

APPLICATION NO:	17/00389/FUL
LOCATION:	Land to the rear of Appleton Village Pharmacy, Appleton Village, Widnes, Cheshire.
PROPOSAL:	Proposed demolition of the existing outbuildings and construction of residential development comprising 12no. one bedroom apartments and 12no. two bedroom apartments with associated parking and reconfigured parking provision for Appleton Village Pharmacy.
WARD:	Appleton
PARISH:	None
AGENT(S) / APPLICANT(S):	Constructive Thinking Studio Ltd. Mr Nasr, Appleton Village Pharmacy.
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)	Primarily Residential Area
DEPARTURE	No
REPRESENTATIONS:	Four representations received from the publicity given to the application.
KEY ISSUES:	Design, Amenity, Affordable Housing, Open Space, Access, Ground Contamination.
RECOMMENDATION:	Grant planning permission subject to conditions and the securing of a commuted sum in lieu of on-site open space provision either by an upfront payment prior to the determination of the application or by a S106 agreement.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site subject of the application is land to the rear of Appleton Village Pharmacy which is located off Appleton Village in Widnes. The site is currently vacant with the western part of the site having previously been used as a Builders Yard. The site is 0.27ha in area.

Located to the north and east of the site are residential development some of which are well established and others which have been recently completed.

Located to the west of the site is a Council car park with St Bede's Church and St Bede's RC Infant and Junior School located beyond this.

Located to the south of the site are commercial buildings accessed from Appleton Village and Deacon Road.

The site is located within the Primarily Residential Area as designated by the Halton Unitary Development Plan.

2. THE APPLICATION

2.1 The Proposal

The application proposes the demolition of existing outbuildings and construction of residential development comprising 12no. one bedroom apartments and 12no. two bedroom apartments with associated parking and reconfigured parking provision for Appleton Village Pharmacy.

Members should note that when the application was submitted, permission was sought for 36no. two bedroom apartments, however during the processing of the application, the amount of development sought has reduced to 12no. one bedroom apartments and 12no. two bedroom apartments in order to have regard for the parking requirements for the existing Pharmacy and also for the residential development proposed.

2.2 Documentation

The planning application is supported the following documents:

- Design and Access Statement;
- Noise Report;
- Tree Survey;
- Phase I Desk Study Report;
- Preliminary Ecological Appraisal Survey;
- Bat Survey – Preliminary Roost Assessment;
- Bat Emergence Survey Report.

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 designated as a Primarily Residential Area in the Halton Unitary Development Plan. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;

- BE2 Quality of Design;
- BE22 Boundary Walls and Fences;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodlands;
- PR4 Light Pollution and Nuisance;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP12 Car Parking;
- H3 Provision of Recreational Greenspace;

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;
- CS3 Housing Supply and Locational Priorities;
- CS12 Housing Mix;
- CS13 Affordable Housing;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS23 Managing Pollution and Risk.

3.4 Joint Merseyside and Halton Waste Local Plan (2013)

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

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

4. CONSULTATIONS

4.1 Highways and Transportation Development Control

Highways would have no objections to this application. Our early concerns regarding road safety, numbers, pedestrian routes and parking have been addressed to our satisfaction. The nearby flats on St Bede's View, Appleton Village were granted permission in 2007 with a mixture of one and two bedroom flats. Here 36 apartments consisting of 22 one bed apartments and 14 two bed were given permission with a parking provision of 40 spaces. This considered 100% parking provision for the one bed roomed flats and 1.25 for the 2 bed roomed flats providing what was deemed an appropriate level of parking. In this instance, given the number of two bed roomed flats a relaxation of 1.5 units per flat was deemed appropriate instead of the 2 spaces per unit Council standard, 10% of which are disabled.

Layout/Highway Safety

It will be necessary to amend the access crossing for the usage proposed to allow for the increase in use and two way movements which needs be constructed by the highway maintenance section at the applicant's expense prior to any development commencing.

Parking

It is noted that the applicant makes the necessary 10 space provision which, through a previous Planning permission 'shall be retained throughout the lifetime of the development to the satisfaction of the Local Planning Authority.'

The applicant is proposing for 24 flats (and not the 36 written on the application).

As such there is be a requirement for 30 car parking spaces (including a 10% requirement for disabled parking bays) in addition to the 10 provided for the pharmacy which have been provided for with some visitor spaces.

A clear distinction between pharmacy parking and residential parking has been created with a tree lined/landscaped dividing line which creates a clear definition to the distinct parking areas.

Parking for the pharmacy must remain at the front of the site and parking for the residential units adjacent to the flats.

The secure, visible and covered cycle parking within the proposal is acceptable and well located.

FRA/Drainage

If permission were to be granted any new or extended hardstanding (flags, block paving, tarmac, concrete) within the property boundary shall be constructed in such a way as to prevent surface water runoff from the hardstanding onto the highway.

Construction Phase Considerations

Submission of construction phase management plan prior commencement.

The applicant should arrange a pre works inspection with the highways maintenance section and will be responsible for the cost of making good any damage caused by the implementation of the planning permission.

Conditions

Submission of construction phase management plan prior commencement.

It will be necessary to amend the access crossing for the usage proposed to allow for the increase in use and two way movements which needs be

constructed by the highway maintenance section at the applicants expense prior to any development commencing.

4.2 Lead Local Flood Authority

I think the main requirements for the drainage in this case are the reduction in flows offsite and use of the drainage hierarchy. These could be conditioned: The drainage strategy for the development should/shall provide a reduction of 50% in surface water discharge rates with the aim to reduce runoff to greenfield rates, up to a 1% AEP (1 in 100 year) storm event, considering climate change.

The drainage strategy for the development should/shall demonstrate use of the drainage hierarchy, as described in Part H of the Building Regulations, (This is the same as the standard condition requested by United Utilities.)

4.3 Contaminated Land

The following document submitted with the application has been reviewed;

- Phase 1 desk study for land at Appleton Village, Widnes, ref CCG-C-17-9509, CC Geotechnical Ltd, February 2017.

The report purports to present the findings of a preliminary risk assessment in line with best practice and current guidance.

The report does not identify the pre-existing site investigation data available for the site, which would be very useful in refining the preliminary conceptual model.

Key to the site history is the presence under a significant part of the development of the former Appleton Quarry. Previous investigations have identified up to 16m of fill that previous lab testing reported significant contamination with regard to human health and controlled waters.

The proposed building alignment straddles the former quarry wall, which will have implications for the foundation design.

I note that the drainage strategy for the site is focussed in reducing surface water discharges from the site to sewer by increasing infiltration. However, during previous applications on the site the need to reduce infiltration has been identified in order to minimise the potential impacts on ground water quality.

Whilst there are some key elements omitted from the above report, I am in agreement that site investigation is required to fully characterise the site and refine the conceptual model, identifying whether there are remedial requirements to ensure the site is suitable for the proposed use.

I would recommend that, if approved, that the permission be conditioned to require the completed preliminary risk assessment, site investigation, risk assessment and, if necessary, remedial strategy. The condition should also require the submission of a verification report upon completion of any remediation works.

4.4 Environmental Health

No observations received at the time of writing this report.

4.5 Merseyside Environmental Advisory Service

The applicant has submitted a Preliminary Ecological Appraisal survey report (*Arbtech, Preliminary Ecological Appraisal, 01/08/2017*) and Preliminary Roost Assessment bat survey (*Arbtech, Bat Survey – Preliminary Roost Assessment, 01/08/2017*) in accordance Local Plan policy CS20 which meets BS 42020. I advise the survey is acceptable and will be forwarded to Cheshire rECOrd.

Japanese knotweed is present within the site boundary. The applicant is required to submit a method statement for approval that includes the following:

- A plan showing the extent of the plants;
- What methods will be used to prevent the plant spreading further, including demarcation; and
- What methods of control will be used, including details of monitoring.

This statement can be secured by a suitably worded planning condition.

A validation report is then required confirming the remediation treatment carried out and that the site has been free of the invasive species for 12 consecutive months for approval in writing by the Local Planning Authority. This can be secured by a separate suitably worded planning condition.

Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected. No tree felling, scrub clearance, 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 and scrub 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 applicant has submitted a bat emergence survey report in accordance with Local Plan policy CS20 (The Remote Sensing Company, Bat Emergence Survey Report (Final), 146.2 Bat Emergence Survey, 22nd May 2018). I advise the survey report is acceptable for buildings B1 and B2. Buildings B3-B5 were not included. However, I understand that the Council has recently

dealt with a prior notification application for demolition of buildings B3 to B5 (18/00197/DEM) and that these buildings have now been demolished.

The survey report states that no emergence from buildings B1 and B2 was recorded. A single faint common pipistrelle was recorded commuting on the far east of the site or potentially off site. The report includes mitigation (section 6) which sets out proposals to avoid and mitigate impacts on the local bat population. If these reasonable avoidance measures and mitigation are put in place it is unlikely that the species will be affected or an offence committed (Habitats Regulations). I advise that the reasonable avoidance measures are secured by a suitably worded planning condition. The Council does not need to consider the proposals against the three tests (Habitats Regulations) or consult Natural England.

The survey report states there is a medium likelihood of reptiles occurring on site due to the potential basking, foraging and hibernating opportunities presented by the neutral grassland, dense scrub and rubble. A precautionary approach to site clearance to protect reptiles is recommended in section 4.2 of the survey report (Arbtech, Preliminary Ecological Appraisal, 01/08/2017) and I advise that this can be secured by a suitably worded planning condition. See Part Two.

Waste Local Plan

The proposal is major development and involves excavation, demolition and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8, bullet point 3) apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a 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.

The applicant has provided sufficient information to comply with policy WM9 (Sustainable Waste Management Design and Layout for New Development) of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8, bullet point 2).

4.6 Open Spaces

Trees

There are no trees afforded Statutory Protection and the plot is not situated within a designated Conservation Area.

The trees and scrub currently situated on the site should not be seen as a constraint to development and could be mitigated for, on site, with replacement planting. Trees T1 – T4 appear to be situated off site however so

root protection measures should be installed if the trees are retained. There would be no objection if these trees were also removed and mitigated for in any replanting scheme.

4.7 United Utilities

United Utilities will have no objection to the proposed development provided that the following conditions are attached to any approval:

Foul Water

Condition 1

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

Surface Water

Condition 2

Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 7.4l/s.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

5. REPRESENTATIONS

5.1 The application was originally advertised by a press advert in the Widnes & Runcorn Weekly News on 17/08/2017, a site notice posted on 10/08/2017 on Appleton Village and 68 neighbour notification letters sent on 10/08/2017. Following the receipt of amended plans, a reconsultation exercise was undertaken which comprised of 68 neighbour notification letters sent on 19/01/2018 and a site notice posted on Appleton Village on 22/01/2018.

5.2 A total of four representations from three households have been received from the publicity given to the application. A summary of the issues raised is below:

- A three storey development would be out of character with the area;

- A loss of light and privacy for existing properties;
- The infrastructure of Appleton Village cannot support the additional number of vehicles which 24 apartments would generate;
- The proposed 34 parking spaces is considered insufficient for 24 apartments;
- Additional noise and light pollution would result.

6. ASSESSMENT

6.1 Principle of Residential Development

The site is located within the Primarily Residential Area as designated by the Halton Unitary Development Plan. Residential development is the predominant land use in the area.

It is also noted from the site history that planning permission for the proposed demolition of existing offices and erection of 1no. three storey and 1no. two storey apartment block containing 36no. apartments (in total) (Application Reference 07/00271/FUL) was granted on 31st May 2007.

In conclusion, the principle of residential development on this site is considered to be acceptable.

6.2 Highway Considerations

By virtue of the scale of the proposed development, there is not a requirement for the application to be accompanied by either a Transport Statement or a Transport Assessment.

It is noted that the objections received relate to the infrastructure of Appleton Village not being sufficient to accommodate further development and the lack of car parking for the proposed 24 apartments.

The Highway Officer has not raised an objection to the proposed development and is satisfied that a severe highway impact would not result, nor are there any highway capacity issues. It is also noted that the Council has granted planning permission for a greater number of residential units than is proposed by this application. It is noted that alterations will need to be made to the access crossing to allow for two way movement and increased vehicular movements. The necessary off-site highway works (alteration to the site access) can be secured by condition.

Adjacent to the site subject of this application is the Appleton Village Pharmacy. The application which granted permission for this use (13/00381/COU) was subject to a condition (condition number 14) which stated that the car park as shown on Drawing No. A.X>SITE.2/G had to be implemented on site and shall remain throughout the lifetime of the development to the satisfaction of the Local Planning Authority.

The site layout plan now shows a reconfigured car parking area for 10no. car parking spaces associated with the Pharmacy which would maintain the provision previously secured. This should be secured by condition.

In terms of parking provision, the Highway Officer considers that there is a requirement for 30 car parking spaces (1 space per unit for the 1 bedroom apartments and 1.5 spaces per unit for the 2 bedroom apartments) (including a 10% requirement for disabled parking bays) in addition to the 10 provided for the pharmacy which have been provided for with some visitor spaces for the proposed development. The proposal would provide 34 car parking spaces for the residential development in addition to the 10 car parking spaces for the Pharmacy which is in excess of the Highway Officer's requirement.

Members should also note that the recently completed nearby flats on St Bede's View, Appleton Village were granted permission in 2007 with a mixture of one and two bedroom apartments. Here 36 apartments consisting of 22 one bed apartments and 14 two bed were given permission with a parking provision of 40 spaces. This considered 100% parking provision for the one bed roomed apartments and 1.25 spaces for the 2 bed roomed apartments was deemed an appropriate level of parking. This proposed development would provide a greater amount of parking for the number of units proposed.

The representations received considered that the proposed parking provision to be insufficient, however it is not considered that two spaces per unit can be insisted on in this case based on the location of the application site in a sustainable location and the size of the residential units proposed.

The proposed site plan has demonstrated that there is sufficient space for the Council refuse vehicle to enter and exit the site in forward gear.

Cycle parking in the form of 7 no. cycle lockers accommodating 14no. cycles is proposed. The Highway Officer has commented that the secure, visible and covered cycle parking within the proposal is acceptable and well located. It is considered reasonable to secure the implementation of the cycle parking provision and its maintenance thereafter by condition.

A construction management plan is required prior to the commencement of development. The submission and implementation of an appropriate construction management plan can be secured by condition.

The proposal is considered to be acceptable from a highway perspective compliant with Policies BE1, TP6, TP7, TP12 & TP 14 of the Halton Unitary Development Plan.

6.3 Layout

The proposed site layout is considered to logical having regard for the requirement to retain 10no. car parking spaces on the application site for the Appleton Village Pharmacy which is located directly adjacent to the site.

The proposed building would be located towards the rear of the site and the Council has previously granted permission for a building in a similar position. The front elevation of the apartment block would face towards Appleton Village which again is considered logical.

The proposal has been designed so that there is a clear delineation between the Appleton Village Pharmacy and its associated parking provision to the front of the site and the proposed residential development to the rear. The boundary wall and associated hedging makes the residential development distinct from the Pharmacy and its parking to the front of the site.

Members will note that some representations have been received raising concerns over the loss of light and privacy that would result.

The existing residential properties on Regent Road to the north of the site would face the side elevation of the proposed apartment block which contains no habitable room windows with the openings comprising an entrance door and windows within the stairwell. The side elevation of the building would be considered as a gable. The Design of Residential Development SPD states that for habitable room windows facing a blank gable elevation with no habitable room windows should provide a separation of 13m. The diagram indicates that this is the requirement where the properties in question are two storey in height. No guidance is provided where habitable room windows face a three storey gable, however it is considered a reasonable approach that some additional separation is provided as per the diagrams relating to habitable room windows which face each other. The separation to the main rear wall of properties on Regent Road to the gable wall of the proposed apartment block (above ground floor relationship) is approximately 17m which is significantly in excess of the 13m guideline. It is also noted that no.20 Regent Road has a two storey rear extension and taking account of this addition, still ensures separation in excess of 13m. The conclusion regarding this particular relationship is that sufficient separation distance would be provided to ensure that light would not be significantly restricted to the detriment of residential amenity.

In respect of the relationship between the eastern elevation of the proposed apartment block and the side gable elevation of the existing apartment development at Randle Mews accessed off Sayce Street, sufficient separation would exist in respect of the guideline for habitable room windows facing a blank gable elevation.

The layout has regard for the siting of commercial buildings to the south of the site and the building is orientated so habitable room windows face towards Appleton Village and the existing residential development to the east.

With regard to private outdoor space, the Design of Residential Development Supplementary Planning Document states that flats/apartments are required to ensure that there is a private outdoor space appropriate to the size of the development and as a guide, 50sqm per residential unit should be used. This

development would provide an attractive garden area to the front of the building with potential for tree/shrub planting as well as functional space for bin storage and cycle storage and is considered to be acceptable in respect of private outdoor space.

In terms of Housing Mix, the proposal seeks to deliver a range of property sizes including 1 and 2 bedroom apartments. In terms of tenure, the applicant is aware of the Council's affordable housing policy regarding 25% of the units being affordable and has confirmed acceptance to the attachment of a condition which would secure that 25% of the units will be affordable as per the definition set out in the NPPF. There is considered to be properties to meet a variety of needs on site.

The layout of the proposed development is considered to be acceptable and compliant with Policies BE 1 & BE 2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan. In terms of Housing Mix, the proposal is considered to be compliant with Policy CS12 of the Halton Core Strategy Local Plan.

6.4 Scale

Members will note that some representations have been received raising concerns that the proposed three storey development would be out of character with the area.

It is noted that there are other three storey developments in this area including the recently completed apartment development at St Bede's View. The residential development at Randle Mews accessed off Sayce Street directly next to the application site is two storey in height. The terraced houses located to the north of the site on Regent Road are two storey in height. A three storey apartment block was previously granted on this site in a very similar location to one proposed by this application back in 2007. There is a variety of property types and styles in the locality and it is not considered that the proposed three storey apartment block would be out of character with the area.

The proposal is considered to be acceptable in terms of scale and compliant with Policy BE 1 of the Halton Unitary Development Plan.

6.5 Appearance

The elevations show that the building proposed would be of an appropriate appearance with some variety in materials to add interest to the overall external appearance. The submission of precise external facing materials and their subsequent implementation should be secured by condition.

This would ensure compliance with Policies BE 1 & BE 2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

6.6 Landscaping & Trees

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

The application is accompanied by a tree survey. It is noted that some of the trees on site have now been removed and that tree protection measures will need to be agreed to protect trees located outside of the application site. This can be secured by condition.

Indicative landscaping and boundary treatments details have been shown on the site plan which accompanies the application. It is considered that the proposed landscaping scheme would compensate for the loss of the existing trees on site. A condition securing the submission of a detailed scheme, subsequent implementation and maintenance thereafter is suggested.

The indicative boundary treatment detail shown on the site plan for the boundary between the Pharmacy and its associated parking is considered to be acceptable in principle. A condition securing the submission of a detailed scheme, subsequent implementation and maintenance thereafter is considered reasonable.

This would ensure compliance with Policies BE 1 and GE 27 of the Halton Unitary Development Plan.

6.7 Site Levels

Based on the site's topography, it is considered that appropriate relationships can be achieved in terms of light, privacy, appearance and relationships to existing roads.

It is considered reasonable to attach a condition which secures the submission of existing and proposed site levels for approval and their subsequent implementation.

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

6.8 Noise

The application is accompanied by an Environmental Noise Assessment due to the proposed apartments being in a mixed use area with noise sources such as a commercial garage to the south and road traffic to the west.

The report identifies that mitigation measures are required in the form of glazing and ventilation to the windows located in living rooms and bedrooms.

The attachment of conditions securing the implementation of the noise mitigation measures is considered reasonable and would ensure that residential amenity is not unduly harmed.

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

6.9 Affordable Housing

Policy CS13 of the Halton Core Strategy Local Plan states that affordable housing units will be provided , in perpetuity, on schemes including 10 or more dwellings (net gain) or 0.33 hectares or greater for residential purposes.

The applicant has yet to provide a scheme which demonstrates compliance with the Council's affordable housing policy however they are prepared to accept a condition attached to a subsequent planning permission which secures such provision. It considered reasonable to attach a condition which secures the submission of a scheme, its subsequent implementation and maintenance thereafter.

The proposal is considered to be compliant with Policy CS 13 of the Halton Core Strategy Local Plan and the Affordable Housing Supplementary Planning Document.

6.10 Open Space

The requirements for the provision of recreational greenspace within new residential developments are set out in Policy H3 of the Halton Unitary Development Plan.

The Open Space Requirement Calculator has identified that there is a deficit of Provision for Children and Young Persons and Allotments in this particular neighbourhood.

No on-site open space provision is being proposed by the applicant. There is provision in the policy for exceptions to on-site requirements. The applicant is prepared to pay a commuted sum in lieu of on-site provision and this would ordinarily be secured by a S106 agreement. In this case, the applicant has confirmed that they are prepared to make an upfront payment prior to the determination of this application. At the time of writing this report, no such payment has been received by the Council as Local Planning Authority.

Based on the payment of a commuted sum in lieu of on-site provision / securing of such provision by S106 agreement, it is considered that the proposal would provide sufficient residential greenspace to meet the local needs of the people living there in compliance with Policy H3 of the Halton Unitary Development Plan.

6.11 Ground Contamination

The application is accompanied by a Phase I Desk Study Report.

This has been reviewed by the Contaminated Land Officer and no objection has been raised subject to the attachment of a condition which secures the submission of a site investigation, remediation strategy and appropriate validation to ensure that any ground contamination is dealt with appropriately.

The attachment of the condition above will ensure compliance with Policy PR14 of the Halton Unitary Development Plan.

6.12 Flood Risk and Drainage

The application site is located in Flood Zone 1 and is at low risk from flooding and has a site area of less than 1ha which does not necessitate the requirement for a Flood Risk Assessment.

The main requirements for the drainage in this case are the reduction in flows offsite and use of the drainage hierarchy which can be conditioned.

The drainage strategy for the development should provide a reduction of 50% in surface water discharge rates with the aim to reduce runoff to greenfield rates, up to a 1% AEP (1 in 100 year) storm event, considering climate change.

The drainage strategy for the development should/shall demonstrate use of the drainage hierarchy, as described in Part H of the Building Regulations, (This is the same as the standard condition requested by United Utilities.) The requirement for the submission of an appropriate drainage strategy and its subsequent implementation to satisfy both the Lead Local Flood Authority and United Utilities can be secured by condition.

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

6.13 Ecology

The application is accompanied by a Preliminary Ecological Appraisal, Bat Survey – Preliminary Roost Assessment and a Bat Emergence Survey Report. The Council's Ecological Advisor has commented that the reports are acceptable. Conditions in relation to Japanese Knotweed (Method Statement and Validation) Breeding Bird Protection, Reasonable Avoidance Measures + Mitigation – Bats, Protection of Reptiles have been suggested.

Based on the above, it is considered that the proposal is compliant with Policy GE21 of the Halton Unitary Development Plan and Policy CS20 of the Halton Core Strategy Local Plan.

6.14 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 incorporation of facilities for charging plug-in and other ultra-low emission vehicles could be realistically achieved for residential development and a condition requiring the provision of future charging points for ultra-low emission vehicles is considered reasonable.

One of the principles referred to in the policy is Code for Sustainable Homes. Whilst it is desirable to meet such a standard, given links with Sustainable Development and Climate Change, following the Government's Written Ministerial Statement in March 2015, it is no longer for Local Authorities to secure the implementation of a particular level of Code for Sustainable Homes by planning condition.

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

6.15 Waste Prevention/Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, a construction management plan will deal with issues of this nature and based on the development cost, the developer would be required to produce a Site Waste Management Plan. The submission of a Waste Audit should be secured by condition.

In terms of waste management, there is sufficient space for the storage of waste including separated recyclable materials for each property as well as access to enable collection.

7. CONCLUSIONS

In conclusion, the proposal would deliver further residential development within the Primarily Residential Area.

An appropriate access point to site from Appleton Village would be achieved and the layout demonstrates sufficient space for movement within the site as well as an appropriate level of car parking.

The proposed apartment block demonstrates sufficient separation for both light and privacy and the scheme would have an appropriate amount of private amenity space.

The proposal is considered to be of an appropriate design and the elevations indicate a mix of materials to add interest and result in a well-designed development.

The application is recommended for approval subject to conditions and the securing of a commuted sum in lieu of on-site open space provision.

8. RECOMMENDATIONS

Grant planning permission subject to conditions and the securing of a commuted sum in lieu of on-site open space provision either by an upfront payment prior to the determination of the application or by a S106 agreement.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Existing and Proposed Site Levels (Policy BE1)
4. External Facing Materials (Policies BE1 and BE2)
5. Soft Landscaping Scheme (Policy BE1)
6. Boundary Treatments Scheme (Policy BE1)
7. Breeding Birds Protection – (Policy GE21)
8. Reasonable Avoidance Measures + Mitigation - Bats – (Policy GE21)
9. Protection of Reptiles – (Policy GE21)
10. Japanese Knotweed Method Statement
11. Japanese Knotweed Validation Report
12. Hours of Construction – (Policy BE1)
13. Construction Management Plan (Highways) – (Policy BE1)
14. Electric Vehicle Charging Points Scheme (Policy CS19)
15. Provision & Retention of Parking for Residential Development – (Policy BE1)
16. Provision & Retention of 10no. Car Parking Spaces for Appleton Village Pharmacy – (Policy BE1)
17. Off Site Highway Works – (Policy BE1)
18. Implementation of Noise Mitigation Measures – (Policy PR2)
19. Affordable Housing Scheme – (Policy CS13)
20. Ground Contamination - (Policy PR14)
21. Drainage Strategy – (Policy PR16)
22. Foul and Surface Water on a separate system – (Policy PR16)
23. Waste Audit

Informatives

1. Highway Informative
2. United Utilities Informative
3. Cheshire Police Informative

10. SUSTAINABILITY STATEMENT

As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.