

Public Document Pack



Development Management Committee

Monday, 8 August 2022 6.30 p.m.
Civic Suite - Town Hall, Runcorn

S. Young

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Stan Hill (Chair)
Councillor Rosie Leck (Vice-Chair)
Councillor John Abbott
Councillor John Bradshaw
Councillor Chris Carlin
Councillor Noel Hutchinson
Councillor Alan Lowe
Councillor Ged Philbin
Councillor Rob Polhill
Councillor Dave Thompson
Councillor Bill Woolfall

*Please contact Ann Jones on 0151 511 8276 Ext. 16 8276 or
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The next meeting of the Committee is on Monday, 5 September 2022*

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

Part I

Item No.	Page No.
1. MINUTES	1 - 5
2. DECLARATIONS OF INTEREST	
<p>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.</p>	
3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
(A) 21/00319/FULEIA - Development of 151 residential dwellings (comprising a mix of 3, 4, and 5 bedroom houses) and associated works at Land at Crows Nest Farm, Delph Lane, Daresbury	6 - 22
(B) 21/00628/FUL - Proposed development of a local district centre to include: Retail units 1 & 2: Display or retail sale of goods, other than hot food, Use Class E(a) and/or Restaurants and Cafes, Use Class E(b); Retail units 3 & 4: Takeaways, Use class Sui Generis - hot food takeaways; Retail unit 5: Veterinary Practice, Use Class E(e). Elderly living facilities for the over 55's in the form of: an apartment block providing 20 no. one bed flats and 24 no. two bed flats, and 5 no two bed bungalows - all Use Class C3(a) Dwelling houses; together with ancillary development including cycle stores for 20 no cycles, and landscaping at Land Bounded By Pitts Heath Lane and Otterburn Street, Sandymoor, Runcorn	23 - 46
(C) 22/00327/FUL - Proposed two storey and single storey rear extensions at 6 Lockett Road, Widnes, Cheshire, WA8 6SL	47 - 54
(D) PLANS	55 - 82

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 MANAGEMENT COMMITTEE

At a meeting of the Development Management Committee on Tuesday, 12 July 2022 at the Civic Suite - Town Hall, Runcorn

Present: Councillors S. Hill (Chair), Leck (Vice-Chair), Abbott, J. Bradshaw, Carlin, Hutchinson, A. Lowe, Philbin, Polhill and Woolfall

Apologies for Absence: Councillor Thompson

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, A. Plant, J. Eaton, G. Henry, L. Wilson-Lagan, I. Dignall and I. Mason and A. Blackburn

Also in attendance: Two members of the public and one member of the press

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

		<i>Action</i>
DEV5	MINUTES	
	The Minutes of the meeting held on 6 June 2022, having been circulated, were taken as read and signed as a correct record.	
DEV6	PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
	The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.	
DEV7	22/00015/FUL - PROPOSED RESIDENTIAL DEVELOPMENT OF 20 APARTMENTS, WITH ASSOCIATED PUBLIC OPEN SPACE, LANDSCAPING AND ACCESS ON SITE OF FORMER PANORAMA HOTEL, CASTLE ROAD, RUNCORN	
	The consultation procedure undertaken was outlined in the report together with background information in respect of the site.	
	It was reported that additional conditions had been	

recommended following the response from the Council's retained ecology advisor and further discussions with the Applicant regarding the DALP sustainable development requirements. These were presented in the published AB update list.

Arising from the Officer's presentation, additional conditions were recommended to secure obscure glazing to key windows in order to further minimise overlooking of neighbouring properties and to control hours of construction.

In response to Members' queries, clarity was provided using the plans on the locations of the entrances and exits to the site leading to the parking areas. Further to concerns over the Castle Road junction already being a black spot for accidents, it was commented that this had been raised by Officers with the Applicant, who had since made amendments to the scheme to accommodate the poor visibility at this junction.

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

- a) Financial payment (or a legal or other appropriate agreement) relating to securing financial contributions to open space.
- b) Conditions relating to the following:
 1. Time limit – full permission;
 2. Approved plans (GR1);
 3. External facing materials (GR12);
 4. SUDS (CS7 and CS23);
 5. SUDS verification and validation (CS7 and CS23);
 6. Structural details of all retaining walls within 4m of a highway boundary (GR12);
 7. Details of disabled and EV charge parking spaces to be detailed (C2);
 8. Cycle parking details to be supplied including location;
 9. Boundary treatment details;
 10. Program of restoration for the sandstone wall adjacent to Main Street and Castle Road, including an assessment of its current condition;
 11. Formal agreement entered with the Highway Authority in regard to the site access and re-positioned footway;
 12. Construction management plan including details of site deliveries, contractor parking to be located off highway and reasonable avoidance measures

for nesting birds, terrestrial mammals, amphibians, hedgehogs etc (GR1, GR2 and CS20);

13. Car park to be surfaced and set out prior to occupation (GR1);
14. Foul and surface water shall be drained on separate systems (CS23);
15. Phase 2 ground investigation study / remediation (CS23);
16. Bird and bat boxes details (CS(R)20);
17. Car parking lighting scheme (GR1, GR2 and CS20);
18. Specification of conservation area roof lights (GR1 and HE10);
19. Soft landscaping (GR1 and HE5);
20. Sustainable development and climate change scheme (CS(R)19);
21. Bat inspection prior to infill of cave/tunnel feature;
22. Bat box provision;
23. Lighting scheme to limit spill from site and impact on ecology;
24. Breeding bird check;
25. Bird box nesting compensation;
26. Japanese Knotweed eradication plan; and
27. Construction waste audit.

- c) That if payment is not made (or the Section 106 Agreement or alternative arrangement was not executed) within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair of the Committee to refuse the application.

DEV8 22/00194/FUL - PROPOSED ALTERATIONS TO YARD AND BUILDING ENVELOPE, INCLUSION OF OPERATIONS HUB AND SHELTERED LOADING AREAS ALONG WITH ASSOCIATED MECHANICAL AND ELECTRICAL EQUIPMENT TO ENSURE CLIENT FUNCTIONALITY AT BORAX UK, GORSEY LANE, WIDNES, WA8 0RP

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

This application was placed in column A of the published AB list and the Committee agreed no further explanation was required, so the application was approved.

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

1. Time limit – full permission;
2. Approved plans;
3. Construction hours (GR12);
4. Implementation of external facing materials (CS(R)18 and GR1);
5. Electric vehicle charging points scheme (C2);
6. Parking and servicing provision (C1 and C2);
7. Implementation of cycle parking scheme (C1);
8. Implementation of drainage strategy (CS23 and HE9); and
9. Sustainable development and climate change scheme (CS(R)19).

DEV9 22/00207/COU - PROPOSED CHANGE OF USE FROM A DWELLING (USE CLASS C3 (A)) TO A CHILDREN'S HOME FOR TWO CHILDREN UP TO THE AGE OF 17 (USE CLASS C2) AT 29 KENNINGTON PARK, WIDNES, WA8 9PE

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

Further to the Officer's presentation, it was noted that a condition was suggested to provide clarity on what was permitted in terms of staffing.

The Committee was addressed by Mr Hallam, the Applicant, who provided some details on his own background from when he was a youth support worker to what he does now. He also commented *inter alia*:

- That he was aware of the representations made from neighbouring properties stating that they had not been advised of the plans – he had since met with some of them and invited them to a coffee morning so they could discuss the proposals with him;
- He set up good quality loving homes which were nicely furnished for the children;
- He recruited high quality staff with the right values needed when caring for children; and
- His relations with neighbours were good and he had made himself available for them to contact him anytime.

Members generally supported the application but recognised that this was a business that needed careful

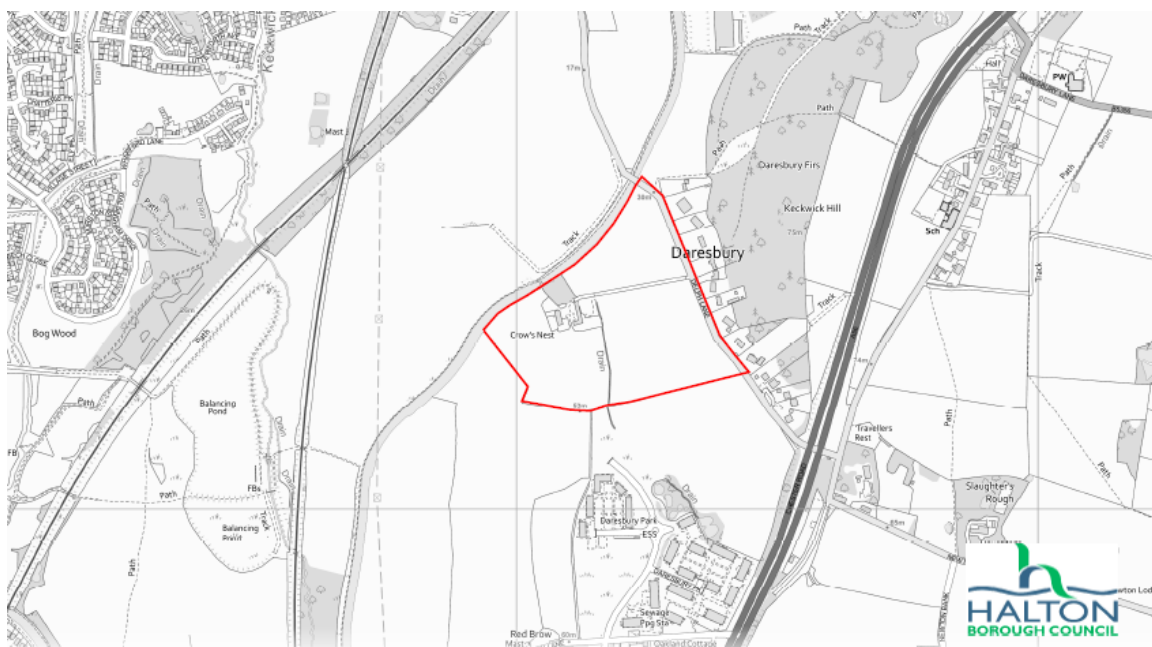
management and this should be kept in mind. Members also noted that this type of change of use application took away large family homes from the housing market.

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

1. Time Limit – full permission;
2. Approved plans; and
3. Restriction of use.

Meeting ended at 7.10 p.m.

APPLICATION NO:	21/00319/FULEIA
LOCATION:	Land at Crows Nest Farm, Delph Lane, Daresbury.
PROPOSAL:	Development of 151 residential dwellings (comprising a mix of 3, 4, and 5 bedroom houses) and associated works.
WARD:	Daresbury
PARISH:	Daresbury
APPLICANT:	Redrow Homes
AGENT:	Gerald Eve
DEVELOPMENT PLAN ALLOCATION:	National Planning Policy Framework (2021) Delivery and Allocations Local Plan ('DALP') (March 2022). Allocated Residential Site Ref:R41.
DEPARTURE	Yes
REPRESENTATIONS:	Public objections received, details summarised in the report.
KEY ISSUES:	Principle of development, connectivity, layout, Highway impact inc. public right of way, residential privacy and overlooking, ecology, access, drainage, impact on Daresbury Firs.
RECOMMENDATION:	Approve Subject to Conditions



APPLICATION SITE

The Site

The application site is identified as site R41 in the Halton DALP and measures approximately 11.59ha. The site is accessed off Delph Lane via an existing junction off the A56. When complete, access to the proposed development will be taken off a new estate road that runs parallel to Delph Lane. Delph Lane will be retained as a cul-de-sac for existing residents.

The land is predominantly undeveloped greenfield land having been part of Crows Nest Farmstead. The area of land that the Crows Nest Farm buildings were located on is considered to be previously developed land.

The application site is situated and bound adjacent to the Bridgewater Canal crossings, Delph Lane Canal Bridge which forms part of the existing Highway network and, George Gleaves Bridge which is in the private ownership of Peel Holdings.

The site is overlooked to the north east by a line of existing residential properties along Delph lane. To the south east of the site is the Applicants earlier phase of development ref:20/00487/S73 and to the south west the Daresbury Business Park residential site allocation R84.

In the wider context the site is located, north of Junction 11 of the M56, east of Sandymoor, south of DSIC, west of Daresbury Village.

Planning History

The following planning history details concern planning approvals on the proposed application site or earlier phase of development by the same Applicant.

17/00407/OUTEIA - Resubmission of application 13/00206/OUTEIA hybrid planning application for up to 300 residential dwellings comprising: full planning application for 122 residential dwellings (mix of 2, 3 and 4 bedroom houses), new spine road, turning head to the east of Delph Lane canal bridge, new junction between the proposed spine road and the A56, pedestrian/cycle routes and associated works (Phase A); and outline planning application for up to 178 residential dwellings (all matters are reserved) (Phase B)

18/00290/FUL - Proposed earthworks to form new pre-development levels

20/00487/S73 - Application under Section 73 of the Town and Country Planning Act 1990 to vary Condition 1 (approved plans) of planning permission 17/00407/OUTEIA [Resubmission of application 13/00206/OUTEIA hybrid planning application for up to 300 residential dwellings comprising: full planning application for 122 residential dwellings (mix of 2, 3 and 4 bedroom houses), new spine road, turning head to the east of Delph Lane canal bridge, new junction between the proposed spine road and the A56, pedestrian/cycle routes and associated works (Phase A); and outline planning application for up to 178 residential dwellings (all matters are reserved) (Phase B)] to substitute the

approved plans with those now submitted. The detailed portion of the permission will now consist of 108 dwellings and the outline permission to consist of 192 dwellings resulting in a total of up to 300 residential dwellings

THE APPLICATION

The Proposal

The planning application was submitted with the following description of development:

Development of 151 residential dwellings (comprising a mix of 3, 4, and 5 bedroom houses) and associated works.

Documentation

The application was submitted with the following supporting documentation:

- Application form
- Set of proposed plans
- Landscape and visual baseline report
- Air quality assessment
- Ecology report
- Landscape visual impact assessment
- Transport assessment
- Planning statement
- Arboricultural impact assessment
- Bat survey
- Water vole survey
- Environmental statement update
- Design and access statement
- Flood risk assessment

Policy Context

Members are reminded that planning law requires for development proposals to be determined in accordance with the development plan, unless material considerations indicate otherwise.

Delivery and Allocations Local Plan ('DALP') (adopted March 2022)

CS(R)1	Halton's Spatial Strategy
CS(R)3	Housing Supply and Locational Priorities
CS(R)12	Housing Mix and Specialist Housing
CS(R)13	Affordable Homes
CS(R)15	Sustainable Transport
CS(R)18	High Quality Design
CS(R)19	Sustainable Development and Climate Change
CS(R)20	Natural and Historic Environment
CS(R)21	Green Infrastructure
CS(R)22	Health and Well-Being
CS(R)23	Managing Pollution and Risk
CS(R)24	Waste
RD1	Residential Development Allocations
C1	Transport Network and Accessibility
C2	Parking standards
HE1	Natural Environment and Nature Conservation
HE2	Heritage Assets and the Historic Environment
HE5	Trees and Landscape
HE7	Pollution and Nuisance
HE8	Land Contamination
HE9	Water Management and Flood Risk
GR1	Design of Development
GR2	Amenity
GR3	Boundary Fences and Walls

Supplementary Planning Documents ('SPD')

- Design of Residential Development SPD
- Draft Open Spaces Supplementary Planning Document

National Planning Policy Framework ('NPPF')

The last iteration of the National Planning Policy Framework (NPPF) was published in July 2021 and sets out the Government's planning policies for

England and how these should be applied.

Paragraph 47 states that planning law requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 81 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

National Planning Practice Guidance (NPPG)

Together, the National Planning Policy Framework and National Planning Practice Guidance set out what the Government expects of local authorities. The overall aim is to ensure the planning system allows land to be used for new homes and jobs, while protecting valuable natural and historic environments.

Other Considerations

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

Equality Duty

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the

determination of this application.

There are no known equality implications arising directly from this development that justify the refusal of planning permission.

CONSULTATIONS

The application was advertised via the following methods: Site notice posted near to the site, press notice, and Council website. Surrounding properties were notified by letter.

Following the Applicant's modification of the scheme a follow up 21-day consultation exercise was issued to neighbours and statutory consultees.

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

Bridgewater Canal Trust

No response

United Utilities

No objection subject to drainage conditions

Historic England

Defer to the Council's retained advisor.

Coal Authority

No objection

Environment Agency

No objection

Natural England

No response

Peel Holdings

No Response

National Grid

No response

Cheshire Police

No objection.

Network Rail

Objection – Number of issues raised regarding concerns of boundary security and risk of unauthorized rail crossings.

It should be noted that the application site is not located adjacent to a railway line. Therefore, it is considered that the proposal would not result in an adverse increased risk of illegal railway crossings to justify mitigation.

National Highways

No objection

Council Services

Archaeology

The application forms part of an ongoing series of applications concerning the development of dwellings on the land at Crows Nest Farm. The Cheshire Historic Environment Records for this proposed development site showed that the Cheshire Archaeological Planning Advisory Service (APAS) have previously been in consultation regarding the potential archaeological mitigation. A programme of mitigation was undertaken in 2020 and a subsequent formal report was submitted to APAS in 2021. APAS concluded that there was no further archaeological requirements relating to the proposed development outlined in this application

Conservation Advisor

No objection. Discussion on the advice is set out below.

HBC Contaminated Land

No Objection subject to submission of additional site investigation and risk assessment reporting for the former Crows Nest Farm Area. This will be secured by way of a suitably worded planning condition that will include the requirement for a remedial strategy for any identified discovered contaminants and pollutants. A validation report condition has also been recommended.

HBC Highways

Whilst no objections have been made to the scheme, the Local Highway Authority is continuing its discussions with the Applicant on some remaining detail issues that include a new diversionary route for the public right of way that exists on the application site.

An update will be provided orally on the night.

Lead Local Flood Authority

No objection

An engineer for the LLFA has reviewed the proposed surface water drainage

scheme. Two conditions have been recommended concerning a flood risk assessment to be submitted to the Council prior to development and a verification report to be submitted on completion.

MEAS – Ecology and Waste Advisor

No objection subject to conditions.

The scheme is accompanied by an environmental statement. This statement previously accompanied planning application ref:17/00407/OUTEIA that granted planning permission for 300No. dwellings on this and the adjoining application site. The key difference between this application and planning permission 17/00407/OUTEIA is the area of Crows Nest Farm that is now included in the red line plan.

Field data observation outcomes presented in the Applicant's Barn Owl Mitigation Strategy (ref: 6343.012, May 2021) as part of the supporting documentation to planning application ref:18/00290/FUL concluded that the barn located within Crows Nest Farm had barn owls nesting inside it. That strategy recommended that an alternative nesting site be provided in the form of a nest box at a location adjacent to the Bridgewater Canal or on a tree near to the site.

This requirement was conditioned as part of the approval of planning permission ref:18/00290/FUL. Redrow have confirmed that the alternative nest box requirement was implemented prior to the demolition of Crows Nest Farm.

The owl study ref: 6343.012, May 2021 identified the loss of foraging habitat as a long term impact of the proposed development. The Applicant's own strategy recommends:

it has been agreed that additional offsite mitigation for barn owls will be provided in consultation with the local barn owl group and/or Cheshire Wildlife Trust. The provision of offsite compensation for barn owls should be secured via a Section 106 agreement.

The Applicant's ecologist has submitted a mitigation strategy that sets out the scale of habitat improvements across the Daresbury Strategic Site (DSS). The DSS is comprised of the following application sites 20/00487/S7321/00337/REM (both approved), 21/00319/FULEIA subject of this application and applications 21/00702/REM, 21/00545/REM, 21/00714/OUTEIA, and 22/00007/FUL that are currently being considered.

The justification states that the total scale of improvement offered by the areas of habitat creation and the wider areas of habitat improvements equate to the habitat value of the farmland which is lost as a result of the Local Plan land allocation. Therefore, such improvements are considered to be sufficient compensation for the loss of foraging habitat and no off site improvement is required as part of a S106 agreement.

The Councils retained ecology advisor has reviewed the strategy and accepts its findings. A barn owl mitigation condition is recommended to secure this strategy.

The balance of other ecology considerations are to be secured by a series of conditions that are set out in the conditions section of the report.

REPRESENTATIONS

A total of 5 No representations have been received as a result of the publicity undertaken, the details of which are summarised below.

- Insufficient infrastructure to support the proposed dwellings
- Countryside should be left undeveloped
- Application will cause detrimental impact on nature and environment
- Development will spoil the rural appearance of the area
- Arable farmland should be retained for food security
- We should not be building on green lungs
- Daresbury Firs will be damaged by residents using it for recreation
- Existing bus routes do not stop in Daresbury Village
- Delph Lane Canal Bridge is not strong enough to withstand residential traffic
- Lack of local shops and amenities
- New properties will suffer with proximity to A56
- This will cause additional traffic to the M56

ASSESSMENT

Principle of Development

The planning application proposes the development of a residential development on predominantly green field land. The site is identified as Site R41 by the DALP Proposals Map and is allocated for residential development.

There are no policy based land supply or housing delivery restrictions for Site R41. Development for residential purposes is considered acceptable in principle.

Members are reminded that Development Management Committee ratified an officers recommendation for the approval of planning application ref:17/00407/OUTEIA in February 2018 for the development of 300 residential dwellings on part of this application site.

Highways Considerations - Access and Highway Impact.

The application is supported by a Transport Assessment. As noted earlier in this report, the scheme has been reviewed by an engineer on behalf of the Local Highway Authority. No objection has been made to the principle of development. Notwithstanding, discussions are ongoing regarding some design details that

require additional justification, an update will be provided on the night.

The following comments from the Highway Engineer are of note:

The principal of development was established and the prior Transport Assessment (TA) deemed acceptable following a full planning application 17/00407/OUTEIA and subsequent appeal in 2018.

An addendum Transport Assessment was undertaken as there are two alterations to the consented scheme; the reduction in the number of dwellings and a minor change to the red-line boundary.

The TA addendum is deemed acceptable in demonstrating that the original TA (2015) continues to be satisfactory from a highways safety, traffic and access perspective with the reduction in units meaning the junction assessments are robust and existing capacity of the local network protected. Indeed this application has a reduced impact to the consented larger development and is therefore acceptable.

Greenspace provision.

Policy RD4 'Greenspace provision for residential development' sets a requirement that development proposals of 10 or more dwellings are expected to make appropriate provision for the needs arising from the development.

The proposed scheme incorporates a number of incidental areas of green space which act as a natural break in the overall urban appearance of the scheme. In addition a formal area of equipped local play is proposed on site.

The development proposal by this planning application follows a suite of previously approved planning permissions ref: 16/00495/OUTEIA, 17/00406/FULEIA and 17/00407/OUTEIA. Those approvals were accompanied by an overarching S106 agreement. This development proposal is intended to in part supersede planning approval 17/00407/OUTEIA. The Applicant is in discussions with the Council to submit a deed of variation to include this development under the umbrella of that S106 agreement.

The S106 agreement details off site payment contributions towards the creation of the Linear Park adjacent to the Bridgewater Canal in Daresbury and improvements to the nearby Daresbury Firs.

It is considered that future residents of the proposed development will have good access to areas of greenspace upon occupation and throughout the lifetime of development following the delivery of the Daresbury Linear Park. Therefore the proposed development complies with the requirements of planning policies RD4 and CS(R)21 and is consistent with the previously approved scheme 17/00407/OUTEIA.

Ecology

As noted above, the Council's retained advisor has issued a response of no objection. This opinion is dependent upon the use of a schedule of recommended conditions and off site improvements to the Daresbury Firs to address anticipated increase in recreational pressure.

The Council's advisor has asked for additional clarification regarding barn owl mitigation. The Applicant's advisors are preparing an addendum to this mitigation strategy. An update from the Council's ecologist will be provided orally.

The conditions proposed by the Council's retained advisor have been accepted by the Applicant. These are detailed in the recommended conditions section of this report. A quick overview of the agreed matters is set out below.

Whilst no direct impact is proposed to the Daresbury Firs, the Council's ecologist has set out a concern that the development of 151 new dwellings in close proximity to the Daresbury Firs will result in an increase in recreational use. The Council has assessed this risk under the consideration of planning approval 17/00407/OUTEIA. That application contributed to a pooled S106 agreement that allocated for improvements to the Daresbury Firs. Once received, this allocation will fund infrastructure improvements to the Daresbury Firs to cater for the expected increase in footfall.

In terms of on-site impact. A cumulative loss of 691m of hedgerow is proposed by this application and the neighbouring approval 20/00487/S73. This represents a 63% loss of hedgerow habitats within the proposed redline plans. Approximately 350m of this native hedgerow will be replanted on completion of works. A further 500metres of new native hedgerow will be planted adjacent to an area of greenspace on the eastern site boundary. This represents an overall net increase of native hedgerow on site of approximately 159metres. A species mix of the proposed new hedgerow planting is proposed as part of the ecological protection strategy, this is accepted. The requirements of this strategy will be secured by an appropriately worded planning condition.

Bat activity surveys undertaken on site have identified the Bridgewater Canal corridor to the North as a significant bat commuting route and foraging area. Lighting from the proposed development could affect the use of this area and the use of the retained and proposed hedgerows, and surrounding woodland areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto important habitats features in line with NPPF (P.180).

The following invasive species have been identified on site, Japanese Knotweed, Himalayan Balsam, Rhododendron Pontic and Cotoneaster. These species are listed on Schedule 9 of the Wildlife and Countryside Act and Schedule 2 of the Invasive Alien Species. A method statement for the treatment and eradication of these species will be required to be submitted as part of a construction management condition. An additional validation condition will be required to be submitted to demonstrate the eradication of the invasive species.

Drainage And Flood Risk

As noted previously, an engineer on behalf of the LLFA has reviewed the application and has raised no objection.

The application site is located entirely within flood zone 1. The nearest main river is Keckwick Brook and is located approximately 400m to the west of the site. An unnamed ordinary watercourse runs through the site from south to north and discharges into the Bridgewater Canal.

The LLFA is satisfied that the location of proposed development is acceptable in terms of planning policy and that it would be safe from fluvial flooding throughout its development life.

Based on the information submitted there appear to be potential risks associated with groundwater flooding that have not been considered in detail. This shortfall in detail will need to be addressed by the Applicant prior to the commencement of development on site. Details are to be secured by a suitably worded prior to commencement planning condition.

Design and Character

The scheme proposes a mix of 6No. different detached house types across a modern new build housing estate layout. A setback from the Bridgewater Canal and Delph Lane presents a visual break in the proposed urban appearance along an existing vegetative corridor that has value as an ecological foraging corridor and as a route for recreation and exercise.

Plots will benefit from individual garages and/ or private driveways and relatively large family gardens. The proposed dwellings will be built using a mix of bricks and rendered elevations with tiled roofs.

It is accepted that the finished development will mark a significant change to the existing design and character of the area. However, this is consistent with the Local Plan land allocation and subsequent design expectations of the Council's SPD 'Design of Residential Development'. It is considered that appropriate separation and privacy is provided within the site. All relevant standards have been met.

The application site is well designed and will accommodate a bus route through the estate and the Applicant's earlier phase of development approved by planning application ref: 20/00487/OUTEIA. The Applicant has worked with the adjoining land owner to ensure good connectivity to the residential land allocation identified as ref: R84 by the DALP land allocations plan. This will greatly assist connectivity for residents of both schemes and assist sustainable modes of travel.

The appearance, design and character of the scheme is considered consistent

with that of the previously approved hybrid application ref: 17/00407/OUTEIA.

As noted in the original suite of the Daresbury Strategic Site planning applications that were reported to Development Management Committee in February 2018, the scheme will deliver a shortfall to the housing development density target set by planning policy CS(R)3 'Housing Supply and Locational Priorities'. The originally reported shortfall has increased as a result of further site constraints being discovered. The additional site constraints relating to utility assets stand off distances have resulted in 27 fewer dwellings being built.

There remains sufficient development in the Daresbury Strategic Site to compensate for this shortfall. The proposed scheme is in keeping with recent large scale developments approved by this Council for the same developer.

Residential Amenity and landscaping

The Applicant has presented a scheme that meets the relevant standards for residential development as set out in the Council's SPD. Existing residents along Delph Lane benefit from a significant setback from Delph Lane.

The current Delph Lane is to be closed to through traffic and will be retained as a cul-de-sac. A new Delph Lane is proposed to run parallel from the A56 to a new canal bridge crossing which is subject to planning application ref:22/00007/FUL that is currently being determined. A retained area of green space will separate the two highways. The resultant interface between existing and proposed residents is well in excess of the required 21m interface.

The proposal secures the expectant levels of amenity and outlook protection for existing and future residents.

Affordable Housing

Planning policy CS(R)13 'Affordable Homes' requires all residential schemes of ten dwellings or more to provide 20% affordable housing provision. No affordable housing is proposed as part of this planning application.

The application site forms part of the former Daresbury Strategic site as it was known in the Core Strategy key area of change land allocation. It required a significant set of capital infrastructure works to make the site accessible to the existing highway network. The associated policy at the time CS11 'East Runcorn' since deleted, set out a number of additional off site infrastructure works that would benefit site residents and the surrounding area. At the time of consideration in 2018 the Applicant submitted a financial viability assessment. It demonstrated that residential development would not be viable if affordable housing provision was sought in addition to the capital works and the off site contributions to wider strategic policy requirements. As a result planning permissions ref: 16/0095/OUTEIA, 17/00406/FULEIA and 17/00407/OUTEIA were granted with no contribution to affordable housing. It should be noted that

those residential schemes collectively contributed a significant S106 fund for off-site strategic policy aims.

This latest development proposal is a continuation of that agreed precedent of priorities. It is considered that the Applicant has demonstrated that the affordable housing contributions of Policy CS(R)13 are not viable.

Heritage and Archaeology

As noted above the Council's retained advisors in these fields have considered the application and raised no objection.

The advice provided notes that there is a degree of evidential and historic value associated with the site. The heritage statement details this appropriately by describing the relationship between the previous farm and the construction of George Gleave's Bridge as an "accommodation bridge" allowing access to existing private land following the programme of canal building. In this case the construction of the Bridgewater Canal in the later 18th Century.

Historic mapping suggests that the former farm had been present on the site since at least 1840s when the Tithe Map was produced. The heritage statement also suggests that it is likely that there has been a farm on this site since before 1772 when the bridge was constructed; this is an appropriate summation based on the evidence available both documented and physical. Crows Nest Farm has now been demolished.

The Applicant has proposed a footpath connection to the George Gleave's Bridge. The residential development is set back from the Bridge and is not considered to cause significant detrimental harm to its setting as a listed building.

The Bridge is in the private ownership of the Bridgewater Canal Company. The future use and restoration of the Bridge is a matter of future discussion between the Council and the interested stakeholders in the consideration of planning application ref:22/00007/FUL on the opposite embankment. Notwithstanding, provision has been made in this planning application for the possible future inclusion of the George Gleave's Canal Bridge so as to not prejudice the consideration and delivery of future development schemes within the DSS.

Daresbury Firs

As detailed earlier in the report, the Council's retained ecology advisor has confirmed that the proposed development will have an impact on the Daresbury Firs. This can be mitigated by improvements to the footpaths and installation of additional measures such as fences to limit foot traffic to limit harm to the already established footpath network. A contingency budget has been set aside in the existing S106 agreement to planning approvals 16/00495/OUTEIA, 17/00406/FULEIA and 17/00407/OUTEIA to account for the cost of this work.

Local Services

This application forms part of the Daresbury Strategic Site first proposed by the Halton Core Strategy as a key area of change in 2013. A number of applications have been submitted for this strategic site area. Application 21/00714/OUTEIA is before the Council and details the proposal of a local centre.

There are no policy requirements that necessitate further contributions beyond those previously agreed within the existing S106.

Sustainable Development & Climate Change

Policy CS(R)19 of the Halton Delivery and Allocations Local Plan requires development to be designed to have regard to the predicted effects of climate change.

The attachment of a condition securing the submission of a scheme detailing such matters along with their subsequent implementation will ensure compliance with Policy CS(R)19 of the Halton Delivery and Allocations Local Plan.

Conclusion

The application site is allocated for residential development in the newly adopted DALP. Development of the site will contribute toward the Council's housing targets. No detrimental impacts have been identified by the Council's retained advisors. No objection has been received by a statutory consultee.

As noted above, the application site has been approved for planning permission ref:17/00407/OUTEIA. This application for planning permission is consistent with that planning approval.

The report has detailed matters of clarification that are still being discussed by the Council's retained ecology advisor, the LLFA and the Local Highway Authority. These matters are not considered detrimental to the consideration of the scheme and updates will be provided orally on the night.

RECOMMENDATION

The application be approved subject to the following:

- a) Deed of variation to include the approval of this planning application in the definitions section of the existing S106 agreement.
- b) Conditions relating to the following:
 1. Time Limit – Full Permission.
 2. Approved Plans
 3. Contaminated Land identification and remediation strategy

4. Contaminated Land validation report
5. External Facing Materials
6. Structural details of all retaining walls within 4m of a highway Boundary
7. EV charge parking spaces to be detailed
8. Construction management plan including avoidance measures re habitat/ mammal/ bird nesting/ amphibians
9. Construction waste audit
10. Hedgehog highway network measures
11. Lighting scheme to limit impact on nocturnal species along Bridgewater Canal
12. Ecological protection strategy
13. Replacement of existing hedgerow
14. Ecological habitat management plan
15. Soft landscaping plan
16. Soft landscaping management plan
17. Hard landscaping
18. Invasive species method of eradication statement
19. Invasive species validation report
20. Bird and bat boxes details
21. Boundary treatment details
22. Details concerning public right of way diversion including connection to George Gleaves Bridge
23. Details of visibility splays
24. Domestic refuse storage details
25. Ground water flood risk assessment
26. Suds verification report
27. Barn owl mitigation strategy
28. Delph Lane turning head and prohibition of vehicular through traffic details
29. Bus stop details
30. Final vehicle tracking
31. Full engineering details for estate streets
32. A56 access details
33. Removal of GPDO Schedule 2, Part 1, Class F – no fences forward of front elevation.

c) That if the deed is not made within a reasonable period of time, authority

be delegated to the Operational Director – Policy, Planning and Transportation in consultation with the Chairman or Vice Chairman of the Committee to refuse the application.

BACKGROUND PAPERS


The submitted planning applications are background papers to the report. Other background papers specifically mentioned and listed within the report are open to inspection at the Council's premises at Municipal Building, Kingsway, Widnes, WA8 7QF in accordance with Section 100D of the Local Government Act 1972

SUSTAINABILITY STATEMENT

As required by:

- The National Planning Policy Framework (2021);
- 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:	21/00628/FUL
LOCATION:	Land Bounded By Pitts Heath Lane And Otterburn Street, Sandymoor, Runcorn
PROPOSAL:	Proposed development of a local district centre to include: Retail units 1& 2: Display or retail sale of goods, other than hot food, Use Class E(a) and/or Restaurants and Cafes, Use Class E(b); Retail units 3 & 4: Takeaways, Use class Sui Generis - hot food takeaways; Retail unit 5: Veterinary Practice, Use Class E(e). Elderly living facilities for the over 55's in the form of: an apartment block providing 20no. one bed flats and 24no. two bed flats, and 5no two bed bungalows - all Use Class C3(a) Dwelling houses; together with ancillary development including cycle stores for 20no cycles, and landscaping
WARD:	Daresbury, Moore & Sandymoor
PARISH:	Sandymoor Parish Council
AGENT(S)/APPLICANT(S):	PRP Architects, Sandymoor Development Company Ltd.
DEVELOPMENT PLAN:	National Planning Policy Framework (2021) Delivery and Allocations Local Plan ('DALP') (March 2022). Joint Merseyside and Halton Waste Local Plan (2013) Allocated: retail and town centre allocation
DEPARTURE:	Yes – Due to residential elements
REPRESENTATIONS:	3 objections
KEY ISSUES:	Principle of Development, Design, Parking and Highway Safety, Drainage, Ecology, Trees, Hot Food Take Away element
RECOMMENDATION:	Approve subject to conditions
SITE MAP:	

1. APPLICATION SITE

1.1 The Site

The site lies between Pitts Heath Lane to the west, Otterburn Street to the south and a Morris Homes development 'The Meadows' to the East. Along the northern boundary of the site is an area of woodland known as Sandymoor Wood. Opposite the application site to the south is a large expanse of grassed open space, including a football pitch and children's playground, this area is known as the Village Green.

The site is currently accessed off Pitts Heath Lane which is the primary road servicing the site. The currently un-adopted Otterburn Street serves as a secondary road and provides access for the existing Sandymoor Community Hall. There is also an established network of foot and cycle paths around the site, together with a Greenway network along the eastern site boundary, connecting surrounding housing estates to the proposed Local Centre.

The application site is identified as a Retail and Town Centre Allocation within the Halton Delivery and Allocation's Local Plan. The Sandymoor Supplementary Planning Document and Sandymoor Local Centre Development Brief therefore apply.

Following the approval of planning application 19/00020/FUL, the site currently consists of an active construction site. The co-op store has been completed together with the associated parking provision and the remainder of the site is currently under development.

1.2 Planning History and Background

- 04/00431/OUT - Outline application (with all matter reserved) for development of Sandymoor Local Centre, including 34 No. houses/apartments and 3000sqm of commercial, health, recreation and leisure floorspace. **Permitted 14.07.04**
- 07/00681/OUT - Outline application (with all matters reserved) for development of Sandymoor Local Centre including up to 34 No. dwellings and including up to 3,000 sq.m of commercial, retail, health, recreation and leisure floorspace. **Permitted 06.12.07**
- 10/00482/OUT - Application to extend time limit for implementation of extant planning permission (07/00681/OUT). **Permitted 05.05.11**

- 12/00049/FUL - Proposed development of 2 no. storage buildings, 1 tank cleaning shed and siting of storage tanks and associated wall upon existing car park. **Permitted 26.03.12**
- 19/00020/FUL - Proposed development of local district centre comprising Convenience Store (Use Class A1), 5 no. Retail Units (Use Classes A1, A3, D1 with a maximum of 1 unit to be D1), Children's Nursery (Use Class D1), 43 no. Residential Apartments and 5 no. Dwellings (Use Class C2) to provide living facilities for the over 55's together with ancillary development. **Permitted 16.12.20**

2. THE APPLICATION

2.1 The Proposal

The application seeks planning permission for the development of a Local District Centre comprising:

- 5No. retail units
 - Retail Units 1&2 – Use Class E(a) Display or retail sale of goods other than hot food and/or Use Class E(b) restaurants and cafes
 - Retail Units 3&4 – Use Class Sui Generis, hot food take-away
 - Retail Unit 5 – Use Class E(e) Veterinary Practice
- Elderly living facilities for the over 55's in the form of:
 - 20x one bedroom flats
 - 24x two bedroom flats
 - 5x two bedroom bungalows

All Use Class C3(a) Dwelling houses

Together with ancillary development including cycle storage for 20no cycles, car parking and landscaping.

The proposed 44 'Elderly Living Apartments' will include communal gardens, a buggy store and a manager's office, to provide support to residents.

2.2 Documentation

The planning application is supported by the following documents:

- Design and Access Statement, October 2021 Rev D
- Combined Preliminary Risk Assessment and Geo-Environmental Assessment Project No.18-0914.01 Issue 2, 2018

- Flood Risk Assessment project no.18-0914.02 Issue No.3, 2019
- Eddisons Car Park Management Plan – July 2021
- Croft Transport Assessment, December 2018, Ref 2356
- Urban Green Arboricultural Impact Assessment (AIA) Ref 11834-01 Rev A
- Habitat Regulations Assessment – Screening (HRA) Ref 11834-01, 2018
- Urban Green Preliminary Ecological Appraisal, Project No.: UG11384, Issue No.:01, 2021
- Urban Green Landscape Strategy Rev P03, July 2019

3. POLICY CONTEXT

Members are reminded that planning law requires for development proposals to be determined in accordance with the development plan, unless material considerations indicate otherwise.

3.1 Halton Delivery and Allocations Local Plan (DALP) (2022)

The following policies contained within the Halton Delivery and Allocations Local Plan are of relevance:

- CS(R)1 Halton’s Spatial Strategy;
- CS(R)3 Hosing Supply and Locational Priorities;
- CS(R)5 A Network Of Centres;
- CS(R)12 Housing Mix and Specialist Housing;
- CS(R)13 Affordable Homes;
- CS(R)15 Sustainable Transport;
- CS(R)18 High Quality Design;
- CS(R)19 Sustainable Development and Climate Change;
- CS(R)20 Natural and Historic Environment;
- CS(R)22 Health and Well-Being;
- CS23 Managing Pollution and Risk;
- CS24 Waste;
- RD4 Greenspace Provision for Residential Development;
- C1 Transport Network and Accessibility;
- C2 Parking Standards;
- HC1 Vital and Viable Centres;
- HC2 Retail and Town Centre Allocations;
- HC8 Food and Drink;
- HE1 Natural Environment and Nature Conservation;
- HE4 Greenspace and Green Infrastructure;
- HE5 Trees and Landscaping;
- HE7 Pollution and Nuisance;
- HE8 Land Contamination;
- HE9 Water Management and Flood Risk;

- GR1 Design of Development;
- GR2 Amenity;
- GR3 Boundary Fences and Walls.

3.2 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.

3.3 Supplementary Planning Documents

- Sandymoor Supplementary Planning Document (2009)
- Design of Residential Development (2012)
- Designing for Community Safety (2005)
- Affordable Housing (2014)
- Hot Food Takeaway (2012)
- Shop Fronts, Signage & Advertising (2005)

MATERIAL CONSIDERATIONS

Below are material considerations relevant to the determination of this planning application.

3.4 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in July 2021 to set out the Government's planning policies for England and how these should be applied.

3.5 Equality Duty

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development that justify the refusal of planning permission.

3.6 Other Considerations – Human rights

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

4. CONSULTATIONS

4.1 The application has been advertised via the following methods: site notice posted near to the site and on the Council Website. Surrounding residents have also been notified by letter.

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

- **Environment Agency**
Objection based on Flood Risk Assessment. Information that has been submitted to support the application was an approved document under the previous application (19/00020/FUL) and so the outstanding information required can be secured by planning condition.
- **Merseyside Environmental Advisory Service**
No objection subject to conditions
- **Natural England**
No comments to make on this application
- **The Woodland Trust**
Objection, discussed in sections below
- **Cheshire Police**
No objection, comments discussed below
- **Sandymoor Community Association**
No comments received at time of report
- **Forestry Commission**
No comments received at time of report

Council Services:

- **HBC Highways and Transport**
No objection subject to conditions and informatives
- **HBC Environmental Protection**
No comments received at time of report
- **Open Space Service**
No objection
- **HBC Contaminated Land**
No objection subject to conditions
- **Lead Local Flood Authority**
Objection, however information that has been submitted to support the application was an approved document under the previous application (19/00020/FUL) and so the outstanding information required can be secured by planning condition.
- **HBC Major Projects**
No comments to make on this application
- **HBC Planning Policy**
No comments received at time of report
- **HBC Ward Councillors**
No comments received at time of report
- **Sandymoor Parish Council**
No comments received at time of report

5. REPRESENTATIONS

The application has been advertised by 196 neighbour notification letters sent on the 4th November 2021 and site notices posted near to the site on 04.11.2021. At the time of writing the report, three objections have been received raising the following concerns:

- Too many food businesses proposed
- Smells from food units
- Late night opening hours will cause noise
- Anti-social behaviour
- Local residents don't want take-aways
- Not enough parking
- Highway safety and traffic generation
- High frequency of pedestrians and cyclists who will be at risk of speeding vehicles
- Design and Access statement makes reference to the nursery and co-op from the previous scheme

6. ASSESSMENT

6.1 Principle of Development

The application site is identified as a Retail and Town Centre Allocation, as designated by the Halton Delivery and Allocations Local Plan, and as such Policy HC2 of the Delivery and Allocations Plan applies.

The proposed development includes the provision of 5 retail units with a mix of E(a), E(b), E(e) and Sui Generis Uses.

Policy CS(R)5 of the Halton Delivery and Allocations Local Plan lists Sandymoor Local centre as a focus for local convenience and service retail and complementary community facilities. The policy also indicates that new retail development of an appropriate scale to meet local need will be required.

As the application site is allocated as a Local Centre in the current up to date Local Plan, the application is not subject to sequential assessment, in accordance with Paragraph 87 of the National Planning Policy Framework (NPPF).

The application proposes a mixed use of retail and residential which in accordance with Paragraph 92 of the NPPF ensures an integrated approach to enhance the sustainability of the community in the form of a working Local Centre.

The application has been advertised as a departure from the Development Plan due to the residential elements of the proposal, however previous planning permission (19/00020/FUL) has permitted residential units within a Local Centre application and therefore the proposal for the residential element has been established on site and is acceptable in principle. In addition to this previous outline planning permissions have also been permitted to support this further (04/00431/OUT, 07/00681/OUT, 10/00482/OUT).

Two hot food takeaway units are proposed within the scheme and as such policy HC8 of the Halton Delivery and Allocations Local Plan and the Hot Food Takeaway Supplementary Planning Document apply.

The takeaways are proposed within a defined Local Centre as listed in Appendix 5 of the Hot Food Takeaway SPD and in accordance with Policy HC8, the hot food takeaways would not result more than two units or 10% of the total ground floor units being a hot food takeaway (whichever is the greater).

Policy HC8 states that planning permission for hot food takeaways will only be granted provided that they are located beyond a 400m exclusion zone around any school or playing fields and children's play spaces. However, exceptions to this are defined Town, District and Local centres. As the application site is a designated Local Centre, the site is excluded from the 400m exclusion zone.

The proposal for two hot food takeaway establishments is considered to be in line with the guidance set out within the Hot Food Takeaway Supplementary Planning Document and the Local Plan and is therefore acceptable in principle.

Given the application site is allocated as a Proposed Local Centre location in the Halton Delivery and Allocations Local Plan, in accordance with policy HC2 of the Local Plan, and given the recent planning history for the site, the principle of the proposed Local Centre is considered to be acceptable.

6.2 Layout

The adopted 2009 Sandymoor Supplementary Planning Document sets out broad design principles for Sandymoor with the aim to strengthen the community. As such, development will be arranged to focus on the Local Centre, Community Centre, school, Village Green and leisure and sports activities.

The northern boundary of the application site is essentially dead frontage due to the interface with the Sandymoor Wood woodland area. The southern boundary of the site interfaces with Otterburn Street and the Village Green beyond.

The current proposed scheme follows the format of the recently approved planning permission 19/00020/FUL and so has been deemed acceptable and approved in principle. There are no significant changes proposed to the layout of the development under the current scheme.

The scheme has been arranged so that the retail units face and address the Village Green and remain open to create a visual open linkage to the green space, encouraging movement between the village green and the Local Centre.

The eastern boundary of the site, in particular the proposed residential apartments, will interface with housing frontages on Biggleswade Drive. The properties on the corner of Biggleswade Drive consist of three storey dwellings and town house style properties. The presence of three storey properties has therefore been established within the area.

The proposed bungalow dwellings will interface with existing 2 storey properties to the north-west of the site which is considered to be appropriate.

In accordance with the Sandymoor Local Centre Development Brief, parking provision has been accommodated within the scheme, the level of which will be assessed in the Highway section below. There is also provision for a dedicated public 'village square', the size of which has been reduced in accordance with advice from Cheshire Police to avoid creating a gathering place and an opportunity for anti-social behaviour.

In terms of Housing Mix, the proposal seeks to deliver a range of property sizes including 1 and 2 bedroom apartments. In terms of tenure, the applicant is aware of the Council's affordable housing policy and has confirmed acceptance to the attachment of a condition which would secure the provision of affordable housing as per the definition set out in the NPPF.

The layout of the proposed development is considered to be acceptable and compliant with Policies GR1 and GR2 of the Halton Delivery and Allocations Local Plan. In terms of Housing Mix, the proposal is considered to be compliant with Policy CS(R)12 of the Halton Delivery and Allocations Local Plan.

6.3 Scale

The scale of the proposed development has been established by the previously approved planning permission 19/00020/FUL and is considered to be appropriate and acceptable.

With regards to the residential apartment block, it is noted that there are other three storey developments in this area including the three storey properties directly adjacent to the proposed apartments along Biggleswade Drive within the Morris Homes housing estate. Although larger in massing, the height of the proposed apartment block has been established within the immediate surrounding area.

The Sandymoor Local Centre Design Brief also indicates that the buildings should range in height to a maximum of three storeys thus the scale of the proposed apartments are considered to be appropriate.

The design brief also highlights that the layout of the local centre units should successfully incorporate the existing Sandymoor Community Hall and respect the height of it. There is a variety of property types and styles in the locality with two storey properties located to the west and North West of the site. It is considered that the proposed bungalow properties and the height of the proposed retail units relate well to the scale of the

surrounding dwellings within the area and the Sandymoor Community Hall.

The scheme is considered to be acceptable in terms of scale and compliant with Policy GR1 of the Halton Delivery and Allocations Local Plan.

6.4 Appearance

In line with the guidance set out within the Sandymoor Local Centre Design Brief, the proposed materials form a simple palette of colours and styles.

Although materials have been approved for the 19/00020/FUL scheme, the approved details have not been submitted to support the current application. The proposed materials are therefore indicative at this stage, as the submitted design and access statement highlights; specific materials, products and colours have yet to be identified. A combination of light brick with elements of brick detailing, timber boarding and standing seam roofs are described. This is considered to be acceptable.

The submission of precise external facing materials and their subsequent implementation will be secured by condition. This would ensure compliance with Policies GR1 and CS(R)18 of the Halton Delivery and Allocations Local Plan.

6.5 Site Levels

Although site levels and finished floor levels have been approved for the 19/00020/FUL scheme, no details of site levels or finished floor levels have been supplied, however based on the site's topography, submitted site elevations (Drawing AA7504 2005 REV D) and information supplied outside of this application, it is considered that appropriate relationships can be achieved in terms of light, privacy, appearance and relationships to existing roads.

It is considered reasonable to attach a condition which secures the submission of existing and proposed site levels for approval and their subsequent implementation. This would ensure compliance with Policy GR1 of the Halton Delivery and Allocations Local Plan.

6.6 Landscaping and Trees

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

The application is supported by the following document:

- Urban Green Arboricultural Impact Assessment (AIA) Ref 11834-01 Rev A

The Council's Tree and Woodland Officer has provided the following comments:

Following a site visit, it would appear that works on this site has already progressed with the installation of site security/construction fencing around the boundary. The main sewer and surface and surface water drainage has already been installed too.

The red line development boundary is the same as the consent obtained for application 19/00020/FUL. It is assumed therefore trees around the perimeter have already been felled as part of that application and are no longer a consideration for consent.

The red line development boundary is partially different to the 19/00020/FUL scheme given the nursery and co-op elements have been omitted, however the perimeter of the red line boundary is essentially the same.

During the assessment of the 19/00020/FUL application, significant discussion took place with regards to the protection of trees and the impact of the development on Sandymoor Wood.

As stated above, none of the existing trees within close proximity to the application site are protected by a Tree Preservation Order, are in a Conservation Area, nor could it be argued that the proposed development is likely to damage or destroy a woodland of the scale and character identified in Policy HE5 of the Halton Delivery and Allocations Local Plan.

Under the 19/00020/FUL scheme, the applicant provided a Development Appraisal and Viability Scheme which was reviewed by relevant Council Officers, who advised that the proposed reduction in units and revised layout of the scheme to achieve a stand off distance from the affected trees would affect the viability of the scheme to such an extent that would not enable the development to proceed.

The previous planning permission 19/00020/FUL has set the precedent for the acceptable layout of the proposed scheme, and this reflects the relationship with any surrounding trees. As stated above, significant ground works have started and the tree protection measures required for the 19/00020/FUL scheme will still be relevant and in place.

A soft landscape plan has been submitted to support the application. The Designing Out Crime Officer has provided comments on behalf of Cheshire Police advising that more defensible landscaping should be included around the ground floor of the proposed apartments. These comments have been passed on to the applicant.

The proposed landscaping is considered to be acceptable in accordance with Policy GR1 and HE5 of the Halton Delivery and Allocations Local Plan.

6.7 Sandymoor Woods

The proposed Local Centre application site lies adjacent to Sandymoor Wood which is partly owned by the Woodland Trust. The Woodland Trust have been consulted on the application and have objected to the proposed development on the basis of damage and potential loss of Sandymoor Wood, an Ancient Semi-Natural Woodland designated on Natural England's Ancient Woodland Inventory.

As stated above significant discussion took place with regards to the protection of trees and the impact of the development on Sandymoor Wood during the assessment of the 19/00020/FUL application.

The previous planning permission 19/00020/FUL has set the precedent for the acceptable layout of the proposed scheme, and this reflects the relationship with Sandymoor Wood. As stated above, significant ground works have started and the tree protection measures required for the 19/00020/FUL scheme will still be relevant and in place.

Both Natural England and the Merseyside Environmental Advisory Service have no objection to the proposed development. The proposed development is therefore considered to be acceptable in accordance with Policy GR1 and HE5 of the Halton Delivery and Allocations Local Plan.

6.8 Ecology

The application is supported by the following documents:

- Habitat Regulations Assessment – Screening (HRA) Ref 11834-01, 2018
- Urban Green Preliminary Ecological Appraisal, Project No.: UG11384, Issue No.:01, 2021

The Merseyside Environmental Advisory Service (MEAS) has been consulted given that the site is in close proximity to the Mersey Estuary SPA and the Mersey Estuary Ramsar Site which are European sites

protected under the Habitats Regulations 2017. Policy CS(R)20 of the Halton Delivery and Allocations Local Plan also applies.

Due to the development's potential pathways and impacts on the above sites, the proposal requires a Habitats Regulations Assessment for likely significant effects. Whilst the former (19/00020/FUL) and current applications are not too divergent, the number of dwellings has increased from 48 to 49 over-55's dwellings and an updated HRA is required.

The Merseyside Environmental Advisory Service (MEAS) Ecologist has provided an updated Habitats Regulations Assessment report which concludes that there are no likely significant effects. The applicant has submitted a Preliminary Ecological Appraisal (PEA) in accordance with Policy CS(R)20 (*Preliminary Ecological Appraisal, Urban Green, July 2021*) which meets BS 42020:2013. The MEAS consultant has confirmed that this report is acceptable.

The PEA confirms that the site is now under active construction and as such on-site ecological value is negligible as the site comprises bare ground and both ditches remained dry as in 2018. The MEAS consultant has confirmed that this conclusion is also acceptable due to the current site conditions.

The Preliminary Ecological Appraisal recommends Reasonable Avoidance Measures (RAMs) for badger in 5.4.2 (partially completed as pre-construction check of vacated badger sett in 2020) and sensitive construction and operational lighting to protect the adjacent Sandymoor LWS in 5.4.1. Previous impacts to breeding birds can be discounted due to clearance of scrub and trees on site.

The Environment Bill has now been enacted and the development should aim to achieve 20% Biodiversity Net Gains. Section 7 of the Preliminary Ecological Appraisal (PEA) recommends bat and bird nesting boxes onto new buildings and retained trees. This can be secured by a suitably worded planning condition and could also include invertebrate boxes.

The development site is adjacent to or in close proximity to the following designated sites and Local Plan policy CS20 applies:

- Sandymoor Wood LWS is immediately adjacent to the site and forms the northern boundary;
- Dorchester Park LNR and LWS; and
- Lodge Plantation LWS.

The Merseyside Environmental Advisory Service (MEAS) Ecologist has advised that on this occasion, the development is unlikely to harm the features for which the sites have been designated:

- The LWS citation for Sandymoor Wood states the site contains Coastal and Floodplain Grazing Marsh and Deciduous Woodland BAP Priority Habitats. The development site does not contain either of these habitats and no direct land take from the LWS is proposed;
- Good practice measures employed in accordance with the required Construction Environmental Management Plan (CEMP) will ensure impacts from dust and rubbish are kept to a minimum;
- There may be an increase in recreational pressure from proposed new residents. However, the elderly nature of the residents means that recreational pressure is likely to be reduced when compared to standard residential development. In any event, survey of the LWS as part of the Ecological Assessment report found the site is already subject to recreational pressure from walkers and dog walkers and any increase will not be significant;
- There is potential for noise and light disturbance from construction to impact upon the southern border of the woodland. However, plans include no heavy machinery to be used within 30m of the woodland boundary. Lighting is to be directed away from the woodland during both construction and operation phases; and
- Dorchester Park LNR and LWS and Lodge Plantation LWS are located at distances considered too great to be impacted by the development.

On that basis the proposals are considered capable of demonstrating compliance with the development plan having particular regard to Policy HE1 of the Halton Delivery and Allocations Local Plan.

6.9 Highway Considerations

The Highways Officer has reviewed the proposed scheme and has provided the following comments:

The site was subject to a recent application and subsequent approval, 19/00020/FUL, following collaboration and amendment between the applicant and Halton Borough Council Highways Authority to come to the agreeable layout and design, with parking being one such consideration modified, with a significant increase in provision now resultant, the revised proposal being supported by Highways.

This local centre, with accessibility to the services and amenities offered for all modes from the surrounding residential areas, is now subject to a new application, as above.

It should be noted that in the time between the approved and this application there have been changes to the Use Class Order and the Unitary Development Plan being replaced by the Delivery and Allocation Local Plan, with policies therein accordingly updated e.g. parking provision and other Highway related guidance.

The proposal presented now offers a slightly amended version of the previous permission.

The Co-op convenience store and Nursery elements are effectively unaffected, and are excluded from the red-line in this current application. The nature of the retail units in the cluster, in terms of proposed use, has altered in some instances; though the Veterinary unit remains; the other units are now open for takeaway, or, restaurants/café/retail use.

The potential differences in usage, in terms of highway considerations e.g. traffic generation, parking provision, highway safety etc. are not considered significant with regards to the overall scheme nor present concerns that would amount to a sustainable highway objection.

With regards to the residential units, there has been an increase, by one, in the number of +55 apartments, with a modification to the number of 1 and 2 bed units now offered, whilst the bungalows have been slightly altered in layout; this has not affected Highway consideration of this element.

The parking provision is considered appropriate for the proposal, given the aforementioned favourably accessible location, the amount offered and the previously approved levels, in accordance with Policy C2 of the Delivery and Allocations Local Plan.

All conditions will be carried forward from the extant permission, including a Car Park Management Plan condition to manage the demand and supply of the on-site parking provision.

A Car Park Management Plan condition will detail the practical measures enabling the building management organisation to control who parks in the available spaces, with supporting monitoring and enforcement measures and be an integral part of a Residential Travel Plan which should serve to demonstrate the developer's commitment to controlling residents', and other site users, future parking habits, long after initial occupation, through ongoing and dynamic measures.

Additional condition suggestions are proposed to further safeguard any potential detrimental highway impact as a result of the development and/or improve the overall development and parking provision for all modes.

Concerns of potential harmful impact on the street scenes, displaced parking or availability of on-street parking on the immediate and local network are therefore satisfactorily mitigated and Highways has no objection to the proposal.

The proposal is considered capable of demonstrating compliance with the development plan having particular regard to Policy C1 and C2 of the Halton Delivery and Allocations Local Plan.

6.10 The Greenway Network

The site is well connected to the wider area by good quality pedestrian links and has access to bus services along Pitts Heath Lane. There is a requirement to provide a formalised greenway connection to the south of Otterburn Street connecting Pitts Heath Lane and Biggleswade Drive. This aspect has been negotiated and agreed during the 19/00020/FUL application and will be carried forward for this current amended scheme and will take the form of a 3m shared use cycleway/footway connection.

The proposal is considered capable of demonstrating compliance with the development plan having particular regard to Policy HE4 of the Halton Delivery and Allocations Local Plan.

The greenway link should be constructed and open to use by the public prior to the development being brought into use.

6.11 Noise and Odour Pollution

Members will note that representations have been received raising concerns that the proposed take-away units will emit odours and result in additional noise caused by late night opening hours.

- A distance of 74.8m would be maintained between the nearest flat located within the over 55s apartment block and the closest hot food take away unit.
- A distance of 38m would be maintained between the nearest proposed bungalow unit and the closest hot food take away unit.
- A distance of 63m would be maintained between the nearest existing residential property to the north of the site on Pitts Heath Lane and the closest hot food take away unit.
- A distance of 75m would be maintained between the nearest existing residential property to the west of the site on Dorchester Park and the closest hot food take away unit.
- A distance of 136m would be maintained between the nearest existing residential property to the east of the site on Biggleswade Drive and the closest hot food take away unit.

It is acknowledged that the nature of restaurants/cafes/hot food takeaways have the potential to omit associated smells and some noise, however it is considered that there are sufficient separation distances in place to mitigate any potential noise or smell pollutions. In addition to this, it is not without precedent to have a premises of a similar nature (food services) within close proximity of residential properties. These types of units are regularly located within residential

areas and it is for the premises to adequately manage their business to prevent noise and smell problems.

Given that the end user of the food/retail and hot food take away units has not been confirmed, no information or details regarding flues or extraction systems have been included in the planning application submission. The units and businesses there within will be required to comply with the Environmental Health Regulations in terms of any noise or odour emissions. Any subsequent external plant equipment required or associated with the units in the future in terms of extraction units or flues will require planning permission prior to their installation.

The Council is satisfied that the retail units could operate on the basis of the information that has been provided, without causing undue disturbance or issues to the proposed and existing residential neighbours. The development is required to comply with the Environmental Protection Act (1990) which does not fall under planning legislation.

On this basis the proposal is considered capable of demonstrating compliance with the development plan having particular regard to Policy HE7 of the Halton Delivery and Allocations Local Plan.

6.12 Affordable Housing

Policy CS(R)13 of the Halton Delivery and Allocations Local Plan states that affordable housing units will be provided, in perpetuity, on schemes including 10 or more dwellings (net gain) or 0.5 hectares or greater for residential purposes. Greenfield development will be required to deliver 25% affordable housing of the total residential units proposed.

Information has been provided in support of the application confirming the proposed scheme will be owned and managed by Livv Homes and will contribute to Halton Council's most recent Housing Strategy.

The proposed 44 'Retirement Housing Apartments' will consist of 24x two bedroom units and 20x one bedroom units and communal facilities comprising communal gardens and buggy store. There will also be a manager's office, to provide support to residents. All residential units, including the bungalow dwellings fall within the "social, affordable or intermediate rent" category.

100% of the residential properties will be delivered as affordable housing in line with the definition contained in Annex 2 of the National Planning Policy Framework.

The proposed scheme therefore exceeds the affordable housing requirement and therefore on that basis the proposal is considered capable of demonstrating compliance with the development plan having particular regard to Policy CS(R)13 of the Halton Delivery and Allocations Plan. The provision of the above mentioned affordable housing will be secured by condition.

6.13 Open Space

The requirements for the provision of recreational greenspace within new residential developments are set out in Policy RD4 of the Halton Delivery and Allocations Local Plan.

No on-site open space provision is being proposed by the applicant and therefore the scheme is considered deficient with regards to open space provision when measured against DALP policy RD4.

In accordance with the Council's adopted Provision of Open Space Supplementary Planning Document (SPD) financial contributions would normally be required for off-site provision.

There is provision in the policy for exceptions to on-site requirements. The applicant has provided a statement confirming that the proposals are to provide 100% affordable housing and as such additional costs can affect the viability of a scheme and the ability for planning gain to be secured through the scheme. The site is also in close proximity to Sandymoor Village Green which provides significant green space and recreational functions.

As with the previous planning consent 19/00020/FUL, it is not considered that further contribution can be justified in this case.

6.14 Ground Contamination

The application is supported by the following document:

- Combined preliminary risk assessment and geo-environmental assessment, ref 18-0914.01, Delta-Simons Ltd, November 2018

The report details the findings of a desk study and site reconnaissance, and an intrusive site investigation based upon the preliminary risk assessment.

The site has been undeveloped except for a short period when it was used for the temporary location of Sandymoor School. As such very little in the way of potential sources of contamination were identified, however the report recommended site investigation to assess the soil quality, with particular reference to the possibility of made ground as a result of the temporary use, and to determine any geo-technical constraints posed by the site conditions.

The site investigation comprised the drilling of shallow boreholes and the hand-digging of small trial pits. Samples of soil were taken for chemical testing and a programme of ground gas monitoring undertaken (although the preliminary risk assessment determined that such monitoring was not necessary).

All the testing and analysis confirmed that the site can be considered uncontaminated and that no remedial measures are required to ensure the site is suitable for the proposed use.

The Council's Contaminated Land Officer has advised that he is in agreement with the report's conclusions and has no objection to the proposed development and there is no requirement for further works.

On that basis the proposals are considered capable of demonstrating compliance with the development plan having particular regard to Policies CS23 and HE8 of the Halton Delivery and Allocations Local Plan.

6.15 Flood Risk and Drainage

The application is supported by the following document:

- Flood Risk Assessment project no.18-0914.02 Issue No.3, 2019

This is an approved document included in the 19/00020/FUL application. As part of the 19/00020/FUL application, additional information was submitted by way of a Proposed Drainage Strategy. Further drainage information was secured by planning conditions and have since been submitted for approval via discharge of condition applications.

The drainage information for the 19/00020/FUL has been approved and implemented, as stated in the sections above, work has commenced.

The current application 21/0628/FUL is deficient of this approved information and as such, the Council's Lead Local Flood Authority and Environment Agency have objected based on a lack of information.

The Lead Local Flood Authority have approved the submitted information in relation to the discharge of conditions applications and the Environment Agency had no objection to the additional information supplied for the 19/00020/FUL application.

In addition to the drainage already installed on the application site, it is considered that the proposed development is capable of demonstrating

compliance with the development plan, having particular regard to Policy HE9 of the Halton Delivery and Allocations Local Plan. The approved documents relating to application 19/00020/FUL that have not been submitted with this application can be secured by suitably worded planning conditions.

6.16 Waste Prevention/Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application.

The proposal involves major 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.

In terms of waste management, the applicant has demonstrated the proposed locations for bin stores within the apartment blocks, adjacent to the bungalows and within the service yard to serve the retail units.

It is considered that sufficient scope exists within the scheme with respect to provision of on-site waste storage and management to demonstrate compliance with policy WM9 of the Joint Merseyside and Halton Waste Local Plan.

6.17 Designing Out Crime

The Designing for Community Safety Supplementary Planning Document outlines guiding principles which should be incorporated into new developments to achieve safer places.

Cheshire Police Designing Out Crime Officer has provided comments on the original proposed scheme and noted that the development meets the objectives set out in the National Planning Policy Framework (NPPF).

Comments contained within one objection raise concerns regarding anti-social behaviour surrounding the hot food takeaways.

The Cheshire Police Designing Out Crime Officer states that local centres can often attract antisocial behaviour and become a gathering place for young people. As such they have recommended greater defensible space around the elderly peoples apartments to prevent

unauthorised access, these comments have been passed on to the applicant.

In addition to this, the Designing Out Crime Officer advises that the development will help foster a good sense of community and the range of businesses will result in increased natural surveillance/informal guardianship of the site.

6.18 Sustainable Development and Climate Change

The Design and Access Statement refers to a fabric first approach to reducing energy consumption. It states the design of the proposed development considers all aspects of sustainability including but not limited to energy efficiency; high insulation levels; sustainable and responsibly material sourcing; use of natural and durable materials ; embodied energy in materials/components; use of recycled materials and end of life recyclability, long life low maintenance design and minimising wastage in design/.construction.

Electric Vehicle Parking spaces have been incorporated into the scheme as standard and cycling provision to promote sustainable transport has been included.

7. CONCLUSIONS

The proposal seeks to bring forward the development of a new Local Centre to supply social infrastructure to serve existing and future residents of Sandymoor. The site is allocated as a Proposed Local Centre, in a Retail and Town Centre Allocation as identified by the Halton Delivery and Allocations Local Plan and as such Policy HC2 applies. The development land is allocated for a new local centre to serve the local community through new local shops and community facilities.

The site was subject to a recent application and subsequent approval under application 19/00020/FUL. This application agreed the layout and design together with key elements of proposed use such as the residential apartments, bungalows and the retail units.

The local centre site is now subject to a new application, with the proposed amendments of an additional apartment, change of use to include two hot food take away units and the provision of a cycle storage block and sub-station.

The Co-op convenience store and Nursery elements of the original application are unaffected and omitted from the new application. The nature of the retail units in the cluster, in terms of proposed use, has altered in some instances;

though the Veterinary unit remains; the other units are now open for takeaway, or, restaurants/café/retail use.

The takeaways are proposed within a defined Local Centre as listed in Appendix 5 of the Hot Food Takeaway SPD and in accordance with Policy HC8, the hot food takeaways would not result more than two units or 10% of the total ground floor units being a hot food takeaway (whichever is the greater).

The proposal for two hot food takeaway establishments is considered to be in line with the guidance set out within the Hot Food Takeaway Supplementary Planning Document and the Local Plan and is therefore acceptable in principle.

Given the application site is allocated as a Proposed Local Centre location in the Halton Delivery and Allocations Local Plan, in accordance with policy HC2 of the Local Plan, and given the recent planning history for the site, the principle of the proposed Local Centre is considered to be acceptable.

National Planning Policy Framework sets out the presumption in favour of sustainable development whereby applications that are consistent with national and up-to-date local policy should be approved without delay. As set out in this appraisal, the proposal is considered consistent with the aims of the policies relative to this site and as such the application is recommended for approval.

8. RECOMMENDATIONS

The application is recommended for approval subject to conditions relating to the following:

1. Time
2. Approved Plans
3. Site Levels
4. Material Details
5. Affordable housing
6. Over 55 residency age restriction
7. Retain bollards on Biggleswade Drive
8. Road safety audit
9. Signage and road marking strategy
10. Travel plan
11. Car park strategy/management plan
12. Electric Vehicle Charging
13. Cycle and motorbike storage
14. Construction Management Plan – Phasing Plan
15. Car parking details
16. Delivery and service plan
17. Site access gates

18. CEMP (MEAS requested)
19. Ecology Lighting scheme
20. Bird, Bat and Invertebrate boxes
21. Badger & Hedgehog RAMs
22. Site waste management plan
23. Bin storage
24. Drainage information
25. Drainage verification
26. Noise Mitigation
27. Opening hours of retail units
28. Hours of construction

9. INFORMATIVES

1. Biodiversity Net Gains
2. Biodiversity Enhancements
3. Construction Method Plan and Considerate Constructors
4. Highways informatives

10. BACKGROUND PAPERS

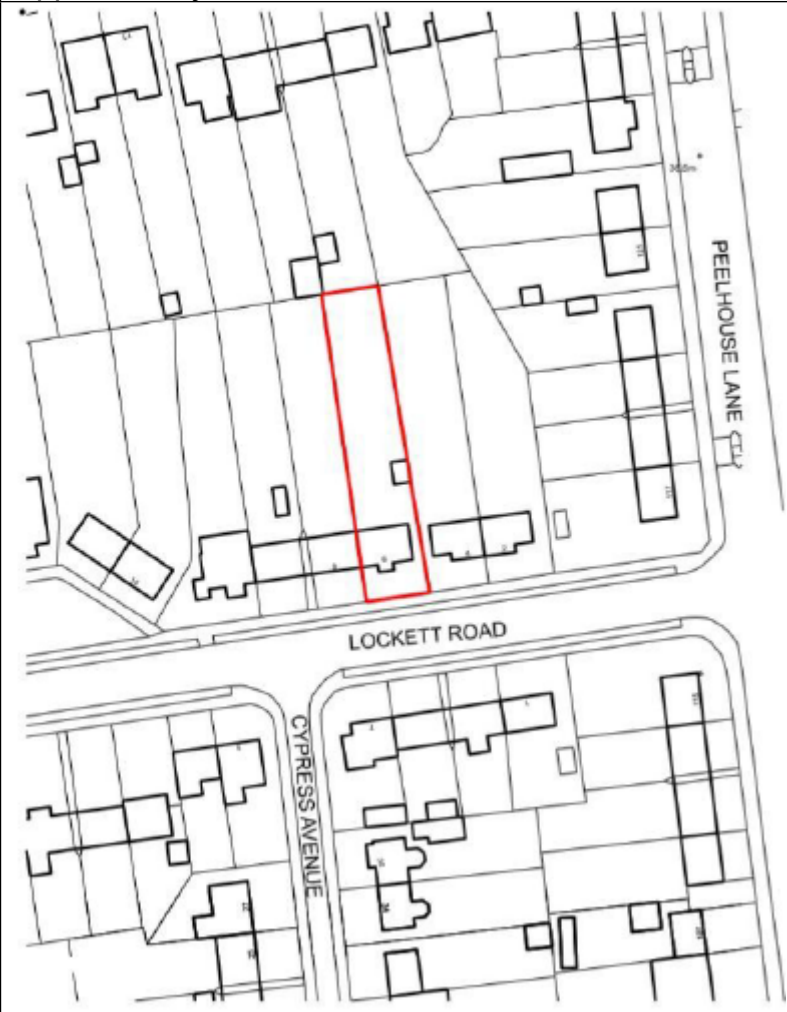
The submitted planning applications are background papers to the report. Other background papers specifically mentioned and listed within the report are open to inspection at the Council's premises at Municipal Building, Kingsway, Widnes, WA8 7QF in accordance with Section 100D of the Local Government Act 1972

11. SUSTAINABILITY STATEMENT

As required by:

- The National Planning Policy Framework (2021);
- 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:	22/00327/FUL
LOCATION:	6 Lockett Road, Widnes, Cheshire, WA8 6SL
PROPOSAL:	Proposed two storey and single storey rear extensions
WARD:	Appleton
PARISH:	None
AGENT(S)/APPLICANT(S):	Home Architectural Ltd/Mr I Wall
DEVELOPMENT PLAN:	National Planning Policy Framework (2021) Delivery and Allocations Local Plan ('DALP') (March 2022). House Extensions Supplementary Planning Document (2007)
DEPARTURE:	No
REPRESENTATIONS:	None
KEY ISSUES:	Appearance, amenity impact on neighbours and parking
RECOMMENDATION:	Approve subject to conditions
SITE MAP:	

1. APPLICATION SITE

1.1 The Site

The application site relates to a two storey, end terrace style dwelling located on Lockett Road in the Appleton area of Widnes. The application dwelling is located at the end of a row of four terrace dwellings (see location plan). The application proposes the erection of a two storey and single storey rear extension.

2. THE APPLICATION

2.1 The Proposal

The application seeks permission to erect a two storey rear extension and a single storey rear extension.

2.2 Documentation

The application has been submitted with the requisite planning application form and a complete set of plans.

2.3 History

No relevant planning history.

3. POLICY CONTEXT

Members are reminded that planning law requires for development proposals to be determined in accordance with the development plan, unless material considerations indicate otherwise.

3.1 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in July 2021 to set out the Government's planning policies for England and how these should be applied.

3.2 Halton Delivery and Allocations Local Plan

The following policies contained within the Halton Delivery and Allocations Local Plan are of relevance:

- GR1 Design of Development;
- GR2 Amenity;
- C2 Parking Standards;
- RD3 Dwelling Alterations, Extensions, Conversions and Replacement

Dwellings.

3.3 House Extensions Supplementary Planning Document

Policy RD3 is supported by the Halton Supplementary Planning Document 'House Extensions' (the SPD). This document sets out further guidance as to the design, scale and appearance of residential extensions. This is outlined below.

3.4 Equality Duty

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development that justify the refusal of planning permission.

3.5 Other Considerations

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

4. CONSULTATIONS

None

5. REPRESENTATIONS

There have been no representations received for this application.

6. ASSESSMENT

6.1 Policy – Single Storey Rear Extension

Part 6 of the House Extensions Supplementary Planning Document, which relates to single storey rear extensions, states that:

- An extension will not normally be allowed if it projects more than a 45 degree line from the middle of the nearest affected neighbouring window or exceeds a maximum of 4 metres.
- To comply with the 45-degree code, extensions should be designed so as the neighbours nearest habitable room (living, dining, conservatory or bedroom) window. The 45-degree line shall be drawn in the horizontal plane and taken from the middle of the neighbour's window. The line will show the maximum width and/or depth that a proposed extension can build up to avoiding obstruction from light or views.
- The council when assessing single storey rear extension will consider the impact on the neighbouring property and take into account differences in land levels.
- The council will also take into consideration the height of a proposed extension when assessing an application.

The proposed single storey rear extension would project 3.7m from the rear elevation of the original dwelling and would measure 3.53m in width. This element of the proposed development would host a pitched roof structure containing two velux roof lights. The extension would have a maximum height of 3.55m and would measure 2.5m to the eaves.

The proposed plans submitted to support the planning application have demonstrated the 45 degree line drawn from the mid-point of a neighbouring window on the rear elevation of neighbouring property No.8 Lockett Road. The proposed single storey rear extension would encroach on the 45 degree line drawn from the mid-point of this neighbouring window, however there are material considerations that need to be taken in to account.

In order for there to be no encroachment on the 45 degree line, the proposed extension would need to be reduced to a rearward projection of 2m (projecting from the original rear elevation of the application dwelling). The application property benefits from full, unrestricted, permitted development rights.

Householder permitted development rights are set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Part 1 of Schedule 2 to the Order sets out the permitted

development rules concerning what enlargements, improvements, alterations and other additions a householder may make to their house and the area around it without the need for an application for planning permission

Under the permitted development rights order, the applicant could construct a single storey rear extension projecting 3m from the rear elevation of the original dwelling without the need for an application for planning permission. This example 3m extension would encroach on the 45 degree line drawn from the neighbouring window and yet would be acceptable in accordance with the rules set out within the permitted development rights order.

It is therefore considered that the proposed 3.7m rearward projection would result in a similar or equal impact on the neighbouring property as an extension build under permitted development rights. To mitigate any potential impact on the neighbouring property, the single storey rear extension has been set in, away from the shared boundary, by 1m. This is considered to be appropriate to mitigate the impact of the encroachment of the 45 degree line drawn from the mid-point of the neighbouring property window.

Given the above, it is considered that the proposed single storey rear extension is acceptable in light of the Permitted Development Rights enjoyed by the application property.

6.2 Policy – Two Storey Rear Extension

Part 6 of the House Extensions Supplementary Planning Document, which also relates to two storey rear extensions, states that the following principles apply to two storey rear extensions:

- Two storey extensions along shared boundaries shall not project at first floor level by more than 2 metres.
- In any other case the following sizes shall be applied:

Distance between extension and adjoining property	Maximum projection at first floor level
1m	2.5m
2m	3m
3m or more	4m

- Where properties have a staggered building line and a neighbouring property is set forward in the plot, the maximum projection will be measured from the rear building line of that neighbour's property.

The proposed two storey rear extension would project 3.7m from the rear elevation of the original dwelling and would measure 4.29m in width. The extension would host a hipped roof structure that would sit below the ridge of the main, original dwelling. A distance of 4.23m would be maintained between the proposed two storey extension and adjoining property No.8 Lockett Road, and as such the proposed rearward projection of 3.7m is policy compliant and acceptable, in line with the sizes set out in the table above.

A distance of 3.39m would be maintained between the proposed extension and adjacent property No.4 Lockett Road. The proposed projection of the two storey rear extension is therefore also in line with the policy guidance set out in Section 6 of the Hose Extensions Supplementary Planning Document and is acceptable in the context of the relationship between neighbouring property No.4 Lockett Road.

The proposed two storey rear extension would not infringe or encroach on a 45 degree line drawn from any windows on the rear elevations of either neighbouring properties. This element of the proposed development is therefore deemed acceptable.

6.3 Amenity of neighbours

Given the proposed development is located to the rear of the application property, it would not be visible from the street scene. The proposed extensions would therefore result in no impact on the character or appearance of the surrounding area or street scene.

Two windows would be installed on the first floor rear elevation of the proposed two storey extension, that would serve a bedroom. Bi-folding doors on the ground floor rear elevation to serve the dining area, and two windows on the ground floor to serve the kitchen would also be included. The application dwelling is situated within a large plot with a significantly long garden. A distance of 37.3m would be maintained between the rear wall of the proposed extensions and the rear site boundary. It is therefore considered that beyond acceptable interfacing distances will be sustained and there would be no impact on the residential amenity enjoyed by the neighbouring properties to the rear of the application site.

There are no windows proposed on the gable elevation of the two storey side extension however there is a new door and single window proposed on the side elevation of the original dwelling which will provide access to a utility room and a window for a downstairs WC. There are no windows on the gable elevation of No.4 Lockett Road and therefore there would be no detrimental impact on the residential amenity enjoyed by this neighbouring property.

As discussed in the sections above, the proposed single storey rear extension would encroach on the 45 degree line drawn from the mid-point of the neighbouring property window (at No.8 Lockett Road). This affected neighbouring window serves a sitting room and is therefore a habitable room window. As stated above, the proposed single storey rear extension would have a similar impact to an extension built under permitted development rights without the need for planning permission. The proposed extension has been set in from the shared boundary to mitigate any potential impact on the residential amenity enjoyed by No.8, however in addition to this, the affected room within the neighbouring property benefits from a dual outlook, having a window on the front elevation of the property which also serves the sitting room. It is therefore considered that although some of the rearward outlook for the sitting room in No.8 Lockett Road may be compromised, there is still sufficient outlook and provision of natural daylight to the habitable room.

It is considered that light would not be significantly restricted to the detriment of residential amenity and given the location of the proposed openings, the proposed extensions would not compromise the levels of privacy enjoyed by surrounding neighbours. The proposed development would not result in a significant detrimental impact on the residential amenity enjoyed by any neighbouring properties.

6.4 Design in relation to existing dwellings

The proposed extensions are considered to be of a size and scale which are acceptable to the application property. The materials to be used will need to match or closely harmonise with the existing dwelling in terms of colour. This can be secured by way of planning condition attached to any subsequent planning approval. The design of the extensions is complementary to the existing property and is not deemed to detract from the original character of the house. The design of the proposed development is considered to complement the existing dwelling and is therefore deemed acceptable.

6.5 Highway considerations

The proposed development would not result in an increase in the number of bedrooms within the application property and there is no change proposed to the existing parking provision for the application site. It is considered that there is sufficient off street parking within the application site curtilage in accordance with the Council's standards to support the proposed development.

6.6 Summary and Conclusion

In summary, the proposed extensions would not have in a detrimental effect on the character and appearance of the original house or the street scene given the proposed structures are located to the rear of the property, out of sight from the street scene. It is deemed that the design is of good quality and the extension does not compromise residential amenity due to its siting in relation to neighbouring properties. There is sufficient off street parking within the site curtilage to support the proposed development. The proposal is therefore deemed acceptable in compliance with Policies GR1, GR2, C2 and RD3 of the Halton Delivery and Allocations Local Plan.

7. RECOMMENDATIONS

Grant planning permission subject to conditions.

8. CONDITIONS

1. Standard 3 year expiry
2. In accordance with approved plans
3. Materials to match existing

9. BACKGROUND PAPERS

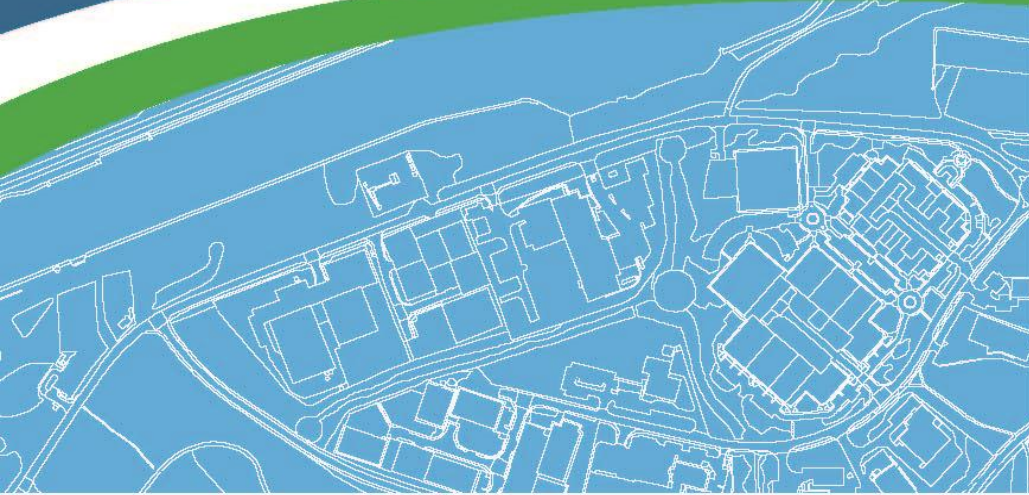
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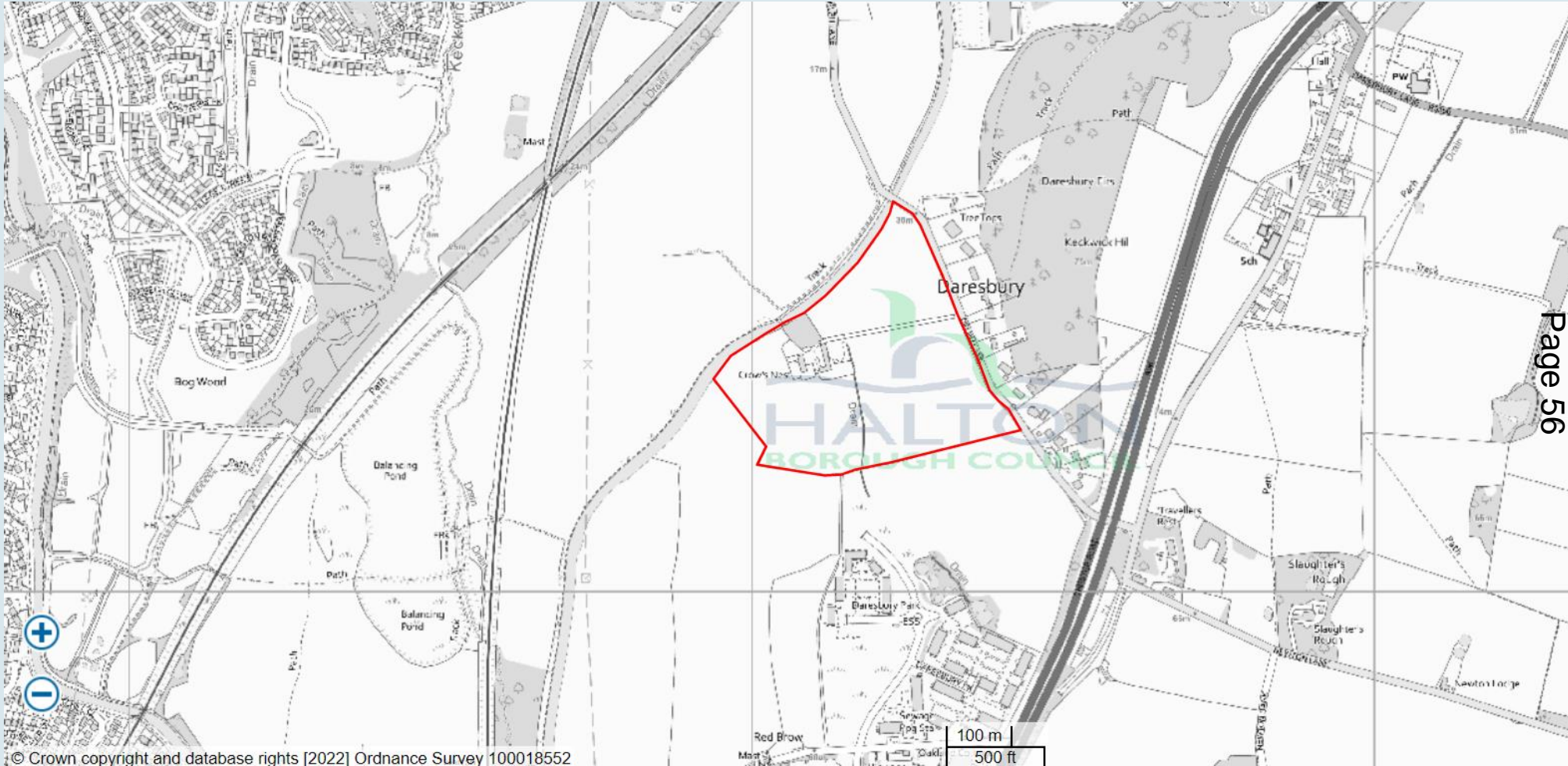
10. SUSTAINABILITY STATEMENT

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- 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.





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Amended

2100319FULEIA

Plot No.	Area	Proposed Use	Units	Plot Area (sq.m)	Plot No. on site	Total Units
Detford Lifestyle	Detached	3	Integral Single	1318	2	23
Detford	Detached	4	Integral Single	1218	2	15
Carveridge	Detached	4	Detached Single	1876	2	9
Daunting Lifestyle	Detached	3	Detached Single	1457	2	18
Daunting Corner	Detached	4	Detached Single	1427	2	7
Carverbury	Detached	4	Integral Double	1465	2	4
Marriage	Detached	4	Detached Single	1225	2	4
Sunnington	Detached	4	Integral Double	1873	2	14
Hever	Detached	4	Integral Double	1269	2	10
Belwood	Detached	4	Detached Double	1878	2	5
Salston	Detached	4	Integral Double	1842	2	4
Harwood	Detached	5	Integral Double	1870	2	10
Belwood	Detached	4	Integral Double	2020	2	10
Total						151



Daresbury South B

Boundary

Neighbourhood Planning Council

Planning Portal

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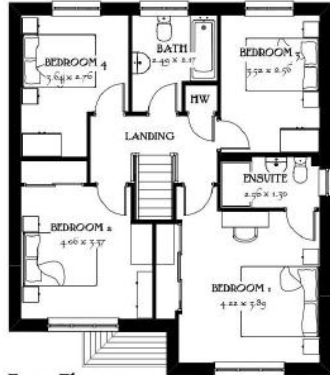
RESIDENTIAL

Redrow Homes Ltd

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Redrow Homes Ltd

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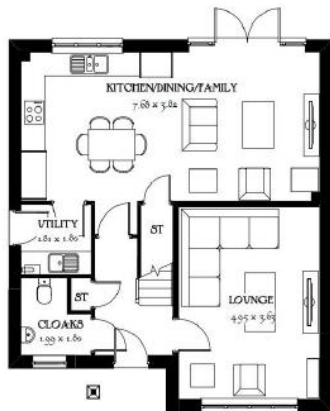
First Floor



Front Elevation



Side Elevation



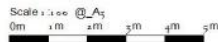
Ground Floor



Rear Elevation



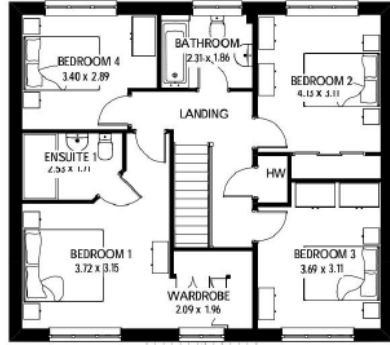
Side Elevation



Cambridge
Heritage Collection
F Series
1394 ft² 129.53 m²
Elevation Code: B1
Date: Mar 2020
EP_CAMS_DM.8



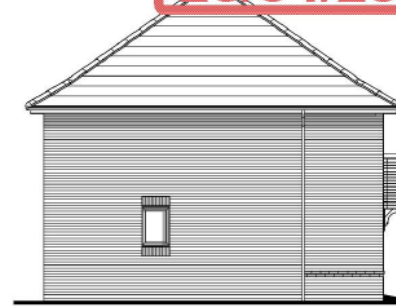
2100319FULEIA
26/04/2021



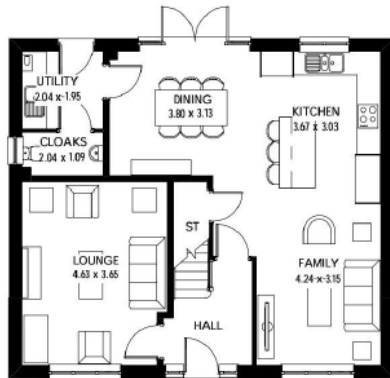
First Floor



Front Elevation



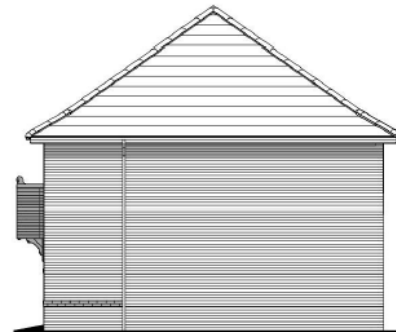
Side Elevation



Ground Floor



Rear Elevation



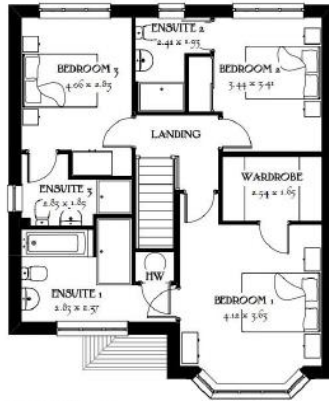
Side Elevation

Scale 1:100 @_A3
 0m 1m 2m 3m 4m 5m

Harrogate
Heritage Collection
F Series

1555 ft² 144.47 m²
 Elevation Code: B1
 Date: April 2019
 EF_HARR_DM8
 Rev: B





First Floor

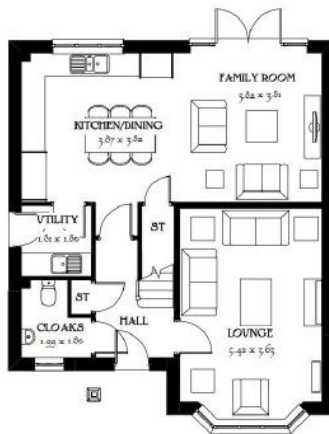


Front Elevation



Side Elevation

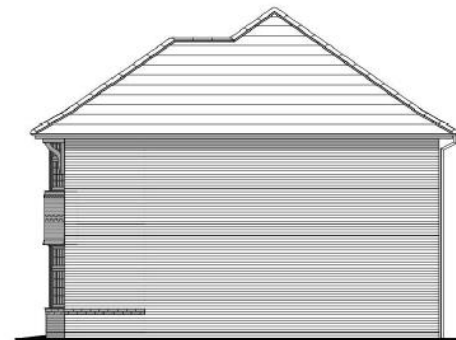
2100319FULEIA
26/04/2021



Ground Floor



Rear Elevation



Side Elevation

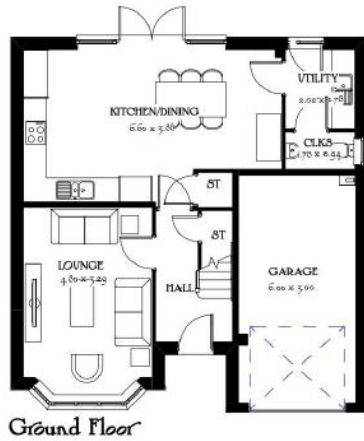
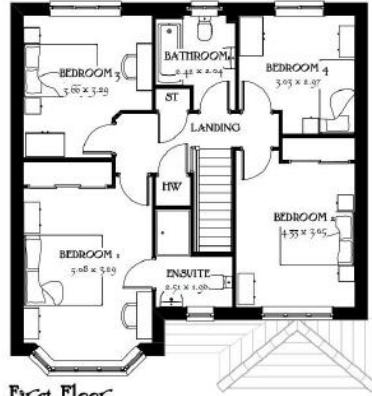
Scale 1:100 @ A3
0m 1m 2m 3m 4m 5m

Leamington
Lifestyle
Heritage Collection
F Series

1417 sq. ft. 131.03 m²
Elevation Code: B1
Date: July 2019
EF_LEAMQ_DM_2
Rev. A



2100319FUI EIA
26/04/2021



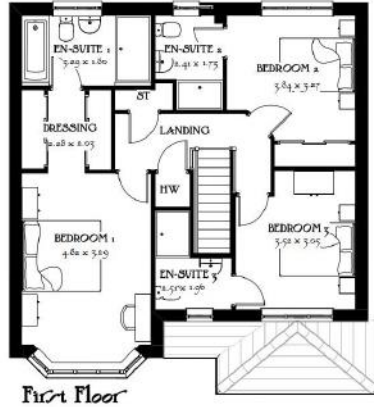
Scale 1:100 @_A3
0m 1m 2m 3m 4m 5m



Oxford
Heritage Collection
F Series

1318 ft² 122.44 m²
Elevation Code: B1
Date: June 2020
EF_OXF0_DM4





2100319FUIEIA
26/04/2021



Scale 1:100 @_A3
0m 1m 2m 3m 4m 5m

Oxford Lifestyle

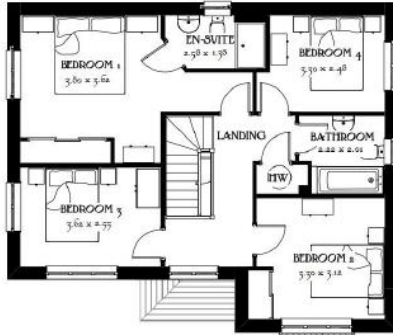
Heritage Collection
F Series

1318 RP 122.44 m²
Elevation Code: B1
Date: Feb 2020
EF_OXF00_DM.4



2100319FULEIA

26/04/2021



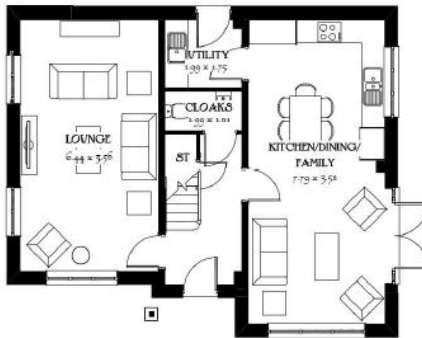
First Floor



Front Elevation



Side Elevation



Ground Floor



Rear Elevation



Side Elevation

Scale 1:100 @_A3
0m 1m 2m 3m 4m 5m

Shafterbury

Heritage Collection
F Series

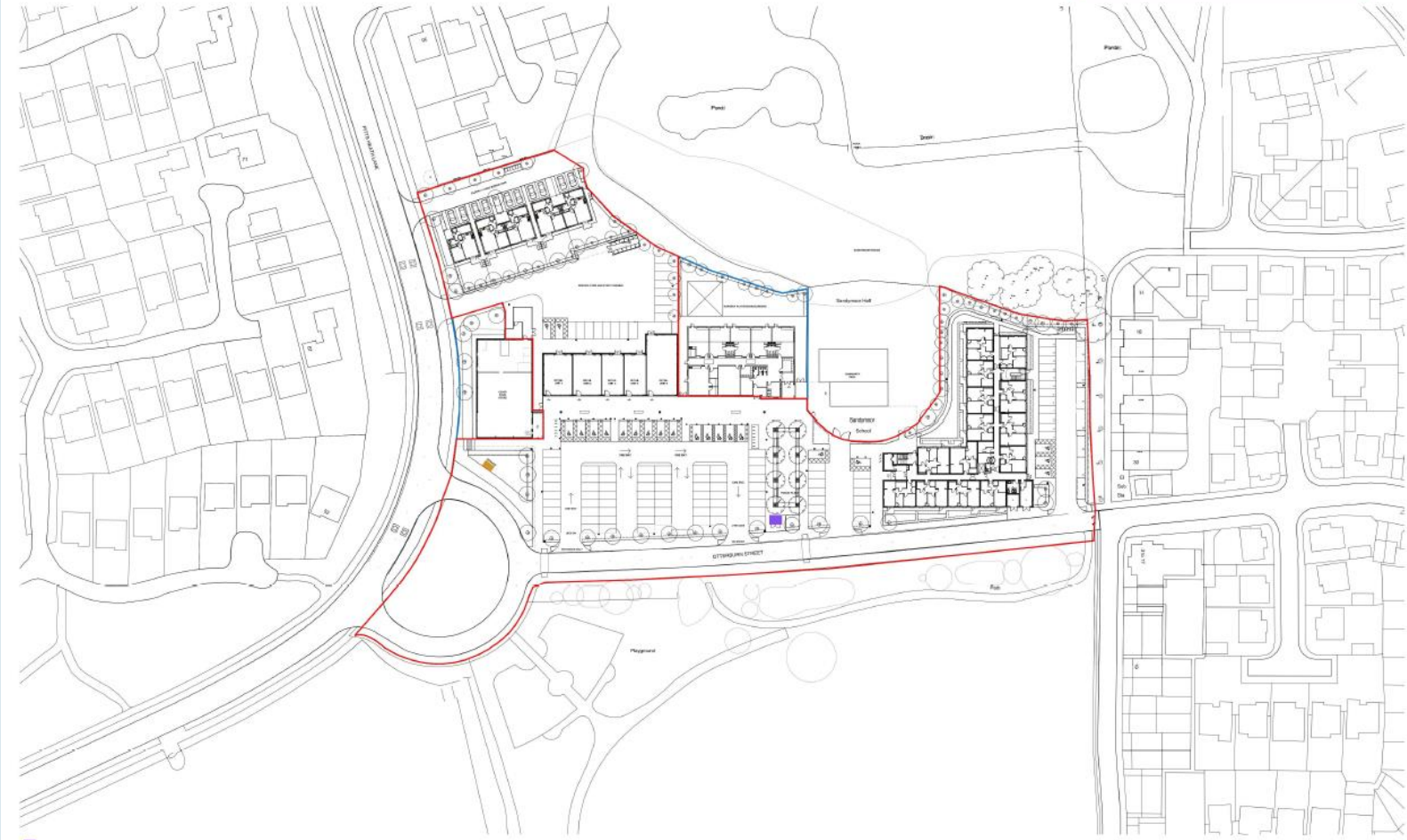
1427 #1 132.66 m²
Elevation Code: B1
Date: Feb 2020
EP_SHAP_CM.8


REDROW






2100628FUL
26/07/2021





 PROPOSED SLAB STATION
 SEWAGE
 APPLICATION BOUNDARY
 OWNERSHIP BOUNDARY



 0m 10m 20m 30m 40m 50m 60m 70m 80m 90m 100m

CDM REGULATIONS STATE: All current drawings and specifications for this project must be read in conjunction with the Designer's Information and Instructions for Construction (DIMS) and the Government Approved Record. All intellectual property rights reserved.

Rev	Date	Description	Drawn	Checked	SR
1	08/08/21	Issued to client for comment	ETS/AL	L/2020/21	SL
2	10/08/21	Revised for planning	REC/ETC	Go	SEPT 19
3	10/08/21	Revised for planning	REC/ETC	Go	REC/ETC
4	10/08/21	Revised for planning	REC/ETC	Scale @ 1:1500	

Sandy Moor District Centre
AA7504 2002
W
PROPOSED SITE PLAN
FOR PLANNING

PRP



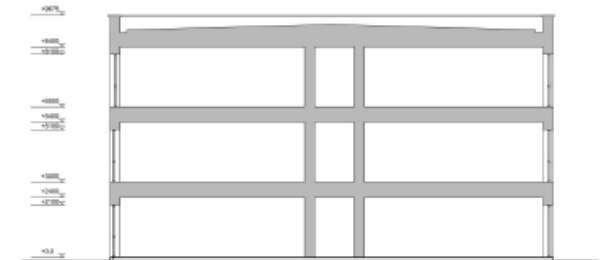
Elevation 1



Elevation 2



Elevation 3



Section AA



Elevation 4

- MATERIALS KEY:**
- 1. FACING BRICKWORK - TYPE TBC
 - 2. FACING BRICKWORK WITH FLANGED MORTAR JOINT
 - 3. UPVC WINDOWS - COLOUR TBC
 - 4. RAINWATER GOODS - TYPE TBC
 - 5. COMPOSITE DOOR, TYPE TBC
 - 6. METAL RAILINGS TO BALCONY
 - 7. REINFORCING TYPE TBC
 - 8. SEPARATE JOINT
 - 9. STEEL DOOR - COLOUR TBC
 - 10. -
 - 11. ADW
 - 12. CONTRASTING FACING BRICK - COLOUR TBC

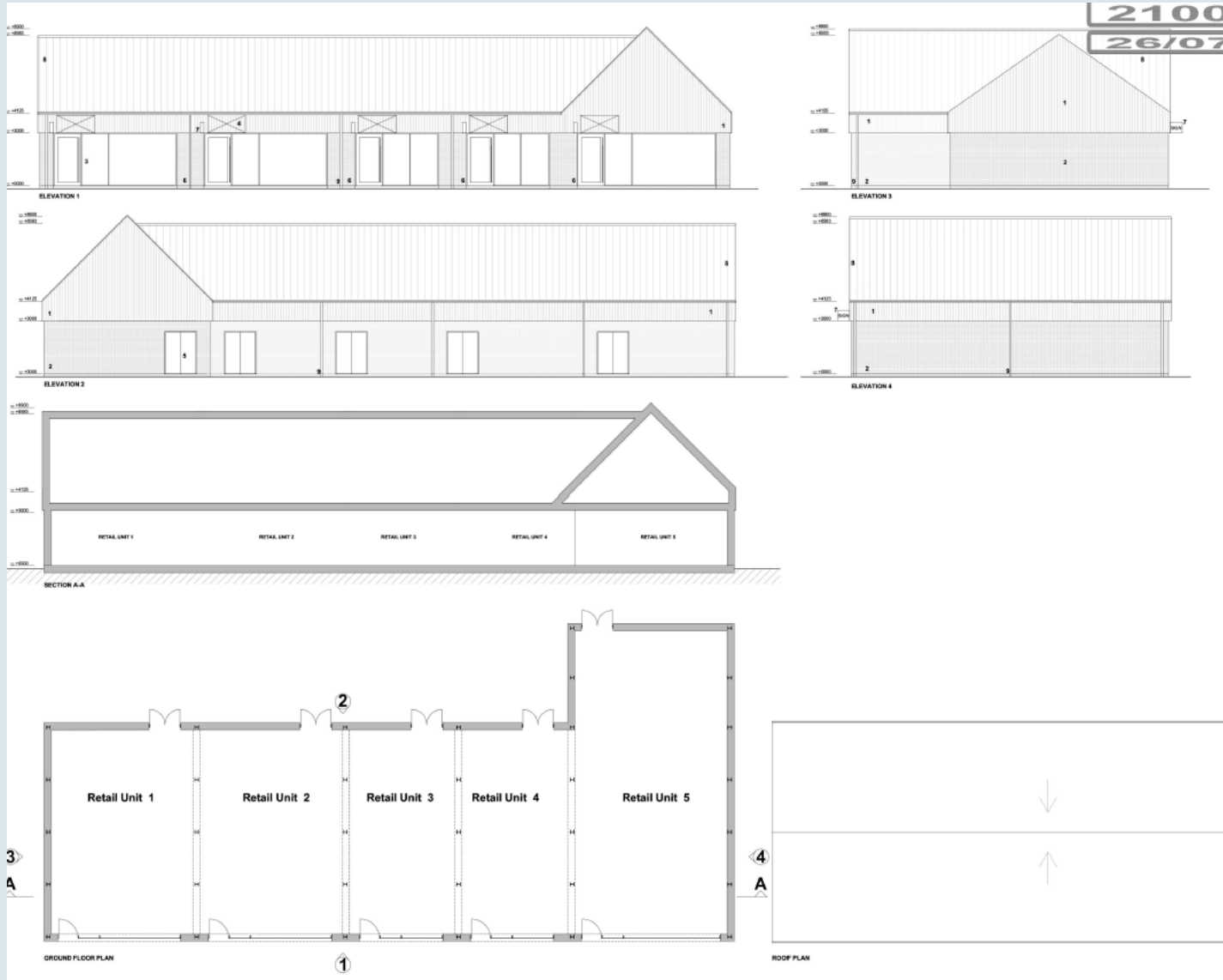


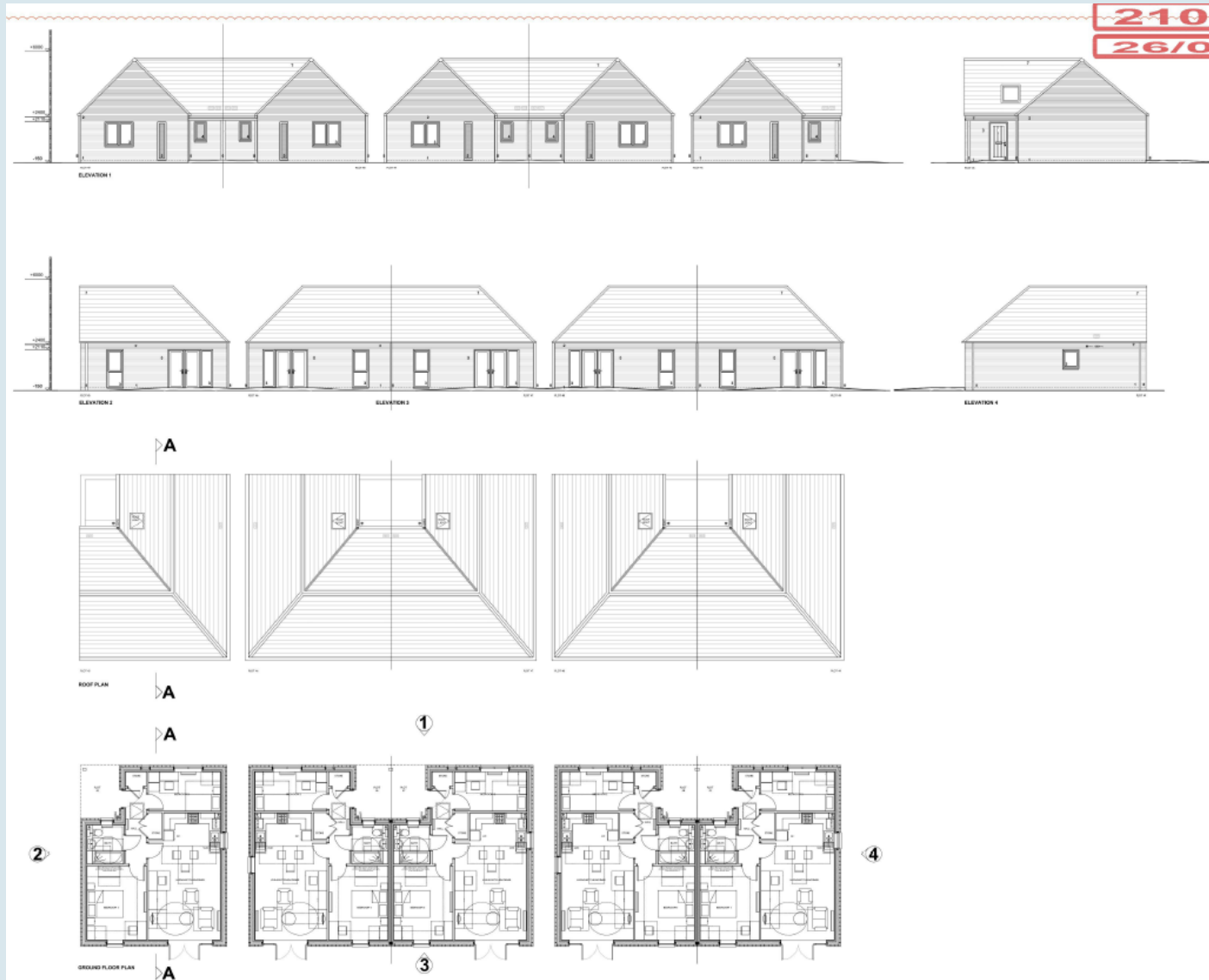


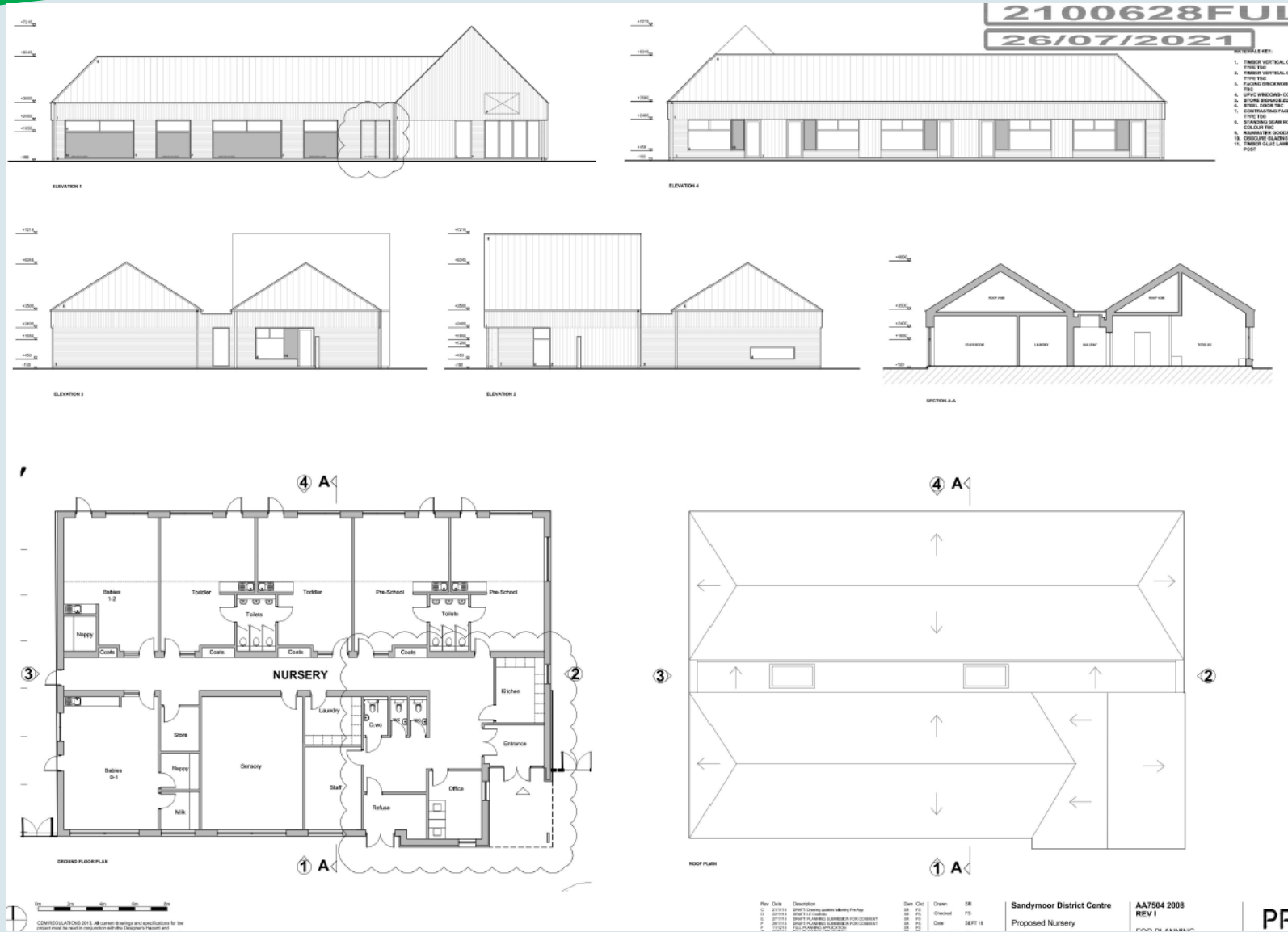
FIRST FLOOR PLAN

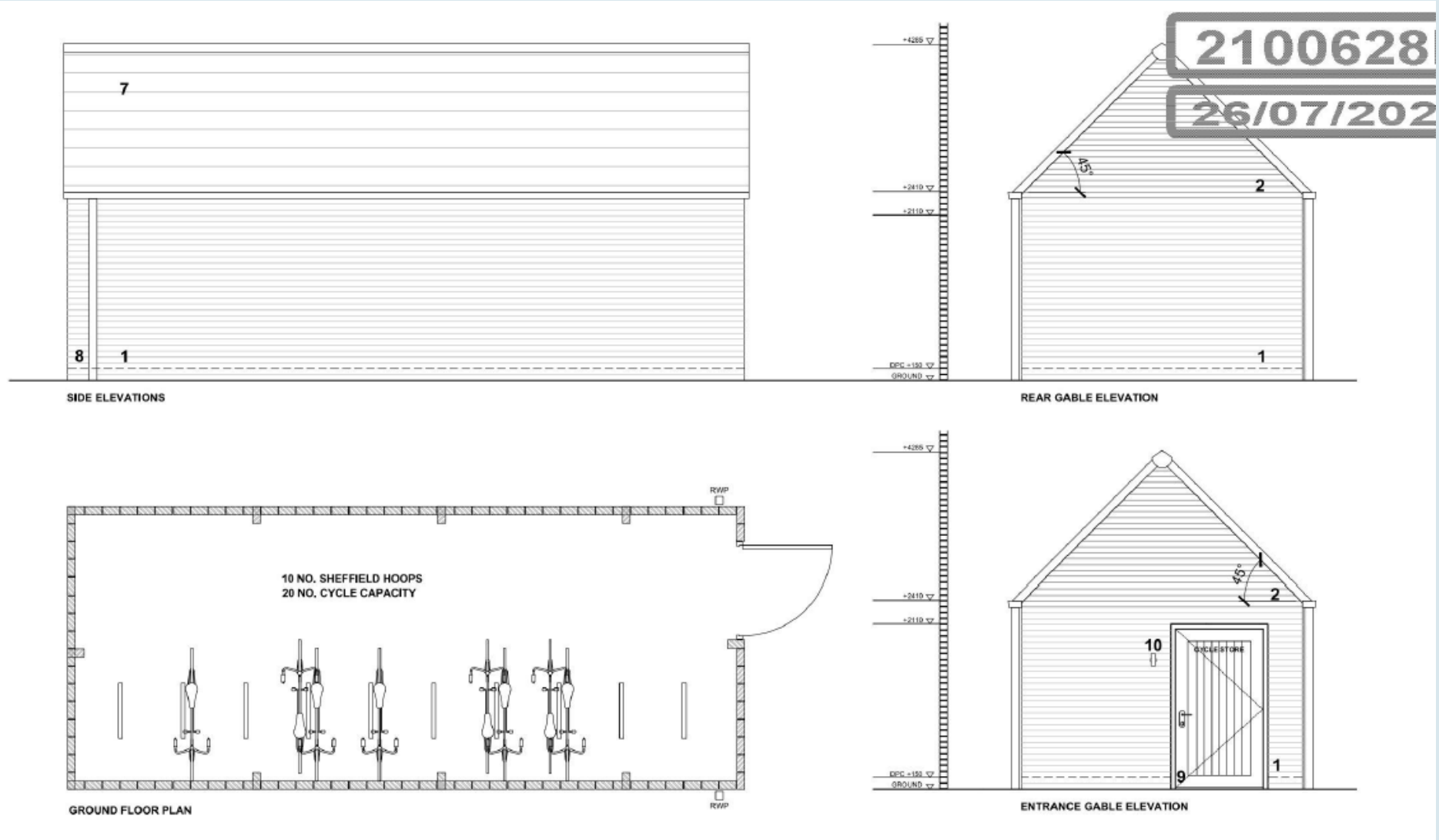
Rev. Date Description Drawn By Checked By













ELEVATION 1



ELEVATION 2





Ground Floor Plan as Existing 1:100

First Floor Plan as Existing

Roof Plan as Existing

South Elevation as Existing 1:100

West Elevation as Existing

North Elevation as Existing

East Elevation as Existing

2200327FUL

22/06/22

Site & Block Plan as Existing 1:200

2200327FUL

22/06/22

These drawings are to be read in conjunction with all other drawings including structural drawings and specifications. All dimensions are to be physically checked on site by contractor prior to commencement. Any discrepancies to be reported prior to commencement.

No works to commence without written approval from Planning Department and Building Control. Any proposed changes from this drawing to be agreed with Planning Department and Building Control prior to commencement. All works to comply with current versions of Building Regulations Approved Documents, relevant British Standards and Local Authority requirements.

Exact boundary positions to be confirmed on site. Site boundary line taken from Ordnance Survey data for guidance only.

Client/contractor to give notice to adjoining neighbours relating to works on and adjacent to party wall as required under the Party Wall Act 1996 prior to commencement.

Location Plan 1:1250

N

metres 1 0 5

PROJECT
6 LOCKETT ROAD
WIDNES, WAB 6SL

CLIENT
MR I WALL

DRAWING
PLANS & ELEVATIONS
AS EXISTING

STAGE
PLANNING

No: HA 2236-02
Rev: 1
Date: 17-06-22
Scale: 1:100 (GA2)

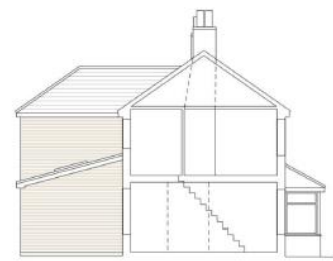
HA
home
architectural

12 Oakthorpe Lane, Widnes, WAB 5UD
07955 730230
home-architectural.co.uk

CIAT
REGISTERED PRACTICE



South Elevation as Proposed



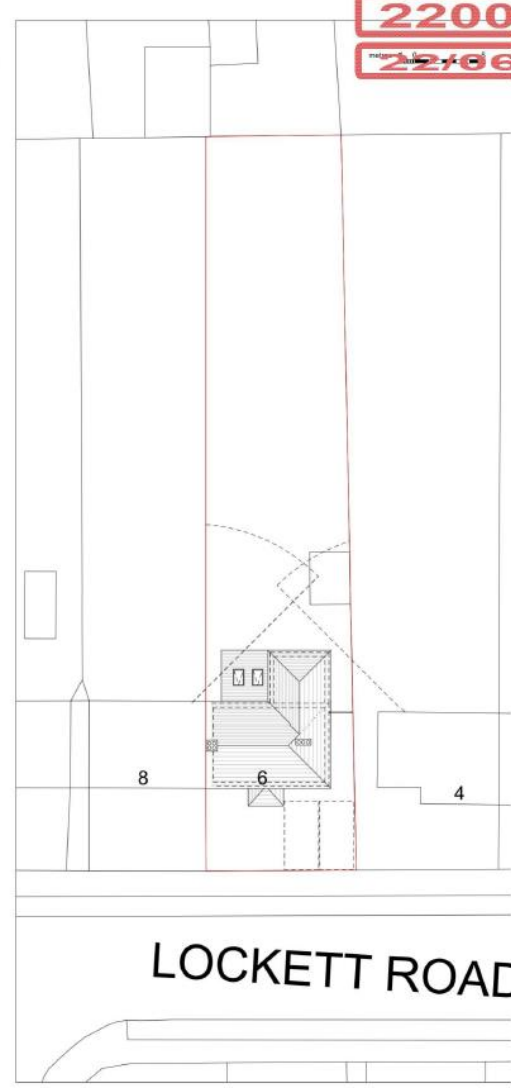
West Elevation as Proposed



North Elevation as Proposed 1:100



East Elevation as Proposed



Site & Block Plan as Proposed 1:200

2200327FUL

22/06/2022

Notes:
 1. The applicant is to be read in conjunction with all other relevant drawings including structural drawings and schedules & specifications. All dimensions are to be checked on site by contractor prior to commencement. Any discrepancies to be reported prior to commencement.
 2. No works to commence without written approval from Planning Department and Building Control. Any proposed changes from this drawing to be agreed with Planning Department and Building Control prior to commencement. All works to comply with current versions of Building Regulations Approved Documents, relevant British Standards and Local Authority requirements.
 3. Exact boundary positions to be confirmed on site. Site boundary lines taken from Ordnance Survey data for guidance only.
 4. Client/contractor to give notice to adjoining neighbours relating to works on and adjacent to party wall as required under the Party Wall Act 1999 prior to commencement.

Location Plan 1:1250

External Finishes

- Walls to be brick to match existing
- Roof to be slate/til/flat slate to match existing
- Roof rafters to be timber of MK26 730mm x 1175mm electric white finish
- Windows to be white UPVC to match existing
- Doors to be UPVC to match existing
- Fascias, soffits and rainwater goods to be UPVC to match existing

PROJECT
6 LOCKETT ROAD
WIDNES, WAB 6SL

CLIENT
MR I WALL

DRAWING
PLANS & ELEVATIONS
AS PROPOSED

STAGE
PLANNING

Ref: HA 2236-03
 Rev: 1
 Date: 17-06-22
 Scale: 1:100 @A2

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 07950 730239
 home-architectural.co.uk

