

Public Document Pack



Development Control Committee

**Monday, 11 January 2016 6.30 p.m.
Civic Suite, Town Hall, Runcorn**

A handwritten signature in blue ink, appearing to read 'David W R', positioned above a rectangular stamp.

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Paul Nolan (Chairman)
Councillor Keith Morley (Vice-Chairman)
Councillor John Bradshaw
Councillor Arthur Cole
Councillor Ron Hignett
Councillor Stan Hill
Councillor Carol Plumpton Walsh
Councillor June Roberts
Councillor John Stockton
Councillor Dave Thompson
Councillor Kevan Wainwright
Councillor Bill Woolfall
Councillor Geoff Zygodllo

***Please contact Ann Jones on 0151 511 8276 Ext. 16 8276 or
ann.jones@halton.gov.uk for further information.
The next meeting of the Committee is on Monday, 8 February 2016***

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.	Page No.
1. MINUTES	1 - 10
2. DECLARATIONS OF INTEREST	
Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting prior to discussion and voting on the item.	
3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	11 - 86

In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Tuesday, 8 December 2015 at The Board Room - Municipal Building, Widnes

Present: Councillors Nolan (Chairman), Morley (Vice-Chairman), J. Bradshaw, S. Hill, C. Plumptre Walsh, June Roberts, J. Stockton, Thompson, Wainwright, Woolfall and Zygadlo

Apologies for Absence: Councillors Cole and R. Hignett

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, A. Plant, R. Cooper, J. Eaton, G. Henry and R. Wakefield

Also in attendance: 12 Members of the public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

	<i>Action</i>
DEV16 MINUTES	
The Minutes of the meeting held on 5 October 2015, having been circulated, were taken as read and signed as a correct record.	
DEV17 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.	
DEV18 - 13/00379/OUT - OUTLINE APPLICATION (WITH ALL MATTERS RESERVED) FOR RESIDENTIAL DEVELOPMENT OF UP TO 131 DWELLINGS ON LAND EAST OF DANS ROAD AND NORTH AND WEST OF BENNETTS LANE, GORSEY LANE, WIDNES, CHESHIRE	
The consultation procedure undertaken was outlined in the report together with background information in respect of the site.	

Members received the updates to the Committee report as presented in the update list on pages 2, 3 and 4 relating to: Policy clarification; the impact on the future business growth of the neighbouring site Emerald Kalama Chemicals Limited; and planning for risk and COMAH. Further they received the case officer's oral update which included information relating to two further representations the Council had received. One from the objector's Property Consultants and one from their Legal Advisors, in the form of letters, dated 4 December and 7 December respectively.

The Committee was addressed by David Nicolls, the Site Director at Emerald Kalama, who objected to the proposal. He stated that the neighbouring site to the proposal had been acquired by them in July this year for the purpose of expanding the business with a distribution warehouse. He said they hoped to double the tonnage of finished product in the coming years and were therefore committed to the growth of the business on the Widnes site. He argued that this residential proposal would constrain the future development of their site. He stated that the land was intended for employment use and Emerald Kalama would be using the land for this purpose only.

The agent, Caroline Chave, then addressed the Committee. She advised them that they had submitted an application 14 months ago which was held back due to objections from Innospec, as it was known then. Since then the applicant had worked extremely hard with planning officers before bringing the application back. She commented that during this 14 month period, Emerald Kalama had not made any contact with them regarding any proposals and that their objection today was a last minute reaction in an attempt to have her proposal refused. She also added that the proposal would go towards the housing need in Halton.

Further to Members' debate, they noted that a road safety condition was not included. In response, Officers advised that a condition relating to speed reduction measures would be added. After considering the updates, written representations and speakers representations, the Committee voted and agreed to approve the proposal.

RESOLVED: That the application be delegated to the Operational Director, in consultation with the Chairman or Vice Chairman, subject to referral to the Health and Safety Executive and if not called in be approved subject to the following conditions:

- a) The applicant entering into a Legal Agreement in relation to the payment of a commuted sum for offsite open space and affordable housing;
- b) Conditions relating to the following:
 1. Standard outline conditions for the submission of reserved matters applications x 3 conditions (BE1);
 2. Plans condition listing relevant drawings ie, site location / red edge (BE1 and TP17);
 3. Prior to commencement the submission of a reserved matters proposal which incorporates a full proposal for drainage of the site (BE1);
 4. Prior to commencement submission of levels (BE1);
 5. Prior to commencement submission of materials (BE1 and CS11);
 6. Prior to commencement submission of hard and soft landscaping (BE1);
 7. Prior to commencement submission of a construction / traffic management plan which would include wheel cleansing details (TP17);
 8. Avoidance of actively nesting birds (BE1);
 9. Prior to commencement details of on-site biodiversity action plan for measures to be incorporated in the scheme to encourage wildlife (GE21);
 10. Prior to commencement details of a landscape proposal and associated management plan to be submitted and approved (BE1, GE21);
 11. Prior to commencement details of boundary treatment (BE22);
 12. No development shall take place until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens) shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following elements:
 - Detail extent and type of new planting (NB planting to be of native species);
 - Details of the on-site play space;
 - Details of maintenance regimes;
 - Details of any new habitat created on site;
 - Details of treatment of site boundaries; and
 - Details of management responsibilities.The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority (BE1, PR16, CS2, CS19 and CS23).
 13. The future reserved matters proposal shall

- incorporate a provision for on-site play space (BE1);
14. The details of the development to be submitted pursuant to (condition requiring submission of details following the outline permission) shall not include the siting of any dwelling within the area shown hatched green on the submitted drawing;
 15. Details of off-site highway works to be submitted for approval, including speed reduction measures (BE1); and
- c) That if the Legal Agreement was not executed within a reasonable period of time, authority is delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chairman or Vice Chairman, to refuse the application on the grounds that it failed to comply with UDP Policy S25 Planning Obligations.

DEV19 - 15/00325/FUL - PROPOSED DEVELOPMENT OF 95 NO. DWELLINGS WITH ASSOCIATED ACCESS ROADS AND LANDSCAPING ON SITE OF FORMER GRANGE NURSERY, INFANT AND JUNIOR SCHOOL, LATHAM AVENUE, RUNCORN, CHESHIRE

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

Since the publication of the agenda some clarification on a number of points raised by the Lead Local Flood Authority had been provided by the applicant and had been reviewed. The responses received were considered to be satisfactory and the suggested condition number 20 remained appropriate.

RESOLVED: That the application be approved subject to the following conditions:

1. Time limit – full permission;
2. Approved plans;
3. Implementation in accordance with proposed site levels (BE1);
4. Facing materials to be agreed (BE1 and BE2);
5. Submission of detailed soft landscaping scheme, implementation and subsequent maintenance (BE1);
6. Implementation of submitted hard landscape and boundaries layout and subsequent maintenance (BE1);
7. Protection of trees – construction phase (GE27);
8. Breeding birds protection (GE21);

9. Implementation of open space and subsequent maintenance (H3);
10. Hours of construction (BE1);
11. Removal of permitted development – all dwellings (BE1);
12. Implementation of construction management plan and site management plan (BE1);
13. Implementation of remediation method statement and submission of a completion report (PR14);
14. Provision and retention of parking for residential development (curtilage) (BE1);
15. Provision and retention of parking for residential development (not in curtilage) (BE1);
16. Implementation of cycle parking for apartments (BE1);
17. Reconstruction of highway at site access point (BE1);
18. Precise details of retaining walls to be submitted, subsequent implementation and maintenance thereafter (BE1);
19. Precise details of sustainable link to Stonehills Lane to be submitted, subsequent implementation and maintenance thereafter (BE1);
20. Submission of drainage strategy for approval and subsequent implementation (PR16); and
21. Implementation of bat mitigation measures as detailed in bat survey (GE21).

DEV20 - 15/00392/FUL - PROPOSED DEVELOPMENT COMPRISING 92 NO. ONE AND TWO BEDROOM APARTMENTS FOR THE OVER 55'S SPREAD OVER 2 NO. 6 STOREY BLOCKS AT TERRACE ROAD, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

Members were advised of a typographical error on page 50 of the Committee agenda where it referred to 'three individual blocks'. The scheme was in fact for 'two' individual blocks.

RESOLVED: That the application be approved subject to:

- a) The applicant entering into a Legal Agreement in relation to the payment of a commuted sum for improvements to the church and public realm in the adjacent conservation area, and for the provision of the footpath/cycleway to link up the Trans-Pennine Trail;

b) Conditions relating to the following:

1. Standard condition relating to timescale and duration of the permission;
2. Submission of materials (BE2);
3. Provision of recycling separation inside each apartment (BE1);
4. Access and parking/layout, cycle parking provision (BE1);
5. Trans-Pennine rail /Cycle Way provision (Tp12);
6. Site investigations and remediation required (PR14);
7. Environment Agency conditions (BE1);
8. Details of drainage (BE1);
9. Details of landscaping scheme (BE1);
10. Conditions specifying construction hours and hours of deliveries for building materials (BE1);
11. Construction traffic management plan and wheel wash facilities (BE1);
12. Requirement for an archaeological investigation (BE1);
13. Grampian off site highways condition (BE1);
14. Details of site levels (BE1);
15. Provision of bin storage and bin provision, bin store doors not to open onto footway (BE1);
16. Condition relating to final details of any work to the River Bank;
17. Condition relating to amended plans (BE1 and BE2);
18. Condition in relation to boundary treatment and pedestrian visibility (BE1 and BE2);
19. Condition relating to details of external lighting (PR4);
20. Condition for obscured glazing on the Terrace Road elevations;
21. Condition restricting the use specifically for the over 55's; and

c) That if the Legal Agreement is not executed within a reasonable period of time authority is delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chairman or Vice Chairman to refuse the application on the grounds that it failed to comply with UDP Policy S25 Planning Obligations.

DEV21 - 15/00423/FUL - PROPOSED ERECTION OF 2 NO. DETACHED DWELLINGS ON LAND TO NORTH WEST OF THE JUNCTION OF CORONERS LANE, PIT LANE, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

The Committee received revised drawings via the update list which showed:

- a) that proposed house number one was a sufficient distance from the existing dwelling to the rear, which satisfied the Council's interface guidance. Officers advised therefore that refusal condition number 3 on the report was no longer applicable and could be removed; and
- b) that access revisions had been made to both properties, it was considered unlikely that conditions would be needed that could be detrimental to highway safety. Officers advised that refusal condition number 4 on the report was no longer applicable and could be removed.

The Committee was addressed by Mr McDonnell, a local resident who spoke in support of the application. He lived in the next street and attended the public consultation event at the *Ring of Bells* Public House. He wished to record his support for the proposal.

Mr Michael Young then addressed the Committee, who was the agent of the applicant. He stated that the site had existing planning permission for two dwellings and he had been approached by the owner to design them. He advised Members that careful consideration had been given to the natural habitat of the area and the materials used. He commented that the designs were a modern interpretation of properties of the 1930's era. He commented that the public consultation event showed that 70% of residents agreed that the proposal would have a positive impact on the area.

Members debated the proposal taking the representations made into consideration and agreed a motion to approve the application subject to conditions.

RESOLVED: The determination of the application be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chairman or Vice-Chairman, with a view to granting the application subject to such conditions that may be considered necessary.

DEV22 - 15/00428/OUT - OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS FOR A B2/B8 DEVELOPMENT COMPRISING A MAXIMUM FLOORSPACE OF 43,321 SQM, INCLUDING ANCILLARY OFFICE SPACE/STALL FACILITIES WITH ASSOCIATED LOADING BAYS, HGV/CAR PARKING, LANDSCAPING, PEDESTRIAN/CYCLE CONNECTIONS AND ASSOCIATED INFRASTRUCTURE ON LAND AT EAST END OF NEWSTEAD ROAD BOUNDED TO THE NORTH BY DITTON BROOK AND TO THE SOUTH BY THE WEST COAST MAINLINE

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

The Committee was advised that the outstanding issues identified in the report were confirmed as follows:

- Drainage and flooding – the Environment Agency had confirmed that they raised no objection subject to additional conditions;
- The potential loss of a tree – the applicant had now agreed that this would either be retained or replaced through suitable replanting or compensation. It was considered that this could be secured by an additional condition;
- Knowsley Borough Council had now confirmed that they raised no objection in principle subject to a suitable Travel Plan condition; and
- Access to Hale Road/Ditton Bridge – an additional condition was advised to restrict access to pedestrian and cycle access only.

Officers advised that a phasing plan had now been provided by the applicant to allow the discharge of conditions and construction of the proposed development on a phased basis. Delegated authority was requested to allow officers to approve the application subject to appropriately worded conditions.

Members requested advice from the Council's archaeology advisor in relation to whether it was necessary to attach a condition for an archaeological watching brief. Officers advised this would be done and a condition would be attached if considered necessary.

RESOLVED: That the application be approved subject to conditions relating to the following:

1. Standard conditions relating to Outline Planning Permission (BE1);
2. Condition specifying plans/amended plans (BE1);
3. Requiring submission and agreement of reptile and bat activity surveys and compliance with reasonable avoidance/mitigation measures contained therein (GE21);
4. Requiring submission and agreement of a Construction Management Plan including vehicle access routes and construction car parking (BE1);
5. Materials condition, requiring the submission and approval of the materials to be used (BE2);
6. Landscaping condition, requiring the submission of both hard and soft landscaping (BE2);
7. Boundary treatments including retaining walls to be submitted and approved in writing (BE2);
8. Wheel cleansing facilities to be submitted and approved in writing (BE1);
9. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
10. Vehicle access, parking and servicing to be constructed prior to occupation of properties/commencement of use (BE1);
11. Submission and agreement of finished floor and site levels (BE1);
12. Site investigation, including mitigation to be submitted and approved in writing (PR14);
13. Submission and agreement of remediation verification report prior to occupation (PR14);
14. Condition relating to identification of contamination previously not identified (PR14);
15. Condition restricting piling or other penetrative foundation design (PR15);
16. Submission and agreement of cycle parking (TP6);
17. Submission and agreement of detailed Travel Plan (TP16);
18. Conditions relating to tree protection during construction (BE1);
19. Submission and agreement of detailed lighting design (PR4);
20. Submission and agreement of biodiversity enhancement features including native wildlife friendly planting, bird nest boxes and insect house (BE1 and GE21);
21. Condition requiring installation of green walls to provide habitat for invertebrate species and planting scheme of native species of shrub, and grassland and wildflower mixes on the grassed areas, native shrub and grassland species (GE21);
22. Submission and agreement of treatment/removal of

Japanese Knotweed and validation report;

23. Restricting external storage (E5);

24. Requiring implementation of a scheme of pedestrian/cycle linkages through the site to Hale Road (TP6/7);

25. Submission and agreement of a scheme to dispose of foul and surface water (PR15); and

26. Access to Hale Road/Ditton Bridge – to restrict access to pedestrian and cycle access only.

DEV23 - 15/00520/P3JPA - PROPOSED CHANGE OF USE FROM OFFICE BUILDING (USE CLASS B1) TO 188 NO. APARTMENTS COMPRISING 77 NO. STUDIO APARTMENTS, 7 NO. ONE BED APARTMENTS AND 24 NO. TWO BED APARTMENTS AT CASTLE VIEW HOUSE, EAST LANE, RUNCORN, CHESHIRE

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

Members noted that as the proposal was permitted development, the principle of development was accepted and the only considerations relevant to the determination of this prior approval application were the considerations set out in the report on page 78.

It was reported that one additional representation had been received as summarised in the update list. In response to this it was noted that the first two issues were outside the considerations of this application but in terms of the highway impact, the Highway Officer had concluded that the impact of the proposed development would not be severe.

RESOLVED: That prior approval for the change of use from Class B1(a) offices to Class C3 (dwellinghouses) is not required.

Meeting ended at 7.20 p.m.

REPORT TO: Development Control Committee


DATE: 11 January 2016

REPORTING OFFICER: Strategic Director- Community and Resources

SUBJECT: Planning Applications to be Determined by the Committee

WARD(S): Boroughwide

Application No	Proposal	Location
12/00139/LBC	Proposed renewal of Listed Building Consent 04/01065/LBC for proposed part demolition, restoration and conversion of hall and outbuildings into 22 no. residential units and erection of 9 no. houses (31 no. residential units in total).	Daresbury Hall, Daresbury
12/00140/FUL	Proposed renewal of planning permission 04/01064/FUL for proposed part demolition, restoration and conversion of hall and outbuildings into 22 no. residential units and erection of 9 no. houses (31 no. residential units in total).	
12/00141/FUL	Proposed alterations to managers house and erection of new associated garage block.	
15/00443/FUL	Proposed change of use from commercial (use Class A1) to 10 no. bedroom Home of Multiple Occupation (HMO) including internal alterations, amendments to external elevations and two storey rear extension.	67 Main Street, Runcorn
15/00493/FUL	Proposed development of 42 no. dwellings (21 no. houses and 21 no. apartments) with associated car parking, gardens, access roads and landscaping.	Land bounded by Grangeway, Pine Road and Thorn Road, Runcorn

APPLICATION NO:	12/00139/LBC 12/00140/FUL 12/00141/FUL
LOCATION:	Daresbury Hall, Daresbury.
PROPOSAL: 12/00139/LBC - Proposed renewal of Listed Building Consent 04/01065/LBC for proposed part demolition, restoration and conversion of hall and outbuildings into 22 no. residential units and erection of 9 no. houses (31 no. residential units in total). 12/00140/FUL - Proposed renewal of planning permission 04/01064/FUL for proposed part demolition, restoration and conversion of hall and outbuildings into 22 no. residential units and erection of 9 no. houses (31 no. residential units in total). 12/00141/FUL - Proposed alterations to managers house and erection of new associated garage block.	
WARD:	Daresbury
PARISH:	Daresbury
AGENT(S) / (S): Mason Gillibrand Architects 16 Willow Mill Fell View Caton Lancaster Lancashire LA2 9RA	APPLICANT C/O Agent
DEVELOPMENT PLAN ALLOCATION: Halton UDP (2005) Halton Core Strategy April (2013)	Green Belt Area of Special Landscape Character.
DEPARTURE	Yes
REPRESENTATIONS:	None
RECOMMENDATION:	Approval
	

1. THE APPLICATION

1.1 Proposal Description

The application site forms the grounds of Daresbury Hall a grade II* Georgian Hall. Three applications are under consideration, which for the purposes of clarity are presented as a single report for the Committee's consideration.

12/00139/LBC - Proposed renewal of Listed Building Consent 04/01065/LBC for proposed part demolition, restoration and conversion of hall and outbuildings into 22 no. residential units and erection of 9 no. houses (31 no. residential units in total).

12/00140/FUL - Proposed renewal of planning permission 04/01064/FUL for proposed part demolition, restoration and conversion of hall and outbuildings into 22 no. residential units and erection of 9 no. houses (31 no. residential units in total).

12/00141/FUL - Proposed alterations to manager's house and erection of new associated garage block.

1.2 The Site and Surroundings

Daresbury Hall is located in open countryside between Runcorn and Warrington. It is set within landscaped grounds with an area of around 6.75 ha on slightly elevated land around 500m east of the village of Daresbury and to the south of Daresbury Lane.

The hall is a brick built three storey Grade II* Listed Building set in its own substantial grounds. To the rear of the hall there are surviving single storey block sandstone and two storey brick outbuildings which in the past served as stable buildings and workers cottages.

The use of the site as a hospital by Cheshire County Council brought a number of unsympathetic additions to the Hall itself and the grounds. These additions have survived, though are in a severe state of dereliction.

The development site is allocated as washed over Green Belt in the Halton 2005 Unitary Development Plan proposals map.

1.3 Proposal Context

Daresbury Hall has been included on the English Heritage register 'Buildings at Risk' for a number of years in the highest category of risk.

The proposal involves the restoration of existing structures that form the original Hall. Proceeds from the sale of the residential units created from the conversion of the Hall and original outbuildings are insufficient to fund the Hall's redevelopment. In order to deliver a viable scheme some new build dwellings are considered necessary to comprise a development scheme that will secure the restoration and preservation of the listed hall.

In order to fund the conversion of the Hall a series of development works are required, termed enablement works. The 16 dwellings forming the enablement will comprise of:

- A three storey terrace of 5 No. houses located to the north of the hall in the location of the existing terrace of Staff Houses.
-
- A three storey Arts House to the north of the Hall, in approximately the same location as an existing bungalow building. The Arts House is to have two car parking spaces within the garage block to the north east of the hall (in addition to the parking serving the hall).
- A Home Farm development is to be a mixture of two and three storeys, comprising 5 No. dwellings.
- A Kitchen Garden development to the south west of the Hall comprising three dwellings.

As a result the full scheme in total will deliver 31 dwellings, comprising 10 converted dwellings in the coach house, 7 apartments in the hall and 16 new dwellings.

1.4 Relevant Planning History

04/01064/FUL Proposed part demolition, restoration and conversion of Hall and outbuildings into 22 No. residential units and erection of 9 No. houses (31 No. residential units in total).

04/01065/LBC Application for Listed Building Consent for proposed part demolition, restoration and conversion of Hall and outbuildings into 22 No. residential units and erection of 9 No. houses (31 No. residential units in total).

04/01107/LBC Application for Listed Building Consent for alterations and extensions to existing dwelling and erection of a new garage block.

04/01108/FUL Proposed alterations/extensions to existing dwelling and erection of a new garage block.

05/00274/FUL Proposed alterations and extension to manager's house.

09/00266/FUL Proposed erection of a new garage block within the amended courtyard (to the manager's house).

2. POLICY CONTEXT

2.1 Halton Unitary Development Plan (UDP) (2005)

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

GE1 Control of Development in the Green Belt,
GE3 Extensions, Alterations and Replacement of Existing Dwellings in the Green Belt,
GE4 Re-Use of Buildings in the Green Belt
GE23 Protection of Areas of Special Landscape Value
BE 1 General Requirements for Development,
BE2 Quality of Design,
BE9 Alterations and Additions to Listed Buildings,

BE10 Protecting the Setting of Listed Buildings,
BE11 Enabling Development and the Conservation of Heritage Assets.

2.2 Halton Core Strategy (2013)

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

CS2 Presumption in Favour of Sustainable Development
CS6 Green Belt
CS13 Affordable Housing
CS18 High Quality Design
CS20 Natural and Historic Environment

2.3 National Planning Policy Framework

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

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

Paragraph 7 deals with sustainability, this is dealt with in the assessment part of the report below.

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

Section 12 of the NPPF 'Conserving and enhancing the historic environment' is particularly relevant.

Section 9 deals with protecting Green Belt, and paragraphs 89 and 90 describe the exceptions to Green Belt Policy.

3. CONSULTATIONS

The application has been advertised by way of a press notice and the display of a site notice. In addition, a consultation exercise was undertaken with 7 properties in the local vicinity, Local Elected Ward Members, and the Daresbury Parish Council. No objections have been received.

3.1 External Consultation

- Cheshire Police - No objection to the scheme.

- Environment Agency - No objection.
- Historic England - No objection subject to the planning permission being issued pursuant to a S.106 agreement to phase the development's delivery to ensure the preservation of Daresbury Hall.

3.2 Internal Consultation

The following service areas were consulted: Archaeology, Contaminated Land, Ecology, Environmental Health and Highways.

- Ecology (further detail is set out in Section 6.5 below)
The Council's ecology advisor provided the following comments:
Request for a phase 1 habitat survey of the site to identify ecological constraints.

Bats

Request for clarification on the bat survey. Such survey is necessary to inform a licence application.

-We are of the opinion that there has been insufficient survey effort in 2014 to conclude that the previously identified roosts are no longer present. We recommend that emergence and re-entry surveys are undertaken in line with the guidance provided by Bat Conservation Trust. Each previously identified bat roost should be subject to survey effort.

-There is insufficient survey data provided to formulate an appropriate mitigation strategy for the loss of a bat roost.

-According to the tree assessment report by Cheshire Woodlands 2010 'There is significant potential for bat roost sites in the trees (paragraph 5.4). We therefore advise that a bat survey to identify possible roost sites in the surrounding trees and woodland is conducted.

Barn Owls

Barn owls receive special protection under Schedule 1 of the *Wildlife & Countryside Act, 1981* (as amended).

The Council's ecological advisor states

The proposed development is likely to displace nesting/roosting barn owls. Given this, further survey effort in respect of barn owl is required before any potentially disturbing works take place.

Nesting Birds

Works that potentially could disturb nesting birds should be undertaken outside of the nesting season, unless the site has been checked by a qualified ecologist no more than 48 hours before commencement of work. This can be ensured by way of a planning condition.

Landscaping

Advise that a landscaping scheme and habitat management plan is submitted to the LA for approval. The scheme should incorporate features to support bat

foraging, such as native tree and hedgerow planting. Provision for the on-going management of the site should be sought. This can be ensured by way of a planning condition.

- Archaeology - No objection subject to a watching brief condition.
- Contaminated Land - No objection to the scheme
- Environmental Health - No objection to the scheme
- Highways - No objection to the scheme

4. ASSESSMENT

6.1 Green Belt

The primary consideration for this proposal is that of Green Belt harm. In addition to the local development plan policies identified earlier (Policies GE1, GE3, GE24, CS6), great protection is afforded to the Green Belt in the National Planning Policy Framework (NPPF).

The development proposed would lead to the following harms to the Green Belt and would fail to safeguard the countryside from encroachment, a key purpose of Green Belts as set out at P.80 of the NPPF.

Paragraph 89 of the NPPF states that ‘the construction of new buildings as inappropriate development in Green Belt’. Whilst the re-use of the Hall, and the existing stable and farm buildings qualify as exemptions to P.89 the remainder of the development does not. Some remaining elements of the proposal could be considered replacement buildings, however, these are an increase in development due to the enablement requirement for the scheme as a whole.

As stated at P.87 of the NPPF, ‘inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

This is clarified further at P.88 of the NPPF ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

This national planning policy is supported by the identified local planning policies.

6.2 Affordable Housing

Policy CS13 sets a requirement for housing developments above 10 units to provide 25% affordable housing accommodation. This proposal is considered to be exempt from this policy requirement for two reasons.

- i) The scheme requires enablement development to preserve the grade II* Georgian Manor House. A requirement to provide affordable provision would see a reduction in the yield value of the proposed number of residential units. Such a loss would lead to a shortfall in the funds required to redevelop the Hall. This shortfall would need to be compensated for in

the form of an increase to the number of residential units already proposed which in turn will lead to further harm to the Green Belt.

- ii) This is a renewal of a scheme that pre dates the adoption of the Core Strategy and policy CS13.

6.3 Preservation of Listed Building

The development proposal centres on the preservation of a Grade II* Georgian Hall. Planning policies BE10 and BE11 of the UDP and CS20 of the Core Strategy are relevant.

The funding for the preservation of the Hall will be secured via a means of an enablement fund provided by the creation of 24 No. residential units on the Hall grounds in addition to the 7 No. residential apartments from within the Hall after its conversion.

Policy BE 11 of the UDP sets out a number of criteria for enabling development. The proposal satisfies the criteria of this policy

- The enabling development will not harm the setting nor detract the architectural interest of the asset or harm its setting
- The proposal will not result in improper management
- The development will secure the long term future of the heritage asset
- The need for enablement stems from the cost of the Hall's restoration
- Financial assistance is not available from any other source
- It has been demonstrated that the enablement development in the minimum required to fund the scheme
- The benefit of the enablement outweighs its harm

Policy BE10 is concerned with the setting of heritage assets. Unfortunately, the history of the Hall has led to its scarring with a number of unsympathetic additions a result of its former hospital use. Such additions have had a significant impact upon the Hall's setting. The scheme whilst proposing to incorporate an increase in the built fabric of the Heritage Asset's setting, provides an improvement due to the significant increase in quality both in terms of design and materials providing a sympathetic setting for the Hall.

The scheme complies with local policies BE10 and BE11 of the UDP and CS20.

6.4 Design

When assessing design the following local development plan policies are relevant; BE1, BE2, BE9 of the UDP and, CS18 of the Core Strategy.

As stated previously, the scheme has provided a well-designed scheme comprising a mix of architectural styles, to improve the existing setting of the Listed Building.

The enablement buildings vary in size where it is considered appropriate, in order to reduce impact on the Hall. The styles of building provided lend themselves to particular building materials, which at this time are proposed to consist of reclaimed brick, sandstone, render with conservation colour lime finish and welsh slate for the

roofs. Notwithstanding, if the scheme is approved a materials condition will be attached to secure final control over the appearance of the scheme.

The scheme complies with policies BE1, BE2, and BE9 of the UDP, and CS18 of the Core Strategy.

6.5 Ecology

The ecology matters detailed at section 3.2 of this report are the comments set out by the Council's ecology consultant. These concerns were forwarded to the Applicant's own ecology advisor who responded with subsequent clarification on the 18th November 2014, a copy of this response is attached to this report at **Appendix 1**. The Council's Ecology advisor Cheshire Wildlife provided a response to this on 24th November 2014 which is attached in full at **Appendix 2** of this report. The Applicants consultant ecologist responded to Cheshire Wildlife's comments on 27th January 2015.

Barn owl compensatory measures are being proposed. The level of survey detail that has been carried out is sufficient to justify the mitigation and is comparable to the efforts previously made on this application past approvals to which this application is a resubmission.

The European Habitats Directive

This planning application proposal will have an impact upon a European Protected Species. As identified in the ecology submission that supports the proposal for the redevelopment of the Hall, there is evidence of roosting bats within the historic fabric of the hall. This is due to the dereliction of the site that affords suitable roosting sites for such species. Therefore if this development were to go ahead, the development proposal would breach Article 12(1) of the Habitats Directive.

A deliberate disturbance is an intentional act knowing that it will or may have a particular consequence, namely disturbance of the relevant protected species.

A deliberate act applies to all the European Protected Species (EPS). This proposal has identified an impact that will be had upon such species, it is a deliberate act. Such an impact will have a disturbance upon the species, whether such impact will be harmful is a matter of judgement.

The Supreme Court has provided clarification to the assessment of 'impact' upon a European Protected Species.

- Each case has to be judged on its own merits; and a species by species approach is required;
- Even with regard to a single species the position might be different depending on the season or on certain periods of its life cycle;
- Consideration should be given to the rarity and conservation status of the species and the impact of the disturbance on the local population of a particular protected species;
- Individuals of rare species are more important to a local population than individuals of a more abundant species;
- Disturbance to species that are declining in numbers is likely to be more harmful than disturbance to species that are increasing in numbers;

- Disturbance during the periods of breeding, rearing, hibernation, and migration is more likely to have a sufficiently negative impact on the species to constitute disturbance; but the offence leaves open the possibility that disturbance at other less sensitive periods could still potentially amount to “deliberate disturbance”; and
- The Court strongly supported the EU Commission’s guidance on the issue (found in the “Guidance document on the strict protection of animal species of Community interest under the Habitats Directive 92/43/EEC

The Local Planning Authority (LPA) needs to consider whether Natural England would likely grant an EPS licence for the development proposed. This proposal is one where there is to be expected a deliberate act of disturbance with the renovation and partial demolition of structures where bats are currently roosting. The Applicant is proposing to compensate this by way of a bat roost shelter in a wooded area within the Applicant’s ownership, and with the addition of bat boxes on the sides of the completed development buildings.

The provision of such compensation does not avoid the act of deliberate disturbance; ultimately there is the disturbance that bats are losing a roosting site, it is being compensated within the vicinity of the site in a manner of substitution which would maintain favourable conservation status of the population.

A further consideration is the longevity of the existing roost sites, a matter raised in by the Applicant’s ecology advisors in their correspondence of 27th January 2015 found in **Appendix 3**, where they state:

“It is also apparent that the buildings on site have degraded significantly and the long term potential for them to remain suitable for bats is very low. Without re-development of the site bat roosts would by default be lost in the short-medium term.”

This is a poignant observation. The Council’s own ecology advisors had not taken this issue of roost lifespan into account. The Buildings on site are in poor condition, the Council’s own Building Control Department have stopped just short of condemning the properties, but have given the strongest possible advice that no persons should reside within the structures on site as they are dangerous. The purpose of this scheme is to save the Hall from ruin; whilst it has remained standing in a precarious position on site for some time, the works proposed are still seen as urgent in order to save the super structure; the building still remains on the Heritage England ‘Heritage at Risk Register. This proposal, in terms of ecology, will be swapping an existing bat roost with a limited lifespan, for an alternative substitution with a significantly longer lifespan.

The established view of the Supreme Court in such a case is that the LPA must only refuse planning permission if it believes that Natural England is unlikely to grant a licence. The implication of such opinion is that where the LPA concludes that a licence is likely to be granted by Natural England, or, if the LPA is unsure of Natural England’s likely response then it should not prevent the Council from granting planning permission.

It is the LPA's view that having reviewed the documentation submitted by the Applicant's ecologist there is sufficient information present within the application to suggest that there is no reason why Natural England would not grant a licence application to carry out works to the Hall and other buildings within the scope of this development proposal.

6.6 Balancing Exercise

Following an examination in policy, it becomes clear that there is a balance to be struck between the harm caused by inappropriate development in the Green Belt versus the benefits of securing the long term future of a Grade II* listed building, a heritage asset to the built fabric of the Borough.

This proposal will have an impact on the openness of the Green Belt due to the increase in the built form. This is tempered by the existence of the extension to the Hall and stables and staff houses and other temporary structures that occupy the site. Such structures are to be demolished, the former footprints are then to be built upon; an example of this being the arts house and staff houses to be built on the footprint of the structures that occupy the front lawn of the Hall and in this case can be considered replacement dwellings. This reduction in existing structures through demolition helps manage the impact of the overall scheme on Green Belt openness.

The visual impact of the scheme on the Green belt is an important consideration. The layout of the development has been designed to take a form that limits its impact above the structures that currently occupy the site which are most readily observed from Daresbury Lane (B5356), being the only public view of the site.

Where the development proposal covers areas of the Hall's grounds that are currently underdeveloped, efforts have been made to form a sympathetic design to a Hall. Evidence of this is found in the kitchen garden development to the South West of the site. This part of the proposal comprises of three new residential units surrounded by a brick wall that gives the appearance of a stately walled garden to outside glimpses of the site.

Great effort has been made to design the Home Farm development, to create the impression of a stately home farmstead. The traditional design is supported by the use of traditional reclaimed brick and welsh roof slates. Together these elements create a new set of buildings that will not appear out of place in such close proximity to the Hall itself.

This successful integration is the result of the careful attention to detail given, especially when incorporating new features into a listed building setting and is testament to the skill of the architect.

The Staff Houses and the Art House are both located on the footprints of existing dwellings developed for the hospital use of the site. The replacement buildings will bring about huge improvement to the appearance of the Daresbury Hall development site that is currently marred by the prefabricated and unsympathetic hospital buildings.

Notwithstanding the architectural design of the individual elements of the scheme, the proposal does have a damaging visual impact on the Green Belt and the Countryside. However, there would be no detrimental impact upon views out of Daresbury or upon the Daresbury Conservation Area.

The grounds of the Hall are in a serious state of neglect. Redevelopment of the site will bring with it a managed landscape scheme and improvements to the setting of the Hall.

This proposal represents a sympathetic and holistic approach to the development of the site and secures the restoration and preservation of the Hall. The inter-relationship between the various parts of the site is, in short, a renaissance to the original character of the Hall playing host to a land use that has been designed to integrate the new buildings, parking areas and roadways as part of a comprehensive strategy so that the Hall remains the dominant structure of the site.

As part of the determination of the previous 2004 planning applications, officers commissioned an independent assessment of the enabling development. The independent assessment confirms that the proposal of 31 No. residential units is the minimum number of units to fund the conservation deficit. The conservation deficit refers to the funding gap which occurs between the cost of restoring the Hall and the market value of the building. The assessment did take into account the extension to the Manager's House and concluded that it would make a negligible difference to the enabling contribution and the proposed costs of the extension outweigh the increase in value.

An up-to-date exercise was undertaken in preparation for the 2012 application. This was updated in 2014 and subject to an independent examination by Jones Lang LaSalle. The study verified that a scheme to provide 31 No. residential units is the minimum number required in order to fund the enablement of the Hall. English Heritage has accepted the findings of the report.

This represents no change to the circumstances since the scheme's last approval in 2009. A section 106 agreement will be used to restrict the enablement development to ensure that the profitability of the scheme is held to the end after the Hall is restored whilst at the same time providing enough income streams to fund the Hall's restoration, thereby securing the Hall's redevelopment.

The scheme would represent inappropriate development in the Green Belt and by definition inappropriate development is harmful to the Green Belt. However, it is the opinion of the LPA that the benefit of securing the restoration of a Grade II* listed building does constitute the very special circumstances to justify limited new buildings in the Green Belt, and the subsequent harm to the permanence and openness of the Green Belt.

This application is a renewal application for the planning approvals: 04/01064/FUL, 04/01065/LBC and 05/00274/FUL. The Council has previously approved this development scheme in 2009.

5. CONCLUSION

Daresbury Hall has been included on the English Heritage register of Buildings at Risk for a number of years in the highest category of risk. The independent assessment of the application has concluded that the scheme is the minimum required to fund the conservation deficit and deliver a viable scheme to preserve the Hall. Historic England has confirmed that the scheme can be justified as an exceptional circumstance in the pursuit of preserving a grade II* listed building. As such, the benefit of securing the restoration of a listed building constitutes a very special circumstance that would justify limited new housing development in the Green Belt. The Legal Agreement (Section 106) for this application relates to the phasing of the development in line with Historic England's recommendations.

6. RECOMMENDATION

That delegated authority is given to the Operational Director – Planning, Policy and Transportation, in consultation with the Chairman or Vice-Chairman to:

- approve the application, subject to conditions based on those listed below;
- agree the recommended Section 106;
- notwithstanding that the application may be called in by the Secretary of State.

7. SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- In order to comply with Section 91 of the Town and Country Planning Act 1990.

2. Prior to the commencement of development, a sample, full detailed drawings and a detailed specification of the external finishing materials to be used in the construction of all new development (including hard surfaced areas), shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- In the interests of visual amenity, and to comply with Policy BE2 of the Halton Unitary Development Plan.

3. Prior to the commencement of development, details of all drainage works shall be submitted to and approved in writing by the Local Planning Authority. Such details as are approved shall be implemented to the satisfaction of the Local Planning Authority prior to the completion of development and shall be maintained at all times thereafter.

Reason:- To ensure adequate drainage provision and as the submitted application is deficient with respect to these details and to comply with Policy

PR5 of the Halton Unitary Development Plan.

4. Prior to the commencement of development, full details of the location, height, design and illumination levels for any proposed external lighting and street lighting shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that these are designed to retain the rural character of the Green Belt and the setting of the Listed Building in accordance with Policies BE9 of the Halton Unitary Development Plan.

5. Prior to the commencement of development, an updated arboricultural report shall be submitted and approved in writing by the Local Planning Authority. This report should demonstrate full compliance with British Standard 5837 and include a full tree survey, a woodland management plan, a tree protection plan and a method statement to ensure the continued healthy existence of all trees shown to be retained on the approved plan.

Reason:-In order to avoid the damage to the trees on site, in the interests of visual amenity and in accordance with the provisions of Section 197 of the Town and Country Planning Act 1990.

6. Prior to the commencement of development, details of the treatment of all site boundaries shall be submitted to and approved in writing by the Local Planning Authority. The treatments so approved shall then be provided in full prior to the occupation of the dwellings and apartments; and shall thereafter be retained to the satisfaction of the Local Planning Authority.

Reason:- In order to secure the satisfactory development of the site in the interests of visual amenity, and to comply with Policy BE2 of the Halton Local Plan.

7. Prior to the commencement of development, details of the new entrance gate piers shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:- In the interests of visual amenity and to protect the historical and architectural character of the Listed Building and its grounds and to comply with policy BE10 of the Halton Unitary Development Plan.

8. Prior to the commencement of development , a sample and full detailed drawings and a detailed specification of the external finishing materials to be used in the repair, alteration and extension of the existing buildings that are to be retained, shall be submitted to and approved in writing by the Local

Planning Authority.

Reason:- In the interests of visual amenity, and to comply with Policy BE2 of the Halton Local Plan.

9. Prior to the commencement of the development hereby approved details of wheel cleansing facilities for heavy commercial and site vehicles shall be submitted for the approval of the Local Planning Authority. Such details as are approved shall be implemented, maintained and used throughout the construction period of the development.

Reason:- To ensure that satisfactory measures are in force so as to alleviate any impact dust and dirt may have on the local environment, and to comply with policy BE1 of the Halton Unitary Development Plan.

10. Prior to commencement of development, the visibility splays shown on plan 4166/S/L/1 shall be provided. The approved details shall be maintained at all times to the satisfaction of the Local Planning Authority.

Reason: In the interest of highway safety and to comply with Policies BE1 and TP17 of the Halton Unitary Development Plan.

11. Prior to the commencement of development, details of the provisions made for barn owls, shall be submitted, together with details of the timing of the works to the satisfaction of the Local Planning Authority.

Reason: In order not to deter the roosting of barn owls, a species protected by the Wildlife and Countryside Act 1981 and to comply with policy GE21 of the Halton Unitary Development Plan.

12. No work on site (including the pre-construction delivery of equipment or materials) shall be commence until the Local Planning Authority has been notified in writing of the proposed date of commencement and has confirmed that the protective fencing around the trees has been erected to its satisfaction.

Reason:-In order to avoid the damage to the trees on site, in the interests of visual amenity and in accordance with the provisions of Section 197 of the Town and Country Planning Act 1990.

13. No development shall take place until the applicant, or his agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

Reason: To ensure the proper investigation of the site due to its historic importance and to comply with Policy BE6 of the Halton Unitary Development Plan.

14. No development shall take place until full details of a scheme and programme for the restoration of the pond within the site, including details of the timing of the works, have been submitted to and approved in writing by Local Planning Authority.

Reason: In the interests of enhancing the habitat and the amenity value of the pond and to comply with Policy BE1 and BE2 of the Halton Unitary Development Plan.

15. Before any site works commence, robust temporary fencing shall be erected to adequately protect all existing trees shown to be retained. The location and specification of this fencing shall be in accordance with British Standard 5837 "Trees in relation to construction".

Reason:- In order to avoid damage to the trees on the site, in the interests of visual amenity and in accordance with the provisions of section 197 of the Town and Country Planning Act 1990.

16. All roadways within the site shall be to the width and in the location as shown on the approved plans. There shall be no alterations to the existing roads, including re-surfacing, until full details of the proposed hard surface and construction specification have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and in accordance with the Councils, duty under Section 197 of the Town and Country Planning Act 1990 and in accordance with Policy BE1 of the Halton Unitary Development Plan as the construction and alteration of roadways is likely to have an adverse impact on the trees on the site unless adequately controlled.

17. Within the protective zones surrounding each tree, as defined by the fencing, there shall be no raising or lowering of levels, no storage of soil, debris or building materials, no installation of underground services, kerbing, or any kind of hard surfacing, no passage of vehicles or any other sort of site activity without prior consultation with the Council's Tree Officer.

In order to avoid damage to the trees on the site, in the interests of visual amenity and in accordance with the provisions of Section 197 of the Town and Country Planning Act 1990.

18. Any tree that suffers serious injury during the period of construction, or dies within three years of completion of the development, shall be felled and replaced with a tree (or trees) of suitable size and species, to the satisfaction of the Local Planning Authority in the first available planting season thereafter. Reason:- To ensure the satisfactory landscaping of the site in the interests of visual amenity and in accordance with the provisions of section 197 of the Town and Country Planning Act 1990.

19. Where it is necessary to install underground services in proximity to retained trees and the routes are clearly shown on the approved plans, the work shall be carried out strictly in accordance with NJUG (National Joint Utilities Group) Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees.

Reason:- In order to avoid damage to the trees on the site, in the interests of visual amenity and in accordance with the provisions of Section 197 of the Town and Country Planning Act 1990.

20. Where it is necessary to construct hard surfacing such as paths or driveways in proximity to retained trees and these are clearly shown on the approved plans, the work shall be carried out in accordance with Arboricultural Practice Note 12 'Through the trees to development' and supervised on site by a qualified arboriculturalist.

Reason:- In order to avoid damage to the trees on the site, in the interests of visual amenity and in accordance with the provisions of Section 197 of the Town and Country Planning Act 1990.

21. Prior to the occupation of the premises hereby approved the vehicle access, service and parking areas shall be laid out and surfaced to the satisfaction of the Local Planning Authority in accordance with the approved plans, and shall be retained at all times thereafter within the curtilage of the site for use exclusively in connection with the development hereby approved.

Reason:- To ensure the satisfactory development of the site in the interests of highway safety, and to comply with Policy BE1 of the Halton Unitary Development Plan.

22. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that order) no enlargement of a dwelling-house nor the provision of any building or enclosure within the curtilage of the dwelling-house, as permitted by Classes A, B, C, D, E, G and H of Part 1 of Schedule 2 of that order shall be allowed without the prior written consent of the Local Planning Authority.

Reason:- In order that the Local Planning Authority may exercise control over any proposed future extensions or the provision of any buildings or enclosures in the interests of residential amenity as the exercise of permitted development rights is likely to reduce private amenity space below the standard normally considered acceptable by the Local Planning Authority, and to comply with Policy BE1 & BE10 of the Halton Unitary Development Plan.

23. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that order) no hard surfacing other than that hereby approved, or the erection or construction of a gate, fence, wall or other means of enclosure, as permitted by Class F of Part 1 of Schedule 2 of that order shall be allowed forward of a dwelling-house fronting a highway without the prior written consent of the Local Planning Authority.

Reason:- In order that the local Planning Authority may exercise control over any proposed future hard surfaced areas, or the erection or construction of a gate, fence, wall or other means of enclosure forward of a dwelling fronting a highway, which would otherwise constitute permitted development in the interests of visual amenity, and to comply with Policy BE1 & BE10 of the Halton Unitary Development Plan.

24. The roof finish of all new development shall be natural slate and lead unless otherwise agreed in writing with the Local Planning Authority.

Reason:- In the interests of visual amenity and to reflect the character of Daresbury Hall and to comply with policy BE10 of the Halton Unitary Development Plan.

25. Rainwater goods on all new development shall be cast metal unless otherwise agreed in writing with the Local Planning Authority.

Reason:- In the interests of visual amenity and to reflect the character of Daresbury Hall and to comply with policy BE10 of the Halton Unitary Development Plan.

26. Windows on all new development shall be timber, paint finish and set back from the face of the outer wall by a minimum of 100mm.

Reason:- In the interests of visual amenity and to reflect the character of Daresbury Hall and to comply with policy BE10 of the Halton Unitary Development Plan.

27. Stone dressings in all new development are to be natural and not artificial or reconstructed stone.

Reason:- In the interests of visual amenity and to reflect the character of Daresbury Hall and to comply with policy BE10 of the Halton Unitary Development Plan.

28. The cobbled surface to the stable courtyard is to be retained and reinstated in accordance with an approved plan and specification.

Reason:- In the interests of visual amenity and to protect the setting of the Listed Buildings and retain the historical character of the stables and to comply with policy BE10 of the Halton Unitary Development Plan.

29. The works shall be carried out in accordance with the bat survey submitted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure no damage to wildlife and to comply with Policy GE21 of the Halton Unitary Development Plan.

APPENDIX 1 – ECOLOGY CONSULTANTS ADVICE – 18TH NOVEMBER 2014.

Our Ref: AWG/1235

Tuesday, 18 November 2014

Dear Mr Handy

RE: 12/00139/LBC AND 12/00140/FUL DARESBUY HALL

Further to the planning officers request for information in respect of bat mitigation at the above site we would confirm that we consider the mitigation submitted for the original, consented scheme, is still applicable to the new application.

A Natural England licence will be required for work on buildings at this site as bats have been confirmed as roosting. Natural England will make a determination as to what mitigation and compensation is applicable only after planning permission is granted as it is only at this stage a licence application can be made.

It is not the role of the Planning Authority to determine if mitigation/ compensation is acceptable, but it must have regard to the Habitat Regulations in making a planning determination to the extent that it considers there is a reasonable likelihood Natural England would grant a licence. This need be no more than that it considers there is sufficient scope within a site development for mitigation/ compensation requested by Natural England to be made available and there is no satisfactory alternative to the proposal and it is in the public interest.

Daresbury Hall and associated buildings are listed due to their architectural value and have clearly decayed in recent years. As the planning statements have shown there is no satisfactory alternative to the proposed scheme which can secure the long term survival of these buildings.

Preserving the listed buildings as well as providing new residential accommodation is also in the public interest.

In respect of the mitigation/ compensation for bats at the site we consider the original proposal for the creation of a “bat barn” as submitted with the most recent application still has applicability to the species of bats found on the site.

We however consider that it may also be appropriate to consider use of the garages for bat roosts as these would not require construction to occur within an area of woodland and their maintenance would be the responsibility of the new site owners, hence the long term viability of the roost would be better secured.

We have indicated the type of roost which can be created as well as suitable locations within the garages on Figure 1, 2, 3, 4 and 5. These roost locations are ideal in that they are adjacent to the woodland edge.

Figure 6,7 and 8 details the currently submitted mitigation which is as per the original consented application. This still has applicability but would cause issues with maintenance and construction due to its woodland location. The range of roost types within the previously consented bat barn can be

more than achieved within the garages, indeed roosts can be created in multiple garages, allowing for a greater range of roost types and variables such as aspect to be provided, thus maximising the range of roost conditions available.

We would respectfully request a planning condition refers to the mitigation outlined within this letter which allows for **final details to be agreed with Natural England** . The granting of a Licence for the site, which would then allow for site development to commence, would indicate Natural England's agreement with the scheme.

An approved licence from Natural England could be conditioned as a pre-commencement requirement for work on buildings containing bat roosts.

Suitable locations for bat roosts in garages

Figure 1



Figure 2

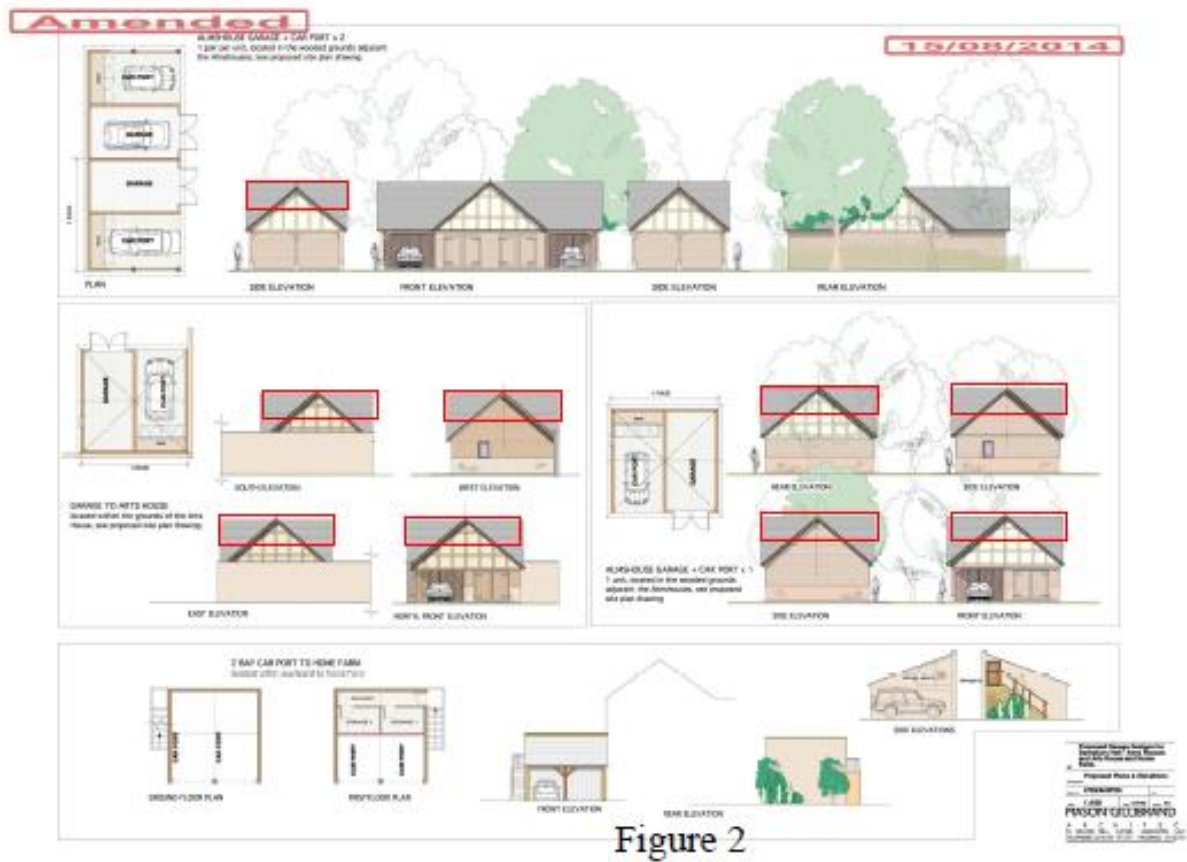


Figure 3

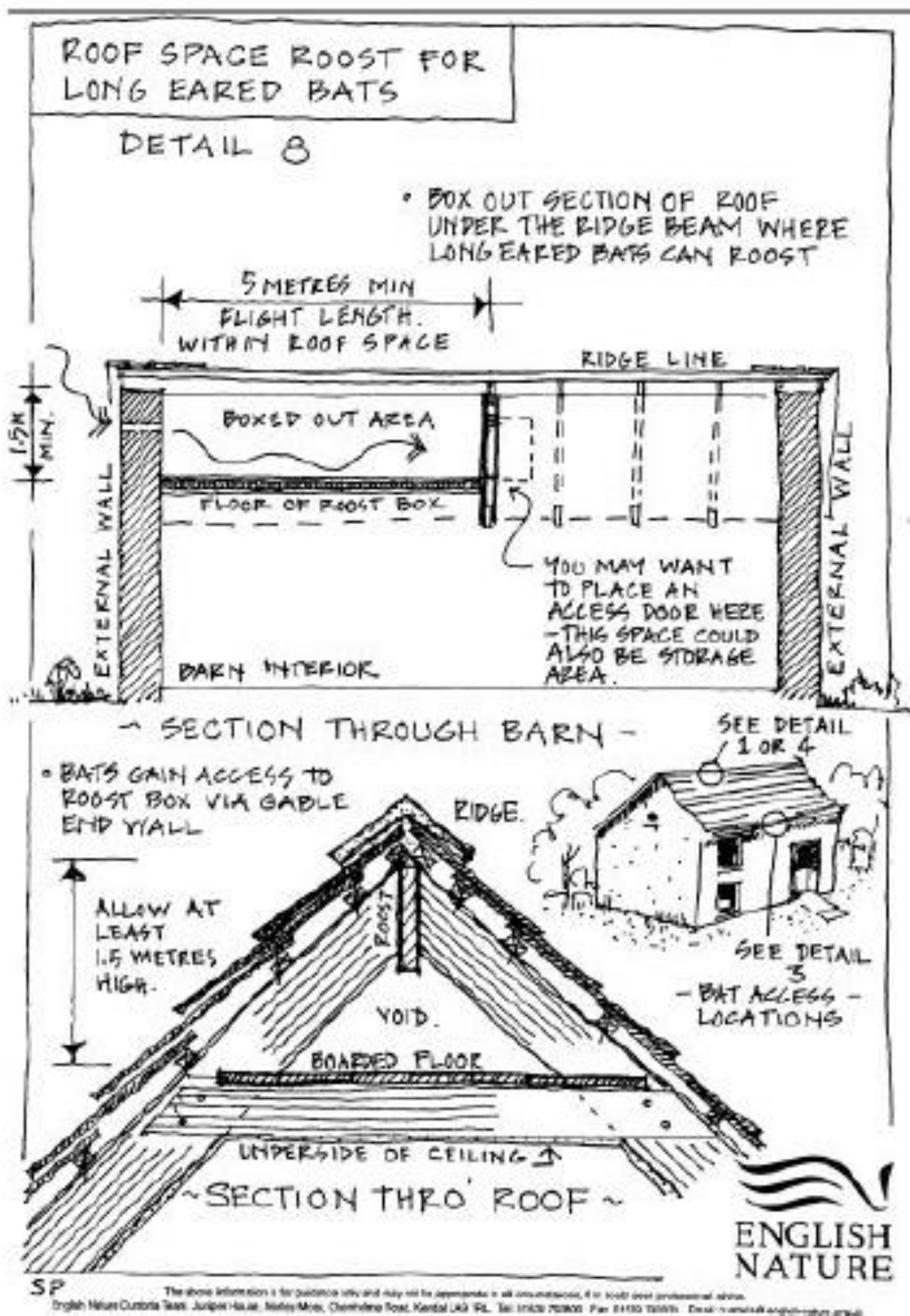


Figure 3

Figure 4

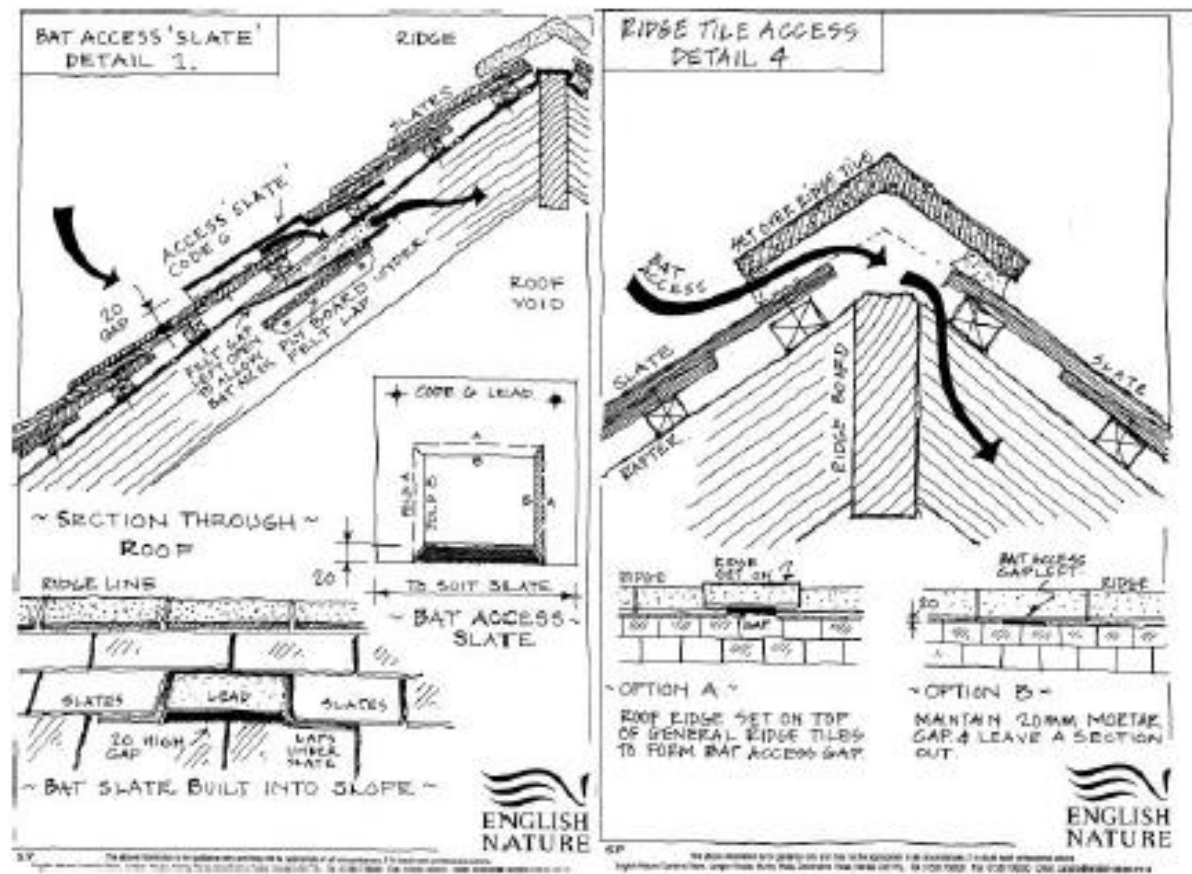


Figure 4

Figure 5

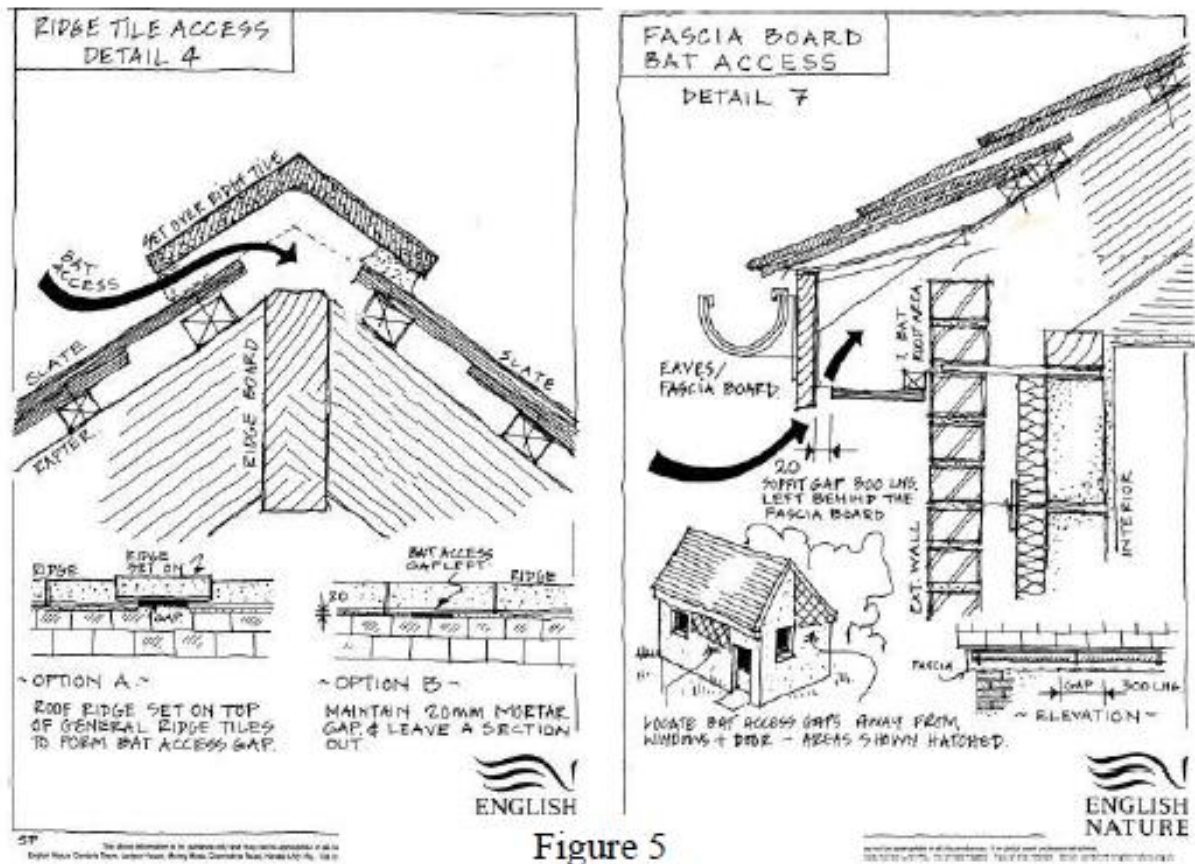
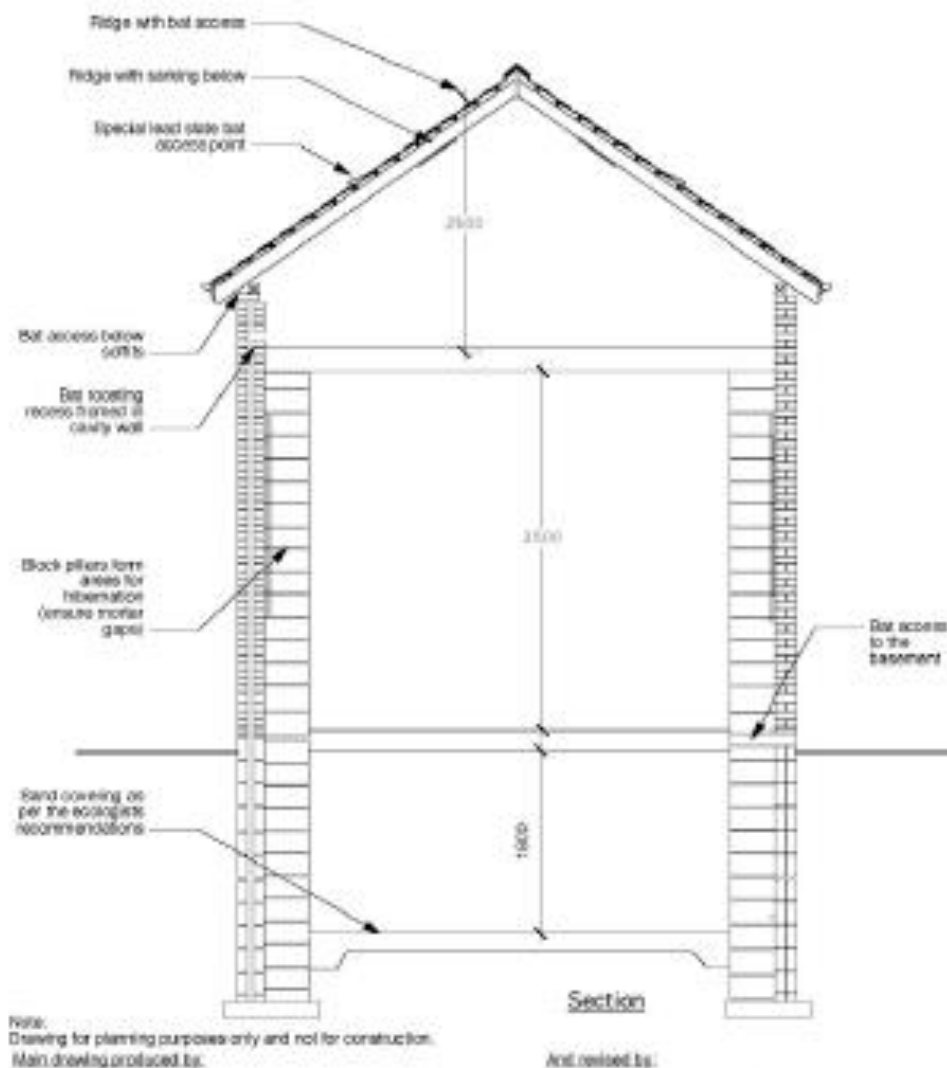


Figure 6



MASON GILLIBRAND
ARCHITECTS
14 WILLOW HILL, DARTON, LINCOLNSHIRE, LN4 7BA
TELEPHONE: 01522 770371 FACSIMILE: 01522 770372

DATE	Daresbury Hall	PROJECT	
REVISION	Bat roost section	DATE	
BY	4/10/08/mf04	CHKD	12/08/08
APP'D		DATE	20/08/08

Figure 6

Figure 8



Figure 8

BARN OWLS

Surveys of the site for this species were undertaken in 2012 and 2014 by Andrew Gardner who holds a disturbance licence for Barn Owls at their nest sites in all counties of England (Licence 20131378).

No indication of breeding by the species was found at the site in either 2012 or 2014. Indications of roosting by the species was noted in both 2012 and 2014. The erection of a barn owl nest box in the edge of woodland to the East of the site would be sufficient mitigation for this species.

NESTING BIRDS

Restrictions on the timing of the commencement of work without additional checks for nesting birds are appropriate and inline with best practice.

Should you need to discuss the above please do not hesitate to contact me.

Yours Sincerely

Andrew Gardner BSc (Hons), MSc, MCIEEM, MRICS, CEnv, Dip NDEA

Director Envirotech

APPENDIX 2

Dear Andrew,

Thank you for forwarding the letter from envirotech dated 18th November. In response to their observations I would like to clarify the situation in relation to the roles of the LPA and Natural England and the points we have raised.

The species protection provisions of the Habitats Directive, as implemented by the Conservation (Natural Habitats Etc.) Regulations 1994, contain three "derogation tests" which must be applied by Natural England when deciding whether to grant a licence to a person carrying out an activity which would harm an EPS. For development activities this licence is normally obtained after planning permission has been obtained.

The three tests are that:

- the activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety;
- there must be no satisfactory alternative; and
- favourable conservation status of the species must be maintained.

Notwithstanding the licensing regime, the LPA must also address its mind to these three tests when deciding whether to grant planning permission for a development which could harm an EPS. A LPA failing to do so would be in breach of Regulation 3(4) of the 1994 Regulations which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.

LPAs need to understand the case law and put it into practice to avoid future legal challenges of their planning decisions. They need a system in place under which:

- officers are aware of the legal requirements on them and understand that a LPA cannot discharge its duty simply by adding a condition to the grant of planning permission which requires a licence from Natural England to be obtained (such a condition would not be sufficient to "engage" with the Habitats Directive)
- consideration is given by the LPA to whether criminal offences against a European Protected Species are likely to arise from a development proposal – this in turn means that LPAs need to screen planning applications for their likelihood of impacting on EPS. Furthermore careful attention needs to be given to any "mitigation" (i.e. offence avoidance measures) which the developer may propose
- the three derogation tests are (where necessary) applied and relevant information is obtained from the applicant
- these issues are documented clearly through the determination process, and
- these issues are applied not just in relation to planning applications for full planning permission but also for outline permission, for listed buildings consent and for building regulations consent.

Unfortunately in this case we believe there is a **high risk** that a licence may be **refused** as not enough information has been provided to ensure that the third derogation test has been met. The reasons for this conclusion are set out below:

1. Third test
Regulation 53(9)(b) – ‘that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range’ – therefore **standard survey information according to BCT guidelines required** and outline mitigation proposals to ensure FCS is maintained.
2. It is quite clear that a Natural England licence will not be granted without dawn/dusk surveys as set out in the Natural England Standing Advice on Bats:
 - **Box 5:** *Has sufficient survey work and suitable assessment been undertaken in accordance with good practice guidelines? This should be sufficient to determine i) presence or absence of roosts and if present ii) roost status iii) species affected. It should also be sufficient to assess direct and indirect impacts on Bats and their breeding and resting places within and outside the application site, including disturbance, habitat loss and severance.*
 - **Box 3:** *Further survey and/or assessment required in accordance with good practice guidelines – request additional information from applicant. **If not provided, then the application should be refused.***
3. Furthermore **Government Circular 06/05** states that:
It is essential that the presence of protected species and extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.

In our letters dated 3rd Sept and 29th Sept we set out the reasons we believe the bat surveys provided to support this application are inadequate (**refer to section 8.3.4 in the BCT – Good practice guidelines , second edition**). We also re-iterate that if the licence application is to cover the whole site, and not just the buildings, then a detailed tree survey for bat roost potential (as well as barn owls) will need to be undertaken.

Our comments (29th Sept) in relation to the absence of a phase 1 survey still stand (missing information for amphibians, badgers and potential habitat loss).

We would also expect that further details relating to the barn owl mitigation to be submitted (such as timing and location of barn owl boxes in line with guidance provided by the Barn Owl Trust). Additionally a planning condition will be required to ensure that the site (including buildings) has been checked by an ecologist for the presence of nesting birds immediately prior to any work commencing if this occurs during the bird nesting season (1st March to 31st August inclusive).

I suggest that should envirotech disagree with the above information in relation to obtaining a bat licence, then Natural England should be contacted directly by the applicant. The LPA should then be provided with a letter from NE which sets out their position.

Regards, Rachel Giles Ph.D.

Ecology and Planning Officer

APPENDIX 3 – ECOLOGY CONSULTANTS ADVICE – 27th JANUARY 2015.

Your Ref: 2013/0849/FUL
Mr Andrew Evans
Halton Borough Council
Our Ref: AWG/1684
Tuesday, 27 January 2015

Dear Mr Evans;

**APPLICATION: 12/00139/LBC AND 12/00140/FUL
SITE- DARESBURY HALL**

Further to your recent email I attach a copy of a legal briefing on European Protected Species licensing requirements for LPA's. The section specifically relating to the case in hand is produced below. We have consulted the author Penny Simpson in the past, she is considered to be pre-eminent in Environmental Law.

“Where NE is not consulted then in order to discharge its regulation 9(5) duty my view is that the LPA would still need to consider itself whether Article 12(1) will be breached. Where it believes Article 12(1) will not be breached then the EPS should create no impediment to the grant of planning permission. However where a LPA believes Article 12(1) will be breached the LPA will still then need to consider whether NE is likely to grant a licence. This in turn will necessarily require consideration of the three derogation tests. Following analysis of the three derogation tests, the Supreme Court has made clear (see Lord Brown's judgment) that the LPA should only refuse planning permission if it believes that NE is unlikely to grant a licence. The implication of this is that where the LPA concludes that a EPS licence is likely to be granted by NE or even where the LPA is unsure of NE's likely response then (in contrast to the Court of Appeal's guidance) the EPS should not prevent the LPA from granting permission.”

CWT considers there is insufficient survey information for Natural England to make a determination and suggests the guidelines indicate the need for more surveys. In contrast it is our professional opinion that the level of survey is wholly appropriate to the level of risk associated with the site, the species of bat has been confirmed and the roost status is known.

It is also apparent that the buildings on site have degraded significantly and the long term potential for them to remain suitable for bats is very low. Without re-development of the site bat roosts would by default be lost in the short-medium term. We currently hold multiple licenses from Natural England for on-going development work and are fully aware of the requirements and guidelines. At this site there has been a total of 7 survey visits. This vastly exceeds the minimum recommendations.

The guidelines, Chapter 1, Paragraph 3 also state:

“The guidance should be interpreted and adapted on a case-by- case basis, according to the expert judgment of those involved. There is no substitute for knowledge and experience in survey planning, methodology and interpretation of findings, and these guidelines are intended to support these. Where examples are given they are descriptive rather than prescriptive.”

We have fully justified our survey methodology and findings in accordance with this statement.

In this case as you are presented with two differing opinions, and are therefore potentially unsure if a license will be granted, in accordance with the Supreme Court ruling you should grant permission with a condition requiring an EPSM license from Natural England. They will then determine if the level of survey and proposed mitigation/ compensation is acceptable and agree or require amendments to that which is proposed.

We trust the above will allow progression of the planning application at this site and provides clarification on the correct legal basis for its consideration.

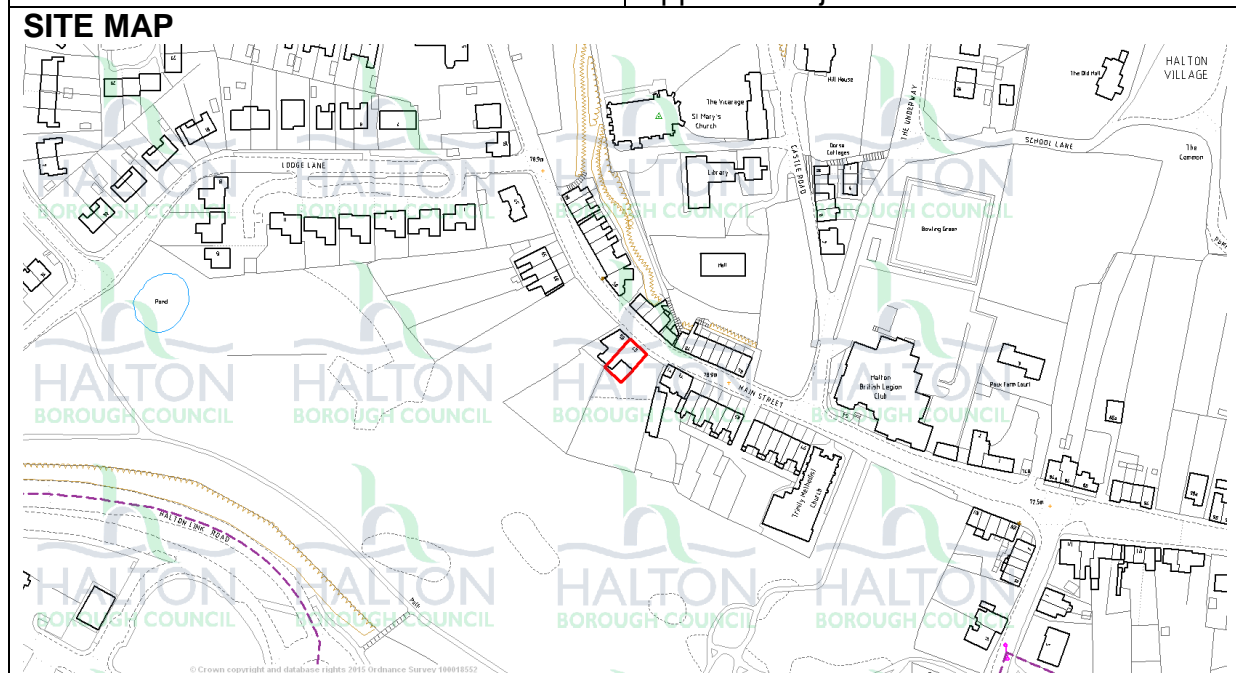
Yours Sincerely

Andrew Gardner BSc (Hons), MSc, CMIEEM, MRICS, CEnv, Dip NDEA

Director Envirotech NW Ltd

andrew@envtech.co.uk

APPLICATION NO:	15/00443/FUL
LOCATION:	67 Main Street, Runcorn
PROPOSAL:	Proposed change of use from commercial (Use Class A1) to 10 no. bed Home of Multiple Occupation (HMO) including internal alterations, amendments to external elevations and two storey rear extension
WARD:	Halton Castle
PARISH:	N/A
AGENT(S) / APPLICANT(S):	Mr Jamie Pugh
DEVELOPMENT PLAN ALLOCATION: Halton Unitary Development Plan (2005)	Neighbourhood Centre and Primarily Residential Area Halton Conservation Area
DEPARTURE	No
REPRESENTATIONS:	35 plus 1 Councillor Objection
RECOMMENDATION:	Approve subject to conditions



APPLICATION SITE

The Site and Surroundings

Site of former retail unit with associated 4 bed residential accommodation and surrounding land to side and rear. The site lies at Main Street, Halton Village, Runcorn within the Halton Conservation Area. The western flank of Town Park lies immediately to the rear of the site.

Planning History

Planning permission (ref. 12/00135/FUL) for proposed extension/ alteration and change of use from commercial (Use Class A1) to 2 no. dwellings including the provision of vehicle access and off road parking is considered to remain extant. The applicant claims to be carrying out building works associated with the implementation of that planning permission but will revert to the current scheme if approved. A previous outline planning application (with all matters reserved) (ref. 09/00263/OUT) for the proposed refurbishment/conversion of the existing property to 2 No. dwellings, construction of additional 3 No. dwellings and associated access was withdrawn.

THE APPLICATION

Proposal Description

The application seeks permission for the erection of a two storey extension to the rear of a vacant shop and associated residential accommodation together with external (including infilling of the existing shop front) and internal alterations to facilitate conversion to a 10 Bed House in Multiple Occupation. The scheme has been amended to reduce the number of roof lights and remove details to lower sandstone lintel heights to windows on the ground floor front elevation. The scheme also includes provision of vehicle access from Main Street and off road parking for up to 8 cars and cycle parking within part of the rear garden area.

POLICY CONTEXT

National Planning Policy Framework

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

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

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

Halton Unitary Development Plan (UDP) (2005)

The existing building is identified as falling within a Neighbourhood Centre in the Halton Unitary Development Plan whilst the remainder of the site (land to the side and rear) lies with a Primarily Residential Area.

The following National and Council Unitary Development Plan policies and policy documents are of particular relevance: -

BE1	General Requirements for Development
BE2	Quality of Design
BE12	General Development Criteria- Conservation Areas
BE19	Disabled Access for Changes of Use, Alterations and Extensions
TP6	Cycle Provision as Part of New Development
TP7	Pedestrian Improvement as Part of New Development
TP12	Car Parking
TP17	Safe Travel for All
TC9	Non-Retail Uses Within Neighbourhood Centres

Halton Core Strategy (2012)

CS2	Presumption in Favour of Sustainable Development
CS5	A Neighbourhood of Centres
CS18	High Quality Design

Relevant SPDs

None of direct relevance

CONSULTATIONS

HBC Highways– No objection
HBC Open Spaces – No objection

REPRESENTATIONS

A total of 36 letters of objection (including a Councillor) have been received in relation to the application. The principle issues raised relate to the following:

- Highway congestion, capacity and safety
- Insufficient parking provision
- Parking demand would increase and exacerbate existing parking problems
- Not suited to and detrimental impact on the area/ Conservation Area, loss of original features including shop front, and chimneys, insertion of modern rooflights
- Would be better suited to family housing as previously approved and needed in the area
- Questioning need after previously approved single occupancy, student accommodation, flats, bedsits in the area and impact of such inferior housing in the area

- Use out of keeping with the area/ Conservation Area and would undermine local community
- Developer greed
- Questioning use and location as a “hostel”
- That single occupancy properties are outdated and “archaic”
- Impact on self-esteem and quality of life, families and community
- Lack of consultation
- Building noise and associated disturbances
- Questioning what type of people it will attract, how it will be maintained and how will problems be managed
- Fire safety
- That such cramped and unpleasant conditions risk creating social problems and fear and putting vulnerable people at risk.
- Risk of harm to residents in terms of quality of life and amenity in terms of parking, traffic, overcrowding, neighbour disputes, anti-social behaviour.
- The property in question would be better used as some other facility such as a tea room to complement the rest of the area, provide a meeting place for the elderly, and to build on the work that has taken place to rejuvenate Halton's Castle's place as a cultural attraction

Councillor Howard has written to state his objection to the proposals and that:

“the proposal to create a 10 bed Home of Multiple Occupation at 67 Main St. is wholly out of keeping with the Halton Village Conservation Area and will create an extremely hazardous situation with vehicles attempting to access and egress the property. Main St. is already extremely congested and this proposed development will inevitably increase congestion. It must be remembered that Main St. is a road designed for the 18th century; not the 21st century. The traffic is far greater and of a different kind to the traffic for which Main St. was designed.”

ASSESSMENT

The application seeks permission for the erection of a two storey extension to the rear of a vacant shop and associated residential accommodation together with external (including infilling of the existing shop front) and internal alterations to facilitate conversion to a 10 Bed House in Multiple Occupation (HMO). The scheme has been amended to reduce the number of roof lights and remove details to lower sandstone lintel heights to windows on the ground floor front elevation. The scheme also includes provision of vehicle access from Main Street and off road parking for up to 8 cars and cycle parking within part of the rear garden area.

Principle of the Proposed Use

Permission is sought for the extension and redevelopment of the building and part of its environs for use as a House in Multiple Occupation. The building is designated as within a Neighbourhood Centre in the Halton Unitary Development Plan and the wider site as within a Primarily Residential Area. Conversion of the building to residential use in the form of two dwelling houses (Use Class C3) has

been previously established through the approval of planning permission (ref. 12/00135/FUL).

UDP Policy TC9 permits change of use to A2 (Financial and Professional Services) and A3 (Sale of Food and Drink) at ground floor providing the existing unit is not a viable convenience store or post office. Whilst the scheme does not propose the specified A2 or A3 use, it is not considered that the unit to be lost could reasonably be argued to be a “viable convenience store or post office” by nature of its long term vacancy and former use. An existing convenience store is also located a short distance away within Halton Village. The scheme has the potential to bring back an attractive and historical building into beneficial use and refurbish a long term vacant and derelict building. The principle of conversion to residential use has also been established by the grant of earlier planning permission. The Councils Halton Local Centres Review (2015) also identifies the removal of this unit from the local centre designation. On this basis it is not considered that an objection could be justified regarding the loss of retail floor space in this case.

It must be noted that the provisions of the Town and Country Planning (Use Classes) Order as amended allows for the permitted change of any building within Use Class C3 to a House in Multiple Occupation for up to 6 people under Use Class C4. Whilst the proposed use of the building as a 10 bed HMO within a single building would fall outside the C4 Use Class it should be noted that the applicant could arguably implement the planning permission for 2 dwellings approved by the earlier planning permission and convert both to Houses in Multiple Occupation for a total of up to 12 people (maximum of 6 within each dwelling) without any need for planning permission.

Notwithstanding that, the building as previously approved, albeit with internal and external alteration, can be demonstrated to be capable of providing the accommodation for a 10 bed HMO in accordance with the Councils HMO room size standards. It should also be noted that such a property will also be licensed by the Council's Environmental Health Team with respect to maintaining minimum standards of accommodation, facilities provision and fire safety.

It is not considered that additional impacts associated with the additional numbers of occupants and associated comings and goings could be argued to result in significantly greater impact than the former residential and shop use or approved use as 2 dwelling houses to justify refusal of planning permission in this case. The attached semi-detached property is not currently in residential use and it is not considered that significant issues are likely to arise from transfer of noise to adjoining rooms from the proposed use.

Heritage and Conservation

The building and wider site lies within the Halton Conservation Area. The property is a semi-detached 4 bed house with shop front believed to have been constructed circa 1850 in red brick with a slate roof and sash windows. The building to date has remained largely unaltered unlike the adjoining semi and many surrounding properties which have been altered dramatically including

addition of paint/ render finishes to front elevations and modern replacement windows including UPVC. Despite its historical and attractive character the building and its location within the Halton Conservation Area, the building is not listed, offered any form of local list protection or subject to any further protection afforded by Article 4 Direction. It is considered that the buildings retention within the area is of merit and that the best way to achieve that is through securing a viable use for the building whether through re-use or sympathetic redevelopment and conversion.

It is considered that the principle of conversion to residential use, the addition of a two storey, rear extension, of removing the shop front and replacement with brick infill with a new front door and window to match the existing on the frontage and of vehicular access to the side with rear parking court has been previously established through the approval of earlier planning permission (ref. 12/00135/FUL).

In accordance with the advice of the Council's retained adviser on heritage and conservation matters the applicant has agreed to remove proposals to drop the heads of the ground floor windows within the front elevation and reduced the number of roof light windows within the roof slope. It is acknowledged that the proposed rear extensions now provide a gable detail rather than the previously approved hipped roof design, that the parking and access areas will present an increased area of hardstanding to the side and rear of the site, that windows are no longer proposed within the side elevation and that levels and rear elevation windows and doors have altered. It is however considered that the proposals, in terms of visual impact on the character of the building and conservation area are not so dissimilar from those previously approved to be considered harmful. It is not therefore considered that refusal of planning permission could not therefore be justified or sustained on such grounds.

Trees

One large Sycamore protected by Tree Preservation Order currently remains on site. This adjoins the proposed vehicular access road towards the site entrance and visible from Main Street. This is shown to be retained through the scheme. Whilst the construction of the proposed access road will require retaining structures in relatively close proximity to the protected tree it is advised that adequate protection can be provided including appropriate Root Protection Area. Some pruning is proposed to the retained tree. The Council's Open Spaces Officer has advised that permission was granted in 2012 to carry out pruning works consisting of dead wood removal, crown lift, thin and reduce (no more than 20 per cent) but never carried out. It is now advised that such a request to carry out pruning works in accordance with those previously agreed works is considered appropriate. It is considered that this, along with other appropriate tree protection measures, can be confirmed by appropriately worded planning conditions.

Highways, Parking and Accessibility

The application proposes the creation of vehicular and pedestrian access off Main Street which would then slope down along the side of the building to the land at

the rear where car parking for 8 spaces is identified. Provision for bin storage is also identified at the junction of the proposed access road with Main Street. It should be noted that the principle of vehicular access from Main Street with parking for 4 spaces has previously been accepted and approved under the earlier planning permission (ref. 12/00135/FUL).

The Council's Highways Engineer has advised that the plans as submitted show an incorrect visibility splay detail and are not as previously approved. The plans also indicate a steeper gradient entrance slope than previously approved with car parking provision copied from older plans and not relevant to this application.

Notwithstanding the errors in the plans as submitted it is considered that appropriate vehicular and pedestrian access can be provided to the rear of the building at a gradient of 1:10 as agreed by the earlier grant of planning permission. The plan indicates a pedestrian link alongside the property and proposed driveway providing pedestrian access to the rear at the same gradient. Such a gradient is not considered compliant with current standards in terms of access for people with disabilities and this issue is further compounded by the need for steps up to the rear entrance door due to significant level changes across the site. The applicant has however agreed to amended plans to include an additional frontage access direct from Main Street thereby providing level access to the building. The necessary amendments to the front elevation detail required to accommodate this change has resulted in insertion of an additional front door which results in the proposed front elevation detail more closely reflecting the previously approved scheme.

The current scheme also offers an added section of localised widening to reduce potential conflict at the driveway entrance whilst hatching to the access together with existing on street parking restrictions is considered to allow for appropriate highway and pedestrian visibility splays at the vehicular exit to Main Street. Such visibility is further maintained by existing parking restrictions in the form of double yellow lines to the front of and opposite the proposed site entrance which should prevent the access from being obstructed. The location of these existing double yellow lines also means that no reasonable argument could be made that the proposed new access would result in a significant loss of any existing on street parking.

For a HMO of this nature the Highway Authority has advised that they would recommend that a minimum of 4 spaces are required. They recommended that the applicant formally line out only 4 parking spaces instead of the 8 proposed in the submitted plans to allow more turning space within the site and improve the circulation within the parking area. Discussions are ongoing with the applicant in this regard and members will be updated accordingly. No objection is however raised by the Council's Highways Engineer to the proposed increase in parking accessing from the new driveway. Scope has also been identified to provide cycle parking within the rear parking court and this can be secured by appropriately worded planning condition.

Summary and Conclusions

Permission is sought for the extension and redevelopment of the building and part of its environs for use as a 10 bed House in Multiple Occupation. The principle of conversion to residential use together with extension, alteration and vehicle access and parking are considered to have been previously agreed by approval of earlier planning permission (ref. 12/00135/FUL).

The building is considered capable of providing the accommodation for a 10 bed HMO in accordance with the Council's HMO room size standards and legislation outside the planning process will allow future controls with respect to maintaining minimum standards of accommodation, facilities provision and fire safety.

Whilst such higher density housing may raise concerns amongst local residents over vehicle movements and parking, potential noise and disturbance and even anti-social behaviour it is not considered that additional impacts associated with the additional numbers of occupants could be argued to result in likely significant harm to justify refusal of planning permission. With respect to highways, servicing and parking it is considered that adequate provision can be made in all regards with provision made for a 200 per cent parking ratio when compared with levels advised by the Council's Highways Officers. It is not considered that the additional accommodation would add substantially to levels of traffic or such manoeuvres as to justify refusal of planning permission on highway safety grounds and the Council's Highways Engineers have confirmed that they raise no objection.

Whilst discussions are ongoing with the applicant to secure accurate and appropriate amended plans such amendments are considered to relate to detailing within the scheme and members will be updated as required. The scheme has the potential to bring back into beneficial use an attractive and historical building and refurbishing what has become a derelict building. It would also provide much needed residential accommodation in the Borough and is therefore recommended for approval.

RECOMMENDATIONS

Approve subject to conditions.

CONDITIONS

1. Standard 3 year permission (BE1)
2. Condition specifying plans/ amended plans (BE1)
3. Materials condition, requiring the submission and approval of the materials to be used (BE2)
4. Landscaping condition, requiring the submission of both hard and soft landscaping to include tree planting. (BE2)
5. Boundary treatments including retaining walls to be submitted and approved in writing. (BE2)
6. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)

7. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
8. Conditions relating to the agreement and implementation of bin and cycle parking provision (BE1/ TP6)
9. Conditions relating to tree protection during construction (BE1)
10. Specifying approved TPO tree works (BE1)

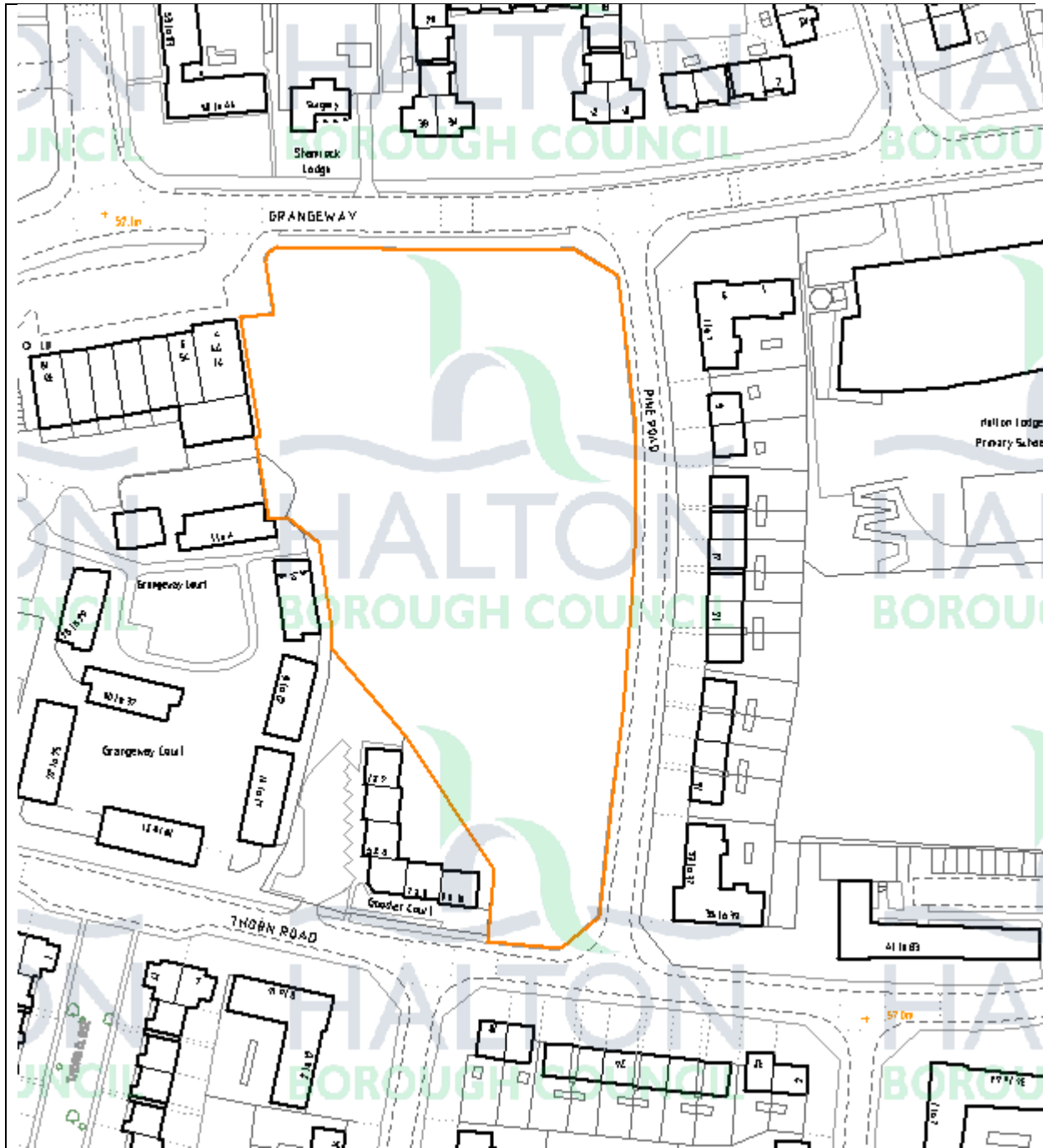
SUSTAINABILITY STATEMENT

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.

APPLICATION NO:	15/00493/FUL
LOCATION:	Land bounded by Grangeway, Pine Road and Thorn Road, Runcorn, Cheshire.
PROPOSAL:	Proposed development of 42 no. dwellings (21 no. houses and 21 no. apartments) with associated car parking, gardens, access roads and landscaping.
WARD:	Grange
PARISH:	None
AGENT(S) / APPLICANT(S):	Halton Housing Trust.
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)	Greenspace.
DEPARTURE	Yes
REPRESENTATIONS:	36 representations were received by the Council following the applicant undertaking a public consultation event on 17 th June 2015. 18 representations were received from the publicity given to the application.
KEY ISSUES:	Principle of Residential Development, Development on a designated greenspace, Design, Amenity, Affordable Housing, Open Space, Access.
RECOMMENDATION:	Grant planning permission subject to conditions.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site subject of the application is an area of open space which is located adjacent to Grangeway, Pine Road and Thorn Road in Runcorn.

The site is located adjacent to a shopping parade with apartments above which fronts Grangeway. The surrounding area is predominantly residential in nature.

The site is 0.89 ha in area.

The entire site is washed over with a Greenspace designation in the Halton Unitary Development Plan.

2. THE APPLICATION

2.1 The Proposal

The application proposes the development of 42no. dwellings (21no. houses and 21no. apartments) with associated car parking, gardens, access roads and landscaping.

2.2 Documentation

The planning application is supported the following documents/plans:

- Design and Access Statement
- Landscape Plan
- Preliminary Ecological Appraisal
- Arboricultural Impact Assessment
- Phase I Desktop Study
- Phase II Site Appraisal
- Gas Addendum Letter
- Drainage Statement
- Proposed Site Levels and Tracking
- Proposed Streetscenes

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 Greenspace in the Halton Unitary Development Plan. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance;

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- GE6 Protection of Designated Greenspace;
- GE8 Development within Designated Greenspace;
- 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

No objection to the proposed development is raised subject to the attachment of a number of conditions and informatives.

4.2 Lead Local Flood Authority

The drainage statement sets out initial proposals for the site which after receiving some clarifications is considered to be satisfactory. A condition securing the submission of a detailed drainage scheme has been suggested.

4.3 Open Spaces – Trees

None of the trees on the application site are afforded statutory protection and the site is not located within a Conservation Area.

4no. alder trees would be lost to facilitate this proposal. These are not significant trees and their loss could be mitigated with replacement planting. The indicative planting shown on the proposed site plan is acceptable in principle. The suggested planting in the Arboricultural Impact Assessment needs to be followed through to a detailed landscaping plan which should be secured by condition.

There are no ecological constraints associated with the proposal, however it is recommended that all works should comply with current bird nesting legislation. The protection of breeding birds can be secured through a suitably worded condition.

4.4 Contaminated Land

The following reports have been submitted in support of the application;

- Phase 1 Site Appraisal (Desk Study), GRM, Grangeway, Runcorn, June 2015, ref. GRM/P7025/DS.1
- Phase 2 Site Appraisal, GRM, Grangeway, Runcorn, August 2015, ref. GRM/P7025/F.1
- Gas Addendum Letter Report, GRM, Grangeway, Runcorn, 5th November 2015, ref. P7025 AJP-1

The phase 1 study identified no obvious contamination sources with the exception of numerous historical ponds, all of which were located off site. The ground investigation identified typically 0.4-0.6m of topsoil/ made ground underlain by weathered Bollin Mudstone. Soil contaminant concentrations were all found to be below conservative generic assessment criteria and ground gas monitoring did not identify any elevated gas levels or flows. The reports conclude that the site can therefore be considered uncontaminated and there are no requirements for remediation. The Contaminated Land Officer is in agreement with this conclusion and is recommending that no conditions in respect of ground contamination are attached to a subsequent planning permission.

4.5 United Utilities

No objection to the proposed development is raised subject to the attachment of conditions relating to drainage. They also have provided some information which could be attached as an informative.

5. REPRESENTATIONS

5.1 The application has been advertised by a press advert in the Widnes & Runcorn Weekly News on 29/10/2015, three site notices posted on 21/10/2015 (Grangeway, Pine Road & Thorn Road) and 97 neighbour notification letters sent on 15/10/2015.

5.2 Following the receipt of amended plans and an updated Design and Access Statement, 106 neighbour notification letters were sent on 02/12/2015.

5.3 Thirty-six representations were received by the Council following the applicant undertaking a public consultation event on 17th June 2015. The observations raised are summarised below:

- Increased noise and traffic in the area.
- The proposal would be to the detriment of the health and well-being of nearby residents.
- The proposal would result in the loss of one of the last open green spaces.
- Flats will cause anti-social behaviour problems.
- Three storey one bedroom flats would be out of character with the surrounding area.
- The proposed flats would block light and compromise privacy.
- Parking problems for residents on Pine Road would be exacerbated due to its narrow width.
- There would be an increased likelihood of accidents happening.
- It would result in an over population of the site.

5.4 Eighteen representations were received from the publicity given to the application. The observations raised are summarised below:

- There are other sites which are more suitable for housing.
- The proposal would have a negative impact on property values.
- Pine Road is a one-way road of limited width and access to the proposed dwellings would be difficult without the road being widened.
- The three storey apartment block is out of character with the area.
- The flats would be a nightmare for neighbouring residents.
- The proposed flats would block light and compromise privacy.
- An open space used for a variety of activities would be lost leaving people having to travel to Town Hall Park.
- Five trees would be lost.
- The Managed Community Space is not accessible to all.
- The Managed Community Space would be used far more if it were a Children's play area as there is not one on the Grange estate.
- The field needs a park or football goals not a residential development.
- There are no safe places for children to play.

- Views over the open space would be lost.
- There is a ready supply of dwellings to rent in Runcorn for less than £500 per month.
- Increased noise and traffic in the area.
- There is not enough parking provision in the plan.
- The new houses look ugly and cheap.

6. **ASSESSMENT**

6.1 Development on a Designated Greenspace

The site is designated as Greenspace on the proposals map of the Halton Unitary Development Plan.

This development proposal needs to be tested against Policy GE6 which relates to the protection of designated greenspace.

The proposal would inevitably result in the loss of an area of Greenspace. There are exceptions where the loss of amenity value which led to the designation of the site as Greenspace is adequately compensated for set out in the policy.

Criterion c states that “No proposal should result in a loss of amenity for local residents by forcing them to travel to a less convenient location” and the applicant has sought to demonstrate that this is not the case.

The applicant argues that this site is not part of the wider Greenspace system by virtue of its relationship to other Greenspaces. They also allude to the fact that it is not used for organised sporting events nor does it have a Children’s play area located on it and make reference to other facilities available in the locality at The Youth and Community centre (MUGA and indoor facilities), Halton Lodge Primary School (sports field) and Runcorn Town Hall (playground) as well as the facilities available at both St Chads Catholic & Church of England and The Heath Secondary Schools.

They acknowledge that it can be used for informal play, however the lack of physical barriers clearly compromises use. The size of site makes it unlikely to be used for walking, running or biking. There is a desire line which runs across the site which acts as a short cut to the shops and other facilities on Grangeway, however a legal stopping up order has now been granted on the grounds that this route is unnecessary.

The Preliminary Ecological Appraisal submitted with the application concludes that the site has a low ecological value and the introduction of the suggested mitigation measures would ensure that no negative impact would result.

Criterion d states that “in all exceptional cases there would have to be clear and convincing reasons why development should be permitted or that loss of amenity value could be adequately compensated”.

As set out above, the applicant considers that the loss of amenity value in this case would be limited for the reasons set out, however it has to be noted that this proposal seeks to provide much needed affordable housing on the site which obviously needs to be weighed in the balance. The applicant has also agreed to provide a commuted sum which would compensate for the loss of amenity value.

The proposal includes a Managed Green Space which would be approximately 2000sqm in area and has been created as a result of site constraints. This would be a secure area by virtue of its location to the rear of the proposed dwellinghouses, however would have an amenity value for prospective users. The applicant is currently in discussion with the local community centre and primary school over the use of this space and the vision is that the space would be of value for environmental education which is one of the amenity value measures of a Greenspace.

Local residents have concerns regarding the Managed Green Space not being accessible to all, however due to it being located to the rear of residential properties in an area which would not be well overlooked, having this area enclosed is considered to be the best design solution in this case.

A number of the representations received make reference to the loss of the open space leaving people having to travel to Town Hall Park. It is noted that this is less than 1km from the site and there is already a well-established, high quality children's play facility at the Town Hall Park site, amongst other facilities.

In respect of the application site being used as a football pitch, there is other provision in the locality and the site's topography does not lend itself to this.

The development of the site may compromise views across it, however its amenity value has been considered and in planning terms, you do not have the right to a view over land which you do not own or control.

On balance, the development would result in the loss of a site which has limited amenity value, however would provide much needed affordable housing in the locality as well as a new Managed Green Space likely to be of value for environmental education and would secure a commuted sum which would be used for Greenspace enhancements in the locality. Based on this, it is considered that the proposal meets exception criterion d within Policy GE6 and is acceptable.

6.2 Housing Supply and Locational Priorities

Policy CS3 of the Halton Core Strategy Local Plan states that a minimum of 9,930 new additional homes should be provided between 2010 and 2018 to ensure an adequate supply of suitable housing for the Borough's existing communities and to accommodate projected growth in the Borough's population.

One of the representations raised the issue that there is a ready supply of dwellings to rent in Runcorn for less than £500 per month, however there is a clear need for additional homes in the borough to meet its requirements.

The proposal for much needed affordable housing would contribute to the Borough's housing requirements.

The proposal would be in compliance with Policy CS3 of the Halton Core Strategy Local Plan.

6.3 Principle of Residential Development

Based on the above considerations, the development would result in the loss of a Greenspace which has limited amenity value, however would provide much needed affordable housing in the locality as well as a new Managed Green Space likely to be of value for environmental education and secure a commuted sum which would be used for Greenspace enhancements in the locality.

The predominant land use in the area is residential and the proposed development would be sympathetic to surrounding land uses.

The proposal would make a contribution towards attempting to ensure that there is an adequate supply of suitable housing for the Borough's existing communities and to accommodate projected growth in the Borough's population.

The principle of residential development on this site is considered to be acceptable.

6.4 Highway Considerations

The application site is located within the urban area with the surrounding area having a wide range of facilities and attractions to serve residents needs with walk and cycle distance. It is inevitable that the development would have some impact on traffic levels in the locality, however given the scale of the development (less than 50 dwellings), the applicant is not required to demonstrate the suitability of the proposal through the undertaking of a Transport Statement or a Transport Assessment and the highway impact of the development would not be severe.

The internal road network within the site has demonstrated that there is sufficient space for the Council refuse vehicle to enter and exit the site in forward gear.

A number of the representations received raise concerns over potential parking issues on Pine Road due to its limited width and the ability to manoeuvre on and off the proposed driveways. Pine Road is a one-way road which is of a width which currently enables one car to be parked and another

vehicle to pass. A significant number of the existing properties on this road do not benefit from off-street parking provision so the proposed scheme has been designed on the likelihood of on-street parking provision being high for the existing dwellings. The applicant's solution to this issue is to increase the footway width from 2m to 3m to allow additional space behind the proposed driveways to allow vehicles space to enter/exit the driveways even if there were a parked car present on Pine Road.

In terms of car parking, there is sufficient provision across the scheme. The proposed dwellinghouses have two in curtilage car parking spaces. Apartments all have parking provision for one car in accordance with the requirement for one bedroom properties.

No cycle parking is proposed for the houses, however there is sufficient space within the curtilage of each property to provide such provision if the occupier of the dwelling requires this. There is provision within the curtilage of the apartment block for cycle parking which increases sustainable transport options for residents.

To ensure the development is carried out in an appropriate manner, it is considered reasonable to attach a condition which secures the submission of a construction management plan and its subsequent implementation.

Based on all the above, 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.

6.5 Layout

A number of the representations received raise issues regarding loss of light and privacy. It is acknowledged that the proposed development would have an impact on the existing dwellings adjacent to the site, however is this impact acceptable or is it significantly detrimental to residential amenity which would warrant the refusal of the application. The scheme has been designed having regard for the privacy distances for residential development set out in the Design of Residential Development Supplementary Planning Document and the resultant relationships are considered to be acceptable in terms of both light and privacy. The application is accompanied by a plan showing proposed finished floor levels and some streetscenes. These actually show the proposed the application site being generally at a lower level than a number the adjacent dwellings, particularly those on Pine Road which improves the relationships between these buildings further. The proposed dwellings at the head of the proposed cul-de-sac would be set at a higher level than the adjacent bungalows on Grangeway Court, however based on the additional separation proposed, this relationship is considered to be acceptable.

With regard to private outdoor space, the Design of Residential Development Supplementary Planning Document states that houses having 2 bedrooms shall have a minimum private outdoor space of 50sqm per unit with properties

with 3 bedrooms having a minimum private outdoor space of 70sqm per unit. The scheme has been designed so that it generally accords with this standard and would ensure that each house has a usable private outdoor space.

The Design of Residential Development Supplementary Planning Document indicates that a usable private outdoor space for apartments of 50sqm per unit should be provided as a guide. This scheme falls below this standard, however space for cycle storage and some amenity space would be provided and this shortfall is considered to be appropriate in this instance and would not be unduly detrimental to residential amenity.

In terms of Housing Mix, the proposal seeks to deliver a range of property sizes including 1, 2 and 3 bedroom properties with the property types including houses and apartments. In terms of tenure, all the properties would be affordable rented units for which there is a significant demand. 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.

6.6 Scale

In respect of scale, a number of the representations received have stated that the three storey apartment block would appear out of character with the area which residents feel is characterised by single storey and two storey buildings.

The scheme comprises of a mix of single storey, two storey and three storey buildings. It is considered that this reflects the character of the area with the existing bungalows located on Grangeway, the two storey flats and houses located on Pine Road and Thorn Road and the three storey shopping parade with flats above directly adjacent to the site on Grangeway. It is not considered that a refusal on the basis of the three storey apartment block being out of character of the area could be sustained.

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

6.7 Appearance

Some of the representations received make reference to the proposed houses being ugly and cheap, however it is considered that the proposed elevations show that buildings 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 for approval 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.

6.8 Landscaping & Trees

The application is accompanied by an Arboricultural Impact Assessment. There are no Tree Preservation Orders in force at this site and the site does not fall within a designated Conservation Area.

The Open Spaces Officer has commented that 4no. alder trees would be lost to facilitate this proposal. These are not significant trees and their loss could be mitigated with replacement planting. The indicative planting shown on the proposed site plan is acceptable in principle. The suggested planting in the Arboricultural Impact Assessment needs to be followed through to a detailed landscaping plan which should be secured by condition.

Details of hard landscaping and boundary treatments have been submitted. This includes a number of different boundary types according to the location within the site and is considered to ensure that satisfactory levels of privacy and appearance. A condition securing the implementation of the approved scheme and implementation thereafter is considered reasonable.

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

6.9 Site Levels

The application is accompanied by a topographical survey of the site and a plan showing finished floor levels for the buildings. The layout has been considered in paragraph 6.5 which acknowledges the varying site levels and discusses the resultant relationships within the scheme. The conclusion is that the resultant relationships would be acceptable and it is considered reasonable to attach a condition which secures the submission of full proposed site levels for approval and their subsequent implementation. This would ensure compliance with Policy BE 1 of the Halton Unitary Development Plan.

6.10 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.

All 43 of the proposed dwellings would be affordable which would be in excess of the 25% of units sought by the policy.

This would ensure compliance with Policy CS 13 of the Halton Core Strategy Local Plan and the Affordable Housing Supplementary Planning Document.

6.11 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 Parks & Gardens, Amenity Greenspace and Provision for Children and Young Persons in this particular neighbourhood.

The applicant is proposing the creation of a Managed Green Space which is approximately 2000sqm in area. This would provide for the Amenity Space required for the proposed residential development. The implementation and subsequent management of this area should be secured by condition.

As the open space requirements for the proposed residential development in relation to Parks & Gardens and Provision for Children and Young Persons are not being proposed to be met on site, the policy indicates that a commuted sum in lieu of on-site provision is required. The applicant has agreed to make this payment which would ensure compliance with Policy H3 of the Halton Unitary Development Plan.

6.12 Ground Contamination

The application is accompanied by a Phase I Desktop Study, Phase II Site Appraisal and Gas Addendum Letter. The reports conclude that the site can be considered uncontaminated and there are no requirements for remediation. The Contaminated Land Officer is in agreement with this conclusion and is recommending that no conditions in respect of ground contamination are attached to a subsequent planning permission.

The proposal is considered to be compliant with Policy PR14 of the Halton Unitary Development Plan.

6.13 Flood Risk and Drainage

The application site is located in Flood Zone 1 and is at low risk from flooding. The application is accompanied by a Drainage Statement. This document has been reviewed by the Lead Local Flood Authority and is considered to be acceptable in principle. The requirement for the submission of an appropriate drainage strategy and its subsequent implementation 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.

6.14 Biodiversity

The application is accompanied by a Preliminary Ecological Appraisal.

The Open Spaces Officer has commented that there are no ecological constraints associated with the proposal, however it is recommended that all works should comply with current bird nesting legislation. The protection of breeding birds can be secured through a suitably worded condition.

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

6.15 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.

One of these principles is Code for Sustainable Homes. It would be desirable for all properties to be built to the standard set out in the policy; however this is something which is encouraged rather than a requirement. The proposal is compliant with Policy CS19 of the Halton Core Strategy Local Plan.

6.16 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. 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.

6.17 Issues raised in representations not addressed above

One issue raised is that the proposal would be to the detriment of the health and well-being of nearby residents. The application is for residential development in a predominantly residential area and it is not considered that a refusal on this basis could be sustained.

In relation to the issue that the flats will cause anti-social behaviour problems, who may reside in the proposed residential units is not material to the determination of this application. The conduct of residents would be a management issue for the Registered Provider which in this case would be Halton Housing Trust.

In respect of the proposal resulting in an over population of the site, the proposal would deliver an acceptable site layout as well as being an efficient use of land within the urban area.

There may be other sites in the borough suitable for housing, however this application has to consider the suitability of housing on this site which has been considered above.

The planning system does not exist to protect the private interests of one individual against another and the issue of property values is not material to the determination of the application.

7. CONCLUSIONS

In conclusion, the development would result in the loss of a Greenspace which has limited amenity value, however would provide much needed affordable housing in the locality as well as a new Managed Green Space likely to be of value for environmental education and secure a commuted sum which would be used for Greenspace enhancements in the locality. On this basis, the development on this designated greenspace is considered to be acceptable.

An appropriate access point to site from Grangeway would be achieved as would sufficient space for manoeuvrability on and off the proposed driveways on Pine Road. The layout demonstrates sufficient space for movement within the site as well as an appropriate level of car parking.

The residential layout is considered to be appropriate in terms of separation for both light and privacy and each property would have an appropriate amount of private amenity space.

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

The application is recommended for approval subject to conditions.

8. RECOMMENDATIONS

Grant planning permission subject to conditions and the securing of a commuted sum for Greenspace enhancements in the locality through the land transaction.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Submission of Proposed Site Levels (Policy BE1)
4. Facing Materials to be Agreed (Policies BE1 and BE2)
5. Submission of Detailed Soft Landscaping Scheme, implementation and subsequent maintenance - (Policy BE1)
6. Implementation of Submitted Hard Landscape and Boundaries Layout and subsequent maintenance - (Policy BE1)
7. Breeding Birds Protection – (Policy GE21)
8. Submission of Managed Green Space Scheme, implementation and subsequent maintenance – (Policy H3)

9. Hours of Construction – (Policy BE1)
10. Removal of Permitted Development – All Dwellings – (Policy BE1)
11. Submission of a Construction Management Plan - (Policy BE1)
12. Provision & Retention of Parking for Residential Development (Curtilage) – (Policy BE1)
13. Provision & Retention of Parking for Residential Development (Not in Curtilage) – (Policy BE1)
14. Implementation of Cycle Parking for Apartments – (Policy BE1)
15. Implementation of Site Access from Grangeway – (Policy BE1)
16. Implementation of Access and Servicing Provision – (Policy BE1)
17. Implementation of Widened Footway on Pine Road – (Policy BE1)
18. Submission of Drainage Strategy for approval and subsequent implementation – (Policy PR16)

Informatives

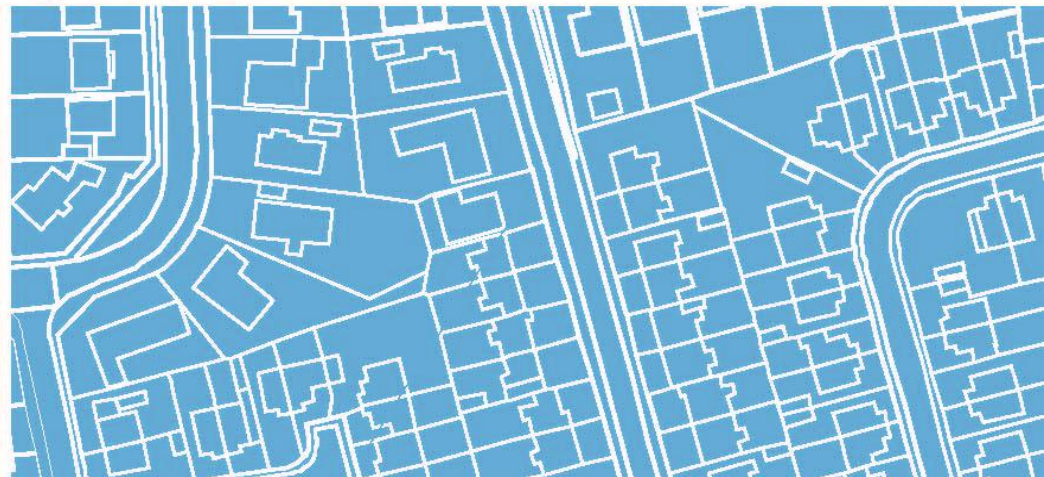
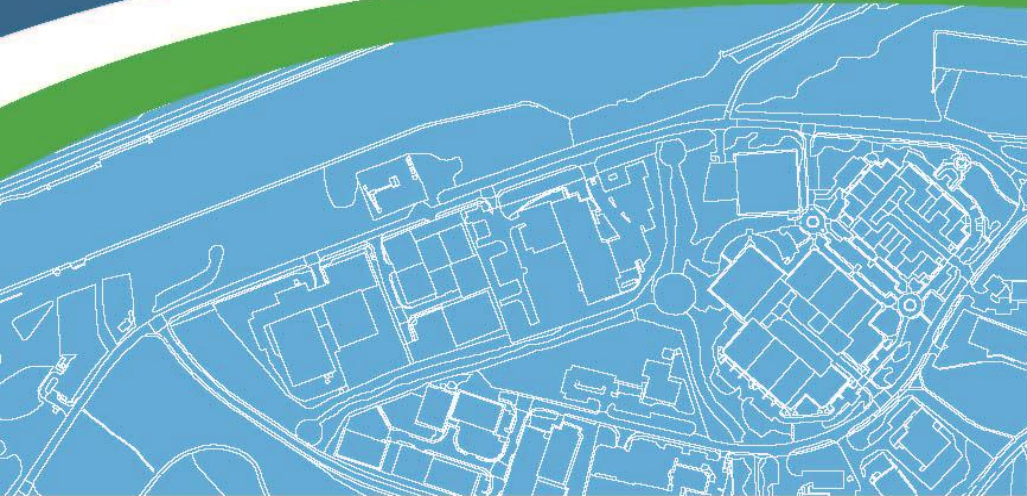
1. Highway Informative – S38 / S278/184.
2. United Utilities Informative.

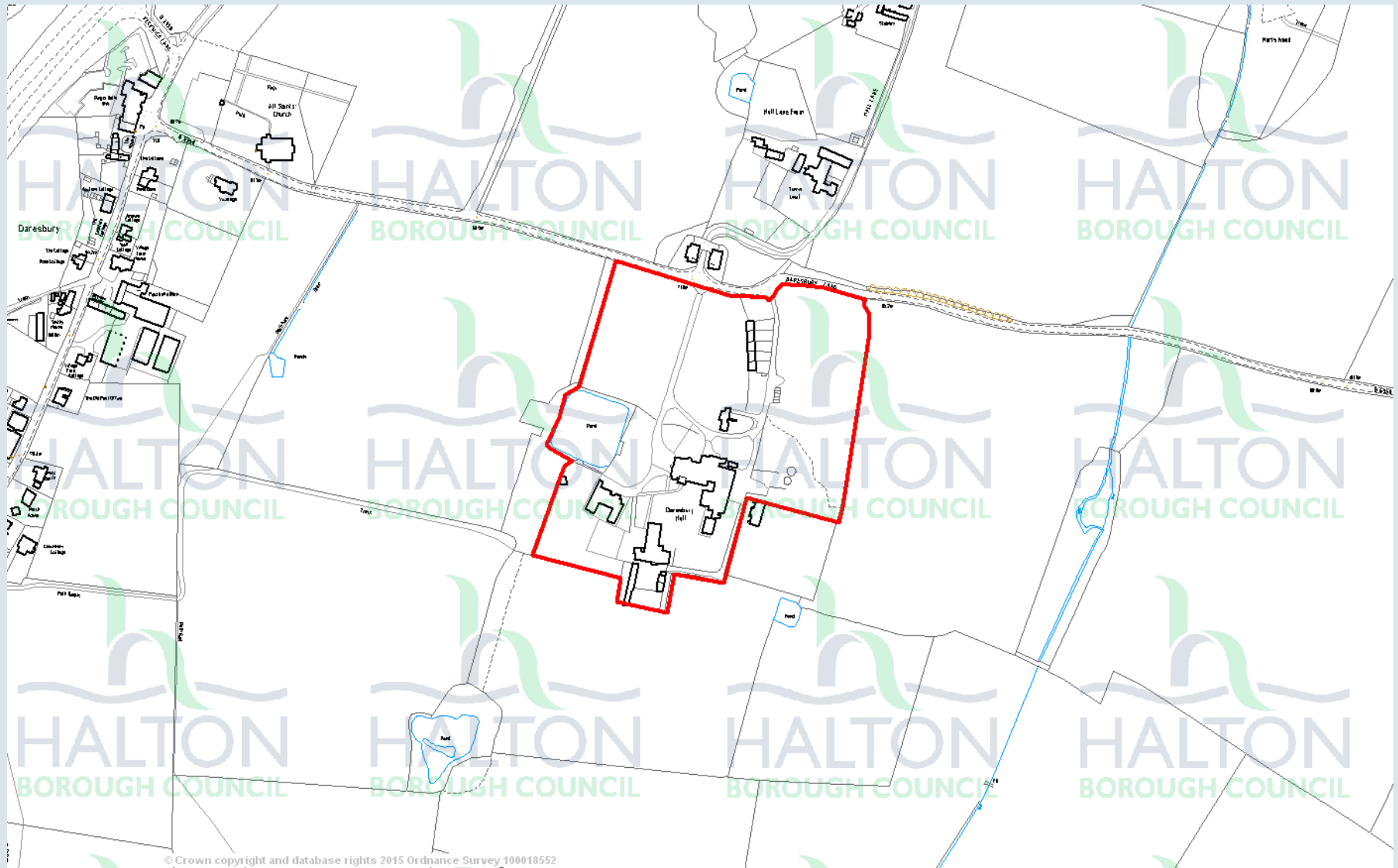
10. SUSTAINABILITY STATEMENT

As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

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.









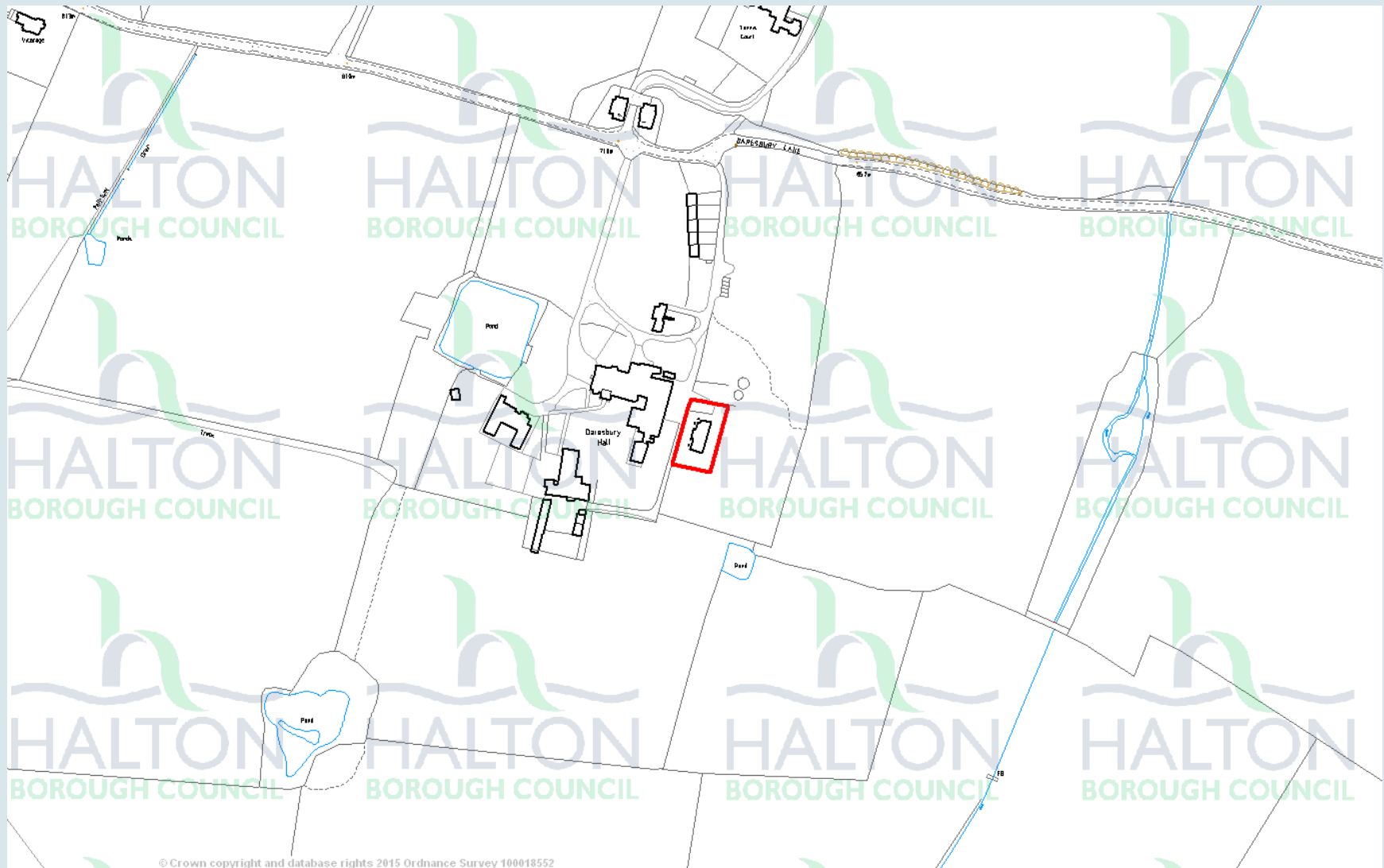
SOUTH ELEVATION

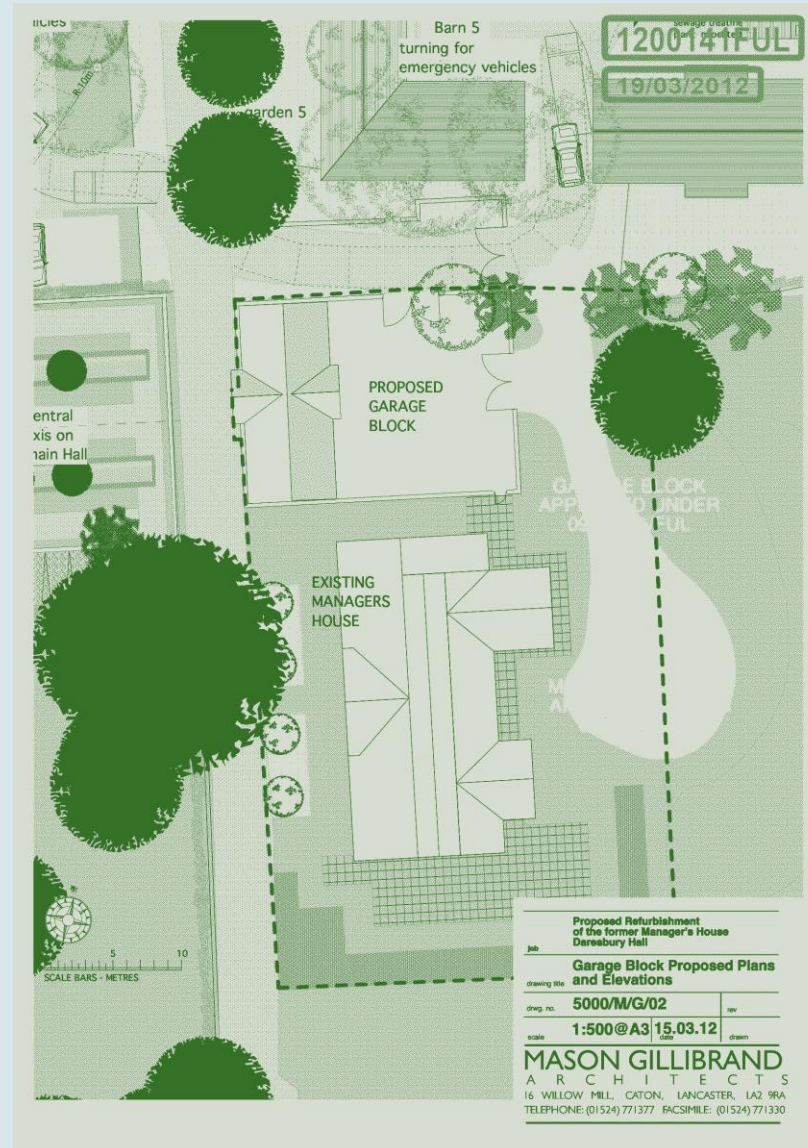


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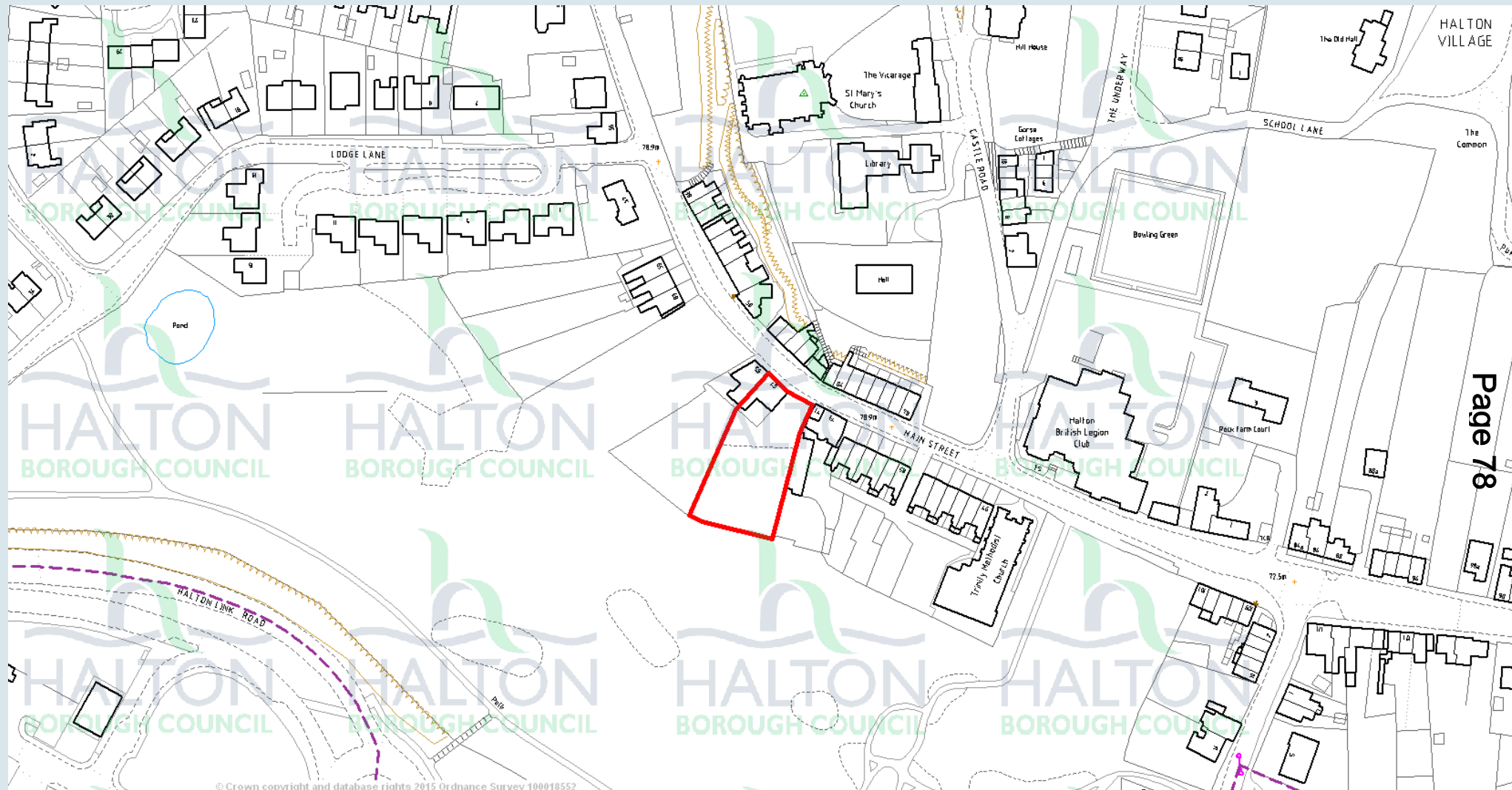










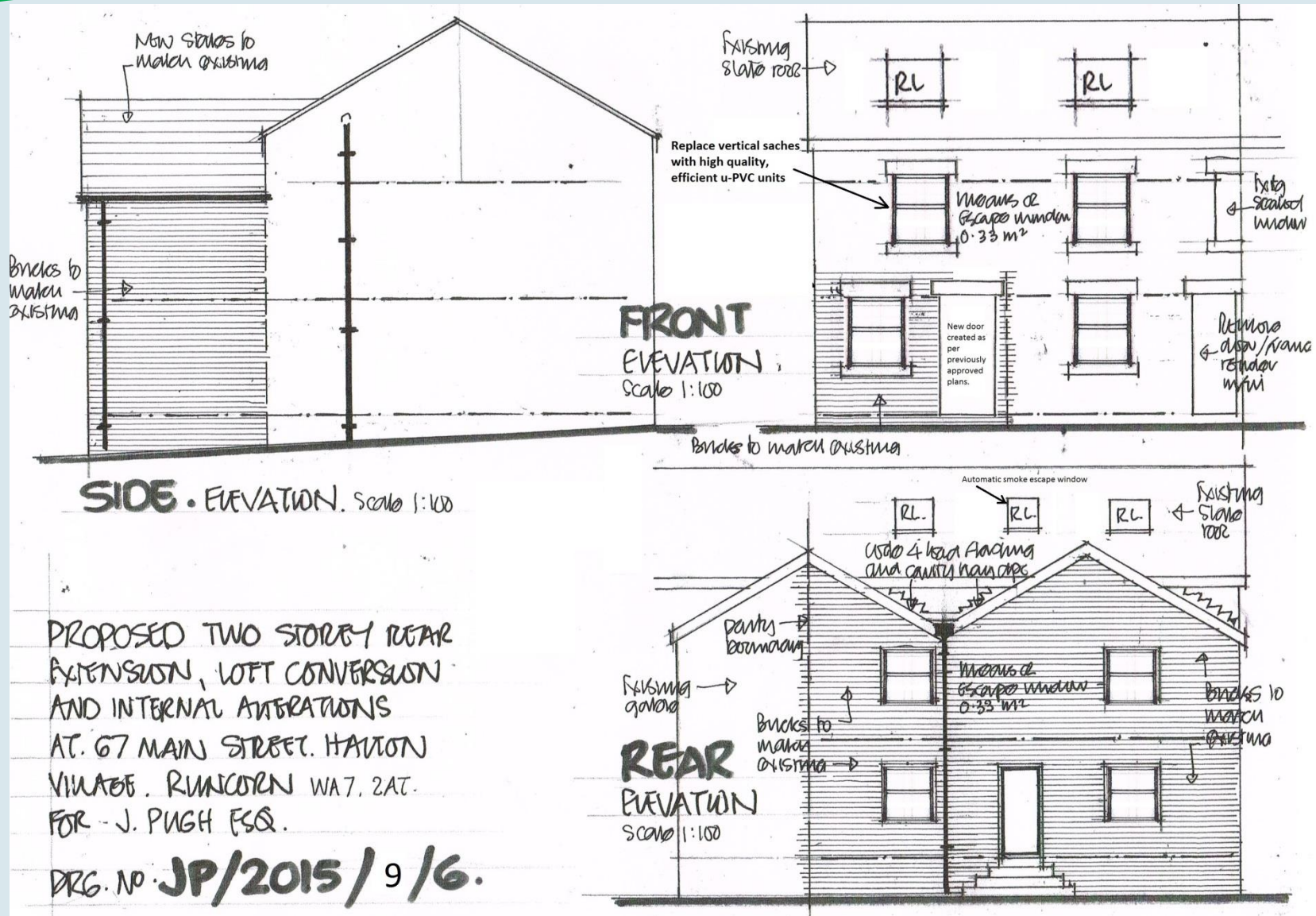


Block Plan: Parking Detail

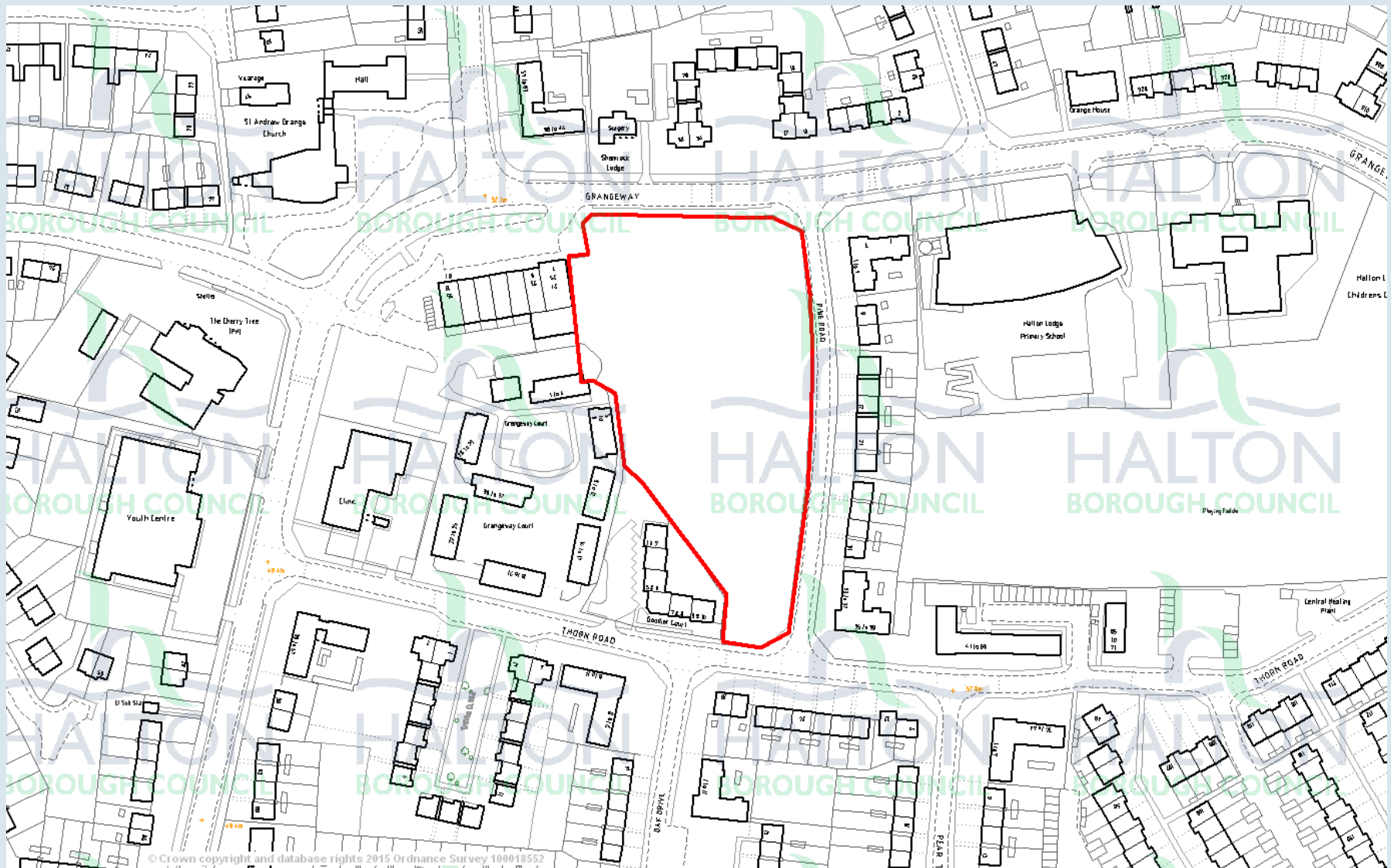
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