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Development Control Committee

Tuesday, 5 March 2019 6.30 p.m.
Civic Suite - Town Hall, Runcorn



Chief Executive

COMMITTEE MEMBERSHIP

Councillor Paul Nolan (Chair)
Councillor Keith Morley (Vice-Chair)
Councillor Chris Carlin
Councillor Ron Hignett
Councillor Valerie Hill
Councillor Joan Lowe
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, 8 April 2019*

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

Part I

Item No.	Page No.
1. MINUTES	1 - 7
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	8 - 78

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, 4 February 2019 at Civic Suite - Town Hall, Runcorn

Present: Councillors Nolan (Chair), Morley (Vice-Chair), Carlin, R. Hignett, J. Lowe, C. Plumpton Walsh, June Roberts, Thompson, Woolfall and Zygadlo

Apologies for Absence: Councillor V. Hill

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, A. Plant, J. Eaton, G. Henry, J. Farmer and I. Mason

Also in attendance: 28 Members of the public, one member of the press and Councillors Rowe and G. Stockton

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

	<i>Action</i>
DEV26 MINUTES	
<p>The Minutes of the meeting held on 7 January 2019 having been circulated, were taken as read and signed as a correct record.</p>	
DEV27 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p> <p><i>To avoid any allegations of bias, Councillors Woolfall and R. Hignett did not participate in any debate or vote on the following item as they are Members of the Environmental Fund Management Board.</i></p>	
DEV28 - 18/00417/S73 - APPLICATION UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO AMEND CONDITION 1 OF THE PLANNING INSPECTORATE DECISION DATED 5/3/14 (APP/D0650/A/13/220120) WHICH RESTRICTS THE AMOUNT OF FUEL DELIVERD BY ROAD TO 480,000	

TONNES IN ANY 12 MONTH PERIOD TO READ AS FOLLOWS: THE TOTAL NUMBER OF HGV'S ASSOCIATED WITH THE OPERATION OF THE PERMITTED ENERGY RECOVERY FACILITY (WASTE IMPORTATION AND THE EXPORTATION OF INCINERATOR BOTTOM ASH AIR POLLUTION CONTROL RESIDUES) SHALL NOT EXCEED 1930 MOVEMENTS (965 IN AND 965 OUT) IN ANY CALENDAR WEEK AND SHALL NOT EXCEED A MAXIMUM OF 386 MOVEMENTS (193 IN AND 193 OUT) IN ANY SINGLE DAY - AT RUNCORN ENERGY FROM WASTE FACILITY, BARLOW WAY, OFF PICOW FARM ROAD, RUNCORN

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

As part of the Officer's presentation of the application Members were advised that following the publication of the agenda an additional twelve representations had been received. As set out in the published update list, a number of these related to the Development Control Committee speaking procedure, to which clarification was provided prior to the meeting. It was noted that details of all further representations received had been provided to Members via email together with the Officers' responses.

The Committee was addressed by Mr Butler, a local resident who objected to the application on behalf of himself and nearby residents. He questioned *inter alia* the validity of the transport assessment, the air quality monitor on Picow Farm Road being fit for purpose and whether the national Planning Policy Framework (NPPF) requirements had been met by the applicant. He also referred to persistent complaints being made from residents regarding the amount of odour and steam being emitted from the plant.

Mr Chris Herbert then addressed the Committee on behalf of the applicant. He explained *inter alia* that the application had been made to make more efficient use of the plant. He commented that the plant had capacity to increase its intake of refuse and therefore divert more waste from landfill and increase with a beneficial impact on carbon emissions. He stated that the number of vehicles would not be increased beyond the numbers previously assessed and stated that the number of vehicles could not be increased further without the permission of the Council.

Finally the Committee was addressed by Councillor Chris Rowe, Ward Councillor for The Heath, who spoke on

behalf of residents objecting to the application. He outlined to Members the many reasons for the objections to the application made by local residents and tabled several diaries kept by them with regards to the alleged nuisances experienced from the site over the years. Councillor Rowe made a wide ranging number of comments including *inter alia* the significant amount of capacity for Energy from Waste facilities already available and that Halton would become a dumping ground for the rest of the country; the type of fuel processed at the plant; and the removal of conditions put in place by the Secretary of State to protect residents. He argued that the application should be refused or at least deferred pending a decision from the Public Health Ombudsman on their current investigations.

Officers provided responses to clarify the points made by speakers in relation to the tonnage, traffic assessment, air quality and type of fuel and explained the implications of the application being made under Section 73 of the Town and Country Planning Act 1990.

Members then debated the application and considered a wide range of matters. They also took advice from the Council's Legal Advisor in respect of the potential outcome of an appeal, should the application be refused. It was noted that technically there were no grounds to turn the application down.

After consideration of the report, speakers' comments, updates and advice provided by Officers, the Committee agreed that the application be approved, subject to the conditions stated below.

RESOLVED: That the application be approved subject to the conditions set out below.

1. Condition Number 1 – Operational Noise

The specific noise generated by the normal commercial operation of the development shall not exceed the levels provided in the table below, when measured in accordance with BS4142 (2014), as calculated at a height of 1.5 metres and at a distance of 1 metre from the façade of the residential premises below.

Time Period (T)	LAeq,T(dB)			
	Clarks Terrace	Sandy Lane (west of Picow Farm Road) (and receptors to the South)	Sandy Lane (east of Picow Farm Road) (and receptors to the South)	Russel Road (and receptors to the east)
0700 to 2300 hours	55	54	65	67
2300 to 0700 hours	52	50	50	53

Reason – To ensure the proper control of noise during the operation of the development.

2. Condition Number 2 – Operational Noise

Except in an emergency, the applicant shall give at least 2 working days written notice to the Council of any proposed operation of emergency pressure valves or similar equipment and steam purging.

Any such operation shall not take place on any Saturday, Sunday or Bank Holiday or any other day except between the following hours:

Monday to Friday – 0900 – 1700 hours.

Reason – To ensure the proper control of noise during the operation of the Development and to give advance warning of the timing of exceptionally noisy events.

3. Condition Number 3 – Storage

No waste, fuel materials and / or containers stored, stacked externally on the site shall exceed a height of 10 metres.

Reason – To ensure environmental protection and safe working.

4. Condition Number 4 – Storage

Waste or fuel materials brought to the site for use in the operations of the development shall be under cover at all times.

Reason – To ensure environmental protection and safe working.

5. Condition Number 5 – HGV Movements

The total number of HGV's associated with the operation of the permitted energy recovery facility (waste importation and the exportation of incinerator bottom ash and air pollution control residues) shall not exceed 1930 movements (965 in and 965 out) in any calendar week and shall not exceed a maximum of 386 movements (193 in and 193 out) in any single day.

Reason – To minimise road traffic movements in the locality and ensure that the most sustainable modes of transportation are considered for the delivery of refuse derived fuel.

6. Condition Number 6 – Delivery of Refuse Derived Fuel

Where the transportation of refuse derived fuel to the site by rail occurs between 2300 and 0700 hours, noise levels shall not exceed the levels provided below, when measured in accordance with BS 7445 2003 at the boundary of the residential properties below.

Time Period (T)	LAeq,6h(dB)	
	Picow Farm Road	Percival Lane
2300 to 0700 hours	55.2	51.2

Reason – To ensure the proper control of noise for the delivery of refuse derived fuel by rail.

7. Condition Number 7 – Materials, Waste and Residual Material following Incineration

Materials, waste and residual material following incineration shall be handled under cover at all times.

Reason – To prevent the release of ash and other residual material to the environment.

8. Condition Number 8 – Materials, Waste and Residual Material following Incineration

Air Pollution Control Residue (APCr) shall be transported from the site in sealed vessels and bottom ash shall be transported from the site under cover.

Reason – To prevent the release of ash and other residual material to the environment.

9. Condition Number 9 – Cessation of works and restoration of the site

Within 12 months of the site ceasing to be used for the purposes of electricity generation, the applicant shall submit a scheme for the demolition and removal of the development from the site to the Council as Local Planning Authority for approval.

The scheme shall include:

- Details of all structures and buildings which are to be demolished;
- Details of the means of removal of materials resulting from the demolition;
- The phasing of the demolition and removal;
- Details of the restoration works; and
- The phasing of the restoration works.

The demolition and removal of the development and subsequent restoration of the site shall thereafter be implemented in accordance with the approved scheme.

Reason – To ensure the site is not allowed to become derelict after the cessation of electricity generation.

DEV29 MISCELLANEOUS ITEMS

The following Appeals had been received / were in progress:

Enforcement Notice

Without planning permission, the change of use of an incidental residential annex to 256 Birchfield Road, Widnes, to a separate dwelling.

18/00363/OUT

Application for outline planning permission with appearance, landscaping and scale reserved for single two storey dwelling in side garden area a 3 Nickleford Hall Drive, Widnes.

The following Appeals had been determined:

18/00282/FUL

Proposed new boundary wall to front and side at 112 Lunts Heath Road, Widnes, Cheshire, WA8 5BA.

Appeal dismissed.

18/00001/FUL

Proposed single storey rear extension with rear/side facing balcony at 6 Walsingham Drive, Runcorn.

Appeal dismissed.

17/00548/FUL

Proposed demolition of existing stables building and construction of 1 no single storey detached dwelling with access from Chester Road at land to the North of junction between Keckwick Lane and Chester Road, Daresbury, Cheshire.

Appeal allowed.

Judicial review of the following decision had commenced:

18/00289/FUL

Proposed erection of dwelling with access from Moss Lane, within the rear garden of Ivy cottage, 106 Runcorn Road, Moore, Cheshire.

Meeting ended at 7.38 p.m.

REPORT TO: Development Control Committee

DATE: 5 March 2019

REPORTING OFFICER: Strategic Director – Enterprise, Community and Resources

SUBJECT: Planning Applications to be Determined by the Committee

WARD(S): Boroughwide

Application No	Proposal	Location
17/00497/FUL	Proposed erection of two storey block containing 4 no one bedroom apartments.	Rear garden of 67 Main Street, Runcorn.
18/00578/FUL	Proposed demolition of existing buildings and structures and erection of new office building and Well Being Centre with associated landscaping, access improvements and engineering operations.	Inovyn Chlor Vinyls Ltd.
18/00616/FUL	Proposed extension to the existing storage facility comprising an additional 171 containers, access arrangements, 2.6 metre high palisade fencing and gates and CCTV cameras mounted on 5 no. 8 metre high towers.	Former National Grid Depot, Halton Road, Runcorn.
19/00008/FUL	Proposed extension to the raw material reception building to accommodate new processing machinery and separate electrical switch room.	SecAnim, Desoto Road, Widnes.

APPLICATION NO:	17/00497/FUL
LOCATION:	Rear Garden of 67 Main Street, Runcorn
PROPOSAL:	Proposed erection of two storey block containing 4 no. one bedroom apartments
WARD:	Halton Castle
PARISH:	N/A
AGENT(S) / APPLICANT(S):	Mr Jamie Pugh
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2018) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)	Neighbourhood Centre and Primarily Residential Area Halton Conservation Area
DEPARTURE	No
REPRESENTATIONS:	17 plus 2 Councillor Objections and Objection on behalf of Friends of Halton Village
KEY ISSUES:	Principle; heritage and amenity; highways and accessibility; trees; archaeology; drainage and contaminated land
RECOMMENDATION:	Approve Subject to Conditions

SITE MAP

THE APPLICATION SITE

The Site

Site of former retail unit with associated 4 bed residential accommodation and surrounding land to side and rear. That property has been converted to a 10 bed Home of Multiple Occupation (HMO). The site lies at Main Street, Halton Village, Runcorn within the Halton Conservation Area. The western flank of Town Park lies immediately to the rear of the site.

Planning History

Planning permission (ref. 15/00443/FUL) was previously approved for the proposed change of use of the frontage former retail/ residential property to 10 no. bed Home of Multiple Occupation (HMO) including internal alterations, amendments to external elevations and two storey rear extension. The alterations have been undertaken to the property and the use has commenced. A variety of external works including final surfacing of the vehicular access and parking areas are yet to be completed. Application 16/00476/FUL for the proposed erection of a two storey block containing 4 no. one bedroom apartments was previously withdrawn. The current application is a resubmission application attempting to address the issues raised through that earlier withdrawn application.

THE APPLICATION

The Proposal

The application seeks permission to erect a two storey block within the rear garden of the existing frontage 10 bed HMO to provide an additional 4 no. one bedroom apartments. The plans as amended show a shared access from Main Street and refuse storage (shared with 67 Main Street) and some remodelling of the access and parking area for that previously approved HMO.

Documentation

The planning application includes the relevant forms and plans, a Design and Access Statement, Site Investigation Report and Arboricultural Method Statement

POLICY CONTEXT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in July 2018 to set out the Government's planning policies for England and how these should be applied.

Paragraph 47 states that planning law requires for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on application should be made as quickly as possible and within statutory timescale unless a longer period has been agreed by the applicant in writing.

Paragraph 11 and paragraph 38 state that plans and decisions should apply a presumption in favour of sustainable development and that local planning authorities should work in a positive and creative way, working pro-actively with applicants to secure developments that will improve economic, social and environmental conditions of their areas."

Paragraphs 80-82 states the need for planning policies and decisions to be made to create conditions in which business can invest, expand and adapt. Significant weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It encourages an adaptive approach to support local and inward investment to meet the strategic economic and regenerative requirements of the area.

Halton Unitary Development Plan (UDP) (2005)

The site (land to the side and rear) lies with a Primarily Residential Area in the Halton Unitary Development Plan whilst the existing building which fronts the site and currently in use as a HMO is identified as falling within a Neighbourhood Centre. 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
- BE6 Archaeological Evaluations
- BE12 General Development Criteria – Conservation Areas
- BE20 Disabled Access in Public Places
- GE27 Protection of Trees and Woodlands
- PR14 Contaminated Land
- TP7 Pedestrian Provision as Part of New Development
- TP12 Car Parking
- TP17 Safe Travel for All

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
- CS18 High Quality Design
- CS19 Sustainable Development and Climate Change
- CS20 Natural and Historic Environment
- CS23 Managing Pollution and Risk

Supplementary Planning Documents (SPD)

New Residential Development SPD

CONSULTATIONS

The application has been advertised via the following methods: site notice posted near to the site, press notice, and Council website. Occupiers of surrounding properties have been notified by letter.

A number of organisations, Council Officers and advisers have been consulted and any comments received have been summarised below in the assessment section of the report where appropriate.

REPRESENTATIONS

17 letters of objection have been received raising the following issues:

- The poor quality of the existing development at the site
- Traffic and parking congestion and creation
- Unacceptable access and highway safety
- The site is too small for the development
- Overcrowding of the village
- Development incongruous and out of character with the village/ Conservation Area
- Questioning the need for the development
- Construction impacts and disruption
- That it would set an unacceptable precedent for similar development within rear gardens
- That a precedent has been set for refusal and application 15/00427/FUL is an example of back garden development being refused
- Impact on trees/ inadequate tree survey
- Overlooking, impact on outlook, daylight and sunlight of adjoining occupiers
- Lack of parking
- Noise impacts on adjoining outside space
- Poor living conditions for future residents
- No evidence that a contaminated land survey has been undertaken.
- Perhaps local residents could be allowed to share the car park
- good to see the tree being retained/ perhaps more tree planting could be provided.

A letter has also been received on behalf of a local interest group, Friends of Halton Village as follows:

As a group Friends of Halton Village feel this application for 4 x 1 bedroom studio apartments will not add to the character nor enhance Halton Village for the better of its residents now or in the future.

The developer of this proposal has a poor record of delivering a project to its completion. Use 67 Main Street as an example of the poor standard of materials and workmanship. The conversion of the former 67 Main Street in to a home of multiple occupation (HMO) has not been completed to any real acceptable standard. The conversion of 67 Main Street has done nothing to enhance the appearance of Halton Village in contrast the actual reverse is true.

As a group the objections are as follows with supporting evidence attached were applicable.

1. Backland, the proposal shoehorns a building into a rear garden (now currently hard standing of incomplete drive way/carpark). The proposed building would appear incongruous and wholly out of character for the area, The location of the building sideways on to the other buildings. This Backland will set a dangerous precedent for Halton Village if approved for other properties with large rear gardens to be built on. Numbers 59, 61, 63, 65, 73, 75, 77, 79, 81, 83 and 85 Main Street could be seen as future development opportunities. Precedents have been set by Halton Borough Council (HBC) Planning Committee for the refusal of backland properties (149 Main

Street 17/00199/FUL and 117 Birchfield Road 15/00427/FUL Documents 1 and 2 attached).

2. The proposed living conditions for future residents of the property could be deemed poor as it is being built in a rear garden/carpark that is overlooked by the HMO. Also the rear garden of 65 Main Street has large mature trees with the proposed building being so close to the adjoining boundaries could have an unacceptable impact on outlook, daylight and sunlight enjoyed by occupiers.

3. Access and egress for motor vehicles leaving the property. The already increased traffic from the HMO causes daily issues when vehicles attempt to leave the property. The approach from the property boundary to Main Street is on a steep hill. This hill reduces the clear sight lines left and right when leaving the property. The part of Main Street has traffic parked on the blind side forcing cars leaving the property to head north to be on the wrong side of the carriageway. The only way to progress is to nudge out blindly. This is an accident waiting to happen and by increasing the number of potential vehicles increases the odds of an accident. Planning application 09/00263/OUT for 67 Main Street in 2009 HBC highways department produced a report stating it should not be permitted to create vehicle access. By increasing the volume of traffic this cannot by default make the proposed access any safer.

4. There are not enough parking spaces for the 2 developments. In total there will be 14 flats in total (HMO 10) with little or no turning circle. It would be highly dangerous to attempt to reverse off the site on to Main Street. There are only 10 spaces allocated and no unallocated spaces for visitors.

5. The tree survey is inadequate as of the 11 trees listed in the survey 9 are not surveyed due to being off site?

6. There is a recommendation for a contaminated land survey to be undertaken in the planning documents provided. There is no evidence of this being carried out.

As a group we would appreciate an invitation to attend if the case goes to the planning committee.

Objection has been received from Councillor Cargill that "this application is out of character with any conservation Area of which Halton Village is a really good example".

An objection has been received from Councillor Howard stating as follows:

Firstly, it is important to point out that there are 3 Councillors representing the Halton Castle Ward. I am speaking on behalf of my fellow Councillor for the Halton Castle Ward, Ellen Cargill and myself, Harry Howard. Councillor Chris Carlin is a member of the Development Control Committee and therefore cannot express a view about this application.

*We are objecting to this planning application on a several grounds and would point you to what we believe to be the relevant parts of the **HBC Unitary Development***

Plan, 2005 and the Supplementary Planning Document - Design of Residential Development, 2012, in support of our objections.

We would particularly stress that this proposed development is in the Halton Village Conservation Area and we would point you to the following document in this particular case.

Supplementary Planning Document - Design of Residential Development - Page 39

Policy 9) Respecting the Environment

Clause 7.19 – states; Residential development in Halton needs to respond to and respect the Borough’s natural and historic environment.

Clause 7.25 – states; Within the borough there are also areas of special architectural or historic interest that have been designated as Conservation Areas. Within these areas there is a statutory duty to pay “special attention” to the desirability of preserving or enhancing its character or appearance. (underlined for emphasis by objectors)

- 1. This proposed development clearly does not preserve or enhance the character of the Halton Village Conservation Area. It would introduce a residential building into what has traditionally been a garden/orchard and would be entirely out of character with adjacent properties.*
- 2. This property is in the centre of the Halton Village Conservation Area, which is a heritage asset of great significance. It is incumbent on us all to ensure that we do not make unnecessary changes or changes that alter the character of this Conservation Area.*

We would further contend that this proposed development does not comply with the objectives of the HBC Unitary Development Plan and would point you to the following extracts from that Plan.

HBC Unitary Development Plan - Page 75

Policy BE2 – Quality of Design

Paragraph 2.

Clause B. Respect and relate well to existing adjacent buildings and features of townscape value.

Clause C. Optimise the relationship and integration of buildings, and the surrounding hard and soft landscape.

Clause G. Maintain and protect views which are important to the character and visual amenities of the area.

1. *The proposed two storey block containing 4 one bedroom apartments would represent backland development, resulting in development that would be wholly out of character with the prevailing spacious character of the group of properties and open character of the rear garden areas.*
2. *Such a development would result in significant harm to the established character and appearance of this conservation area.*
3. *To allow such development would set a precedent making it difficult to resist future proposals for similar forms of development at, among others, the following nearby properties to either side of the proposed development at 67 Main street.
Numbers 59, 61, 63, 65, 73, 75, 77, 79, 81, 83 and 85 Main St.*

We would again point you to Unitary Development Plan in demonstrating that the increase in vehicle movement onto and through Main Street that will result from this proposed development will be unsafe.

HBC Unitary Development Plan - Page 71

Policy BE1 - General Requirements for Development

Paragraph 3. Clause C - states; It must not overload the surrounding highway network nor be detrimental to highway safety.

1. *The recent change of use of this property from commercial (use class A1) to a 10 bed Home of Multiple Occupation (HMO) has inevitably resulted in a significant increase in the number of vehicles using the access onto Main St, which is already extremely congested.*
2. *To increase the number of vehicles further by an additional 4 properties would not only worsen traffic on Main St, but would also make vehicle access and egress from the property more difficult and potentially dangerous.*
3. *At peak times, when residents are leaving for or returning from work, there is the potential for up to 18 vehicles using this access, onto a bend in what is a very narrow and busy village road.*
 - a. *This assessment is based on assuming that the bedsits in the existing building will have a maximum of one occupant each and the one bedroom flats will have a maximum of two occupants each; 10 from the main house and 8 from the new proposed development. If the bedsits can accommodate more than one occupant, then the potential is significantly higher.*
4. *My understanding is that HBC Highways Dept., as one of the formal consultees, has indicated that the potential increase in traffic will not pose a problem. It has to be questioned as to why the HBC Highways Dept. has changed its professional opinion?*
5. *In 2009, in response to **Planning Application 09/00263/OUT**, for development on this site, the same department produced a report stating that*

to create an access for vehicles onto this land should not be allowed for highway safety reasons.

- a. The highway has not become safer since that time; in fact the number of vehicles using Main St has increased significantly.*
- b. The number of vehicles that it was envisaged would use the then proposed access was significantly less than is now proposed to be the case; potential of 10 as apposed to a potential 18.*
- c. As there are only 12 parking spaces indicated on the plans, this will inevitably mean that vehicles will be parked on the already heavily congested Main St.*
- d. There have been no changes in Highways Law since 2009 that would explain this quite dramatic change of professional view.*

Finally, we would remind you of the most important aspect of our objection. As the Conservation Area legislation states, with new build the overall principle is simple; “to enhance and preserve the area”.

This proposed development does neither. In fact it would do quite the opposite.

ASSESSMENT

Principle

The application proposes the erection of two storey block containing 4 no. one bedroom apartments within land to the rear of and existing 10 bed Home of Multiple Occupation (HMO) bed on Main Street, Halton Village, Runcorn. The site (land to the side and rear of the existing property) lies with a Primarily Residential Area in the Halton Unitary Development Plan whilst the existing building which fronts the site and currently in use as a HMO is identified as falling within a Neighbourhood Centre. The use of the site for residential purposes is therefore considered to be acceptable in principle.

Heritage, Conservation and Amenity

The building and wider site lies within the Halton Conservation Area. The site forms part of a larger plot of the original early Victorian building which fronts Main Street. Many surrounding properties which have been altered dramatically including addition of paint/ render finishes to front elevations and modern replacement windows including UPVC. Despite its historical and attractive character the building and its location within the Halton Conservation Area, the building is not listed, offered any form of local list protection or subject to any further protection afforded by Article 4 Direction. The frontage property has been converted to residential use and part of the rear garden given over to provide vehicular access and parking.

Following considerable pre- and post-application discussion the Council's Retained Adviser has confirmed that the current scheme for a two-storey building at the rear of 67 Main Street represents a much improved scheme. The position of the building on the site, its scale, layout and general design now read more like a traditional outbuilding. Where examples of outbuildings are found within the conservation area, these tend to be positioned perpendicular to the main building (that is, along the side boundaries of the site, rather than across rear boundaries) and this characteristic is supported by evidence found on historic maps. Thus, the current position of the

building is sympathetic to the character of the conservation area, and therefore acceptable. The front elevation, which will be glimpsed obliquely from Main Street, is suggested to be particularly successful in its design and the ratio of wall to window is appropriate to a traditional outbuilding.

Notwithstanding that, the retained adviser has indicated that the regular distribution of windows on the rear (west) elevation and lack of detailing make it less successful and that the design would benefit from brick arched window heads and more varied window proportions. It is further advised that, whilst the proposed landscaping scheme indicates materials which could complement the proposed building, the excessive use of modern block paving throughout the car-parking area would be uncharacteristic and therefore unacceptable.

Discussions are ongoing with the applicant to secure further amendments to the scheme in this regard and Members will be updated orally. Notwithstanding, these detailing issues, the Retained Adviser has confirmed that the proposed building is now sufficiently sympathetic to the character and appearance of the Halton Village Conservation Area and approval is supported subject to conditions. It is not considered that any argument could be sustained that the proposals would be out of character with the site or wider area or result in heritage harm and refusal of planning permission could not be justified on this basis.

Objectors have also raised issues with respect to the impact that the proposals would have on the amenity of adjoining neighbours. The proposed block is 2 storey only. It is a significant distance from the existing properties fronting Main Street and from the gardens of properties to the east which is the direction in which all proposed habitable windows face and the proposed adjoins parkland with no residential properties to the south. The proposed building will be relatively hard against the boundary and garden with the adjoining property to the west at 65 Main Street. This property is however in commercial use as a lighting shop/ electrical company albeit it appears to have been closed for a significant period. The proposed has been designed with non-habitable room windows only within the elevation which faces the land to the rear of that property. There is also a line of trees along the boundary within the adjoining land which, whilst their future cannot be guaranteed in perpetuity, provides some screening. It is not considered that the proposed scheme could be argued to result in any significant impacts including by way of visual impact, overbearing or overlooking such that any significant loss of amenity would result. Nor is it considered that any argument could be sustained that the positioning of the proposed building and apartments would prejudice the future development of any adjoining land should that come forward in the future.

Highways, Parking and Accessibility

The application proposes a shared access from Main Street (shared with 67 Main Street) and some remodelling of the access and parking area for that previously approved HMO. Whilst that access is currently in place it has not been finished including with an appropriate wearing course. The Council's Highways Officer has commented as follows:

The application proposes sufficient parking, as such we would have no objections over parking. The access is deemed to be safe (as agreed to on previous

applications) and the number of additional movements per day, on what is a slow and relatively lightly trafficked road, would not constitute a road safety issue.

However,

- 1. There is no indication of a pedestrian route to the new building. Given that there is not expected to be a high volume of car ownership we would require a plan detailing a dedicated, safe pedestrian route from Main Street to the front door of the new property.*
- 2. Given the levels at the site how would such a pathway comply with the Equality Act (previously DDA) regulations for access?*
- 3. There are no details provided as to what the refuse arrangements for the new property would be. Is the applicant proposing a private collection? Where would the refuse area be located?*
- 4. Cycle parking would be necessary as part of the application, none is detailed on the application plans.*

Given the above Highways would have no option than to refuse the application in its present form.

The application has been amended to show a dedicated pedestrian access and indicate that the existing refuse collection area will be expanded but these amendments have raised further queries regarding whether the applicant has proper control over the land required to provide it and/ or make the proposed changes to existing parking, refuse areas etc. A response is awaited from the applicant in this regard.

Issues are raised with respect to accessibility to the proposed apartments given the level of incline of the proposed access road as constructed. Current Building Regulations do not control level access approaching a property only requiring appropriate parking provision and level access into the property and throughout where appropriate. UDP Policy BE20 requires that "proposals must provide for ease of access and movement for disabled people and those with restricted mobility between and within public areas". It is not considered that the access to the property could be argued to be a public area. UDP Policy TP7 requires that "development will be required to incorporate safe and convenient pedestrian footways or other safe pedestrian routes within the design and layout".

Para 108 of The Framework requires that through consideration of development proposals opportunities should be taken to promote sustainable transport modes and ensure safe and suitable access to the site can be achieved for all users. Para 109-110 provides that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Within this context, it provides development should "address the needs of people with disabilities and reduced mobility in relation to all modes of transport".

According to Development Control Practice (DCP):

The Equality Act 2010 replaced previous equalities legislation, including the Disability Discrimination Act 1995 which had made it unlawful to discriminate against people because of their disabilities and required "reasonable adjustments" to be made when providing access to goods, facilities, services and premises. The Equality Act continues this requirement to make reasonable adjustments in relation

to accessibility. In practice, this means that due regard must be given to any specific needs of likely building users that might be reasonably met. Compliance with the requirements of Building Regulations Part M does not of itself signify compliance with the much broader obligations and duties set out in The Equality Act and this can be a source of misunderstanding.

The duty Section 149 of the Equality Act places on local authorities in the exercise of their functions, including planning, means having due regard to the three aims of general equality, i.e. needing to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act, to advance equality of opportunity, and to foster good relations.

No levels information is supplied with the application. A condition requiring submission and agreement of site and finished floor levels can be secured by planning condition. In order to provide 'level' access to the site, the current access and perhaps building would need to be raised in height to achieve such levels. Whilst no assessment has been made of the extent to which such levels rise would be required, this may raise potential issues with respect to the impact that the proposed development would have on the character of the area and surrounding properties. Further information has been requested from the applicant and discussion are ongoing with the applicant, the Council's Highways Officer and Retained Adviser. Members will be updated accordingly. It is considered that cycle parking and refuse storage can be adequately secured by planning condition subject to resolution of the land ownership issues. Members will be updated accordingly.

Trees

One large Sycamore protected by Tree Preservation Order currently remains on site. This adjoins the existing vehicular access road towards the site entrance and visible from Main Street. This is shown to be retained through the scheme. Whilst finishing of the construction of the access road and alterations to parking areas has the potential to impact on ground in relatively close proximity to the protected tree it is considered that adequate protection can be provided including that appropriate to the Root Protection Area. A group of predominantly sycamores lines the boundary of the site in close proximity to the development and impacted by it.

The application is supported by an arboricultural assessment and method statement. This proposes the felling of one tree (grade C) and the crown raising/ reduction of 4 other sycamore trees in the group to make room for the development. The Council's Open Spaces Officer has advised that this application is in relation to development on third party land which should not have an impact on HBC maintained land and does not compromise trees afforded Statutory Protection. The site does sit within a designated Conservation Area. It is advised that the proposed property appears too close to trees numbered 6 - 9 and will require significant pruning works to facilitate the build and prevent nuisance in the future. It appears that approx. one third of the trees canopies may need to be removed which would compromise their structural stability significantly. The proposed raft and pile foundation is advised to be less intrusive to root plates and deemed technically an acceptable method however it is the opinion of the Open Spaces Officer that the proposed building is far too close to the trees. The Open Spaces Officer queries whether the replacement tree planting conditioned in a previous 2012 consent has yet taken place and if not how it could affect further

development at this site. There is no evidence that this planting has taken place or of enforcement proceedings in this regard. Scope exists for tree planting and landscaping within the proposals.

Whilst the proposed development will result in the loss of one tree and impact on four others this must be balanced against the potential alternatives which would be to refuse planning permission or relocate the proposed development elsewhere within the site. The latter option has been explored with the Council's retained adviser and it is considered that the proposed location represents the best option with respect to design and heritage impacts and that relocating the building elsewhere within the site would result in a recommendation for refusal of planning permission. The trees impacted by this proposal are not advised to be worthy of statutory protection and should a notification have been made to fell the trees it is unlikely that this could have been resisted. Efforts have been made by the applicant to minimise the impact on the trees by proposing piled and beam construction. Against this backdrop it is not considered that refusal of planning permission could not be justified. Tree protection measures can be secured by appropriately worded planning condition(s).

Archaeology

The Council's retained Adviser has advised that the development area lies within the Runcorn and Halton Area of Archaeological Potential as defined in the Historic Town Survey of 2003. This area is reported to be characterised by three zones of activity which include Halton Castle, Medieval Settlement and later Medieval Settlement. The development falls within the Medieval Settlement zone which is "described as containing a number of boundaries, which run at right angles to Main Street and appear to outline former long, narrow medieval burgage plots. This settlement plan is typical of medieval town planning and may indicate the location of the borough which had been laid at Halton by the mid-14th century". In view of this it is advised that the proposed development should be accompanied by a programme of archaeological mitigation including a developer funded watching brief. This can be secured by appropriately worded planning condition.

Drainage

No information has been provided with respect to how foul and surface water will be dealt with from the site. Given that the site is significantly lower than Main Street, it is acknowledged that a pumped solution may be required. It is considered that an appropriate drainage strategy and attenuation can be secured by appropriately worded planning condition.

Contaminated Land

The application is supported by a preliminary risk assessment with respect to contamination. This recommends further detailed investigation and risk assessment. The Councils Contaminated Land Officer has confirmed that it is reasonable to require the investigation and, if necessary, remediation and verification be secured by appropriately worded planning condition. No objection is raised in principle.

Conclusions

The application seeks permission to erect a two storey block within the rear garden of the existing frontage 10 bed HMO to provide an additional 4 no. one bedroom apartments. The proposals are considered acceptable in principle. A number of issues

remain under discussion and review. However, it is considered that these are capable of satisfactory resolution. The report has been prepared in anticipation and in order to avoid unnecessary delay. Members will be updated orally.

RECOMMENDATION

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


1. Standard 3 year permission (BE1)
2. Condition specifying plans/ amended plans (BE1)
3. Materials condition(s), requiring the submission and approval of the materials to be used and (BE2)
4. Landscaping condition, requiring the submission of both hard and soft landscaping to include tree planting. (BE2)
5. Boundary treatments to be submitted and approved in writing. (BE2)
6. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
7. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
8. Conditions relating to the agreement and implementation of bin and cycle parking provision (BE1/ TP6)
9. Conditions relating to tree protection during construction/ development to be carried out in accordance with the submitted arboricultural method statement (BE1)
10. Specifying approved tree works (BE1)
11. Securing a scheme of archaeological mitigation (BE6)
12. Materials condition, requiring the submission and approval of the materials to be used including building of a sample brick and mortar panel for approval (BE2)
13. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
14. Vehicle access, parking, servicing etc to be constructed prior to commencement of use. (BE1)
15. Requiring submission and agreement of finished floor and site levels. (BE1)
16. Site investigation, including mitigation to be submitted and approved in writing. (PR14)
17. Requiring submission and agreement of a detailed drainage scheme (BE1/ PR5).

SUSTAINABILITY STATEMENT

As required by:

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

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

APPLICATION NO:	18/00578/FUL
LOCATION:	Inovyn Chlor Vinyls Ltd
PROPOSAL:	Proposed demolition of existing buildings and structures and erection of new office building, ancillary buildings and Well-Being Centre with associated landscaping, access improvements and engineering operations
WARD:	Heath
PARISH:	N/A
AGENT(S) / APPLICANT(S):	Inovyn Chlor Vinyls Ltd
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2018) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)	Primarily Employment Area
DEPARTURE	No
REPRESENTATIONS:	Two letters of representation (one author)
KEY ISSUES:	Principle of development; waste policy; design and character; flood risk and drainage; contaminated land; ecology and trees; sustainability; highways; crime and security; planning for risk.
RECOMMENDATION:	Approve Subject to Conditions
SITE MAP	
	

THE APPLICATION SITE

The Site

Site of existing offices at Bankes Lane, Runcorn. The site also includes existing car park(s) and a redundant reservoir. Weston Point Expressway runs to the east of the site on raised embankment. The wider Inovyn plant runs to the south and Weaver Navigation, Manchester Ship Canal and River Mersey beyond. The site is constrained by a number of pipelines and associated exclusion zones.

Planning History

None directly relevant.

THE APPLICATION

Background

INOVYN is an INEOS Company and a multi-national chemical establishment operator. INOVYN owns and operates a large scale chemical complex at Runcorn on the banks of the Mersey estuary. The site was formerly operated by ICI and has been in operation for over 100 years. The entire complex has a range of manufacturing operations and a number of businesses in operation. These include Air Liquide, Packed Chlorine Limited, BOC, Mexichem, VYNOVA, Runcorn MCP Limited, SABIC and Industrial Chemicals. The site is therefore a key manufacturing complex for many established businesses and provides products found in almost every aspect of modern life with of range of operators and production platforms. The products are used in industry sectors as diverse as automotive, building and construction, paints and adhesives, food, healthcare and medical, personal care, pulp and paper, textiles and water treatment.

INOVYN has more than 4,300 employees in 10 countries across Europe involved in manufacturing and sales and marketing operations. The Runcorn complex is a key component of the company's European network of businesses and industries.

In order to improve efficiencies, employee communications and working practices across the site it is now proposed to erect a new office building at Bankes Lane with an associated Ancillary and Well-being Centre which will provide employees with state of the art working accommodation and the new Ancillary and Well-being Centre will include a gymnasium, fitness studio, changing/shower and drying facilities including an extensive locker room. The new office complex is designed to house existing site based INOVYN employees who would be redeployed from a variety of offices and buildings spread throughout the existing complex.

Documentation

The planning application includes the relevant forms and plans and the following:

- Supporting Statement
- Design and Access Statement
- Drainage Impact Assessment
- Flood Risk Assessment
- Sustainability Statement
- Arboricultural Impact Assessment

- Geo Environmental Report
- Transport Statement
- Ecological Assessment

POLICY CONTEXT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in July 2018 to set out the Government's planning policies for England and how these should be applied. Paragraph 47 states that planning law requires for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on application should be made as quickly as possible and within statutory timescale unless a longer period has been agreed by the applicant in writing. Paragraph 11 and paragraph 38 state that plans and decisions should apply a presumption in favour of sustainable development and that local planning authorities should work in a positive and creative way, working pro-actively with applicants to secure developments that will improve economic, social and environmental conditions of their areas."

Paragraphs 80-82 states the need for planning policies and decisions to be made to create conditions in which business can invest, expand and adapt. Significant weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It encourages an adaptive approach to support local and inward investment to meet the strategic economic and regenerative requirements of the area.

Halton Unitary Development Plan (UDP) (2005)

The site is identified as a within a Primarily Employment Area, Potential Extent of the Ditton Strategic Rail Freight Park and Developed Coastal Zone 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;
GE21 Species Protection
GE25 Protection of Ponds
GE27 Protection of Trees and Woodlands
PR12 Development on Land Surrounding COMAH Sites
PR14 Contaminated Land;
PR16 Development and Flood Risk
T1 Public Transport Provision as Part of New Development
TP6 Cycle Provision as Part of New Development
TP7 Pedestrian Provision as Part of New Development
TP12 Car Parking
TP16 Green Travel Plans
TP17 Safe travel For All
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:

CS2: Presumption in Favour of Sustainable Development
CS15 Sustainable Transport
CS18 High Quality Design
CS19 Sustainable Development and Climate Change
CS20 Natural and Historic Environment
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
Planning For Risk SPD

CONSULTATIONS

The application has been advertised via the following methods: site notices posted near to the site, press notice, and Council website. A wide range of surrounding properties 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 where appropriate:

Network Rail – Confirmed No Comments
Cadent Gas - No Objection
Natural England – Confirmed No Comments
Cheshire Police – No Objection
Environment Agency – No Objection
United Utilities – No Objection Subject to Conditions
HBC Contaminated Land – Formal Comments Awaited
Merseyside Environmental Advisory Service – No Objection in Principle
HSE – No Objection subject to condition

REPRESENTATIONS

Two letters of representation have been received from the same author stating the following:

- The proposal has office space for 512 persons and with ancillary staff of say 20, there will be a need of about 530 car parking places, only 450 car parking places are proposed.
- The restaurant/bar is too small to service over 500 persons.

ASSESSMENT

The Proposal

It is proposed to redevelop the land and buildings at Bankes Lane for a new four storey office, car parking, and ancillary facilities and well-being centre all within a landscaped setting. The new office complex is designed to house existing site based INOVYN

employees who would be redeployed from a variety of offices and buildings spread throughout the existing complex.

The main new office building extends to 6706sqm. The ancillary facilities and well-being centre would extend to 1078sqm. It is anticipated that the complex would accommodate around 450 staff. The existing scattered buildings elsewhere in the complex lead to employees having to access different locations to undertake day to day non-operational work which would be more efficiently undertaken in a single office building located outside the main chemical works. The proposed site location and land has been assessed and considered by the applicant to be appropriate with respect to the redevelopment capabilities of the site given the established pipelines and existing site constraints, topography and infrastructure. The new office complex will be located in a similar position to the existing building but using the site contours to provide a tiered, landscaped setting with surrounding car parking. The proposed building has been designed to sit within a high quality landscaped environment.

The office building will be situated roughly on a north south axis with the main area of active open space situated to the east of the building with a series of landscaped steps with the building dug-in to the site. This will reduce the visual impact of the rear elevation and allows tiers of landscaping and amenity space for employees. The proposed ancillary facilities and Well-being Centre will be located to the south of the main office. The eastern edge of the site will not be developed due to pipeline wayleave requirements and topography but the existing redundant reservoir situated in the north eastern portion of the site will be removed and included within the site and the land reconfigured to be included within the overall landscape plan.

Existing vehicular accesses will be retained in their current positions. Car parking will be maintained on site but relocated and reconfigured. Car parking will be positioned behind the building frontages to allow the site frontage to be fully landscaped providing a high quality 'green' setting for the buildings. The existing peripheral car parking in the northern section of the site will be upgraded and set within a new landscaped setting. Electric charging points, enhanced bus stop facilities and cycle access is also proposed to aid access from this neighbourhood to the office and works complex beyond.

Principle, Design and Character

The proposals provides for the erection of a modern 4 storey office building together with a detached ancillary plant/ bin building and 2 storey Wellbeing building shown to include gym and staff facilities, plant and archive storage. The buildings are of modern design and propose a mix of rain screen cladding in varying colours of grey, metal composite in dark grey, vision and non-vision glazing panels with brie solei as required. The site is designated as within a Primarily Employment Area in the Halton Unitary Development Plan and the redevelopment of the site for employment and ancillary uses is considered acceptable in principle.

The site is situated at a lower level than the adjoining Western Point Expressway which runs immediately to the east of the site. The proposed buildings and wider development of the site has been configured to make best of topography. The buildings and wider development are considered to be of a particularly high quality of design set within a quality, useable landscaping and open space especially

considering the wider industrial setting. The redevelopment will replace a number of existing dated and low quality buildings on the site and areas of hard surfacing and opportunity to significantly enhance the site with a building of high quality design set within an attractive landscaped setting. The new building will represent significant new investment in the area and the business which is considered welcome.

Exact details of the external finishing and hard landscaping materials can be controlled and secured through appropriate conditions.

The Health and Safety Executive and Risk

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. The proposed development site proposal lies wholly within the inner land use planning zone of the INOVYN Runcorn complex.

As the proposed building capacity for the new HQ is for more than 100 occupants (circa 450) and will be over 2 occupied storeys (4 in total), based on their standard methodology the Health and Safety Executive (HSE) would normally advise against the granting of planning permission.

The HSE has confirmed that, based on discussions with the applicant, they acknowledge that the proposed HQ building is for office accommodation integral to the INOVYN Runcorn chemicals complex and is considered a COMAH on-site occupied building. HSE advises that, they could not support a general planning permission such that the building could be sold, let or leased to other occupiers. They have however agreed that *“a suitably worded planning condition would ensure future use was by employees and those associated with the operations of the major hazard operators (e.g. INOVYN). The purpose of such a planning condition is to cement the understanding of all parties on the purpose of the new office block and its integral relationship with the major hazard establishments on the Runcorn site”*.

They advise that the wording of the recommended condition agreed with the applicant is as follows:

“The new office building is an integral part of the Runcorn Chemicals Complex Major Hazards Establishment(s) activities subject to The Planning (Hazardous Substances) Act 1990 and can only be occupied by INEOS companies and associated companies and any future owners or tenants at the Runcorn site on that sole basis. For complete clarity, the building cannot be occupied by any other companies, tenants or persons as long as there remains extant Hazardous Substances Consent(s) for the Runcorn site and establishments therein.”

On that basis, that advise that subject to the agreed planning condition, HSE does not advise, on safety grounds, against the granting of planning permission in this case. Such an approach is considered to accord with UDP Policy PR12 and adopted Planning for Risk SPD.

Crime and Security

Cheshire Police has provided the following comments on the scheme:

- *There is good natural surveillance of the car parking area from the buildings but this should be backed up with a well signed CCTV system*
- *The proposed shrubbery and trees needs to be well defined to ensure a clear line of sight*
- *The open nature of the site doesn't provide any defensible space for the buildings and makes them easily accessible.*
- *Are there any proposed restrictions planned to the proposed outside seating area, if no physical barrier would recommend knee rail fencing or low level planting to define the space as belonging to the company*
- *Lighting will need to comply with BS5489 – 1 :2003*
- *The Design and Access Statement mentions that 'publicly accessible landscaped frontage on the site will provide a welcoming first impression' – this does however need to be balanced with security*
- *Access is not restricted at the rear of the site which may make this a potential target for offenders*
- *I would recommend some access control / cameras be fitted on to the entrance and exit points of the car park*
- *Access control to UL293 also needs to be installed on the access points to the building and also into any restricted areas.*
- *The recessed areas at the front of the building could potentially limit surveillance and consideration should be given to the positioning of lighting and CCTV to reduce any blind spots.*
- *There is easy access round the ancillary building which could potentially attract offenders. The area indicated by the arrow where the levels change could create dark areas or potential climbing aids*
- *It is difficult to gage how much the level changes between the road and the front of the building. The level would need to be sufficiently different to reduce the opportunity for vehicle borne threats.*
- *Compartmentalisation of the interior of the building is strongly recommended so that people can only access the areas that they need to*

The applicant has responded that the response of the police is welcomed and the comments will be taken into account in the detailed design of the security measures which will be an integral and very important aspect of the proposed development and operation of the new office building. The local crime statistics are also noted and the suggestions relating to ensuring that lighting and CCTV will deter potential offenders from entering the site or the surroundings. It does not appear that the police are suggesting any adjustments to the building design but there could be some adjustments to landscaping and perhaps installation of bollards or other deterrents. The applicant considers that such measures would be most appropriately discussed when the final landscaping and car parking areas are being installed. We would therefore suggest a condition which would require liaison with the police to agree security measures to be installed on the application site to ensure the security of occupants and reducing accessibility to none authorised people. We can assure the council that CCTV in particular will be installed to the highest possible standards. It is not considered that planning conditions are justified in this regard.

Highway Considerations

The application is supported by a Transport Statement. The Council's Highways Officer advises that the report is considered to be robust in content and demonstrates that the site is sustainable with good links to the expressways and wider highway network. Trip generation has been predicted using existing staffing levels and this is advised to be a suitable approach. It is however noted that this is linked to the decommissioning of other sites within the applicants control. An assumption has been made that these sites will not generate future trips. Improvements are also proposed to sustainable modes of travel as part of development including new footway/ cycle links to the East, widened footway to the frontage of the site and enhanced bus stop provision. Discussions are ongoing as to whether and/ or how these may be properly secured. Members will be updated in this regard.

The Council's Highways Engineer advises that:

- The proposal provides 450 spaces which although is above current UDP maximum standard it is considered appropriate given the applicants knowledge of their specific parking demand through years of operation in the area.
- There appears to be ample provision of accessible and marked disabled bays.
- Car parking spaces have been shown for the use of EV charging although more detail is required as to what provision will be made. This detail can be secured by planning condition.
- Accessible, covered secure and overlooked cycle parking should to be provided to a suitable standard (1 space per 350 sq.m). This detail can be secured by planning condition.
- Access, egress and servicing appear to function although during detailed design a signage strategy will be required to direct various users into and through the development. This detail can be secured by planning condition.
- The site is acceptable with regards accessibility to bus routes and is served by suitable pedestrian links. Pedestrians, cyclists and bus users have been considered and proposals made to improve the offering for these sustainable modes of travel.
- Some formal stopping of existing highway will be required via a suitable process.
- Level information has been provided which demonstrates that it will be possible to tie into the adjacent highway and although there are some steeper sections of roadway/ footway within the site the applicant has demonstrated that accessible routes will be provided.

Conditions are recommended relating to submission of a green travel plan, Construction Phase Management Plan, securing access, parking etc and off site highway, cycle and footway works, provision of EV charge points, detailing of boundary treatments, surface finishes and landscaping and provision of cycle parking.

Flood Risk and Drainage

The proposed development lies in flood zone 1 but is over 1 Ha in area. The application is therefore supported by a flood risk assessment. This identifies the site as low

probability of flooding, that finished floor levels will be set no lower than existing and that the residual risk of the development flooding from all sources is negligible.

The application is supported by a Drainage Impact Assessment and detailed drainage design. Detailed comments from the Council's Drainage Engineer acting as Lead Local Flood Authority (LLFA) are awaited. It is however considered that a technical solution will be available to ensure that the site can be appropriately drained including appropriate attenuation as required.

The Environment Agency raises no objection. United Utilities raise no objection in principle but suggest conditions that foul and surface water are drained on separate systems and a detailed drainage design based on the adopted hierarchy of drainage options. Subject to LLFA approval it is considered that sufficient information has been received in this regard and that such conditions cannot be justified. Members will be updated orally.

Contaminated Land

The site is known to be contaminated and a Site Investigation Report has been submitted to support the application. Whilst the Councils Environmental Health Officers have confirmed that additional investigation and analysis is required, no objection is raised in principle and it is considered that this can be adequately secured by condition. The Environment Agency raises no objection in principle subject to comments which can be attached by means of informative to any planning permission.

Ecology and Trees

The applicant has submitted an Ecological Assessment report in accordance with Local Plan policy CS20. The Councils Retained Adviser on Ecology matters has advised that the survey report is acceptable with a limitation as detailed below. They further advise that impact on European Sites could be screened out due to separation distance, nature of development and a lack of pathways to the estuary.

The Councils retained adviser has queried the submission insofar as it relates to the habitat value of parts of the existing site, the ecological value of the replacement landscape scheme as submitted and the absence of a replacement pond within the scheme. Discussions are ongoing with the developer and the Council's advisers and Members will be updated orally in this regard.

eDNA survey sampling of the reservoir has returned a negative result and Great Crested Newt are therefore confirmed as absent. The report states that no evidence of roosting bat use, or presence was found in buildings or trees on-site. As such, it is advised that The Council does not need to consider the proposals against the three tests (Habitats Regulations) or consult Natural England. Lighting for the development may affect the use of areas by foraging bats. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the habitats in line with NPPF (paragraph 180). This can be secured by a suitably worded planning condition.

Vegetation on site is identified as providing potential nesting opportunities for breeding birds, which are protected. Protection of nesting birds is covered by the Wildlife and Countryside Act. An informative can be attached to any planning permission reminding the applicant of the responsibilities in this regard. Whilst trees on site do provide an amenity value and the loss of trees is regrettable these are not considered to be of a particularly high quality. A number will also be required to be removed in any case to facilitate the removal of Japanese Knotweed from the site. The loss of such trees must also be balanced against the wider benefits of the scheme which are considered significant in this case. Provision exists within the scheme for replacement tree planting.

Japanese knotweed is present within the site boundary. The applicant will need to prepare a method statement including the extent of the plant(s); method(s) to prevent the plant/s spreading further; method(s) of control and monitoring; and method(s) for how the plants will be disposed of after treatment/removal. A validation report is then required confirming the remediation treatment. It is considered that this can be secured by suitably worded planning condition.

Natural England has been consulted and confirm that they have no comments to make.

Waste

The proposal is major development and involves excavation, demolition and construction activities which are likely to generate significant volumes of waste. The Council's Retained Adviser on waste advises that that Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste paragraph 8, bullet point 3 and Planning Practice Guidance 49 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, it is advised that 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. This could be incorporated into any CEMP produced for the development or as a standalone document but can be secured by a suitably worded planning condition.

Sustainability

The application is supported by a Sustainability Statement. This includes details of a number of significant sustainable measures to be incorporated into the design. Electric Vehicle charging points are also proposed adjacent to the building together with a network of ducting to allow future expansion. The Council's Retained Adviser on environmental matters confirms that the statement contains sufficient information to demonstrate compliance with Core Strategy policy CS19.

Conclusions

The proposals provides for the erection of a modern 4 storey office building together with a detached ancillary plant/ bin building and 2 storey Wellbeing building. The site

is designated as within a Primarily Employment Area in the Halton Unitary Development Plan and the redevelopment of the site for employment and ancillary uses is considered acceptable in principle.

The buildings and wider development are considered to be of a particularly high quality of design set within a quality, useable landscaping and open space especially considering the wider industrial setting. The redevelopment will replace a number of existing dated and low quality buildings on the site and areas of hard surfacing and opportunity to significantly enhance the site with a building of high quality design set within an attractive landscaped setting. The new building will represent significant new investment in the area and the business which is considered welcome.

A number of issues remain in discussion at the time writing. It is considered that these can be satisfactorily resolved and Members will be updated accordingly.

The objectives of Supplementary Planning Guidance, the Halton Unitary Development Plan, the Core Strategy and other policy guidance are considered to be met within the proposed submission. The proposals are considered to accord with the National Planning Policy Framework and as such are recommended for approval.

RECOMMENDATION

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

1. Specifying approved plans
2. Materials condition, requiring submission and agreement of external materials (BE2)
3. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
4. Vehicle access, parking, servicing etc to be constructed prior to commencement of use. (BE1)
5. Requiring finished floor and site levels be carried out as approved. (BE1)
6. Site investigation, including mitigation to be submitted and approved in writing. (PR14)
7. Restriction of external lighting (PR4)
8. Submission and agreement of Site Waste Management Plan (WM8)
9. Submission and agreement of a Construction Management Plan (BE1)
10. Submission and agreement of a Green Travel Plan (TP16)
11. Submission and agreement of boundary treatments (BE2)
12. Submission and agreement of hard surfacing materials (BE2)
13. Submission and agreement of cycle storage details (TP6)
14. Conditions securing off site highway, cycle and footway works,
15. Requiring submission and agreement of EV charge points
16. Condition as requested by Health and Safety Executive
17. Conditions relating to site investigation, remediation and validation (PR14)
18. Conditions relating to methodology and validation of Japanese Knotweed removal (PR14)

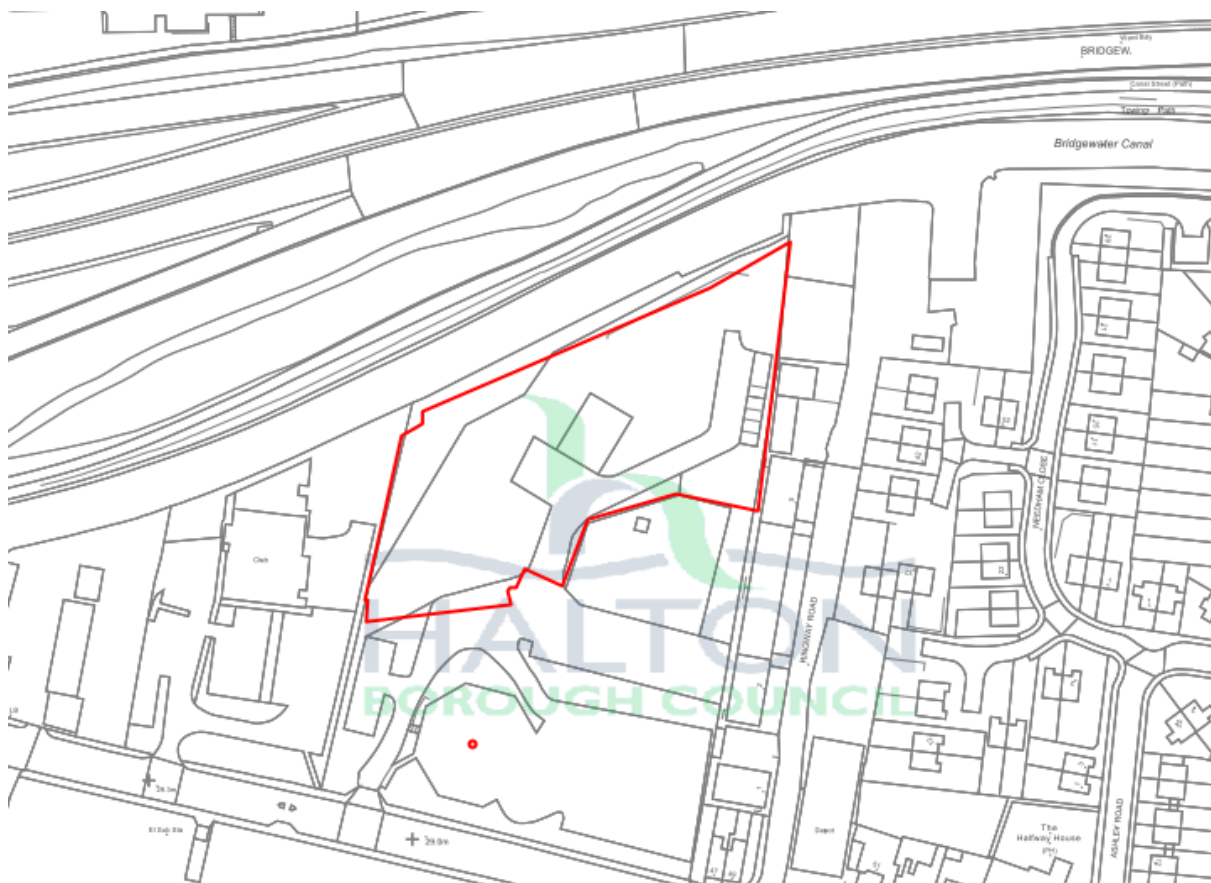
SUSTAINABILITY STATEMENT

As required by:

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

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

APPLICATION NO:	18/00616/FUL
LOCATION:	Former National Grid Depot, Halton Road, Runcorn.
PROPOSAL:	Proposed extension to the existing storage facility comprising an additional 171 containers, access arrangements, 2.6 metre high palisade fencing and gates and CCTV cameras mounted on 5no. 8 metre high towers.
WARD:	Halton Brook
PARISH:	None
AGENT(S) / APPLICANT(S):	Richard Lee Project Planning Mr M Roberts, U LOCK IT, Chapel St, Wincham, Northwich.
DEVELOPMENT PLAN: Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	ALLOCATION: Primarily Employment Area
DEPARTURE	No.
REPRESENTATIONS:	One representation received from the publicity given to the application.
KEY ISSUES:	Primarily Employment Area, Design, Access, Relationship to the Bridgewater Canal.
RECOMMENDATION:	It is requested that delegated powers are given to the Operational Director – Policy, Planning & Transportation in consultation with the Chair or Vice Chair of the Development Control Committee to make the decision once clarification on the drainage observations have been received. The application is recommended for approval subject to the conditions suggested and any additional conditions required following the submission of further information.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site subject of the application is the Former National Grid Depot located on Halton Road in Runcorn. The site is currently vacant. The site is 0.75ha in area.

Located to the south of the site is land within the same ownership/control which is operated as a U LOCK IT storage facility. The surrounding area is mixed use in nature where both residential and commercial uses can be found. Located to the north west of the site is the Bridgewater Canal with the Bridgewater Expressway located beyond this.

The site is located within the Primarily Employment Area as designated by the Halton Unitary Development Plan.

1.2 Site History

10/00132/FUL – (Application site and the land to the south adjacent to Halton Road) - Proposed engineering works to facilitate the remediation of (part of) the site – Granted 16/06/2010.

13/00161/FUL – (Land to the South of the application site) - Proposed siting of steel shipping containers for self storage, site office, internal access roads, gates, palisade fencing, CCTV cameras mounted on 5 no. 8m high towers and associated signage – Granted – 28/06/2013.

2. THE APPLICATION

2.1 The Proposal

The application proposes an extension to the existing storage facility (located to the south of the application site adjacent to Halton Road) comprising an additional 171 containers, access arrangements, 2.6 metre high palisade fencing and gates and CCTV cameras mounted on 5no. 8 metre high towers.

It is noted that part of the extended storage facility subject of this application has already been implemented on site.

2.2 Documentation

The planning application is supported the following documents:

- Design and Access Statement;
- Transport Statement;
- Post Remediation Verification Report.

3. POLICY CONTEXT

Members are reminded that planning law requires for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.

THE DEVELOPMENT PLAN

3.1 Halton Unitary Development Plan (UDP) (2005)

The site is designated 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;
- BE22 Boundary Walls and Fences;
- E3 Primarily Employment Area;
- GE24 Protection of Important Landscape Features;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;

- TP14 Transport Assessments.

3.2 Halton Core Strategy (2013)

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

- CS2 Presumption in Favour of Sustainable Development;
- CS23 Managing Pollution and Risk.

3.3 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.

MATERIAL CONSIDERATIONS

3.4 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in July 2018 to set out the Government's planning policies for England and how these should be applied.

Achieving Sustainable Development

Paragraph 7 of the NPPF states that *the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.*

Paragraph 8 states that *achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

*a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that*

reflect current and future needs and support communities' health, social and cultural well-being; and

*c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

Determining Applications

Paragraph 47 states that planning law requires for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on application should be made as quickly as possible and within statutory timescale unless a longer period has been agreed by the applicant in writing.

4. CONSULTATIONS

4.1 Highways and Transportation Development Control

Having reviewed the above Planning Application I would advise that Highways would not have any objections to the application. The site access and safe circulation were dealt with in 2013 and therefore its access and highway safety aspects are not in doubt. We would, however, require some clarification on the details of the soakaway advised in the application and how this works.

4.2 Lead Local Flood Authority

Whilst it is a critical drainage area and we would normally ask for a minimum 50% reduction in runoff, for a brownfield development, I would question whether there is an engineering operation proposed here which affects drainage (ie new surfacing etc) and therefore the Authority may be unable to insist on this being delivered.

I notice UU have asked for a drainage hierarchy condition. I have spoken to UU and they would still request that this be considered, particularly as the application form states that soakaway will be used for surface water drainage (although documentation describes an outfall to sewer). I would recommend that clarification is sought regarding the developers intentions. Ultimately, if we are unable to condition this, UU have confirmed that they would accept this as it would not affect the current sewer operation.

4.3 Contaminated Land

The application site was formerly the location of the Halton Road gasworks. It was sequentially investigated, risk assessed and remediated, with works being completed in 2012. Those works identified a number of contamination risks associated with the former landuse and a significant volume of impacted soils and tarry wastes were removed. The site has been assessed as being suitable

for open storage use. This work is summarised in the report submitted with the application;

- National Grid Property Holdings Ltd, Halton Road, Runcorn (Location code 42A), Post remediation verification report – final, Entec UK Ltd, July 2012.

The application proposals make very limited changes to the site, with minimal excavation required. Therefore it is reasonable to accept the above report as demonstrating that the site is suitable for the proposed use and that no further assessment nor remedial activities are required.

Therefore, I have no objection to the application.

4.4 Health and Safety Executive (HSE)

The HSE is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites / Pipelines. The HSE's Advice is Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

4.5 Cheshire Police

Please see below for positive points for the development and items that need consideration:-

- UDP policy BE22 requires that any boundary fences and walls that require planning permission be attractive, high quality and durable. - The existing 2.4 metre fence is to be retained and similar is to be installed across the site. This will not have a negative impact on the appearance of the site.
- I agree that the development agrees with the principle set out in the National Planning Policy Framework as developing the site increases sustainability in the area and there are already good access routes
- The Porta cabin provides natural surveillance. I would like some clarification as to whether there is any CCTV proposed.
- Attention needs to be given to the North side of the site to ensure that the positioning of the trees next to the fence and storage units does not provide any climbing aids or easy access on to the site. While the trees improve the aesthetics of the environment a plan needs to be put in place to ensure they do not limit natural surveillance.
- There is no clarification regarding the levels of lighting to be used. The lighting needs to comply with BS 5489:2013 and time taken to ensure that the distribution of lighting does not create any pools or shadows.

4.6 United Utilities

United Utilities will have no objection to the proposed development provided that the following conditions are attached to any approval:

Foul Water

Condition 1

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

Surface Water

Condition 2

Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

5. REPRESENTATIONS

5.1 The application was publicised by eighty neighbour notification letters sent on 20th December and a site notice posted on Halton Road on 21st December.

5.2 One representation has been received from the publicity given to the application. This representation is from the Bridgewater Canal Company Limited and a summary of the issues raised is below:

- Protecting against pollution of the canal;
- The use and setting of the Bridgewater Canal;
- Retention of the vegetation adjacent to the Bridgewater Canal;
- Implications for the gas pipeline that crosses the site.

6. ASSESSMENT

6.1 Principle of Development

The site is located in the Primarily Employment Area as designated by the Halton Unitary Development Plan. Policy E3 of the Halton Unitary Development Plan states that development falling within Uses Classes B1 (Business), B2 (General Industry), B8 (Storage and Distribution) and Sui Generis industrial uses will be permitted in the Primarily Employment Areas identified on the Proposal Map.

The use of the site falls within the acceptable uses outlined in Policy E3 and the principle of using the site for a storage facility is considered to be acceptable.

6.2 Highway Considerations

The proposal demonstrates the provision of both an appropriate site access and sufficient safe circulation space. The implementation of the parking and servicing provision should be secured by condition.

The proposal is considered to be acceptable from a highway perspective compliant with Policies BE1, TP6, TP7, TP12 & TP 14 of the Halton Unitary Development Plan.

6.3 Layout

The site is located to the rear of the existing U LOCK IT storage facility on Halton Road and would therefore not be particularly visible from Halton Road itself. The proposal is consistent with the existing development fronting Halton Road.

As noted in the site location description, to the north west of the site is the Bridgewater Canal which is designated as an Important Landscape Feature. The one representation received makes reference to the retention of the vegetation adjacent to the Bridgewater Canal. It is noted that there was previously soft landscaping along this boundary which has been removed a number of years ago. The applicant has however agreed to plant a hedgerow along the north western boundary of the site to form an improved relationship with this Important Landscape Feature which is considered to be acceptable and would not result in the proposal having an unacceptable effect on the visual or physical characteristics.

The boundary fence along this boundary of the site is existing and whilst there are other boundary treatments which may be visually more attractive, it is not considered that a refusal on this basis could be sustained.

The layout makes provision for sufficient circulation space for vehicles to access the respective storage containers as well as an appropriate turning provision.

The layout of the proposed development is considered to be acceptable and compliant with Policies BE 1, BE 2 and BE 22 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

6.4 Scale

In terms of scale, the storage containers would be a maximum of 2.6m in height, would not be stacked. It is considered that they would respect the scale of development located adjacent to the application site.

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

6.5 Appearance

The application proposes the siting of 171 storage containers on the site. These storage containers are considered to be functional in appearance and would not be to the significant detriment of the appearance of the locality. The application indicates that the storage containers would be dark green in colour and it is considered reasonable to attach a condition which secures this.

The proposal also includes 5no. 8m high towers to which CCTV cameras would be mounted. They are considered to be of a functional appearance which would be acceptable in the proposed locations as well as providing the necessary security measures sought by the applicant.

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.

6.6 Landscaping & Trees

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

The site is currently clear of soft landscaping and trees, however as set out in the layout section of the report, the applicant has agreed to plant a hedgerow along the north western boundary of the site to form an improved relationship with the Bridgewater Canal. It is considered reasonable to secure the implementation of the hedgerow and its subsequent maintenance by condition.

This would ensure compliance with Policies BE 1, GE24 and GE 27 of the Halton Unitary Development Plan.

6.7 Ground Contamination

The site has been remediated and has been assessed as being suitable for open storage use. This work is summarised in the report submitted with the application.

The application proposals make very limited changes to the site, with minimal excavation required. Therefore it is reasonable to accept the report which accompanies the application as demonstrating that the site is suitable for the proposed use and that no further assessment nor remedial activities are required.

The proposal is considered to be compliant with Policy PR14 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

6.8 Flood Risk and Drainage

The application site is located in Flood Zone 1, however it is located within a Critical Drainage Area.

In a critical drainage area, a minimum 50% reduction in runoff, for a brownfield development would ordinarily be sought, however it is questioned whether there is an engineering operation which affects drainage.

United Utilities have suggested that a drainage condition be attached. In order to ascertain the drainage requirement with the proposed development, clarification from the applicant is required as the application form states that soakaway will be used for surface water drainage (although documentation describes an outfall to sewer). The clarification would also help to address the issue in the one representation received regarding the protection against pollution of the Bridgewater Canal.

Clarification on the above point and the imposition of any conditions necessary would ensure compliance with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

6.9 Risk

Policy PR12 of the Halton Unitary Development Plan states that development on land within consultation zones around notified COMAH sites will be permitted provided that all of the following criteria can be satisfied:

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

Whilst being within the consultation zone, the individual accidental risk level does not exceed 10 chances per million in a year. The proposal is therefore considered to accord with Policy PR12 of the Halton Unitary Development Plan.

It should also be noted that the HSE does not advise against the granting of planning permission on safety grounds in this case.

6.10 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, the proposed storage use is unlikely to generate any significant levels of waste. In terms of waste management, there is sufficient space on site for the storage of waste as well as access to enable collection.

6.11 Site Constraints

It is noted that gas mains cross the application site. Cadent Gas have provided a response on the planning application giving details of the site constraint which should be attached as an informative.

7. CONCLUSIONS

In conclusion, the proposal would bring a vacant remediated site back into use whilst being sympathetic to surrounding land uses and its Employment Area location. In terms of external appearance, the proposal would be consistent with the neighbouring site and would result in satisfactory appearance. The applicant has agreed to plant a hedgerow on the north western boundary to soften the appearance of the development from the Bridgewater Canal which should be secured by condition.

8. RECOMMENDATIONS

It is requested that delegated powers are given to the Operational Director – Policy, Planning and Transportation in consultation with the Chair or Vice Chair of the Development Control Committee to make the decision once clarification on the drainage observations have been received.

The application is recommended for approval subject to the conditions suggested and any additional conditions required following the submission of further information.

9. CONDITIONS

1. Approved Plans.
2. External Facing Materials – Containers Dark Green in Colour (Policies BE1 and BE2)
3. Hedgerow planting along North Western boundary of the site (Policy BE1)
4. Implementation of parking and servicing – (Policy BE1).

Informatives


1. Cadent Gas Informative
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.

APPLICATION NO:	19/00008/FUL
LOCATION:	SecAnim, Desoto Road, Widnes
PROPOSAL:	Proposed extension to the raw material reception building to accommodate new processing machinery and separate electrical switch room
WARD:	Riverside
PARISH:	N/A
AGENT(S) / APPLICANT(S):	SecAnim Ltd
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2018) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)	Primarily Employment Area Potential extent of the Ditton Strategic Rail Freight Park Coastal Zone Developed 3MG Key Area of Change
DEPARTURE	No
REPRESENTATIONS:	One letter of objection
KEY ISSUES:	Principle of development; waste policy; design and character; odour; drainage; contaminated land; ecology and HRA issues
RECOMMENDATION:	Approve Subject to Conditions
SITE MAP	
	

THE APPLICATION SITE

The Site

Areas within existing SecAnim (formerly PDM Granox) industrial complex at Desoto Road, Widnes.

Planning History

Numerous earlier planning permissions granted for extensions and/ or alterations. Planning permission 17/00094/FUL was previously approved for the proposed demolition of an existing tallow farm, air lock, electrical and motor stores and replacement with a new raw materials reception building.

THE APPLICATION

Background

The application proposes a proposed extension to the recently constructed Raw Material Reception and Handling (RMH) building to accommodate new processing machinery and attached electrical switch room. The new building is part of the ongoing regeneration of the site which saw the recent completion of the new RMH. The proposed building will accommodate a new Category 1 Rendering Process which will be served by the adjoining RMH building. Crushed raw material will be pumped from the RMH directly to the new process which will consist of new drying and pressing equipment to evaporate the moisture and separate the fat and protein. The proposed process will have the flexibility to produce dry meal and fat and / or a de-fatted slurry for direct combustion in the fluidised bed combustion (FBC) plant for renewable energy generation. All is aimed at replacing existing old plant and increasing process efficiency.

The new process will require a variation to the Environmental Permit. The plant will have a processing capacity of between 2500 and 3500 tonnes per week subject to final design. There will be no increase needed to the site's permitted annual throughput.

Documentation

The planning application includes the relevant forms and plans, a Design and Access Statement and Site Investigation Report

POLICY CONTEXT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in July 2018 to set out the Government's planning policies for England and how these should be applied. Paragraph 47 states that planning law requires for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on application should be made as quickly as possible and within statutory timescale unless a longer period has been agreed by the applicant in writing. Paragraph 11 and paragraph 38 state that plans and decisions should apply a presumption in favour of sustainable development and that local planning authorities should work in a positive and creative way, working pro-actively with applicants to secure developments that will improve economic, social and environmental conditions of their areas."

Paragraphs 80-82 states the need for planning policies and decisions to be made to create conditions in which business can invest, expand and adapt. Significant weight to be placed on the need to support economic growth and productivity, taking into

account both local business needs and wider opportunities for development. It encourages an adaptive approach to support local and inward investment to meet the strategic economic and regenerative requirements of the area.

Halton Unitary Development Plan (UDP) (2005)

The site is identified as a within a Primarily Employment Area, Potential Extent of the Ditton Strategic Rail Freight Park and Developed Coastal Zone 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;
GE30 The Mersey Coastal Zone;
PR1 Air Quality
PR3 Odour Nuisance
PR14 Contaminated Land;
E5 New Industrial and Commercial Development

Halton Core Strategy Local Plan (2013)

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

CS2: Presumption in Favour of Sustainable Development
CS8: 3MG
CS18 High Quality Design
CS19 Sustainable Development and Climate Change
CS20 Natural and Historic Environment
CS23 Managing Pollution and Risk

Joint Waste Local Plan 2013

WM7 Protecting Existing Waste Capacity for Built Facilities and Landfill
WM8 Waste Prevention and Resource Management
WM9 Sustainable Waste Management Design and Layout for New Development
WM12 Criteria for Waste Management 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, landowners and Halebank Parish Council 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 where appropriate:

Natural England – No Objections
HBC Contaminated Land – No Objections
HBC Major Projects – No Comments Received
Merseyside Environmental Advisory Service – No Objections

REPRESENTATIONS

One letter of objection has been received stating the following:

Until the Company comes up with a plan to keep odours air tight the plan should be rejected. Do you not think the people of the Borough are not suffering enough. Think about the welfare of the residents.

ASSESSMENT

Design and Character

The proposed new process building is 41m x 27m providing approximately 1107m² floor space. The process building measures approximately 15.6m in height to match and tie into the existing previously approved Raw Materials building. The applicant states that the building has been sized to give adequate space around new process equipment for forklift manoeuvre. The proposals include a new attached switch room measuring approximately 18.06m x 4.8m. The overall footprint would therefore be approximately 1197m². The proposals also include an external pre-evaporation tower which is approximately 17m high.

To accommodate the new building it is proposed to remove some external tanks and vessels and also remove part of the adjacent building then rebuilding the gable wall. The part of the building to be removed forms part of the former Raw Material Building ("The Plaza") which is now vacant.

The proposed building and plant are considered of a scale, character and materials consistent with earlier modernisation and redevelopment phases at the site. The majority of the scheme will be substantially screened by existing buildings and plant when viewed from the adjoining Mersey Estuary and from the adjoining Ditton Strategic Rail Freight Park development. All will be viewed in the context of the wider industrial complex. The proposed results in the removal of existing utilitarian plant and structures and replacement with more modern buildings and plant. As such it is considered that the proposed modernisation could only be viewed as a significant improvement. Exact details of the materials can be controlled and secured through appropriate conditions.

Odour

The recently constructed raw material reception building includes fully enclosed hoppers with interlocked lids which will only open once high speed vehicle doors are closed. This will significantly improve odour containment and capture effectively acting as an airlock compared to the previous situation whereby raw material was tipped onto the floor. The new raw material bins and building will be vented to an odour treatment scrubber.

The process will comply with the requirements of Best Available Techniques. All processing equipment generating odours will be ducted and extracted to the existing Boilers and FBC plant for incineration. General building air will be extracted to the existing chemical scrubbers for treatment prior to discharge to atmosphere.

The proposals will not therefore exacerbate odour issues at the plant and may result in some further improvement.

Highway Considerations

The scheme proposes significant modernisation of existing plant and facilities at an existing industrial complex. The proposals are for modernisation of existing facilities and are not considered likely to result in additional vehicle movements. It is considered that adequate provision is made for parking and servicing with regards to the development site itself and on that basis it is not considered that any significant issues are raised or that objections could be sustained on Highway grounds.

Flood Risk and Drainage

The proposed development lies in flood zone 1 and is less than 1 Ha in area so a flood risk assessment is not required. The Council's Drainage Engineer acting as Lead Local Flood Authority (LLFA) advises that the development does not lie within a critical drainage area but it is on a site that has been previously developed. Whilst NPPF would suggest attenuation to as close as possible to greenfield rate there is no absolute requirement as this is not a critical drainage area. The area in question is hardstanding at present and therefore there is not expected to be any significant increase in runoff as a result of the development.

All surface and waste water will be treated by the effluent treatment plant where required before discharge via consented outfall to the Mersey. As such the LFA advises that this would negate the need for upstream attenuation due to negligible increased flood risk.

Contaminated Land

The site is known to be contaminated and a Site Investigation Report has been submitted to support the application. The Council's Environmental Health Officers have advised that the submitted information relates to the earlier scheme and further information is required that sets out how the current application relates to this previous investigation. This has been requested from the developer. Notwithstanding that he has confirmed that, whilst additional investigation, mitigation and validation is required, no objection is raised in principle and it is considered that this can be adequately secured by condition.

Ecology

The application site is near to a number of European sites which are protected under the Habitats Regulations 2017. The Council's Retained Adviser has confirmed that there is no pathway that could give rise to likely significant effects on the European sites and it does not warrant a detailed Habitats Regulations Assessment report. It is also advised that the site is highly unlikely to provide habitat for protected species and that protected species require no further consideration with regards to the proposals.

Natural England has been consulted and also concludes that the development will not have significant adverse impacts on designated sites. This concurs with the above assessment.

Waste

The Council's Retained Adviser advises that, as an existing waste management activity, policy WM7 of the Waste Local Plan is supportive of the site remaining in waste use.

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

It is advised that sufficient information has been submitted to demonstrate compliance with policy WM12. Other Waste Local Plan policies are not applicable on this occasion.

Conclusions

The application proposes a proposed extension to the recently constructed Raw Material Reception and Handling (RMH) building to accommodate new processing machinery and attached electrical switch room. The new building is part of the ongoing regeneration of the site which saw the recent completion of the new RMH. All is aimed at replacing existing old plant and increasing process efficiency. There will be no increase needed to the site's permitted annual throughput.

The proposals will result in the removal of existing dated structures at the site and replacement with modern buildings and plant resulting in an overall visual improvement. They will not exacerbate odour issues at the plant and may result in some further improvement. The overall objectives of Supplementary Planning Guidance, the Halton Unitary Development Plan, the Core Strategy and other policy guidance are considered to be met within the proposed submission. The proposals are considered to accord with the National Planning Policy Framework offering a good quality of development suited to the character of the wider area and as such are recommended for approval.

RECOMMENDATION

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

1. Specifying approved plans
2. Materials condition, requiring materials to match the adjoining Raw Materials Reception and Handling Building (BE2)
3. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
4. Vehicle access, parking, servicing etc to be constructed prior to commencement of use. (BE1)
5. Requiring finished floor and site levels be carried out as approved. (BE1)
6. Conditions relating to site investigation, mitigation and validation to be submitted and approved in writing. (PR14)
7. Restriction of external lighting (PR4)

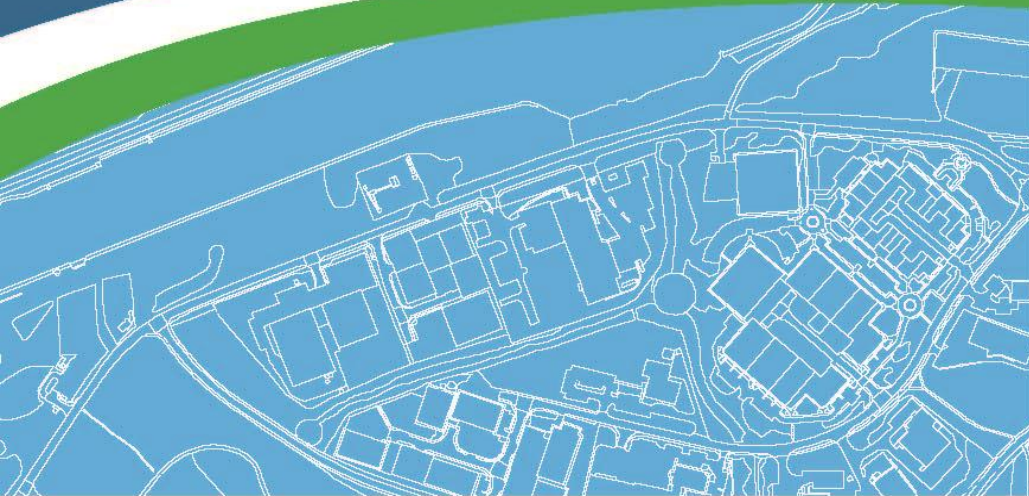
8. Submission and agreement of Site Waste Management Plan (WM8).

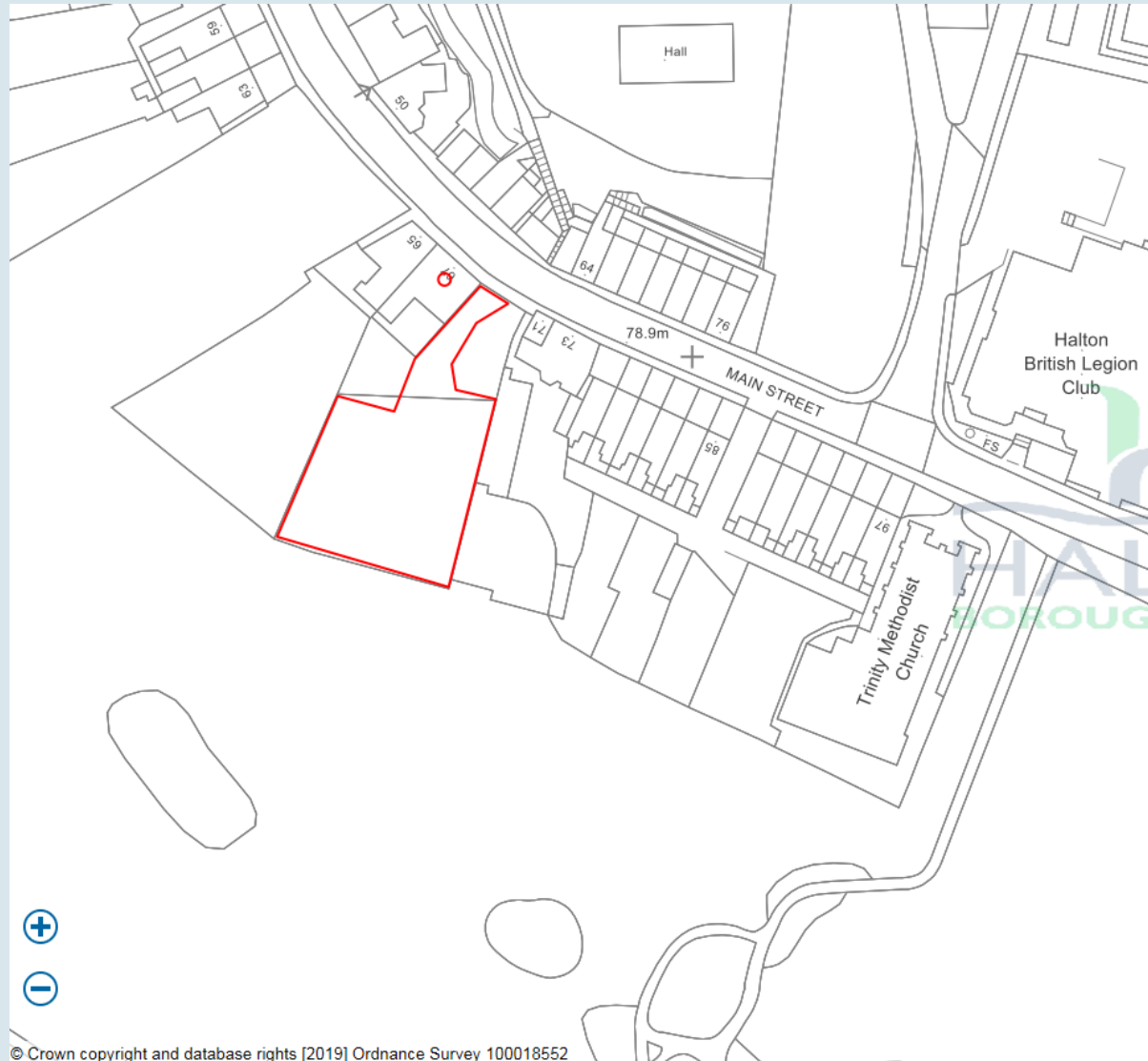
SUSTAINABILITY STATEMENT

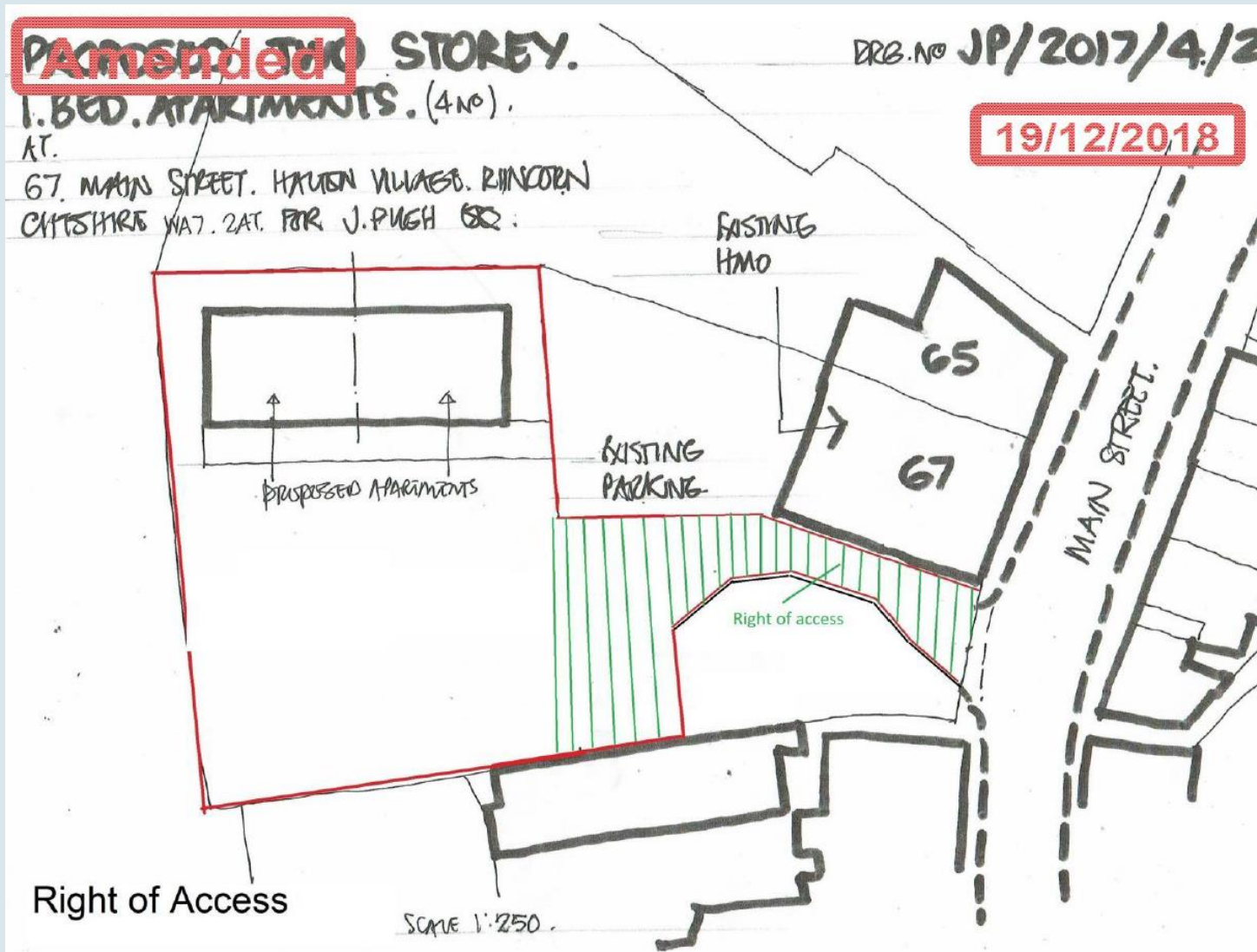
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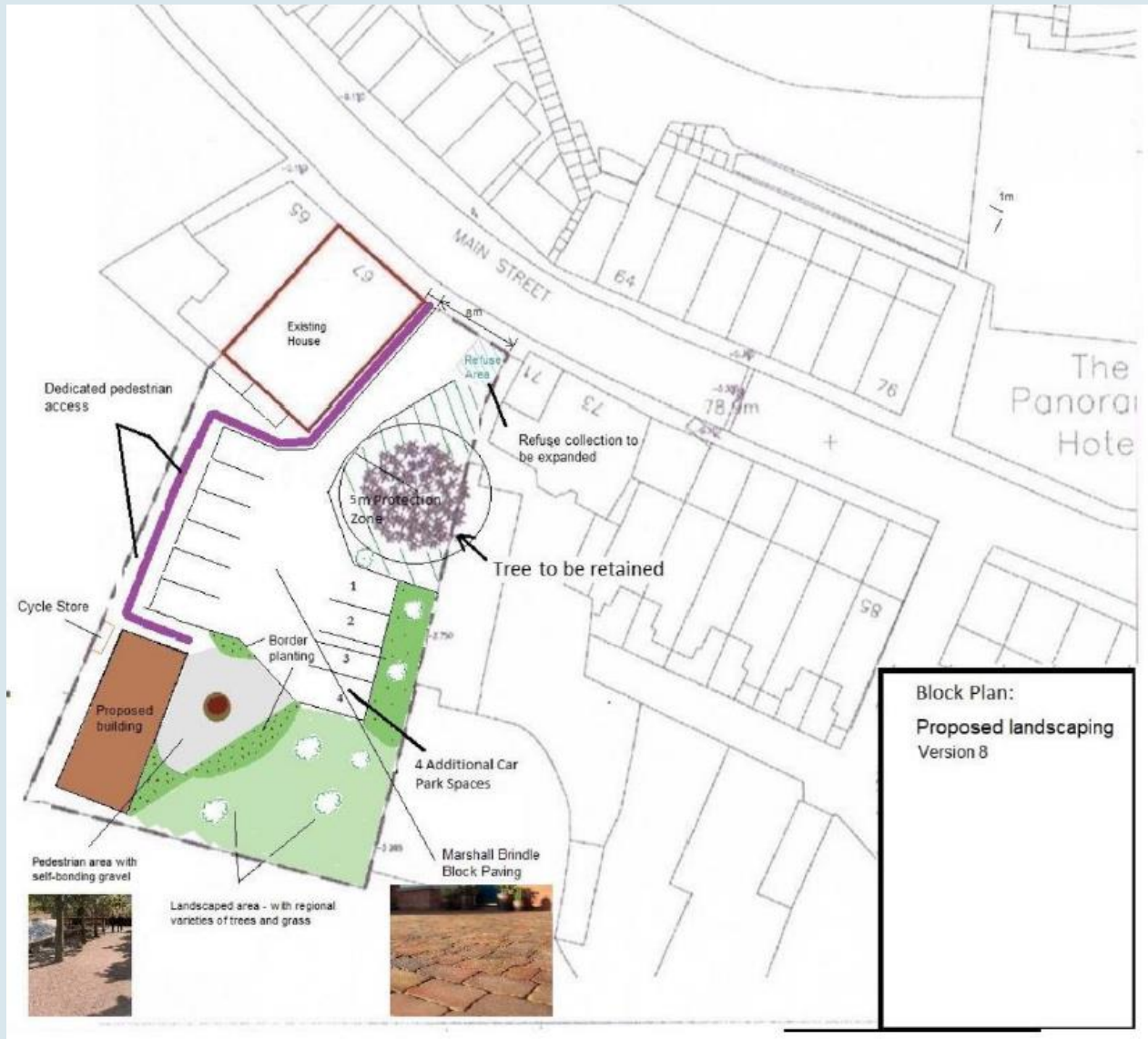
- The National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012.

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.

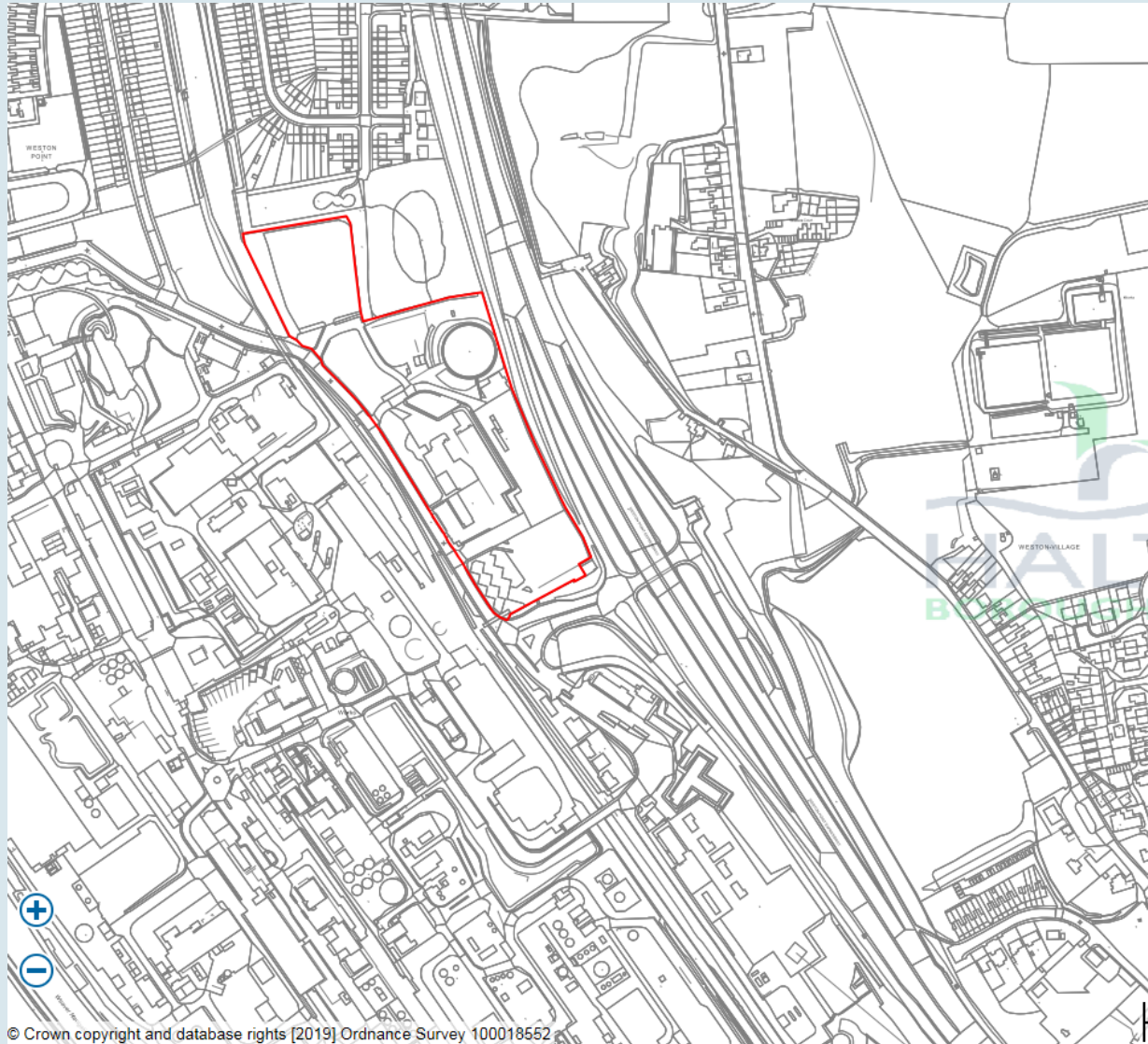




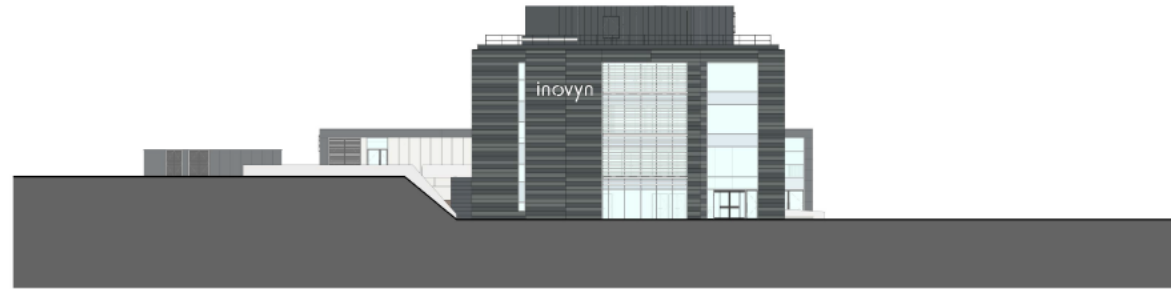








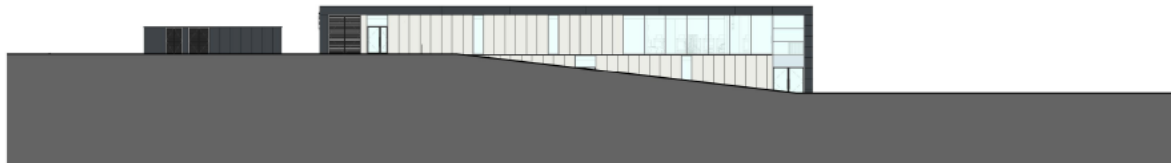




Section 1
1:200



Section 2
1:200



Section 3
1:200

Site Sections

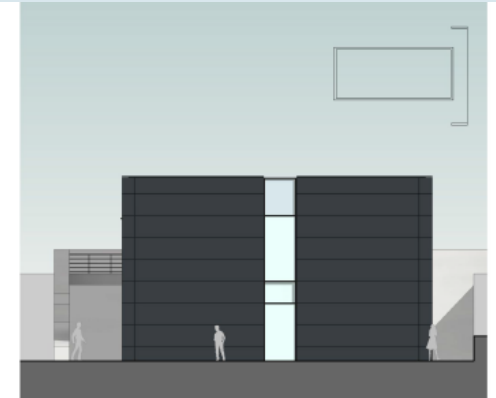




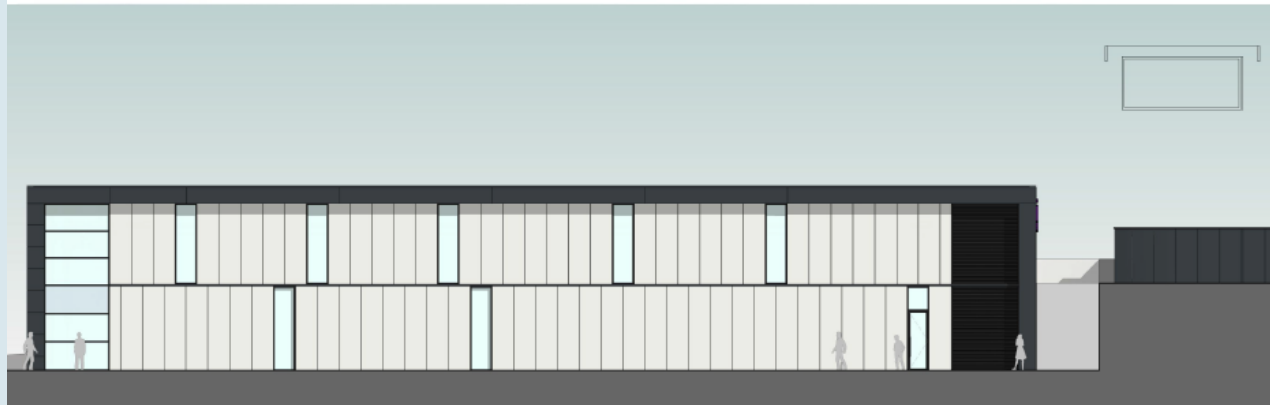




North Elevation
1:100



West Elevation
1:100



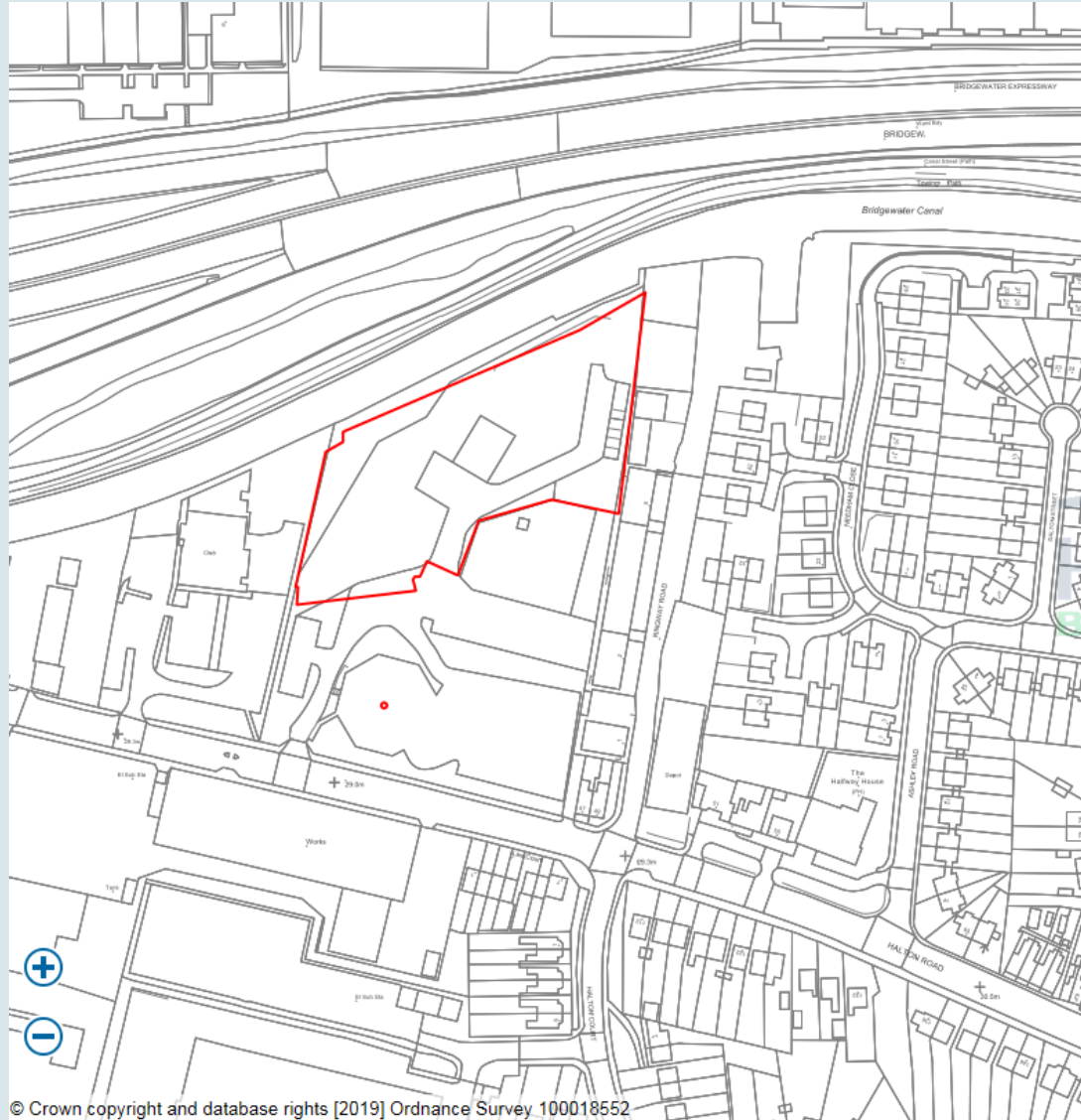
South Elevation



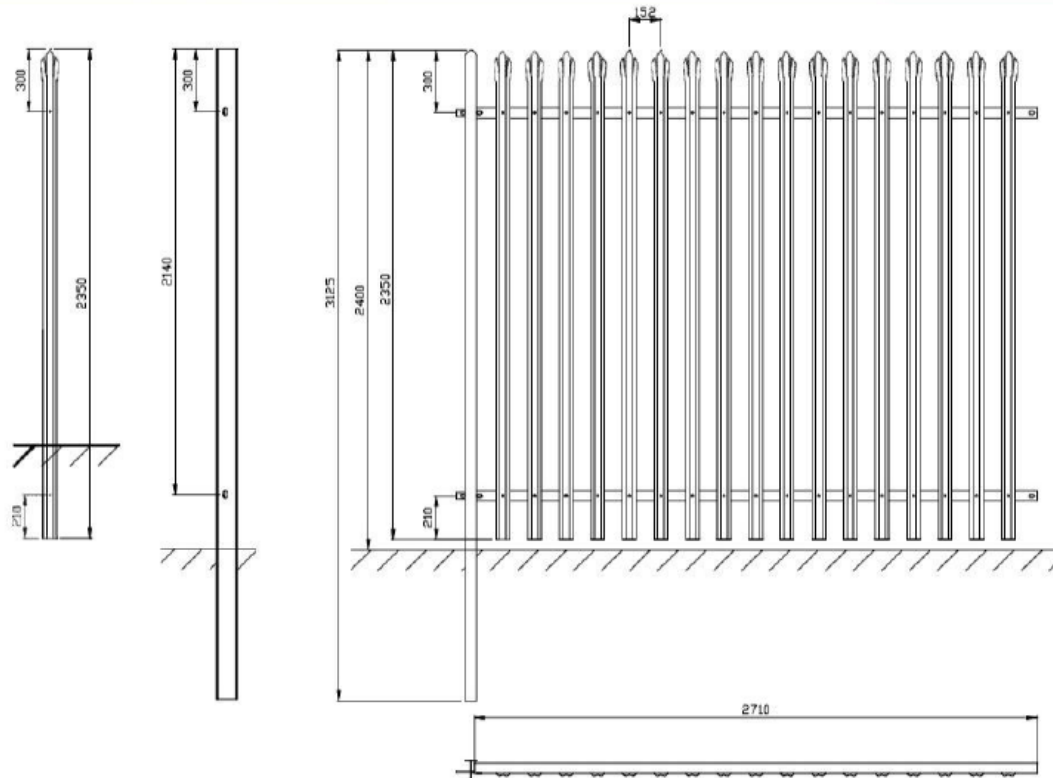
East Elevation







2.6 Metre High Palisade



STANDARD 2.6M HIGH PALISADE

HEAD TYPE TRIPLE POINT AND SPLAYED

PALES (17NO PER BAY)

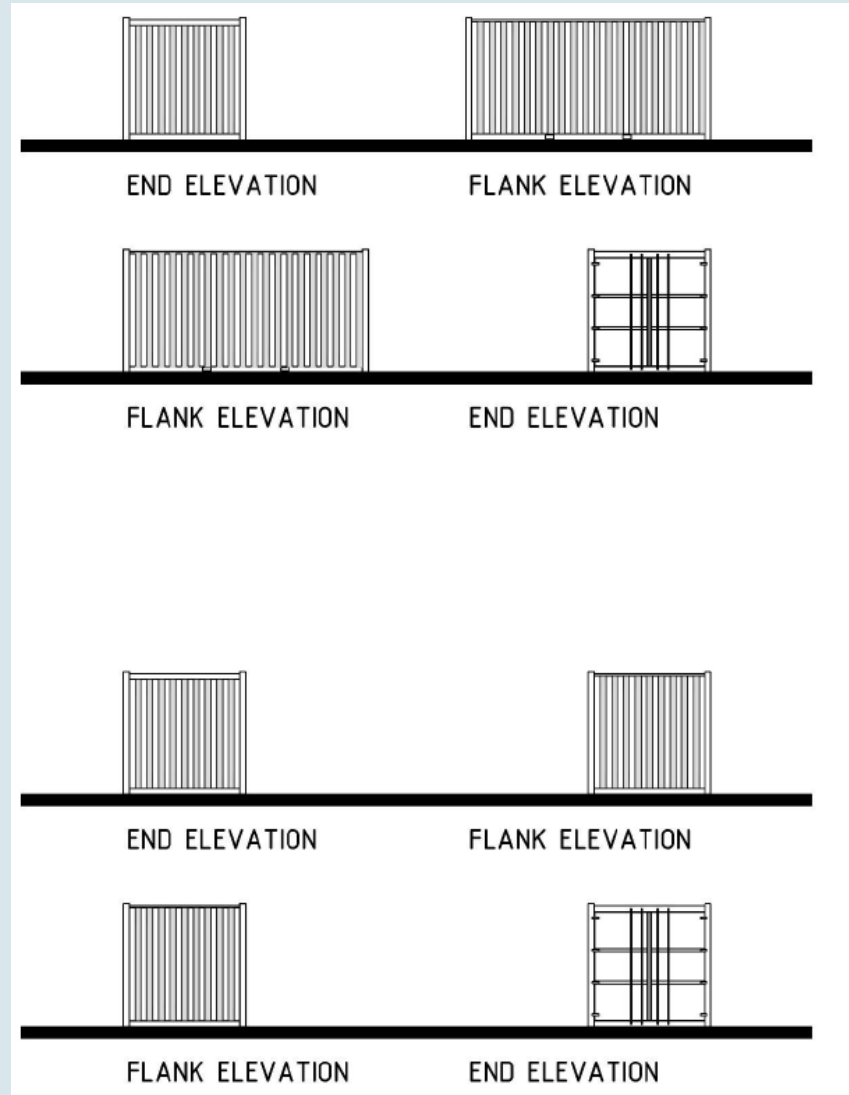
50 X 50 X 6 RSA RAILS (2NO PER BAY)

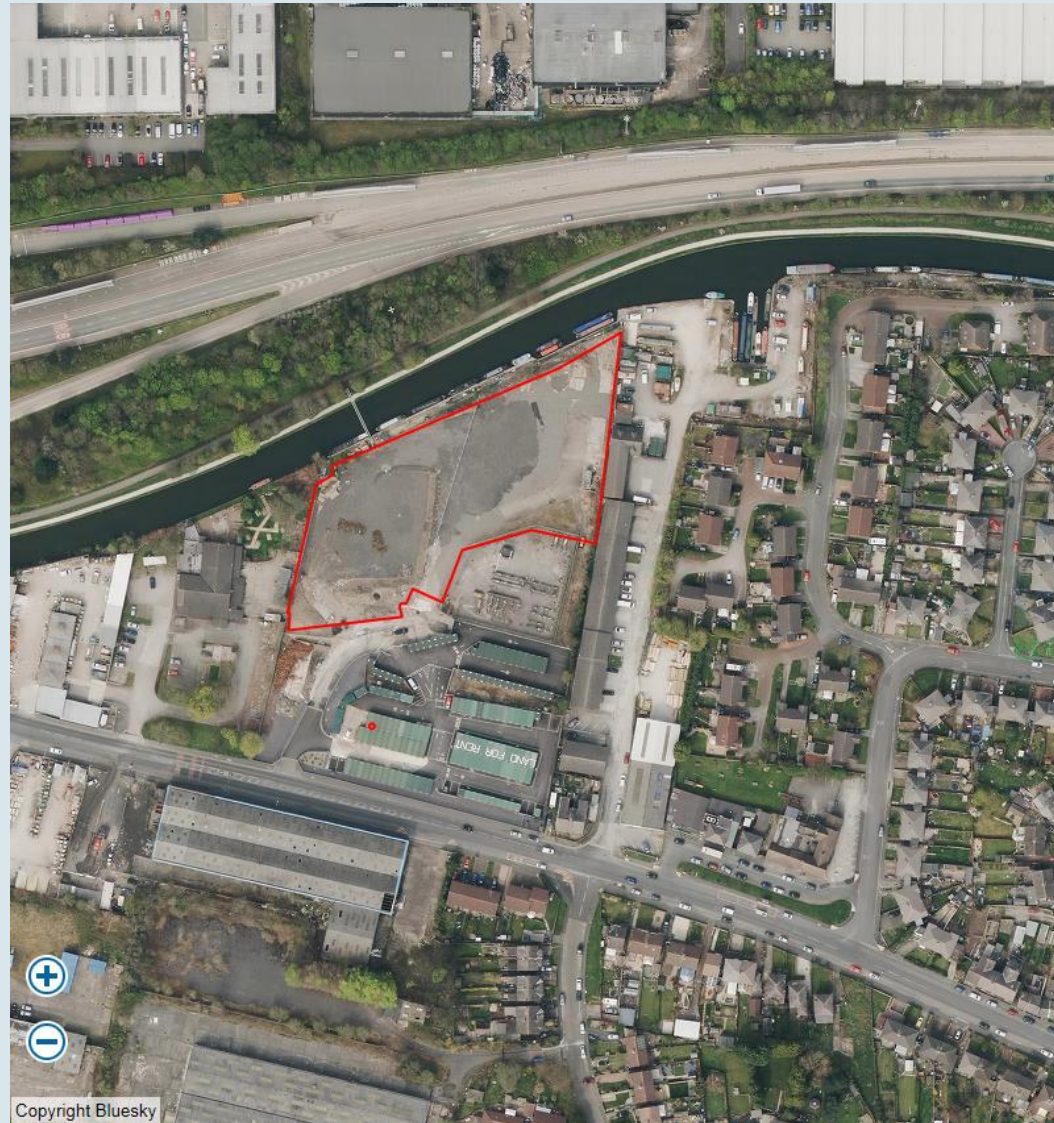
100 X 55 IPE POSTS (1NO PER BAY)

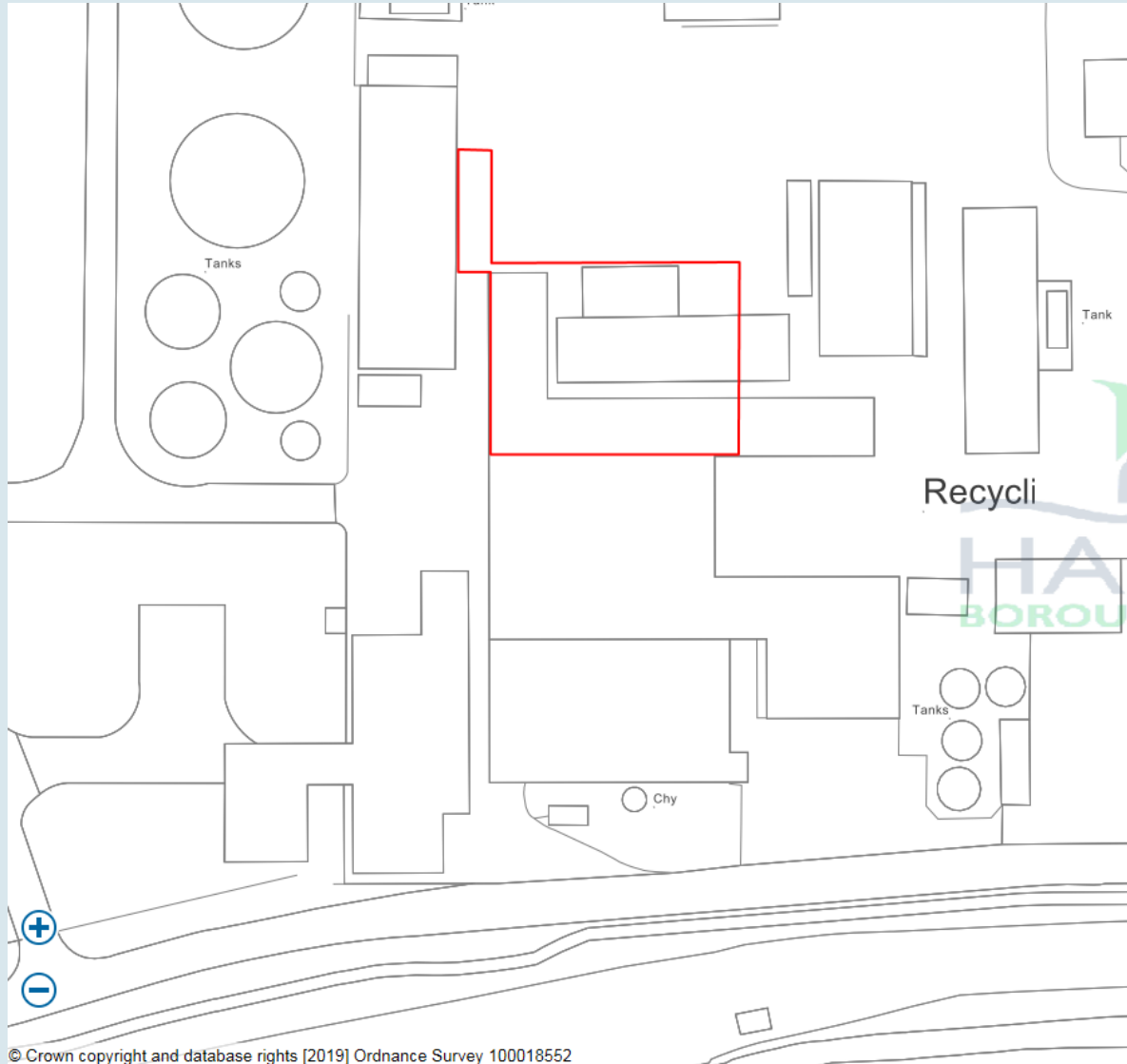
140 X 30 X 6 FISH PLATES (2NO PER BAY)

M8 X 25 T HEAD PALE FIXINGS WITH SNAP OFF NUTS (34NO PER BAY)

M12 X 30 BUTTON HEAD/CUP SQUARE RAIL FIXINGS (2NO PER RAIL)







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