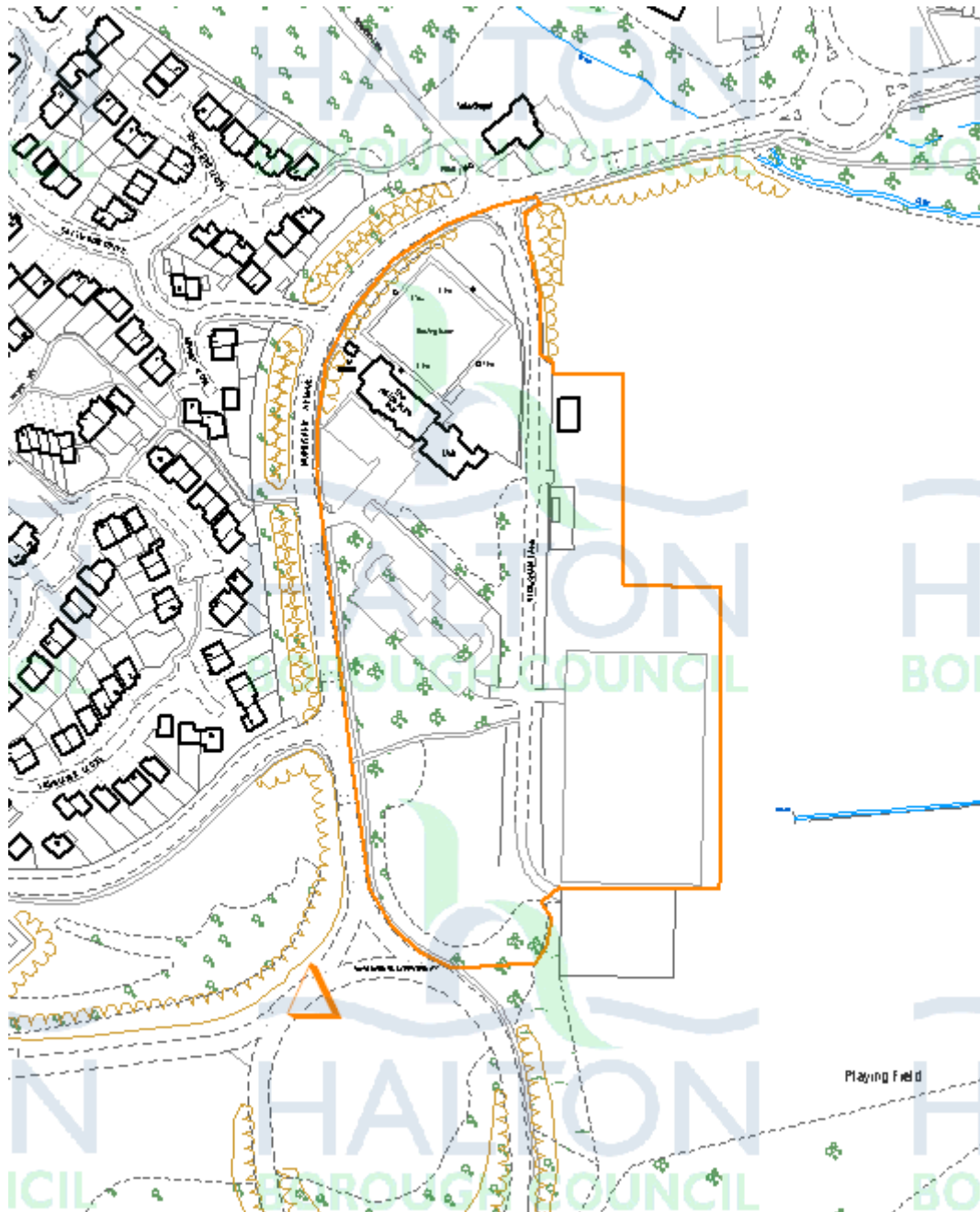


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|--|---|
| APPLICATION NO: | 16/00451/FUL |
| LOCATION: | Land Off Murdishaw Avenue and Stockham Lane, Runcorn, Cheshire. |
| PROPOSAL: | Proposed demolition of the Halton Arms Public House and Linnets clubhouse and the construction of a mixed use development comprising a foodstore (Use Class A1); a retail terrace comprising up to three units (Use Class A1/A2/A3/D1); a family pub restaurant (Use Class A4) with ancillary Manager's accommodation; a new clubhouse (Use Class D2); and associated car parking, access, landscaping and servicing. |
| WARD: | Norton South |
| PARISH: | None |
| AGENT(S) / APPLICANT(S): | Aldi Stores UK Limited and 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) | <ul style="list-style-type: none"> • Part Greenspace (Playing Fields & Playing Fields – Private); • Part Unallocated land in urban areas |
| DEPARTURE | No. |
| REPRESENTATIONS: | 12 representations received from the publicity given to the application. In addition to this 114 postcard style representations have been received following a consultation undertaken by Aldi. |
| KEY ISSUES: | Development on a Greenspace, Protection of Outdoor Playing Space for Formal Sport and Recreation, Principle of Retail Development, Relationship with adjacent land uses, Highway Considerations, Ground Contamination, Flood Risk, Biodiversity, Trees. |
| RECOMMENDATION: | Grant planning permission subject to conditions. |
| SITE MAP | |



1. APPLICATION SITE

1.1 The Site

The site is located adjacent to both Murdishaw Avenue and Stockham Lane in the Murdishaw/Brookvale area of Runcorn.

The site currently comprises of a number of elements including:

- the Halton Arms Public House with associated disused bowling green to the rear, which has been used as a beer garden for the pub;

- a clubhouse owned by Halton Borough Council which is used by Runcorn Linnets FC, Runcorn Linnets Juniors FC and Runcorn Linnets Ladies FC and Halton Baseball and Softball Club;
- An area of car parking providing approximately 99 car parking spaces;
- Part of Halton Sports Playing Fields to the east of Stockham Lane, including a disused shale all-weather pitch;
- The site is 3.19ha in area.

Located to both the north and west of the site is Murdishaw Avenue with existing residential areas located beyond this.

Located to the east of the site is the remainder of the Halton Sports Playing Fields.

Located to the south of the site is the A533 Whitehouse Expressway Roundabout with the M56 motorway located beyond this.

The southernmost and easternmost parts of the site are identified as part of a Greenspace allocation on the proposals map which forms part of the Halton Unitary Development Plan as is the disused bowling green to the rear of the Halton Arms Public House.

2. THE APPLICATION

2.1 The Proposal

This planning application seeks permission for the proposed demolition of the Halton Arms Public House and Linnets clubhouse and the construction of a mixed use development comprising:

- a foodstore (Use Class A1);
- a retail terrace comprising up to three units (Use Class A1/A2/A3/D1);
- a family pub restaurant (Use Class A4) with ancillary Manager's accommodation;
- a new clubhouse (Use Class D2); and
- associated car parking, access, landscaping and servicing.

2.2 Documentation

The planning application is supported by a Planning and Retail Statement, Design and Access Statement, Transport Assessment, Electric Charging Points Technical Note, Car Park Management Plan Technical Note, Noise Impact Assessment, Ecological Assessment, Flood Risk Assessment, Statement of Community Involvement, Desk Study Report, Geo-Environmental Assessment Report, Supplementary Geo-Environmental Assessment Report, Ground Gas Assessment, Demolition and Construction Management Plan, Arboricultural Report and Associated Plans.

3. POLICY CONTEXT

3.1 National Planning Policy Framework

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

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

3.2 Halton Unitary Development Plan (UDP) (2005)

The site is partly designated as a Greenspace 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;
- BE16 Alterations to and New Shop Fronts;
- BE18 Access to New Buildings Used by the Public;
- BE22 Boundary Walls and Fences;
- GE6 Protection of Designated Greenspace;
- GE8 Development within Designated Greenspace;
- GE12 Protection of Outdoor Playing Space for Formal Sport and Recreation;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodlands;
- GE28 The Mersey Forest;
- PR2 Noise Nuisance;
- PR4 Light Pollution and Nuisance;
- PR14 Contaminated Land;
- 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;
- TP14 Transport Assessments;
- TP15 Accessibility to New Development;
- TP16 Green Travel Plans;
- TC6 Out of Centre Retail Development.
- S22 Unallocated land in Urban Areas

3.3 Halton Core Strategy (2013)

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

- CS2 Presumption in Favour of Sustainable Development;
- CS5 A Network of Centres;
- CS15 Sustainable Transport;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS20 Natural and Historic Environment;
- CS21 Green Infrastructure;
- CS23 Managing Pollution and Risk;
- CS24 Waste.

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

Layout/Highway Safety

Offsite Highway Works and Proposed Access to the Development

- It is considered that the amended layout for the proposed site access and the scheme for offsite highway works are acceptable and will not result in a severe impact on the existing highway network.
- Following Road Safety concerns raised with regards the original proposals shown on the submitted plans an amended layout was drawn up that reflected comments raised by the Highway Officer.
- There is extensive widening of Murdishaw Avenue to accommodate pedestrian crossing refuges and improve capacity of the approach to the expressway roundabout to the South of the site. This widening will significantly reduce queue lengths which in turn will give benefit to the adjoining roads, namely Northwich Road and Saltwood Drive.
- It is acknowledged that Northwich Rd is a very busy access road at peak times serving approximately 495 dwellings with motorists experience delays exiting and entering Northwich Road at peak times due to high numbers of

vehicles travelling North/ South along Murdishaw Ave and restricted visibility to the South due to the road geometry, existing topography and high speeds. Compounding these issues is that Southbound traffic frequently backs up past the junction from the expressway roundabout.

- The proposed junction of Murdishaw Ave and Northwich Rd will continue to operate as a simple major/ minor priority junction albeit with various improvements to address the issues mentioned above including, the provision of a right turn lane into Northwich Road. This right turn lane will reduce current issues with blocking back along Murdishaw Road experienced due to the existing layout, combined with the widening works South of the junction and the proposed keep clear markings the junction should operate much as it does at the moment with a reduction in queueing.
- To mitigate concerns with speed of Northbound traffic on Murdishaw Ave at the Northwich road a kerb to kerb raised table traffic calming feature has been introduced. This aspect also features an uncontrolled crossing point with a large staggered central refuge island allowing users to cross Murdishaw Ave in two stages.
- In addition to the above mentioned traffic calming feature there are gateway features to the North and South including rumble strips and slow markings.
- Although the existing speed cushions along Murdishaw Ave will be removed as part of the proposal it is considered that the provision of the gateway features, raised crossing to the South and the central islands with hatching will act as a suitable deterrent as the combined effect will result in a perceived narrowing.
- The amended proposal for offsite highway includes improved pedestrian crossing facilities across Murdishaw Ave utilising 4 uncontrolled tactile crossings with refuge islands. The current provision does not include refuges which allow users to cross roads in two stages.
- The offsite highway works would be subject to a series of Road Safety Audits up to and including Stage 4 (or as prescribed by the required Section 278 agreement)
- The proposed access to the site meets current geometry guidance and includes provision of pedestrian/ cycle crossing facilities. There is a protected right turn in lane which will allow separated by a physical island from the adjacent right turn lane into Northwich Road.
- A widened footway/ cycleway is provided to the West of the development which will replace the existing route along Stockham Lane (this will be subject to a suitable diversion order).
- The visibility splay to the East Stockham Lane (Runcorn Linnets access) should be 43m, the visibility splay should be kept clear of trees, obstructions and planting for the life of the development.

- All of the offsite highway works and areas of new highway to be offered up for dedication would be carried out under a suitable agreement and would be subject to extensive design checks that would ensure the proposed layout is detailed up to current specifications and guidance.

Onsite

- The amended plans reflect changes to pedestrian routes that were discussed with the Highway Officer. Additional crossing points have been added to the internal car park layout and connections to the adjacent sports facility/ club house have been rationalised. The Highway Officer is satisfied that concerns raised within the main development have been addressed.
- It is expected that the pedestrian route across Stockham Lane linking the main site and the football club would be formalised as part of the club house development with these works being shown on the submitted plans or appropriately conditioned.
- The internal layout of the car park is fit for purpose and amended plans have reflected comments raised by the Highway Officer.

Parking

- Parking provision for the superstore is 152 spaces which exceeds the maximum set out in the Halton Unitary Development Plan by 49 spaces.
- Parking provision for the public house and retails units (102 spaces) also exceeds the combined maximum by a total of 32.
- Overall there is an overprovision of spaces to the site by some 81 bays although the submitted Traffic Assessment and supporting documents sets out an acceptable rational with regards to trip generation and dwell times across the site as to why the over provision is required and the Council would therefore accept the increased number.
- Sufficient accessible spaces are provided for disabled users.
- Although a suitable number of cycle parking facilities are shown in the DAS and on the plans no detail is given in terms of the type, the facilities should be safe, secure and visible.
- The Highway Officer engaged with the developers design consultants to remove spaces that had the potential to cause vehicle conflict.
- The submitted parking management plan sets out that the Southern half of the car park serving the superstore would have an imposed maximum stay of 90 minutes whilst the car parking serving the remainder of the development (public house and retail) is not subject to restrictions. Through dialogue with the applicant and their representatives the Highway Officer feels that the parking regime is suitable for implementation and that going forward it would be in all operators' interests to have a functioning car park. This said the Highway Officer would request a condition be included on any permission that any further time limits or changes to parking strategy in the future for any part of the development site be approved by the LPA.

- Following extended dialogue the Highway Officer has agreed to the installation of first fix to facilitate for Electric Vehicle charging to facilitate the future delivery of 2 No. ECP's, the preference would be that a usable system was fully installed to promote the use of EV's but the Highway Officer accepts that the developer is considering the potential future requirements of the site by installation of appropriate ducting/ wiring to allow future installation of apparatus. When the short dwell times of the store are taken into account it is considered that this meets the requirements of current guidelines.
- Proposed parking arrangements for the adjacent club house and sports facilities will be provided on a separate car park situated on the area of existing all weather pitch with access along Stockham Lane. The level of parking space available is deemed acceptable and in-line with current guidance set out in Halton's UDP.

Levels/Highway sections/retaining walls.

- No detail given for consideration, a condition should be applied for approval of the final scheme prior to commencement.

Access by sustainable modes

- Although there is no current bus service to Murdishaw Ave the site is within walking distance of stops on the busway system.
- Pedestrian routes in the area are prevalent and additional/ improved formalised crossing points (dropped kerbs, tactile paving and refuge islands) are proposed to Murdishaw Ave as part of the off-site highway
- The Stockham Lane greenway/ cycleway is adjacent to the site and provides a good cycle link to the North. The cycleway will be diverted onto the proposed shared use cycleway/ footway to the site frontage and as such we would require a suitable crossing point to the South of Stockham lane linking the new facilities to the exiting greenway.
- Consideration would need to be given to future status of Stockham Lane East of Murdishaw Avenue.

Construction Phase Considerations

- A comprehensive Construction Phase Management has been submitted as part of the application which is on the whole acceptable.
- We would however request the resubmission of the plan to reflect any changes that come to light prior to any development starting on site, the plan should also take into account the usage of the adjacent football facilities and set out how potential conflicts on event days would be managed.
- A detailed phasing plan should be submitted setting out how the development as a whole will be delivered.
- We would request that the Saturday working hours should be 08:00-13:00.

Transport Assessment/Traffic Impact

- The submitted Transport Assessment was reviewed and found to be robust with accurate trip generation, base counts and projected changes to traffic flow due to the new Mersey crossing. Junction dimension issues were addressed by the Highways Consultant engaged by the developer prior to compilation of Highway comments.
- Murdishaw Ave/ Expressway Roundabout
The model data submitted for this junction illustrates that there is an existing issue with network capacity. The proposed widening of approaches to the roundabout results in a considerable reduction in queue lengths and delays and therefore would be welcomed by the Highway Authority.
- Murdishaw Ave/ Northwich Road
The model for the amended layout illustrates that the junction will operate well within acceptable capacity limits of a simple major/ minor junction as set in the guidance on junction hierarchy contained within DMRB TA23/81. The proposed highway layout includes provision for right turning traffic into Northwich Road which will remove blocking back of straight on traffic heading South, this combined with the widening works on the approach to the expressway roundabout results in reduced queues and delay as shown within information submitted by the developers representatives.

It is worth noting that a traffic signal layout was modelled for the junction using projected traffic data this resulted in increased delays and introduction of queues throughout the day. Following lengthy discussion a revised off site highway proposal was received and consulted on that enables the retrofitting of signal equipment should future capacity dictate.

- Proposed access into the development – the proposed trip generation and traffic flows illustrate that the junction will operate below capacity and therefore the Highway Officer has no highway concerns
- Saltwood Drive – the model data submitted illustrates that the junction will operate well below capacity and therefore the Highway Officer has no highway concerns
- Stockham Lane (Linnets access) – No detail for vehicles accessing or existing this junction off Murdishaw Ave have been submitted for consideration. This said it is anticipated that given the indicative number of car parking spaces available on the informal area of all-weather pitch proposed for this purpose the junction would be cope with vehicle movements across the peak hour. This would be aided by the wider development of the site as there is the potential for mixed trips that could stagger arrivals and departures. Should additional measures be required at peaks within the peak hour positive temporary traffic management could be employed to ease any short term congestion.

Conditions required:

- Standard highway condition would apply

- Submission of detailed construction phase management plan prior commencement.
- Condition that car parking management plan be approved by the LPA and that any future changes to parking strategy for the life of the development are also subject to approval.
- Submission of details for cycle parking prior to commencement.
- Offsite highway works to Murdishaw Avenue be set out and constructed to approved and be subject to a S278 agreement. These works should be fully approved prior to commencement, and completed prior to occupation of the superstore, retail units or pub units unless otherwise agreed by the LPA.
- Detailed level information should be submitted for approval prior to commencement.

4.2 Lead Local Flood Authority

The LLFA support this application in principle subject to the submission of some further information, and addition of a number of conditions.

- It is noted that a 25% reduction in the existing brownfield runoff is proposed (6.13 FRA). This should be re-calculated as SFRA states 50% required (NPPF S5 says as close as reasonably practical to Greenfield). It is noted that interceptors/separators are to be used which will assist with water quality.
- The applicant states in the drainage philosophy document that sports club will have their own surface water drainage system following principles of the FRA. However, this does not appear to be included in the application and a **condition** should be attached for submission of details prior to commencement to ensure that there is appropriate attenuation/water treatment by SUDS system as appropriate and no flooding occurs in the 1 in 100 year plus climate change event.
- Applicant has shown that 20% climate change allowance (rather than 40%) is appropriate due to design life of development <50 Years. I would also note that the proposed uses are classified 'less vulnerable' but are near to (and could be partly in) critical drainage areas. There is also some surface water risk on SFRA maps but not EA maps. The applicant should provide clarification that the appropriate 6 hour 1 in 100 year design storm has been tested and that any existing surface water has been taken into account. An exceedance routes Overland flow diagram for 1 in 100 +CC is required.
- FRA states soakaway is unlikely to be feasible due to water table at 1.5-2m depth , however, it is stated in 6.7 that further investigation is required to check infiltration - this needs to be done before final strategy can be agreed. However, it is noted that Appendix D of FRA gives other data/criteria further suggesting that the site is unlikely to be suitable for infiltration. We note that tree species are proposed to help reduce runoff (but no allowance made in calcs, which ensures appropriate worst case is allowed for). Appropriate **conditions** may be attached for tree planting and infiltration testing but it would be preferable to have this information prior to approval.

- It is unclear from the drainage strategy sketch how much is existing/retained and what is land drainage/ UU sewer – please could this be clarified. It is noted from the FRA that an Ordinary Watercourse consent may be required – this should also be shown on a drawing for clarification
- A **condition** should be added for the applicant to provide confirmation on levels/design of drainage system prior to commencement. It is stated in FRA that UU will allow construction of store over FWS in principle - this would also be a consideration for the proposed club house.
- Management plans are required for maintenance which should be the subject of a **condition** (prior to occupation).

The Lead Local Flood Authority is satisfied with the developers response to the above observations and has now also suggested a standard condition regarding water treatment via SUDS system and reduction by 30% of Brownfield runoff rate.

4.3 Environmental Health – Contaminated Land

The site has been investigated in two phases – neither of which identified any significant soil or water contamination. There is a minor issue with ground gases, specifically carbon dioxide, which the consultants have specified gas protection measures to be incorporated into the Aldi store building. Given the low flows and the fact it was only identified at an elevated concentration in one monitoring well, it may be possible to review the site and remove the protection measures. However, the current proposals are acceptable. For the area to be redeveloped as new sport facilities, the reporting presented does not have the complete ground gas assessment within it (unless I've missed it in amongst the supporting info). It's a recommendation for the monitoring to be completed and the assessment reviewed. I would request that if the applicant has completed this element, it should be submitted now, however, if it is incomplete, I am happy for it to be required through condition.

4.4 Environmental Health - Noise

I have appraised the noise report provided with the above application. The report utilises approved methodology which is applied correctly. It demonstrates that noise from the site will not be unduly detrimental to the amenity of residents in the area.

4.5 Open Spaces

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

Generally the standard/specification of the proposed planting scheme is satisfactory, although as we discussed, it will be some time before the tree planting matures enough to compensate for the loss of the existing tree cover.

4.6 Merseyside Environmental Advisory Service

Ecology

The development site is close to the following designated sites and Local Plan policy CS20 applies:

- Murdishaw Wood and Valley LNR; and
- Murdishaw Wood LWS.

However, due to the distance separating them, I advise that the proposed development is unlikely to impact upon the designated sites on this occasion.

The applicant has submitted an amended Ecological Assessment report in accordance with Local Plan policy CS20 (TEP, October 2016, 5061.01.002, version 4.0) which meets BS 42020. The survey is acceptable and will be forwarded to Cheshire Record via Merseyside BioBank.

The amended report includes further information on the bat roosting potential of affected trees (paragraphs 4.42 to 4.44). I advise that this further information is acceptable and that no further assessment of the affected trees for roosting bats will be required.

The amended Ecological Assessment report now includes Appendix 2: Bat Survey Results. I advise that this provides sufficient details of the dawn re-entry surveys which were undertaken on the site and enables the three tests assessment (Habitats Regulations) to be completed. Including the assessment within the Planning Committee report shows how the Council has engaged with the Habitats Directive. The completed three test assessment can be found below:

The three tests are set out in Regulation 53 and are as follows:

Test 1: Regulation 53(2)(e): “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”

The planning application provides the opportunity for the re-development of a brownfield site and will introduce fit for purpose, modern commercial buildings of high quality design that will create a multi-million pound investment and create circa 100 jobs. **This test has been satisfied.**

Test 2: Regulation 53(9)(a): “that there is no satisfactory alternative”

An assessment of sequentially preferable sites has been prepared by the applicant and is described in the submitted Planning and Retail Assessment (JLL, 6 October 2016). The results of this confirm that the application site is the most sequentially preferable site for the proposed development therefore passes the sequential test. Also, the proposals will ensure that suitable roosting provision for bats will be maintained on the site in perpetuity. Without the development and with the continued deterioration of the football club building, this may have been lost. **This test has been satisfied.**

Test 3: Regulation 53(9)(b): “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”

The bat surveys completed in support of the planning application confirmed the presence at the football club building (building 4) of a non-maternity common pipistrelle roost, used by low numbers of bats. Mitigation measures have been provided in Appendix 2 of the Ecological Assessment report. These are relatively brief, although considering the size and importance of the roost, it is considered that they are acceptable on this occasion. The mitigation proposed involves the erection a bat box upon a retained tree prior to any works commencing. Following this, the confirmed roosting features on the building will be closely inspected with an endoscope by a licensed bat worker prior to them being removed. Any bats discovered will be released into the bat box. If it is not possible to thoroughly inspect roosting features with an endoscope, exclusion devices will be used. Provided that the mitigation strategy as set out in Appendix 2 of the Ecological Assessment report is secured by a suitably worded planning condition the proposals will not be detrimental to maintaining the local common pipistrelle bat population at a favourable conservation status. With mitigation, **this test has been satisfied.**

As the proposals involve the destruction of a bat roost the following must be secured as a planning condition to any planning permission:

- Works will not commence unless the local planning authority has been provided with a copy of a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified development to go ahead;
- Works must not commence until the replacement roost provision as set out in Appendix 2 of the Ecological Assessment report, to provide alternative roosting accommodation, has been satisfactorily completed; and
- The bat roosting box provided as mitigation should be retained in perpetuity.

Through Habitat Suitability Index (HSI) assessment and eDNA analysis, the Ecological Assessment has adequately demonstrated that great crested newts are unlikely to be affected by the proposals. I advise that further great crested newt survey will not be required in relation to these proposals.

Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected and Local Plan policy CS20. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub and hedgerows are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected would be required. This can be secured by a suitably worded planning condition.

The proposed development will result in the loss of bird breeding habitat and Local Plan policy CS20 applies. To mitigate for this, the applicant must provide details of bird nesting boxes (e.g. number, type and location on an appropriately scaled plan) that will be erected on the site, along with a timetable for implementation, for agreement with the Council. This can be secured by a suitably worded planning condition.

No evidence indicating the presence of badgers was observed during the extended phase 1 habitat survey. However, habitats within and adjacent to the application site were considered to provide suitable opportunities for them. Due to the transient nature of badgers, paragraph 6.3 of the assessment report recommends that a pre-commencement inspection of the site for badgers is undertaken if works have not commenced by June 2017. I concur with this recommendation and the inspection should be secured by a suitably worded planning condition.

The submitted landscaping plan (Vector Landscape Designers, July 2016, V1521 L01, Rev C) contains elements of native planting and is acceptable from an ecological. I advise that the proposed landscaping plan can be accepted as an approved document. I do not have any observations to make regarding the other plans which have been amended.

Waste

The proposal involves demolition and construction activities and policy WM8 of the Joint Merseyside and Halton Waste 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. The details required within the waste audit or similar mechanism is provided in Part Two.

4.7 Sport England

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 74) and Sport England's Playing Fields Policy, which is presented within its Planning Policy Statement titled 'A Sporting Future for the Playing Fields of England' (see link below):
www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of,

all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

Having assessed the application, Sport England is satisfied that the proposed relocated football clubhouse meets the following Sport England Policy exception:

E2 - The proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use.

This being the case, Sport England does not wish to raise an objection to this application.

The absence of an objection to this application in the context of the Town and Country Planning Act, does not in any way commit Sport England or any National Governing Body of Sport to support for any related funding application.

Sport England has also confirmed that they have no comment to make on the amended plans.

4.8 Highways England

Highways England offer no objection to the proposed development.

4.9 United Utilities

United Utilities will have no objection to the proposed development provided that conditions dealing with both Foul Water and Surface Water are attached to any approval. Their other observations should be attached as an informative.

5. REPRESENTATIONS

5.1 The application has been advertised by a press advert in the Widnes & Runcorn World on 20/10/2016, site notices posted on Murdishaw Avenue and Stockham Lane on 19/10/2016 and 119 neighbour notification letters sent on 13/10/2016.

5.2 Following the receipt of amended plans on 16/12/2016, a further 119 neighbour notification letters were sent.

5.3 Twelve representations (Ten in objection and Two in support) have been received from the publicity given to the application. The observations received are summarised below:

REASONS FOR OBJECTION:

- Increased noise levels in the area both during the construction phase and after completion due to the opening hours of the proposed development and the location of the public house beer garden.
- Will the adjacent properties be provided with triple glazing?
- Will the family pub restaurant be issued with a licence to play music?
- What impact would the development have for residents entering and exiting Northwich Road? There are concerns that the residents will not be able to get out without there being traffic lights.
- A separate access directly off the Murdishaw roundabout should be considered.
- The forthcoming M56 J11A and the access to the new bridge will make the traffic even worse.
- What provision will there be to disguise smells coming from the proposed Subway sandwich shop?
- A food retail outlet would add to anti-social behaviour in the area and would become a hang out area.
- The Aldi Store Manager at Runcorn Trident Park said that the plans have been agreed and it is due to be completed in 2018.
- Adjacent residential properties do not want to look at a retail development.
- Devaluation of property.
- More should be done to preserve the existing woodland along this part of Murdishaw Avenue which forms part of the Mersey Forest.
- Concerns over increased light pollution.

REASONS FOR SUPPORT:

- Going shopping would become very local and residents wouldn't even have to use their cars.
- Would give the area a much needed local centre.

5.4 Following the submission of amended plans, Aldi have undertaken their own consultation exercise with local residents and this has generated the submission of 114 postcard style representations. The representations received are predominantly supportive of the proposal and points raised are summarised below:

- Need a decent supermarket and a friendly pub to go to.
- Creation of employment for local people.
- Pub must be run properly.
- The existing Co-op is so expensive.
- The development would provide retail facilities within walking distance.
- It would assist elderly people without access to a car.
- It will be an improvement on a vacant pub and a rubbish filled car park.
- A new clubhouse for the Linnets is positive.
- Lighting needs to be improved on walking routes to the site.
- Parking facilities need to be sufficient for all uses.
- Look after the woodland in the area.

- Would like to see a fuel station in this area.
- The site is adjacent to a very busy road. Something needs to be done to alleviate congestion.
- Getting out of Northwich Road is a nightmare. Would traffic lights assist?

6. ASSESSMENT

SITE DESIGNATION – GREENSPACE.

6.1 Development on a designated Greenspace

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

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

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

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

The southernmost and easternmost parts of the site are identified as part of a Greenspace allocation on the proposals map, which forms part of the Halton Unitary Development Plan as is the disused bowling green at the Halton Arms public house which has more recently been used as a beer garden.

Assessing the current amenity value of the part of the site as a Greenspace is key when considering the exceptions set out in Policy GE6.

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

The site is linked to other greenspaces in the Runcorn Area.

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

The site is an important link in the strategic network of greenways.

- Its value for organised sport and recreation;

Part of the site is land which is which connected to organised sport and recreation.

- Its value for informal or unorganised recreation;

The site currently offers some value for informal or unorganised recreation.

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

The site offers limited value for children's play.

- Its value as an allotment;

The site is not used as an allotment.

- Its wildlife and landscape interest;

The site has a wildlife and landscape interest.

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

The site is located on the eastern edge of Runcorn and existing woodlands should be appropriately managed.

- Its value for environmental education;

The site offers nothing in this regard.

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

The site does provide visual variety in an area which to the north and west is built-up.

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

The site offers nothing in this regard.

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

The site does make a contribution to the overall attractiveness of the area.

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

The site does make a contribution to the health and sense of well-being of the community.

After considering the amenity value of the part of the application site which is a designated Greenspace, the site clearly has a number of different values from the exercise undertaken.

In terms of the proposed development, some of the designated greenspace (the woodland area at the southern end of the site and the former bowling green at the Halton Arms public house) would be lost which would ultimately have an impact on its current amenity value. It should be noted that a replacement buffer planting scheme is proposed adjacent to the Murdishaw roundabout.

The application seeks to provide a replacement clubhouse on the designated greenspace (Land to the east of Stockham Lane) which is currently located on an unallocated part of the application site. This would provide an improved clubhouse facility which would be better both in terms of quantity and quality and would form a better relationship with the stadium and associated pitches.

The relocation of the clubhouse would then create a redevelopment opportunity for the part of the site which is located to the west of Stockham Lane.

Sport England is satisfied that the proposed relocated football clubhouse meets the following Sport England Policy exception:

E2 - The proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use.

It is therefore concluded that the use of the application site for organised sport and recreation would not be compromised and would in fact provide enhanced facilities for organised sport and recreation.

The new clubhouse would represent a significant investment in this designated greenspace for organised sport and recreation is considered to raise the overall amenity value of the greenspace to compensate for the loss of greenspace which would occur on the western side of Stockham Lane. The development of a new clubhouse on a designated greenspace is considered to accord with Policy GE8 of the Halton Unitary Development Plan as it would be ancillary to the use and enjoyment of the greenspace.

The proposal is considered to conform with Paragraph 74 of the NPPF as 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 and that exception (a) in Policy GE6 of the Halton Unitary Development Plan applies and appropriate compensation for the loss of greenspace would be provided.

The proposal would also result in a multi-million pound redevelopment of a site which has a significant brownfield element as well as creating approximately 100 jobs.

6.2 Protection of Outdoor Playing Space for Formal Sport and Recreation

In respect of the protection of Outdoor Playing Space for Formal Sport and Recreation, Paragraph 74 of the NPPF applies.

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 this planning application as it relates to playing field land.

Having assessed the application, Sport England is satisfied that the proposed relocated football clubhouse meets the Sport England Policy as outlined in paragraph 6.1 and they do not wish to raise an objection to this application.

Based on the protection of Outdoor Playing Space for Formal Sport and Recreation, the proposal is considered to be compliant with both Paragraph 74 of the NPPF and Policy GE12 of the Halton Unitary Development Plan.

6.3 Development on land which is Unallocated in the Halton Unitary Development Plan

When a site is unallocated, any proposal has to be considered on its merits, in accordance with policy S22 of the UDP. The suitability of the proposed land uses is to be considered below.

PRINCIPLE OF LAND USES PROPOSED

6.4 Principle of Retail Development (Use Class A1) / Financial and Professional Services (Use Class A2) / Restaurants and Cafes (Use Class A3) / Drinking Establishments (Use Class A4)

Retail Development (Use Class A1) / Financial and Professional Services (Use Class A2) / Restaurants and Cafes (Use Class A3) / Drinking Establishments (Use Class A4) are defined by the NPPF as being main town centre uses. The site subject of the application is not within an existing centre (Town Centre, District Centre or Local Centre).

Policy CS5 of the Halton Core Strategy Local Plan is relevant to the determination of this application. The policy relates to a network of centres and the supporting text outlines the importance to define and protect the retail hierarchy to ensure new development is secured and focused in appropriate locations to enhance and strengthen the Borough's retail offer for the benefit of all. Both national and local planning policy set out the requirement for sequential and impact assessments for out of centre retail developments.

Based on the amount of development sought in this case both a sequential and impact assessment is required in this case.

The supporting documentation indicates that the purpose of the application is to enhance facilities for both the local community and businesses whilst not diluting the retail offer elsewhere. The proposal includes a replacement public house.

A variety of uses have been sought on the retail parade to give flexibility, however the applicant has since confirmed that Subway Sandwich Shop (Use Class A1) would occupy one unit and Vets for Pets (Use Class D1) would occupy another. The suitability of Use Class D1 will be considered in paragraph 6.5.

Policy TC6 of the Halton Unitary Development Plan is relevant given the sites out of centre location. It is noted that Policy TC6 has a requirement for applicant's to demonstrate need, however, this is now inconsistent with the NPPF and no significant weight should be given to the policy's requirement in that respect.

The Sequential Test assesses against the availability of (vacant) units within the three nearest centres. This confirms that there are no sequentially preferable sites for this format of development and this site therefore passes the sequential test.

The approach taken with the Impact Assessment appears to be reasonable and it shows that the proposal would not bring adverse harm to defined town centres and would introduce a positive impact on the local community therefore passing the Impact Test.

Based on the above, locating the proposed uses on the application site would not impact on the town centre vitality and viability nor impact on investment within the catchment area of the proposal nor is there a sequentially preferable site for the development. It is therefore considered to be compliant with Policy CS5 of the Halton Core Strategy Local Plan, Policy TC6 of the Halton Unitary Development Plan and the NPPF.

6.5 Principle of a Non-Residential Institution (Use Class D1)

Unlike the other uses proposed, this use class is not defined as being a main town centre use. This element of the proposal would be located on an unallocated site and has to be considered on its merits.

It is understood that the applicant intends for one of the units to be occupied by Vets for Pets as a Veterinary Surgery, however, Use Class D1 would also allow for uses such as a Clinic or a Day Nursey. In this case, it is noted that the format of store lends itself more towards retail.

The neighbouring land use of note is residential and it is considered that a Use Class D1 can be compatible with a residential land use. The noise

assessment considers the implications of a Veterinary Surgery operating from one of the units and concludes that the development would have a low adverse noise impact on the nearby residential community.

The principle of locating a Use Class D1 use in the retail parade is considered to be acceptable.

6.6 Principle of developing a new Clubhouse

The implications of the site's designation as Greenspace are considered at paragraph 6.1.

The new clubhouse would represent a significant investment in this designated greenspace for organised sport and recreation. It is considered to be both ancillary to and would also raise the overall amenity value of the greenspace. This is considered to compensate for the loss of greenspace which would occur on the western side of Stockham Lane.

This principle of developing a new Clubhouse which would represent a quantitative and qualitative improvement over the existing facility on the designated greenspace is considered to be acceptable.

6.7 Access

Detailed Highway Observations can be found at paragraph 4.1 of the report.

Paragraph 32 of the NPPF states that "all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The application is accompanied by a Transport Assessment. This has been reviewed by the Highway Officer and is found to be robust with accurate trip generation, base counts and projected changes to traffic flow due to the new Mersey crossing.

This assessment has been used by the applicant to design a scheme which would not have a severe impact on the existing highway network.

One of the key issues which has come out of the publicity undertaken on the planning application is the impact that the proposed development would have for residents entering and exiting Northwich Road. There are concerns that the residents will not be able to get out without there being traffic lights.

It should be noted that a traffic signal layout was modelled for the junction using projected traffic data. This resulted in increased delays and introduction of queues throughout the day.

The Highway Officer acknowledges that Northwich Road is a very busy access road serving approximately 495 dwellings with motorists experience delays exiting and entering Northwich Road at peak times due to high numbers of vehicles travelling North/ South along Murdishaw Avenue and restricted visibility to the South due to the road geometry, existing topography and high speeds. Compounding these issues is that southbound traffic frequently backs up past the junction from the expressway roundabout.

It is proposed Murdishaw Avenue and Northwich Road would continue to operate as a simple major/ minor priority junction albeit with various improvements to address the issues mentioned above, including, the provision of a right turn lane into Northwich Road reduce current issues with blocking back along Murdishaw Avenue experienced due to a lack of road space within the existing layout. Widening works south of Northwich Road and proposed keep clear markings will allow the junction to operate much as it does at the moment with a reduction in queueing.

Following discussions, a revised off-site highway proposal was received and consulted on that enables the retrofitting of signal equipment should future capacity dictate.

To mitigate concerns with speed of northbound traffic on Murdishaw Avenue approaching the Northwich Road junction, a kerb to kerb raised table traffic calming feature has been introduced. This aspect also features an uncontrolled crossing point with a large staggered central refuge island allowing users to cross Murdishaw Avenue in two stages. In addition to the this traffic calming feature there are gateway features provided to the North and South incorporating rumble strips and slow markings.

Although the existing speed cushions along Murdishaw Avenue would be removed as part of the proposal, it is considered that the provision of the traffic calming feature of gateway markings and the central islands with hatching will have a cumulative effect acting as a suitable deterrent providing motorists with a perceived narrowing.

The site is within walking distance of stops on the busway system and that pedestrian routes in the area are prevalent and the additional / improved formalised crossing points (dropped kerbs, tactile paving and refuge islands) are proposed to Murdishaw Avenue as part of the off-site highway works.

The Stockham Lane greenway / cycleway currently provide a good cycle link to the north. As part of the proposal, the cycleway would be diverted onto the proposed shared use cycleway/ footway along the Murdishaw Avenue frontage which would be a more attractive route as well as making Stockham Lane an access to the playing fields and clubhouse only.

A sufficient level of parking provision for the foodstore, retail terrace, family pub restaurant and new clubhouse would be provided having regard for the Council's guidelines and the applicant's rationale with regard to trip generation and dwell times across the site.

The submitted parking management plan sets out that the southern half of the car park serving the superstore would have an imposed maximum stay of 90 minutes whilst the car parking serving the remainder of the development would not be subject to restrictions. The Highway Officer considers that the parking regime is suitable for implementation and that going forward it would be in all operators' interests to have a functioning car park. A condition which secures the implementation of the submitted parking management plan and the subsequent approval of any changes in parking strategy is suggested.

After reviewing the entire off-site highway works proposed, the proposed access to the development and the level of parking provision, the Highway Officer considers that the scheme is acceptable and would not result in a severe impact on the existing highway network. It is therefore considered that the proposal is compliant with Paragraph 32 of the NPPF, Policies BE1, TP1, TP6, TP7, TP12, TP14, TP15 & TP16 of the Halton Unitary Development Plan and Policy CS15 of the Halton Core Strategy Local Plan.

6.8 Layout

The proposed site layout would create increased activity along the Murdishaw Avenue frontage. The proposed foodstore, retail parade and family pub restaurant would have active frontages to Murdishaw Avenue whilst having servicing provision which is predominantly concealed from the main site frontage.

As noted earlier in the report, part of the woodland area at the southern end of the site would be lost to allow for the proposed development. The applicant has sought to provide soft planting including new tree planting along the development frontage to soften the appearance the development.

The proposed layout includes the retention of a line of 10 maple trees which are on a raised verge as structure planting for the existing car park. The Arboricultural Assessment notes that the group of trees are of moderate quality and value in the landscape. The proposed layout seeks to retain these trees as part of the scheme which is welcomed.

The family pub restaurant is orientated so that the main entrance fronts Murdishaw Avenue which is logical in design terms and seeks to locate its beer garden / play area to the side of the building which is remains visible

without being on the side of the building adjacent to residential properties located on the opposite side of Murdishaw Avenue.

The proposed clubhouse would form a better relationship in terms of layout than the existing clubhouse located on the western side of Stockham Lane as it would be directly adjacent to the Linnets Stadium and the adjacent playing fields. It would be located in a manner which provides a positive relationship to persons accessing the development by a variety of means.

In terms of the land uses proposed, there is the potential for link trips and it is important that the development is accessible by a variety of means. As set out in the paragraph 6.6 above, links for both pedestrians and cyclists would be improved and routes throughout the development site have been provided to link the various uses to ensure permeability.

The layout proposed is considered to be logical and the relationship between buildings is considered to be acceptable in accordance with Policy BE1 of the Halton Unitary Development Plan.

6.9 Scale

The site as existing currently contains a building which is two storey in height (including the utilisation of the roofspace). The area to both the north and west is predominantly residential nature with the dwellings typically two storey in height. The land to the east comprises of playing fields and is open in nature.

The foodstore, retail parade and clubhouse would all be single storey in height with the family pub restaurant being part single storey and part two storeys to allow space for the manager's accommodation. This redevelopment proposal would inevitably increase the amount of development on the site, however, it is considered that all elements of the proposal would be of a scale which would not appear out of character with the area compliant with Policy BE1 of the Halton Unitary Development Plan.

6.10 Appearance

The proposed elevations for the family pub restaurant show that it would be of an appropriate appearance with some variety in materials to add interest to the overall external appearance. The design of this building is not dissimilar to a recently granted scheme for a family pub restaurant adjacent to the Bridgewater Expressway in Runcorn. A detailed palette of materials has been provided upfront with the application which is considered to be acceptable and it would be reasonable to attach a condition which secures the implementation of the scheme in accordance with the submitted details.

The proposed elevations for both the foodstore and the retail parade again show appropriate appearance with some variety in materials to add interest to the overall external appearance particularly in relation to the way the scheme is viewed from Murdishaw Avenue. The appearance of these elements of the

scheme would not be dissimilar to many other Aldi foodstores found nationwide and there is continuity between the respective elements of the scheme in terms of appearance. A detailed palette of materials has been provided upfront with the application which is considered to be acceptable and it would be reasonable to attach a condition which secures the implementation of the scheme in accordance with the submitted details.

The proposed elevations for the clubhouse are functional in design terms and would form an appropriate relationship with the adjacent stadium and playing fields. A detailed palette of materials has been provided upfront with the application which is considered to be acceptable and it would be reasonable to attach a condition which secures the implementation of the scheme in accordance with the submitted details.

In terms of external appearance, the proposal is considered to be compliant with Policies BE 1, BE 2 & BE16 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

6.11 Landscaping

As previously set out, the proposal would result in the loss of the existing woodland area at the southern end of the site, which would in part be replaced by a buffer planting scheme. Policy BE1 of the Halton Unitary Development Plan seeks development proposals to contain a carefully designed landscape scheme that reflects the essential character of the area and the use of the new buildings.

The application is accompanied by a fully specified landscaping scheme. The Open Spaces Officer has stated that the standard/specification of the proposed planting scheme is satisfactory, although it will be some time before the tree planting matures enough to compensate for the loss of the existing tree cover. This is by no means ideal, however, this issue has to be weighed in the balance with the enhanced facilities and the regeneration of the site.

The applicant has attempted to design a scheme which softens the Murdishaw Avenue and Stockham Lane site boundaries as well as the retention of a line of 10 maple trees in the existing car parking area. Appropriate tree protection is required across the site and should be secured by condition.

The hard landscaping and boundary treatments proposed are considered to be appropriate to their location.

On balance, it is considered that the landscaping and boundary treatments scheme has regard for its surroundings and the proposal is compliant with Policy BE1 of the Halton Unitary Development Plan.

6.12 Ground Contamination

The application is accompanied by a Desk Study Report, Geo-Environmental Assessment Report, Supplementary Geo-Environmental Assessment Report and a Ground Gas Assessment. The Contaminated Land Officer notes that the site has been investigated in two phases, neither of which identified any significant soil or water contamination. Conditions which secure the additional assessment required for the clubhouse and validation across the whole site are suggested.

The suggested conditions would ensure that the proposal is compliant with Policy PR14 of the Halton Unitary Development Plan.

6.13 Flood Risk and Drainage

The application site is located in Flood Zone 1 and is at low risk from flooding. The application is accompanied by a Flood Risk Assessment. This document has been reviewed by the Lead Local Flood Authority and is considered to be acceptable and has regard for the drainage hierarchy. Conditions securing appropriate drainage strategies and their implementation and subsequent management are suggested.

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

6.14 Biodiversity

The development site is close to the following designated sites:

- Murdishaw Wood and Valley LNR; and
- Murdishaw Wood LWS.

However, due to the distance separating them, the proposed development is unlikely to impact upon the designated sites on this occasion.

The application is accompanied by an amended Ecological Assessment report in accordance with Policy CS20 of the Halton Core Strategy Local Plan.

The amended report includes further information on the bat roosting potential of affected trees and Bat Survey Results that provides sufficient details of the dawn re-entry surveys which were undertaken on the site and has enabled the three tests assessment (Habitats Regulations) below to be completed.

The three tests are set out in Regulation 53 and are as follows:

Test 1: Regulation 53(2)(e): “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”

The planning application provides the opportunity for the re-development of a brownfield site and will introduce fit for purpose, modern commercial buildings

of high quality design that will create a multi-million pound investment and create circa 100 jobs. **This test has been satisfied.**

Test 2: Regulation 53(9)(a): “that there is no satisfactory alternative”

An assessment of sequentially preferable sites has been prepared by the applicant and is described in the submitted Planning and Retail Assessment (JLL, 6 October 2016). The results of this confirm that the application site is the most sequentially preferable site for the proposed development therefore passes the sequential test. Also, the proposals will ensure that suitable roosting provision for bats will be maintained on the site in perpetuity. Without the development and with the continued deterioration of the football club building, this may have been lost. **This test has been satisfied.**

Test 3: Regulation 53(9)(b): “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”

The bat surveys completed in support of the planning application confirmed the presence at the football club building (building 4) of a non-maternity common pipistrelle roost, used by low numbers of bats. Mitigation measures have been provided in Appendix 2 of the Ecological Assessment report. These are relatively brief, although considering the size and importance of the roost, it is considered that they are acceptable on this occasion. The mitigation proposed involves the erection a bat box upon a retained tree prior to any works commencing. Following this, the confirmed roosting features on the building will be closely inspected with an endoscope by a licensed bat worker prior to them being removed. Any bats discovered will be released into the bat box. If it is not possible to thoroughly inspect roosting features with an endoscope, exclusion devices will be used. Provided that the mitigation strategy as set out in Appendix 2 of the Ecological Assessment report is secured by a suitably worded planning condition the proposals will not be detrimental to maintaining the local common pipistrelle bat population at a favourable conservation status. **With mitigation, this test has been satisfied.**

As the proposals involve the destruction of a bat roost the following must be secured as a planning condition to any planning permission:

- Works will not commence unless the local planning authority has been provided with a copy of a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified development to go ahead;
- Works must not commence until the replacement roost provision as set out in Appendix 2 of the Ecological Assessment report, to provide alternative roosting accommodation, has been satisfactorily completed; and
- The bat roosting box provided as mitigation should be retained in perpetuity.

Through Habitat Suitability Index (HSI) assessment and eDNA analysis, the Ecological Assessment has adequately demonstrated that great crested

newts are unlikely to be affected by the proposals. I advise that further great crested newt survey will not be required in relation to these proposals.

Protection for breeding birds can be secured by a suitably worded planning condition. Mitigation for the loss of bird breeding habitat in the form of bird nesting boxes can be secured by a suitably worded planning condition.

No evidence indicating the presence of badgers was observed during the extended phase 1 habitat survey. However, habitats within and adjacent to the application site were considered to provide suitable opportunities for them. Due to the transient nature of badgers, the assessment report recommends that a pre-commencement inspection of the site for badgers is undertaken if works have not commenced by June 2017. This should be secured by a suitably worded planning condition.

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

6.15 Noise

The application is accompanied by a Noise Impact Assessment. This has been completed to consider the potential impacts of noise produced by mechanical services plant and deliveries associated with the proposed commercial development.

The proposals in land use terms are considered to be both complementary and sympathetic to its surroundings which are predominantly residential in nature.

Representations raise concerns over the opening hours of the proposed development and the location of the public house beer garden. It is noted that the public house beer garden and play area is predominantly located on the side of the building which does not directly face the residential properties. The nearest residential property is over 40 metres away from this beer garden area and that the closest properties on Backford Close, Saltwood Close and Granby Close are screened from Murdishaw Avenue. The proposed family pub restaurant would not form a dissimilar relationship to existing residential properties to that of the existing public house (The Halton Arms).

The noise assessment has indicated that with the proposed mitigation measures in place (Kitchen Extract Fan with a 10dB(A) in-line silencer for the family pub restaurant), the development would have a low adverse noise impact on the nearby residential community.

Adjacent residential properties have questioned whether they will be provided with triple glazing. This does not form of the proposal nor does the noise assessment suggest that such mitigation would be required.

Whether the family pub restaurant is issued with a licence to play music is not material to the determination of this planning application. The suitability of the

land uses proposed and result on amenity is material to the determination of this planning application.

The Council's Environmental Health Officer raises no objection to the proposed development on noise grounds.

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

6.16 Sustainable Development and Climate Change

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

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

The applicant is proposing the installation of first fix to facilitate for Electric Vehicle charging to facilitate the future delivery of 2no. Electric Charging Points. The preference would be that a usable system was fully installed to promote the use of Electric Vehicles but the Highway Officer accepts that the developer is considering the potential future requirements of the site by installation of appropriate ducting / wiring to allow future installation of apparatus. When the short dwell times of the store are taken into account it is considered that this meets the requirements of current guidelines. This installation of this provision should be secured by condition.

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

6.17 Waste Prevention/Management

The proposal involves demolition and construction activities and policy WM8 of the Joint Merseyside and Halton Waste Local Plan 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.

The proposal is compliant with Policy WM8 of the Joint Merseyside and Halton Waste Local Plan.

6.18 Issues raised in representations not addressed above

A separate access directly off the Murdishaw Roundabout does not form part of this proposal. Access considerations are set out at paragraph 6.6 of the

report. This application and the proposed access arrangements need to be considered on their own merits.

The proposed M56 J11A is only at public consultation stage and Highways England is currently seeking views on the shortlisted options (Upgrading Murdishaw roundabout into a through-about or converting Murdishaw roundabout into a signalised crossroad). It should be noted that Highways England do not object to this planning application and note that this development proposal would need to be take account of at a later date should the M56 J11A progress further.

The Transport Assessment which accompanies the application considers a base scenario in 5 years' time taking account of the proposed development and general traffic growth in the Runcorn. As part of the highways review of the submission future traffic information from the Mersey Gateway were reviewed with specific regard to the impact on the Southern Expressway and it is considered that the Transport Assessment on which the highway network is modelled provides a robust scenario for the foreseeable future (in this case 2021).

In relation to issues raised regarding smells from the Subway sandwich shop, it should be noted that planning permission is being sought for a retail use rather than for a hot food takeaway. No objection has been raised by the Environmental Health Officer.

With regard to the Subway retail outlet adding to anti-social behaviour in the area, it is considered that the site layout has been designed as to avoid such issues by using the Police initiative for designing out crime 'Secured by Design'. It is not considered that the refusal on the basis of anti-social behaviour could be sustained.

Some of the adjacent residential properties do not want to look at a retail development. In planning terms, you do not have a right to a view over land which you do not own or control. The proposed land uses are considered to be compatible.

Devaluation of property is not material to the determination of this planning application. The planning system does not exist to protect the private rights of one individual against another.

Some lighting details have been provided with the application. In order to address concerns over light pollution, it is considered reasonable to attach conditions securing the submission of precise details for approval.

7. CONCLUSIONS

The proposal would allow a multi-million pound redevelopment of the site and would create approximately 100 jobs.

The new clubhouse would represent a significant investment in this designated greenspace for organised sport and recreation is considered to raise the overall amenity value of the greenspace to compensate for the loss of greenspace which would occur on the western side of Stockham Lane.

Retail Development, Financial and Professional Services, Restaurants and Cafes and Drinking Establishments are defined by the NPPF as being main town centre uses. The site subject of the application is not within an existing centre (Town Centre, District Centre or Local Centre).

The supporting documentation indicates that the purpose of the application is to enhance facilities for both the local community and businesses whilst not diluting the retail offer elsewhere. The proposal includes a replacement public house.

The Sequential Test assesses against the availability of (vacant) units within the three nearest centres. This confirms that there are no sequentially preferable sites for this format of development and this site therefore passes the sequential test.

The approach taken with the Impact Assessment appears to be reasonable and it shows that the proposal would not bring adverse harm to defined town centres and would introduce a positive impact on the local community therefore passing the Impact Test.

Based on the above, locating the proposed uses on the application site would not impact on the town centre vitality and viability nor impact on investment within the catchment area of the proposal nor is there a sequentially preferable site for the development.

The land uses proposed are considered to be appropriate to the application site and sympathetic to their surroundings.

After reviewing the entire off-site highway works proposed, the proposed access to the development and the level of parking provision, the Highway Officer considers that the scheme is acceptable and would not result in a severe impact on the existing highway network.

The site is considered to be arranged in a manner which would result in positive relationships with both Murdishaw Avenue and Stockham Lane and result in new buildings being located on the site which would be of an appropriate appearance and add interest. The landscaping scheme proposed would in time compensate for the loss of the existing tree cover.

The proposals in land use terms are considered to be both complementary and sympathetic to its surroundings which are predominantly residential in nature and the Environmental Health Officer raises no objection on noise grounds.

Appropriate ecological mitigation for the loss of bat roosts and breeding bird habitat can be secured through the suggested conditions.

Based on all the above, the proposed development is considered to be acceptable.

8. RECOMMENDATIONS

Grant planning permission subject to conditions.

9. CONDITIONS

The suggested conditions are linked to the Development Plan (Drawing Number 1521NES-115 Rev E).

Conditions applicable to all Development Plots.

- Time Limit – Full Permission;
- Construction Hours – (Policy BE1);
- Foul Water – (Policy PR16);
- Ecological Mitigation Strategy – Tree Mounted Bat Box – (Policy GE21);
- Ecological Mitigation Strategy – Bird Nesting Boxes – (Policy GE21);
- Breeding Birds Protection – (Policy GE21);
- Tree Protection – (Policy GE27);
- Pre Commencement Inspection of Site for Badgers – (Policy GE21);
- Waste Audit – (Policy WM8)

Conditions – Development Plot 1 – New Clubhouse.

- Approved Plans;
- Facing Materials – (Policy BE1);
- Hard Landscaping and Boundary Treatments – (Policy BE1);
- Soft Landscaping – (Policy BE1);
- Construction Management Plan – (Policy BE1);
- Design of Parking and Servicing & Implementation – (Policy BE1);
- Scheme Detailing Formalised Link to the Adjacent Development – (Policy BE1);
- Cycle Parking – (Policy BE1);
- Car Parking Management Plan – (Policy BE1);
- Site Levels – (Policy BE1);
- Surface Water Drainage Strategy – (Policy PR16);
- Drainage Management Plan – (Policy PR16);

- Ground Contamination – Assessment, Remediation & Validation - (Policy PR14);
- Lighting Scheme – (Policy PR4).

Conditions – Development Plot 2 – Foodstore and Retail Parade.

- Approved Plans;
- Facing Materials – (Policy BE1);
- Hard Landscaping and Boundary Treatments – (Policy BE1);
- Soft Landscaping – (Policy BE1);
- Construction Management Plan – (Policy BE1);
- Implementation of Parking and Servicing – (Policy BE1);
- Off-Site Highway Works – (Policy BE1);
- Cycle Parking – (Policy BE1);
- Car Parking Management Plan – (Policy BE1);
- Site Levels – (Policy BE1).
- Surface Water Drainage Strategy – (Policy PR16);
- Drainage Management Plan – (Policy PR16);
- Ground Contamination – Validation - (Policy PR14);
- Lighting Scheme – (Policy PR4).

Conditions – Development Plot 3 – Family Pub Restaurant.

- Approved Plans;
- Facing Materials – (Policy BE1);
- Hard Landscaping and Boundary Treatments – (Policy BE1);
- Soft Landscaping – (Policy BE1);
- Construction Management Plan – (Policy BE1);
- Implementation of Parking and Servicing – (Policy BE1);
- Off-Site Highway Works – (Policy BE1);
- Cycle Parking – (Policy BE1);
- Car Parking Management Plan – (Policy BE1);
- Site Levels – (Policy BE1).
- Surface Water Drainage Strategy – (Policy PR16);
- Drainage Management Plan – (Policy PR16);
- Ground Contamination – Validation - (Policy PR14);
- Noise Mitigation Measures – (Policy PR2);
- Electric Vehicle Charging Points First Fix – (Policy CS19);
- Lighting Scheme – (Policy PR4).

Informatives

- 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) 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.