

REPORT TO: Development Control Committee

DATE: 7 December 2009

REPORTING OFFICER: Strategic Director - Environment

SUBJECT: Planning Applications to be determined by the Committee.

The following applications for planning permission are submitted to the Committee for consideration with a recommendation in each case. Those applications marked * are considered to have significant employment implications.

An Amendments List, containing the categorisation of planning applications, additional information and amendments to recommendations, will be circulated to Committee Members before the meeting together with plans showing the location of each application site. Those applications now before the Committee, where the planning issues are considered clear by the Chairman, will be included in List A. Unless a Member considers that additional information is required on a particular application in List A it is **RECOMMENDED** that each of the applications be determined (whether for approval or for refusal) in accordance with the conditions or the reasons printed in the Agenda and in the Amendments List previously circulated.

The remaining applications are included in List B. Together with those applications about which Members require further information, List B applications will be considered following determination of applications remaining in List A.

PLAN NUMBER: 09/00404/OUT

APPLICANT: Gatacre Village Developments Ltd

PROPOSAL: Outline application (with appearance, landscaping, layout and scale matters reserved) for residential development up to 5 No. dwellings on

ADDRESS OF SITE: Land to rear of no. 8 Moughland Lane, Runcorn, WA7 4SE.

WARD: Heath

SUMMARY RECOMMENDATION:

Approve subject to conditions

CONSULTATION AND REPRESENTATION:

Adjoining properties have been consulted and the application advertised by way of site notice. The Health and Safety Executive have been consulted and do not advise against. United Utilities have been consulted and have not commented.

The Council's Highways Engineer, Ecologist, Trees and Woodlands Officer and Environmental Health Officers have been consulted these have been included in the observations part of this report.

23 separate representations have been received from local residents raising the following concerns:

- Vehicle access on Tree Bank Close is inadequate, narrow and has no footway.
- The density and character of the development
- Loss of privacy and security
- Loss of trees
- Impact on wildlife, garden is mature and there is a pond in the adjacent garden, concerns that there are protected species including newts and bats;
- Increase of nuisance, noise and pollution, hours of working
- Application does not show where windows would be located
- The application is invalid and the applicant needs to serve notice on the landowners, the highways department and no. 4 Tree Bank.

SITE/LOCATION:

The site is located in the grounds of no. 8 Moughland Lane, Runcorn, which is located approximately 1km south from Runcorn Old Town.

HISTORY: There is no relevant recent planning history for the site

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The following Regional and Halton Unitary Development Plan policies and policy documents are relevant to this application:-

S25 Planning Obligations
BE1 General Requirements for Development
BE2 Quality of Design
BE22 Boundary Walls and Fences
PR14 Contaminated Land
TP12 Car Parking
H2 Design and Density of New Residential Development
H8 Primarily Residential Area

GE 27 Protection of Trees and Woodlands

Draft Open Space Supplementary Planning Document New Residential Development Supplementary Planning Guidance

OBSERVATIONS AND ISSUES:

Planning Policy

The site is located within an area identified as Primarily Residential (Policy H8) in the Halton Unitary Development Plan, therefore in principle residential uses are acceptable.

The proposal is for 5 detached dwellings this constitutes a density of less than 30 dwelling per hectare taking into account the road, the size of the gardens and the character of the area, this is considered to be acceptable and complies with Policy H2.

Design

The application is an outline proposal with only access to be approved in detail. Therefore the scale, appearance, layout and landscaping are to be dealt with as reserved matters. The indicative information that has been submitted is for 5 two storey detached houses.

Amenity

The proposal is back land development, and the site is surrounded on all sides by existing gardens and residential properties. The original submitted layout plan included separate garages for units 3 and 5, and large detached garages for units 1 and 2. To prevent impact on adjacent trees, to meet interface distances and to prevent a cramped appearance this has been amended removing all separate garages from all but unit 1. The amended indicative layout now demonstrates that five dwellings can be accommodated within the site to meet the required interface distances, exceed the requirements standards for garden spaces and be of a plot shape and size which is in character with the surrounding area.

Indicative layout plans show units 1 and 2 would be orientated so that the rear elevations face out across the gardens of no. 10 Moughland Lane the indicative plan provides a gap of only 5m between the rear elevations and the boundary. Full two storey dwellings in this location would be overbearing when viewed from no. 10 Moughland Lane, and first floor rear windows would directly overlook causing loss of privacy. Two storey dwellings in this location are therefore unlikely to be acceptable in this location.

However, it would acceptable to have single storey dwellings, (with rooms in the roof space), provided there are no habitable room windows in the roof that would overlook the gardens to the rear. This matter can be dealt with at the

reserved matters stage, and it is recommended that suitable conditions are attached.

A number of representations have raised concerns over potential nuisance from noise, dust and general disruption during construction. It is recommended that conditions are attached for hours of working and deliveries, and wheel wash facilities during construction.

No public open space is to be provided onsite, a condition is recommended for a section 106 agreement for financial contributions in lieu of onsite provision.

Trees and Ecology

A tree survey has been submitted with the application, and the Council's Trees and Woodlands Officer has been consulted. There are numerous trees within the site, the tree survey identified three sycamore trees on the southern boundary of the site as being of high amenity value, these are identified on the layout plans to be removed.

Following consideration of the tree survey, the proposed layout plan, and a site visit by the Trees and Woodlands Officer these trees were considered to be of significant enough value to be retained and protected, this would have required amendments to the layout plan.

Due to a number of other trees being recently damaged there was significant concern that these three sycamores were at risk, and a Tree Preservation Order was made two days later. Unfortunately, following the site visit, but before the order had been made these three trees were ringed-barked (A groove cut around the circumference of the tree removing the bark). Following a subsequent inspection by the Council's Trees and Woodlands Officer and the applicant's arboricultural consultant it has been agreed that due to the damage caused by the ring-barking that the long term retention of the trees has been compromised and the recently made tree preservation order can not be confirmed. It is therefore accepted that these trees can be removed.

Should planning permission be granted then it is recommended that conditions are attached for suitable replacement trees and a detailed landscaping scheme. Further conditions are recommended for tree protection measures of those trees identified to be retained.

A number of representations have been received relating to the wildlife value of the site. The Council's Ecologist has been consulted and although it is accepted that the mature garden is of general wildlife value, there would not be any implications for protected species, therefore an objection on these grounds can not be upheld. Though a biodiversity value condition is recommended to incorporate design measures within the scheme.

Highways

Representations have been received objecting on the grounds that Vehicle access on Tree Bank Close is inadequate, too narrow and has no footway. A stage 1 safety audit has been submitted with the application. The Council's Highways Engineer has been consulted and has no objection to the proposal subject to conditions relating to the provision of visibility splays from the site onto Tree Bank and at the Moughland Lane junction, and that the new road be constructed to Highways Standards.

Other issues

A number of objections were received because the application was invalid, the applicant has since served the relevant notices and clarified the site boundaries, and the application is now valid.

Conclusion

It is considered that the principle of the proposed residential use of this site is acceptable, and the amended indicative layout demonstrates that 5 dwellings can be accommodated within the site to meet the relevant, interface distances, private amenity space requirements, car parking requirements, and provide a layout that is in character with the area, specific conditions and approval of reserved matters will control heights of buildings and location of windows to prevent loss of privacy. The application and accompanying information demonstrates that suitable safe access can be achieved subject to condition to ensure that visibility splays and offsite highways works are carried out.

There are a number of trees within the site and adjacent properties that have been surveyed. The three trees that were worthy of protection have been ring-barked since the application was submitted and cannot be retained in the long term. Conditions are recommended for measures to protect the trees around the boundary of the site that are to be retained. The Council's ecologist has confirmed that there would not be any implications for protected species.

The proposal is considered to be acceptable and complies with Policies S25, BE1, BE22, PR14, TP12, H2, H8 and GE27 of the Halton Unitary Development Plan and the New Residential Development Supplementary Planning Guidance.

RECOMMENDATION: subject to a Section 106 agreement in relation to the provision of off-site public open space, and the following conditions:-

- 1 Standard approval condition (BE1)

- 2 Standard outline conditions for approval of reserved matters (BE1)
- 3 Condition restricting plots 01 and 02 to single storey, with no windows in the roof space on the rear.
- 4 Condition restricting plots 01 and 02 from having windows / dormer windows in the roof that would overlook private gardens to the rear (BE1)
- 5 Provision of visibility splays as shown on Drawing No. 4439/06 Rev H (BE1)
- 6 Prior to commencement submission of material samples (BE2)
- 7 Prior to commencement submission of boundary treatment details (BE22)
- 8 Prior to commencement ground investigation (PR14)
- 9 Prior to commencement details of existing and proposed levels on and adjacent to the site (BE1)
- 10 Prior to commencement details of drainage (BE1)
- 11 Prior to commencement submission of landscaping scheme including scheme for replacement tree planting (BE1)
- 12 Prior to commencement submission of species planting scheme (BE1)
- 13 Prior to commencement details of wheel wash to be submitted, facilities to be used during the course of construction (BE1)
- 14 Conditions limiting hours of construction and construction deliveries (BE1)
- 15 Conditions removing permitted development rights (class A, B and E of the General Permitted Development Order).

PLAN NUMBER: 09/00446/FUL

APPLICANT: United Utilities Plc

PROPOSAL: Proposed construction of a control kiosk, pressure relief column, bollards and temporary construction access junctions as part of a larger sewer upgrade scheme to remove properties from the DG5 Flooding Register at

ADDRESS OF SITE: Birchfield Sports and Social Club

WARD: Birchfield

SUMMARY RECOMMENDATION:

Approve subject to conditions

CONSULTATION AND REPRESENTATION:

Adjoining properties have been consulted and the application advertised by way of site notices. The Council's Highways Engineer, Trees and Woodlands Officer and Environmental Health Officers have been consulted.

Sport England have also been consulted and have no objection subject to a condition for the restoration and reinstatement of the playing field following the cessation of the works.

Three representations have been received, (including two from local residents, and one the agents representing the club). The objections relating to car parking, United Utilities not contacting residents to explain the works, the impact the works will have on the sports club through disruption, the site is protected greenspace in the UDP, will permanently reduce car parking at the site, the control kiosk and pressure relief column would be unsightly, the width of the access points is not suitable and trees will require removal and pruning, United Utilities should consider alternatives for the scheme as a whole to reduce the impact.

SITE/LOCATION:

The proposed development is located Birchfield Sports and Social Club, which is 2km north of Widnes Town Centre.

HISTORY:

There is no recent relevant planning history, although in 2004 consent was granted to fell 6 no. Poplar trees adjacent to Birchfield Road and to remove defective overhanging branches.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The following Halton Unitary Development Plan policies are relevant to this application:-

BE1 General Requirements for Development
BE2 Quality of Design
BE22 Boundary Walls and Fences
TP12 Car Parking
GE6 Protection of Designated Greenspace
GE8 Development Within Designated Greenspace
GE12 Protection of Outdoor Playing Space for Formal Sport and Recreation
GE 27 Protection of Trees and Woodlands

OBSERVATIONS AND ISSUES:

United Utilities have to implement the above scheme. There are a number of above ground proposals that are not classed as permitted development and require planning permission, this application seek permission for the following:

- A control kiosk, located adjacent to the car park, with vehicle protection bollards and a 5m high pressure relief column (25cm in diameter).

- Two temporary access points off Birchfield Road for construction and delivery vehicles (an entrance and an egress),
- Finally, a temporary car parking area within the Birchfield Sports and Social club to accommodate vehicles whilst the works are being carried out.

This proposal forms part of a wider scheme by United Utilities to refurbish and upgrade sewers on Linden Way and Tuson Drive, to reduce the risk from flooding. The majority of this work is carried out under permitted development rights that United Utilities benefit from as a statutory undertaker.

The reason for the scheme is because during heavy rainfall and high flows the trunk sewer on Birchfield Road can become surcharged. The scheme will prevent excess storm flows during these times from entering the local network and backing up sewers on Tuson Drive and Linden Way, which could potentially lead to internal and external flooding of properties.

The wider scheme that United Utilities are planning to carry out includes the replacement of sewer pipes along Linden Way and Tuson Drive, also the insertion of a detention tank under the car park of Birchfield Sports and Social Club, during the works associated storage areas will be required adjacent to the road. All these works are classed as permitted development Under Schedule 2, Part 16 Class A of the Town and Country Planning (General Permitted Development) Order 1995, the wider scheme as a whole is therefore out of the control of the Planning Authority.

Planning Policy

The application site forms part of the Birchfield Sports and Social Club Playing field. Policy GE6, GE8 and GE12 are therefore relevant to this application. Sport England have also been consulted on the application, at the time of writing this report no comments had been received.

The proposed car parking area and access point would be located on the edges of the playing field and would be temporary in nature. Once the works have been completed in May 2010 these will be restored to their original state. Given that these proposals would be on the edge of the playing field, allowing for the sports pitches to be used, and temporary in nature, an objection on loss of amenity space, and recreational sport pitches can not be upheld, especially as the restoration works can be controlled by suitable conditions.

Built Development

The only permanent building that is proposed would be a control kiosk. This would be located adjacent to the south east corner of the existing car park. The kiosk would be 0.8m in depth, 2m high and 2.7m wide, would be constructed of a steel box coloured dark green, and would sit on a concrete pad. Three vehicle bollards would be erected adjacent to the car park. Adjacent to the kiosk a permanent pressure relief column would be sited, this

would be 5m high and 25cm in diameter, a condition is recommended that this be coloured dark green. Due to the siting and appearance of the kiosk it would not cause a loss of parking in the long term, and would not have a detrimental impact on the amenities of the area, nor would it cause a detrimental loss of playing field.

Transport and car parking

The proposal includes the provision two temporary access points on Birchfield Road, which are required for United Utilities to enter and egress the site during the works. Once the works are completed the access point will be closed and the footway reconstructed.

The proposal also includes the provision of a temporary car parking area on a grassed area adjacent to the club house, whilst the existing car park is undergoing work. This will remove the turf and be laid out with aggregate stone surface, the turf would be stored on site in order to restore the site once completed.

The Highways department have been consulted had have no objection to the proposal subject to conditions being attached for the provision of wheel wash facilities, the provision of access crossings with tactile paving to the satisfaction of the Highways Department and the removal of the car parking area and access points and reinstatement following completion of works.

Trees

There are a number of trees within the site, some of which are protected by Tree Preservation Orders. An arboricultural survey has been submitted with the application. In order to create the access points the removal of two trees will be required, one sited at the proposed entrance and the other at the exit, the proposal is to replace these once the work is finished and the site restored. The Council's Trees and Woodlands Officer has been consulted and has no objection, conditions are recommended for replacement planting, tree protections measures and that the work be carried out in accordance with the arboricultural report.

Ecology

An ecological assessment has been submitted with the application. The proposal would not affect any protected species. It is noted that two trees are to be felled, the applicant will be made aware that works to suitable nesting areas shall not be carried out during the nesting season (March-August).

Conclusion

The proposed siting and appearance of the kiosk would not cause a loss of parking in the long term, and would not have a detrimental impact on the amenities of the area, nor would it cause a detrimental loss of playing field.

Conditions are recommended for the colour of the kiosk and pressure relief column.

The proposed car park area is temporary, as the vehicle access points. The Councils Highways Engineer has no objection, and the proposal is considered to be acceptable subject to conditions to reinstate the footway and the edge of the playing field following the cessation of works.

The proposed removal and replacement of trees is considered to be acceptable, subject to conditions.

The proposal is therefore complies with Policies BE1, BE2, GE6, GE8, GE12 and GE27 of the Halton Unitary Development Plan.

RECOMMENDATION: Approve

Subject to the following conditions:

1. Standard time limit on commencement
2. Condition specifying the temporary time period for the access and carparking area.
3. Highways condition for the reinstatement of the footway on Birchfield Road
4. Condition for reinstatement of fencing on Birchfield Road (BE22)
5. Condition for the restoration and reinstatement of the temporary car parking area and compound and working area (GE12)
6. Conditions for landscaping and replacement planting scheme
7. Conditions for tree protection measures (GE27)
8. Conditions specifying the colour of the kiosk and pressure relief column

PLAN NUMBER: 09/00101/OUT

APPLICANT: Morbaine Limited

PROPOSAL: Outline application (with landscape matter reserved) for a proposed foodstore (Class A1 total floorspace 10,885sq.m) petrol filling station, associated parking and servicing facilities.

ADDRESS OF SITE: Ashley Retail Park, Lugsdale Road, Widnes

WARD: Appleton/Riverside

SUMMARY RECOMMENDATION:

Approve subject to conditions and legal agreement

CONSULTATION AND REPRESENTATION:

The application has been advertised by way of press and site notices. Neighbouring residential and business properties have been consulted, as has the Widnes Traders Association.

The Council's Highways, Landscape and Environmental Health Officers have been consulted, as have The Environment Agency, United Utilities, Cheshire Fire Authority, Neighbouring Local Authorities and 4NorthWest.

The Council's Trees and Woodlands Officer has no objection to the proposal but states that it is important given the prominence of the site for the landscaping to be of a high standard and therefore recommends appropriate conditions.

The Environment Agency raises no objection in principle and recommends conditions relating to flood risk and site investigations.

United Utilities and the Fire Authority have no objections. English Heritage have no comments to make on the application

Knowsley Council raise no objections provided that the Council are satisfied that the loss of employment land will not adversely affect employment land provision. St Helens Council have raised concerns regarding the catchment area identified to support the application and the potential trade draw from St Helens.

4NorthWest have provided comments relating to the proposal and regional policies and have no objections provided the Council are satisfied with the findings of the Retail Statement.

Two adjacent business have made comments on the following grounds:-

- The scheme does not appear to take into account articulated vehicles accessing neighbouring businesses.
- Traffic volume issues
- Highways safety issues due to traffic volumes
- The delays from the above on neighbouring businesses impacting on the economic viability of those businesses.

Comments have been made on behalf of Stadium Developments owners of the Widnes Retail Park identifying flaws within the submitted transport assessment. This issue has been addressed through the submission of additional information.

An objection has been received on behalf of Morrison Supermarkets Plc which raises the following concerns:

- The applicant has over estimated the amount of expenditure available within the catchment area and therefore insufficient capacity is available to support the proposal.

- Qualitative deficiencies should be addressed through improvement of existing provision within the town centre rather than a development on an edge of centre store which is likely to draw trade away from the existing centre.
- Proposed development not of an appropriate scale
- The applicants have not adequately assessed the sequential test
- Detrimental impact on the existing town centre.

Three objections have been received from residents all relating to traffic problems in terms of volume and issues of lorries accessing and leaving the site.

SITE/LOCATION:

Asheley Retail Park is located between Lugsdale Road and Ashley Way adjacent to the town centre. The site is currently accessed from Lugsdale Road.

RELEVANT HISTORY:

Application 06/00466/REM reserved matters application relating to outline application No. 00/00517/OUT for a proposed extension of existing retail park and realignment of highway, 1988 permissions for erection of non food retail development and an application for 30,000sq.ft non retail development (Phase 2). There are older, permissions which are not thought to be of particular relevance.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as a Primarily Employment Area in the Unitary Development Plan. The key policies of relevance are:

E3 Primarily Employment Area
 S17 Retail Developments
 S25 Planning Obligations
 BE1 General Requirements for Development
 BE2 Quality of Design
 BE10 Protecting the Setting of Listed Buildings
 PR1 Air Quality
 PR2 Noise Nuisance
 PR14 Contaminated Land
 TP1 Public Transport Provision as Part of New Development
 TP12 Car Parking
 TC2 Retail Development to the Edge of Designated Shopping Centres
 TC5 Design of Retail Development

The Regional Spatial Strategy and PPS6 must be taken into consideration.

OBSERVATIONS AND ISSUES

The application seeks permission for outline consent with landscape matters reserved for a proposed food store (Class A1 total floor space 10,885sq.m) petrol filling station, associated parking and servicing facilities on the site of Ashley Retail Park.

Policy Considerations.

The site is designated as a Primarily Employment Area in the Halton Unitary Development Plan, however, the site has been in retail use for non food retail for many years. The development aims to regenerate the existing retail park that has been largely vacant since B&Q's relocation to their new site.

Ashley Retail Park currently consists of a number of retail units facing onto the car parking for the units and then Ashley Way. The units range in size the largest of 2,787 SqM (30,000sqFt) to smallest of 372 SqM (4,000 SqFt) comprising a total retail area of 6,062 SqM (65,246 SqFt). The site also has planning permission to expand the existing development to create a total retail floor area of 7,757 SqM (83,500SqFt).

The current application for the proposed food store (Class A1 total floor space 10,885Sq.M) and petrol filling station would result in an additional 3,128 SqM.

As mentioned above the site is shown in the Unitary Development Plan, as a Primary Employment Area. However, given the existing use of the site, the proposed use of the site for retail is considered acceptable in principle.

The development is located on the edge of the designated shopping centre, as such, Policy TC2 of the Unitary Development Plan is applicable. TC2 allows for the retail development on the edge of a Primary Shopping Area providing that it is demonstrated that there is a need for the development, that a sequential approach has been applied, that the development is complementary and within easy walking distance of the Primary Shopping Area and that it would not undermine or damage the prospects of enhancing the vitality and viability of the town centres.

The application is supported by revised Retail Statement prepared by WYG Planning & Design (WYG) dated July 2009 covering the retail considerations in respect of the proposed development, namely the need for the development, compliance with the sequential approach and the potential impact of the proposed development.

As the proposal involves the redevelopment of the existing Ashley Way Retail Park that has the benefit of an unrestricted permission for comparison goods, WYG have restricted their evidence to the convenience goods element of the current proposal.

In line with accepted practice, WYG have based their assessment on the results of the most up-to-date survey evidence then available to them, the joint Halton / Warrington Retail Telephone Household Survey of 2005, with their assessment looking at the likely position at their design year, 2014 by when the proposed store could be built and settled into a normal (post honeymoon period) trading position.

The proposal is for a 10,885 SqM (117,174 SqFt) gross retail foodstore with approximately 59% of the net sales area given over to convenience goods totalling some 3,300 SqM (35,521 SqFt.) slightly larger than the existing Morrisons store and about a third bigger than Asda Simms Cross. The proposed store is forecast to have a convenience goods turnover of £34.7 million in 2014 (2006 prices) of which £27.4m will be derived from the Widnes catchment.

Need

WYG calculations show that Widnes generates £120.8m convenience expenditure at 2009, rising to £125.1m (+£4.26m) by 2014 of which, the 2005 survey indicates 81% (£98m at 2009) is retained within the Widnes area (study zone). National averages suggest that Widnes stores would be expected to turnover £68.8m suggesting a degree of 'overtrading' by the principal supermarkets. WYG therefore calculate that there is £29.2m of 'surplus' expenditure (at 2009) available to support additional convenience floorspace. This will fall slightly to £25.6m in 2014 after including an allowance for the forecast turnover of the new M&S store currently under construction. WYG argue the surplus capacity could rise to £30.3m with a modest rise in market penetration rate (retention) to from 81% to 85%, sufficient to support the proposed store.

WYG assess that the current Asda and Morrisons were significantly overtrading (at 2005), i.e. trading at 67% and 54% above expected levels. WYG acknowledge that the Asda store may still have been within its 'honeymoon period' where new stores trade at elevated levels for a period after opening due to 'novelty' value before settling into a normal trading pattern. Indeed, preliminary results from the 2009 Halton Retail Study appear to show Asda's performance has slipped noticeably, however, WYG note that, were this to happen, the trade would mostly be redistributed to other superstores within the catchment or be lost to surrounding areas.

They conclude that the proposed new store would both extend the shopping offer, allowing Widnes to 'clawback' a degree of expenditure currently 'leaking' to stores outside of Widnes and that the scale of development proposed is commensurate with both Widnes's position in the regional retail hierarchy and identified need.

Peacock & Smith presented rebuttal figures on behalf of Morrisons stores, however, despite detailed differences, the figures appear to support that there is excess capacity arising locally to support new provision.

Sequential Test

WYG argue that the format proposed is an accepted and standard trading format for modern food superstores and that it would be unreasonable to expect the convenience and comparison goods elements to be disaggregated. They cite decisions elsewhere where Inspectors have ruled that comparison goods are traded from large superstores largely, as impulse purchases and as such do not operate as comparison goods destinations in their own right. In regard to the current application, the trading of comparison goods in this location is already established.

WYG have assessed a number of alternative locations in and around Widnes town centre and have concluded that only the Windmill Centre site is sequentially preferable, being within the defined Primary Shopping Area, but this is being redeveloped in a format that could not accommodate the proposed development.

WYGs assessment appears reasoned, including an appraisal of all competing sites believed to be potentially available within 5 years and concludes that the application site is the most sequentially preferable of the identified sites.

This conclusion is considered reasonable. To the stores entrance is some 300m from the nearest point of the Primary Shopping Area. PPS6 states that for retail, edge-of-centre is a location that is well connected to and within easy walking distance (i.e. 300 metres) of the primary shopping area.

Impact

The proposal includes provision for 2,302 SqM (24,779 SqFt) of comparison goods floor space, is a substantial reduction from 7,757 SqM (83,496 SqFt) on the current retail park and as such the potential impact of the comparison shopping element is substantially less than the potential from the current development. WYG conclude the reduction of this comparison floor space may provide a positive impact to the town centre including the Windmill Centre redevelopment.

The convenience goods element of this proposal is forecast to turnover £34.7m of which £27.7m will be derived from the Widnes area (study zone).

With the proposed store forecast to draw 28% of its trade from Morrisons and 35% from Asda, these stores will bear the brunt of the impact from the proposed development. As covered previously, the 2005 figures indicated both stores as overtrading and as such WYG predict that Morrisons is expected to continue to trade at 7% above expected levels. Peacock and Smith for Morrisons estimate the impact to be slightly higher with the store trading at 96% of expected levels. Neither level of impact is considered liable to jeopardise the continued operation of the Morrisons site.

Comparative figures for Asda Simms Cross show the store continuing to trade at between 16% (WYG) and 9% (P&S) above expected levels at 2014.

Emerging results from the 2009 Halton Retail Study appear to show Asda performing less well than in 2005 and as such the potential impact may be greater, however, this is a matter of commercial competition between operators on edge-of-centre sites and is not in itself considered a material consideration. Therefore the proposal is unlikely to jeopardise Asda's position within the town.

WYG assess the impact on other town centre convenience trade in global terms with reference to the overall picture, including the main supermarkets which are overtrading, concluding that the existing convenience floorspace will continue to trade above expected levels. This appears an over simplification as the figures appear to show Iceland performing at only 85% of expected level after suffering an 8% cumulative impact and 'other Widnes' convenience stores performing poorly and subject to an expected 6% impact.

From the 2005 Study figures, Aldi in particular appears to be trading marginally, but again this is an edge-of-centre store and simply considered a matter of commercial competition.

In conclusion, the retail statement confirms that there is indeed a quantitative need for the development, the impact will be focused on the existing supermarkets, only one of which is within the defined town centre boundary, with a 6-8% impact on other town centre traders.

Scheme Design and Quality

The site is a gateway into Widnes Town Centre. The site is adjacent to Ashley Way and as such, any development needs to be of a high quality. The proposed layout has taken into account the location of the Grade II listed Church adjacent to the site, the land levels and views of the site from the surrounding area. The proposed building is located at the north of the site and is raised to allow undercroft car parking. The proposed petrol filling station is located to the south, close to the entrance/exit of the proposed site. The highest part of the store is 18.5m. The roof of the building curves up which allows for a prominent frontage to Ashley Way and the proposed car park and provides a modern design to be achieved. The roof undulates until it finally reduces in height towards the rear service yard lowering the profile of this area which faces the town centre. The rear wall surrounding the rear service yard includes a tower and details that provides a break in this element of the proposal. The stores entrance fronts on to Ashley way with access provided to the rear of the store and along Lugsdale Road along a raised walkway to the entrance.

The applicant has provided visual perspectives of the building that show that the proposal provides a prominent modern building that can be seen on the approach to the town centre from Ashley Way. The location of the main store entrance will provide a landmark feature when viewed from Ashley Way.

The applicant has identified key technologies that can be used to reduce the store's CO2 emissions and has stated that the store is intended to reduce

carbon emissions, as such, the details of carbon reduction measures are recommended as a condition

The landscaping of this proposed development will need to be of a high quality given the sites prominence and views from Ashley Way and the existing Town Centre, however, this matter is reserved and would be subject to a further application.

Highways

A Transport Assessment has been submitted with the proposal which, together with a number of supplementary notes, considers the traffic impact of the development on the surrounding highway network, and also the accessibility of the development by sustainable modes of transport such as bus, cycling and walking. These issues are considered further in the paragraphs below, together with a number of layout considerations.

Traffic

It is proposed that the development is accessed via a new traffic signal junction from Lugsdale Road on the approximate line of (and replacing) the current Pool Street, with a secondary service access closer to the Lugsdale Road / Greenoaks Way roundabout.

Certain assumptions have been made by the applicant (in the latest supplementary notes) when considering the amount of traffic generated by the development, as follows:

- In line with the Retail Impact Assessment for the development, it is assumed that 65% of trips to the new store will be transferred from existing facilities in the area, and a further 3-4% which will already be coming to the area as part of an existing journey. This leaves around 30% of the development's total traffic generation being considered as brand new trips to the area.

Likely destinations and routing of traffic has been determined using a model based on population of and travel time from particular wards. The model replicates existing trip patterns to Asda, Morrisons, etc and is likely to be reliable.

The traffic modelling leads to the following conclusions:

- Modifications are required to the Lugsdale Road / Greenoaks Way roundabout, to improve capacity for foodstore traffic, over and above those required prior to the opening of the Widnes Shopping Park (Windmill Centre).
- Due to the traffic which is reassigned from Morrisons /Aldi – the development is predicted to slightly reduce traffic on Greenoaks Way / Peelhouse Lane.

- Traffic along Gerrard Street from/to the Kingsway signal junction is expected to increase, albeit by only 1-2 vehicles per signal cycle. A system has recently been installed on this junction to optimise signal timings and improve flow (known as MOVA), and the effects of this are being monitored. The Council are considering declaring an Air Quality Management Area (AQMA). The proposed AQMA Management Plan encourages vehicular access via major routes, and use of the planning system to ensure that air quality is taken into account. With this in mind it is hoped to develop a Widnes town centre traffic model, whereby different scenarios for town centre traffic circulation can be considered, and implemented as appropriate.
- The proposal results in an increase in traffic of 10-15% on the southern section of Lugsdale Road (which in turn leads into Victoria Square). Whilst there are no congestion issues expected in this area, the developer has offered a contribution towards traffic calming, to ensure that new and existing traffic does not travel at excessive speeds.

It must be borne in mind that, whilst considering the traffic assessment for this development, it has become apparent that traffic flows in the town centre have varied quite significantly in recent years. This could be attributed to a number of issues including: closure of B&Q; initial surge in Asda's popularity; works and traffic management associated with the construction of the Widnes Shopping Park (Windmill Centre). It is therefore somewhat difficult to accurately gauge 'normal' traffic conditions in the town centre and build on this to assess development impact.

The applicant has also considered the 'existing use rights' of the site, whereby the impact of the existing Ashley Retail Park permissions have been put forward by the developer as evidence that the development will have no significant impact on the Watkinson Way / Fiddlers Ferry Road Gyratory, and therefore there should be no financial contribution towards improving the future capacity of this junction.

Sustainable Transport Accessibility

Access to the site by bus is currently via stops on Gerrard Street. However, the store entrance is greater than 400m by foot from the northbound stop. The development layout recognises this need and makes provision for bus stops along Lugsdale Road. The development also contains provision for a shuttle bus stopping point should the store operator wish to provide such a service.

Access for cyclists and pedestrians is catered for by links to existing cycleway/footway near to the Watkinson Way / Fiddlers Ferry Road Gyratory. For pedestrians entering the site via Lugsdale Road the developer proposes to introduce a new controlled crossing on Lugsdale Road which also helps link the development to Widnes town centre via the recently installed controlled crossing on Gerrard Street. A combined cycleway / footway is also to be provided across the Lugsdale Road frontage of the site as part of the general site frontage and access highway works. Cycle parking is also proposed as

part of the scheme and the precise details of this should form the basis of a condition.

The proposed alterations to the Lugsdale Road / Greenoaks Way roundabout may result in a removal of uncontrolled pedestrian facilities close to the junction on the Lugsdale Road and Gyratory Link arms. The pedestrian route across Greenoaks Way near to Aldi, is likely to become more important, therefore a controlled crossing here is considered appropriate.

There is potential for the number of single occupancy car journeys to be reduced by the adoption of a Travel Plan. Appropriate measures / outcomes are to be developed as appropriate through condition or legal agreement.

Layout considerations (including parking and deliveries)

The number of parking spaces proposed is slightly in excess of maximum standards quoted in the UDP and regional standards. It is likely that the store operator will wish to carry out their own management of the car park, in relation to length of stay etc. However, a verbal commitment has been made to involvement in Parking Partnership meetings, as proposed by the Council, with the aim of coordinating parking provision and management on the privately operated sites which exist throughout the town centre. It is recommended that this should form the basis of a condition, as part of the submission of a parking management plan. A request was made for the operator to designate a number of spaces as unrestricted public parking, but this was declined. A separate staff car park is also proposed with access directly off Lugsdale Road.

The service access has been designed to minimise inconvenience to pedestrians and cyclists. However this means that it is not possible for two articulated vehicles to pass each other in the entrance. On the occasions that this should happen it will be necessary for the entering HGV to wait for the other to exit before turning in. This situation will be monitored and a condition applied to ensure that the access can easily be widened at the developers expense should the need arise. The service yard itself is considered to be large enough so that queuing on the highway does not become an issue.

A number of concerns have also been raised by Armitt, who are the immediate neighbours to the south of the application site and have a high percentage of HGV movements to and from their site. The latest amended plans incorporate alterations which deal with these concerns, which related to: traffic shortcutting into the store (dealt with via extension of the central island on the signal approach); mixing of Armitt and recycling traffic (now separated); the ability of Armitt vehicles to be able exit through any queue at signals (detector loops can be installed to trigger signals and give some priority). The final item would require a condition relating to the placing of loops within the store, outside of the highway boundary.

Due to existing level differences across the site it is also recommended that a standard condition be attached that any significant retaining walls which could

be considered to be supporting the highway, be subject to a technical approval process. A commuted sum may also be sought for their maintenance if adopted as part of the highway.

Summary of highway issues

Whilst a development of this size obviously raises a number of highways and transportation related issues, as described above, it is considered that these can be adequately mitigated by obligation and conditions, as listed below. Therefore, on balance, subject to the above, the Highway Authority raises no objections to the proposal.

Summary and Conclusions

The site is located on the edge of the Primary Shopping Area and the evidence provided within the retail impact assessment confirms that there is a need for the proposal and that the proposal will not adversely affect the existing town centre. The proposal is considered to offer a high quality development that is compatible and complementary to its surroundings and provide a modern landmark building at the entrance to the town centre. Whilst a development of this size obviously raises a number of highways and transportation related issues, as described above, it is considered that these can be adequately mitigated. Therefore the application is recommended for approval subject to conditions and a legal agreement relating to town centre and regeneration initiatives, highway and public transport improvements and provision of a local employment scheme.

RECOMMENDATION:

Delegated Authority be given to the Operational Director Environmental and Regulatory Services, in consultation with the Chair and Vice Chair, to take into consideration any additional representations following the end of the consultation period on amended plans and to approve subject to conditions (including the need to add additional if necessary following consultation) and legal agreement and the application not being called in by the Secretary Of State.

Approve subject to conditions relating to the following:

1. Outline time limits
2. Submission of reserved matters
3. Wheel cleansing facilities to be submitted and approved in writing and used during construction.
4. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use.
5. Requiring implementation of Travel Plan
6. External lighting
7. Conditions relating to drainage details including oil interceptor
8. Submission and implementation of landscaping details

9. Details of carbon reduction measures for the store and delivery vehicles.
10. Modifications to the Lugsdale Road / Greenoaks Way roundabout
11. Cycle, motorcycle, disabled parking and taxi rank provision
12. Travel Plan
13. Parking management plan including commitment to Parking Partnership
14. Monitoring and alteration to service access if appropriate
15. Induction loops to signal approach outside of highway boundary
16. Retaining walls
17. Submission of a construction management plan
18. Construction and delivery traffic to access routes to be agreed
19. Details of materials
20. Amended plans condition
21. Boundary treatment details to be submitted
22. Highway works and parking area to be provided prior to opening of the store.
23. Condition the net sales area
24. Opening hours and hours of delivery
25. Noise conditions
26. Submission of piling works
27. Site investigation and remediation plan
28. Flood risk assessment

Item 5 Adjoining Authority Consultation

PLAN NUMBER: 09/00412/ADJ

APPLICANT: Manchester Ship Canal Company

PROPOSAL: Adjoining Authority Consultation by Warrington Borough Council for engineering operations comprising infilling of site to previous levels, re-instatement of rail freight siding, extension to existing canalside berth, provision of emergency access road, fencing and lighting in conjunction with use of the site/adjoining premises for a multi-modal port facility

ADDRESS OF SITE: Acton Grange, Birchwood Lane, Warrington, WA4 6XE.

WARD: N/A

SITE/LOCATION: Acton Grange is located less than 2km north east of Moore village centre, adjacent to The Manchester Ship Canal.

OBSERVATIONS AND ISSUES:

Warrington Borough Council are seeking comments from Halton as an adjoining Authority on the proposal by the Manchester Ship Canal Company. This proposal seeks planning permission from Warrington Borough Council for a multi-modal port facility, to be known as Port Warrington at Acton Grange, Warrington. The site is adjacent to The Manchester Ship Canal Corridor, with an existing berth facility to be extended together with a new rail access to the West Coast Main Line.

The site is immediately adjacent to an existing warehouse facility which operates entirely through road haulage. The proposal is for an extension of this site and provision of rail access and berth extension to develop the site as a multimodal port facility and encourage transfer of freight from road to rail and ship.

The potentially significant environmental effects of the proposed development have been considered as part of an Environmental Impact Assessment (EIA). This addresses the following topics, Biodiversity, Water Resources; and Transport, this accompanies the planning application .

Planning Policy

Central Government, Regional Assembly and Regional Development Agency all support the principle of an increasing use of rail for the movement of freight. It is also recognized that more Strategic Rail Freight Interchanges must be constructed to facilitate the modal shift from road to rail.

The Regional Spatial Strategy (the North West Plan) policy states that consideration should be given to the allocation of land for inter-modal freight terminals in four broad location (s) in the North West Region one of which is at 'Widnes'.

The site is located within the greenbelt in Warrington and will be determined by Warrington Borough Council against the relevant policies of the Warrington Unitary Development Plan.

The access to the site is from Runcorn Road and Moore Lane, which are within the Borough. Therefore implications of this are the primary concerns for Halton.

Moore Parish Council have objected to the proposal on the grounds of HGV movements, noise created by vehicles, highway safety, and sustainability in that there are no bus services to the site in the evening or on Sundays.

Highways and Transport

The Transport Assessment submitted with the application states that the proposed facility would be multi modal, utilising road, rail and ship, and that

any anticipated increase traffic movements would not be significant, and could in fact be reduced.

Halton Borough Council's Highways Engineer has commented on the Transport Assessment, and has stated that the assessment is based on current actual traffic counts, and not maximum potential. Currently Moore Lane serves existing storage and distribution warehouses to the west of the application site, these are currently operating well below capacity in terms of vehicle movements. The Transport Assessment should therefore take into account the maximum potential vehicle movements if these existing sites were operating at their maximum potential.

Moore Lane crosses two railway bridges which have been assessed and subsequently failed their loading capacity, as a result traffic management measures have been introduced to centralise the load bearing on the structures. To minimise the damage being caused to these structures there is currently a one way working system, which is likely to continue in the future. With this in mind any significant increase in vehicle movements on Moore Lane is likely to have a detrimental impact on highway safety at the junction of Moore Lane and Runcorn Road. The Traffic Assessment therefore needs to be revised in order to determine the application.

If the proposal were to achieve reduced traffic movements through using rail and ship as claimed in the Traffic Assessment then this would be supported. However, Warrington Borough Council would need to condition the approval to ensure that the proposed proportion of rail and shipped freight is met.

There are some concerns over the sustainability of the site in terms of employee accessibility, given the location of the site and hours of working. The current application and Traffic Assessment does not fully address this matter.

Conclusion

The information provided in the Transport Assessment is based on surveys of existing vehicle movements to the adjacent warehousing and industrial units to the west of the application site. These units are currently operating below their potential capacity, and are experiencing low traffic movements. Vehicle movements to these existing sites are unrestricted, the traffic assessment therefore does not account for the sites operating at full capacity.

RECOMMENDATION:

That a letter of be sent to Warrington Borough Council, expressing Halton Borough Councils concerns, in relation to the information in the Transport Assessment, potential impact on highway safety at Moore Lane and Runcorn Road junction and sustainable access by employees.
