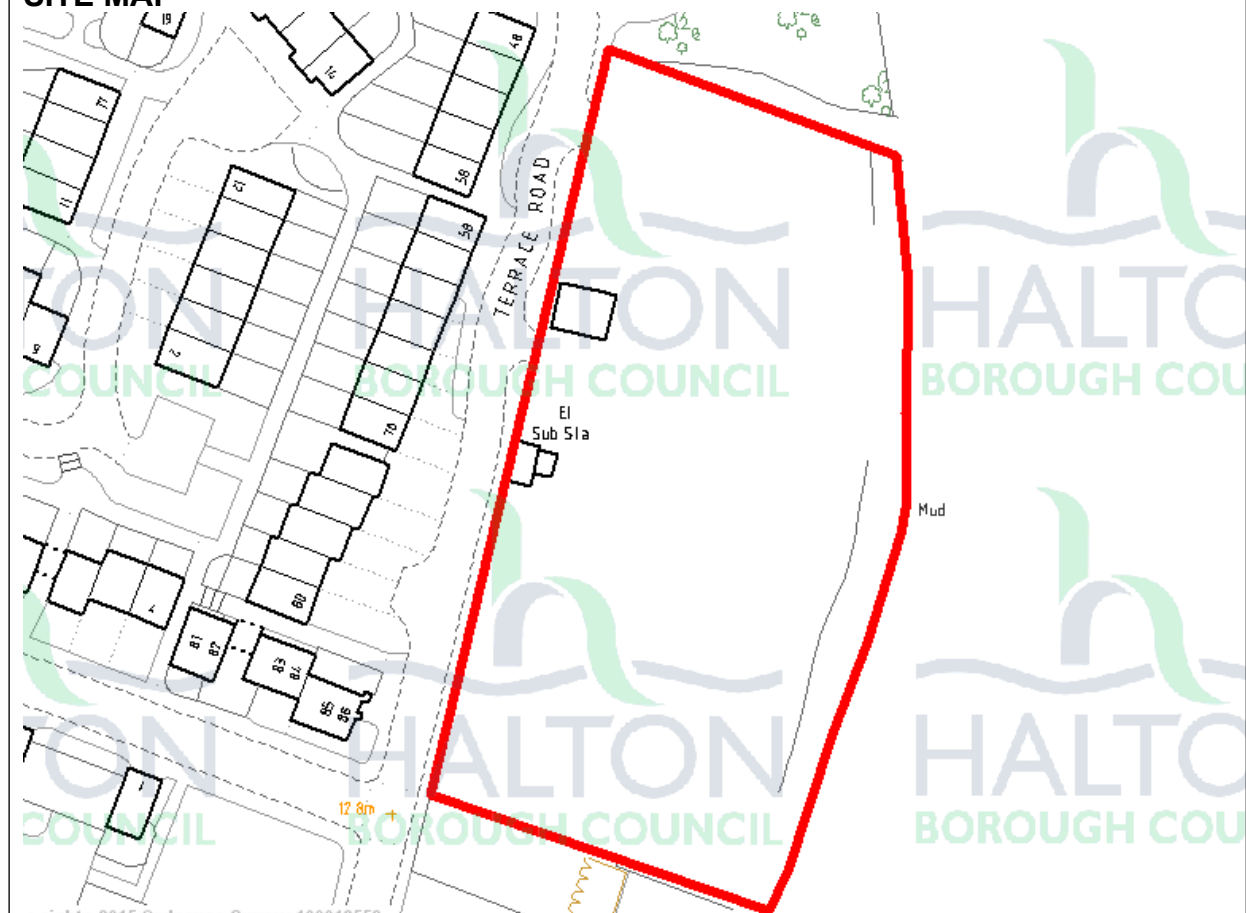


<b>APPLICATION NO:</b>	15/00392/FUL
<b>LOCATION:</b>	EBL Waterfronts Developments Ltd
<b>PROPOSAL:</b>	Proposed development comprising 92 no. one and two bedroom apartments for the over 55's, spread over 2 no. 6 storey blocks
<b>WARD:</b>	Riverside
<b>PARISH:</b>	N/A
<b>AGENT(S) / APPLICANT(S):</b>	EBL Group/KDP Architects
<b>DEVELOPMENT PLAN ALLOCATION:</b>	National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013)
<b>DEPARTURE REPRESENTATIONS:</b>	No
<b>KEY ISSUES:</b>	Parking Contaminated Land
<b>RECOMMENDATION:</b>	Approve subject to conditions and section 106

**SITE MAP**



## **1. APPLICATION SITE**

### The Site and Surroundings

The site is located on St Mary's Road, West Bank, Widnes on the site of the RMC Building. The River Mersey bounds the front of the site and it is adjacent to the community garden and play area adjacent to the West Bank Conservation Area.

### Planning History

Outline planning permission was granted in December 2005 for 56 apartments (Application no. 05/00802/OUT), which established the principle of residential development on this site.

Planning permission 07/00739/FUL granted in February 2008 for 3 No. five storey buildings (piers) comprising 108 No. one and two bedroom apartments.

In 2010 planning permission 10/00025/FUL was granted for the proposed revision of approval 07/00739/FUL for a 90 No. unit (C2) Extra Care Apartment Scheme (for the elderly).

## **2. THE APPLICATION**

The application is for a proposed development comprising 92 no. one and two bedroom apartments for the over 55s spread over 2 no. 6 storey blocks. This would comprise 50 one-bed apartments (including 2 studios) and 42 two-bed apartments.

### Documentation

The application has been submitted with the requisite planning application form, a complete set of plans and supporting information including a design and access statement.

## **3. POLICY CONTEXT**

### National Planning Policy Framework

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

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

Paragraph 14 states that this presumption in favour of sustainable development means that development proposals that accord with the development plan should be approved, unless material considerations indicate otherwise. Where a

development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF; or specific policies within the NPPF indicate that development should be restricted.

#### Unitary Development Plan (2005)

The site is allocated as Primarily Employment land in the Halton Unitary Development Plan (UDP) and the key policies, which relate to the development, are:

- BE1 General Requirements for Development
- BE2 Quality of Design
- BE22 Boundary Walls and Fences
- PR5 Water Quality
- PR14 Contaminated Land
- PR16 Development and Flood Risk
- TP6 Cycle Provision as Part of New Development
- TP7 Pedestrian Provision as Part of New Development
- TP12 Car Parking
- TP14 Transport Assessments
- TP15 Accessibility to New Development
- TP17 Safe Travel for All
- PR14 Contaminated Land

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

The Core Strategy provides the overarching strategy for the future development of the Borough, in this particular case the following policies are of relevance:

- CS2 Presumption in Favour of Sustainable Development
- CS7 Infrastructure Provision
- CS15 Sustainable Transport
- CS18 High Quality Design
- CS19 Sustainable Development and Climate Change
- CS23 Managing Pollution and Risk

#### Joint Waste Local Plan 2013

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

## **4. CONSULTATION AND REPRESENTATION**

The application has been advertised by means of a site notice, press notice and neighbouring properties have been consulted via letter.

Consultation has been undertaken internally with the Highways Engineer, Contaminated Land Officer, the Environmental Health and Open Spaces Officer.

Externally we have consulted The Health & Safety Executive, The Environment Agency, United Utilities, Natural England, Mersey Conservancy, The Liverpool Port Authority.

Any comments received internally have been incorporated into the assessment below.

No representations have been received from local residents.

## **5. ASSESSMENT**

### Planning Policy

The site is unallocated (shown as white land) in the Halton Unitary Development Plan. Therefore the land is not subject to any site-specific policies.

The surrounding area is primarily residential and therefore the use of the site for residential purposes is considered appropriate. The outline planning application (05/00802/OUT) approved in 2005, and application 07/00739/FUL for 108 apartments, and subsequent revised application 10/00025/FUL has also established the principle of residential use at the site. Therefore the principle of residential development is appropriate in this location.

Policy GE30 The Mersey Coastal Zone (Developed Coastal Zone) is also of relevance where any development should pay particular attention to environmental quality and improving accessibility to the coast. The application will improve the accessibility to the coast, which is reinforced by the realignment of the Trans-Pennine Trail around the front of the development, along the river frontage.

Other relevant policies in the Unitary Development Plan (UDP) include BE1 'General Requirements for Development', BE2 Quality of Design, BE12 'Development in Conservation Areas' and PR14 'Contaminated Land'. Core Strategy Policy CS23 'Managing Pollution and Risk' is also of relevance. These policies have been addressed in the relevant sections below.

### Design and Layout

The proposal consists of two, six-storey residential blocks of a contemporary design. The blocks have been designed to take advantage of the site's prominent location on the waterfront, and takes into account existing properties along Terrace Road, and the adjacent residential areas. The layout and orientation of the three blocks make best use of views across the Mersey, whilst providing views between each of the blocks.

Apartments on the waterside would have open terraces with views across to the south banks of the Mersey. The plans show that external elevations would be constructed in a variety of materials including brick, modern cladding/panels. The blocks have been designed with oblique faces to provide the lounge/ living room of each apartment with a direct view towards the river and reducing the amount of possible overlooking between each block.

### Residential/Visual Amenity

The proposal consists of three individual blocks, with a maximum of six-storeys high on the river frontage side. On the Terrace Road side the site is five-storeys.

The interface distances between the blocks and existing residential properties would be a 25m for block A, 26m for block B.

Haltons Design of New Residential Development SPD states that habitable room windows facing habitable room windows should be a minimum of 21m apart, and an additional 3m for each floor above two storey. In this instance this would require 30m.

However, the existing residential properties on Terrace Road that front onto the application site do not have any habitable room windows on the ground floor, only on the first. The applicant has also stated in the application and marked on the plans obscured windows on the Terrace Road frontage to prevent overlooking.

Taking the above into account, a refusal on substandard interface distances could not be upheld. A condition is recommended to ensure the obscure glazing in used on the Terrace Road elevation.

### Highway Safety

Layout plans show that the site would have two access points off Terrace Road. Improvements to the highway and footway would be required and the new access points would have to be configured to allow for visibility and to accommodate passing vehicles. A condition is recommended to secure this.

The planning application has been supported with a traffic assessment that demonstrates that the number of vehicles that the development would generate can be accommodated on the existing road network, provided some highways improvements are made. These works would be subject to a condition.

The proposal will provide 53 parking spaces, including 9 disabled bays on-site. This meets the Council's car parking standards. They will also be providing parking in the basement for 56 mobility scooters (28 in in each building) and 92 spaces for cycle parking (46 in the basement of each building). The parking provision is considered to be acceptable for this type of development.

The Trans-Pennine Route/Cycle Route can be accommodated to the front of the site adjacent to the river. This would be in line with the Council's aspirations to link Victoria Promenade with Spike Island. Given the importance of this linkage and that part of the land is not in the ownership of the developer a legal agreement will be required to ensure that the proposal is implemented. Part of the trail would require a structure to be built across the front of the site. For the structure to be adopted by the Council it will be necessary to ensure that it is constructed to an acceptable standard. Although basic information has been provided on construction life span further details will need to be agreed with the Council and a relevant condition is recommended.

### Natural and Heritage Conservation

Natural England has been consulted and has no objection to the proposal. They have commented that the proposal will help open up coastal access. The Council's Conservation Officer has been consulted and has no objection.

The site is adjacent to the West Bank Conservation Area, and there are also two prominent listed buildings within the local area, namely St Mary's Church and the Catalyst Museum. The applicant has provided photomontages and cross sections that show how the proposed development would appear, and how the proposal relates to its surroundings. The development would not have an adverse impact on the character or appearance of the local area, the adjacent Conservation Area or the setting of the listed buildings. In fact the development would significantly enhance the quality of the local area by regenerating a derelict site.

The previous application and comments received from the Council's archaeological adviser highlighted the need for archaeological investigations, conditions are recommended.

### Ground Conditions

A ground investigation report has been submitted and considered by the Council's Environmental Health Officers. Whilst no objection is raised they do request additional investigations. This can be conditioned.

### Flood Risk and Drainage

The applicant submitted a flood risk assessment with the application. The Environment Agency have been consulted and have no objections subject to conditions in relation to contaminated land and ground water infiltration.

United Utilities have no objection and have recommended condition in relation to the approval of the design of foul and surface water drainage.

## **6. SUMMARY AND CONCLUSIONS**

The site has had three previous planning approvals for apartments, and the principle of residential use is considered to be acceptable. This application seeks to create a similar built development but to allow for 92 apartments for the over 55s, comprises of 50 one-bed apartments (including 2 studios) and 42 two-bed apartments.

The site is considered to be acceptable for this use given its characteristics and prominent waterfront location and residential surroundings. Traffic Levels generated by the development can be accommodated within existing highway capacity and as such it is not considered that the proposal would be detrimental to highway safety.

Due to the distance from existing properties the height of the buildings would not have a detrimental impact on the adjacent properties. The scheme also secures the provision of the Trans-Pennine/Cycle Route across the waterfront, which is to be welcomed.

The application is therefore recommended for approval subject to appropriate conditions.

## **7. RECOMMENDATIONS**

That the application be approved subject to:

A) The applicant entering into a legal agreement in relation to the payment of a commuted sum for improvements to the church and public realm in the adjacent conservation area, and a legal agreement for the provision of the footpath/cycleway to link up the Trans-Pennine Trail.

B) Conditions relating to the following;

1. Standard condition relating to timescale and duration of the permission.
2. Submission of materials (BE2)
3. Provision of recycling separation inside each apartment (BE1)
4. Access and parking/layout, cycle parking provision (BE1)
5. Trans-Pennine Trail/Cycle Way provision (TP12)
6. Site investigations and remediation required (PR14)
7. Environment Agency conditions (BE1)
8. Details of drainage (BE1)
9. Details of landscaping scheme (BE1)
10. Conditions specifying construction hours and ours of deliveries for building materials. (BE1)
11. Construction traffic management plan and wheel wash facilities (BE1)
13. Requirement for an archaeological investigation (BE1)
14. Grampian off site highways condition (BE1)
15. Details of site levels (BE1)
16. Provision of bin storage and bin provision, bin store doors not to open onto footway (BE1)
18. Condition relating to final details of any work to the River Bank.
19. Condition relating too amended plans (BE1 and BE2).
20. Condition in relation to boundary treatment and pedestrian visibility (BE1 and BE2).
21. Condition relating to details of external lighting (PR4).
22. Condition for obscured glazing on the Terraced Road elevations.
23. Condition restricting the use specifically for the over 55s.

C) That if the legal agreement is not executed within a reasonable period of time authority is delegated to the Operational Director- Policy, Planning and Transportation in consultation with the Chairman or Vice Chairman to refuse the application on the grounds that it fails to comply with UDP Policy S25 Planning Obligations.

## 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.