

Public Document Pack



Development Control Committee

Monday, 4 July 2016 6.30 p.m.
Civic Suite, Town Hall, Runcorn



Chief Executive

COMMITTEE MEMBERSHIP

Councillor Paul Nolan (Chair)
Councillor Keith Morley (Vice-Chair)
Councillor John Bradshaw
Councillor Arthur Cole
Councillor Robert Gilligan
Councillor Ron Hignett
Councillor Carol Plumpton Walsh
Councillor June Roberts
Councillor Dave Thompson
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, 1 August 2016*

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

Part I

Item No.	Page No.
1. MINUTES	1 - 4
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	5 - 90
4. MISCELLANEOUS ITEMS	91

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 Monday, 6 June 2016 at The Board Room - Municipal Building, Widnes

Present: Councillors Nolan (Chair), Morley (Vice-Chair), J. Bradshaw, Cole, Gilligan, R. Hignett, June Roberts, Woolfall and Zygadlo

Apologies for Absence: Councillors C. Plumpton Walsh and Thompson

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, M. Noone, A. Plant and G. Henry

Also in attendance: One member of the public

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

	<i>Action</i>
DEV1 MINUTES	
<p>The Minutes of the meeting held on 16 May 2016, having been circulated, were taken as read and signed as a correct record.</p>	
DEV2 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p> <p><i>In order to avoid any allegation of bias Councillor R Hignett took no part in the following item as he had been involved with the scheme on Executive Board.</i></p>	
DEV3 - 14/00382/HBCFUL - PROPOSED CONSTRUCTION OF 5 NO. RAILWAY SIDINGS TO BE IMPLEMENTED ON A PHASED BASIS TO SERVE THE MERSEY MULTIMODAL GATEWAY (3MG) CONNECTING TO THE NATIONAL RAIL NETWORK WEST COAST MAINLINE VIA DITTON JUNCTION SIDINGS AT DITTON STRATEGIC RAIL FREIGHT PARK / 3MG, HALEBANK, WIDNES	

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

Members were advised of the following updates received since the publication of the report.

- 1) The plan shown within the report was out of date as the application site had been extended to include Network Rail land to the east. The more up to date plan was included within the plans section of the report;
- 2) Since the withdrawal of the high level lighting; no subsequent comments had been received from Halebank Parish Council;
- 3) The Council's advisor on archaeological matters had confirmed that an archaeological watching brief secured by condition was acceptable;
- 4) The Council's Highways and Lead Local Flood Authority (LLFA) had confirmed that they raised no objection subject to an additional condition relating to detailed drainage design; and
- 5) Condition 14 was an error and would be deleted.

It was reported that Natural England had submitted comments that there was currently insufficient information to determine likely significant effects to demonstrate compliance with the Habitats Regulations. A response was provided which confirmed that the Council had fulfilled its requirements in this regard, subject to submission and agreement of a detailed Construction Management Plan; which was recommended by condition. Officers requested that authority be delegated subject to the usual tests to allow officers to respond to Natural England and overcome their concerns.

Officers provided clarity to Members over update number two above. The Committee then agreed to approve the application subject to the conditions listed below.

RESOLVED: that authority be delegated, on confirmation by Natural England and/or expiration of the relevant notification period, to the Operational Director Policy Planning and Transportation, in consultation with the Chair or Vice Chair of the Development Control Committee to approve the application subject to the following conditions:

1. Standard 3 year permission (BE1);
2. Specifying approved and amended plans and

documents and requiring development be carried out as approved;

3. Condition requiring submission and approval of a Construction Environmental Management Plan including wheel wash facilities and scheme of dust management (BE1);
4. Condition restricting routing of construction and delivery traffic to Lovel's Way (BE1);
5. Conditions requiring construction and delivery hours to be adhered to throughout the course of the development (BE1);
6. Condition securing a programme of archaeological work in accordance with a written scheme of investigation (BE6);
7. Environment Agency condition relating to submission and agreement of a scheme to limit surface water runoff (PR16);
8. Condition securing a scheme of site investigation and remediation within specified area of site (PR14);
9. Condition relating to discovery of unidentified contamination (PR14);
10. Condition restricting audible warning devices from being used within the site (PR2);
11. Condition requiring submission and agreement of verification report for the removal of animal remains (PR14);
12. Condition restricting outside storage (BE1);
13. Condition requiring submission and agreement of details of low level lighting (PR4); and
14. Condition requiring submission and agreement of detailed drainage design (PR16).

DEV4 - 16/00125/FUL - PROPOSED ERECTION OF 36 NO. DWELLINGS AND ASSOCIATED INFRASTRUCTURE (RE-PLAN OF PLOTS 75-106 OF APPROVED APPLICATION 14/00575/FUL) WITH THE ADDITION OF A FURTHER 4 UNITS ON LAND AT SANDYMOOR PHASE 1, LAND OFF WALSINGHAM DRIVE, SANDYMOOR, RUNCORN, WA7 1QD

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

Officers advised the Committee that the reference to 'mews style' on page 41 under 'The Proposal' was included in error. It was also confirmed that the Council's Highways and LLFA Officer had confirmed that they raised no objection subject to a slight amendment to the landscaping at one driveway to improve visibility. The applicant had

agreed an alternative plant species which was considered acceptable; this would be secured by an additional condition.

The Committee agreed to approve the application.

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

1. Standard 3 year permission (BE1);
2. Specifying approved and amended plans and documents and requiring development be carried out as approved (BE1);
3. Requiring development be carried out in accordance with the approved construction environmental Management Plan (BE1);
4. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
5. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/commencement of use (BE1);
6. Condition restricting permitted development rights relating to frontage boundary fences etc (BE1);
7. Conditions relating to tree and hedgerow protection during construction (BE1); and
8. Condition requiring that, notwithstanding the submitted landscape plans, the 2 no. Phormium Jester either side of the driveway access to plots 22 and 23 are deleted and replaced with 2 no. Lavendula Augustifolia as agreed by email dated 6 June 2016.

Meeting ended at 6.45 p.m.

REPORT TO: Development Control Committee

DATE: 4 July 2016

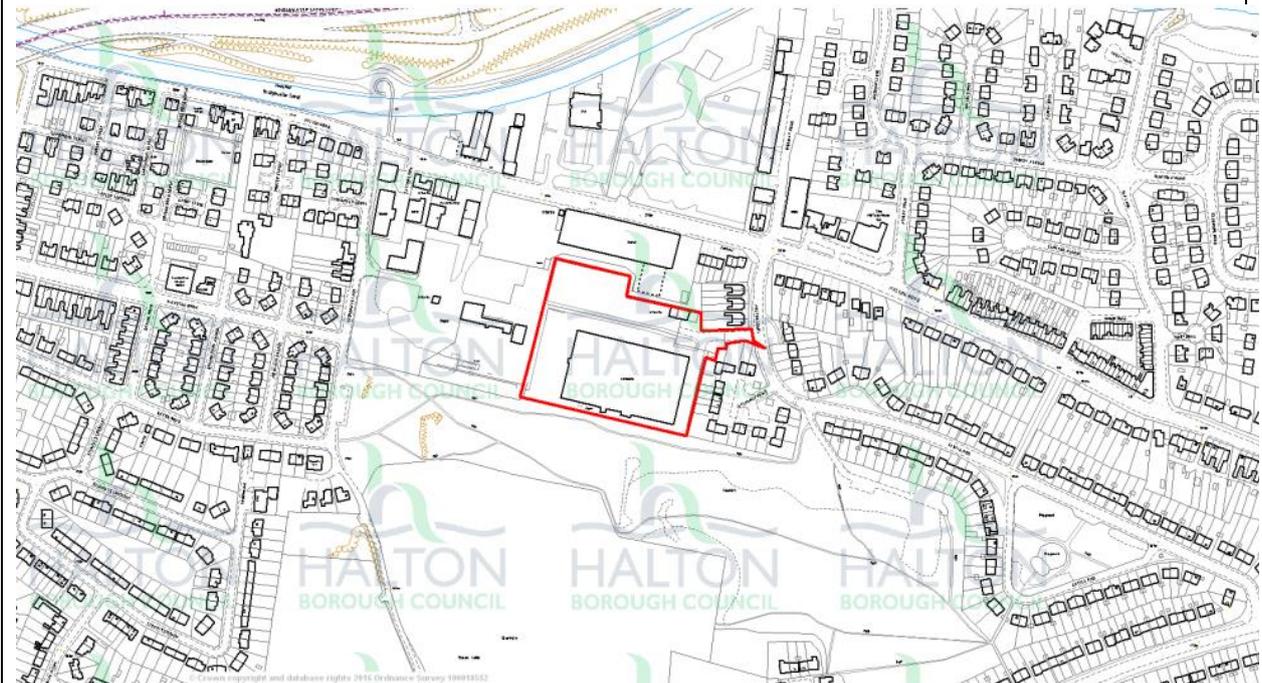
REPORTING OFFICER: Strategic Director - Community and Resources

SUBJECT: Planning Applications to be Determined by the Committee

WARD(S): Boroughwide

Application No	Proposal	Location
15/00563/OUT	Outline application with all matters reserved for demolition of existing buildings and erection of up to 53 dwellings with associated access, landscaping and ancillary works.	Former warehouse, Halton Court, Runcorn, WA7 5XS
16/00069/FUL	Proposed development of 22 no apartments and 6 no houses including change of use of existing building, selective demolition and associated landscaping.	Victoria House, Holloway, Runcorn, Cheshire
16/00144/FUL	Proposed phased redevelopment of existing high school comprising provision of separate construction and school accessible zones, development of new school buildings, demolition of redundant buildings, hard and soft landscaping and provision of sports facilities.	The Heath Technology College, Clifton Road, Runcorn

APPLICATION NO:	15/00563/OUT
LOCATION:	Former Warehouse, Halton Court, Runcorn, WA7 5XS
PROPOSAL:	Outline application, with all matters reserved, for demolition of existing buildings and erection of up to 53 dwellings with associated access, landscaping and ancillary works
Ward	Halton Brook
PARISH:	N/A
AGENT(S) / APPLICANT(S):	NJL Consulting
DEVELOPMENT PLAN ALLOCATION:	Halton Unitary Development Plan (2005) E3 Primarily Employment Area
DEPARTURE	Yes
REPRESENTATIONS:	Yes
KEY ISSUES:	Affordable Housing Provision
RECOMMENDATION:	Approval subject to conditions and S106

SITE MAP

The Reason for reporting to committee is to request that the previous resolution be amended to remove the requirement for affordable housing.

1. APPLICATION SITE

The Site and Surroundings

The application site is located at Halton Court which is accessed from Halton Road. The site covers area 1.49 hectares, and is currently occupied by a 5,016m² warehouse. The warehouse was formerly utilised by a furniture retailer as a distribution depot (Use Class B8). The business ceased operations a number of years ago and the buildings are now in disrepair and are currently vacant.

Planning History

The proposed development site formed part of the previous outline planning application 10/00397/OUT for the construction of up to 167 residential dwellings (with all matters reserved).

That application was recommended for approval subject to a satisfactory Section 106 agreement being signed. The necessary Section 106 agreement was not completed and the application was subsequently refused on the 31st July 2014.

This application (15/00563/OUT) has previously been considered by the Development Control Committee on 2nd February 2016, where it was resolved to approve the application subject to a Section 106 agreement for payment of a commuted sum for off-site open space and provision of 25% affordable housing.

2. POLICY CONTEXT

Halton Unitary Development Plan

H3 Provision of Recreational Greenspace

Halton Core Strategy Local Plan (2013)

CS13 Affordable Housing

Supplementary Planning Documents

The Council's New Residential Guidance Supplementary Planning Document and Draft Open Space Supplementary Planning Document are also of relevance.

3. ASSESSMENT

Following Development Control Committee on the 2nd February 2016, the applicant asked for the decision not to be issued in order that it could be given an opportunity to provide a viability appraisal in respect of the provision of affordable housing. The viability appraisal was received on 29th April; the Council's surveyor in Property Services has been consulted on this appraisal, and is satisfied that it would be unviable to provide any affordable housing on the site. In demonstrating this, the proposal complies with policy CS13.

In accordance with Policy H3 where it is not practical to provide all of the open space requirement on-site, the remaining types of open space can be provided for off-site and secured by way of a S106 agreement. The applicant has agreed to this contribution, and a S106 is still required in this respect.

6. SUMMARY AND CONCLUSIONS

The applicant has demonstrated that it would not be viable to provide affordable housing on-site. It is, therefore, recommended that the Committee resolution of the 2nd February 2016 be amended to remove the requirement for affordable housing.

7. RECOMMENDATIONS

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 off-site open space.

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 i.e. 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. Conditions(s) for submission of hard and soft landscaping (BE1)
7. Prior to commencement, submission of a construction / traffic management plan which will 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 an associated management plan to be submitted and approved (BE1, GE21)
11. Prior to commencement, details of boundary treatments (BE22)
12. Provision of a Site Waste Management Plan (WM8)
13. Provision of bins (WM9).

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 of this Committee to refuse the application on the grounds that it fails to comply with UDP Policy S25 Planning Obligations.

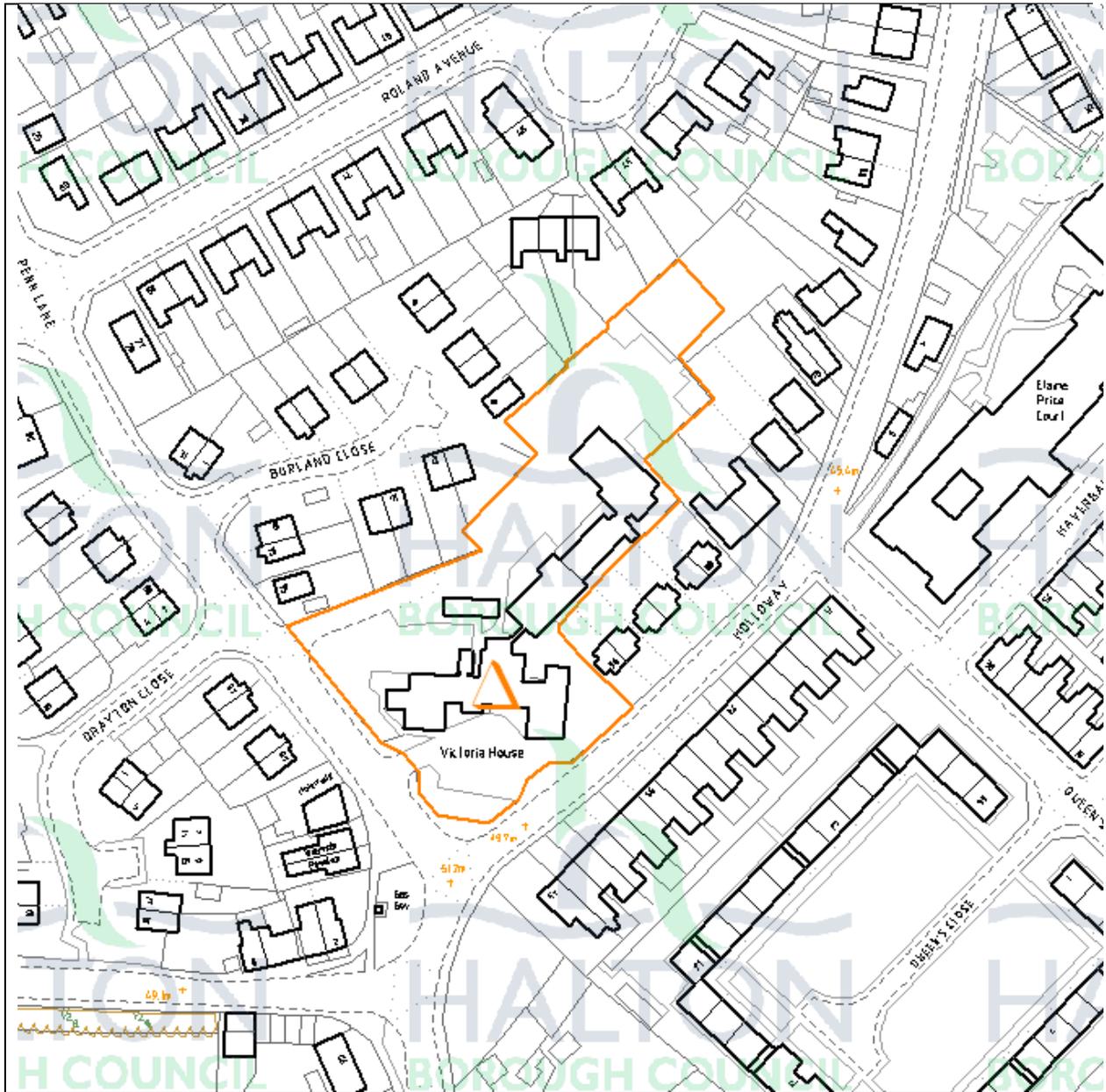
SUSTAINABILITY STATEMENT

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:	16/00069/FUL
LOCATION:	Victoria House, Holloway, Runcorn, Cheshire.
PROPOSAL:	Proposed development of 22 no. apartments and 6no. houses including change of use of existing building, selective demolition and associated landscaping.
WARD:	Mersey
PARISH:	None
AGENT(S) / APPLICANT(S):	Halton Housing Trust.
DEVELOPMENT PLAN ALLOCATION:	Primarily Residential Area
National Planning Policy Framework (2012)	
Halton Unitary Development Plan (2005)	
Halton Core Strategy (2013)	
Joint Merseyside and Halton Waste Local Plan (2013)	
DEPARTURE	No
REPRESENTATIONS:	75 representations were received from the initial publicity given to the application back in February. Following the receipt of amended plans and the publicity undertaken, an additional 20 representations have been received from persons who originally made representations.
KEY ISSUES:	Principle of Residential Development, Impact on the Character of the Area, Design, Amenity, Affordable Housing, Open Space, Access.
RECOMMENDATION:	Grant planning permission subject to conditions.
SITE MAP	



MEMBERS WILL RECALL THAT THIS APPLICATION WAS DEFERRED AT DEVELOPMENT CONTROL COMMITTEE ON 16TH MAY 2016 TO ALLOW THE APPLICANT TO FURTHER CONSIDER ISSUES RAISED IN REPRESENTATIONS AND UNDERTAKE FURTHER CONSULTATION.

1. APPLICATION SITE

1.1 The Site

The site subject of the application is located at the junction of Penn Lane and Holloway in Runcorn. The site comprises of the former Victoria Memorial Cottage Hospital and attached office buildings. The site is 0.47 ha in area.

The surrounding area is predominantly residential in nature with there being properties of a variety of ages and styles.

The entire site is within a Primarily Residential Area designation in the Halton Unitary Development Plan.

2. THE APPLICATION

2.1 The Proposal

The application proposes the development of 22no. apartments and 6no. houses including change of use of the existing building, selective demolition and associated landscaping.

2.2 Documentation

The planning application is supported by the following documents/plans:

- Design and Access Statement;
- Drainage Statement for Planning;
- Local Community Consultation Statement;
- Phase I Desk Study Report;
- Phase II Site Appraisal Report;
- Bat and Bird Report;
- Arboricultural Impact Assessment;
- Demolition Asbestos Report.

3. POLICY CONTEXT

3.1 National Planning Policy Framework

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

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

3.2 Halton Unitary Development Plan (UDP) (2005)

The site is designated as Primarily Residential 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;
- BE15 Local List of Buildings and Structures of Architectural and Historic Interest;
- BE22 Boundary Walls and Fences;
- GE21 Species Protection;
- GE27 Protection of Trees and Woodlands;
- 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

It is understood that the access and road within the site has not been designed to adoptable standard, contrary to the claims made in the drainage information, and this needs to be made clear. It is noted that United Utilities (UU) are willing to accept connections to existing combined sewers with the maximum discharge rate limited to 42 l/s, split between the Holloway sewer

(30 l/s) and the Penn Lane sewer (12 l/s) and that drainage will be pumped to allow connection. It is not clear whether UU are willing to accept maintenance responsibility for the rising main and pumping station, and this would need to be clarified. Flows in excess of the maximums suggested would need to be dealt with on site, and it is noted that UU have recommended further investigation into the use of soakaways.

Whilst the supporting information suggests that the site may be suitable for infiltration, and soakaways have been used to drain the site in the past, the report recommends that the existing soakaways would not be suitable as they have been connected to positive drainage in the past, due to fears over flooding of the adjoining houses. Infiltration testing has been carried out but at the rates shown it is envisaged that soakaways would need to be too large and would not meet the appropriate requirements for distance from buildings and roads. In line with NPPF the developer should demonstrate why SUDS attenuation has not been put forward, and whilst it is apparent that there is limited suitable space available within the site, techniques such as permeable paving do not appear to have been investigated.

Whilst it is claimed in the supporting information that adequate underground storage (oversize pipes) and flow control can be used to achieve the required discharge rates in the design storm event (1 in 100 year plus climate change), no calculations have been submitted, and it is noted that there will still be above ground flooding in this event. Further information is required to indicate extent of flooding/overland flow, together with supporting calculations. This (and the points above) may be dealt with via condition.

4.3 Open Spaces – Trees

There are no trees within the boundary of the property that are afforded statutory protection and the site sits just outside of a designated Conservation Area. Tree T1 oak is a significant tree and is worthy of Statutory Protection if under threat of removal.

A number of trees have already been removed and pruned at this site, the work appearing to be in conjunction with this application.

The submitted Design and Access Statement states:

“There are a number of trees within the site boundary. To facilitate this development a number of these are to be lost, which is regrettable as they add to the character of the site. However their proximity to the existing building and retaining structure adjacent to the public highway is such that they need to be removed to ensure they cause no further damage to the structures. The applicant intends to replace the lost trees at rate of 2:1.”

It is not clear how many replacement trees are to be planted and there does not appear to be a landscape proposal plan to reference.

The proposed Geoweb construction system proposed for sections of pathway that encroach into the RPA's of retained trees is an accepted method.

4.4 Contaminated Land

The following reports are submitted in support of the application;

- Phase 1 Site Appraisal (Desk Study), GRM Development Solutions, July 2015, Ref. GRM/P7060/DS.1
- Phase 2 Site Appraisal Investigation, GRM Development Solutions, 21st August 2015, Ref. P7060
- Revised Phase 2 Site Appraisal Investigation, GRM Development Solutions, 30th March 2016, Ref. P7060

Remediation will be required due to pervasive elevated concentrations of lead within the made ground. The remedial proposals are for a cover layer of 600mm of clean imported subsoil and topsoil in private garden areas. Removal of a large proportion of the made ground will be required in order to allow for the placement of the imported soils. The report also refers to a requirement for a clean capping layer of subsoil and topsoil in the existing soft landscaped areas surrounding Victoria House although the proposed depth of this is not stated. The level of site investigation, the refined conceptual site model and the outline remedial proposals are satisfactory.

In accordance with the requirements of the planning condition we will however require a more detailed standalone remediation strategy setting out the remedial objectives in more detail along with the means of verification. Once this has been received the pre-commencement elements of the relevant planning condition will have been addressed and the final requirement will be for a validation report to be submitted upon completion of remediation.

4.5 Conservation Advisor – Comments on Original Proposal.

It is noted that Historic England decided this building was not of sufficient special architectural or historic interest to add it to the List. The building is located outside but adjacent to the boundary of Higher Runcorn Conservation Area. The building is not locally listed. However, as demonstrated within the applicant's Design & Access Statement, the building does have local interest and is, therefore, an undesignated heritage asset. As such, paragraphs, 131 and 135 of NPPF apply.

Given that the former Victoria Memorial Cottage Hospital is not subject to special protection, it is refreshing that the developer has submitted proposals which incorporate and convert the historic building. However, since pre-application stage, two canted wings have been added which replace modest, flat-roofed extensions. In terms of scale and height, these wings are large and do compete with the front elevation.

At the rear, the proposed additional new build apartment block appears to have added another floor since pre-application stage. This makes the new build element overly dominant on the original building. Currently, the proposed new-build element has taken the same ridge line as the existing building, which does not provide a legible distinction between new and original

buildings. The scheme would benefit significantly by even a slight reduction in height of the ridge line, and the lowering of the gable which presents to the rear elevation. The use of a more sympathetic facing material (eg render or timber, as found on the original building) would also help to reduce the impact of the new-build element and harmonise it with the original.

The proposed use of a considerable area of fibrous cement tile hanging is not consistent with the quality of materials normally found in conjunction with a heritage asset and is inappropriate in this location. Careful use of render, for example, would have been more appropriate. (This comment also applies to the 'cottage style apartments'). However, issues of materials can be covered by condition. A hierarchy of windows (double for living rooms / single for bedrooms) within this central bay would be desirable, as it would offer relief to regularity of the appearance.

Whilst the proposed scheme has shortcomings which could definitely be improved upon, the existing building is not subject to special protection, being neither listed, locally-listed nor in a conservation area. In this context, of key importance is the applicant's desire to retain the existing building at all, which is definitely to be welcomed as is the restriction of alterations to the building's key elevation. The weight which the design flaws can be given in the context of the buildings undesignated status is, therefore, limited as outlined by NPPF para.135. For the main elevation, the character of the building has been maintained and, therefore, accords with Policy BE15.

4.6 Ecological and Waste Advisor

Ecology

The applicant has submitted a Bat & Bird survey report in accordance with Local Plan policy CS20 (Victoria House: Bat & Bird Report, Kingdom Ecology, September 2015). The survey is acceptable and will be forwarded to Cheshire rECOrd via Merseyside BioBank.

The report has limitations because:

- a data search with Cheshire rECOrd was not undertaken;
- the report only covers birds and bats, no other species were considered; and
- Non-native species are not covered.

However, on this occasion, the report is acceptable because there is little habitat on site that is suitable for use by other protected species and the site is well maintained and recently vacated, therefore making the presence of invasive species unlikely.

As the proposed development falls within the qualifying category 'All planning applications' Natural England must be consulted on the planning application **prior to determination**. However, there is unlikely to be an impact on the Mersey Estuary SSSI as a result of the proposed development.

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

As mitigation for the loss of breeding bird habitat for swifts, swift nesting boxes should be provided as a mitigation measure. This can be secured by a suitably worded planning condition.

As the mature trees on site provide significant habitat on site for breeding birds and a range of other species, they should be retained as part of the final scheme. This can be secured by a suitably worded planning application.

The report states that no evidence of bats use or presence was found within the buildings or trees on site. The Council **does not** need to consider the proposals against the three tests (Habitats Regulations) or consult Natural England.

Habitats on site or adjacent to the site may provide foraging and commuting habitat for bats. Lighting for the development may affect the use of these areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the areas in line with NPPF (paragraph 125). This can be secured by a suitably worded planning condition. It would be helpful for the applicant to refer to the document Bats and Lighting in the UK, Bats and the Built Environment Series, Bat Conservation Trust and Institute for Lighting Engineers.

The applicant, their advisers and contractors should be made aware that if any European protected species are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.

Waste

The proposal involves demolition and construction activities and policy WM8 of the Joint Merseyside and Halton Waste Local Plan (WLP) applies. This policy requires the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

The applicant has provided sufficient information (Design & Access Statement, John McCall Architects, January 2016 and Victoria House, Runcorn: Proposed Site Plan, John McCall Architects, January 2016, Drawing No. L.03A) to demonstrate compliance with policy WM9 of the Joint Merseyside and Halton Waste Local Plan.

4.7 Natural England

Natural England has no comments to make on this application.

4.8 Health & Safety Executive

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Halton.

HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

4.9 United Utilities

No objection to the proposed development subject to the attachment of conditions relating to drainage. Their other observations can be attached as an informative.

5. **REPRESENTATIONS**

5.1 The application was originally advertised by a press advert in the Widnes & Runcorn World on 25/02/2016, two site notices posted on 19/02/2016 (Penn Lane) and 48 neighbour notification letters sent on 18/02/2016.

5.2 Seventy-five representations were received from the publicity given to the application. The observations raised are summarised below:

- The access in and out of the site is too narrow.
- The proposal would add to the existing parking problems in the area.
- Where will visitors to the development park?
- The proposal would be detrimental to highway safety – especially for pedestrian accessing schools etc.
- Parking for residents on Holloway should be incorporated into the development.
- Holloway should be one-way.
- It would have a negative impact on the character of the neighbourhood.
- The historic building should be kept and enhanced and not extended in an unsympathetic manner.
- An application to list the building has been made to Historic England.
- The proposal would not integrate with the surrounding area.
- Victoria House is within a Conservation Area.
- The overbearing visual impact from rear by virtue of the height and massing of the proposed extension.

- Overdevelopment of the site.
- Overlooking and loss of light for existing properties especially given level differences.
- The proposal does not meet the Council's guidelines with regard to privacy, nor does it offer any ingenious design to demonstrate how privacy will be achieved.
- The guidelines state that where minimum distances are not met, a 25 degree rule applies.
- Why was the 45 degree rule not applied in this case as the proposed extension appears contrary to it?
- The material choice is inappropriate.
- The building is of great sentiment
- Not social housing.
- Lack of amenities or play areas in the vicinity.
- Where will children who reside in the proposed development go to school?
- Noise and disturbance during construction.
- Noise levels could be detrimental to neighbouring houses.
- The proposal would compromise the extension of an existing property adjacent to the site.
- Why have the sycamore and pear trees been cut down contrary to the tree survey?
- Access across the site to existing properties would be lost.
- Why can't the building have another community use?
- The issue of drainage and flooding has been sidestepped.
- What noise and pollution would result from the proposed pumping station?
- Toxic and medical waste was buried at the site.
- The proposal would have a negative impact on the value of surrounding properties.
- How is the Code for Sustainable Homes met?

5.3 Following the receipt of amended plans on 27/05/2016, 107 neighbour notification letters were sent (This includes all those originally notified and any person who had made a representation on the application) giving them an opportunity to make any further representations.

5.4 Twenty representations were received from the further publicity given to the application. All additional representations received are from persons who originally made representations. The observations raised are summarised below:

- The plans have hardly changed.
- There would be no privacy for the surrounding properties.
- The development would be too close to properties on Burland Close.
- The proposal would appear out of character with the area.

- The frontage of the hospital would be destroyed.
- Heritage and history should be put first.
- This is a conservation area.
- It is a travesty that Victoria House is not a listed building.
- It will have an impact on house prices.
- Several houses have been put up for sale.
- This area of Runcorn does not need more houses or apartments.
- Social housing does not belong in this location.
- Parking is already a nightmare in the area.
- Danger from construction traffic.
- There is no change to the number of car parking spaces.
- A legal right of way would be taken away.
- No plans for green space within the proposal.
- There has been a lack of further consultation by the applicant.
- The hospital building should be used for local business use.
- The green space behind Holloway would be lost.
- There is a lack of consideration in relation to the pumping station and drainage.
- No landscaping proposal has been provided.
- How will contaminated soil be removed without contaminating the gardens, houses and air in the surrounding area?
- Not enough school places to accommodate extra children.
- Potential effect on wildlife in particular birds.
- The building only used to operate during the daytime on weekdays and the proposal will have an impact on surrounding properties.
- Why can't the main building be redeveloped into two storey houses?
- When will there be a mysterious fire to make way for a more dense development?

6. **ASSESSMENT**

6.1 Principle of Residential Development

The site is designated as a Primarily Residential Area on the proposals map of the Halton Unitary Development Plan. This clearly acknowledges that the predominant land use in this area is residential and as such the principle of residential development 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.

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 Impact on the Character of the Area

The building is located outside but adjacent to the boundary of Higher Runcorn Conservation Area. The building is not locally listed, however, is of local interest.

It is noted that during the processing of this application, an application has been made to Historic England to include both the Victoria Memorial Cottage Hospital and the adjacent Almshouses (which are outside the application site) to the List of Buildings of Special Architectural or Historic Interest. It is acknowledged that the building is of great sentiment for local people.

The result of this was that Historic England have not been recommended them for listing for the following reasons:

- Design; the design does not display the high level of quality and interest expected for a site of this relatively recent date, where greater selectivity is required;
- Alteration: the buildings have undergone a degree of alteration which has eroded their architectural interest in a national context;
- Association: there is no evidence that the design of the hospital was nationally influential. The associations with James Wilding, Sir Fredrick Norman and William Shaw are considered to be of local rather than national significance.

Given that the former Victoria Memorial Cottage Hospital is not subject to special protection and that the proposal is to incorporate and convert the historic building this should be welcomed.

Since the deferral of the application at Development Control Committee on 16th May, further design amendments have been made by the applicant. The fourth floor element of the rear extension has been deleted and a legible distinction between the original building and the proposed extension has now been created with the extension now being lower in height.

It is considered that the current proposal now incorporates the majority of the observations made by the Conservation and Design Advisor and based on the building's undesignated status, the weight which could be given to the other observations made at paragraph 4.5 (of this report) are limited as outlined by paragraph 135 of NPPF.

The main elevation of the building would be retained which would ensure that the character of this building of local interest is also maintained in accordance with Policy BE15. The applicant has provided some artist impressions which clearly show how the appearance of the main elevation would be maintained. Artist impressions are also provided for Penn Lane and they show the removal of some unsympathetic flat roof extensions and their replacement

with additions of a higher design quality, thus having a positive impact on the character of the area.

The area is characterised by a variety of different property types (terraced, semi-detached and detached properties) built at different times which include the application building and properties on Holloway which are in excess of 100 years old to the more recent developments on Burland Close and Drayton Close.

As stated above, the retention of the Victoria Memorial Cottage Hospital is welcomed. In terms of extending the building, this is in principle acceptable in residential locations such as this and matters such as appearance and amenity will be considered below. The proposed cottage style apartments and two storey semi-detached dwellings would not be dissimilar to those more recently constructed dwellings in the locality and the view taken is that the proposed development would not appear out of character with the locality.

6.4 Layout

A number of the representations have been received which raise issues regarding the proposal being overbearing, loss of light and privacy. These comments are mainly focused on the proposed extension to the rear of Victoria House, however, each resultant relationship will be considered in turn. Following the deferral of the application, the applicant has provided a site plan which clearly shows the relationships between buildings and the distances involved. Members should consider these to be approximate.

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 privacy distances for residential development set out in the Design of Residential Development Supplementary Planning Document (SPD) provide guidance on relationships which are considered to be acceptable in terms of both light and privacy.

In respect of privacy distances, the SPD contains four diagrams three of which look at situations where habitable room windows directly face each other with the fourth diagram relating to a habitable room window facing a blank gable elevation. The SPD does not provide any guidance where habitable room windows are located at an angle to each other, however, it is considered reasonable where there is a change in orientation of habitable room window openings that a reduction in separation distance can be appropriate and still ensure that privacy is not unduly compromised. The greater the angle, the more appropriate a reduction in separation becomes as any privacy issue then diminishes to the point at which a habitable room is facing a blank gable.

Relationship of the proposed extension on the rear elevation of Victoria House with no.14 Burland Close.

Considering the positioning of the proposed extension to the rear of Victoria House, the nearest residential property would be no.14 Burland Close. It is noted that this particular property has a rear conservatory and the annotated site plan shows that there would be a 20.243m separation distance between the rear elevation of the conservatory and the closest part of the proposed extension.

A conservatory is within the definition of a habitable room (Page 25 of the Design of Residential Development SPD), however guidelines in respect of privacy are more applicable to those relationships above ground floor level where a boundary wall/fence do not provide the same level of protection. For example, the same levels of separation would not be required with bungalows etc. nor would a single storey extension be resisted on separation distances in exactly the same way as a two storey extension.

Even though the conservatory in question is screened by a boundary fence which also happened to be elevated by approximately 1m due to increasing ground levels, the relationship with a 20.243m separation distance will be considered in relation to the guidance set out.

Since the deferral of the application at Development Control Committee on 16th May, the applicant has taken out three window openings on the part of the building closest to no.14 Burland Close and has sited the habitable room for the living area / kitchen in these apartments so that they face down the access road towards Penn Lane to avoid any interaction with the openings in the rear elevation of no.14 Burland Close. The bedrooms in the closest apartments have been inset slightly and angled (by 20 degrees) to face the blank elevation on the cottage style apartments proposed. The proposed habitable room windows are now at an angle in excess of 45 degrees to ensure no privacy issues with no.14 Burland Close.

Based on the rear openings at no.14 Burland Close not directly facing any habitable room windows in the proposed extension to Victoria House, it is considered reasonable to apply the guidance on separation distances in the SPD as if it were facing a gable. The usual requirement is 13m, however based on there being a site level difference of 2m, the guidance indicates that an additional 4m of separation would be required resulting in 17m. As the proposed extension would be three storey, it is considered appropriate to add an additional 3m of separation as used in other parts of the guidance resulting in a total of 20m. This indicates that a solid continuous gable at a 20m separation distance would be appropriate and it is noted that the distance in the case marginally exceeds 20m and that it is a corner point of the extension with separation increasing as you move in both directions. When you move to the first floor windows in the rear elevation of no.14 Burland Close where the relationship becomes more important as there is no boundary screen, the separation distance to the corner of the proposed extension is over 23m which is considered appropriate in relation to the Council's adopted guidance and Officer judgement.

One of the representations received made reference to a 25 degree assessment not being undertaken. The SPD states “in any case where it may be accepted that the development does not satisfy the minimum separation distances, the Council will utilise the 25 degree assessment to ensure suitable daylight is maintained to any habitable rooms within developments”. This involves drawing a line of 25 degrees from the horizontal from the centre of the existing lowest habitable room window (rear conservatory at no.14 Burland Close). If the proposed development does not cut this line, it is considered that suitable daylight would be maintained. As concluded above, the proposal is considered to satisfy the minimum separation distances in the SPD and on this basis a 25 degree assessment is not considered to be required and has not been requested from the applicant. Based on the representations received, the applicant has chosen to produce this assessment to accompany the planning application. This shows that the proposed extension is acceptable in this regard and that suitable daylight would be maintained to habitable rooms at no.14 Burland Close and further demonstrates the suitability of the proposed relationship.

Based on the above detailed consideration of the relationship of the proposed extension on the rear elevation of Victoria House with no.14 Burland Close, it is considered to be acceptable for the reasons outlined.

Relationship of the proposed extension on the rear elevation of Victoria House with no.12 Burland Close.

It is necessary to consider the relative positioning of the proposed extension to the rear of Victoria House and no.12 Burland Close. It is noted from the annotated site plan that the separation significantly increases due to the property stagger on Burland Close and the orientation of Victoria House. The dimension shown on the annotated site plan is 32.930m, however there is part of the proposed extension which would be closer than this but would still be in excess of 30m.

The part of the proposed extension to the rear of no.12 Burland Close would again have window openings which have been inset slightly and angled (by 20 degrees) to face the south western elevation on the cottage style apartments proposed and ensure no privacy issues with no.12 Burland Close.

At a distance of in excess of 30m, a direct relationship between habitable room windows would be more than appropriate with the guidance for this situation being 28m (21m + 3m (increase from two storey to three storey) + 4m (where there is a 2m difference in land levels), however the applicant again has chosen to design out any overlooking between habitable room windows and provide separation in excess of the guidelines in the SPD.

Based on the above detailed consideration of this particular relationship, it is considered to be acceptable for the reasons outlined

Relationship of the proposed extension on the rear elevation of Victoria House and plot 8 with no.11 Burland Close.

Firstly considering the relationship with the proposed extension on the rear elevation of Victoria House, it is noted from the annotated site plan that the separation significantly increases due to the property stagger on Burland Close and the orientation of Victoria House. The dimension shown on the annotated site plan is 35.145m, however, there is part of the proposed extension which would be closer than this but would still be in excess of 33m.

At a distance of in excess of 33m, a direct relationship between habitable room windows would be more than appropriate with the guidance for this situation being 28m (21m + 3m (increase from two storey to three storey) + 4m (where there is a 2m difference in land levels). The separation provided is therefore in excess of the guidelines in the SPD and considered to be acceptable.

Secondly, considering the relationship between habitable room windows in the rear elevation of no.11 Burland Close and the proposed habitable room windows in the front elevation of plot 8, the annotated site plan shows that the separation distance would be 21.387m. If there were a direct relationship between windows (two storey to two storey) 21m would be required and based on a site level difference of 2m, a further 4m of separation required resulting in 25m. However, the windows are at an angle to each other with the windows in the rear elevation of no.11 Burland Close facing the proposed extension on the rear of Victoria House and it is not considered that this relationship would be seriously detrimental to residential amenity and the siting of plot 8 is considered to be an appropriately struck balance on a difficult site by virtue of its shape and dimension.

Based on the above detailed consideration of these particular relationships, on balance it is considered to be acceptable for the reasons outlined.

Relationship between the proposed dwellings (plots 5-8) and the existing properties on Holloway (no's 80-90).

The semi-detached dwellinghouses proposed (plots 5-8) would not provide the 21m separation distance to the existing bungalows on Holloway (no's 80-90). As detailed on the annotated site plan, separation to the existing two storey building on the application site is as low as 11.001m currently. The redevelopment of this part of the site would remove a two storey building which is much closer to the residential properties on Holloway and build two storey dwellings, which would be approximately 18m from the bungalows thus resulting in an increase in separation of up to 7m. Acknowledging that this is below the 21m guideline, the applicant is proposing an innovative internal layout to design out this reduction in separation distances. This has involved designing a house type of limited depth and limiting the habitable room windows in the rear elevation at first floor to a second bedroom window in a through bedroom alongside a bathroom window. This relationship is considered to be acceptable and would enhance the existing situation in

respect of light by moving the proposed development up to 7m further away than the current building resulting in a considerable improvement to the benefit of residential amenity.

Based on the above detailed consideration of these particular relationships, on balance it is considered to be acceptable for the reasons outlined.

Relationship between the proposed dwellings (plots 5-6) and the proposed cottage style apartments (plots 3-4).

The distance between the front elevation of plots 5-6 and the cottage style apartment block (plots 3-4) is marginally below the 13m guideline (11.300m rising to 12.650m) between a habitable room window and a gable wall (only containing secondary window openings).

It should also be noted that this proposed relationship is within the proposed development rather than relating to an existing property. The SPD states that “a much greater degree of flexibility will be allowed within new developments where the Local Planning Authority is satisfied that the separation distances can be justified through quality urban design and an innovative approach”. The layout proposed is considered to be an innovative design which has regard for the site constraints (size and shape), whilst ensuring that this relationship would not be seriously detrimental to residential amenity.

Relationship between the proposed cottage style apartments (plots 3-4) and no.10 Burland Close.

The siting of the proposed cottage style apartments is not directly to the front of any habitable room windows at no.10 Burland Close. The proposed building is staggered from no.10 Burland Close and the suitability of this need to be considered.

Whilst the 45 degree rule may not feature in the Design of Residential Development SPD, it does within the House Extensions SPD and is used to consider staggers, as too great of a stagger results in two properties being detrimental to each other in terms of light and outlook. The House Extensions SPD states, “the Council uses the ‘45-degree rule’ to help assess impact upon the amenities of the neighbouring properties and to protect from overshadowing or obstruction, caused by large extensions on or close to the boundary”. It involves drawing a 45 degree line from the middle of the nearest habitable room window. If the proposed extension/building does not cut a 45 degree line, it is considered to be appropriate in terms of light and outlook and not unduly detrimental to residential amenity.

In this case, the proposed cottage style apartment block is positioned in a manner which ensures that a 45 degree line drawn from the rear elevation of the nearest habitable room window at no.10 Burland Close is not cut. It is considered that the relationship would not be seriously detrimental to residential amenity.

Other resultant relationships.

The other resultant relationships within the scheme are considered to accord with the guidance contained with the Council's Design of Residential Development Supplementary Planning Document and would ensure sufficient separation for light, privacy and flexible living.

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. The scheme has been designed so that it 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, bin 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 and 2 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.

It is noted that a number of the proposed apartments would be single aspect units which would be north facing which is not desirable in terms of solar orientation; however, this proposal is designed around the retention of the Victoria Memorial Cottage Hospital which is considered to be an undesignated heritage asset. On balance, it is not considered that this issue would warrant the refusal of this application and is a principle which could be afforded more weight on a larger site where the scope for implementation would be much greater.

The layout of the proposed development is considered to be acceptable and compliant with Policies BE1 & BE2 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.

6.5 Scale

In respect of scale, a number of the representations received have stated that the proposed extension would be overbearing and out of character with the surrounding area.

It is noted that Victoria House is a large building which is three storey in height and the extension proposed would also be large. The extension has been designed so that it appears subordinate to the existing building with the ridge

level being lower. The relationships with neighbouring properties have been considered above and are acceptable. Whilst the proposed extension is large, it has regard for the scale of the building on which it would be located as well as forming an acceptable relationship with the surrounding buildings. On this basis, the scale of the proposed extension is considered to be acceptable.

The two storey buildings (semi-detached dwellinghouses and cottage style apartment block) are considered to reflect the character of the area and appropriate in terms of scale.

The proposal is considered to be acceptable in terms of scale and compliant with Policy BE1 of the Halton Unitary Development Plan.

6.6 Appearance

Some of the representations received make reference to the overbearing visual appearance and that inappropriate materials are proposed.

The Conservation and Design Advisor has made observations in relation to the external appearance of this undesignated heritage asset, these are set out below.

Two canted wings have been added which replace modest, flat-roofed extensions. In terms of scale and height, these wings are large and do compete with the front elevation.

The new build element at the rear is overly dominant on the original building. Currently the proposed new-build element has taken the same ridge line as the existing building, which does not provide a legible distinction between new and original buildings. The scheme would benefit significantly by even a slight reduction in height of the ridge line, and the lowering the gable which presents to the rear elevation. The use of a more sympathetic facing material (eg render or timber, as found on the original building) would also help to reduce the impact of the new-build element and harmonise it with the original.

The proposed use of a considerable area of fibrous cement tile hanging is not consistent with the quality of materials normally found in conjunction with a heritage asset and is inappropriate in this location. Careful use of render, for example, would have been more appropriate. (This comment also applies to the 'cottage style apartments'). However, issues of materials can be covered by condition. It is a pity that the hierarchy of windows (double for living rooms / single for bedrooms) hasn't been adopted within this central bay, as it would offer relief to regularity of the appearance.

It is acknowledged that the appearance of the extension to the rear of Victoria House has been improved on again since the deferral of the application at

Development Control Committee on 16th May and the majority of the design observations made by the Conservation and Design Advisor have now been taken on board.

The weight which the other design issues can be given in the context of the buildings undesignated status is limited. The proposal does ensure that the main elevation of the building is maintained which is welcomed in terms of appearance as viewed from both Holloway and Penn Lane.

In conclusion, the overall appearance of the scheme is acceptable. The proposed elevations show that buildings would have some variety in materials to add interest to the overall external appearance. The submission of precise external facing materials for approval would be secured by condition.

This would ensure compliance with Policies BE1 & BE2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

6.7 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.

Tree T1 (oak) is a significant tree which contributes to the character of the area and its retention within the scheme is welcomed. A condition which secures the retention of the remaining trees within the site is suggested.

A number of trees have already been removed and pruned at the site with the work appearing to be in conjunction with this application.

The Design and Access Statement acknowledges that there are a number trees within the site boundary which would be lost as a result of the proposed development. This is due to proximity to the existing building and retaining structure adjacent to the public highway, however, the applicant intends to replace the lost trees at rate of 2:1. This needs to be followed through to a detailed landscaping plan which would 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 BE1 and GE27 of the Halton Unitary Development Plan.

6.8 Site Levels

The application is accompanied by a topographical survey of the site (within the Arboricultural Impact Assessment) and a plan showing proposed site

levels. The layout has been considered in paragraph 6.4 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 implementation of the proposed site levels and their subsequent implementation.

This would ensure compliance with Policy BE1 of the Halton Unitary Development Plan.

6.9 Highway Considerations

The application site is located within the urban area with the surrounding area having a wide range of facilities (including schools) and attractions to serve residents needs within walking and cycling 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.

It is noted that the site has previous history as a medical and office site. If the site were to be brought back into use within the permitted use class, the vehicle movements would be higher and sustained over longer time periods than that of residential development which although would have peak time movements similar to previous use would not have the continued movements during the day. The demand for parking provision for the permitted use would also be greater with the surrounding highway likely having to cater for the turnover of movements.

In terms of car parking, there is sufficient provision across the scheme (both for dwellinghouses and apartments) to accord with UDP requirements. It should be noted that the scheme actually provides for in excess of the UDP requirement which would accommodate for some additional visitor parking which is desirable in this case given the parking issues which have been raised in the representations. In terms of parking, the proposal is better compared to the permitted use and it not considered that this would exacerbate existing parking issues in the locality. As the site would remain within the control of Halton Housing Trust, it would benefit from a parking management plan which clearly shows how the parking within the scheme (especially the communal parking provision) would be managed. This can be secured by condition.

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.

Some of the representations received state that the access in and out of the site is too narrow. The internal road network within the site has demonstrated that there is sufficient space for vehicles (including a refuse vehicle) to enter and exit the site in forward gear. It is noted that due to design constraints that this road would not be subject to Highway Authority adoption. No widening to the site access is proposed in order to ensure that the existing oak tree which contributes to the character of the area is retained.

Appropriate pedestrian links from the proposed development would be available.

It is acknowledged that a number of the properties on Holloway do not benefit from off-road parking with the situation being historic and it would not be reasonable to expect this development to make such provision. This development would provide sufficient parking provision for the amount of development proposed which is the key consideration with this application.

In respect of the issue raised in the representations stating that Holloway should be one-way, this issue is an issue for the Highway Authority to consider and not material to the determination of this application.

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.

6.10 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 28 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 and Formal Playing Fields in this particular neighbourhood.

As the open space requirements are not being proposed to be met on site, the policy indicates that a commuted sum in lieu of on-site provision is required. This has been sought from the applicant.

Paragraph 173 of the NPPF relating to ensuring viability and deliverability states that “to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable”.

The applicant has submitted viability information which demonstrates that the payment of this commuted sum would compromise the deliverability of the scheme and it is on this basis that this development is acceptable without the payment of a commuted sum in lieu of on-site open space provision in order to facilitate the development of this now vacant site including the retention of the undesignated heritage asset with much needed housing to meet the needs of local people. It is also noted that the site is located in close proximity to Runcorn Hill which provides a variety of recreational uses.

6.12 Ground Contamination

The application is accompanied by a Phase 1 Site Appraisal (Desk Study) and a Phase 2 Site Appraisal Investigation. Remediation will be required due to pervasive elevated concentrations of lead within the made ground. A more detailed standalone remediation strategy setting out the remedial objectives along with the means of verification is required. The submission of this for approval along with the subsequent submission of a validation report should be secured by condition.

One of the representations makes reference to toxic and medical waste being buried at the site. Another representation asks how the contaminated soil will be removed without contaminating the gardens, houses and air in the surrounding area. As set out above, remediation of the site will deal with any such issues to ensure that the site is suitable for a sensitive end use such as residential.

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

6.13 Flood Risk and Drainage

The application site is located in Flood Zone 1 and is at low risk from flooding. The application is accompanied by a letter relating to drainage matters and email response from United Utilities. This document has been reviewed by the Lead Local Flood Authority. The provision and implementation of a surface water regulation system can be secured by condition.

A submersed pumping station forms part of the drainage solution for this site. This is predominantly underground and is not an uncommon feature nor should it be significantly detrimental in terms of noise and pollution.

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 Bat & Bird survey report. Our Ecological Advisor has confirmed that this report is acceptable. Conditions which secure breeding bird protection, swift nesting boxes and the retention of the mature trees on site have been suggested.

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.

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

The incorporation of facilities for charging plug-in and other ultra-low emission vehicles has been put to the applicant and they would be happy to accept a condition requiring the provision of future charging points for ultra-low emission vehicles.

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

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

6.16 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. The submission of a Site Waste Management Plan / Waste Audit should be secured by condition. In terms of waste management,

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

6.17 Issues raised in representations not addressed above

In respect of the proposal resulting in an over development of the site, the proposal would deliver an acceptable site layout in respect of relationships between buildings, amenity space provision, access and car parking provision etc. as well as being an efficient use of land within the urban area.

Some of the representations received have stated that the scheme should not be social housing. As set out earlier in the report, there is a requirement for affordable housing and who may reside in a property (owner, tenant etc.) is not material to the determination of the application.

Some representations make reference to other / amended proposals for the site. It is the suitability of this proposal that has to be considered.

As with most development proposals, some form of noise and disturbance during construction is inevitable. The purpose of the construction management plan condition referred to earlier in the report is to ensure that any disruption is kept to a minimum.

With regard to the proposal development compromising the extension of an existing property adjacent to the site, this application has to be considered on its merits based on the situation which currently exists and cannot pre-empt future development proposals adjacent to the application site.

It is noted that some of the existing properties adjacent to the site have been accessing their properties using the application site. Unless they have a legal right of access across the site, the applicant is not duty bound to make access provision for them.

Planning applications need to be dealt with based on the proposal submitted. This site has been purchased by Halton Housing Trust and their proposal to develop the site for residential purposes has to be considered on its merits. In relation to site being used for another community use, the site has no protection as a community facility in planning terms and the reason that Halton Clinical Commissioning Group disposed of the site was due to it being surplus to requirements.

Some observations have been made regarding the lack of further consultation by Halton Housing Trust following the deferral of the application at Development Control Committee on 16th May. There is no requirement for them to do further consultation, however I am aware that they have met with the spokesperson to discuss amendments to the scheme. All persons who were originally notified and those making representations have been written to by the Local Planning Authority and given the opportunity to make further representations based on the amended plans.

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.

When a mysterious fire will start is again an issue which is not material to the determination of the application.

7. CONCLUSIONS

In conclusion, the development would result in the development of a vacant site which was surplus to requirements for Halton Clinical Commissioning Group come forward for residential use in an area which is predominantly residential in nature.

The retention of the Victoria Memorial Cottage Hospital and its conversion to residential is welcomed as it is a building of local interest. It considered that the proposal would not have a detrimental impact on the character of the area.

In respect of residential amenity, both the conversion of the existing building, the extension proposed and the new build elements of the scheme are considered to be appropriate in terms of separation for both light and privacy and it should be noted that the applicant has made further alterations to the scheme in order to design out some of the privacy concerns raised by the occupiers of adjacent properties. Appropriate levels of private amenity space would be provided within the scheme.

The highway impact of the development would not be severe. Both vehicle movement to and from the site and demand for parking provision would be greater with the permitted use than with the residential development proposed. There would be sufficient parking provision for both for dwellinghouses and apartments to accord with UDP requirements and it not considered that this proposal would exacerbate existing parking issues in the locality.

In respect of design and external appearance, since the deferral of the application at Development Control Committee on 16th May, the proposal has been improved on again and the majority of the design observations made by the Conservation and Design Advisor have now been taken on board and the overall scheme is acceptable.

The application is recommended for approval subject to conditions.

8. RECOMMENDATIONS

Grant planning permission subject to conditions.

9. CONDITIONS

1. Time Limit – Full Permission.

2. Approved Plans.
3. Implementation 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 a Swift Nesting Boxes Scheme, implementation and subsequent maintenance – (Policy GE21)
9. Retention of Trees – (Policy GE21)
10. Submission of a Lighting Scheme designed to protect ecology – (Policy GE21)
11. Hours of Construction – (Policy BE1)
12. Removal of Permitted Development – All Dwellings – (Policy BE1)
13. Submission of a Construction Management Plan - (Policy BE1)
14. Provision & Retention of Parking for Residential Development (Curtilage) – (Policy BE1)
15. Provision & Retention of Parking for Residential Development (Not in Curtilage) – (Policy BE1)
16. Submission of Cycle Parking Scheme for Apartments and Subsequent Implementation – (Policy BE1)
17. Implementation of Access and Servicing Provision – (Policy BE1)
18. Implementation of Off Site Highway Works (Site Access Points from Penn Lane) – (Policy BE1)
19. Submission of a Parking Management Plan and subsequent implementation – (Policy BE1)
20. Submission of a Surface Water Regulatory System for approval and subsequent implementation – (Policy PR16)
21. Foul and Surface Water on Separate Systems – (Policy PR16)
22. Ground Contamination – Remediation Strategy and Site Completion Report – (Policy PR14)
23. Submission of a Waste Audit – (Policy WM8)
24. Submission of a scheme for the provision of future charging points of ultra-low emission vehicles – (Policy CS19)

Informatives

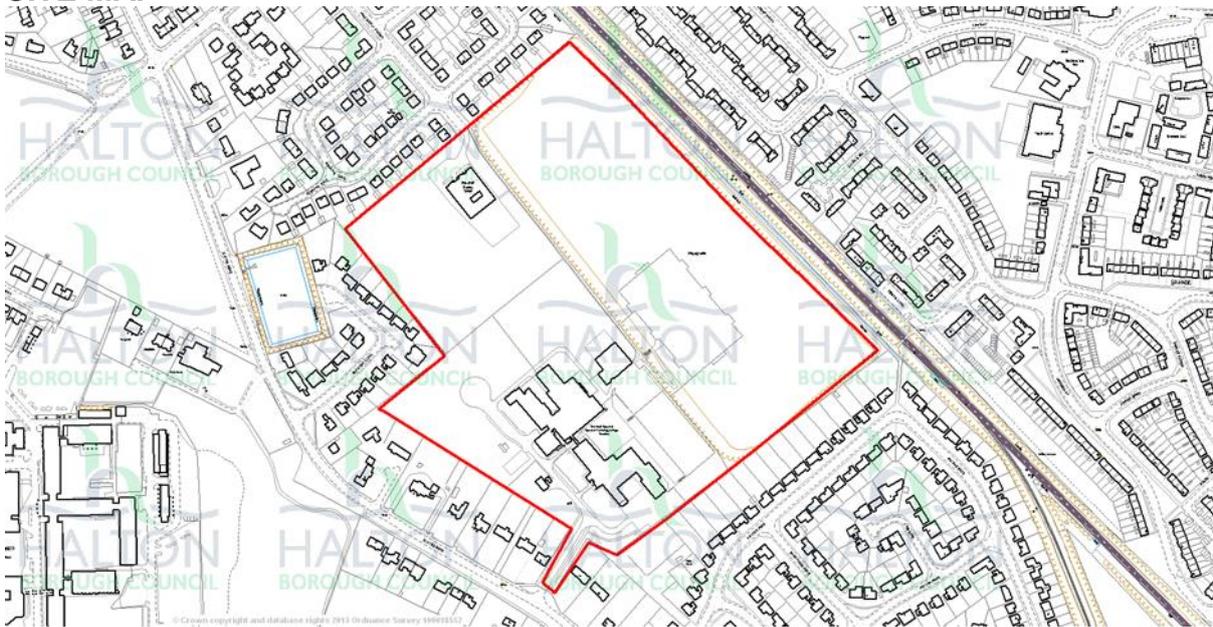
1. Highway Informative – S38 / S278/184 – Above Ground Apparatus Requirements.
2. United Utilities Informative.
3. Ecology Informative.
4. Waste Informative.

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.

APPLICATION NO:	16/00144/FUL
LOCATION:	The Heath Technology College, Clifton Road, Runcorn
PROPOSAL:	Proposed phased redevelopment of existing high school comprising provision of separate construction and school accessible zones, development of new school buildings, demolition of redundant buildings, hard and soft landscaping and provision of sports facilities
WARD:	Heath
PARISH:	N/A
AGENT(S) / APPLICANT(S):	Carillion Construction Ltd
DEVELOPMENT PLAN ALLOCATION:	Halton Unitary Development Plan (2005) Designated Greenspace - School Playing Field (GE6)
DEPARTURE REPRESENTATIONS:	No
KEY ISSUES:	Development within Inovyn/Mexichem COMAH zone HSE 'Advise Against'
RECOMMENDATION:	Approval
SITE MAP	
	

1. APPLICATION SITE

1.1 The Site and Surroundings

The Heath School site is located off Clifton Road which is 1.8km south of Runcorn Old Town, and 1.6km west of Halton Lea. The surrounding area is made up predominately of residential properties with Pewithall Primary school adjoining the site along the north western boundary.

1.2 Planning History

The following planning permissions have previously been granted on the site:

- 01/00030/EDU Proposed erection of 2.4m high palisade fencing;
- 02/00313/HBC Proposed provision of bus turnaround within site for four school buses and creation of a temporary car parking area;
- 04/00894/HBCFUL Proposed all weather sports pitch adjacent to existing playing pitches, 8 No. 15m floodlights and 4m high mesh fence;
- 05/00552/FUL Proposed erection of a single storey, open sided, covered shelter in centre of existing school playground; 06/00398/HBCFUL Proposed street lighting to access road and internal road;
- 09/00311/FUL Proposed siting of portacabin to provide additional changing accommodation; 10/00311/FUL Proposed demountable classroom;
- 12/00362/FUL Proposed installation of 3 no. prefabricated sectional buildings for use as classrooms, on vacant land adjacent;

The most recent relevant planning permission is 13/00269/FUL which was granted for the proposed works to facilitate the school redevelopment comprising temporary widening of existing access road, extension of existing car park, temporary footpath, relocation of existing temporary buildings and new temporary changing block.

Planning application 13/00278/FUL was submitted in 2013 for a 1650 pupil High School, this was recommended for approval at Development Control Committee on 4th November 2013. The application was withdrawn by the applicant following 'call-in' by the Secretary of State. This application (16/00144/FUL) is essentially a new scheme that seeks to deal with the issues that were raised in objection to the earlier scheme.

2. THE APPLICATION

2.1 Documentation

The application has been submitted with the requisite planning application form, a complete set of plans, supporting information including a design and access statement and the following:-

Location Plan
Design and Access Statement
Traffic Assessment
Ecological report and bat survey
Topographical Survey
Arboricultural impact assessment
Site investigations report
Flood risk assessment and drainage assessment
Risk mitigation statement
Proposed Cross Sections

Proposed and Existing Site Plans
Proposed Floor Plans and Roof Plans
Proposed Elevations
Construction Phasing Plans

3. 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.

Unitary Development Plan (2005)

The site is allocated as Primarily Employment land in the Halton Unitary Development Plan (UDP) and the key policies, which relate to the development, are:

- BE1 General Requirements for Development
- BE2 Quality of Design
- BE22 Boundary Walls and Fences
- GE6 Protection of Designated Greenspace
- GE8 Development within designated greenspace
- GE12 Protection of Outdoor Playing Space for Formal Recreation
- GE21 Species Protection
- PR4 Light Pollution and Nuisance
- PR12 Development on Land surrounding COMAH Sites
- 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
- TP14 Transport Assessments

TP15 Accessibility to New Development
TP16 Green Travel Plans
TP17 Safe Travel for All

Halton Core Strategy Local Plan (2013)

The Core Strategy provides the overarching strategy for the future development of the Borough, in this particular case the following policies are of relevance:

CS2 Presumption in Favour of Sustainable Development
CS15 Sustainable Transport
CS18 High Quality Design
CS19 Sustainable Development and Climate Change
CS20 Natural and Historic Environment
CS23 Managing Pollution and Risk

Joint Waste Local Plan 2013

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

NOTE:

PR14 relates to the identification of contaminated land and remediation.
CS2 repeats the advice given in paragraph 14 of the NPPF in relation to the presumption in favour of Sustainable Development.
CS19 encourages sustainable design to have regard to the predicted effects of climate change, and the reduction of CO2 emissions.
The proposal complies with these policies and no further analysis is required.

The other policies listed above are dealt with elsewhere within the report.

4. CONSULTATION AND REPRESENTATION

The application has been advertised by means of a site notice, press notice and neighbouring properties have been consulted via letter.

Consultation has been undertaken internally with the Highways Authority, Lead Local Flood Authority, Contaminated Land, Open Spaces and Environmental Health, The Public Health Development Manager, Emergency Planning services, the Children and Enterprise Directorate. Merseyside Environmental Advisory Service (MEAS) and Ward Councillors have also been notified of the application.

Any comments received internally have been incorporated into the assessment below.

The Health and Safety Executive, Sport England, United Utilities, Cheshire Police and Cheshire Fire Service, Scottish Power, Saudi Arabia Basic Industries

Corporation (SABIC), Natural England and Network Rail have also been consulted.

United Utilities (UU) has no objections to the proposed development providing specific conditions are included in any planning permission granted. These include a requirement that the site should be drained on a separate system, with only the foul drainage connected to the foul sewer, details of a surface water drainage scheme and that the drainage scheme must be in accordance with the non-statutory technical standards for sustainable drainage systems (March 2015), and a condition for a sustainable drainage management and maintenance plan.

SABIC has confirmed that it is not affected by the redevelopment.

Network Rail has provided comments on the application, its comments in summary are as follows. The applicant should contact Network Rail directly, there is a need to submit a Basic Asset Protection Agreement, risk assessment and method statement (RAMS). The 1.8m high weldmesh fence to the north east boundary is acceptable. It has raised concerns over the location of swales in the northern corner of the site in close proximity to the railway boundary which could, in its view increase the risk of flooding, pollution, soil slippage to the railway.

Network Rail has requested that the applicant submits to the LPA a luminance survey and Network Rail's Asset Protection Engineer must be consulted. Crane working diagrams, specification and method of working must be submitted for review and agreement prior to work(s) commencing on site. The existing railway line has 25kv overhead lines – induced voltages from the OLE can impact up to 20m from the lines themselves, in this case. Therefore, the applicant is very strongly recommended to engage with Network Rail to ensure safe methods of working on site. It has also asked for the following conditions

“Prior to any vibro-impact works on site, a risk assessment and method statement shall be submitted to the LPA and Network Rail.”

Reason:- to prevent any piling works and vibration from de-stabilising or impacting the railway.

“Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to the Local Planning Authority and Network Rail.”

Reason:- To protect the adjacent railway”.

Sport England raises no objection to this application which is considered to meet paragraph 74(iii) of NPPF and exception E5 of our adopted Playing Fields Policy, subject to conditions relating to:

1. Agronomy Report and Pitch Specifications for the replacement playing field
2. Reinstatement of the playing field to the north of the site after drainage works have been completed

3. Community Use Agreement
4. Design of the Multi-Use Games Areas

The Health and Safety Executive (HSE) provided the following formal response on 19th May 2016:

*“Halton Borough Council has obtained HSE Land Use Planning (LUP) advice for the Heath School redevelopment through HSE’s on-line consultation service (Ref. HSL-160414151343-304, 14TH April 2016). HSE **advises against** the proposed development. The Council is now seeking further comment from HSE.*

*HSE **advises against** the proposed development of the Heath School on grounds of public safety. The redevelopment involves a large and sensitive population (Children) at a significant risk of harm from toxic gas release.*

*HSE is a statutory consultee for developments **in** the vicinity of major sites by virtue of Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The proposed development lies within the consultation distance of major hazard sites – Ineos/Inovyn/Mexichem, Runcorn.*

HSE provides its LUP advice to enable the Planning Authority to comply with its responsibilities under Article 13 of EC Directive 2012/18/EU, (the Seveso III Directive – see addendum) its objective is to control proposed development around designated sites that would increase the risk or consequences of a major accident.

As explained in paragraph 072 of the Planning Practice Guidance on handling development proposals around sites handling hazardous substances, HSE normally considers its role to be discharged when it is satisfied the Planning Authority is acting in full understanding of HSE’s LUP advice received and of the consequences to public safety that could follow.

As also explained in that paragraph, HSE will consider recommending call-in only in cases of exceptional concern or where important policy or safety issues are at stake.

HSE acknowledges that the final decision on whether to grant planning permission rests with Halton Borough Council.

Planning application 16/00144/FUL is a resubmission of planning application 13/00278/FUL (see appendix 1: HSE advice for planning application 13/00278/FUL, Planning Committee submission).

Planning application 13/00278/FUL for a 1650 pupil High School, was at the request of HSE called-in by the Secretary of State for his own determination. Following extensive discussions with the Education Funding Agency (EFA), the College, Local Planning Authority (Halton Borough Council) and the Health and Safety Executive (HSE) this application was withdrawn and replaced with revised planning application 16/00144/FUL.

It is HSE's provisional position that if the Council is minded to grant permission for revised planning application 16/00144/FUL, it is likely that the HSE will not request the application be called-in, subject to the following:

- *Halton Borough Council demonstrating it is in full understanding of the HSE advice given in this case and the consequences that could follow from a major accident;*
- *There are no viable alternative sites;*
- *The redeveloped school is re-sited, with the school grounds, to a location which reduces the risk from the major hazards sites*
- *To minimise risk pupil numbers will be restricted to 1250.*

After consultation with the Education Funding Agency and Halton Borough Council the HSE is of the view that the most effective means of effecting a 1250 cap on pupil numbers would be through a planning condition. Procedurally the HSE considers the wording of the condition is a matter for the Council, with the HSE available to assist the Council.

As our published policy

(http://www.hse.gov.uk/foi/internalops/hid_circs/technical_general/spc-tech-gen-49.htm) makes clear it is an exceptional course of action for HSE to request call-in. This reflects, among other factors, the views expressed in Chapter 5 of the First Report of the Advisory Committee on Major Hazards (ACMH) and Chapter 4 of the Second Report of ACMH. In these reports it was stated that:

“.....the siting of the developments should remain a matter for the planning authorities to determine, since the safety implications, however important, could not be divorced from other planning considerations.” And

“.....local authorities are well placed to take proper account of the full range of local factors, including safety issues, which are relevant to a planning decision.”

*Finally for the avoidance of all doubt, a decision by the HSE not to request call-in does not mean HSE's advice is withdrawn. **For the purposes of Article 13 of the Seveso III Directive, it will remain that there are sufficient reasons, on safety grounds, for advising against the granting of this planning permission”.***

Copies of the HSE's formal responses (13th May 2013, 14th May 2016 and 19th May 2016) have been appended to the report.

Local residents - 29 representations have been received from local residents raising the following concerns:

- Concerns that there will be an entrance off Kenilworth Avenue next to Pewithall School, increased traffic and highway safety issues in this area.
- Concerns that the construction traffic entrance off Kenilworth Avenue, would exacerbate current parking issues around Pewithall School
- General traffic issues around the school during drop off and pick up times.
- Scale and appearance of the new school building.

- New building would be visually obtrusive
- New building would cause loss of light,
- Loss of amenity to rear of properties and gardens on Malpas Road
- Loss of privacy to rear properties and gardens on Malpas Road
- New building would block views towards the Bridge
- Development would be intrusive and noisy for residents along Malpas Road.
- Concerns over the siting of the proposed new access road behind residential properties on Malpas Road causing noise, fumes disturbance and loss of privacy.
- Concerns on whether there would be sufficient car parking.
- Concerns over the location of the proposed construction access, compound, the welfare cabins and vehicle delivery holding area, would cause noise and disturbance and would have a visual impact on residents affecting their health and wellbeing.
- Concerns over the hours of working and noise, fumes and dust during construction
- Concerns over road cleaning
- Concerns over the location of the bin store, its proximity to properties on Malpas Road (nos. 37-43) and potential for vermin.
- Concerns of the siting and scale of the sprinkler tank, its proximity to properties on Malpas Road (nos. 37-43) and being visually obtrusive.
- Concerns over light pollution
- Concerns that the public foot path to the rear would be opened up so that pupils can enter the school, this would cause traffic and parking problems on Malpas Road.
- Noise and disturbance from the school being used for after school activities in the evenings or by groups at the weekends.
- Issues raised by the health and safety executive, whole of site is within the COMAH zone there is no reason why the building needs to be sited in this location.
- Sport England requirements
- Secure by design requirements
- Vandalism and antisocial behaviour.
- Concerns over drainage
- Concerns over the use of CCTV
- The proposed school building should be moved further into the field away from houses
- Why can't they revert back to the proposed location in application 13/00278/FUL?
- Impact on house prices

The relevant issues have been fully considered and addressed in the assessment of the proposed development in the section below.

5. ASSESSMENT

The Proposal

The application has been submitted for the construction of a new secondary school building for a total of 1250 pupils (including a 200 pupil sixth form).

The application has been presented in a phased manner comprising of the following phases:

- 1) The proprietary work and the provision of separate construction and school accessible zones (all within the site);
- 2) Construction of the new school buildings;
- 3) demolition of redundant buildings,;
- 4) provision of the hard and soft landscaping of the site and provision of sports facilities.

The proposal represents an increase of 200 pupils as the existing school currently accommodates approximately 1050 pupils. The existing school will be in operation during the construction of the new building, providing safe separation of the construction site from the school. Upon completion, the existing school building would be demolished, allowing for the new sports fields and landscaping to be carried out.

Planning Policy and Principle of Use

The school site is designated as protected green space in the Halton Unitary Development Plan, Policies GE6, GE8, and GE12 are therefore relevant. The proposal is to retain the site in educational use; the majority of the building work would be carried out on the footprint of the existing tennis and netball courts and existing sports hall, which are centrally located within the site. The playing fields are to be retained and the associated sporting facilities improved. Taking this into account the principle of the proposal is considered to comply with the above policies.

Health and Safety Executive Response

The HSE was initially consulted on this current planning application on the 14th April 2016 through the HSE's planning advise web app, and which produced an automated 'advise against response'. The HSE then followed up its comments with a bespoke letter dated 19th May, which were as follows:

"Planning application 13/00278/FUL for a 1650 pupil High School, was at the request of HSE called-in by the Secretary of State for his own determination. Following extensive discussions with the Education Funding Agency (EFA), the College, Local Planning Authority (Halton Borough Council) and the Health and Safety Executive (HSE) this application was withdrawn and replaced with revised planning application 16/00144/FUL.

It is HSE's provisional position that if the Council is minded to grant permission for revised planning application 16/00144/FUL, it is likely that the HSE will not request the application be called-in, subject to the following:

- *Halton Borough Council demonstrating it is in full understanding of the HSE advice given in this case and the consequences that could follow from a major accident;*
- *The are no viable sites;*
- *The redeveloped school is re-sited, with the school grounds, to a location which reduces the risk from the major hazards sites*
- *To minimise risk pupil numbers will be restricted to 1250.*

After consultation with the Education Funding Agency and Halton Borough Council the HSE is of the view that the most effective means of effecting a 1250 cap on pupil numbers would be through a planning condition. Procedurally the HSE considers the wording of the condition is a matter for the Council, with the HSE available to assist the Council.

As our published policy;

http://www.hse.gov.uk/foi/internalops/hid_circs/technical_general/spc-tech-gen-49.htm) makes clear it is an exceptional course of action for HSE to request call-in. This reflects, among other factors, the views expressed in Chapter 5 of the First Report of the Advisory Committee on Major Hazards (ACMH) and Chapter 4 of the Second Report of ACMH. In these reports it was stated that:

".....the siting of the developments should remain a matter for the planning authorities to determine, since the safety implications, however important, could not be divorced from other planning considerations." And

".....local authorities are well placed to take proper account of the full range of local factors, including safety issues, which are relevant to a planning decision."

*Finally for the avoidance of all doubt, a decision by the HSE not to request call-in does not mean HSE's advice is withdrawn. **For the purposes of Article 13 of the Seveso III Directive, it will remain that there are sufficient reasons, on safety grounds, for advising against the granting of this planning permission.***

Halton Development Plan Policy

In light of the constraints imposed by the Inovyn/Ineos/Mexichem sites, Halton has adopted the following Policies.

Policy PR 12 'Development on Land Surrounding COMAH Sites' of the Unitary Development Plan states:

1 Development on land within consultation zones around notified COMAH sites will be permitted provided that all of the following criteria can be satisfied:

a) The likely accidental risk level from the COMAH site is not considered to be significant.

b) Proposals are made by the developer that will mitigate the likely effects of a potential major accident so that they are not considered significant.

The definition of what constitutes a significant major accidental risk is related to the same policy development framework for risk levels set out in the justification to Policy PR9 (Airport Public Safety Zone). In the UDP where an individual accidental risk level of 10 chances per million (cpm) in a year is the maximum considered acceptable, with the same provisos set out in the justification to Policy PR9 (Airport Public Safety Zone).

Core Strategy Policy CS23 – Managing Pollution and Risk

Policy CS23 is of relevance to the proposal. Part b) states:

b) Reducing Risks from Hazards

To prevent and minimise the risk from potential accidents at hazardous installations and facilities, the following principles will apply:

- Minimisation of risk to public safety and property wherever practicable.
- Controlling inappropriate development within identified areas of risk surrounding existing hazardous installations or facilities, to ensure that the maximum level of acceptable individual risk does not exceed 10 chances per million and that the population exposed to risk is not increased.
- Ensuring that any proposals for new or expanded hazardous installations are carefully considered in terms of environmental, social and economic factors.

Planning for Risk Supplementary Planning Document (SPD)

In the SPD, it sets out what the purpose of the SPD is:

“1. Complement and expand upon policies set out in the UDP Policy by providing additional and more detailed policies for:

- *deciding how new developments which create significant potential off-site accidental risks should be balanced against the benefits they will bring;*
- *deciding how new developments, in areas already exposed to significant existing potential accidental risks, should be balanced against the benefits they will bring, and;*

2. Explain in more detail how UDP policies should be interpreted.”

In this particular case, the second point in part 1 is of most relevance i.e. 'deciding how new developments, in areas already exposed to significant existing potential accidental risks, should be balanced against the benefits they will bring'

An individual accidental risk of one death in one million people each year is generally accepted measure for risk (according to the Royal Commission on Environmental Pollution and a number of other sources) and higher levels appear to be tolerated in certain circumstances.

The inherent lack of precision in chemical site risk calculations and their foundation on assumed failure rates rather than historic experience, in contrast to the aircraft crash policy, makes it difficult to justify expensive and community damaging measures such as demolishing houses which might be unnecessary, based on failure rate assumptions used in those calculations rather than evidence of past actual individual risks. The blighting impact of such policies is self-evident and, because the calculation methodology errs on the side of caution, it is logical to err on the side of caution in applying such policies.

Spatial planning safety policies have demonstrable economic and social effects which a Local Planning Authority must take into account in its overall interpretation of Development Plan policies relevant to each specific planning application.

In Halton, Councillors have, for many years been well briefed on the comparative risk context surrounding COMAH related decision making so they have been more easily able to make balanced judgements about the acceptability of accidental risks. The levels of acceptability of individual risks now built into Halton's UDP reflect the experience and concerns of the Council over many years.

Although the sites identified in this SPD are obviously of significance in terms of their potential to create major accident risks, their activities are also of great importance to a modern local and national economy. It is therefore necessary to strike a balance, between the economic and social benefits of a more vibrant economy in minimising planning blight and the safety impact on the Halton area of these sites.

The probable effect of the SPD will, therefore, be to indirectly improve investment confidence in the built environment within the Borough, and thereby reduce unnecessary urban blight, by striking the right balance between development requirements and an acceptable level of accidental risk.

Paragraph 3.8 of the HSE's 2007 consultation document (CD212) states "The Government's view therefore is that informed public opinion, and not solely professional judgement, should guide decisions..." This is exactly the approach taken at Halton over many years which, through constant public exposure and debate, has resulted in a simple and robust policy framework which strikes the right balance between development requirements and an acceptable level of accidental risk.

As a result of the special experience and expertise of Halton Council, risk based land use planning policies have become statutory planning policies within Halton, even though these approved policies differ from national advice given by the HSE to local planning authorities. Advice from the HSE nationally is sometimes hazard based (i.e. the consequences of an accident event happening) rather than risk based (i.e. the likelihood of an event actually happening).

HSE advice is also based upon the “risk of dangerous dose” to people. This involves severe distress to all, a substantial number requiring medical attention and some requiring hospital treatment, as well as the risk of fatalities (about 1%). Whilst Halton’s policies do not explicitly take into account the HSE’s “dangerous dose” concept, it is considered that the individual accidental risk of death policy level adopted in the UDP, takes sufficient account of both the “dangerous dose” concept and the “societal risk” concept so as not to warrant the introduction of additional policy complications which achieve little difference in terms of actual public safety. Halton’s policies in relation to hazardous installations, pipelines and airports are therefore based, more simply, on the risk of an accidental death, which is also the basis used for national public accidental risk policies around Britain’s airports.

It has been important to take these various factors into account, in respect of understanding individual risk, societal risk, planning blight issues and the HSE’s own policy advice position, to allow the Council to reach a considered view that an acceptable level of individual major accident risk exposure of 10cpm, for spatial planning policy making, is an appropriate approach within Halton.

Defining the 10 cpm boundary around Inovyn/Ineos/Mexichem

The Planning for Risk SPD provides maps for all 10 cpm areas within the Borough, the boundaries of which reflect those produced by the HSE with the exception of 2, i.e. those for Univar and for Inovyn/Ineos/Mexichem. These maps have been capable of definition on an individual basis. The 10 cpm boundaries for Univar and Inovyn/Ineos/Mexichem have been provided based upon more detailed information on the defined areas of accidental risk. The application site is outside of the 10 cpm area identified in the SPD.

Mitigation

Part (b) of Policy PR12 states ‘Proposals are made by the developer that will mitigate the likely effects of a potential major accident so that they are not considered significant.’ The applicant has been in consultation with the Council’s Emergency Planning Team, and there has been correspondence with the site operators of Inovyn/Ineos/Mexichem, to ensure that the School is thoroughly informed on any required emergency procedures required on site to help reduce and mitigate the risk.

With regards to mitigation there are a number of on-site and off-site measures that are already in place. These include on-site safety measures of the hazardous installation, the production of public information and safety advice by the operators, and the Council’s Off-Site Emergency Plan.

Due to its proximity to the Inovyn/Ineos/Mexichem plant, The Heath School is within the Public Information Zone. At least every five years an information pack is sent out to all people living and working within the zone. The information pack includes information about the Inovyn/Ineos/Mexichem operations and the products they make, handle and store at the Runcorn Site. It informs people of the steps they take on-site to prevent a major emergency and what action the public must take in the unlikely event of a major emergency.

The Safety Advice Card explains what people should do in the unlikely event of a major emergency involving the Inovyn/Ineos/Mexichem site. If there is an emergency at the site, an emergency siren is sounded in accordance with the Council's Off-site Emergency Plan. The Safety Advice Card outlines what actions the public should take if they hear the siren or become aware of a major emergency at the site. As members and local residents will be aware, this is tested with one short blast at 13:00 hrs every Monday.

In conclusion, as the site falls outside Halton's established 10c.p.m area, and because there are significant emergency plans and procedures in place to mitigate the risk, the proposal is considered to comply with Core Strategy CS23, UDP policy PR12 and the Planning for Risk SPD.

Alternative Sites

The Health and Safety Executive concluded its advice to the original planning application 13/00278/FUL, suggesting to Committee Members 'that the current development proposal (which consists of the wholesale replacement of all school buildings and facilities) presents Halton Borough Council with an opportunity to consider alternative locations for siting the school.' In its most recent response dated 19th May 2016, the HSE has stated that whilst it still advises against the development, it would not request the application to be called in if there are no viable alternative sites.

The applicant carried out an assessment of alternative sites in September 2015. This assessment of alternatives was undertaken using a staged methodology, and looked at sites that could accommodate the school, 6th form and playing fields as a whole, and alternatives where the sports provision would be disaggregated off-site.

The assessment involved both desktop and field research, including visits to all 80 of the assessed sites. An assessment of all availability, suitability and viability of each site was undertaken, which confirmed that there are no sites which satisfy all three requirements under any of the three single (whole) site and split (disaggregated) site scenarios. The report concluded that there are no realistic viable alternatives and the use of the existing school site to accommodate the proposed replacement school is the only realistic option.

The Local Planning Authority is satisfied with the assessment and agrees that there are no viable alternative sites. However, it should be noted that current National and Local planning policy does not require an assessment of alternative

sites to be carried out, and it is not a matter for the Development Control Committee to consider alternative sites at this point in time.

The application has to be determined on its own merits, be assessed against current adopted National and Local planning policy and all material planning considerations, giving due weight to all comments received from local residents, non-statutory and statutory consultees, including the Health and Safety Executive's significant concerns raised in the previous application, the discussions that have taken place since the withdrawal of that application and the subsequent 'advise against', all of which has been given most careful consideration in the determination of this planning application.

Limiting the number of pupils to 1250

As part of the HSE's response they have stated that whilst they would still advise against the development, they would not request the application to be called in subject to the pupil numbers being restricted to 1250. No detailed wording has been provided in the letter received on 19th May 2016,

Other than 'to minimise risk', the HSE has not provided any detailed reasoned justification for the limiting of the pupil numbers by condition, it is therefore difficult to ascertain why they consider such a restriction to be reasonable.

Furthermore, as explained in the above section, the proposed development complies with the development plan, and any increase over and above 1250 would not change this, there are therefore no policy grounds to attach such a condition as it would be unreasonable in planning terms.

Design and Layout and Amenity

The new school, including the sports hall, would be contained within one large block, with a footprint of 125m by 56.4m and three storeys high, the roof would be flat in appearance to a maximum height of 13m.

Externally, the proposed materials consist of low level smooth blue brick, high elevations would be broken up with a mixture of composite metal cladding systems in a mix of colours including, different shades of grey, blue, green and white. The main entrances would be recessed and contain a significant amount of glazing to create distinct features within the front elevation. The suggested materials are acceptable, no samples have been provided so it is recommended that samples of final materials are submitted for approval.

In terms of the design and appearance of the building, these are considered to be of a high quality of design that would comply with saved Policies BE2 of the Halton Unitary Development Plan and CS18 of the Halton Core Strategy Local Plan.

Objections have been received from a number residents on Malpas Road raising concerns over the location of the new building, the siting of the bin store and sprinkler tank, stating that would cause loss of privacy, overshadowing and

concerns that its appearance would be oppressive and result in loss of outlook and views.

The nearest residential properties to the school are along the site boundary to the rear of Clifton Road and Malpas Road. The closest of these that would mainly be affected by the development of the new school building are 35 to 43 Malpas Road whose gardens back onto the site.

The south eastern facing elevation would be approximately 70m away from the rear elevations of nos. 37, 39 and 41 Malpas Road, and approximately 65m away from the conservatory on the rear of number 43 Malpas Road.

Even taking into account variations in land levels, this interface distance far exceeds the interface distances ordinarily applied to new residential developments. For a three storey building, this would be 24m between habitable room windows, and hence an objection on these grounds cannot be upheld.

The original submitted plans showed the siting of the bin store and large sprinkler tank, to the rear of nos. 37-41 Malpas Road, Following concerns raised by local residents, these have been relocated further away to the rear of the school, and further landscaping will be provided to screen these off.

Concerns have also been raised that the development would cause noise, nuisance and general disturbance. The hours of construction and construction deliveries will be controlled by planning condition, to prevent unacceptable disturbance in this respect.

Residents have also raised concerns over the potential disturbance from lighting. A fully detailed lighting final scheme has been provided. The Council's lighting Engineer has been consulted and it is considered that the lighting scheme will not have a detrimental impact by way of light spillage, the development complies with policy PR4 Light Pollution and Nuisance of the Unitary Development Plan.

Further concerns have been raised in relation to the siting of the proposed new access road behind residential properties on Malpas Road. Residents are concerned that this would cause noise, fumes disturbance and loss of privacy.

Whilst it is appreciated that the new access road would, at its closest point, be 5m off the shared boundary with the back gardens of houses on Malpas Road, a landscaping scheme is proposed to screen of the access road and car parking from the residential properties. Furthermore, the lighting scheme has been designed so that any light would be directed away from the nearby housing. The houses along Malpas Road benefit from having long gardens, the rear elevations of the houses themselves would be some 40 to 50m away from the access road and car park. Taking this into account, objections on these grounds could not be upheld as a reason for refusal.

Ecology

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places on the following grounds:

- (a) in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment; and
- (b) provided that there is no satisfactory alternative; and
- (c) provided that there is no detriment to the maintenance of the species population at favourable conservation status in their natural range.

The UK has implemented the Directive in the Conservation (Natural Habitats etc.) Regulations 2010 (as amended) which contain two layers of protection (i) a requirement on Local Planning Authorities (“LPAs”) to have regard to the Directive’s requirements above, and (ii) a licensing system administered by Natural England and supported by criminal sanctions.

Halton Core Strategy Policy CS20 and Halton UDP Policy GE21 seek to protect habitats from destruction and they indicate that development which adversely affects habitats would not be accepted.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. “This may potentially justify a refusal of planning permission.”

The NPPF advises LPAs to conserve and enhance biodiversity: if significant harm from a development cannot be avoided (through locating on an alternative site with less harmful impacts) or adequately mitigated, or as a last resort, compensated for, planning permission should be refused.

Natural England’s standing advice is that, if a (conditioned) development appears to fail the three tests in the Habitats Directive, then LPAs should consider whether Natural England is likely to grant a licence: if unlikely, then the LPA should refuse permission: if likely, then the LPA can conclude that no impediment to planning permission arises under the Directive and Regulations. Natural England has been consulted and its comments will be reported to members.

The application has been supported with the submission of an updated ecological report, a Bat Survey Report, and a Great Crested Newt survey report. The Council’s ecological advisors at Merseyside Environmental Advisory Service and the Council’s Open Spaces service have been consulted and are satisfied with the content of the reports and the recommendations made, but have said that they should be conditioned.

The Bat Survey Report confirms that the bat surveys have been carried out to an appropriate level of detail by a suitably-qualified surveyor and at the right time of year. Furthermore, the results of the bat survey mean that there will not be a requirement to apply for a licence from Natural England, because there is no evidence of bats or use by bats being found in any of the buildings which are to be demolished and the potential for roost is low, with most buildings being assessed as having 'Negligible' potential. Two trees were identified as having 'Moderate' roost site potential, but neither is currently affected by the proposed redevelopment works on site.

The submitted ecological report (E3 Ecology September 2015) makes several recommendations, and these should be attached as conditions to the consent if the application is approved. They include timing of the works (Para. G.2.1), Working methods and best practice (Para. G.2.2) and Habitat Enhancement (Para. G.2.3).

The proposal includes the removal of one existing man-made pond (pond 1) and a natural pond in the western corner of the site (pond 2) within an area of amenity grassland. Neither pond is considered to be habitat of principal importance. The ecology reports conclude that the site is of poor and below average suitability for great crested newts. A further Great Crested Newt Survey was carried out (report dated May 2016) and concluded that the development would have a negligible impact on Great Crested Newts.

As such, the proposals accord with the Habitat Regulations and policies CS20 and GE21 which are consistent with guidance within the Framework and therefore carry full weight, subject to the further comments from Natural England.

Trees and Landscaping

The application has been submitted with an arboricultural report and initial landscaping drawings. The Open Spaces service has been consulted, it is recognised that this site will require the removal of a number of trees, most of which are immature / semi mature and in fair condition. The loss of trees is mostly mitigated against with the replanting of a number of new trees. The new trees scheduled to be replanted in the drawing provided show ample replacements.

However, it is recommended that the submitted planting scheme is secured by condition to ensure that the loss of trees is compensated for. Secondly it has been noted that the trees along the entrance road may require pruning and crown lifting to prevent damage from construction traffic. This work, and any other tree works would need to be carried out by a qualified arboricultural contractor, and adequate tree protection measures put in place. A condition is recommended to secure this.

The applicant has provided full details of the proposed boundary treatments, these are considered to be acceptable and comply with policy BE22 of the Unitary Development Plan.

Transport and Highways and Drainage

A number of objections have been received raising concerns that there will be an entrance off Kenilworth Avenue next to Pewithall School, increased traffic and highway safety issues in this area, and also concerns that Kenilworth Avenue would be used for construction traffic. For clarification, there is no proposed new access to the school from Kenilworth Avenue, nor would there be a temporary construction access, all vehicle access will continue to be from Clifton Road.

Further concerns have been raised in relation to increase in traffic and impact on highway safety and on-street parking within the vicinity of the site during pick-up and drop-off times.

The application has been submitted with a transport assessment report and proposed layouts showing that the proposed access is to be taken from the access on Clifton Road, and 144 car parking spaces will be provided, including 8 disabled spaces and 2 disabled spaces for community use.

The report states that for pupil travel, the trip generation figures for the proposed development suggest that the number of cars travelling to/from the school will increase from 307 to 368 in the morning and from 193 to 231 in the afternoon. This represents an increase of 58 car trips in the morning and 38 car trips in the afternoon. Furthermore, the applicant's transport assessment has noted that of the increased trips in the morning, 24 of them would be drop-offs in the school itself whilst 34 would be dropping off on the adjacent highway. After school, the numbers would be 13 picking up within the school site and 25 picking up outside on the adjacent highway.

When the previous application (13/00278/FUL) was considered by the Development Control Committee, it was resolved by members that a Traffic Regulation Order (TRO) be put in place at the top of Malpas Road, this has now been implemented on site.

The scheme also includes the provision of a new drop-off area for buses and cars within the school site, with the provision of additional car parking which will allow for parents to drive into the site to drop children off. This will help relieve congestion on the surrounding road network during peak times when parents are dropping pupils off.

The proposal includes sheltered and secure cycle storage for 97 cycles. The location of these are shown on the proposed site layouts, but the final full design details of this are required and a condition is recommended.

The Council's Highway Engineer has been consulted and has no objections to the application. Conditions are recommended in relation to the construction traffic management plan, and for a travel plan and secure cycle storage and to

comply with Policies TP6, TP15, TP17 and TP16 of the Unitary Development Plan and CS15 of the Halton Core Strategy Local Plan.

Concerns have been expressed that the location of the construction access, compound, the welfare cabins and vehicle delivery holding area, would cause noise and disturbance and would have a visual impact on residents thus affecting their health and wellbeing, and questions have been raised about how the road will be kept clean. These activities would be temporary in nature and screened off with construction hoarding. Furthermore hours of construction and deliveries will be subject to conditions to avoid unreasonable disturbance to residents. The applicant has submitted a construction management plan outlining the phasing and controls that will be in place in respect of road cleaning.

Concerns have also been raised that the public footpath to the rear would be opened up so that pupils can enter the school from the rear off Malpas Road, this would cause traffic and parking problems on Malpas Road near number 43. The plans under consideration do not include an access from the footpath to the rear, therefore, these concerns cannot be upheld.

Crime and Safety

Concerns have been raised with regards to proximity to the public footpath to the rear and residential properties, to vandalism and antisocial behaviour, and the use of CCTV.

The scheme has been design taking into account the 'Secure by Design' principle. The Strategic Crime Reduction Officer has been consulted on the proposed new school and a Crime Impact Statement has been produced. No objections have been raised. A fencing condition is recommended.

Flood Risk Assessment

The site is over 1 hectare, and therefore a Flood Risk Assessment has been submitted in support of this application. The Lead Local Flood Authority has been consulted and a response is awaited. An update will be provided at the meeting.

Sports provision and community use

The proposed development will require the relocating of playing fields and replacement of sports provision. Sport England is a statutory consultee, in summary its comments are as follows.

The proposal is to rebuild the school on an area of school playing field to allow for the school to remain operational during the construction period. Overall, this will result in the loss of 2886sqm of playing field, although the majority will be replaced on the site of the existing school buildings. Sport England does not wish to raise an objection to this application as it is considered to broadly meet exception E5 of the above policy (paragraph 74i(ii) of NPPF). The absence of an objection is subject to conditions in relation to Agronomy Report and Pitch

Specifications for the Replacement Playing Field, Reinstatement of existing playing field land, design and layout of the multi-use games areas, and community use agreement.

Residents have raised concerns over noise and disturbance from the school being used for after-school activities in the evenings or by groups at the weekends. Conditions have been recommended on the use of the outdoor sports provision to prevent disturbance and nuisance to neighbours at unsociable hours.

Waste and Environmental Management

Merseyside Environmental Advisory Service (MEAS) has advised that the applicant needs to prepare a Construction Environmental Management Plan (CEMP) document to manage and mitigate the main environmental effects during the construction phases of the proposed development. The CEMP should address and propose measures to minimise the main construction effects of the development and, amongst other things, should include details of ecological mitigation, construction and demolition waste management, pollution prevention and soil resource management. This can be secured by a suitably worded condition.

MEAS has also advised that the proposal involves demolition and construction activities and policy WM8 of the Joint Merseyside and Halton Waste Local Plan (WLP) applies. This policy requires the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

Subject to the above conditions the application is considered to comply with Policies WM8 and WM9 of the Waste Local Plan.

Other issues

Residents have asked why can't the applicant revert back to the proposed location in application 13/00278/FUL, or be moved further back into the field. As explained above, the location of the building has been determined from discussions between the School and the Health and Safety Executive. The Local Planning Authority has to determine applications on their own merits and consider the proposal submitted to them.

Concerns have been raised in relation to the impact of the development on house prices, this is not a material planning consideration and cannot be attributed any weight.

SUMMARY AND CONCLUSIONS

The proposed development would provide for a modern new school with state-of-the-art facilities that would significantly improve the education resources of the

area. The proposed new buildings are at a sufficient distance away from existing residential properties to comply with the Council's interface standards.

The increase in the number of pupils would result in more vehicle movements to the site. To respond to this, improved parking, and improvements to the drop-off facilities are to be provided, and the school's travel plan is to be updated.

The redevelopment of the school would include the improvement of the playing fields and provide for new sporting facilities, within the site.

The application is supported by information in relation to ecology, trees and flood risk. Subject to conditions, the proposal is acceptable and any potential impacts can be mitigated.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning proposals to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The starting point in assessing an application is, therefore, the adopted Development Plan. The Development Plan for the area is the Halton Unitary Development Plan (UDP - adopted 7th April 2005) and Core Strategy (adopted April 2013). Halton has a simple and robust adopted policy framework which strikes the right balance between development requirements and an acceptable level of accidental risk. The HSE, industry, and the public have been consulted in the production of these local policies.

Very careful consideration has been given to the objections and advice of the HSE. These matters have been considered in the context of Core Strategy and UDP policies, together with the Planning for Risk SPD.

In terms of overall planning balance, the merits of the scheme that have been highlighted in this report, combined with the fact that the scheme conforms with the specific policies within the development plan that apply to risk from hazardous installations, outweigh the advice from the HSE.

The proposal is considered to comply with Unitary Development Plan Policies BE1, BE2, GE6, GE8, GE12, GE21, PR12, PR14, PR16, TP7, TP12, TP14, TP16 together with CS18 and CS23 of the Halton Core Strategy Local Plan and is recommended for approval subject to the conditions below.

6. RECOMMENDATIONS

Approval subject to conditions

7. CONDITIONS

1. Time limits condition
2. Approved Plans – (Policy BE1)
3. Materials – (Policy BE2)

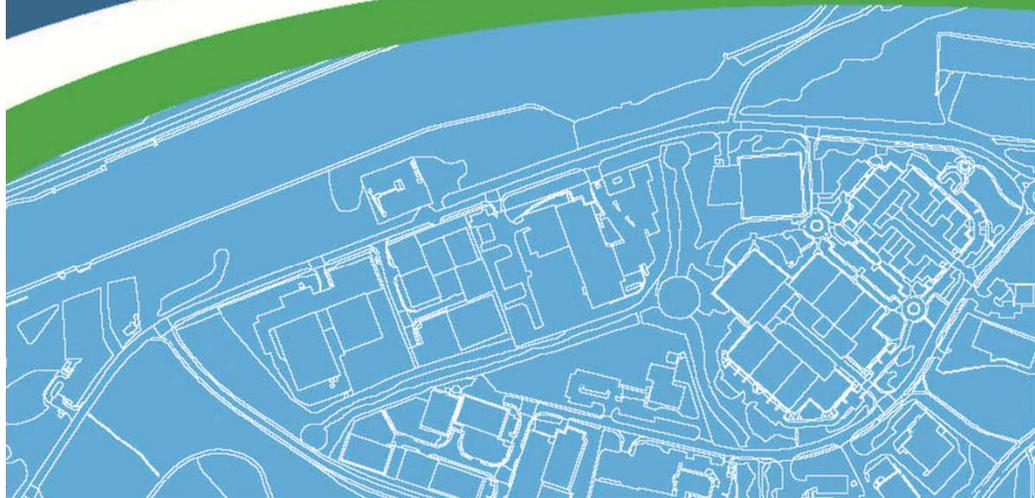
4. Drainage condition (s) (Policy BE1)
5. Submission and Agreement of existing and finish site levels and floor levels of building– (Policy BE1)
6. Vehicle access, parking, servicing etc. to be constructed prior to occupation of properties/commencement of use – (Policy BE1)
7. Condition(s) relating to full details of hard and soft landscaping, including planting scheme, maintenance, and replacement planting (BE1)
8. The hours of demolition/construction of building on site shall be restricted to 07:00 hours to 18:00 hours Monday to Friday, 07:30 hours to 14:00 hours on Saturday with no work at any other time including Sundays and Public Holidays (BE1 and BE2).
9. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, or removed without the prior written consent of the Local Planning Authority (BE1 and BE2).
10. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced (BE1 and BE2).
11. Hedge or tree removal shall be undertaken outside the bird nesting season where this is not possible an ecologist to inspect prior to works taking place (GE21).
12. The development shall be carried out in accordance with the mitigation measures outlined in the submitted ecological surveys (GE21).
13. The development shall be carried out in accordance with the proposed construction management / phasing plans submitted with the application unless otherwise agreed in writing by the Local Planning Authority.
14. The Travel Plan shall be updated and reviewed in accordance with current guidelines with appropriate new targets and measures set, It should be regularly monitored in accordance with the timescales set out in the plan with the results being submitted to the Local Planning Authority.
15. Prior to any vibro-impact works on site, a risk assessment and method statement shall be submitted to the LPA and Network Rail.

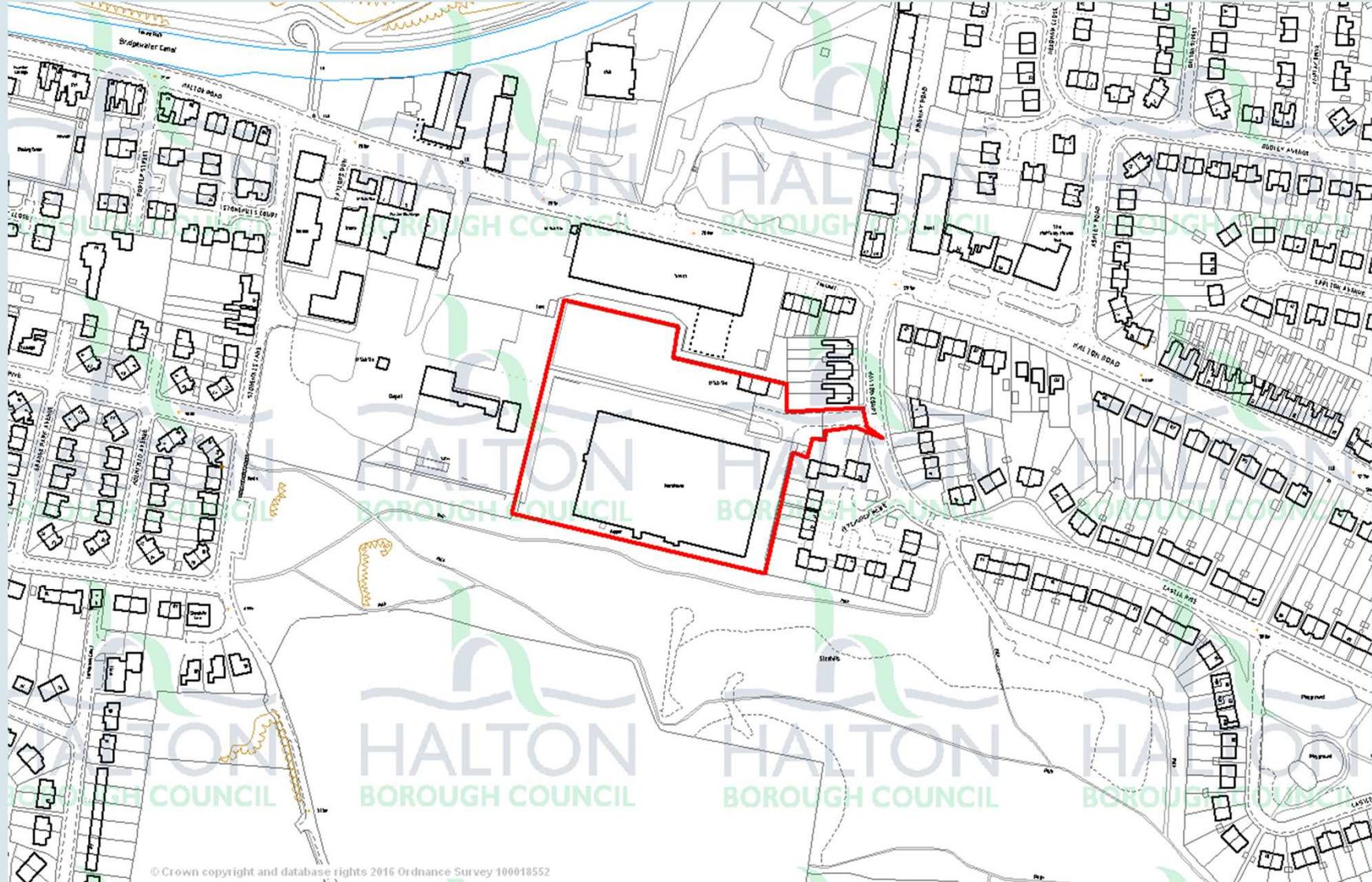
SUSTAINABILITY STATEMENT

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.





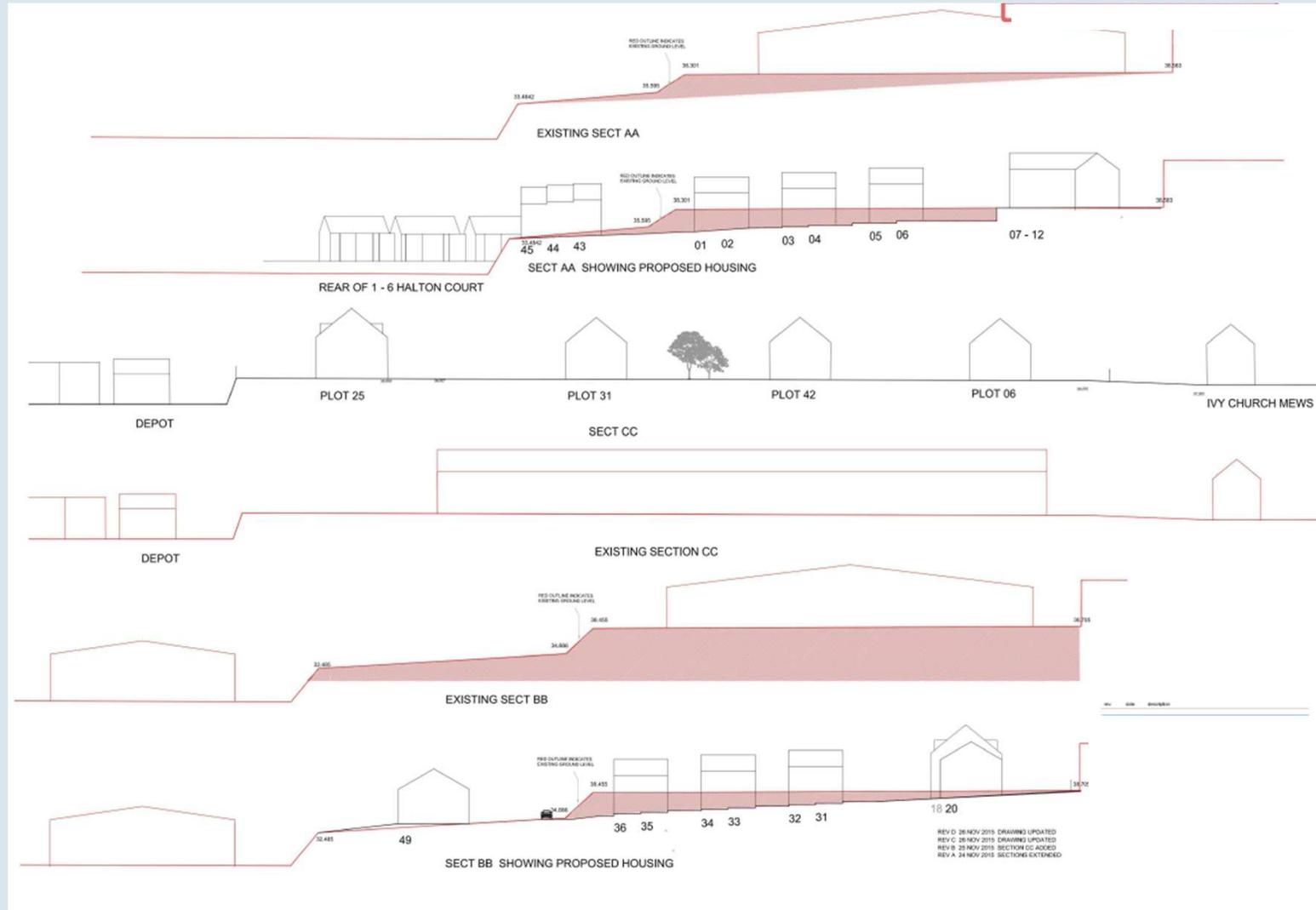
Application Number: I5/00563/OUT

Plan 1A: Location Plan



Application Number: I5/00563/OUT

Plan I B: Layout Plan





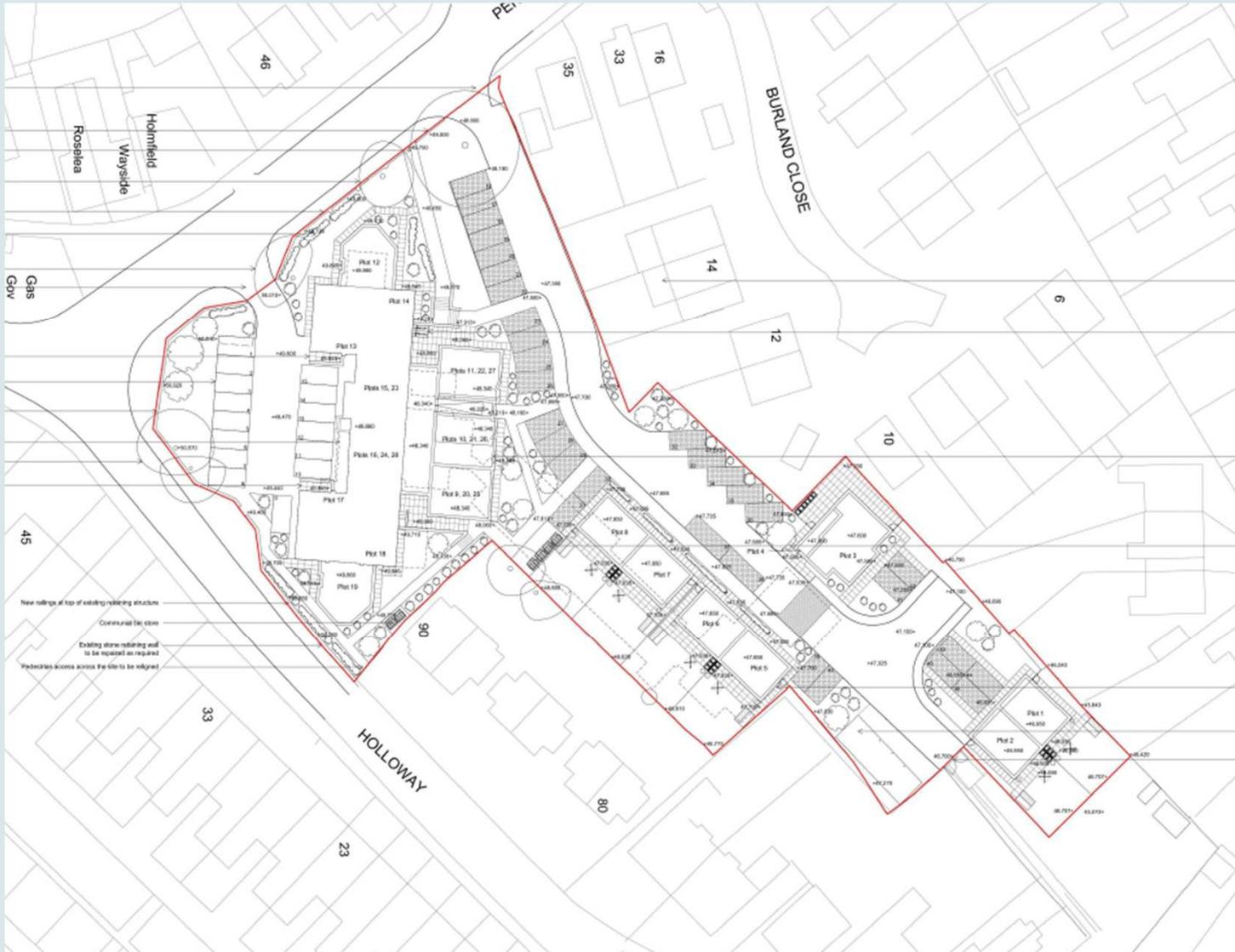
Application Number: 15/00563/OUT

Plan ID:Aerial Photograph



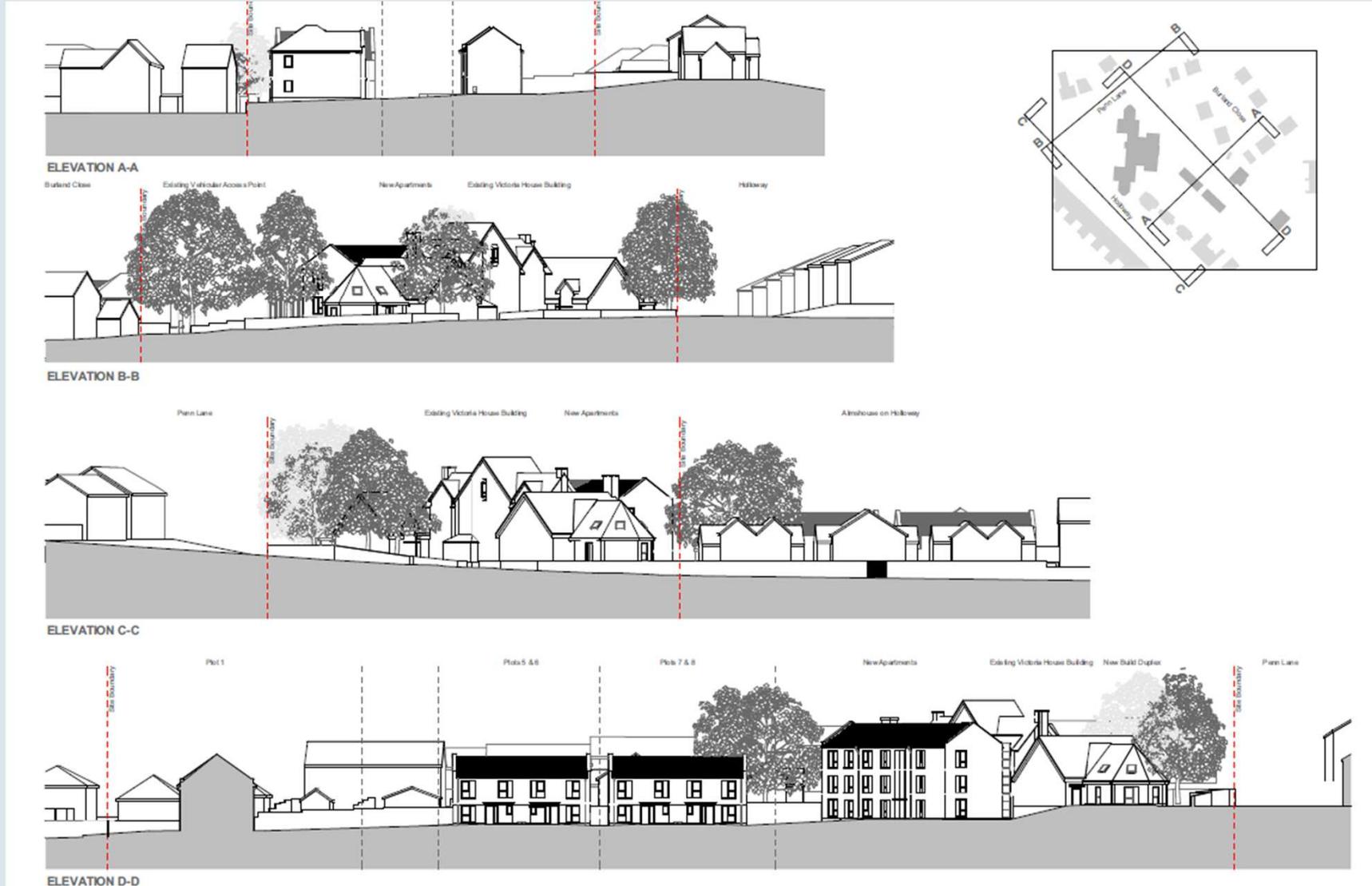
Application Number: I6/00069/FUL

Plan 2A: Location Plan



Application Number: 16/00069/FUL

Plan 2B: Site Plan



Application Number: I6/00069/FUL

Plan 2C: Street Elevations



After



Before

Application Number: I6/00069/FUL

Plan 2D:Artist Impression (I)



After

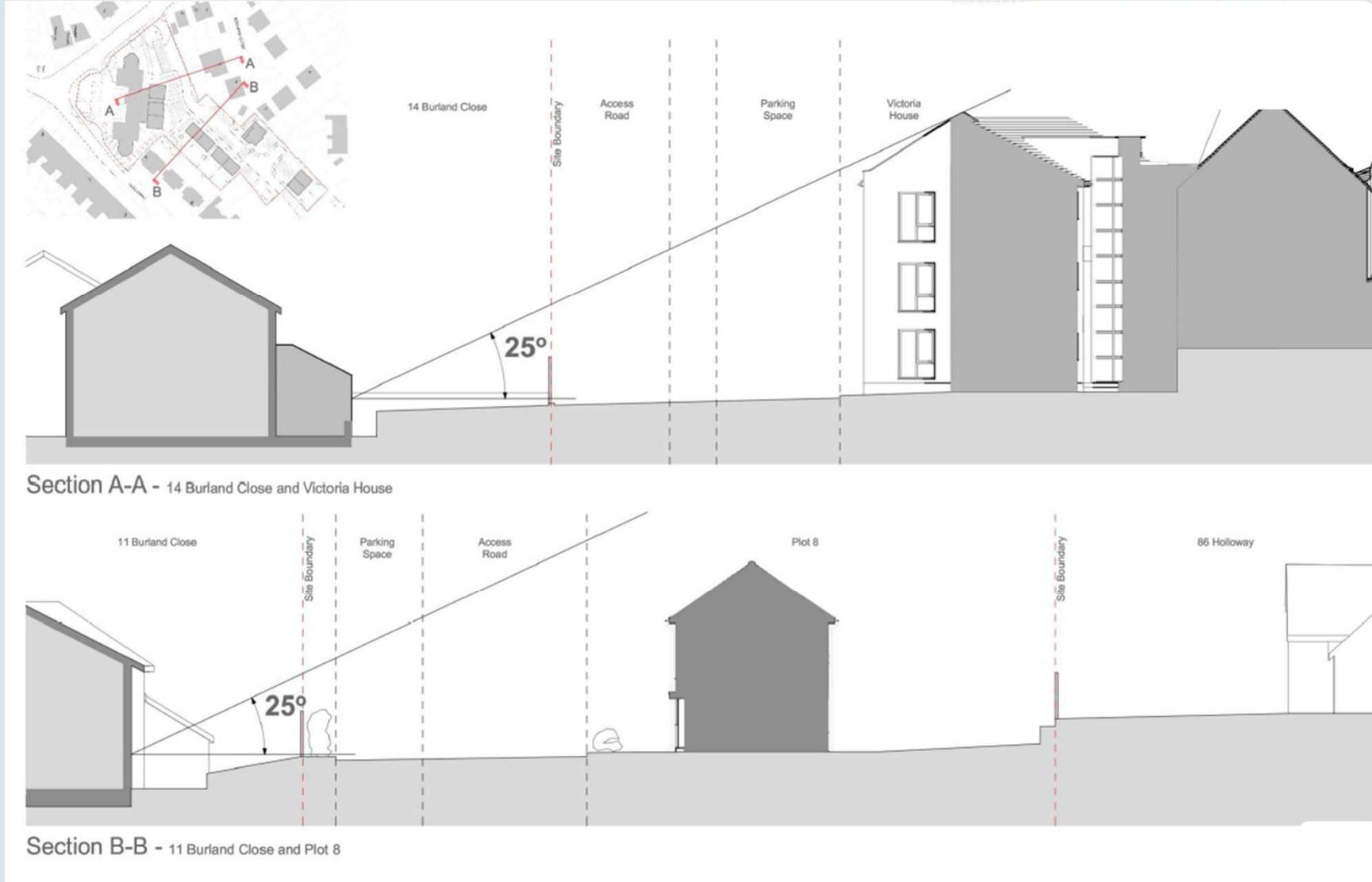


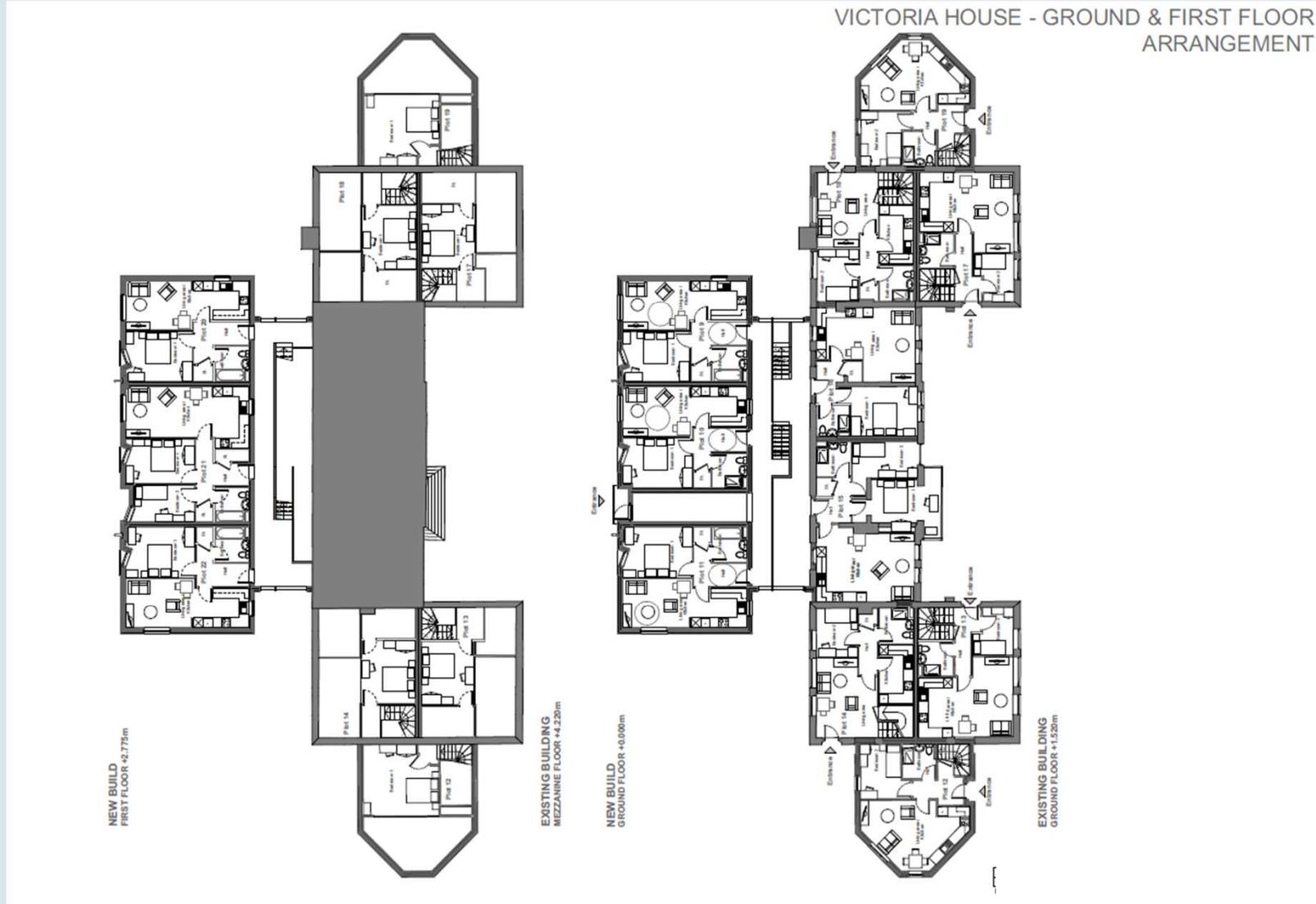
Before

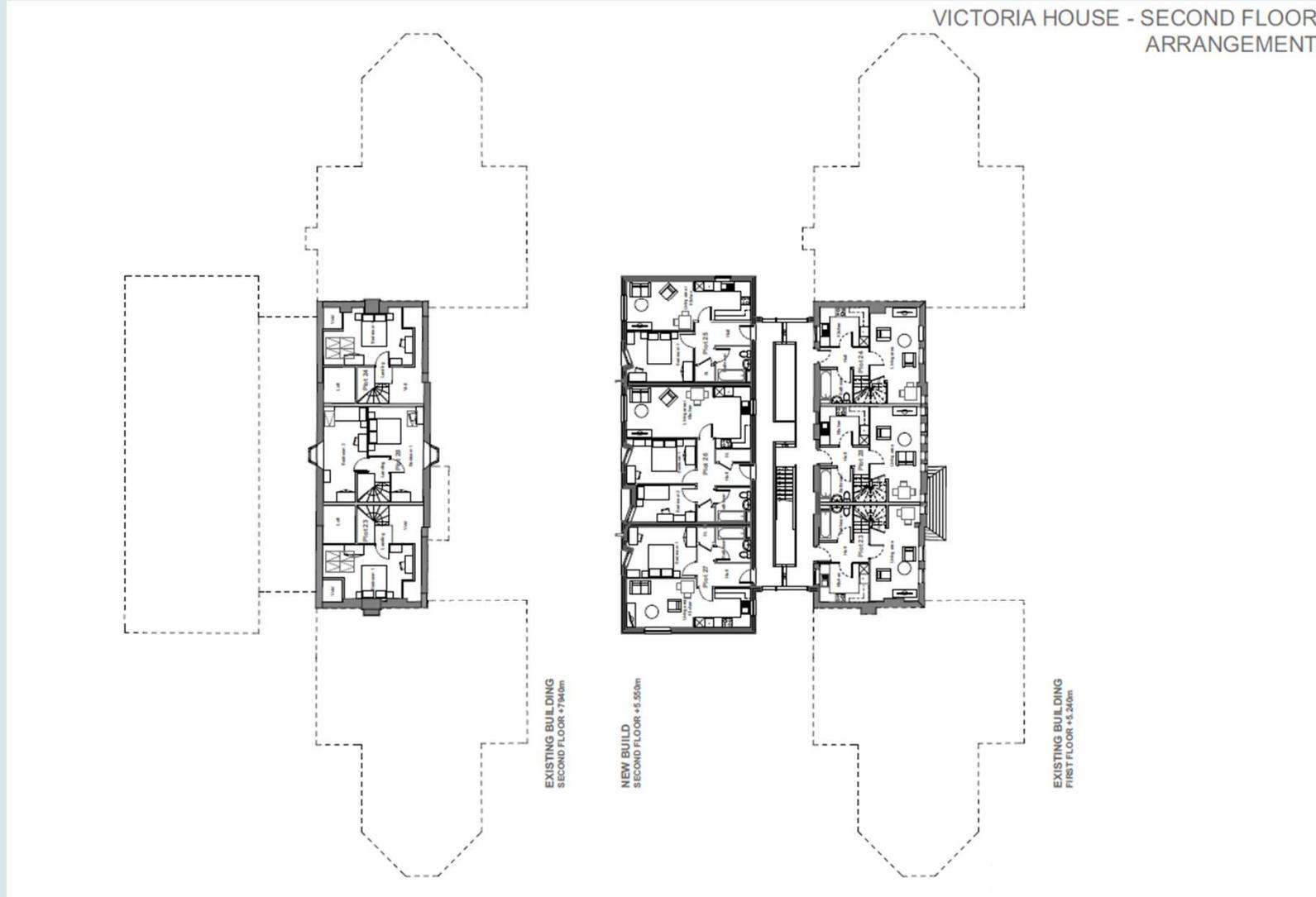
Application Number: I6/00069/FUL

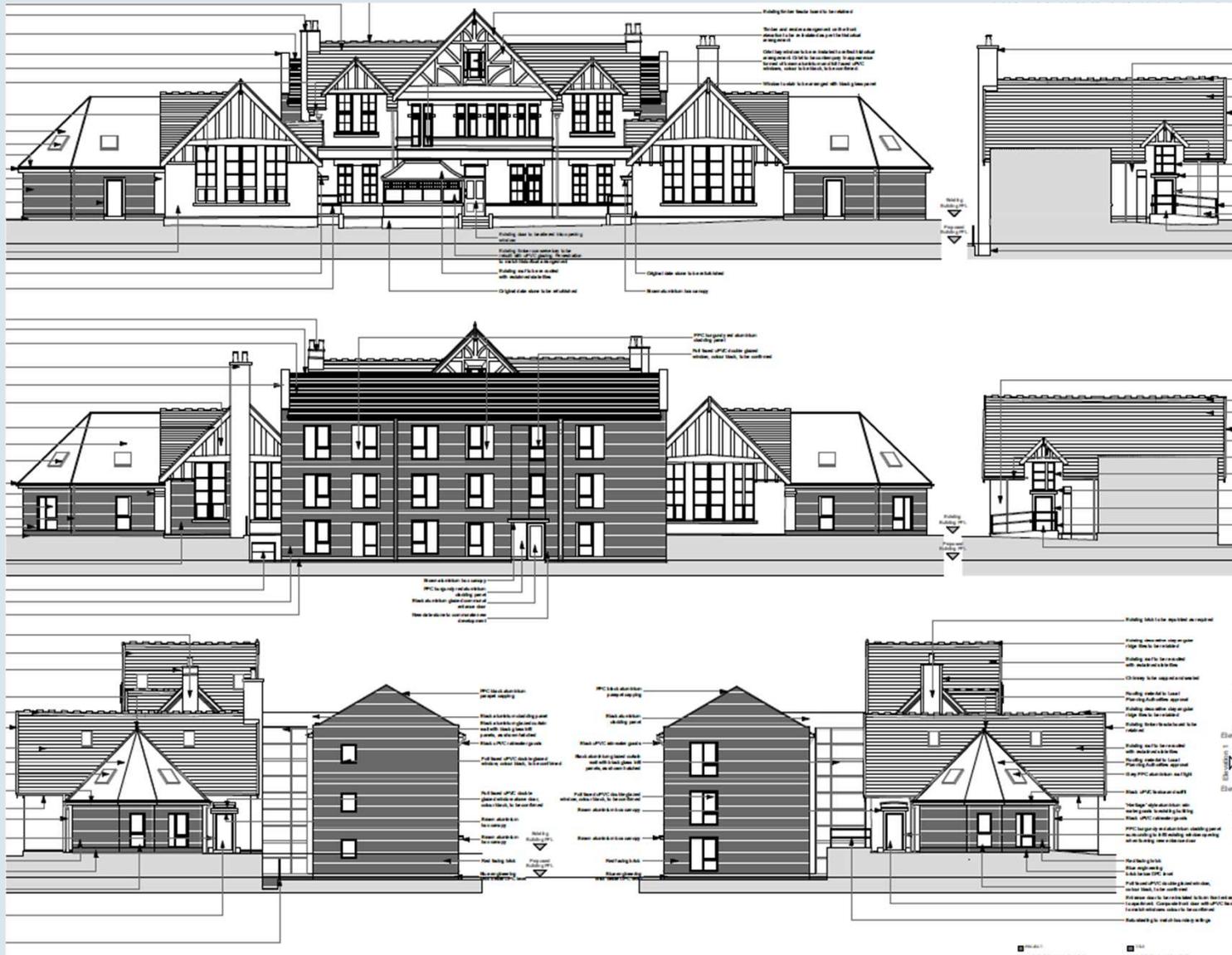
Plan 2E:Artist Impression (2)











Application Number: I6/00069/FUL

Plan 2j: Proposed Elevations



Application Number: I6/00069/FUL

Plan 2K: House Type I

COTTAGE STYLE APARTMENTS



Elevation 1 - Gable 1



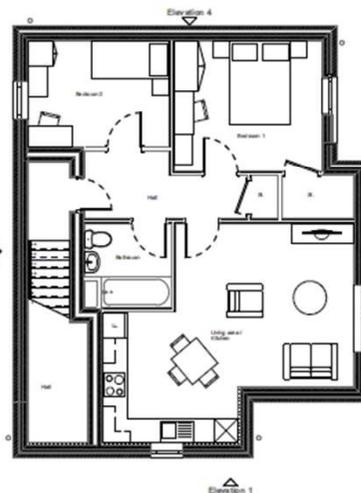
Elevation 2 - Front



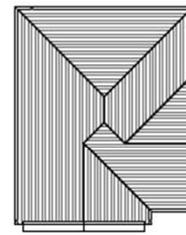
Elevation 3 - Rear



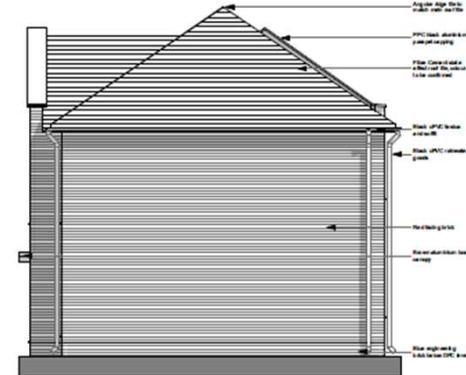
Ground Floor Plan



First Floor Plan



Roof Plan - Scale 1:100



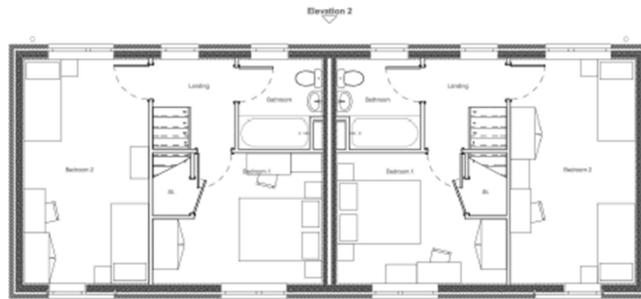
Elevation 4 - Gable 2



Elevation 1 - Front



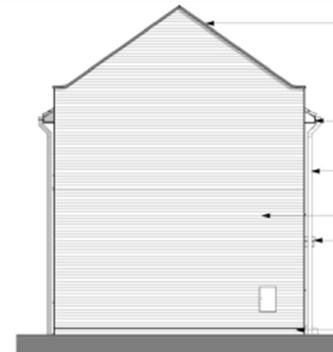
Elevation 2 - Rear



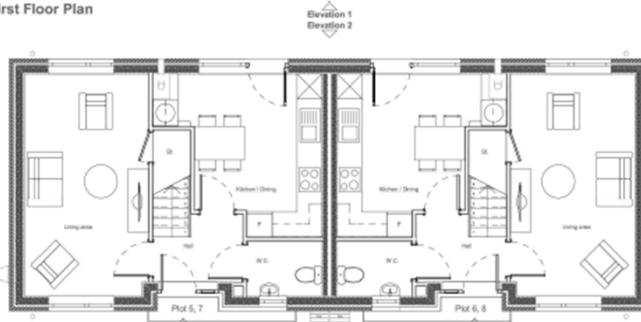
First Floor Plan



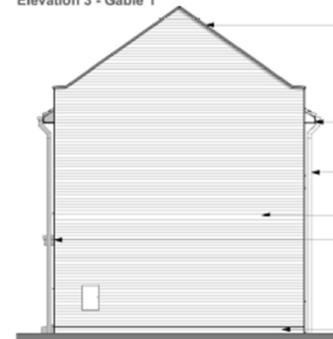
Roof Plan - Scale 1:100



Elevation 3 - Gable 1



Ground Floor Plan



Elevation 4 - Gable 2

Proposals at May Committee



Proposals at July Committee



Application Number: I6/00069/FUL

Plan 2N Elevations – Changes since last committee

Proposals at May Committee



Proposals at July Committee



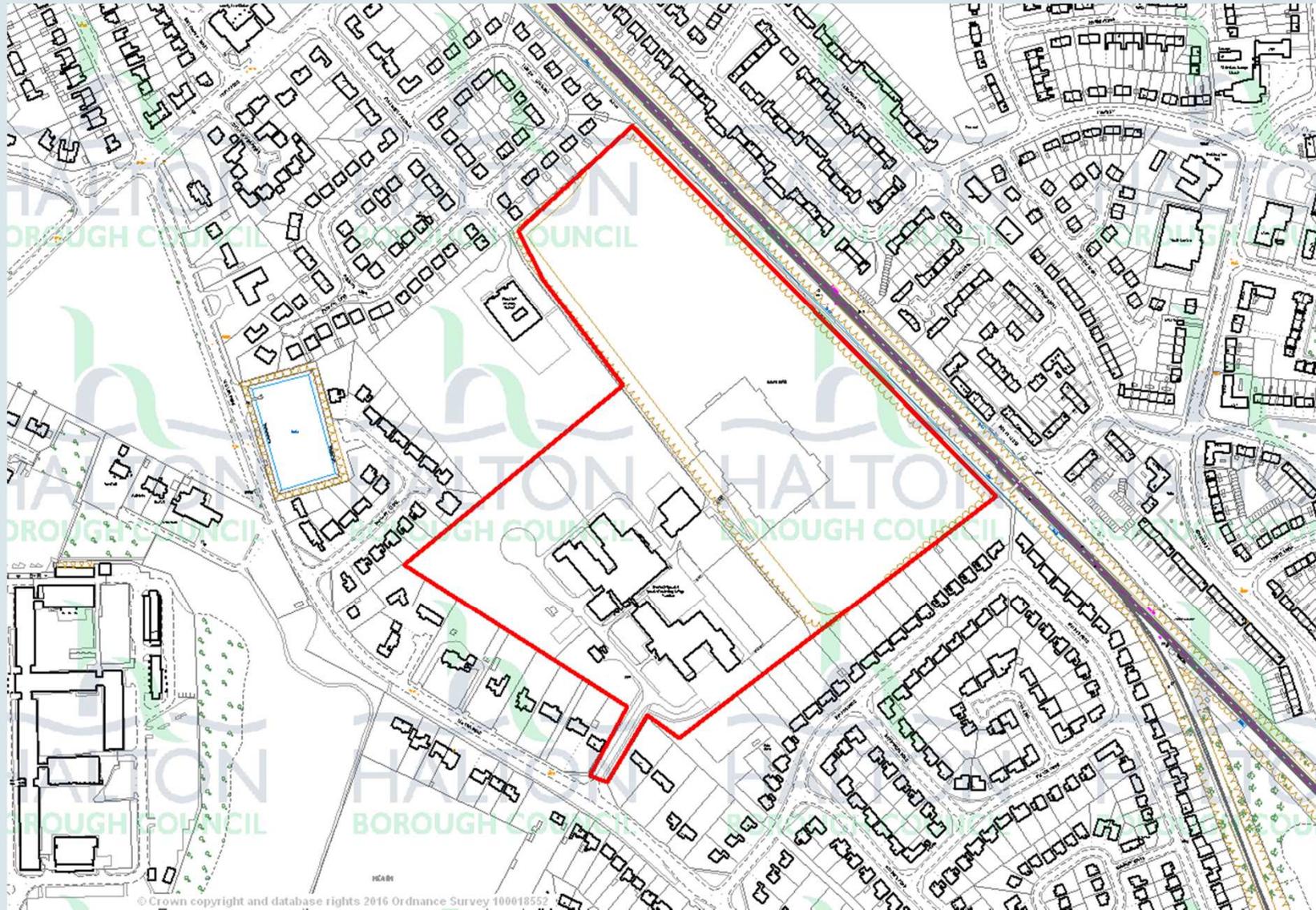
Application Number: I6/00069/FUL

Plan 2P Floor Plans– Changes since last committee



Application Number: I6/00069/FUL

Plan 2Q:Aerial Photograph



Application Number: 16/00144/FUL

Plan 3A: Location Plan



Application Number: I6/00144/FUL

Plan 3B: Proposed Elevation (I)



Application Number: I6/00144/FUL

Plan 3C: Proposed Elevation (2)



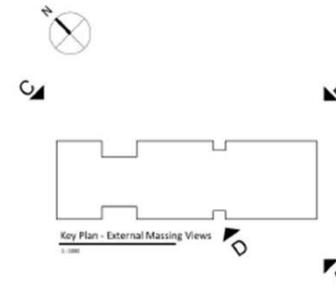
A. South View - Main Visitor Entrance



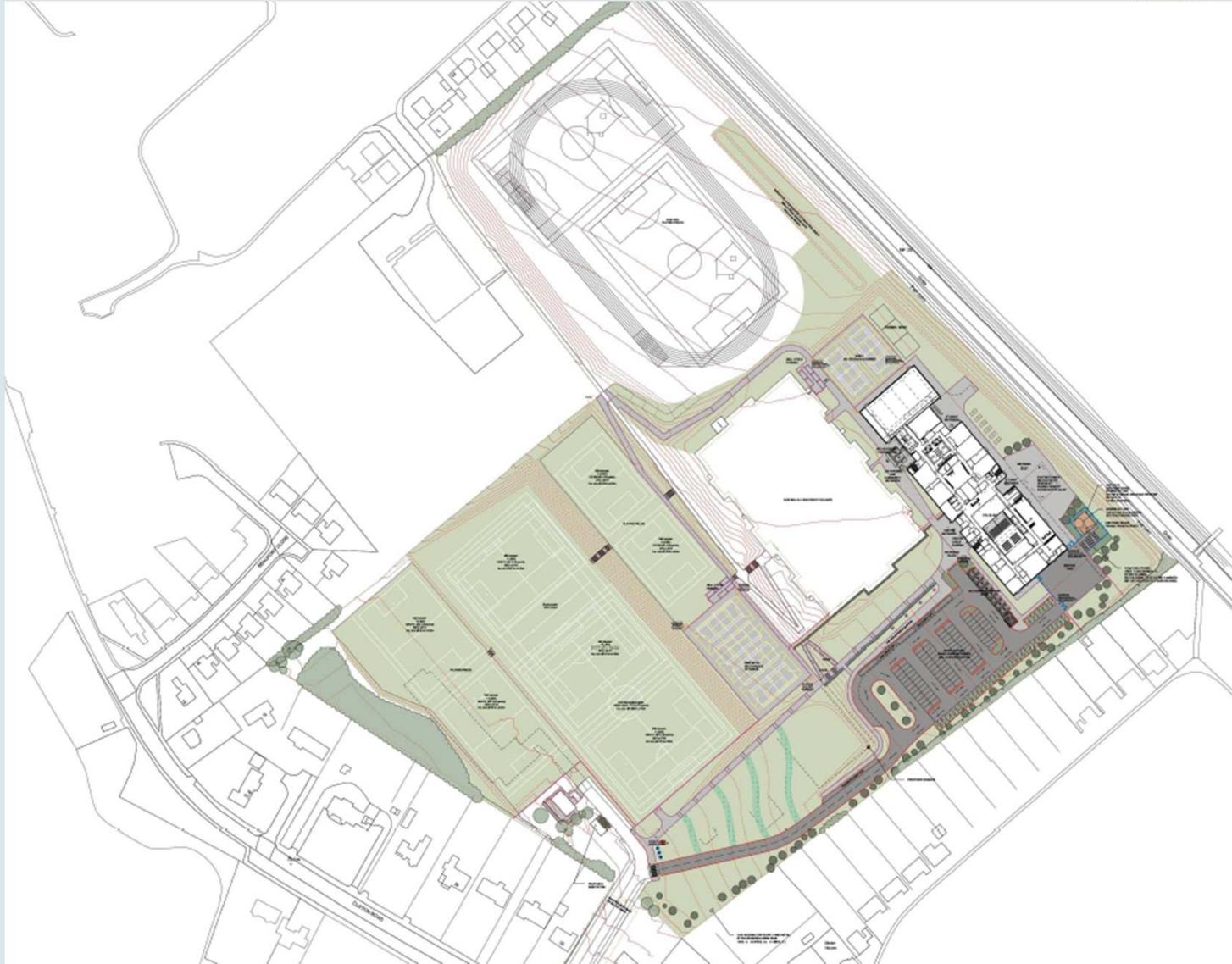
D. South View - Entrance Canopy



B. North View - Dining and Pupil Entrance

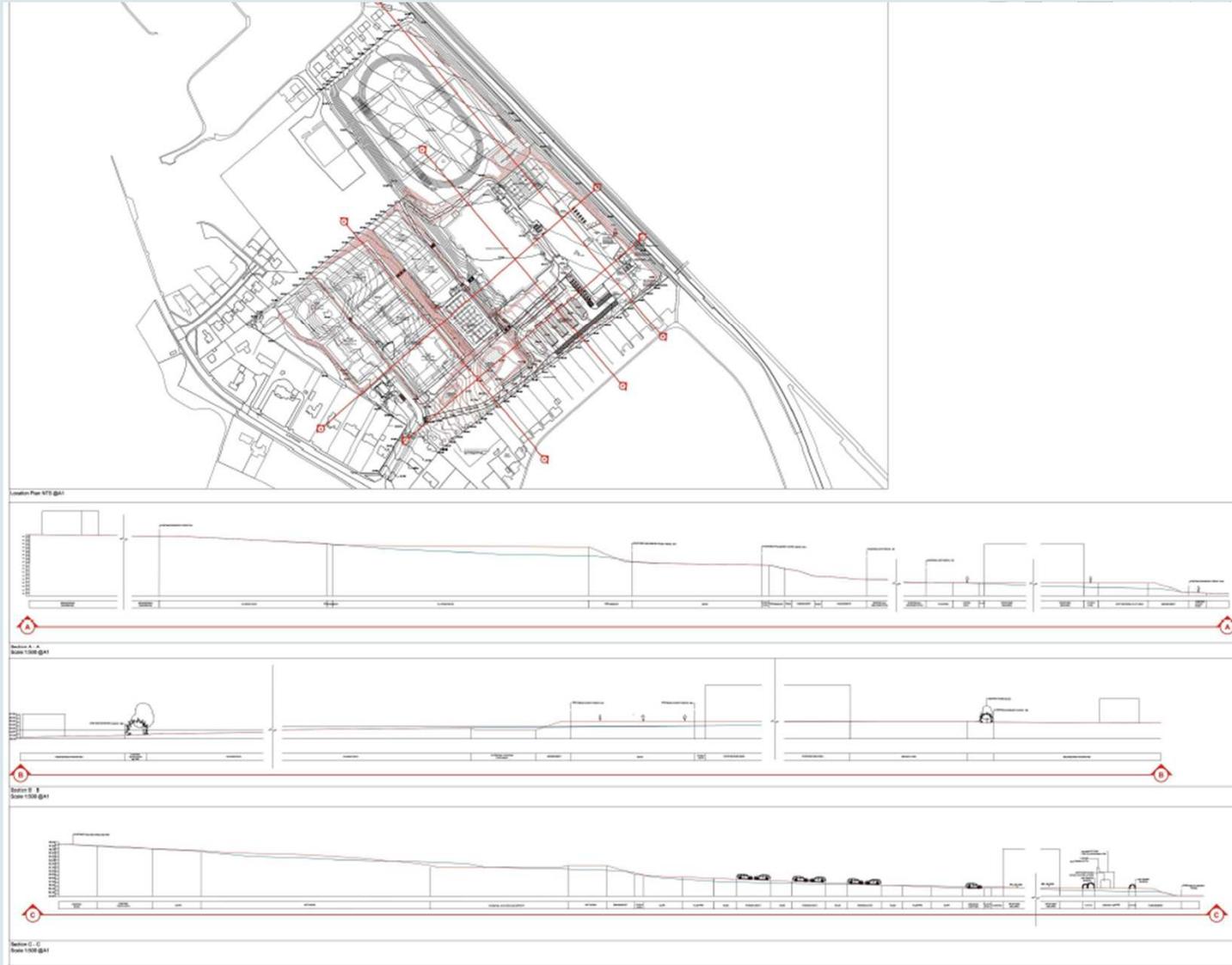


C. North View - Pupil Hard Play and Pupil Entrance



Application Number: 16/00144/FUL

Plan 3E: Site Plan





Application Number: I6/00144/FUL

Plan 3G:Aerial Photograph

REPORT TO: Development Control Committee
DATE: 4 July 2016
REPORTING OFFICER: Strategic Director, Community & Resources
SUBJECT: Miscellaneous Items
WARD(S): Boroughwide

The following applications have been withdrawn:

- 16/00041/FUL** Proposed demolition of existing dwelling and erection of replacement detached dwelling with two bedrooms in the roof space at 153 Pit Lane, Widnes, Cheshire, WA8 9HR.
- 16/00122/TCA** Proposed works to trees in conservation area as follows: T14, Sycamore, over hanging bow to be cut back, T16, Sycamore, remove, T17, Holly, remove, T19, Field Maple, remove, T20, Common Juniper, remove or relocate, Group 3, Leylandii, remove, all at 5 Weston Road, Runcorn, Cheshire, WA7 4JU.
- 16/00134/PDE** Proposed single storey rear extension projecting from the rear wall by 4.25 metres, the extension has a maximum height of 3 metres and an eaves height of 2.5 metres at 27 Weston Road, Runcorn, Cheshire, WA7 4JX.
- 16/00063/TPO** Proposed pruning / maintenance work to trees T1 to T5 inclusive as detailed in the accompanying plan and schedule and covered by Tree Preservation Order 038 of 1989 on Land Between 82 And 92 Moorfield Road & 7 And 10 Romney Close, Widnes, Cheshire, WA8 3JA.