, a new canal crossing and affordable housing.

RESOLVED: That all applications be approved

subject to the following:

- a) a planning obligation and/or other appropriate agreement relating to securing matters as set out in Section 10 of this report;
- b) that if the Section 106 Agreement or alternative arrangement was not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair 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; and
- d) conditions relating to the following:

16/00495/OUTEIA Conditions

1. Reason for decision;
2. Approved plans;
3. Standard materials;
4. Minimum employment density condition;
5. Vertical and horizontal alignment (all applications);
6. Restriction on motor vehicles Keckwick Lane underbridge;
7. Emergency access condition;
8. Construction Phase management plan;
9. CEMP recommendations;
10. Site access condition – no development until final access arrangements have been constructed to satisfaction of the Local Highway Authority;
11. Final surface water drainage details condition;
12. Greenway routing;
13. Standard outline applications;
14. Open Space – Delivery of the amount;
15. Open Space – formal play provision and standard;
16. Boundary treatments;
17. Site levels;
18. Ground investigation;
19. Retained tree and hedgerow protection measures;
20. Ground nesting birds;
21. Remove Permitted Development;
22. Standard foul and surface water drainage;
23. Grampian style condition for the employment access

- northern parcel from Keckwick Lane over the Cheshire Line concerning improvements to (16/00495/OUTEIA);
24. Noise condition;
 25. Archaeological / heritage watching brief;
 26. Keckwick Lane Railway Overbridge accessibility improvements approval of vertical and horizontal alignment of new highway;
 27. Works to create greenway at Poplar Farm underpass and route to / from highway;
 28. Development levels / retaining wall details and necessary changes to layout final;
 29. Construction Environment Management Plan including low bridges;
 30. Location / provision of bus stops / infrastructure;
 31. Diversion / stopping up of highways and Public Rights of Way;
 32. Traffic restrictions and walk / cycle improvement details at Keckwick Lane rail underbridge including appropriate turning provision;
 33. Traffic restrictions and walk / cycle improvement details at Delph Lane canal overbridge including appropriate turning provision;
 34. Final vehicle tracking plots;
 35. A558 access and bridge details approval including design departures (S278);
 36. Emergency access additional details were not shown in applications;
 37. Electric vehicle charging provision;
 38. Details and programme of implementation for signalised two way traffic improvement scheme at Delph Lane rail underbridge;
 39. Section 38/278 Agreements – including visibility splays to be within proposed highway;
 40. Greenway provision;
 41. Management remit plan;
 42. Boundary treatment / deed clause adjacent to cycleways;
 43. Priority habitat hedgerow and ponds;
 44. Bat mitigation measures proposed in Section 6 of Appendix 5D (TEP, Bat Activity Appendix 2017 Appendix 5d, 6343.011, version 4 September 2017);
 45. Site waste management plan (WM8);
 46. Household waste storage and collection (WM9);
 47. Bat mitigation measures proposed in Chapter 5 (paragraph 5.103 to 5.107) and Section 6 of Appendix 5D (TEP, Bat Activity Appendix 2017 Appendix 5d, 6343.011, version 4 September 2017);
 48. Standard outline conditions; and
 49. Network Rail suggested conditions.

17/00406/FULEIA Conditions

1. Reason for decision;
2. Approved plans;
3. Vertical and horizontal alignment
4. Restriction on motor vehicles Keckwick Lane underbridge;
5. TRO condition on Delph Lane Bridge;
6. Emergency access condition;
7. Construction Phase Management Plan;
8. CEMP recommendations, compliance thereof;
9. Site access condition – no development until final access arrangements have been constructed to satisfaction of the Local Highway Authority;
10. Final surface water drainage details condition;
11. Open space – standard landscaping scheme;
12. Boundary treatments;
13. Site levels;
14. Ground investigation;
15. Retained tree and hedgerow protection measures;
16. Ground nesting birds;
17. Remove Permitted Development;
18. Noise condition;
19. Standard of foul and surface water drainage;
20. Approval of vertical and horizontal alignment of new highway;
21. Works to create greenway at Poplar Farm underpass and route to / from highway;
22. Development levels / retaining wall details and necessary changes to layout;
23. Final Construction Environment Management Plan including low bridges;
24. Location / provision of bus stops / infrastructure;
25. Diversion / stopping up of highways and Public Rights of Way;
26. Traffic restrictions and walk / cycle improvement details at Keckwick Lane rail underbridge including appropriate turning provision;
27. Traffic restrictions and walk / cycle improvement details at Delph Lane canal overbridge including appropriate turning provision;
28. Final vehicle tracking plots;
29. A558 access and bridge details approval including design departures (S278);
30. Electric vehicle charging provision;
31. Details and programme of implementation for signalised two way traffic improvement scheme at Delph Lane rail underbridge;
32. Section 38/278 Agreements – including visibility splays to be within proposed highway;

33. Greenway provision;
34. Management remit plan;
35. Boundary treatment / deed clause adjacent to cycleways;
36. Archaeological / heritage watching brief;
37. 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;
38. Waste audit (WM8);
39. Household waste provision (WM9); and
40. Network Rail suggested conditions.

17/00407/OUTEIA Conditions

1. Reason for decision;
2. Approved plans;
3. Standard materials;
4. Vertical and horizontal alignment;
5. TRO condition on Delph Lane Bridge;
6. Emergency access condition;
7. Construction Phase management plan;
8. CEMP recommendations, compliance thereof;
9. Site access condition – no development until final access arrangements have been constructed to satisfaction of the Local Highway Authority;
10. Final design of T shaped cul-de-sac;
11. Final surface water drainage details condition;
12. Greenway routing to JF to populate;
13. Standard outline applications;
14. Open space – delivery of the amount;
15. Open space – formal play provision and standard;
16. Standard landscaping scheme;
17. Boundary treatments;
18. Site levels;
19. Noise condition;
20. Ground investigation;
21. Retained tree and hedgerow protection measures;
22. Ground nesting birds;
23. Remove PD;
24. UU standard foul and surface water drainage;
25. Archaeological / heritage watching brief;
26. Keckwick Lane Railway Overbridge accessibility improvements;
27. Approval of vertical and horizontal alignment of new highway;
28. Works to create greenway at Popular Farm underpass and route to / from highway;
29. Development levels / retaining wall details and

- necessary changes to layout;
30. Final Construction Environment Management Plan including low bridges;
 31. Location / provision of bus stops / infrastructure;
 32. Diversion / stopping up of highways and Public Rights of Way;
 33. Traffic restrictions and walk / cycle improvement details at Delph Lane canal overbridge including appropriate turning provision;
 34. Final vehicle tracking plots;
 35. A56 Access, Spine Road and existing Delph Lane connection / turning head details and timing, including extent of reconstruction on A56 (S278/38);
 36. Emergency access additional details were not shown in applications;
 37. Electric vehicle charging provision;
 38. Details and programme of implementation for signalised two way traffic improvement scheme at Delph Lane rail underbridge;
 39. Section 38/278 Agreements – including visibility splays to be within proposed highway;
 40. Greenway provision;
 41. Management remit plan;
 42. Boundary treatment / deed clause adjacent to cycleways;
 43. Bat mitigation measures proposed in Chapter 5 (paragraph 5.103 to 5.107) 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;
 44. Waste Audit (WM8);
 45. Household waste provision (WM9);
 46. Standard outline conditions; and
 47. Network Rail suggested conditions.

In order to avoid any allegation of bias, Councillor R. Hignett did not take part in the debate or vote on the following item as he sits on the JV Board at Sci-Tech Daresbury.

DEV31 - 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 AT DARESBUY SCIENCE PARK, KECKWICK LANE, DARESBUY, WA4 4FS

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

It was reported that since the report was published there were conditions recommended to be re-worded from requiring 'submission' to requiring 'approval' as stated in the update list. Additionally, the applicant had responded to the technical highway issues resulting from the gradient of Keckwick Lane and had amended the scheme in accordance with the advice from the Local Highway Authority. It was noted that a further amendment was required to ensure appropriate planting was undertaken adjacent to the adopted highway and that conditions were recommended in relation to this.

The Committee agreed that the application be approved subject to the addition of the conditions discussed above and the conditions listed in the report.

RESOLVED: That the application be approved 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 with 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 (eg. 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 as 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); and
27. Prior to commencement details of boundary treatment (BE22).

DEV32 - 17/00565/FUL - PROPOSED CONSTRUCTION OF EXTENSION TO THE EXISTING PRODUCTION FACILITY AND WAREHOUSE AT TEVA PHARMACEUTICALS, ASTON LANE NORTH, RUNCORN

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

Since the publication of the agenda it was reported that detailed section drawings had now been supplied by the applicant to demonstrate that the existing mound would not be significantly impacted on by the proposed development and this would be retained as a barrier between adjoining residential properties. It was confirmed that the height of the bund would remain the same and Officers provided a drawing for Members to see, which explained this. It was noted that following receipt of a Flood Risk Assessment, a condition requiring the development be carried out in accordance with the assessment was recommended, in lieu of condition 8 within the recommendation.

The Committee agreed that the application be approved subject to the conditions listed.

RESOLVED: That 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 of 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); and
14. Requiring submission and agreement of onsite waste storage (WM9).

DEV33 - 17/00571/CAAD - APPLICATION FOR CERTIFICATE OF APPROPRIATE ALTERNATIVE DEVELOPMENT FOR RESIDENTIAL AT THE FORMER DRAY, MULLION CLOSE, BROOKVALE, RUNCORN

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

Members approved the request for a Certificate of Appropriate Alternative Development for Residential Development.

RESOLVED: That a certificate be issued, 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 16 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; and
3. Compliance with the Council's Affordable Housing Policy.

DEV34 MISCELLANEOUS ITEMS

The following application had been withdrawn:

17/00558/LBC

Application for Listed Building Consent for the installation of 6 non-illuminated advertising displays at Widnes Railway Station, Victoria Avenue, Widnes, Cheshire, WA8 7TJ.

The following application had gone to appeal:

17/00199/FUL

Proposed erection of 1 single storey detached dwelling with new vehicular access at 149 Main Street, Runcorn, Cheshire, WA7 2PP.

Meeting ended at 7.15 p.m.

REPORT TO: Development Control Committee

DATE: 6 March 2018

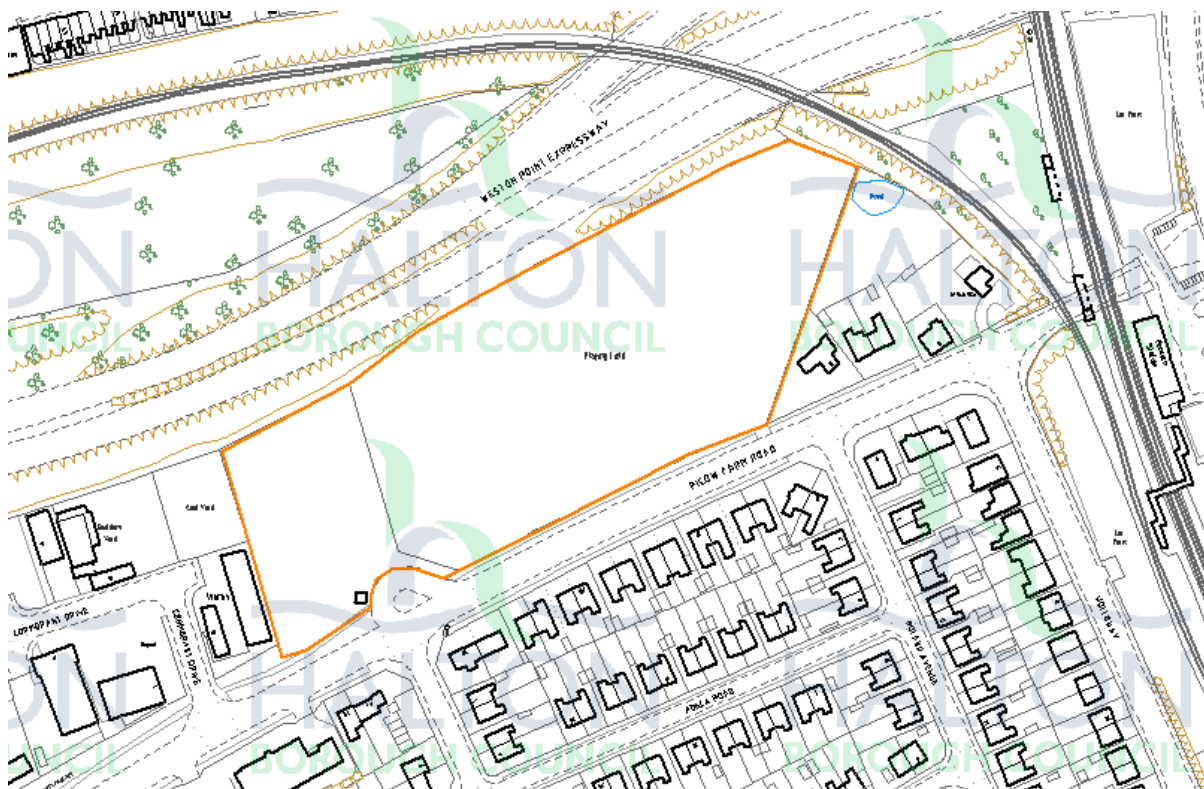
REPORTING OFFICER: Strategic Director – Enterprise, Community and Resources

SUBJECT: Planning Applications to be Determined by the Committee

WARD(S): Boroughwide

Application No	Proposal	Location
17/00455/FUL	Proposed residential development comprising 67 no. dwellings (3 no. 2 bed bungalows, 19 no. 2 bed houses, 41 no. 3 bed houses, 4 no. 4 bed houses) with associated infrastructure and new access from Picow Farm Road.	Former playing fields and car park, Picow Farm Road, Runcorn, Cheshire.

APPLICATION NO:	17/00455/FUL
LOCATION:	Former Playing Fields and Car Park, Picow Farm Road, Runcorn, Cheshire.
PROPOSAL:	Proposed residential development comprising 67 no. dwellings (3 no. 2 bed bungalows, 19 no. 2 bed houses, 41 no. 3 bed houses, 4 no. 4 bed houses) with associated infrastructure and new access from Picow Farm Road.
WARD:	Mersey
PARISH:	None
AGENT(S) / APPLICANT(S):	M.C.I. Developments Limited & Halton Housing Trust.
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Greenspace – School Playing Fields. Primarily Employment Area.
DEPARTURE	Yes
REPRESENTATIONS:	3 representations received from the publicity given to the application.
KEY ISSUES:	Development on a designated Greenspace, Protection of Outdoor Playing Space for Formal Sport and Recreation, Affordable Housing, Open Space, Access, Ground Contamination, Flood Risk, Biodiversity.
RECOMMENDATION:	Grant planning permission subject to conditions.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site is located on the north western side of Picow Farm Road in Runcorn. The site is vacant and this has been the case for the last 10 years.

The site has two designations in the UDP with the larger element to the east being a Greenspace and the smaller element to the west being identified as part of a much larger area identified as a Primarily Employment Area.

The Greenspace was previously used as school playing fields hence the designation, however due to a lack of a tenant since 2008, the site has not been actively maintained as playing fields in recent years.

The smaller element of the site is identified as a Primarily Employment Area and is an area of unkempt open land. Based on the use of this element of the application site, the land to the east being playing fields and the commercial uses to the west, including the site within the Primarily Employment Area would have appeared logical at the time. This designation gives support to B1, B2 & B8 uses, however does not preclude other uses. These would have to be considered on their merits.

Located to the south west of the site is a much wider Primarily Employment Area as referred to above.

Located to both the south east and the north east of the site is the Primarily Residential Area.

Located to the north west of the site is the Weston Point Expressway.

2. THE APPLICATION

2.1 The Proposal

This planning application seeks permission for a proposed residential development comprising 67 no. dwellings (3 no. 2 bed bungalows, 19 no. 2 bed houses, 41 no. 3 bed houses, 4 no. 4 bed houses) with associated infrastructure and new access from Picow Farm Road.

2.2 Documentation

The planning application is supported by a Topographical Survey, Flood Risk Assessment, Preliminary Ecological Appraisal, Desk Study Report – Ground Contamination, Japanese Knotweed Report, Noise Assessment, Planning Statement, Sustainable Drainage Statement, Transport Statement, Tree Survey Report, Utilities Statement and a Landscape and Ecological Management Plan.

3. POLICY CONTEXT

3.1 National Planning Policy Framework

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

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

3.2 Halton Unitary Development Plan (UDP) (2005)

The site is partly designated as a Greenspace – School Playing Fields and as a Primarily Employment Area in the Halton Unitary Development Plan. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- GE6 Protection of Designated Greenspace;
- GE8 Development within Designated Greenspace;

- GE12 Protection of Outdoor Playing Space for Formal Sport and Recreation;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodlands;
- PR2 Noise Nuisance;
- PR4 Light Pollution and Nuisance;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP6 Cycle Provision as Part of New Development;
- TP12 Car Parking;
- TP14 Transport Assessments;
- H3 Provision of Recreational Greenspace;
- E3 Primarily Employment Areas.

3.3 Halton Core Strategy (2013)

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

- CS2 Presumption in Favour of Sustainable Development;
- CS10 West Runcorn;
- CS12 Housing Mix;
- CS13 Affordable Housing;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS23 Managing Pollution and Risk.

3.4 Joint Merseyside and Halton Waste Local Plan (2013)

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

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

4. CONSULTATIONS

4.1 Highways and Transportation Development Control

Recommend for Approval - With conditions.

Layout/Highway Safety

- For clarity Proposed Site Layout Drawings Rev. R forms the basis for the highways comments.
- The scheme has undergone several iterations since originally submitted and has addressed road safety and general highway comments.
- The proposal demonstrates that a large refuse collection vehicle can be turned within the space set aside for adoptable highway.
- Internal road widths are acceptable and spacing of dwellings allows for some degree of on street parking.
- Private driveways serve a maximum of 5 properties which is considered suitable for the proposed development.
- The gradient of the main access road is set at 1 in 20, any steeper would result in footways being classed as ramps which would therefore be unacceptable due to their length. Care should be taken on site to ensure that roads and footways are constructed as designed to ensure accessibility.

Parking

Parking within the development

The maximum standard of 2 off street parking spaces per dwellings is achieved by the proposed scheme.

An acceptable plan showing an EV charging scheme has been submitted with several dwellings served by external charge points.

Side by side driveways should have a minimum width of 3m

Parking on Picow Farm Road

It is acknowledged that the proposed scheme will displace existing on street parking to accommodate the site access and new driveways.

The Highway Authority has worked with the developer to mitigate this impact and through removal of units and amending the layout a scheme to provide circa 12 car parking spaces to the site frontage. This demonstrates an improvement on the indicative layout submitted as part of the approved outline permission.

This said although the displaced vehicles should ideally utilise the station car park, it is recognised that should users choose to continue to park on street this may cause loss of amenity for existing and proposed residents.

To discourage inconvenient parking it would be a requirement that a scheme to provide H-Bar markings to benefit to residents fronting Picow Farm Road (both new and existing) be implemented by the developer as part of off-site highway works.

Parking within the visibility splay of the new junction would have a bearing on highway safety issue but this has been considered and mitigated by the introduction of suitable TRO's.

Levels/Highway sections/retaining walls

- Outline levels information has been submitted for consider and as noted earlier some lengths of road/ footway are set at 1 in 20. This is the maximum desirable and care should be taken to ensure all works are undertaken as per the design.
- No surface water should shed from development plots onto the adjacent existing highway or highway to be offered up for adoption.

Access by sustainable modes

- The site is on a bus route with stops immediately fronting the proposed development, and Runcorn Railway station is in the immediate vicinity of the site.
- The bus stop will require relocation as shown on the submitted plans to ensure road safety as it is currently sited prior to the proposed junction which may result in visibility issues.
- There are however no North/ South pedestrian crossings points linking the development to either Westbound bus services or the train station.
- Although a new pedestrian crossing point has been shown on the plans this will require detailing as part of off-site highway works prior to commencement and construction prior to first occupation.

Construction Phase Considerations

- Construction management plan should be submitted prior to commencement. 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

- A highway and transport statement was submitted to support the application and is considered suitable demonstrating that the site would support a development of this nature and scale without a significant impact.

4.2 Lead Local Flood Authority

The applicant intends to discharge the drainage from the site to United Utilities public sewer adjacent to the Weston Point Expressway. The applicant has confirmed that flows will be attenuated to the peak flow rate (mean annual flood, Qbar) and this is acceptable to United Utilities. This drainage strategy is also acceptable to the LLFA due to the reasoning presented in the flood risk assessment.

Confirmation is required by the LLFA that:

1. The foul and surface water sewers in the development will be adopted by United Utilities.
2. Existing and proposed sewer easements will be agreed between the applicant and United Utilities.
3. Details of how the applicant will deal with the 1 in 100 year + climate change flows on site, e.g. kept in pipe, flooding of highway or exceedance routes. Any exceedance routes shall not allow water to flow onto the Weston Point Expressway. Water must be kept on site.
4. Details of finished floor levels within the development.

4.3 Environmental Health – Contaminated Land

I have reviewed the following document submitted in support of the application.

- Picow Farm Road, Desk Study Report, GEA Ltd, Ref J16065, May 2016.

The listed document presents an acceptable review of the site setting, environmental constraints, conceptual site model and overall assessment of the risk posed by land contamination.

The report documents some potential land contamination issues, largely associated with the infilling of some small ponds. The site in general has not been subject to any significant development since being converted from agricultural land, part of Picow Farm, to playing fields and associated parking. The report makes a recommendation for a Phase 2 assessment, i.e. intrusive investigation with associated risk assessment to determine the significance or otherwise of the possible pollutant linkages.

I agree with the site assessment and that a phase 2 investigation will be required, this should be the subject of a condition if planning permission is granted.

4.4 Environmental Health - Noise

The applicant has provided a noise report from an acoustic consultant. The report compares noise level on site with the standards contained within BS8233.

With no mitigation on site the properties will not achieve the all the noise levels specified in BS8233. It is therefore proposed that all properties should receive treatment boundaries consisting of a close boarded fence to a standard height of 1.8m to the rear gardens, except on the northern boundary of the site and adjacent the industrial estate where the fence shall be 3.5m (as identified in Figure 2 of the noise report).

The report clearly indicates that the noise levels within the bedrooms facing onto the expressway will exceed the levels within BS4142 if the glazing provided are the standard double glazed units. To the rooms facing the expressway enhanced glazing should be provided in line with the details specified in Table 4 of the report.

I would therefore suggest that any condition require that noise mitigation be provided to the site in line with the measures outlined in the noise report P3259/R2/PJK and dated 13/09/17.

4.5 Open Spaces

There are no Tree Preservation Orders in force on this site and the area is not a designated Conservation Area. The proposed tree removal is acceptable however it is not clear from the submitted documentation if a programme of tree planting is scheduled. Root Protection areas have been plotted for trees outside of the development area and they should remain unaffected by the proposal. The application does not appear to require the removal of any trees outside/on the boundary of the development plot.

There are no specific ecological constraints associated with the site and the proposal to create an ecology area to the east of the plot is acceptable.

The site does contain a small area of Japanese Knotweed, which I have on good authority, has been treated by HBC (Property Services Danielle Lightfoot commissioned the work) but the supplied Japanese Knotweed Report, and the Ecological Report, both record small amounts of it still in situ. The proposal appears to include the ongoing treatment of this plant.

We would recommend that all works comply with current bird nesting legislation.

4.6 Merseyside Environmental Advisory Service

The applicant has submitted the following additional information in support of the application and Local Plan policy CS20 applies:

- Extended Phase 1 Habitat Survey Report, Ecology Services, Ltd, May 2016;
- Preliminary Ecological Appraisal (PEA), United Environmental Services, September 2017, Ref. UES02162/01;
- Tree Survey Report, Trevor Bridge Associates Ltd, September 2017, Ref. MG/5564/TSR/SEP17;
- Landscape & Ecological Management Plan - Revision L, MCI Developments, 02 January 2018.

The onsite ecology area has been reconnected to the pond habitat adjacent to the site by means of a wildlife corridor running the length of the north east border. This is acceptable and the Plan can be an Approved Plan.

Previous comments made (Part One 18, MEAS 18/10/2017) regarding the submission of an invasive species treatment and management plan is still valid. Previous comments made (MEAS 11/01/2018) regarding RAMs for hedgehogs also remain valid.

RAMs for hedgehogs.

Confirmation of the Reasonable Avoidance Measures relating to hedgehog has been provided in the LEMP (as paragraph 2.6). This can be secured by a suitably worded planning condition or by including the report in the list of Approved Documents.

All other mitigation and habitat management plans enclosed within the LEMP are acceptable.

Priority Species

Bats

The Extended Phase 1 assessment carried out in 2016 and the subsequent 2017 Preliminary Ecological Appraisal found negligible roost potential within trees and buildings in the site boundary. However, the Balsam poplar trees located just outside the north boundary provided some bat roosting potential. These are to be retained as part of the development. Details of Root Protection Areas have been provided within Tree Report.

The habitats on site may provide moderate foraging and commuting habitat for bats locally and provide a link between the surrounding habitats including the railway embankment, hedgerows and tree-lined streets. Bats are protected and Local Plan policy CS20 applies. To mitigate for the loss of these habitats, the applicant must provide details of suitable bat 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. Please also refer to Section 4.2.2 and Appendix 5 of PEA for recommendations.

The surrounding habitats may provide roosting, foraging, commuting habitat for bats. Lighting for the development may affect the use of these areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the areas in line with NPPF (paragraph 125). This can be secured by a suitably worded planning condition. It would be helpful for the applicant to refer to the document Bats and Lighting in the UK, Bats and the Built Environment Series, Bat Conservation Trust and Institute for Lighting Engineers (see also Appendix 6, PEA).

Breeding birds

The site provides extensive habitats for breeding birds including scrub and young broadleaved woodland. These habitats provide nesting opportunities for breeding birds, which are protected. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, 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.

The proposed development will result in the loss of bird breeding habitat, which are protected and Local Plan policy CS20 applies. To mitigate for this, the applicant must provide details of bird nesting boxes and suitable planting scheme for feeding birds (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. Please also refer to Section 4.2.3 and Appendix 7 of PEA for recommendations on appropriate bird nest boxes and landscaping.

Amphibians & reptiles

The Great crested newt survey (Amphibian Survey Report, Ecology Services Ltd, July 2016) found an absence of GCN in the pond located in a residential garden neighbouring the development but it did contain a large (NE classification) breeding population of smooth newt that may be considered of local importance. The pond is connected to the site by favourable terrestrial habitat for this species in the form of a tree line and marshy grassland. RAMs are to be followed to reduce disturbance to the species (4.2.1, PEA). Further detail required concerning the seasonal ponds proposed as part of the ecology area, as well as longer term maintenance. This can be secured by a suitably worded planning condition as part of a Habitat Management Plan. Great crested newt requires no further consideration. No suitable habitat or signs of reptiles were noted during any survey and as such reptiles require no further consideration.

Invasive Species

The Japanese knotweed quotation outlines a plan of treatment, removal and monitoring for the ongoing treatment on the six remaining stands. Further information is needed in the form of a method statement detailing how it will be treated and who is responsible for monitoring and eradication. This can be secured by a suitably worded planning condition.

A validation report is then required confirming the remediation treatment carried out and that the site has been free of Japanese knotweed for 12 consecutive months for approval in writing by the Local Planning Authority. This can be secured by a separate suitably worded planning condition.

4.7 Natural England

Natural England has assessed this application using the Impact Risk Zones data (IRZs). Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which the Mersey Estuary SPA and Ramsar has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.

In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Mersey Estuary SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

4.8 Health & Safety Executive

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of major Hazard sites / pipelines. This development falls within such an area. The HSE does not advise, on safety grounds, against the granting of planning permission in this case.

4.9 Environment Agency

We have reviewed the Desk Study Report (Geotechnical and Environmental Associates, dated May 2016). Based on the information provided, the sites past use as part of a farm and recreational area is considered fairly low risk for controlled waters. The site setting has a low sensitivity for controlled waters.

However, because the site may have been subject to some localised filling of ponds etc, the attachment of a ground contamination condition is suggested and their advice should be attached as an informative.

4.10 United Utilities

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

5. REPRESENTATIONS

5.1 The application was initially advertised by a press advert in the Widnes & Runcorn World on 28/09/2017, site notices posted on Picow Farm Road on 27/09/2017 and 52 neighbour notification letters sent on 21/09/2017.

5.2 Following the receipt of an amended scheme which reduced the amount of development from 72 dwellings to 67 dwellings, a further 52 neighbour notification letters were sent on 31/01/2018.

5.3 Three representations have been received from the publicity given to the application. The observations received are summarised below:

- Reassurance that the developers will be held accountable for the successful treatment of Japanese Knotweed.
- There will be an increase in noise nuisance.
- A lack of privacy will result.
- Existing parking issues will be exacerbated.
- Picow Farm Road is used as parking for railway commuters.
- Access issues for emergency services.
- Increased congestion.
- Double parking of cars.
- A residents parking scheme should be introduced.

5.4 The email below has been received from Councillor Norman Plumpton-Walsh

Please see below an email sent to me recently by Sergeant Williams of Runcorn LPU, following my interceding with the Cheshire Police and Crime Commissioner for some form of traffic trends and enforcement study.

Firstly, I support the application, in general, as we need to increase our population to make Runcorn more economically viable.

At this juncture, I raise your attention to the observations by the police Sergeant surrounding any possible future development on Picow Farm Road, and how, in the police's opinion, this could exacerbate the heightening and desperate situation still further on Roland Avenue and surrounds.

I would also like these (and my) observations recorded against the planning application today of 17/00455/FUL. And to that end, I need to be able to ensure myself, my ward colleagues', and the public that we serve, that

adequate provision will be made, both at any development, but that a scheme of some sort will be devised for the likes of Roland Avenue and Holloway.

I have had several constituents' on a regular basis inform me how difficult it is to park in their own street with obvious difficulties concerning the train station and people considering residential streets to be parking zones for as long as they wish.

I am hoping for a long term solution soon, as indicated by Cheshire Police below.

To Sgt Williams: can you share the results of the Fire Service test to all herein?

Best Wishes, Norman

*Cllr Norman Plumpton Walsh, BA(Hons)
Labour Councillor for Mersey Ward, Runcorn*

EMAIL FROM SERGEANT WILLIAMS FROM RUNCORN LPU REFERRED TO ABOVE.

Good Afternoon Councillor,

Please accept my apologies for a further delay in responding to you in respect of this matter.

I have reviewed the issues with parking raised in the area of Roland Avenue, Runcorn. This is indeed an issue that has been ongoing for a number of years. I have interrogated our police systems and have found issues with parking in this area as far back as 2005. Between 2005-2017 there have been 52 road related reports in respect of obstruction or parking issues in this area. The main spike of these issues was in 2009 and 2010. Following this there was a sharp decline in reports from residents or members of the public. So far this year there have been 3 reports to police.

At some point Halton Borough Council have become involved and have painted double yellow lines on the junctions of the roads in this area, though I cannot be sure exactly when this was.

It is worth noting that from a police point of view, we can only take action if it is an enforceable area, if a vehicle is causing a willful or unnecessary obstruction, or if a vehicle is parked on double yellow lines where there is appropriate signage.

I can completely understand the frustrations of the local residents in this area, and this is not the only area in the country where such issues have been reported by local residents. They are right next to a main line train station with access to Liverpool, Manchester and London, and it is the patrons of the station that are utilizing the available free parking rather than paying to park in

the station car park. I have been down to the area today and have seen that some residents have taken to leaving their wheelie bins out on the road in order to preserve a parking space for themselves, and one has even put out a warning triangle. **Indeed it is clear that these issues will be further exasperated if there are further houses built on Picow Farm Road, and this should be taken into consideration by Halton Borough Council in the planning of any housing.**

While we are limited in what we can do and enforce at this stage, one of the local PCSOs is working with Cheshire Fire this coming week. I have asked them to see if a fire engine could actually fit down these roads during peak parking times. Following from the results of this, we will see if there is an opportunity to do some further work with them in respect of this issue and highlight this via social media.

However, ultimately, the issue of parking for residents is something that will fall back to Halton Borough to deal with moving forward. We can of course support with enforcement if double yellow lines or resident only parking is implemented, as part of the local PCSO duties. Please be assured that this is an area which the local PCSOs are fully aware of, and they check this area and the parking situation on a regular basis.

Apologies that there is nothing more we can do in relation to this matter at this stage. If moving forward an input from Cheshire Police is required, or a multi-agency meeting is arranged in relation to this matter, I am happy to attend and assist however I can.

I will make contact with you later this week with an update following working with Cheshire Fire so you are full updated and aware of any outcome.

I hope this is of use to you.

Please feel free to contact me further if I can help any further.

Kind Regards

Shyami

T/Sergeant 4696 Shyami Williams
Cheshire Constabulary | Runcorn LPU | Runcorn Police Station

6. ASSESSMENT

6.1 Relevant Recent Planning History

Members will recall that an outline planning application for a residential development of up to 62 dwellings was granted by the Development Control Committee in 2016 (application reference 16/00317/OUT). The current application is a full planning application rather than a reserved matters

application as the number of residential units for which planning permission is sought exceeds the threshold on the previously granted outline permission. The principle of residential development on this site has been previously established. As this is a full planning application, the same policy considerations as with the previous application need to be considered.

6.2 Development on a designated Greenspace

Paragraph 74 of the National Planning Policy Framework (NPPF) sets out the national planning policy in relation to open spaces and sports and recreational buildings and is set out below.

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

In terms of local policy, within Policy GE6 of the Halton Unitary Development Plan, there is a presumption against development within a designated greenspace unless it is ancillary to the enjoyment of the greenspace. There are exceptions set out in the policy where the loss of amenity land is adequately compensated for.

As set out in the site description, the site has been vacant for 10 years and assessing the current amenity value of the site as a Greenspace is key when considering the exceptions set out in Policy GE6.

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

The site is surrounded on all four sides by urban development and is not considered to be an important link in the greenspace systems.

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

The site is not considered to be an important link in the strategic network of greenways.

- Its value for organised sport and recreation;

As stated above, the site has not been used as a playing pitch for 8 years and in order to prevent the site's misuse, the site is enclosed by fencing.

- Its value for informal or unorganised recreation;

In order to prevent the site's misuse, the site is enclosed by fencing and offers no value for informal or unorganised recreation.

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

The site is enclosed by fencing and offers no value for children's play.

- Its value as an allotment;

The site is not used as an allotment.

- Its wildlife and landscape interest;

The ecological reports conclude that the site does not make a significant ecological contribution and appropriate mitigation measures can be secured to offset any harm.

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

The site offers little in this regard with tree cover limited to the boundaries of the site. Any development proposal would need to retain trees / mitigate for any loss.

- Its value for environmental education;

The site offers nothing in this regard.

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

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

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

The site offers little in this regard.

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

Based on the site being enclosed with industrial type fencing to prevent the misuse of the site and its condition as a result of a lack of usage over the past 10 years, it does not enhance the overall attractiveness of the area in its current form.

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

The site offers nothing in this regard.

After considering the amenity value of this designated Greenspace, the only value that it currently offers is a visual break in the urban area.

The lack of use of the land over the past 10 years demonstrates that this site is now surplus to requirements thus demonstrating compliance with Paragraph 74 of the NPPF.

As stated in the previous application, the site subject of the application is within the ownership of Halton Borough Council and it is noted that the funds arising from the subsequent sale of this parcel of land would cross subsidise the development of Council-driven priority regeneration schemes in Runcorn Old Town. This remains the case with this application and any subsequent land sale would likely be subject to the applicant obtaining planning permission.

Based on the limited amenity value of the Greenspace coupled with the regeneration schemes in which funds arising from the sales would be invested in, it is considered that exception (d) in Policy GE6 applies and that this represents a clear and convincing case as to why development on this designated Greenspace is acceptable.

6.3 Protection of Outdoor Playing Space for Formal Sport and Recreation

Policy GE12 of the Halton Unitary Development Plan outlines the presumption against the loss of outdoor playing space for formal sport and recreation.

As previously noted, this site does not provide any outdoor playing space for formal sport and recreation and has not done for 10 years due to a lack of a tenant.

The extract below is from Schedule 4 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO 2015). This sets out when Sport England is a statutory consultee on a planning application relating to playing field land.

A playing field is defined as 'the whole of a site which encompasses at least one playing pitch'. A playing pitch is defined as 'a delineated area which, together with any run off area, is of 0.2 hectares or more, and which is used for association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo'.

(z)	Development which—	Sport England(c)
	<ul style="list-style-type: none"> (i) is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field; or (ii) is on land which has been— <ul style="list-style-type: none"> (aa) used as a playing field at any time in the 5 years before the making of the relevant application and which remains undeveloped; or 	
<p>(a) 1953 c. 49; section 8C was inserted by paragraph 10 of Schedule 4 to the National Heritage Act 1983 (c. 47).</p> <p>(b) See Natural England publication for the agricultural land classification system. TIN049 edition 2 – Agricultural Land Classification: protecting the best and most versatile agricultural land available from http://publications.naturalengland.org.uk/publication/35012?category=9001.</p> <p>(c) Sport England is also known as the English Sports Council.</p>		
	<ul style="list-style-type: none"> (bb) allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement; or (iii) involves the replacement of the grass surface of a playing pitch on a playing field with an artificial, man-made or composite surface 	

Based on the above, (z)(i) would not apply as the proposal would not prejudice the use of, or lead to the loss of use of land being used as a playing field.

The land has not been used as a playing field at any time in the last 5 years, therefore (z)(ii)(aa) does not apply.

In terms of the site being allocated for use as a playing field in the development plan as per (z)(ii)(bb), it is acknowledged that the site is washed over with a greenspace designation with the note on the UDP proposals map linking this to school playing fields. The question, therefore, is whether the term “playing field” as used in the UDP has the same meaning as used in category (z). In most cases, the UDP focusses on the global term “greenspace”. However, policy GE12 uses the term “playing space”. This term is used for “formal sport and recreation, such as pitches, courts, greens and athletics tracks”.

The site under consideration is dedicated greenspace and the primary UDP policy for its protection is GE6. It is not clear whether the proposals map categories a to f are merely descriptive of the position on the ground or are integral parts of the definition of designated greenspace.

Greenspace categories a, b and c all refer to “playing fields”. The proposals map washes over these areas and includes buildings and other areas which

do not come within the definition of playing pitches. In the case of category c, the expression clearly includes informal as well as formal playing fields.

It follows that the use of the term “playing fields” in the UDP does not equate with the use of the term in the DMPO 2015. It is, therefore, considered that (z)(ii)(bb) does not apply in this case.

(z)(iii) is also not applicable. Based on this, it is apparent that Sport England is **not** a statutory consultee on this application.

Historically, the site may have been used as an outdoor playing space for formal sport and recreation, however based on the amount of time that has elapsed since it was last used and Sport England not being a statutory consultee on the application, Policy GE12 of the UDP is no longer considered to apply.

6.4 Key Area of Change – West Runcorn

Policy CS10 of the Halton Core Strategy Local Plan sets out how the development and regeneration of West Runcorn over the Core Strategy period will be achieved through a number of different things including the delivery of 1,500 dwellings across West Runcorn with a particular emphasis on the Runcorn Waterfront site to accommodate 1,360 dwellings, with the potential for additional residential development, subject to appropriate access.

This development proposal would not only allow for 67 dwellings to be delivered but would also cross subsidise the development of Council-driven priority regeneration schemes in Runcorn Old Town. This proposal is considered to accord with Policy CS10.

6.5 Primarily Employment Area

The western part of the site is designated as being within a Primarily Employment Area and is an area of unkempt open land. Based on the use of the land to the east being playing fields and the commercial uses to the west, including the site within the Primarily Employment Area would have appeared logical at the time at which the UDP proposal map was adopted. This designation gives support to B1, B2 & B8 uses, however does not preclude other uses. The suitability of a residential use on this parcel of land needs to be considered on its merits.

6.6 Principle of Residential Development

As noted at paragraph 6.1, the principle of residential development on this site has been previously established by the granting of outline planning permission by application 16/00317/OUT. As noted at Paragraph 6.2, the proposed development would result in the loss of a designated greenspace of limited amenity value, however it would allow the funds from the sale of the land to be invested in Council-driven priority regeneration schemes in Runcorn Old Town which is considered to meet exception (d) in Policy GE6.

This also accords with the regeneration requirements of Policy CS10 and the delivery of 67 dwellings would also help meet the regeneration requirements.

Historically, the site may have been used as an outdoor playing space for formal sport and recreation, however based on the amount of time that has elapsed since it was last used and Sport England not being a statutory consultee on the application, Policy GE12 of the UDP is no longer considered to apply.

The site is located in a sustainable location within the urban area in close proximity to Runcorn Old Town District Centre. The site is also close to excellent bus and rail links.

In terms of relationships between land uses in the locality, the area is mixed in nature with both residential and commercial uses. Located on the opposite side of Picow Farm Road to the application site, are residential properties. Residential properties are also located on the same side of Picow Farm Road as the application site (to the north east).

Commercial uses are located to the south west of the application site. In order to demonstrate the suitability of a residential development on the application site, a noise assessment has been undertaken to accompany the application. This concludes that noise should not be a determining factor on this planning application and the securing of mitigation measures would ensure reasonable internal and external noise levels in the proposed accommodation. It is therefore considered that the proposed residential land use would be sympathetic to surrounding land uses.

The principle of developing the site for residential purposes is considered to be acceptable.

6.7 Affordable Housing

Policy CS13 of the Halton Core Strategy Local Plan states that affordable housing units will be provided, in perpetuity, on schemes including 10 or more dwellings (net gain) or 0.33 hectares or greater for residential purposes. There is an exception within this policy where it can be demonstrated that the affordable housing contribution would make the development unviable.

The previous outline permission on this site (application 16/00317/OUT) was not subject to a condition securing that 25% of the residential units are affordable housing due the funds arising from the subsequent sale of this parcel of land would cross subsidise the development of Council-driven priority regeneration schemes in Runcorn Old Town. The reason for this was due to the impact that this would have on the funds generated for regeneration purposes.

The current application is a joint application between M.C.I. Developments and Halton Housing Trust. A mixed tenure scheme is proposed which includes properties for affordable rent, shared ownership, right to buy and

outright sale. The current proposal would result in excess of 25% of the residential units being affordable which is positive in terms of the delivery of affordable housing and is in compliance with Policy CS13 of the Halton Core Strategy Local Plan.

6.8 Open Space

The requirements for provision of recreational greenspace within new residential developments is set out in Policy H3 of the Halton Unitary Development Plan.

The above policy is relevant for this development of 67 dwellinghouses. As explained earlier in this report, the funds arising from the subsequent sale of this parcel of land would cross subsidise the development of Council-driven priority regeneration schemes in Runcorn Old Town.

If the Local Planning Authority were to seek recreational greenspace on site or a commuted sum in lieu of on site provision, this would have an impact on the funds which this site would generate for regeneration purposes. The regeneration of Runcorn Old Town and the wider Key Area of Change – West Runcorn is important to the borough and for this reason, on site recreational greenspace or a commuted sum in lieu of on-site provision is not being sought in this instance. That said, due to site constraints in the form of easements, a landscaped area adjacent to the bus turnaround area on Picow Farm Road is proposed which would create an attractive frontage to the development.

6.9 Access

A Transport Statement accompanies the application. This makes the following points. The development would be accessed from Picow Farm Road. The site is well located for access by private car and bus. It is particularly well situated for rail travel, with Runcorn station approximately 200m from the site. Bus services to numerous destinations including Liverpool, Widnes, Warrington and Daresbury are available within a short walk of the site. There are good active travel mode links to the surrounding area, including to Runcorn town centre, which is 800m from the site. The Transport Statement concludes from the analysis of the potential traffic generated that the impact would be relatively low.

The scheme has been amended numerous times since originally submitted which has addressed road safety and general highway comments.

The proposal demonstrates that a large refuse collection vehicle can be turned within the space set aside for adoptable highway.

Internal road widths are acceptable and spacing of dwellings allows for some degree of on street parking.

The maximum standard of 2 off street parking spaces per dwelling is achieved by the proposed scheme.

Issues regarding parking issues in the locality are prevalent in the representations received and also in the observations received from Councillor Norman Plumpton Walsh. It is acknowledged that the proposed scheme will displace existing on street parking to accommodate the site access and new driveways. A significant amount of work has been undertaken to mitigate this impact through the removal of units and amending the layout a scheme to provide approximately 12 car parking spaces to the site frontage. This demonstrates an improvement on the indicative layout submitted as part of the approved outline permission.

This said although the displaced vehicles should ideally utilise the station car park, it is recognised that should users choose to continue to park on street this may cause loss of amenity for existing and proposed residents.

To discourage inconvenient parking it would be a requirement that a scheme to provide H-Bar markings to benefit to residents fronting Picow Farm Road (both new and existing) be implemented by the developer as part of off-site highway works.

Parking within the visibility splay of the new junction would have a bearing on highway safety issue but this has been considered and mitigated by the introduction of suitable TRO's.

The suggested off-site highway works should be secured by condition.

The Council's ability to introduce Residents Only Parking Schemes within the Borough is dependent on the viability of it adopting Civil Parking Enforcement powers. However, notwithstanding this fundamental issue, there remains a substantial number of disadvantages to agreeing to the introduction of Residents Only Parking Schemes within the Borough associated with: inflexibility in the provision of licenses and parking spaces; inability to guarantee parking spaces for individual residents; inconvenience to residents and visitors; displacement of parking problems; potential reductions in the availability of parking space; and costs. It is for these reasons that the Council consider it inappropriate to introduce Residents Only Parking Schemes in the Borough at this time.

From an access perspective, the proposal is considered to be acceptable and compliant with Policy BE1 of the Halton Unitary Development Plan.

6.10 Layout

The site slopes in a north westerly direction from Picow Farm Road towards the Weston Point Expressway boundary. This has had implications for the required separation between properties and also relationships with the highway.

The application is accompanied by a topographical survey of the site and an external works plan which details proposed site levels as well as retaining features required.

To deal with differences in land levels where there are dwellings are proposed which would have habitable room windows facing each other, the scheme has been amended to provide additional separation following the guidance contained in the Design of Residential Development Supplementary Planning Document.

Proposed levels have been amended to during the processing of the application to ensure appropriate relationships with the highway are achieved and this has involved the stepping of finished floor levels on semi-detached dwellinghouses.

Overall, the layout generally provides separation in accordance with the privacy distances for residential development set out in the Design of Residential Development Supplementary Planning Document and any minor shortfalls in separation are not considered to be to the significant detriment of residential amenity which would warrant the refusal of the application.

Concerns over the usability of some of the private amenity spaces within the scheme have been addressed with the latest layout which reduces the height of retaining features and also the number of steps contained in such areas.

With regard to private amenity space, the Design of Residential Development Supplementary Planning Document states that houses having 1-2 bedrooms shall have a minimum private outdoor space of 50sqm per unit with properties with 3 bedrooms having a minimum private outdoor space of 70sqm per unit and properties with 4 bedrooms having a minimum private outdoor space of 90sqm per unit. The scheme has been designed so that it generally accords with this standard and would ensure that each house has a usable private outdoor space.

It is noted that the scheme generally comprises of semi-detached houses, many of which have parking provision located to the sides of properties which allows space for soft landscaping to the front of properties which improves the overall appearance of the scheme.

In terms of Housing Mix, the proposal seeks to deliver a range of property sizes including 2, 3 and 4 bedroom homes. It is also noted that the scheme includes 3no. 2 bedroom bungalows which would be managed by Halton Housing Trust and meet an identified need. In terms of tenure, there would be a mix of affordable rent, shared ownership, right to buy and outright sale. There is considered to be properties to meet a variety of needs on site.

The proposed site layout is considered to provide active frontages, appropriate relationships between the proposed dwellings and sufficient parking provision.

The layout of the proposed development is considered to be acceptable and compliant with Policies BE 1 & BE 2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan. In terms of Housing Mix, the proposal is considered to be compliant with Policy CS12 of the Halton Core Strategy Local Plan.

6.11 Scale

The dwellings proposed are generally two storey in height expect for the 3no. bungalows proposed. This is not considered to be dissimilar to many of the existing residential properties in the surrounding area and acceptable in respect of scale.

The proposal is considered to be acceptable in terms of scale and compliant with Policy BE 1 of the Halton Unitary Development Plan.

6.12 Appearance

The elevations show that buildings proposed would be of an appropriate appearance with some variety in materials to add interest to the overall external appearance. Precise external facing materials are detailed on the submitted plans and implementation in accordance with these submitted details should be secured by condition.

This would ensure compliance with Policies BE 1 & BE 2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

6.13 Landscaping

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

The application is accompanied by a tree survey which does not identify any Category A trees within the site. The proposed site plan shows an indicative planting scheme which would likely compensate for trees removed to facilitate the development. The submission of a detailed soft landscaping scheme and its subsequent implementation would need to be secured by condition.

The boundary treatments plan submitted includes a number of different boundary types according to the location within the site and is generally considered to ensure that satisfactory levels of privacy and appearance would be provided. A condition securing the submission of a scheme and its implementation thereafter is considered reasonable.

This would ensure compliance with Policies BE 1 and GE 27 of the Halton Unitary Development Plan.

6.14 Ground Contamination

The Contaminated Land Officer has not raised an objection to the proposed development subject to the attachment of a full contaminated land condition to

ensure that any ground contamination is dealt with appropriately to ensure compliance with Policy PR14 of the Halton Unitary Development Plan.

6.15 Flood Risk

The application site is located in Flood Zone 1 and is at low risk from flooding, however based on the site area exceeding 1ha, the application is accompanied by a Flood Risk Assessment along with a Sustainable Drainage Statement. These documents have been reviewed by the Lead Local Flood Authority and this forms an acceptable strategy. Some further clarifications are required. This can be secured through an appropriate drainage condition and its subsequent implementation.

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

6.16 Biodiversity

The application is accompanied by a Preliminary Ecological Appraisal, a Landscape and Ecological Management Plan and a Tree Survey Report. It is recommended that these documents are accepted as an accurate assessment of the current ecological content and value of the future housing site. Our Ecological Advisor raises no objection to the proposed development subject to the attachment of conditions which secure breeding bird protection, implementation of the Landscape Ecological Management Plan, Reasonable Avoidance Measures for Hedgehogs, Bird Nesting Boxes, Bat Boxes, a method statement for dealing with Japanese Knotweed, Invasive Species Validation Report and a Bat Friendly Lighting Scheme.

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

6.17 Noise

The application is accompanied by a Noise Assessment. This considers the impact of noise on the proposed development.

The report identifies that mitigation measures are required due to road traffic noise.

In order to achieve acceptable internal noise levels in rooms within the development scheme, the noise assessment suggests that mitigation measures would be required in the form of a 3.5m high acoustic fence along the northern boundary of the site and standard glazing and acoustic trickle vents.

The Council's Environmental Health Officer raises no objection to the proposed development subject to a condition securing the necessary noise mitigation measures.

Some representations raise the issue of increased noise. It is inevitable that some noise and disturbance would result from the development of the application site. The implementation of a construction management plan would endeavour to keep this to a minimum. This is not something which would warrant the refusal of the application.

The proposal is considered to be compliant with Policy PR 8 of the Halton Unitary Development Plan.

6.18 Sustainable Development and Climate Change

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

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

An Electric Vehicle Charging Point scheme is proposed which would serve 17 dwellings is considered to have regard for the above policies and is considered to be acceptable.

One of the principles referred to in the policy is Code for Sustainable Homes. Whilst it is desirable to meet such a standard, given links with Sustainable Development and Climate Change, following the Government's Written Ministerial Statement in March 2015, it is no longer for Local Authorities to secure the implementation of a particular level of Code for Sustainable Homes by planning condition.

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

6.19 Waste Prevention/Management

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

7. CONCLUSIONS

The principle of residential development on this site has been previously established by the granting of outline planning permission by application 16/00317/OUT.

Development on this designated Greenspace is considered to be acceptable as it is of limited amenity value and the funds arising from the sale would be invested in Council-driven priority regeneration schemes in Runcorn Old Town.

Historically, the site may have been used as an outdoor playing space for formal sport and recreation, however based on the amount of time that has elapsed since it was last used and Sport England not being a statutory consultee on the application, Policy GE12 of the Unitary Development Plan which relates to the protection of outdoor playing space for formal sport and recreation is no longer considered to apply.

The granting of this application would not only allow for 67 dwellings to be delivered in the West Runcorn Key Area of Change but would also cross subsidise the development of Council-driven priority regeneration schemes in Runcorn Old Town in compliance with Policy CS10 of the Core Strategy.

The site is located in a sustainable location within the urban area in close proximity to Runcorn Old Town District Centre. The site is also close to excellent bus and rail links.

The highway and transport statement supporting the application demonstrates the suitability of a development of this nature and scale without a significant impact.

An appropriate access point to site from Picow Farm Road would be achieved and the layout demonstrates sufficient space for movement within the site as well as an appropriate level of car parking.

A significant amount of work has been done to mitigate the impact of displacing existing on-street parking provision. The scheme of off-site highway works suggested to be secured by condition will help discourage inconvenient parking.

The residential layout proposed demonstrates sufficient separation for both light and privacy having regard for the site's topography and each property would have an appropriate amount of private amenity space.

The proposal is considered to be of an appropriate design with active frontages provided to Picow Farm Road and also within the scheme. The elevations indicate a mix of materials to add interest and result in well-designed properties.

The application is recommended for approval subject to conditions.

8. RECOMMENDATIONS

Grant planning permission subject to conditions.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans
3. Proposed Site Levels (Policy BE1)
4. Facing Materials (Policies BE1 and BE2)
5. Breeding Birds Protection – (Policy GE21)
6. Soft Landscaping – (Policy BE1)
7. Hard Landscaping and Boundary Treatments – (Policy BE1)
8. Tree Protection – (Policy BE1)
9. Hours of Construction – (Policy BE1)
10. Construction Management Plan (Highways) – (Policy BE1)
11. Provision of Parking and Servicing – (Policy BE 1)
12. Off Site Highway Works – (Policy BE1)
13. Implementation of the Landscape and Ecological Management Plan – (Policy GE21)
14. Reasonable Avoidance Measures – Hedgehogs – (Policy GE21)
15. Bird Nesting Boxes – (Policy GE21)
16. Bat Boxes – (Policy GE21)
17. Site Waste Management Plan – (Policy WM8)
18. Japanese Knotweed Method Statement
19. Invasive Species Validation Report
20. Bat Friendly Lighting Scheme – (Policy GE21)
21. Foul Water – (Policy PR16)
22. Surface Water Regulatory Scheme – (Policy PR16)
23. Investigation of Suitability of Infiltration – (Policy PR16)
24. Final Discharge Rates – (Policy PR16)
25. Models Showing Overland Flow Routes – (Policy PR16)
26. Ground Contamination (Phase 2 Site Investigation, Remediation Strategy, Validation Report) - (Policy PR14)
27. Noise Mitigation Measures – (Policy PR2)
28. Electric Vehicle Charging Points – (Policy CS19)

Informatives

1. Environment Agency Informatives
2. United Utilities Informative

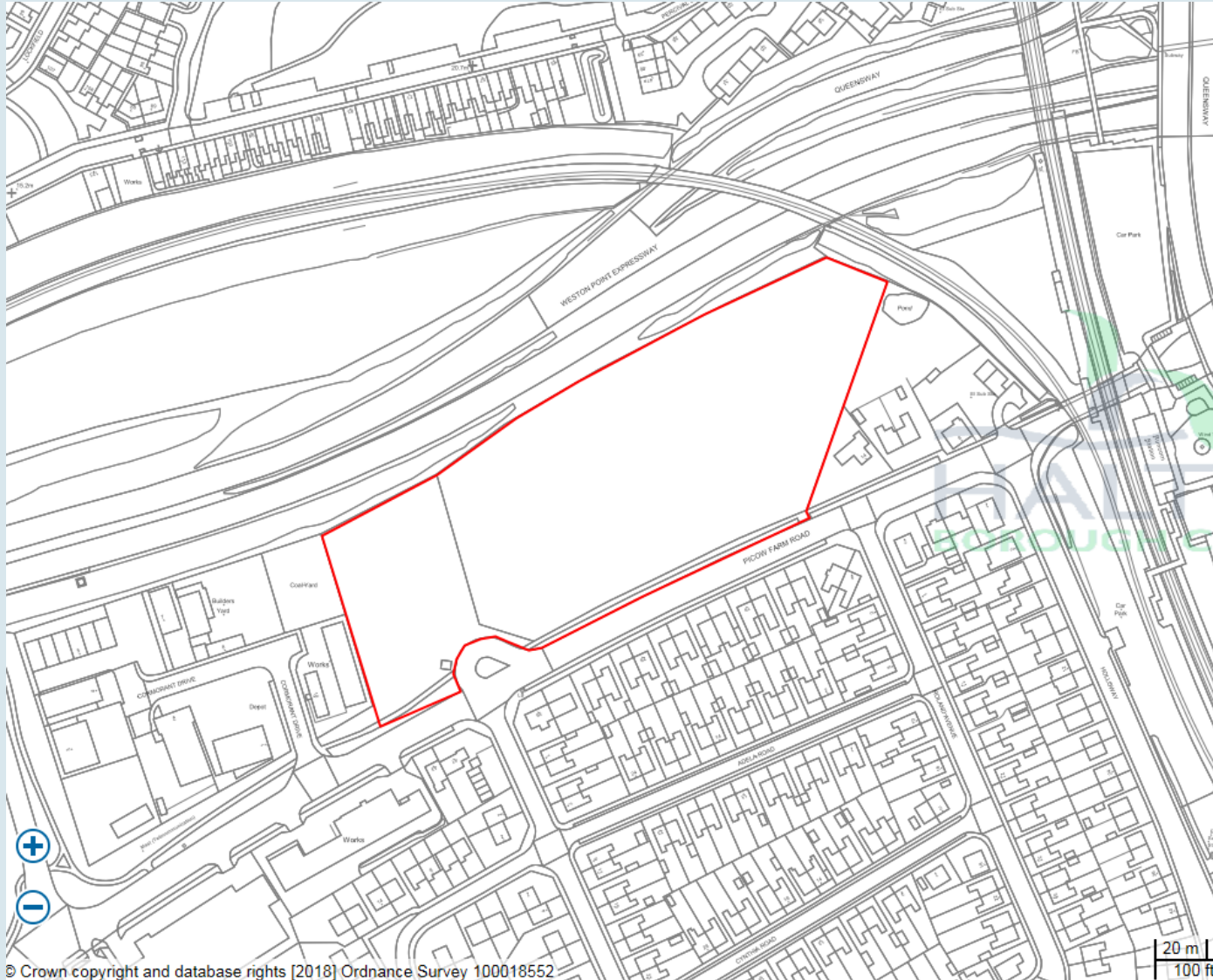
10. SUSTAINABILITY STATEMENT

As required by:

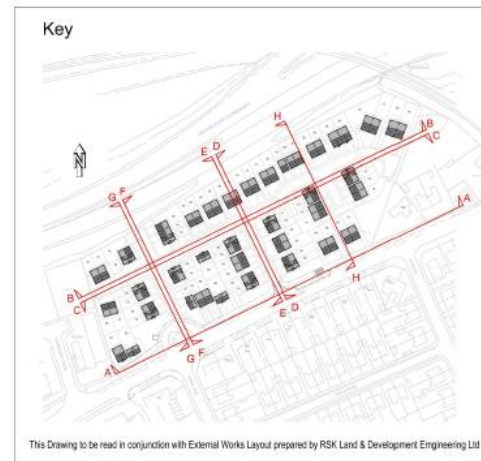
- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.











REPORT TO: Development Control Committee

DATE: 6 March 2018

REPORTING OFFICER: Strategic Director, Enterprise, Community & Resources

SUBJECT: Miscellaneous Items

WARD(S): Boroughwide

The following applications have been withdrawn:

17/00596/TPO Application to fell 1 no. Sycamore and 1 no. Ash protected within group G3 of TPO 024 within property boundaries at 14 Redacre Close, Cheshire, WA4 4JU.

The following applications have gone to appeal:

17/00300/TPO Proposed felling and subsequent replacement of 1 no. Sycamore Tree protected under TPO 17 at Whitehouse Farm, Barkers Hollow Road, Preston Brook, Warrington, Cheshire, WA4 4LW.

The following Appeal Decisions have been made:

NONE