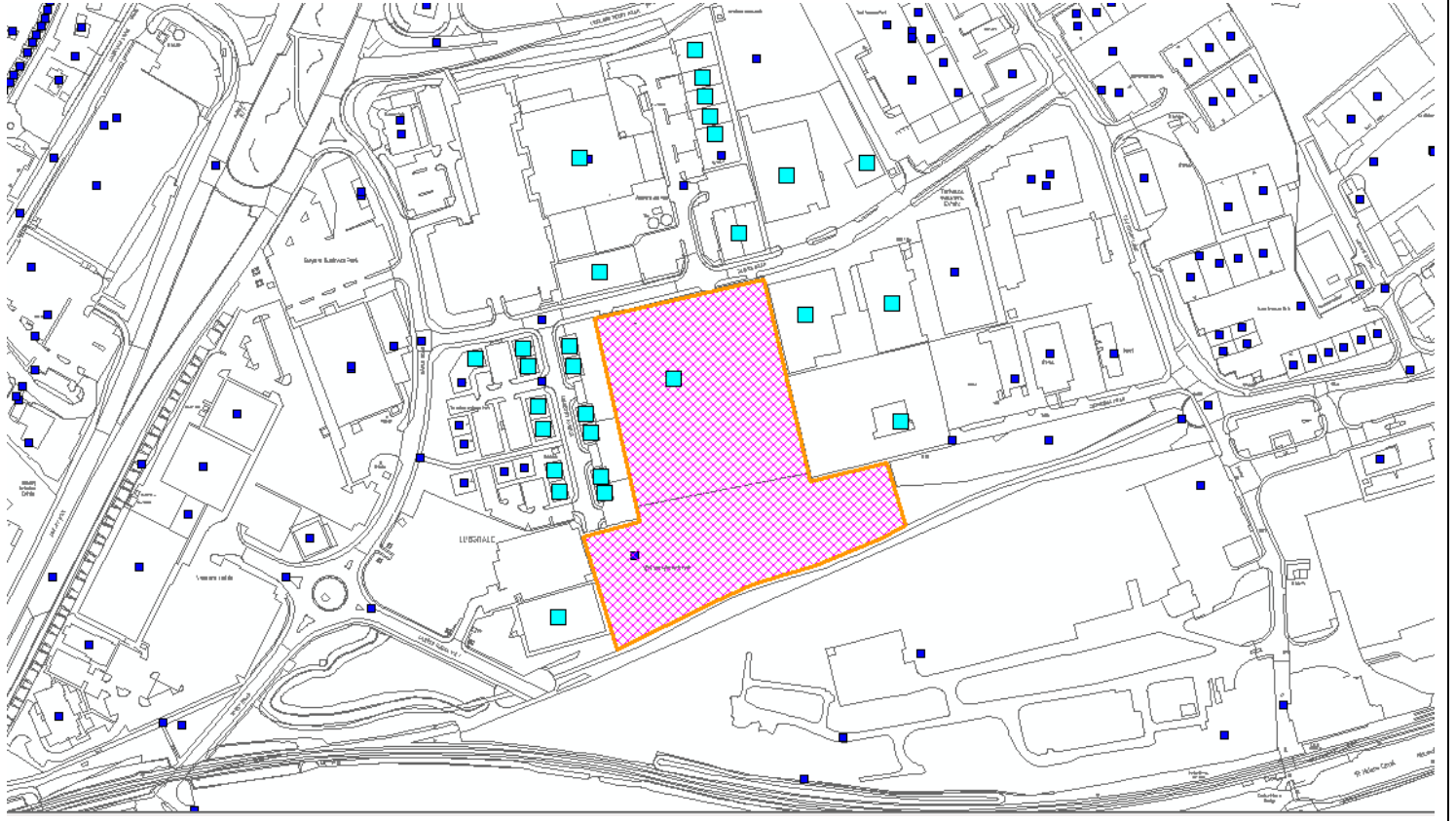


APPLICATION NO:	16/00338/FUL
LOCATION:	Land to the South of Dennis Road, Venturefields Trade Park, Widnes
PROPOSAL:	Proposed development, constructed in two phases, of warehouse including internal three storey office and laboratory element (Use Classes B2/B8) with associated access, infrastructure and landscaping
WARD:	Riverside
PARISH:	None
AGENT(S) APPLICANT(S):	Mr Brendan O'Donovan AEW Architects The Zenith Building Spring Gardens Manchester M2 1AB
DEVELOPMENT PLAN ALLOCATION:	Halton Unitary Development Plan (2005) RG3 Action Area 3 Widnes Waterfront Halton Core Strategy (2013) CS9 South Widnes Key Area of Change
DEPARTURE REPRESENTATIONS:	No
KEY ISSUES:	37 neighbours consultations – one objection Design Contaminated Land Parking, Access and Highway Safety
RECOMMENDATION:	Approve

SITE MAP



THIS PROPOSAL IS BEING RETURNED BEFORE MEMBERS FOLLOWING A PROCEDURAL ERROR AT THE NOVEMBER 2016 COMMITTEE.

1. APPLICATION SITE

1.1 The Site

The 2.79 hectare application site relates to former British Gypsum site, within the Widnes Waterfront Regeneration Area on Dennis Road in South Widnes. The proposed new access will be off Dennis Road. The property was purchased by Halton Borough Council in March 2010.

2. THE APPLICATION

2.1 The Proposal

The development consists of a ground floor warehouse with a three storey office/laboratory element to the Primary B2/B8 industrial. The development is proposed within two stages. There will be 200 full time employees at the end of both development phases.

2.2 Documentation

The application has been submitted with the requisite planning application form and location plan, including associated plans, design and access statement, a ground investigation report and transport statement.

2.3 History

14/00650/FUL- -Proposed development of builder's yard incorporating warehouse and trade counter. This was granted approval in March 2015.

14/00651/FUL- -Proposed development of new vehicular access road. This was granted approval in March 2015.

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 Core Strategy (2013)

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

- CS2 Presumption in Favour of Sustainable Development
- CS9 South Widnes Key Area of Change
- CS15 Sustainable Transport
- CS18 High Quality Design
- CS19 Sustainable Development and Climate Change
- CS23 Managing Pollution and Risk

3.3 Halton Unitary Development Plan (UDP) (2005)

The site is designated as the Widnes Waterfront Regeneration 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
- Policy E3 – Primarily Employment Areas
- Policy E5 – New Industrial and Commercial Development
- RG3 Action Area 3 Widnes Waterfront
- PR5 Water Quality
- PR14 Contaminated Land
- TP6 Cycle Provision as Part of New Development
- TP7 Pedestrian Provision as Part of New Development
- TP12 Car Parking
- TP15 Accessibility to New Development
- TP16 Green Travel Plans
- TP17 Safe Travel for All
- PR14 Contaminated Land

The primary planning policy for the determination of this planning application is policy E3 and BE1 'General Principles of Development' of the Halton UDP.

3.4 Joint Waste Local Plan 2013

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

3.5 The Design of New Industrial and Commercial Development Supplementary Planning Document

4. CONSULTATIONS AND REPRESENTATIONS

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 Council's highways engineer, the Local Lead Flood Authority and the contaminated land officer.

Externally, Network Rail and United Utilities have been consulted. The comments have been summarised below:

4.1 Highways

The Council's Highways Engineer was consulted as part of the application's consultation process. The proposed new access is to be provided off Dennis Road, with associated parking to the north and south of the site. The access differs from that previously approved under 14/00651/FUL in that it has been moved slightly further to the west of the site.

The site will potentially generate 112 two-way trips in the AM peak hour (0845-0945) and 87 two-way trips in PM peak hour (1730-1830). Approximately 5% of peak hour trips would be HGV's. The current highway provision is sufficient to accommodate this proposed B8 development, as this has not changed from its previous use. As such, this development will have no detrimental impact on the surrounding highway network.

The development is proposed in two phases. With regards to parking, each phase provides sufficient space, with the first phase providing parking at the front, and the second phase providing parking to the rear of the site. Once both phases have been completed the development will not exceed the maximum parking standard set out in the UDP. Accessible spaces for the complete scheme will be provided to the phase 1 car park with the correct number being marked for disabled bays. The Council's Highway Engineer has not raised any objections to the application. Subsequently there have been slight amendments to the Transport Statement, along with revisions to the initial layout plans including increasing the junction radii to improve HGV egress from the site, articulated vehicles will be able to exit the site westbound onto Dennis Road without crossing the centreline road markings. The revised plans also demonstrate that there is scope along Dennis Road to relocate bus stops affected by the proposed access.

Conditions are recommended in relation to the need for: a construction management plan; a travel plan; secure cycle storage; and to comply with Policies TP6 and TP16.

4.2 Lead Local Flood Authority

The Officer acting on behalf of the Council as The Lead Local Flood Authority has been consulted and there are no issues regarding surface water drainage and an informative will be attached to the permission to state all

works should be constructed in a way to prevent run-off to the adopted highway.

The proposal is considered to be compliant with Policy PR16 of the Halton Unitary Development Plan and Policies and CS23 of the Halton Core Strategy Local Plan.

4.3 Contaminated Land

The application has been submitted with a site investigation report with associated mitigation measures. The Contaminated Land Officer has been consulted and has advised that if the application were to be supported that any further site investigation work could be controlled by condition.

4.4 Network Rail

Network Rail's objection stated that the proposal could result in an increase in traffic (including HGVs) and potential bridge strikes at the entrance to Thermphos. Any vehicles attempting to get to the application site would have to make two separate navigation errors to reach the bridge in question. The second one of these would be at a large roundabout where a HGV could turn back. As the bridge is over a road that serves a self-contained industrial facility, the number of HGV's using that route will not be affected by this development.

4.5 United Utilities

United Utilities submitted a response stating that they had no objection to the application, subject to conditions. The conditions are designed to link the development into the existing sewer and drainage provision and to manage localised flooding. Several sewers cross the site and information will be included as an informative to relay to the applicant for consideration.

4.6 Neighbouring properties

One representation has been received from a neighbouring occupier on Mulbery Avenue. Instrument Design Technology (IDT) is located on Units 2 and 11 of Mulbery Avenue and have been based there since 2008. The objection stated that the increased HGV traffic vibration would be detrimental to the unit's instrument testing measurements to a level where they can no longer function effectively, reducing accuracy and subsequently impacting the business function of IDT. The objector requested the relocation of the access road to alleviate concerns over testing operations.

5. **ASSESSMENT**

Planning Policy

The site is located within the Widnes Waterfront Regeneration Area, the policies RG3 'Action Area 3 Widnes Waterfront' and CS9 'South Widnes

Key Area of Change' allow for a variety of use classes within the area, including B2/B8 employment uses which this application proposes. In this respect, the proposed use is considered to comply with policy E3, which encourages development for B1, B2 and B8 planning use classes, and is considered to be acceptable in principle. The proposal is considered to comply with RG3 and CS9.

Design and Appearance

The three storey building would total 16 metres in height, and is a similar height to surrounding buildings, and the general approach to design replicates that of the area. The attention paid to the materials will provide a good quality of design, one that is an improvement to what is now a vacant site on Dennis Road.

In terms of the design and appearance, the proposed new industrial building, would consist of a mixture of grey metal cladding and tinted glazing on all elevations and roof. These are considered to be of a high quality of design that would comply with saved Policies BE2 of the Halton Unitary Development Plan and CS18 of the Halton Core Strategy Local Plan.

Highways

The Highways Engineer has been consulted and has raised no objections to the proposed development. The proposed development will not have a detrimental impact on the existing highway or parking provision. The scheme provides adequate parking to meet the requirements within the site. The proposed development is considered to comply with policy TP12 of the Unitary Development Plan.

It is recommended, should this application be approved, that two pre-commencement conditions be attached for construction management plan details and site levels.

A travel plan, which includes details of secure cycle storage, will be submitted and to be agreed prior to the occupation of the site. As should a scheme of off-site highway works including formation of the new site access onto Dennis Road, works to existing bus stops and closure of redundant vehicle access points to the site.

Drainage

The Lead Local Flood Authority (LLFA) has raised some technical questions and a response has been provided by the applicant and is currently being reviewed and members will be updated accordingly. United Utilities and the LLFA raise no objection, in principle, subject to detailed drainage design which can be secured by appropriately worded planning conditions.

Amenity and Impact on Surrounding Area

By virtue of its location within an existing industrial area, there would be no significant loss of amenity to neighbouring properties as a result of the proposed development.

The objection received from IDT raised concerns that vibration from HGV's using the site would adversely impact their testing operations, resulting in an inability to operate. Any potential disturbance created by the development, such as noise, is deemed to be acceptable due to the nature of the use and the location within an established industrial estate. There are also no special policy protections within the surrounding area to consider.

The view taken with regard to HGV vibration levels is that these are a characteristic of the surrounding area. A refusal based on amenity loss or impact on specific business operations from vibration caused by HGV movement could not be justified in this instance. The benefits of this application, bringing back into use a redundant site in what will hopefully kick start a wider regeneration of the area; will outweigh the alleged impact to the objector, who is located in an area where HGV movements are frequent.

Further information was received on the day of the previous committee, and this was passed to members. A measure to alleviate vibrations through placing trenches at the western boundary was explored, but again it was not deemed necessary to impose such a request on the applicant due to the nature of the area. It would be more normal to expect occupiers to take protective measures within their own sites rather than expect neighbouring occupiers to incur expenditure in minimising the impact of a normal activity. A condition could not be worded to meet the necessary test for a legal condition as set out in NPPF. As such, the issue is deemed to be civil, between two users, and as such no further information will be required from the applicant. The proposed development would not have a significant impact on amenity of surrounding users and is considered to comply with policy BE1 of the Unitary Development Plan.

Summary and Conclusion

The principle of the development is considered to be acceptable and complies with Policies E3 and RG3 of the Unitary Development Plan and CS9 of the Halton Core Strategy Local Plan, The design and appearance is acceptable and complies with Unitary Development Plan Policy BE2 and the Design of New Industrial and Commercial Development Supplementary Planning Document. The proposal is deemed compliant with BE1, as there is no significant detriment to the amenity of neighbouring users. The proposed development would not have a detrimental impact on highway safety and sufficient car parking is provided, so in that respect complies with TP12 and TP15 of the Unitary Development Plan. The proposal is considered to be sustainable development and complies with the National Planning Policy Framework and is recommended for approval.

6. RECOMMENDATIONS

Grant planning permission subject to conditions.

7. CONDITIONS

1. Standard 3 year expiry.
2. Materials condition.
3. Prior to the occupation of the premises hereby approved a scheme detailing all off-site highway works shall be laid out and surfaced to the satisfaction of the Local Planning Authority.
4. Travel Plan, including secure cycle storage, shall be submitted to and approved in writing by the Local Planning Authority prior to occupation.
5. Submission and approval of contaminated land report.
6. Construction Management Plan.
7. Drainage Condition.
8. Existing and proposed levels condition.

8. 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.3) Order 2015; and

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.