

APPLICATION NO:	18/00021/FUL
LOCATION:	Sporting Ford, 64 Hough Green Road, Widnes
PROPOSAL:	Proposed development of 28 no. apartments in 3 storey block with associated car parking and ancillary development
WARD:	Hough Green
PARISH:	N/A
AGENT(S) / APPLICANT(S):	BLM Ltd
DEVELOPMENT PLAN ALLOCATION: National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)	Primarily Residential Area
DEPARTURE REPRESENTATIONS:	No 2
KEY ISSUES:	Principle of Development; Loss of Public House, Open Space, Ecology, Design, Flooding and Drainage, Parking, Waste, Trees, Residential Amenity, Contamination,
RECOMMENDATION:	Approve Subject to Conditions

SITE MAP



THE APPLICATION SITE

The Site

Site of approximately 1,579m²/ 0.39 acre currently occupied by the remains of the former Sporting Ford pub and detached betting office and associated car park. The pub was reportedly vacant and has recently been severely damaged by fire.

The site is rectangular in shape fronting Hough Green Road. It is within a Primarily Residential Area in the Halton Unitary Development Plan but within an area that includes a children's nursery, community sports hall, local centre and medical centre.

Planning History

None directly relevant.

THE APPLICATION

The proposal

Proposed demolition of existing buildings and development of 28 no. apartments in 3 storey block with associated car parking and ancillary development.

Documentation

The applicant has submitted a planning application, drawings and the following reports:

Design and Access Statement

Phase 1 Environmental Assessment Report

Transport Statement

POLICY CONTEXT

National Planning Policy Framework

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

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

Paragraph 14 states that this presumption in favour of sustainable development means that development proposals that accord with the development plan should be approved, unless material considerations indicate otherwise. Where a development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF; or specific policies within the NPPF indicate that development should be restricted.

The government has published its finalised Planning Practice Guidance (PPG) to compliment the National Planning Policy Framework (NPPF).

Halton Unitary Development Plan (UDP) (2005)

The site lies entirely within a Primarily Residential Area in the Halton Unitary Development Plan. The following policies are considered to be of particular relevance: -

- BE1 General Requirements for Development
- BE2 Quality of Design
- GE21 Species Protection
- LTC5 Protection of Community Facilities
- H3 Provision of Recreational Greenspace
- TP6 Cycling Provision as Part of New Development
- TP12 Car Parking
- TP17 Safe Travel for All
- PR6 Development and Flood Risk
- PR14 Contaminated Land

Halton Core Strategy Local Plan (2013)

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

- CS1 Halton's Spatial Strategy
- CS2 Presumption in Favour of Sustainable Development
- CS12 Housing Mix
- CS18 High Quality Design
- CS23 Managing Pollution and Risk

Joint Waste Local Plan 2013

WM8 Waste Prevention and Resource Management

WM9 Sustainable Waste Management Design and Layout for New Development

Supplementary Planning Documents (SPD)

New Residential Development SPD

Draft Open Space Provision SPD

Designing for Community Safety SPD

CONSULTATIONS

The application has been advertised via the following methods: site notice posted near to the site, press notice, and Council website. Surrounding residents and landowners have been notified by letter.

The following organisations have been consulted and, where relevant, any comments received have been summarised below in the assessment section of the report:

United Utilities – No Objection in Principle

Cheshire Fire & Rescue – Comments made about the benefits of sprinklers which will be attached as an informative to any planning permission.

Cheshire Constabulary – No Objection in Principle

Council Services:

HBC Contaminated Land – No Objection in Principle

HBC Highways – No Objection in Principle

HBC Drainage – No Objection in Principle

REPRESENTATIONS

2 letters of objection have been received from nearby resident. These raise the following issues:

- Proposed building is not in keeping with existing buildings or the local area
- Crammed development, will look like an office block in the countryside, out of scale and materials not in keeping
- Loss of light to house and garden
- Loss of privacy from overlooking/ impact on outlook by unsightly building
- Lack of need for additional flats

- Questioning purported security benefits
- Impact on existing health conditions/ health deterioration
- Light pollution from cars
- Increased traffic volume/ parking problems being pushed into surrounding residential streets

ASSESSMENT

Principle of Development

Permission is sought for the proposed demolition of a former pub and adjoining betting office and development comprising 28 No. apartments with ancillary development. The site lies within a Primarily Residential Area in the Halton Unitary Development Plan and as such proposals for residential development are considered acceptable in principle.

Design, Character and Residential Amenity

The proposal is for demolition of the existing pub and betting office and the erection of a modern apartment block over 3 storeys with a flat roof. The proposals provide for a total of 28 apartments with 10 No. one bed and 18 No. two bed. Whilst the building will appear as 3 storey it will comprise a central block with first and second floor wings either side to provide undercroft parking. The submitted drawings indicate that the elevations will be broken up by the use of a mix of materials. No details of the proposed materials are given but it is anticipated that this could include a mix of brick, render and or modern cladding materials, details of which can be secured by appropriately worded planning condition.

Despite the proposed apartment block being 3 storeys it adjoins an existing relatively modern block of apartments which themselves appear as 3 storey incorporating a pitched roof. There are also a number of buildings in the local area including a number of 3 storey apartment blocks and a local community sports building which appear of similar scale. In this context it is considered that the proposed apartment building is of a character, scale and massing suited to the site and in keeping with the character of the area.

Neighbours have raised issues relating to overlooking, overshadowing and loss of privacy to adjoining properties and gardens. However, the proposed apartment block sits somewhat to the south of the potentially affected properties and gardens. The proposed and affected properties are also separated by a public road. Whilst some degree of overlooking to gardens may occur, relative separation distances will be between approximately 30m and 40m. Such distances exceed the separation distances set out within the Council's adopted Supplementary Planning Document. The building and facing windows are considered sufficiently removed from existing habitable room windows and private gardens. It is not considered that refusal of planning permission could be sustained on these grounds.

Highway Considerations

The scheme will be accessed from Hough Green Road. As detailed above parking and servicing will be provided either side of a central block predominantly below first and second floor wings to provide undercroft parking. That parking will extend to land within the site to the front and rear of those wings. The Council Highway Engineers advise that they would normally expect parking provision at a rate of 1.25 spaces which for the current scheme of 28 apartments would equate to provision of 35 spaces. The scheme as submitted however provides for provision of 1 space per apartment and is therefore deficient in this regard.

The application red line boundary as originally submitted included land to the rear fronting Cherry Sutton but this area included no development proposals. Whilst this land would ideally have provided scope for additional and more generous parking and servicing arrangements, it has been revealed that this land is not within the control of the applicant. The plans have therefore now been amended to exclude that land.

The application is supported by a Transport Statement. This has sought to justify the proposed parking levels based on factors including reported car ownership levels in the Hough Green Area and accessibility of the site by other modes including walking, cycling and public transport. It is not considered that refusal of planning permission could be sustained on these grounds and the Council's Highway Engineers have therefore confirmed that they raise no objection in principle.

Notwithstanding the deficiency in parking numbers, parking and servicing within the site is constrained. The scheme has been amended from that originally submitted, however, issues are still raised with respect to ensuring that suitable parking arrangements, cycle parking and servicing can be accommodated. In order to minimise delay in determining the application the report has been prepared in anticipation that these outstanding matters will be resolved. Members will be updated accordingly.

Taxi Rank Relocation/ Removal

There is currently a statutory taxi rank in front of the development which will need to be moved/ removed because the construction traffic may need to cross it and, when the development is complete, it would be outside residential properties and the access/exit would cut across the rank. The Council's Taxi Officer has confirmed that there appears to be no suitable space in the immediate vicinity where the rank could be safely moved. Therefore it will likely need to be removed.

To remove the rank requires *inter alia* a statutory advert to be made and the road markings and pole to be removed. It is advised that the removal of the taxi rank and the steps required to facilitate it be required by a Grampian style planning condition.

Loss of Public House

The proposals will result in the loss of a Public House. CAMRA (Campaign for Real Ale) has spearheaded a campaign to protect pubs. Para.70 of NPPF provides that in order “to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions shouldguard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs”. UDP Policy LTC5 seeks to prevent (without compensation) the loss of community facilities where they “serve an important local need”. No objection has been received from local residents or from CAMRA. It is not considered that refusal of planning permission could be sustained on these grounds.

The building is not listed or included on any local list as a heritage asset.

Flood Risk and Drainage

The proposed development lies in flood zone 1 and is less than 1 Ha in area so a flood risk assessment is not required. The Council’s Drainage Engineer acting as Lead Local Flood Authority (LLFA) advises that the development does not lie within a critical drainage area but it is on a site that has been previously developed. It is therefore expected that the site drainage strategy will result in a reduction of 50 per cent in surface water discharge rates from the new development.

It is advised that there is a public combined sewer in Hough Green Road but the developer will be expected to have demonstrated the use of the drainage hierarchy, as described in Part H of the Building Regulations, before approaching United Utilities for a sewer connection.

United Utilities has also stipulated this requirement but confirmed that in the event of surface water draining to public sewer, appropriate attenuation will be required. The LLFA and United Utilities raise no objection in principle. It is considered that an appropriate drainage strategy and attenuation can be secured by appropriately worded planning condition.

Contaminated Land

The application is supported by the following document;

Phase I desk study report for land at the former Sporting Ford, ref CCG-C-17-9956 CCG Ltd, October 2017

The proposals have been reviewed by the Council’s Contaminated Land Officer who confirms that the report contains the results of a basic desk study and site walkover and presents a preliminary conceptual site model.

Whilst the historical plans do not highlight much in the way of potential sources of contamination, a significant potential feature in the vicinity of the site has been missed, namely the infilled subway immediately to the east of the site boundary.

The report concludes that possible made ground from the development of the plot and the surrounding area, along with ground gases from infilled ponds could lead to significant pollutant linkages that would impact on the proposed development and therefore phase 2 works are proposed.

A number of queries have been raised by the Contaminated Land Officer regarding the submitted proposals for the proposed future site investigation. Notwithstanding that, an appropriate site investigation and risk assessment will be required to ensure that the site is suitable for the proposed use. It is advised that it would be most relevant to undertake such site works after the clearance of the current buildings.

No objection is raised to the proposed development proposals but it is recommend that if permission is granted it should be conditioned to require the submission of an appropriate investigation and risk assessment, remedial strategy and supporting validation reporting.

Waste

The proposal involves 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 applicant has provided sufficient information with respect to provision of on-site waste storage and management to demonstrate compliance with policy WM9 of the Joint Merseyside and Halton Waste Local Plan.

Open Space Provision

The scheme is considered deficient with regards open space provision when measured against UDP Policy H3. In accordance with the Councils adopted Provision of Open Space SPD financial contributions for off-site provision have been calculated. The applicant has agreed in principle and it is considered that this can be adequately secured by legal agreement or other appropriate agreement.

Designing Out Crime

The Cheshire Constabulary Designing Out Crime Officer has made the following comments on the scheme:

Good points re development:-

- Reference to fencing improvements
- Proposed new residential development will encourage natural surveillance in the areas
- Full alarm system
- Discussions regarding remote security

Points to be considered:-

- Access Control to lobby area and to undercroft area
- Compartmentalisation to ensure tenants only have access to areas needed
- Ensure trees do not obscure natural surveillance
- Consider low level defensible planting to restrict access to any ground floor windows

The submitted Design and Access Statement confirms that overall detailed security features are to be discussed and agreed with the relevant police liaison officers. The above can be attached as an informative to any grant of planning permission.

Conclusions

Permission is sought for the development of 28 No. apartments with ancillary development over three storeys. The site lies within a Primarily Residential Area in the Halton Unitary Development Plan and as such proposals for residential development are considered acceptable in principle.

At the time of writing there remain a number of outstanding detailed matters in relation to bin storage, parking and servicing. In order to minimise delay in determining the application the report has been prepared in anticipation that these outstanding matters will be resolved. Members will be updated accordingly. Notwithstanding those outstanding issues, it is considered that the development will provide for a good quality building offering much needed housing in the Borough and that any outstanding issues can be resolved by way of oral update and appropriately worded planning conditions.

RECOMMENDATION

The application be approved subject to the following:

- a) a legal or other appropriate agreement relating to securing financial contributions to Open Space.
- b) Conditions relating to the following:
 1. Standard 3 year permission to commence development (BE1)
 2. Condition specifying approved and amended plans (BE1)
 3. Requiring submission and agreement of a Construction Management Plan including vehicle access routes and construction car parking; (BE1)

4. Materials condition, requiring the submission and approval of the materials to be used (BE2)
5. Landscaping condition, requiring the submission and approval of landscaping details. (BE2)
6. Boundary treatments to be submitted and approved in writing. (BE2)
7. Wheel cleansing facilities/ strategy to be submitted and approved in writing. (BE1)
8. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
9. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
10. Condition relating to the implementation of bin store provision (BE1)
11. Requiring submission and agreement of site and finished floor and site levels (BE1)
12. Site investigation, including mitigation/ validation to be submitted and approved in writing. (PR14)
13. Condition relating to the implementation of cycle store provision in accordance with details to be submitted and approved (TP6)
14. Submission and agreement of biodiversity enhancement features including bird/ bat boxes, insect/ hedgehog houses etc (BE1 and GE21)
15. Requiring submission and agreement of foul and surface water drainage including attenuation (PR16)
16. Submission and agreement of Site Waste Management Plan (WM8)
17. Requiring submission and agreement of electric vehicle parking and charging point(s) details (NPPF)
18. Grampian style condition requiring removal of taxi rank.

c) That if the S106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.

SUSTAINABILITY STATEMENT

As required by:

Paragraph 186 – 187 of the National Planning Policy Framework;

The Town and Country Planning (Development Management Procedure) (England) Order

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.