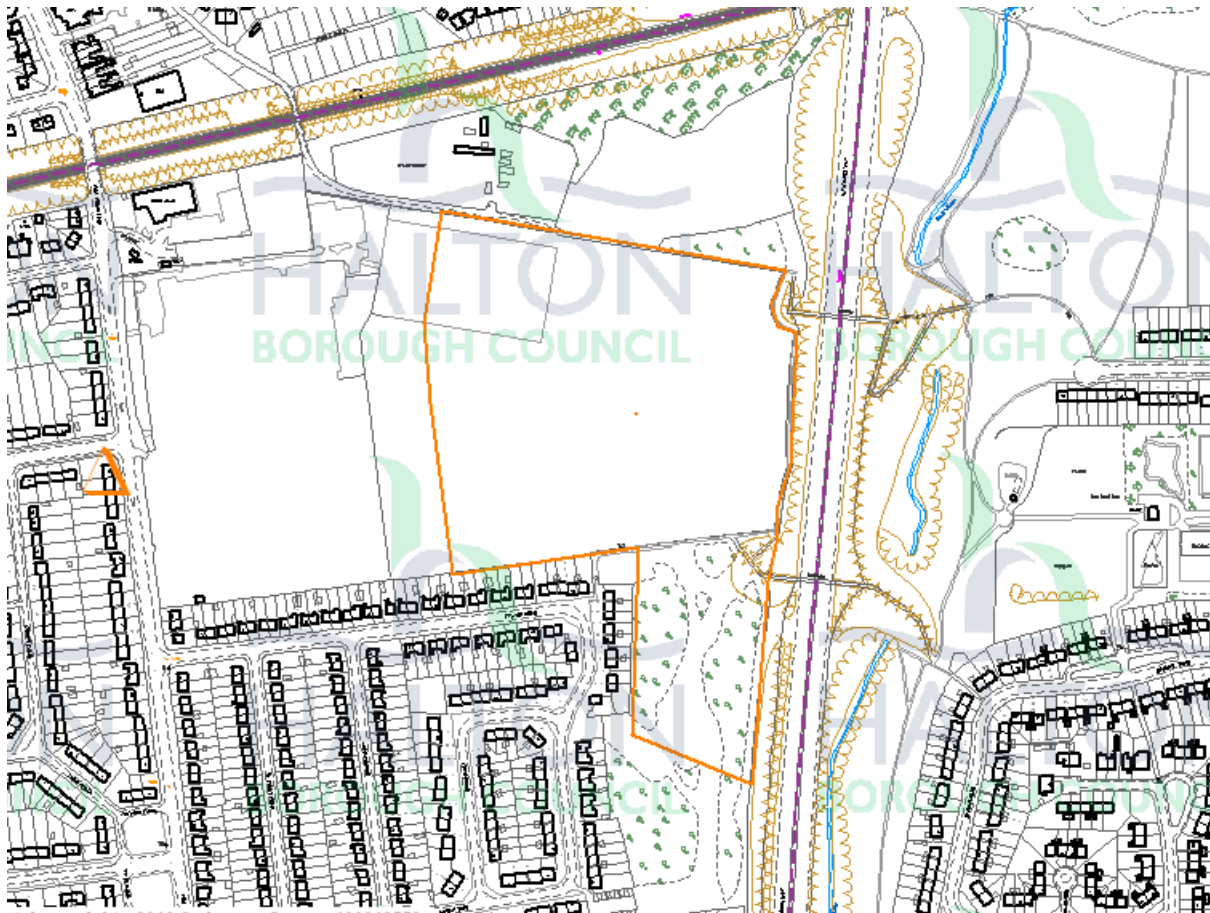


APPLICATION NO:	15/00553/HBCFUL
LOCATION:	Former Fairfield High School Site, Peel House Lane, Widnes.
PROPOSAL:	Proposed construction of a new cemetery, access road and maintenance depot with associated infrastructure.
WARD:	Appleton
PARISH:	None
AGENT(S) / APPLICANT(S):	Halton Borough Council.
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Greenspace – School Playing Fields.
DEPARTURE	Yes
REPRESENTATIONS:	Two representations received from the publicity given to the application.
KEY ISSUES:	Principle of Development, Design, Amenity, Highways, Pollution and Flood Risk.
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 the drainage design has been amended to the satisfaction of the Environment Agency and the Lead Local Flood Authority. The application is recommended for approval subject to the conditions suggested and any additional conditions required following the submission of further information and subsequent consultation.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site subject of the application is part of the Former Fairfield High School Site which is located on Peel House Lane in Widnes. The former school buildings which were located in relative close proximity to the Peel House Lane frontage have now been demolished. The site is now vacant. The site is designated as being within a Greenspace – School Playing Fields on the Halton Unitary Development Plan Proposals Map. The application site also includes part of Peel House Lane itself and part of the Lytham Road Woodland which also falls within the Greenspace designation.

The surrounding area is predominantly residential with other notable features being the Beaconsfield Primary Care Centre on Bevan Way to the north of the site and the A557 – Watkinson Way located to the east of the site.

2. THE APPLICATION

2.1 The Proposal

The application proposes the construction of a new cemetery, access road and maintenance depot with associated infrastructure.

The new cemetery would be located towards the rear of the Former Fairfield High School Site. Access would be gained by a new road which would run from Peel House Lane. This is subject to a separate planning application (15/00552/FUL).

The cemetery would have a space for public gathering at the centre of the site which would be encircled by an access road which would provide a one-way circulation route for vehicles and would have parking spaces provided on the edge of this.

A series of radial footpaths would lead outwards from the parking areas to the burial grounds with the intention being to utilise the north western part of the cemetery site for cremated remains with the remainder being used for full depth burials.

Part of the Lytham Road Woodland has been included within the application site for the reason that there is an intention to have a sustainable drainage system in this area. The access road shown on the plan which links with the southern boundary of the site is for future maintenance of the Lytham Road Woodland.

2.2 Related Planning Applications

This application has been submitted at the same time as two other planning applications which also relate to the overall redevelopment of the former Fairfield High School Site.

- 15/00551/FUL – Proposed Development comprising 162no. dwellings with associated access roads, landscaping and infrastructure.
- 15/00552/FUL – Proposed Construction of access road providing access to cemetery and housing development.

2.3 Documentation

The planning application is supported by the following plans and documents:

- Design and Access Statement;
- Site Location Plan;
- General Arrangement Plan;
- Proposed Drainage Plan;
- SUDS Proposals Plan;
- Water Supply and Service Ducts Plan;
- Hard Surfaces and Signage Plan;
- Planting Plan;
- Contemplation Garden Plan;
- Columbaria Garden and Seating Plan;
- Concrete Grave Plinths Plan;
- Surfacing and Street Furniture Plan;

- Maintenance Depot Plan;
- Main Gates and Piers Plan;
- Perimeter Wall Plan;
- Footpath Construction Plan;
- Resin Bound Gravel Paving Plan;
- Bin Store and Water Point Railings;
- Easement Railings and Gates Plan;
- Steel Pergola Plan;
- Cross Section – Grave Pits and Land Drains;
- Ground Water Risk Assessment;
- Desk Study Report (Contamination);
- Phase 2 Intrusive Investigation;
- Trial Pitting Letter Report;
- Flood Risk Assessment and Addendum;
- Extended Phase I Habitat Survey.

3. POLICY CONTEXT

3.1 National Planning Policy Framework

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

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

3.2 Halton Unitary Development Plan (UDP) (2005)

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

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- GE6 Protection of Designated Green Space;
- GE9 Redevelopment and Changes of Use of Redundant School Buildings;
- GE12 Protection of Outdoor Playing Space for Formal Sport and Recreation;
- PR14 Contaminated Land;
- PR15 Groundwater;
- PR16 Development and Flood Risk;
- TP1 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;

3.3 Halton Core Strategy (2013)

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

- CS2 Presumption in Favour of Sustainable Development;
- CS15 Sustainable Transport;
- CS18 High Quality Design;
- CS23 Managing Pollution and Risk.

3.4 Joint Merseyside and Halton Waste Local Plan (2013)

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

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

4. CONSULTATIONS

4.1 Highways and Transportation Development Control

No objection to the proposed development subject to the attachment of conditions.

4.2 Lead Local Flood Authority

Some concerns have been raised with regard to the proposed filter drain system and its potential to draw groundwater from the area of the site and possibly beyond. Whilst we can calculate what the theoretical greenfield runoff might be, this figure is likely to be exceeded when the additional groundwater is taken into account.

4.3 Environmental Health – Ground Contamination

The site has had no apparent historical use other than playing fields to the adjacent school and public open space with associated footpaths. The proposed development is not of particular sensitivity to contamination. A groundwater pollution potential risk assessment submitted in support of the previous permission (14/00633/HBCFUL) demonstrated that the use of the site as a burial ground would not pose a risk to controlled waters. Site investigations completed to support this assessment found the ground conditions to comprise topsoil underlain by glacial clay and sandstone with no evidence of contamination.

No conditions are being sought.

4.4 Open Spaces Officer – Trees

The site contains no TPO's and does not fall within a Conservation Area. The site contains trees and small areas of scrub and therefore any vegetation clearance works should consider nesting birds.

4.5 Merseyside Environmental Advisory Service

The application is accompanied by an ecological survey report in accordance with Local Plan policy CS20 (*Extended Phase 1 Habitat Survey, CES Ecology, January 2016, 1244/01-16NF*). The survey was undertaken in January 2016, outside of the optimum period for the undertaking of extended phase 1 habitat surveys. However, this is not considered to be a significant constraint due to the limited nature of habitats present upon the site. Notwithstanding this, the survey is acceptable and will be forwarded to Cheshire Record via Merseyside BioBank.

Conditions which secure protection for the woodland habitat whilst the drainage works are being undertaken and breeding bird protection are suggested.

4.6 Environment Agency

They currently raise an objection to the proposed development. They anticipate that currently the proposed drainage design is likely to be ineffective in the collection of either surface water or groundwater, and that if the carrier pipe did convey a significant amount of water, there is a risk it could contribute to localised saturation of the ground near some graves. The current proposal does not conform to our normal advice that permeable piped drains should be at least 10 metres away from burial pits.

4.7 Sport England

The cemetery proposal was subject to a similar application in 2014 (14/00633). It is this application that primarily impact on the playing field area but Sport England raised no objection, satisfied that the school playing field was surplus to requirements in the light of the Playing Pitch Strategy and that elements of pitch provision had be re-provided off site to meet curricular needs elsewhere (therefore meeting Exceptions E1 and E4 of our policy to protect playing fields).

The new cemetery proposal (15/00553) has a similar impact and the housing development (15/00551) affects primarily the built element of the old school site. The access and infrastructure proposals are largely integral to the two developments (15/0052). Overall the proposals do not increase/change the impact on playing fields and our position relating to application 14/00633 is applicable to all three applications.

Further to the above assessment, Sport England does not wish to raise an objection to any of the three applications on the basis that they will meet Exceptions E1 and E4 of our policy and are compliant with NPPF Par. 74 for the same reasons.

5. REPRESENTATIONS

5.1 The application has been advertised by a press advert in the Widnes & Runcorn Weekly News on 26/11/2015, two site notices posted on Peel House Lane and one site notice posted on Lytham Road on 26/11/2015 and 96 neighbour notification letters sent on 19/11/2015.

5.2 Following the receipt of further supporting documentation, 96 neighbour notification letters were sent on 27/01/2016.

5.3 Two representations have been received from the publicity given to the application. A summary of the issues raised is below:

- The overall development will leave 3 properties surrounded by roads (Peel House Lane to the front, Lytham Road to the left and the new access road to the right).
- The noise and disruption during construction would be unbearable.
- Why couldn't the access be positioned at the northern side of the site?
- The decision should be made by the Committee.
- What will the construction hours be?
- The Maintenance Depot would now be closer to residential properties creating more noise and disturbance.
- Neighbouring properties will suffer from traffic noise as a result of the position of the new access road.

6. ASSESSMENT

6.1 Requirement for Development

The Design and Access Statement indicates that Widnes cemetery is nearing full capacity and a new burial ground is urgently needed.

As referred to in the site description, the site was vacated In April 2013 and the school buildings were demolished with site clearance being completed in December 2013.

The Council identified this site as being an appropriate location for a new cemetery and subsequently made an application to the Department for Education, under Section 77 of the Academies Act 2010, to release the site for non-educational development. The release was granted by the Secretary of State on 3rd October 2014.

Following on from this, a planning application was submitted (14/00633/HBCFUL) for a new cemetery which was granted on 03/03/2015. The whole of the Fairfield High School Site is not included within this

application for the cemetery as the intention was to market the land on the Peel House Lane frontage for residential development with this being enabling development for the proposed cemetery as well as funding a new all-weather pitch and IT improvements at Fairfield Infant and Junior School. The investment at Fairfield Infant and Junior School was a stipulation of the release by the Secretary of State.

The reason for this further application is due to issues with the implementation of the access road from Peel House Lane originally granted. The new access road from Peel House Lane now proposed is being considered by application 15/00552/FUL and the cemetery layout has changed as a result of this.

6.2 Development on a designated Greenspace

Within Policy GE6 of the Halton Unitary Development Plan, there is a presumption against development within a designated greenspace unless it is ancillary to the enjoyment of the greenspace.

The last use of the site as school playing fields is a greenspace use as is the proposed use as a cemetery, however the use of this site as a cemetery would not be ancillary to the last use of the site as a playing field and there would be a loss in amenity value which led to its designation as a school playing field.

There are exceptions set out in the policy where the loss of amenity land is adequately compensated for.

Exception (d) states that "In all exceptional cases there would have to be clear and convincing reasons why development should be permitted or that loss of amenity value could be adequately compensated".

This proposal would result in the loss of amenity value as a school playing field; however this would be compensated for in the form of a cemetery which is another accepted greenspace use. The cemetery proposal by virtue of the landscape proposals would enhance the wildlife and landscape interest of the site and it is considered that the proposal would enhance the overall attractiveness of the area.

The above justifies the proposal in terms of exception (d) with the fact that Widnes cemetery is nearing full capacity and a new burial ground is urgently needed adding further weight to the need for the development.

The proposal is considered to be compliant with Policy GE6 of the Halton Unitary Development Plan.

6.3 Protection of Outdoor Playing Space for Formal Sport and Recreation

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

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

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

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

Sport England is a statutory consultee on all planning applications which affect playing field land. Sport England raises no objection and they are satisfied that the school playing field is surplus to requirements in the light of the Playing Pitch Strategy and that elements of pitch provision had be re-provided off site to meet curricular needs elsewhere (therefore meeting Exceptions E1 and E4 of their policy to protect playing fields).

The proposal would inevitably result in the loss of the outdoor playing space for formal sport and recreation.

The closure of Fairfield High School in 2013 was as a result of the amalgamation of Fairfield High School and Wade Deacon High School. Wade Deacon High School benefitted from the Government's Building Schools for the Future programme with the new facilities opening in April 2013 which coincided with the closure of Fairfield High School. The new facilities included upgraded sports pitches and a new 6 court sports hall.

Wade Deacon High School now benefits from enhanced facilities but this would not provide replacement provision in terms of quantity for that which would be lost.

As referred to above, stipulation of the release of the site for non-educational development by the Secretary of State in relation to the Section 77 of the Academies Act 2010 would secure the provision of a new all-weather playing pitch at the nearby Fairfield Infant and Junior School which would be a further enhancement to facilities in the area.

As the proposal would not result in replacement provision in terms of quantity and size, the proposal has demonstrated that the land is surplus to requirements through a Playing Pitch Strategy to accord with both paragraph 74 of the National Planning Policy Framework and Policy GE12 of the Halton Unitary Development Plan.

6.4 Highway Considerations

As previously stated, the access road from Peel House Lane to the cemetery gates is under consideration by application 15/00552/FUL and the subsequent granting of this application would need to be subject to a condition which secures that the access road is implemented prior to the first use of the cemetery.

The cemetery itself would have an access road which would provide a one-way circulation route for vehicles and would have parking spaces provided on the edge of this. The level of parking provision proposed is considered to be acceptable.

In terms of sustainable transport options, cycle parking provision is proposed within the proposed cemetery site as well as safe pedestrian access to the cemetery site on the proposed footways adjacent to the proposed access road. Peel House Lane is a bus route and there are bus stops within walking distance of the site which increases travel options.

The submission of a construction management plan should also be secured by condition.

This would ensure that the proposal is acceptable from a highway perspective compliant with Policies BE1, TP1, TP6, TP7, TP12 of the Halton Unitary Development Plan and Policy CS15 of the Halton Core Strategy Local Plan.

6.5 Design

The proposed cemetery would not have any buildings located on it and would essentially comprise of a space for public gathering at the centre of the site which would be encircled by an access road and a series of radial footpaths would lead outwards to the burial grounds. Native woodland planting is proposed along the site boundaries.

The intention is to achieve a tree lined boulevard leading to the cemetery and space for a grass verge adjacent to the access road and footway is available. The cemetery frontage would comprise of a boundary wall with steel access gates.

The overall design of the scheme is considered to be acceptable and would enhance the appearance of the site.

The proposal is considered to be acceptable in terms of design compliant with Policy BE 1 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

6.6 Amenity

It is noted that part of the site is directly adjacent to residential properties. It is considered that the proposed use of the site as a cemetery would not have a

significantly detrimental impact on the amenity of persons who reside in the locality and the land uses are compatible.

In terms of amenity, the proposal is considered to be compliant with Policy BE1 of the Halton Unitary Development Plan.

6.7 Landscaping & Trees

The application is accompanied by a landscape proposals plan and a planting plan which provide a fully specified scheme for the cemetery site. The detail within this scheme is considered to be acceptable and would enhance the appearance of the site.

Based on the implementation of the submitted landscaping and planting proposals which can be secured by condition, compliance with Policies BE 1 and GE 27 of the Halton Unitary Development Plan would be achieved.

6.8 Site Levels

The application is accompanied by a topographical survey of the site and proposed site levels.

The site slopes from north to south with the difference in levels across the site being approximately 5 metres. The proposed site levels do indicate an increase in levels across the majority of the site with part of the reasoning being the minimum required depth of soil / clay for burials with a full grave with triple occupancy being 3.3m with the requirement for cremated remains being 1.75m, however these changes are not significant.

It is considered that the proposed site levels would result in an acceptable development in terms of appearance and relationship to its surroundings.

Increasing site levels would inevitably involve the importation of material and the construction management plan suggested would ensure that this is undertaken in an appropriate manner.

It is considered reasonable to attach a condition which secures implementation in accordance with the proposed site levels shown on the drainage plan.

This would ensure compliance with Policy BE 1 of the Halton Unitary Development Plan.

6.9 Flood Risk & Drainage

The application site is located in Flood Zone 1 and is therefore in an area which is at low risk from flooding. As the site is in excess of 1ha in area, in order to accord with the National Planning Policy Framework, the application is accompanied by a site-specific flood risk assessment.

The conclusion of the site-specific flood risk assessment is that there are no grounds for objection to the proposed redevelopment on the basis of flood risk providing that the recommendations in the report are followed.

The assessment acknowledged that the proposed cemetery development would increase the impermeable areas on-site and in turn surface water run-off from the site and recommend the run-off from the site is controlled through a sustainable drainage system (SuDS). This would ensure that there is no increase in flood risk to receiving watercourses or sewers or areas surrounding the site.

Some concerns have been raised by the Lead Local Flood Authority with regard to the proposed filter drain system and its potential to draw groundwater from the area of the site and possibly beyond. Whilst we can calculate what the theoretical greenfield runoff might be, this figure is likely to be exceeded when the additional groundwater is taken into account. Further details would be needed before the overall drainage strategy can be agreed. The implementation of an appropriate drainage strategy can be secured by condition.

This would ensure that the proposal is compliant with Policy PR16 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

6.10 Groundwater

A Ground Water Pollution Potential Risk Assessment accompanies the application. The Environment Agency currently raises an objection to the proposed development. They anticipate that currently the proposed drainage design is likely to be ineffective in the collection of either surface water or groundwater, and that if the carrier pipe did convey a significant amount of water, there is a risk it could contribute to localised saturation of the ground near some graves. The current proposal does not conform to our normal advice that permeable piped drains should be at least 10 metres away from burial pits.

A technical solution to the issues raised will exist and in order for a decision to be issued in a timely manner following the resolution of the issue, 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 the drainage design has been amended to the satisfaction of the Environment Agency and Lead Local Flood Authority.

Based on the above, it is considered that the proposal will be compliant with Policy PR15 of the Halton Unitary Development Plan on receipt of an acceptable drainage scheme.

6.11 Biodiversity

The application is accompanied by an Extended Phase 1 Habitat Survey.

Our Ecological Advisor – Merseyside Environmental Advisory Service have advised that the survey is acceptable.

Conditions have been suggested in relation to breeding bird protection and woodland habitat protection.

The proposal is compliant with Policy GE21 of the Halton Unitary Development Plan.

6.12 Waste Prevention/Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, a construction management plan would deal with issues of this nature and based on the development cost, the production of a Site Waste Management Plan would be required. In terms of waste management, there is sufficient space within the site to ensure that any waste generated by the cemetery use is dealt with appropriately.

7. CONCLUSIONS

It is noted that the existing cemetery in Widnes is nearing full capacity and a new burial ground in the town is urgently needed and the former Fairfield High School site was granted a release for non-education use by the Secretary of State under Section 77 of the Academies Act 2010.

This proposal would result in the loss of amenity value as a school playing field; however this would be compensated for in the form of cemetery which is another accepted greenspace use.

In relation to the protection of outdoor playing space for formal sport and recreation, Sport England raises no objection and they are satisfied that the school playing field is surplus to requirements in the light of the Playing Pitch Strategy and that elements of pitch provision had be re-provided off site to meet curricular needs elsewhere.

The site is located in a sustainable location and has demonstrated suitable access by a variety of different means.

In terms of design, it is considered that the proposed cemetery scheme would enhance the appearance of the site and have an acceptable relationship with surrounding residential properties.

Both the Environment Agency and the Lead Local Flood Authority have raised issues with the drainage design which is outstanding however a technical

solution to the issues raised will exist and delegated authority is sought to address this technical issue.

The application is recommended for approval subject to conditions.

8. RECOMMENDATIONS

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 the drainage design has been amended to the satisfaction of the Environment Agency and the Lead Local Flood Authority.

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

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Implementation of Proposed Site Levels - (Policy BE1)
4. Implementation of Landscaping & Boundary Treatments Scheme – (Policy BE1)
5. Breeding Birds Protection – (Policy GE21)
6. Protection of Woodland Habitat – (Policy GE21)
7. Construction Management Plan (Highways) – (Policy BE1)
8. Implementation of access road under application 15/00552/FUL (Policy BE1)
9. Provision of Parking and Servicing within cemetery (Policy BE1)
10. Implementation of Drainage Strategy – (Policy PR16)

Informatives

1. 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.