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Development Management Committee

Tuesday, 5 December 2023 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 Laura Bevan
Councillor Chris Carlin
Councillor Sian Davidson
Councillor Chris Loftus
Councillor Ged Philbin
Councillor Carol Plumpton Walsh
Councillor Rob Polhill
Councillor Dave Thompson
Councillor Bill Woolfall

*Please contact Ann Jones on 0151 511 8276 Ext. 16 8276 or
ann.jones@halton.gov.uk for further information.
The next meeting of the Committee is on Monday, 8 January 2024*

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

Part I

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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) 20/00476/FUL - Proposed refurbishment of existing Carnegie Library building to provide a new community hub, demolition of Waterloo Centre, erection of new build development of 29 one bedroom supported living/extra care apartments with ancillary facilities, provision of access, parking and landscaping	6 - 123
<p style="text-align: center;">AND</p>	
20/00477/LBC - Application for Listed Building Consent for proposed refurbishment of existing Carnegie Library building to provide a new community hub, demolition of Waterloo Centre and remedial works to adjacent listed building. Both at Waterloo Centre & Carnegie Library, Edgerton Street, Waterloo Road, Runcorn, WA7 1JL	
(B) 22/00493/OUT - Outline application with all matters reserved except for access, for residential development (Use Class C3) of 17 dwellings on land at Sumners Farm, east of Barkers Hollow Road, Preston on the Hill, WA4 4AZ	124 - 151
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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 Monday, 2 October 2023 at the Civic Suite, Town Hall, Runcorn

Present: Councillors S. Hill (Chair), Leck (Vice-Chair), Bevan, Davidson, C. Loftus, Philbin, Polhill, Thompson and Woolfall

Apologies for Absence: Councillors Carlin and C. Plumpton Walsh

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, A. Plant, L. Wilson-Lagan, I. Dignall and L. Crampton

Also in attendance: Councillor Ball and one member of the press

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

DEV22 MINUTES

The Minutes of the meeting held on 4 September 2023, having been circulated, were taken as read and signed as a correct record.

DEV23 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.

DEV24 23/00234/FUL - PROPOSED RE FENESTRATION OF EXISTING FACADE TO MAIN COLLEGE BUILDING AND NEW FOUR STOREY BUILDING HOUSING ENGINEERING WORKSHOPS AND CLASSROOMS, PLUS NEW SUBSTATION AND SWITCH ROOM TO WEST OF THE SITE AT RIVERSIDE COLLEGE, KINGSWAY, WIDNES

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

Action

The application was placed in List A of the published AB Update List. It was noted that there were no outstanding objections from consultees and no objections from Ward Councillors.

The Committee agreed that the application be approved.

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

1. Standard time limits condition;
2. Plans condition listing approved drawings (GR1);
3. External facing materials (GR1);
4. Site Waste Management Plan (WM8);
5. Post clearance investigation, assessment and if required, remediation (HE8);
6. Asbestos management plan (HE8);
7. Construction Environmental Management Plan (HE1, HE9);
8. Travel plan (CS(R)15);
9. Parking and servicing provision (C1 and C2);
10. Sustainable development and climate change scheme (CS(R)19);
11. SuDS including implementation, maintenance and management of a SuDS scheme in accordance with details to be submitted and verification report (HE9);
12. Details of disabled and EV spaces (C2);
13. Structural details of all retaining walls within 4m of the highway (C1); and
14. Boundary treatment details (GR1).

DEV25 23/00236/FUL - PROPOSED DEMOLITION OF EXISTING CHANGING ROOMS AND CONSTRUCTION OF TWO STOREY EXTENSION WITHIN THE FOOTPRINT OF THE MAIN COLLEGE BUILDING TO PROVIDE A NEW MUSIC HUB WITH MUSIC PRACTICE ROOMS, BAND ROOMS AND TWO CLASSROOMS. CONSTRUCTION OF A NEW BUILD TEACHING BLOCK PROVIDING 3 ICT CLASSROOMS, LABORATORY AND 6 CLASSROOMS, WITH STAFF AND SANITARY FACILITIES. ASSOCIATED LANDSCAPING AND COVERED WALKWAY AT RIVERSIDE COLLEGE, CRONTON LANE, WIDNES

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

Officers advised of representations made by Ward Councillors on behalf of their constituents in relation to

highways and parking. Following meetings with Planning and Highways, the College agreed to some innovative updates which would be secured by condition, relating to permits, penalties, free bus passes and an automatic barrier system.

The Committee was addressed by Councillor Ball, a local Birchfield Ward Councillor, who spoke on behalf of local residents. She commented that local residents had already suffered disruption from recent construction at the site and they did not want a repeat of this. She had received daily complaints from residents during this time relating to parking issues in the surrounding area, some of which included Police involvement. She said that residents did not object in principle to the College making improvements and recognised that they provided good educational opportunities for the young people of Halton. She outlined some concerns residents made during the consultation period as follows:

- The construction period should not impede existing parking like it did previously;
- The College's Travel Plan needs updating;
- The Traffic Plan should include student travel monitoring methods;
- The time taken to exit the existing car park was unacceptable; a 'left turn only' enforcement was needed;
- Can the College consider staggering the finish times of lessons to help with the volume of students exiting the site at the same time;
- Traffic and highways impacts on surrounding areas should be considered;
- If student numbers increased in the future, so will the traffic problems; and
- Parking in residential streets.

Members recognised the existing traffic and highways issues raised by Councillor Ball as these were well documented. They also supported the College with its proposal to enhance its educational establishment and provide a better environment for students in the Borough. The Committee discussed possible options to alleviate issues relating to traffic disruption and congestion and one Member proposed a deferral until such time as the Travel Plan was submitted.

Officers advised that the College had cooperated fully with the Council and took the matters raised seriously. They were developing a Travel Plan which would be ready by

2024 and would include: monitoring of where students travelled from; disability parking facilities; electric vehicle charging points; free bus pass system and provision of cycling facilities. It was felt that a deferral was not needed.

In response to comments made, Officers suggested that the requirement for a Construction Management Plan could be added to the list of conditions, which would control the construction phase. Also, an updated Travel Plan could be requested prior to commencement on site, with a further update requested in 2024, prior to occupation of the site. The Committee agreed that these amendments would provide some reassurance for residents and Ward Councillors and were preferable to a deferral.

The suggested amendments to the conditions were moved and seconded and the Committee voted to approve the application, subject to the addition of these.

RESOLVED: That the application be approved subject to the following conditions, which include the inclusion of the additional two conditions mentioned above:

1. Standard time limits condition;
2. Plans condition listing approved drawings (GR1);
3. External facing materials (GR1);
4. Hours of construction (GR2);
5. Electric vehicle charging point scheme (CS(R)19);
6. Travel Plan prior to commencement of development (CS(R)15);
7. Parking and servicing provision (C1 and C2);
8. Sustainable development and climate change scheme (CS(R)19);
9. SuDS including implementation, maintenance and management of a SuDS scheme in accordance with details to be submitted and verification report (HE9);
10. Details of disabled and EV spaces (C2);
11. Boundary treatment details (GR1); and
12. Construction Management Plan.

DEV26 MISCELLANEOUS ITEMS

It was noted that the following appeal had been received / was in progress:

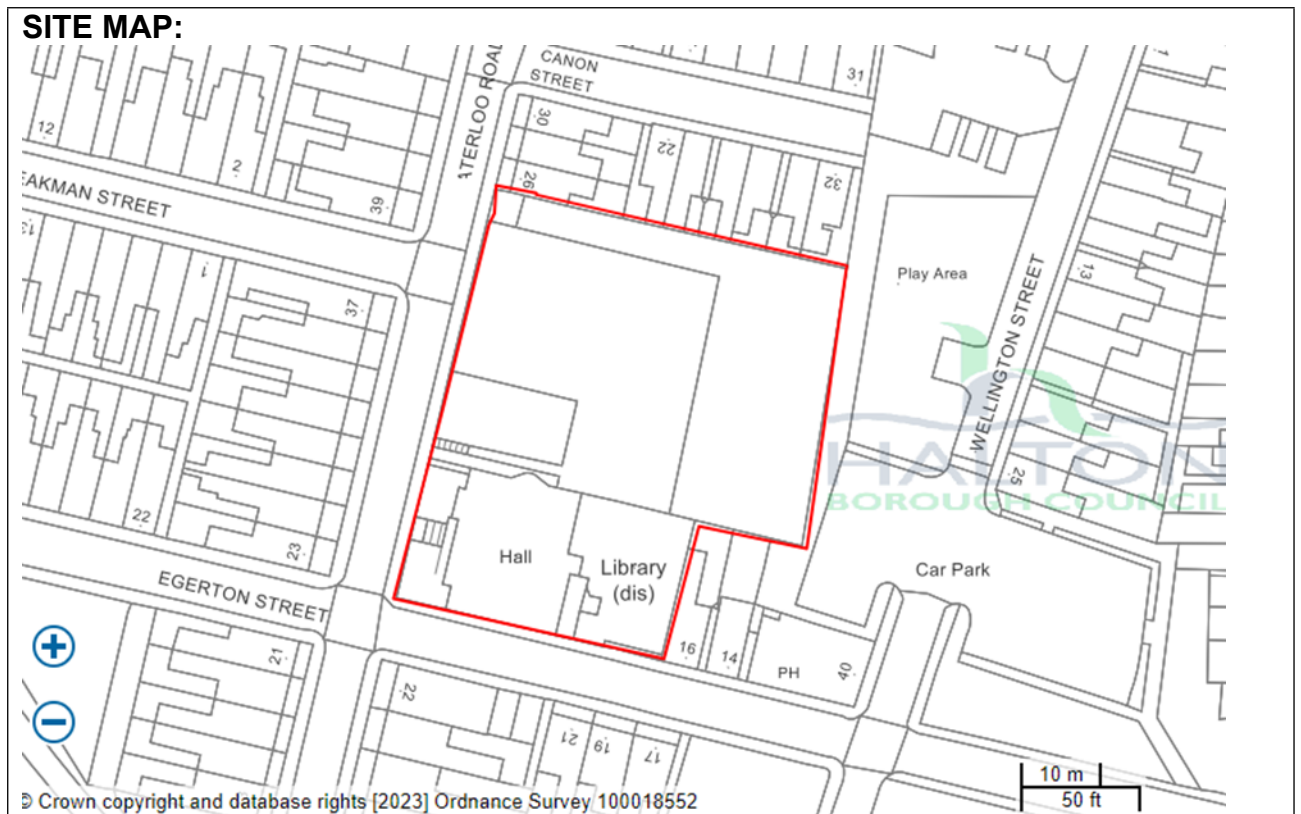
22/00019/PLD

Application for a Lawful Development Certificate for a proposed use of development for the installation of a solar farm (ground mounted solar photovoltaic panels) at

Liverpool John Lennon Airport, on land bounded by
Dungeon Lane, Hale Road and Baileys Lane, to the east of
Liverpool John Lennon Airport, Speke, Liverpool, L24 1YD.

Meeting ended at 7.10 p.m.

APPLICATION NUMBERS:	20/00476/FUL and 20/00477/LBC
LOCATION:	Waterloo Centre and Carnegie Library, Egerton Street, Waterloo Road, Runcorn, Cheshire, WA7 1JL
PROPOSAL:	<p>20/00476/FUL</p> <p>Proposed refurbishment of existing Carnegie Library building to provide a new community hub, demolition of Waterloo Centre, erection of new build development of 29 one-bedroom supported living / extra care apartments with ancillary facilities, provision of access, parking and landscaping.</p> <p>20/00477/LBC</p> <p>Application for Listed Building Consent for proposed refurbishment of existing Carnegie Library building to provide a new community hub, demolition of Waterloo Centre and remedial works to adjacent listed building.</p>
WARD:	Mersey and Weston
PARISH:	None
AGENT(S)/APPLICANT(S):	Goodwin Planning Service Ltd / Signature Housing Group
DEVELOPMENT PLAN:	
Halton Delivery and Allocations Local Plan (2022) (DALP)	Part of Residential Allocation – R66 – Former Egerton Library and Rathbone Institute.
Joint Merseyside and Halton Waste Local Plan (2013) (WLP)	
DEPARTURE:	No
REPRESENTATIONS:	<p>20/00476/FUL – Representations received from 60 contributors.</p> <p>20/00477/LBC – Representations received from 4 contributors.</p>
KEY ISSUES:	Development on a Residential Allocation, Impact on Heritage Assets, Community Facilities, Design and Layout of Development, Amenity, Highways and Transportation and Ecology.
RECOMMENDATION:	<p>20/00476/FUL - Grant planning permission subject to conditions</p> <p>20/00477/LBC – Grant listed building consent subject to conditions</p>



1. APPLICATION SITE

1.1 The Site

The application site is located at the junction of Egerton Street and Waterloo Road in Runcorn. Located on the site is the Grade II Listed Carnegie Library a two-storey, red sandstone building which fronts Egerton Street along with the two-storey brick built Waterloo Centre (also known as Waterloo House or the Waterloo Building) located on the corner of Egerton Street and Waterloo Road. The Waterloo Centre is a non-designated heritage asset which is vacant with the windows and other openings being boarded up. The northern part of the site is an overgrown grassed area which features several trees. This was formerly the location of the Rathbone Institute up until its demolition approximately ten years ago.

Located to the South of the site on the opposite side of Egerton Street are residential properties. Located to the West of the site on the opposite side of Waterloo Road are residential properties. Located to the North of the site are residential properties fronting Cannon Street. Located to the East of the site are residential properties and the Wellington Hotel fronting Egerton Street with a public car park and play area located further North.

The site forms part of a wider residential allocation (R66 – Former Egerton Library and Rathbone Institute). Residential allocation R66 includes the

aforementioned public car park and play area as well as a garage court accessed from Wellington Street and two smaller parcels of land to the South of Egerton Street.

1.2 Relevant Planning History

04/00129/HBCFUL- Proposed single storey rear extension to provide w.c./lobby – Granted 07 April 2004.

13/00429/DEM- -Proposed demolition of Rathbone building – Granted 03 December 2013.

19/00502/HBCLBC- Application for Listed Building Consent for necessary works and alterations to the Carnegie Library, as a result of and to facilitate, the demolition of the adjacent Waterloo Building – Application Withdrawn 09 September 2020.

22/00253/FUL- Proposed demolition of the Waterloo Centre and remedial works to the Carnegie Library – Application Withdrawn 11 October 2023.

22/00254/HBCLBC- Application for Listed Building Consent for proposed demolition of the Waterloo Centre and remedial work necessary to the adjoining Carnegie – Application Withdrawn 11 October 2023.

23/00367/FUL - Proposed demolition of the Waterloo Centre and remedial works to adjacent listed building – Pending Consideration.

23/00398/HBCLBC - Application for Listed building consent to demolish the Waterloo Centre and remedial works to adjacent listed building – Pending Consideration.

2. THE APPLICATION

2.1 The Proposals

Both applications relate to the same application site and have been defined by the applicant as the following:

20/00476/FUL

Proposed refurbishment of existing Carnegie Library building to provide a new community hub, demolition of Waterloo Centre, erection of new build development of 29 one-bedroom supported living / extra care apartments with ancillary facilities, provision of access, parking and landscaping.

20/00477/LBC

Application for Listed Building Consent for proposed refurbishment of existing Carnegie Library building to provide a new community hub, demolition of Waterloo Centre and remedial works to adjacent listed building.

The proposed works/development can be split into three main categories.

Works to Carnegie Library

The proposed works to the Grade II Listed Carnegie Library include a number of internal and external repair and restorations in order that the building can be repurposed. Three community rooms will be created which can be used for a number of community focused purposes such as meeting spaces for local groups and Counselling services.

The proposed physical works aim to reinstate and repair the building and take the form of both external and internal works including repairs to stonework, repointing, roof repairs, replacement of ironworks, window repairs and the replacement of external doors along with internal repairs to the fabric of the building.

Demolition of The Waterloo Centre

The applicant proposes to demolish the Waterloo Centre which they have stated is a dangerous building that is beyond viable economic repair.

Erection of supported living / extra care apartments

Permission is sought to erect a 3 storey, flat roofed brick built apartment building partly on the site of The Waterloo Centre and on the grassed area to the North of the Waterloo Centre alongside Waterloo Road.

The building will deliver 29 one bedroom supported living / extra care apartments, 9 for occupation by a single person and 20 for occupation by 2 persons. The apartments will provide accommodation for adults with early onset dementia and other special needs. The applicant's intention is for the future residents to live with the care and support on site, as required. The building will contain space for onsite staff including an office at ground floor and a staff rest room on the first floor.

The proposed residential unit will feature a communal garden area at the rear of the accommodation block. The proposals include 20 parking spaces accessed from Waterloo Road, eight of which are disabled spaces. 2 motorcycle spaces are proposed adjacent to the vehicular entrance. Secure cycle parking for 6 cycles would be provided at the rear of the parking area.

2.2 Documentation

The applications are supported by the completed application forms, certificates, related plans and drawings. A number of supporting documents have been submitted these are listed below:

- Planning Statement;
- Design and Access Statement;

- Heritage Statement;
- Heritage Review;
- Heritage Technical Note;
- Proposed Outline Schedule of Works – Carnegie Library;
- Façade Retention Report;
- Valuation Report;
- Structural Inspection and Letter Report;
- Arboricultural Impact Assessment and Method Statement;
- Site Investigation;
- Ecological Statement;
- Bat Activity Surveys;
- Nocturnal Bat Survey;
- Transport Statement and Addendum.

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.

THE DEVELOPMENT PLAN

3.1 Halton Delivery and Allocations Local Plan (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 Housing 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)21 Green Infrastructure;
- CS(R)22 Health and Well-Being;
- CS23 Managing Pollution and Risk;
- CS24 Waste;
- RD1 Residential Development Allocations;
- RD4 Greenspace Provision for Residential Development;
- C1 Transport Network and Accessibility;
- C2 Parking Standards;
- HC5 Community Facilities and Services;

- HE1 Natural Environment and Nature Conservation;
- HE2 Heritage Assets and the Historic Environment;
- 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.

Supplementary Planning Documents (SPD)

- Planning for Risk SPD;
- Design of Residential Development SPD.

MATERIAL CONSIDERATIONS

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

3.3 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in September 2023 to set out the Government's planning policies for England and how these should be applied.

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 SUMMARY – FULL RESPONSES CAN BE LOCATED IN APPENDICES.

4.1 Highways and Transportation Development Control

20/00476/FUL & 20/00477/LBC - No objection subject to conditions.

4.2 Merseyside Environmental Advisory Service – Ecology and Waste Advisor

20/00476/FUL & 20/00477/LBC - No objection subject to conditions.

4.3 Lead Local Flood Authority (LLFA)

20/00476/FUL – No objection subject to conditions.

4.4 Conservation Advisor

20/00476/FUL - The conclusion remains that, the total loss of Waterloo House would result in substantial harm. They do not consider that, despite the conclusions of the current surveys and the additional information submitted, that the requirements of Policy HE2 Part 12 have been satisfied.

20/00477/LBC – No objection subject to conditions.

4.5 Environmental Health Officer

20/00476/FUL & 20/00477/LBC - No objection to the proposed development subject to conditions.

4.7 Open Spaces Officer

20/00476/FUL - No objection raised subject to conditions.

4.8 Natural England

20/00476/FUL & 20/00477/LBC - Habitat Regulations Assessment required. Under Regulation 63 of the Habitat Regulations the determination of likely significant effect is for the competent authority, in this case the Local Planning Authority. If your authority can be satisfied that the proposal can conclude no likely significant effects there is no further need to consult Natural England.

4.9 Cheshire Police

20/00476/FUL - No objection. Observations to be attached as an informative.

4.10 United Utilities

20/00476/FUL - No objection subject to conditions.

4.11 Archaeological Advisor

20/00476/FUL - No objection subject to a condition.

4.12 Health and Safety Executive

20/00476/FUL - HSE does not advise, on safety grounds, against the granting of planning permission in this case.

4.13 Historic England

20/00476/FUL & 20/00477/LBC - They do not wish to offer any comments and suggest that the views of the Council's Conservation and Archaeological Advisors are sought.

4.14 Contaminated Land Officer

20/00476/FUL - No objection subject to conditions.

4.15 Cadent Gas

20/00476/FUL & 20/00477/LBC - Observations to be attached as an informative.

4.16 Ancient Monuments Society

20/00477/LBC - Objection raised.

5 REPRESENTATIONS

5.3 Application 20/00476/FUL was originally publicised by fifty notification letters sent on 10/09/2020, three site notices posted in the vicinity of the site on 10/09/2020 and a press advert in the Widnes and Runcorn Weekly News on 17/09/2020.

5.4 Following the receipt of amended plans / submissions, further publicity in the form of fifty-three (increased to cover those originally consulted plus additional representations received and not previously notified directly) neighbour notification letters sent on 25/03/2022, more recently, fifty-six neighbour notification letters sent on 05/01/2023 and fifty-six letters sent on 13/10/2023. A further site notice posted in the vicinity of the site on 16/10/2023 and a press advert in the Widnes and Runcorn Weekly News on 19/10/2023.

5.5 Application 20/00477/LBC was originally publicised by fifty-one notification letters sent on 10/09/2020, three site notices posted in the vicinity of the site on 10/09/2020 and a press advert in the Widnes and Runcorn Weekly News on 17/09/2020.

5.6 Following the receipt of amended plans / submissions, further publicity in the form of fifty-two (increased to cover those originally consulted plus additional representations received and not previously notified directly) neighbour notification letters sent on 25/03/2022, more recently, fifty-four neighbour notification letters sent on 05/01/2023 and fifty-four letters sent on 13/10/2023. A further site notice posted in the vicinity of the site on 16/10/2023 and a press advert in the Widnes and Runcorn Weekly News on 19/10/2023.

5.7 Representations from sixty contributors on application 20/00476/FUL and four contributors on application 20/00477/LBC have been received from the publicity given. A summary of the issues raised are below:

- Should the development not be described as sheltered housing based on the level of parking proposed?
- Concerns over parking in the locality;
- Disappointed in the overall design;
- The amenity space / communal garden would be heavily overshadowed;

- There is no justification for Waterloo House to be demolished;
- The proposal would have an adverse impact on the setting of Carnegie Library;
- Waterloo House is not without interest and can be repurposed. This proposal represents unsustainable development;
- Waterloo House is significant to the setting of the Carnegie Library because they are one building both physically and historically;
- Waterloo House is a landmark building which gives the area character;
- The loss of Waterloo House would result in substantial harm to the historic environment;
- Grant money should have been used to restore this building;
- The flats and the community hub do not align and it is highly likely that the community hub would also be converted to flats in the future;
- Lack of need for housing/ More need for family housing;
- That the building has been allowed to fall into ruin;
- Concerns on the type of persons going to live here;
- Is the old library going to be for public use?
- Impact on nature and biodiversity;

6 ASSESSMENT

6.1 Principle of Development

The application site forms part of the wider Residential Allocation – R66 – Former Egerton Library and Rathbone Institute which is 0.66ha in area and has a notional capacity of 18.

6.2 The proposed development would therefore deliver 29 one and two bedroom supported living / extra care apartments on a residential allocation. This proposal would follow the brownfield focus through the re-use of previously developed land. This is considered to be acceptable in principle. Representations have been received questioning the types of people who would reside in the supported living / extra care apartments. The suitability of the proposed land use is the consideration of this planning application. No evidence has been provided in this regard and, in land use planning terms, it is a residential land use proposed on a residential allocation within a wider area which is predominantly residential in nature.

6.3 Located on the application site is the existing Carnegie Library which is a Grade II listed building. This application proposes the refurbishment of this building to provide a new community hub. The building was last used as a library which was a community facility. That particular community facility has since been relocated to another location within Runcorn Old Town. Whilst the building may form part of a residential allocation, it is considered that the introduction of a community hub

(another community use) is acceptable in principle as this would not preclude the implementation of wider residential allocation. The suitability of the remedial works for the Carnegie Library building and also the proposed community use will be considered later in the report.

6.4 Representations consider that the apartments and the community hub use do not align and it is highly likely that the community hub would also be converted to flats in the future. In land use planning terms, the uses are considered to be compatible. The applications need to be considered on the basis that they are made. Should there be any subsequent proposed changes in the future, they would need to be considered on their merits.

6.5 In conclusion, the principle of residential development and the re-use of the Grade II listed Carnegie Library building is considered to be acceptable in principle and in accordance with policies CS(R)1, CS(R)3, CS(R)20 and RD1 of the DALP.

6.6 Arrangements for Handling Heritage Applications – Notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015

It is important to note that the above arrangements set out requirements for notification to Historic England and the National Amenity Societies on applications for Listed Building Consent. The National Amenity Societies comprise of the following:

- i. The Society for the Protection of Ancient Buildings;
- ii. The Ancient Monuments Society;
- iii. The Council for British Archaeology;
- iv. The Georgian Group;
- v. The Victorian Society, and
- vi. The Twentieth Century Society.

6.7 For Historic England, this only includes relevant works in respect of any grade II (unstarred) listed building. Relevant works means works for the demolition of any principal building, works for the alteration of any principal building which comprise or include the demolition of a principal external wall of the principal building; or works for the alteration of any principal building which comprise or include the demolition of all or a substantial part of the interior of the principal building.

6.8 Based on the definition of relevant works, the works for which listed building consent is sought do not meet this definition and there was no statutory requirement to consult Historic England in this instance.

6.9 For the National Amenity Societies, this includes works for the demolition of a listed building; or for works for the demolition of a listed building which comprise or include the demolition of any part of that building.

6.10 The works for which listed building consent is sought does not meet this definition. Whilst the demolition of the Waterloo Centre may be in the description of the proposed works, due to its interrelationship with the Carnegie Library building, the listing for the Carnegie Library building explicitly excludes the Waterloo Centre. On this basis, it is not considered that there was a statutory requirement to consult the National Amenity Societies in this instance.

6.11 Designated Heritage Asset – Carnegie Library – Grade II Listed Building

The Carnegie Library building is Grade II listed and therefore a designated heritage asset. Policy CS(R)20 of the DALP makes clear that the Borough's historic environment, heritage assets and their setting will be conserved and enhanced and opportunities to enhance them or increase understanding through interpretation and investigation will be encouraged, especially those assets at risk.

6.12 Noting the above designation, the applicant has submitted a Heritage Statement, a Heritage Review and a Heritage Technical Note to accompany the application as required by Policy HE2 of the DALP.

6.13 Paragraph 6.2 of the Heritage Statement sets out the proposed works to both the exterior and interior of the Carnegie Library building. These works have been considered by the Council's Conservation Advisor. A non-statutory consultation was sent to Historic England and they advised that they do not wish to offer any comments and suggested that the views of the Council's Conservation and Archaeological Advisors are sought. A non-statutory consultation was sent to the National Amenity Societies. The Ancient Monuments Society have objected to listed building consent application, however their observations relate to the demolition of the Waterloo Centre rather than works to the Carnegie Library building.

6.14 The renovation and re-use of the Grade II Library building is welcomed and will bring with it several positive benefits both to the historic building and the community in continuing the philanthropic works of its original benefactor, Andrew Carnegie.

6.15 Representations have been received stating that the proposed works would have an adverse impact on the setting of Carnegie Library. The Council's Conservation Advisor has carefully considered the works

proposed and is of the view that they are acceptable in principle and would bring the long term vacancy of the building to an end and create a vibrant community hub.

6.16 Prior to any works commencing, the following detail / information is required to demonstrate their suitability:

- Existing and proposed elevation drawings to show areas of repair and change. Including elevation drawing of the infill section where link removed;
- Updated and detailed schedule of works for each area of work to include photographs and methodology;
- Elevation and section of no more than 1:20 of proposed new window to infilled section;
- Details and drawing of new gate to top of spiral stair and fencing to Egerton Street elevation;
- Details of secondary glazing to all windows
- Details of any new doors to be added (internal or external)
- Methodology for vegetation removal

6.17 The submission of the above for approval should be secured by condition on both applications as necessary. This would ensure the safeguarding / enhancement of the listed building and address concerns raised in the representations in compliance with both Policies CS(R)20 and HE2 of the DALP.

6.18 Non-Designated Heritage Asset – Waterloo Centre

The applications propose the demolition of the Waterloo Centre which has been vacant for some time with the windows and other openings being boarded up. The applicant's Heritage Statement states that the building does not meet the criteria for nominating non-designated heritage assets for its local list.

6.19 The Council's Conservation Advisor notes that the listing description for the Carnegie Library explicitly excludes the Waterloo Centre, however this is in the national context. Locally, it is part of the evolution of Runcorn and has, during its lifetime, served as the civic core. Waterloo House, therefore, is of local significance and is worthy of local listing.

6.20 The significance of Waterloo House is derived from the following heritage values:

Historic value - HIGH

Association with the industrial development of Runcorn – it was constructed for Charles Hazelhurst of Hazelhurst and Sons, a prominent manufacturing family in the town.

Use as Town Hall following creation of the Improvement Commissioners in 1852

Housing of first Public Library in Runcorn.

Clear historic connection with Carnegie Library both physically and in terms of historic uses.

Evidential value – HIGH

Evidence of the development of the immediate area as a civic centre

Map evidence shows Waterloo House in use as a library, then Town Hall, and a Technical Institute to the north of Waterloo House(now lost)

Purposeful design of Carnegie Library to abut Waterloo house – then in use as Town Hall (circa 1907).

Aesthetic value – MEDIUM

Early Victorian building constructed of red brick with detailed stone coursing and parapet.

The house is of five bays and takes on elements of the Georgian order and symmetry in its fenestration.

Although pre-dating the library Waterloo house makes a positive contribution to the setting of the Grade II listed library.

6.21 Based on the above assessment, there are reasonable grounds to consider Waterloo House as a non-designated heritage asset. Both Save Britain's Heritage and the Ancient Monuments Society consider the building to be of local interest in their observations which have been made. It should be noted that the observations made by the Ancient Monuments Society are made in a non-statutory capacity. The applicant has since acknowledged the Council's position on this matter and accepts that the Waterloo Centre is a non-designated heritage asset.

6.22 Policy HE2 (10) of the DALP states that *proposals that conserve and enhance the significance of non-designated heritage assets will be supported, subject to a balance of all other material planning considerations*. This proposal would result in the demolition of a non-designated heritage asset which will ultimately need to be balanced with other material planning considerations. Representations received consider that there is no justification for Waterloo House to be demolished and that it can be repurposed and therefore this proposal represents unsustainable development causing substantial harm to the historic environment and the character of the area. Representations also

state that grant money should have been used to restore this building. Noting the comments made in representations, it is compliance with the policies in the Development Plan should be the basis on which these applications should be determined unless other material considerations indicate otherwise.

6.23 As the proposal is for the demolition of Waterloo House, Policy HE2 (12) of the DALP as set out below is of particular relevance:

Partial or total-loss of a non-designated heritage asset will only be permitted where the benefits are considered sufficient to outweigh the harm. Where harm would be acceptable the following will be required:

- a. An appropriate level of survey and recording which may also include an archaeological excavation;*
- b. Provision or replacement of buildings of comparable quality and design;*
- c. The salvage and reuse of special features within the replacement development;*

6.24 The applicant has submitted a document which considers the retention of the Waterloo Centre and façade. This document acknowledges the dangerous condition of the building and its refurbishment would be uneconomical for the following reasons:

- Cost of structural and building fabric repairs required;
- Loss of housing units with consequential loss of income;
- The internal layout of the Waterloo Centre does not easily lend itself to adaption for supported housing.

6.25 The document also considers several options for retaining the existing façades to the Waterloo Centre by setting out different floor levels. None of these are considered feasible due to the following:

- Floor levels passing across existing window openings;
- Increases in the overall height and mass of the proposed new build to the detriment of the surrounding context.

6.26 The applicant considers that the demolition of the unsafe structure remains the only viable solution to develop this site and that the proposed supported housing would repair the gap in the urban fabric and bring residential amenity to the neighbourhood. The content of this report is noted.

6.27 The Council's Conservation Advisor has stated that the submissions made by the applicant go some way to addressing the

justification for the demolition of Waterloo House, however it is not demonstrated that all the options have been explored. Whilst they have acknowledged that the likely outcome due to a combination of the degradation of the building and the associated costs to retain and repair the building in its full form would be to support demolition, their position remains that substantial harm would result from the total loss of Waterloo House.

6.28 More recently, an updated Structural Inspection and Letter Report has been undertaken dated 28 June 2023. This report relates to Waterloo House accompanies these applications to be determined. The conclusion of that report is that the property is so severely affected structurally that it is beyond repair and should be demolished. The report also states that the building is considered to be in dangerous condition and access must not be permitted. The report also notes that if the structure is allowed to remain in place, there is a high risk of uncontrolled collapse.

6.29 The report notes that the single storey structure to the right hand side is leaning outwards considerably and the side wall must be provided with shoring as a matter of urgency. The front corner of this part of the structure has also moved out by approximately 100mm at the top of the wall where the roots / trunk to the tree which is growing within the brickwork has grown larger and has forced the brickwork outward. Once the side wall is stabilised by the proposed shoring, this tree is to be removed including the roots as this issue will force the bricks out entirely causing a localised collapse. To remove the tree will require localised removal and replacement of the brickwork. Calculations for the shoring up of the building with props have been undertaken.

6.30 Further clarification has been provided from the author of the Structural Inspection and Letter Report noting that the raking shores are a temporary measure to protect the public should the structure continue to move (which has been the case for a number of years). The shoring is not designed to exert any pressure on the structure and as such will not make the whole structure any less stable until it is demolished in a controlled manner.

6.31 It was questioned whether or not other steps (short of demolition) could be employed in order to remove the danger posed by the building. The author of the Structural Inspection and Letter Report states that shoring of the structure is not achievable because the walls could collapse inwards or outwards. As the roof and floor structures within have collapsed, firstly it is not safe to enter the building to install shoring and secondly, there is no stable structure to prop back to. So there is nothing that can be done to stop the walls from falling inwards. They are

increasingly concerned about the structure because ongoing movement has been noted and further roof and floor areas have collapsed. The ongoing and more recent collapses within the Waterloo Building now pose a significant threat to the Library Building. The rot within the Waterloo Building has extended into the Library structure due to part of the Waterloo Building being constructed over the Library. The floor and flat roof over the library are rotten and at significant risk of collapse now too, due to the ongoing delays. In their professional opinion, the Waterloo Building needs to be demolished in a controlled manner before an uncontrolled collapse occurs.

6.32 Section 78(1) of the Building Act 1984 relates to emergency measures for dangerous buildings and states the following:

(1) If it appears to a local authority that—

(a) a building or structure, or part of a building or structure, is in such a state, or is used to carry such loads, as to be dangerous, and

(b) immediate action should be taken to remove the danger,

they may take such steps as may be necessary for that purpose.

6.33 The Council's Operational Director – Policy, Planning and Transportation noted the dangerous condition of the building and has determined that demolition is the only viable option to remove this danger. The scheme to shore up the most dangerous sections of the building with props would have removed the danger to that section of the building, however would not have remedied the rest of the danger.

6.34 The above legislation does not circumvent controls imposed by the planning legislation. The requirement to obtain planning permission and listed building consent is not lifted. The Council has submitted applications in this regard (refs: 23/00367/FUL and 23/00398/HBCLBC). These applications will be dealt with on their merits but do not preclude the potential for the demolition works to be carried out in advance under the above legislation. In this case, there is requirement for remedial works to the Carnegie Library building as a result of the demolition of Waterloo House which would include the infilling of openings in the Library's western elevation.

6.35 In conclusion, the value of Waterloo House is clearly set out as assessed by the Council's Conservation Advisor with its historical and evidential value being higher than its aesthetic value. Waterloo House was clearly excluded from the listing of the Carnegie Library building is therefore provided with less protection than that afforded to a listed

building. In order to ensure policy compliance in this instance, the benefits of the proposal would need to be sufficient to outweigh the harm. The dangerous condition of this building and the potential imminent demolition under emergency powers are a key factor in this case. The applicant has undertaken an investigation into the retention of the Waterloo Centre and its façade, however for the reasons already set out, this is not feasible or economical in this case. The demolition would remedy the risk currently proposed. The granting of these applications would also give the opportunity for the site to be redeveloped noting that it has been vacant for many years. This proposal would also allow the part development of a residential allocation in the DALP to help meet the boroughs need for additional dwellings over the plan period. For the reasons set out within this report, it is considered that the harm resulting from the loss of the non-designated heritage asset would be outweighed by the identified benefits in this instance.

6.36 Where harm is considered acceptable, an appropriate level of survey and recording which may also include an archaeological excavation is required. It is considered reasonable for a condition to be attached securing an appropriate level of recording noting the dangerous condition of the building. The requirement for archaeological excavation is to be considered later in the report and any requirement should be secured by condition. More detailed design consideration can be found later in the report, however it should be noted that negotiations have taken place with the applicant to deliver a building of an appropriate design quality. No special features have been identified which could be incorporated within the replacement development.

6.37 In relation to the Non-Designated Heritage Asset – Waterloo Centre, it is considered that the harm would result from its demolition, however the outlined benefits outweigh the harm that would result. Subject to the attachment of conditions relating to building recording / archaeological excavation, the proposal would be compliant with Policies CS(R)20 and HE2 of the DALP.

6.38 **Archaeology**

The Council's Archaeological Advisor notes that the application site is located within Runcorn's area of archaeological potential as outlined in the Cheshire Historic Town Survey. The Council's Archaeological Advisor has reviewed the applicant's Heritage Statement and the information held on the Cheshire Historic Environment Records, and notes that the area of the proposed new development has some potential for the below ground remains of the technical institute (Rathbone Institute) seen on the second edition OS Map which was demolished approximately 10 years ago.

6.39 As the new building would undoubtedly impact these remains, the Council's Archaeological Advisor suggests that a programme of archaeological observation is undertaken in order to identify and record these remains during key phases of development. This would likely take the form of a developer funded watching brief during key aspects of the development including initial ground clearance and excavations for foundations and services. This should be secured by condition.

6.40 In conclusion in respect of Archaeology subject to the attachment of the suggested condition, the proposed development is considered compliant with Policies CS(R)20 and HE2 of the DALP.

6.41 Housing Mix and Specialist Housing

During the processing of the application, further clarity has been added to the description of development on the planning application to reflect the supported living / extra care use of the apartments for which planning permission is sought.

6.42 Policy CS(R)12 (2) of the DALP states that proposals for new specialist housing for the elderly, including extra-care and supported accommodation, will be encouraged in suitable locations, particularly those providing easy access to local services and community facilities. Development proposals for specialist housing should provide adequate amenity space and parking.

6.43 The application site is a designated residential allocation in a sustainable location just over 100m from the boundary of the defined Runcorn Old Town Centre. It is accessible to local services and community facilities. The re-use of the Carnegie Library building as a community hub would further add to this. Amenity space has been designed into the proposed development including a communal garden and a roof terrace. The Council's Highway Officer raises no objection on the grounds of parking and provision would be made on site for 20 cars, 2 motorcycles and cycles.

6.44 Based on the above, the specialist housing proposed is considered to accord with Policy CS(R)12 (2) of the DALP.

6.45 Affordable Housing

Policy CS(R)13 of the DALP relates to Affordable Homes. Schemes including ten or more dwellings are usually expected to provide affordable housing. There is however an exception for brownfield sites. As the site subject of this application meets the definition of previously developed land as set out in NPPF and is therefore brownfield, no

affordable housing is required in this instance. The proposal in respect of affordable housing is considered to be compliant with Policy CS(R)13 of the DALP.

6.46 Community Facility

As noted previously, the site has previously been used for purposes which constitute a community facility. The site is now designated as a residential allocation and there are no operational community facilities at this site. It is also noted that when the library moved from the Carnegie Library building, it was relocated to another location within Runcorn Old Town Centre Boundary.

6.47 The relevant policy consideration for the development of new community facilities is set out in Policy HC5 of the DALP. This is not located within a town, district or local centre, however it is located just over 100m from the boundary of the Runcorn Old Town Centre as identified in Policy CS(R)5 of the DALP and is therefore considered adjacent. On this basis the below wording from Policy HC5 (3) of the DALP is relevant:

The Council will support the development of new Community facilities, within or adjacent to the town centres, district and local centres identified in policy CS(R)5 and on sites allocated in policy HC2 , or the enhancement , extension or refurbishment of an existing Community Facility, provided that:

- a. The facility is accessible by walking, cycling and public transport.*
- b. The proposal would not give rise to significant traffic congestion or road safety problems.*
- c. Any new buildings, extensions and structures are well designed, of an appropriate scale, in keeping with the character of the area and appropriately landscaped.*

6.48 The proposed community hub is considered to be accessible by walking, cycling and public transport by virtue of its sustainable location close to the Runcorn Old Town Centre. The proposed community hub is unlikely to give rise to significant traffic congestion or road safety problems based on users likely to reside locally. It should also be noted that the Council's Highway Officer raises no objection to the proposed development. The proposed community hub would bring the long-term vacancy of the listed building to an end and the alterations are considered sympathetic and in keeping with the character of the area.

6.49 Based on the above, the proposed community facility is considered to be compliant with Policy HC5 of the DALP.

6.50 Residential Greenspace

Policy RD4 of the DALP relates to Greenspace Provision for Residential Development. All residential development of 10 or more dwellings that create or exacerbate a projected quantitative shortfall of greenspace or are not served by existing accessible greenspace will be expected to make appropriate provision for the needs arising from the development, having regard to the standards detailed in table within the policy. The proposed development is 29 supported living / extra care apartments and the policy is therefore applicable as it exceeds the threshold and does not form one of the types of residential developments that will not require open space contributions.

6.51 The proposed development does not look to provide Greenspace to meet the Residential Development Standards on the application site. The policy wording above is clear that appropriate provision should be made where a development would create or exacerbate a projected quantitative shortfall of greenspace. Within the wider neighbourhood comprising the former wards of Mersey, Heath, Halton Broom and Grange, a deficit is identified in the Provision for Children and Young People, Parks and Gardens, Natural and Semi Natural and Allotments typologies. Looking at this on a more localised level, there are at least two facilities for Children and Young People within 800m of the site (Dukesfield Playground and Trinity Garden Playground), the site is less than 170m from the nearest Parks and Gardens, it is also located less than 740m from the nearest Natural and Semi Natural site. Heath Road allotments, Westfield Road allotments and allotments near Old Coach Road are within the accessibility standard.

6.52 Based on the application site being within the accessibility standard of the relevant greenspace typologies, it is not considered that it would be reasonable to seek additional greenspace provision in this instance nor could a refusal on this basis be sustained. It is therefore considered that the proposal is compliant with Policy RD4 of the DALP.

6.53 Design and Layout

During the processing of the application, the proposal has been amended to reduce the scale and mass of the proposed building which has resulted in the number of residential units reducing from 36 to 29 as well as the setting back of the 2nd floor accommodation and revised roof material. The applicant has also attempted to break up the Waterloo Road elevation into domestic scale modules to reflect the terraced building in the surrounding area. The Egerton Street elevation has been amended to ensure that complements rather than competes with the Carnegie Library elevation through its scale, mass and detailing. There

is now a 2.75 metre gap between the proposed building and the Carnegie Library.

6.54 It is now considered that the proposed development has been designed to provide active frontages to both Egerton Street and Waterloo Road as well as improved relationships with existing buildings adjacent to the site including the Carnegie Library building.

6.55 The applicant's Design and Access Statement sets out the likely palette of external facing materials including a red multi brick with dark grey mortar and zinc cladding for the inset roof element. This is considered to be acceptable in principle and would result in appropriate external appearance in this locality. The precise details of external facing materials to be used should be secured by condition.

6.56 The proposal would provide parking space for the apartments in the north section of the site. This would be positioned in a manner which would not be unduly prominent and logical in layout terms. The communal garden would be concealed within the site and is again logical in layout terms.

6.57 The retained Carnegie Library building would be subject to refurbishment and remedial works. As set out in the earlier assessment, the detail to ensure that the proposal is acceptable from a design perspective and ensure the safeguarding / enhancement of the listed building should be secured by condition.

6.58 In conclusion, the design and layout of the proposed development is considered acceptable in compliance with Policies CS(R)18 and GR1 of the DALP and the Design of Residential Development SPD.

6.59 **Amenity**

The application site is a residential allocation and is within a predominantly residential area. The principle of the residential development proposed in respect of amenity is considered to be acceptable. The proposed community hub is a use which is compatible with a residential land use and is therefore considered to be acceptable.

6.60 The locality predominantly comprises of terraced buildings which are either located at the back of the footway or have a small setback. Plot lengths in the locality are also limited. The result of this is that separation distances do not generally meet the guidelines in the Council's Design of Residential Development SPD. Paragraph 6.24 of the SPD does however note that the application of minimum distances between habitable rooms has not always adequately addressed privacy and made it difficult to achieve other design principles. It then goes on

to state that if adequate separation distances are not met, it is the responsibility of the applicant to demonstrate through the development application how they have achieved privacy and outlook for existing and new residents.

6.61 The SPD also states the following: *In any case where it may be accepted that the development does not satisfy the minimum separation distances, the Council will utilise the 25-degree assessment to ensure suitable daylight is maintained to any habitable rooms within developments. This approach applies where any potentially affected habitable room window will, as a result of the development, directly face another building, wall or other structure. It is considered that suitable daylight is achieved where a clear unobstructed view above a line of 25-degree from the horizontal is maintained from the centre of the lowest level habitable room window as indicated in the diagram below. The impact of the height, scale and massing of a development should be considered in specific relation to an individual site and its surroundings. These privacy standards will be enforced more stringently to protect the amenity and outlook of existing neighbours adjoining development sites. A much greater degree of flexibility will be allowed within new developments where the Local Planning Authority is satisfied that separation distances can be justified through quality urban design and an innovative approach.*

6.62 In terms of resultant relationships, there are three key ones to consider the suitability of. The applicant has undertaken the above referenced 25-degree assessments for each one.

6.63 Firstly, considering the relationship between the front elevation of terrace containing numbers 23-37 Waterloo Road which face Waterloo House and previously faced the Rathbone Institute, the building for which planning permission is sought would result in not dissimilar separation to that which currently exists. It should also be noted that both buildings referenced whilst only being two storey were both grand structures and were elevated compared to the terrace opposite. The proposed building is three storey in height, however the second floor of the building is inset further to reduce its impact both visually and also in terms of amenity. The applicant's 25-degree assessment does show that the very top of the building does cut the 25-degree line drawn from the lowest level habitable room window, however based on the character of the area and the separation distances historically, it is not considered that the impact of this interrelationship would be significantly detrimental to warrant the refusal of the application and is therefore considered to be acceptable.

6.64 Secondly, considering the relationship between the properties to the north of the application site, no.26 Waterloo Street has a blank gable facing and would not be unduly impacted by the proposed development. The resultant relationship would be better in amenity terms than that experienced prior to the demolition of the Rathbone Institute. The relationship which needs considering more closely is rear of the terrace on Canon Street (in particular number 20 and 22) and the building for which planning permission is sought. The applicant's 25-degree assessment does show that the very top of the building does cut the 25-degree line drawn from the lowest level habitable room window, however based on the character of the area and noting the siting of the Rathbone Institute previously, it is not considered that the impact of this interrelationship would be significantly detrimental to warrant the refusal of the application and is therefore considered to be acceptable.

6.65 Thirdly, considering the relationship between no.22 Waterloo Road which has its gable end at the back of the footway on the southern side of Egerton Street and the building for which planning permission is sought, the applicant notes that there are two secondary windows at ground floor level and a bedroom window at first floor level. The submitted plans note that the separation distance between the gable of no.22 Waterloo Road and the building for which planning permission is sought would be 8.7m. This is significantly below the guidelines in the Council's Design of Residential Development SPD, however is reflective of the separation to the Waterloo Centre. Noting the relationship with the adjacent Carnegie Library building and also the separation distance across Egerton Street, the scale and massing of the proposed development in the Egerton Street elevation has been reduced so that it is two storey in height with an additional storey which is set back by over 3 metres and the flat roof utilised as a roof terrace. The Egerton Street elevation whilst creating interest through the use of mock windows, limits the number of window openings in this elevation. These include entrance lobby, office, communal lounge and stairwell/landing. The applicant's 25-degree assessment shows that the proposed building does not cut the 25-degree line drawn from the lowest level habitable room window (in this case the first floor bedroom window at no.22 Waterloo Road). If the assessment would have been done from the ground floor windows which the applicant has considered to be secondary openings, the building would cut a 25-degree line drawn from those openings. Based on the historic character of the area, the close proximity of buildings to each other and the reduced scale of the proposed development so that it would not be significantly higher than the Waterloo Centre, it is not considered that the impact of this interrelationship would be significantly detrimental to warrant the refusal of the application and is therefore considered to be acceptable.

6.66 In conclusion in respect of amenity, it is considered that an appropriate standard of amenity would be provided for both existing and future residents in terms of privacy and outlook. Following the reduction in scale and footprint of the proposed development, it is considered that sufficient outdoor amenity space in the form of the communal garden and the roof terrace would be provided for the residents of the new development and that they would be suitably functional. The proposal whilst being on a wider residential allocation is not considered to preclude the other parts of the allocation coming forward for development based on access and relationship to existing development. The proposal is therefore considered to be compliant with Policy GR2 of the DALP and the Design of Residential Development SPD.

6.67 Landscaping, Trees and Boundary Treatments

The application is accompanied by an Arboricultural Impact Assessment and Method Statement. The proposed development would result in the loss of two trees. Tree T9 is a Purple Plum and has suppressed form due to its location beneath the canopy of Tree T10, it has an asymmetric crown and no long-term viability (Category C2). Tree T10 is a Cherry, has been topped in the past, is of poor structural form and no long-term viability (Category B2). The Council's Open Spaces Officer raises no objection to their removal subject to replanting taking place. This can be secured through a soft landscaping plan condition as a detailed scheme for the site has yet to be presented. It is likely that such provision would be achieved within the communal garden area.

6.68 There are a number of trees adjacent to the site which could be impacted by the proposed development. In order to ensure their protection and longevity, it is considered reasonable to secure tree protection measures throughout the construction period as set out in the applicant's Arboricultural Impact Assessment and Method Statement.

6.69 The proposed site plan and elevation studies give some detail as to where boundary treatments including gates would likely be positioned, however the details regarding heights, materials and external finishes are yet to be defined. The principle of the boundary treatments show are acceptable, however a detailed boundary treatments scheme would need to be secured by condition to ensure they are high quality and reflective of the character and appearance of the area.

6.70 In conclusion in respect of landscaping, trees and boundary treatments, the proposal subject to the conditions suggested is considered to be acceptable and in compliance with Policies CS(R)20, CS(R)21, HE5, GR1, GR2 and GR3 of the DALP.

6.71 Highways and Transportation

The application is supported by a Transport Statement. This briefly describes the site and surrounding area, the proposals and proposed access arrangements, reviews parking provisions and considers the potential effect of the proposals on highway safety in the context of the National Planning Policy Framework.

- 6.72 The proposed development would benefit from easy access to the walking and cycling network in the locality. Cycle parking for 6 cycles is shown in the parking area to encourage access by sustainable modes. The Council's Highway Officer has suggested that additional cycle parking provision for visitors/short-term, suggested to be in the courtyard, separate from the staff/long-term cycle parking, is required and that this should be secured by condition. The scheme to be submitted should include details of CCTV mentioned by the applicant, for additional surveillance/security, for the cycle storage facility in the rear parking area.
- 6.73 The site is in close proximity to the Runcorn Old Town Centre and Runcorn Station giving access to the bus and rail network.
- 6.74 Vehicular access to the site would be gained from Waterloo Road. The Council's Highway Officer raises no objection to this access arrangement. The creation of a new access onto Waterloo Road will require off-site highway works to be undertaken. It is considered that a condition securing the submission of a detailed scheme is required.
- 6.75 Parking provision for 20 cars (8 of which would be disabled sized bays) in addition to 2 motorcycle spaces is shown on the submitted plans. This represents a significant increase to that originally proposed. The Council's parking standards are set out in Appendix D of the DALP. The proposed 29 one-bedroom supported living / extra care apartments do not neatly align with the use descriptions set out and it is important to note the site whilst not being Town Centre is only just 100m from the Town Centre boundary. Based on the parking standard for apartments, 1 space per apartment would be required (29 spaces), however this is lower for a Town Centre at 0.5-1.0 spaces per apartment (15-29 spaces). The parking requirement for residential institutions based on the number of beds if it were to be considered against that standard would result in the scheme having sufficient parking. Taking into account the use and the varying level of care which could be provided and the site's location in close proximity to the Town Centre, the level of parking proposed is considered to be acceptable.
- 6.76 The level of parking spaces per apartment is now similar to that granted by the Council on other extra care schemes which have previously been granted in the borough. The layout of the proposed

parking area is considered functional for the proposed development. The Council's Highway Officer has stated that the development as proposed and any shortfall in on-site parking (based on the parking requirement to apartments outside a Town Centre) would not be significant to the local network nor create undue on-street parking pressures to the inconvenience of local residents in the vicinity of the site, nor severe highway safety for highway users. It is considered that a condition should be attached securing the implementation and future maintenance of the parking provision shown on the submitted plans.

6.77 The Council's Highway Officer has requested that a car park management plan would be required by condition should the site be used as apartments falling within Use Class C3. Clarity has been added to the description by the applicant to confirm that this proposal is for supported living / extra care which is considered to be a mix between Use Class C2 and Use Class C3 (a sui generis use). On this basis, it is not considered that a condition is necessary.

6.78 The Council promotes the use of Ultra Low Emission Vehicles. The applicant is now looking to ensure that four of the parking bays have electric vehicle charging provision. No detail is provided on the specification of the infrastructure to be introduced, however this should be secured by condition.

6.79 The Council's Highway Officer has requested a condition securing the submission of a Construction Management Plan. This suggestion is considered reasonable.

6.80 In conclusion in respect of highways and transportation, subject to the attachment of the suggested conditions, the proposed development is considered to be acceptable in compliance with Policies CS(R)15, C1, C2 and GR1 of the DALP.

6.81 **Ecology**

The application is accompanied by an Ecological Statement, Bat Activity Surveys and a Nocturnal Bat Survey.

6.82 The development site is located in close proximity to the following European designated sites:

- Mersey Estuary SPA (400m)
- Mersey Estuary Ramsar (400m)

6.83 For residential development in the above areas, proportionate assessment of recreational disturbance impacts on the coastal designated sites resulting from the development is required via the

Screening stage of the Habitats Regulations Assessment, as required under the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations'). Natural England have stated in their consultation response Under Regulation 63 of the Habitat Regulations the determination of likely significant effect is for the competent authority, in this case the Local Planning Authority. If your authority can be satisfied that the proposal can conclude no likely significant effects there is no further need to consult Natural England.

6.84 The Council's Ecological Advisor has considered the proposals and the possibility of likely significant effects on European sites using the source-pathway-receptor model. They advise that there is no pathway that could result in likely significant effects on the European sites and the proposals do not warrant a detailed Habitats Regulations Assessment for the following reasons:

- Limited direct accessibility to European sites due to the Manchester Ship Canal,
- Low recreational pressure impacts from the additional care nature of this residential development, as it is unlikely that new homeowners will travel to European sites; and,
- Provision of SANGs within development i.e. courtyard garden.
- Nearest 'gateway access' point is Wigg Island which has moderate access to the European Sites.

6.85 Based on the above assessment, the Council conclude no likely significant effects on European sites using the source-pathway-receptor model and there is no further need to consult Natural England.

6.86 The applicant has undertaken a number of bat surveys to accompany the application. The Council's Ecological Advisor has commented that the updated emergence and re-entry survey were conducted by suitably qualified ecologists with the most recent being 21/06/2023. The report states that no bats were recorded emerging from, or re-entering, the building during the updated surveys. The Council's Ecological Advisor has stated that the Council does not need to consider the proposals against the three tests (Habitats Regulations).

6.87 The ecological observations received state that the building should be demolished removed during the period between November and February. If this is not possible, a licensed bat ecologist is required to directly supervise the removal of the roof as set out within the Recommendations section of the survey report. This can be secured by a suitably worded planning condition.

- 6.88 The report categorises the building as having high suitability for roosting bats and this habitat will be lost to facilitate development. To compensate for this loss, bat box provision as recommended in the applicant's report should be secured by condition.
- 6.89 Habitats adjacent to the site provide foraging habitat for bats. Lighting for the development may affect the use of this area so a lighting scheme to protect ecology should be secured by condition.
- 6.90 Built features or vegetation may provide nesting opportunities for breeding birds and a condition securing appropriate protection is suggested. As the proposal would result in a loss of breeding bird habitat, mitigation in the form of bird nesting boxes should be secured by condition.
- 6.91 It is acknowledged that the proposed development would impact existing habitat on the application site, however it is considered that there is sufficient potential to mitigate for this loss on the application site which should be demonstrated through a Biodiversity Net Gain Plan secured by condition.
- 6.92 In conclusion in respect of ecology, subject to the conditions suggested, it is considered that the proposed development is compliant with Policies CS(R)20 and HE1 of the DALP.
- 6.93 **Ground Contamination**
The application is accompanied by a site investigation report. The proposal includes residential use (apartment units) along with landscaped/garden areas, which is a land use that is considered to be sensitive to the presence of contamination.
- 6.94 The applicant's report recommends that the current near surface soils are not suitable for the proposed end use, and that some form of remediation will be necessary.
- 6.95 The Council's Contaminated Land Officer has reviewed the applicant's submission and raises no objection to the proposed development subject to conditions requiring further investigation and the development and submission of a remediation strategy and the submission of a verification report to demonstrate that the remedial objectives have been met.
- 6.96 In conclusion in respect of ground contamination, subject to the conditions suggested, it is considered that the proposed development is compliant with Policies CS23 and HE8 of the DALP.

6.97 Drainage and Flood Risk

The LLFA have commented that the information presented with regard to drainage and flood risk is limited to statements within the design and access statement. It is identified that the site is within flood zone 1 and is at low risk of flooding and it is stated that the drainage design would include a sustainable drainage strategy for the building.

6.98 The LLFA note that as the development is less than 1ha and is within Flood Zone 1, no flood risk assessment is required. The LLFA agrees that the development would be suitable in terms of flood risk.

6.99 The LLFA note that a drainage strategy would be required prior to the commencement of development. This strategy should demonstrate that the risk of surface water flooding to the development would remain low for its design life and that it would not increase flood risk elsewhere. This should be secured by condition along with verification reporting. United Utilities have also suggested that a drainage scheme be secured by condition along with a condition stating that foul and surface water shall be drained on separate systems. The suggested conditions from United Utilities are considered to be reasonable.

6.100 In conclusion in respect of drainage and flood risk, subject to the attachment of conditions suggested, it is considered that the proposed development is compliant with Policies CS23 and HE9 of the DALP.

6.101 Noise

As noted earlier in the report, this site is a residential allocation and is in a predominantly residential area. The principle of residential development is considered to be acceptable. The application is not accompanied by any acoustic risk assessment to consider any mitigation required to ensure that noise levels inside the proposed residential apartments do not exceed those specified in BS8233:2014.

6.102 In terms of potential noise impact, the Council's Environmental Health Officer notes that the west boundary of the site is located approximately 70m from the Queensway (A533) flyover leading from the Silver Jubilee Bridge. They indicate that the proximity to the Queensway flyover could give rise to unacceptably high noise levels within the development properties, particularly to those on the 2nd floor and towards the north of the proposed development, who may have an unobstructed line of sight to the flyover given their elevated position.

6.103 Being mindful of the fact that at the time of the submission of this application, the Silver Jubilee Bridge was closed to traffic, so an acoustic

report would have had little relevance to the future noise levels that the occupants would be exposed to, the Council's Environmental Health Officer does not raise an objection to the proposed development subject to a condition which requires an acoustic risk assessment to be undertaken along with any mitigation required prior to first occupation. It is considered reasonable to restrict hours of construction and associated activities to minimise impacts on neighbours during that phase.

6.104 The use of the Carnegie Library as community hub is considered sympathetic to surrounding land uses and would not be significantly detrimental in terms of noise or to the amenity of the locality.

6.105 In conclusion in respect of noise, subject to the attachment of the attachment of the suggested conditions, it is considered that the proposed development is compliant with Policies CS23 and HE7 of the DALP.

6.106 **Air Quality**

The Council's Environmental Health Officer has commented that they do not consider that an operational phase air quality assessment report for a development of this size is required.

6.107 The Council's Environmental Health Officer advises that appropriate consideration must be given to dust management during the construction and demolition phase of the development, particularly given the scale of demolition works taking place and built up nature of the area immediately surrounding the development site. This can form part of a Construction Management Plan which should be secured by condition.

6.108 In conclusion in respect of air quality, subject to the attachment of the Construction Management Plan condition, it is suggested that the proposed development is compliant with Policies CS23 and HE7 of the DALP.

6.109 **Major Accident Risk**

The application site is located within a consultation zone surrounding COMAH sites which requires consultation with the Health and Safety Executive (HSE).

6.110 Policy CS23 (b) of the DALP states:

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

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

6.111 Following the principles set out above, the proposed development would not expose the population to an individual risk exceeding 10 chances per million and therefore minimises risk to public safety. It is noted that the HSE do not advise on safety grounds against the granting of planning permission in this case. Based on the above, the proposal is considered compliant with Policy CS23 of the DALP and the Planning for Risk SPD.

6.112 Crime Reduction

Policy GR1 of the DALP states that development must be designed to reduce the fear of crime by promoting safe and connected environments. The suitability of the proposed layout has been considered earlier in the report. It is considered that proposal is designed in a way which reduces the fear of crime by promoting safe and connected environments and the detailing (some of which would be secured by condition) would ensure the scheme delivers in this regard.

6.113 The Crime Reduction Officer at Cheshire Constabulary has commented on the applications a number of times. Their observations relate to the detailing of the scheme rather than anything fundamental which would warrant any significant amendments to the proposal. Based on this, it is considered reasonable to attach the observations received as an informative on the planning decision notice. Certain points such as boundary treatments would be dealt with by condition and the observations made by Cheshire Constabulary would help inform suitable detailing.

6.114 In conclusion in respect of crime reduction, subject to the observations of Cheshire Constabulary being taken into account in subsequent condition discharge applications, it is considered that the proposed development would be compliant with Policies CS(R)18 and GR1 of the DALP and the Design of Residential Development SPD.

6.115 Sustainable Development and Climate Change

Policy CS(R)19 of the DALP requires development to be designed to have regard to the predicted effects of climate change. The applicant's Design and Access Statement contains a section relating to sustainability. It indicates that the applicant intends to take on board the principles of the former Code for Sustainable Homes and that the development will comply with the Building Regulations at the time of submission. It also explains how the development would be energy efficient through a fabric first approach and the use of large windows to maximise natural daylight and controlled solar gain. It also indicates that the applicant will explore renewable energy options during the technical design phases. The applicant also intends to source construction materials having regard for their sustainable credentials.

6.116 The attachment of a condition securing the submission of a detailed scheme which builds on the detail set out along with their subsequent implementation will ensure compliance with Policy CS(R)19 of the DALP.

6.117 Waste Management

The proposal is major development and involves excavation and construction activities which are likely to generate significant volumes of waste. The Council's Waste Advisor has advised that evidence through a waste audit or similar mechanism to comply with policy WM8 of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8) should be secured by condition. In terms of operational waste management, it is considered that there will be sufficient space for the storage of waste including separated recyclable materials as well as access to enable collection as shown on the proposed site plan in order to demonstrate compliance with Waste Local Plan Policy WM9.

6.118 In conclusion in respect of waste management, the proposed development is considered acceptable in compliance with Policies WM8 and WM9 of the WLP and Policy CS24 of the DALP.

7 CONCLUSIONS

7.1 The proposed development would deliver 29 one-bedroom supported living / extra care apartments on a residential allocation within a wider area which is predominantly residential in nature.

7.2 The proposed refurbishment of the Grade II listed Carnegie Library building to provide a new community hub is welcomed as the renovation and re-use of the building would bring with it several positive benefits

both to the historic building and the community in continuing the philanthropic works of its original benefactor, Andrew Carnegie. The proposed community hub would be accessible by walking, cycling and public transport by virtue of its sustainable location close to the Runcorn Old Town Centre and is unlikely to give rise to significant traffic congestion or road safety problems based on users likely to reside locally. The proposed use is also considered sympathetic to surrounding land uses. It is not considered that the use of the Carnegie Library building as a community hub would preclude the implementation of wider residential allocation.

7.3 The proposal would result in the demolition of Waterloo House. Waterloo House was clearly excluded from the listing of the Carnegie Library building. This building is considered to be a non-designated heritage asset and its values are set out in the report with its historical and evidential value being higher than its aesthetic value. In order to ensure policy compliance in this instance, the benefits of the proposal would need to be sufficient to outweigh the harm. The dangerous condition of this building is a key factor in this case. The applicant has undertaken an investigation into the retention of the Waterloo Centre and its façade, however this is not feasible or economical. The demolition would remedy the risk currently proposed. The granting of these applications would also give the opportunity for the site to be redeveloped noting that it has been vacant for many years. This proposal would also allow the part development of a residential allocation in the DALP to help meet the boroughs need for additional dwellings over the plan period. For the reasons set out, it is considered that the harm resulting from the loss of the non-designated heritage asset would be outweighed by the identified benefits in this instance.

7.4 During the processing of the application, the proposal has been amended to reduce the scale and mass of the proposed building which has resulted in the number of residential units reducing from 36 to 29 as well as the setting back of the 2nd floor accommodation and revised roof material. The applicant has also attempted to break up the Waterloo Road elevation into domestic scale modules to reflect the terraced building in the surrounding area. The Egerton Street elevation has been amended to ensure that complements rather than competes with the Carnegie Library elevation through its scale, mass and detailing. There is now a 2.75 metre gap between the proposed building and the Carnegie Library.

7.5 The proposed development would ensure that an appropriate standard of amenity would be provided for both existing and future residents in terms of privacy and outlook. Sufficient outdoor amenity space in the

form of the communal garden and the roof terrace would be provided for the residents of the new development and the site is accessible to a range of greenspaces within the locality.

7.6 The site is located in a sustainable location close to Runcorn Old Town and the proposed development would provide sufficient off-street parking provision to satisfy the Council's Highway Officer.

7.7 Based on the above assessment, the proposed development is considered acceptable and both the planning application and the listed building consent application are recommended for approval.

7.8 Below sets out the requirements to notify the Secretary of State on the Listed Building Consent application:

7.9 Section 13 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) sets out the duty to notify Secretary of State of applications.

7.10 The Arrangements for Handling Heritage Applications – Notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015 states that Section 13 of the Act does not apply to applications for listed building consent:

- (a) to carry out excluded works; or
- (b) to carry out works other than excluded works, where the local planning authority has not received an objection in relation to the applications notified by them under

7.11 Excluded works means works for demolition, alteration or extension of a grade II (unstarred) listed building which do not comprise or include relevant works. It was established earlier in the report that the works to the Carnegie Library building for which listed building consent is being sought are not relevant works. On this basis, the works subject of this listed building consent application are excluded works and therefore the Council does not need to refer the application to the Secretary of State in this instance should the Committee resolve to grant the application.

8 **RECOMMENDATION**

20/00476/FUL – That the application be approved subject to conditions:

1. Time Limit
2. Approved Plans

3. Use Restriction – Community Hub – Use Class F2(b) – Halls of meeting places for the principal use of the local community
4. Existing and proposed elevation drawings to show areas of repair and change. Including elevation drawing of the infill section where link removed between the Carnegie Library and Waterloo House
5. Elevation and section of no more than 1:20 of proposed new window to infilled section of the Carnegie Library.
6. Building Recording – Waterloo House
7. Archaeological Watching Brief
8. External Facing Materials
9. Implementation of Tree Protection Measures
10. Boundary Treatments Scheme
11. Soft Landscaping Scheme
12. Off Site Highway Works
13. Parking and Servicing Provision
14. Electric Vehicle Charging Point Scheme
15. Cycle Parking Scheme
16. Construction Management Plan
17. Construction Hours
18. Site Waste Management Plan/ Audit
19. Demolition between November-February or Licenced Bat Ecologist Present
20. Bat Box Scheme
21. Lighting Scheme to Protect Ecology
22. Breeding Bird Protection
23. Bird Nesting Box Scheme
24. Biodiversity Net Gain Plan
25. Additional Site Investigation / Remediation Strategy / Verification Reporting
26. Drainage Strategy
27. Separate System for Foul and Surface Water Drainage
28. Acoustic Risk Assessment
29. Sustainable Development and Climate Change Scheme

Informatives

1. Bat Informative
2. Highway Informative
3. Cheshire Constabulary Informative
4. Cadent Gas Informative
5. United Utilities Informative

20/00477/LBC – That the application be approved subject to conditions:

1. Time Limit
2. Approved Plans

3. Existing and proposed elevation drawings to show areas of repair and change. Including elevation drawing of the infill section where link removed between the Carnegie Library and Waterloo House
4. Updated and detailed schedule of works for each area of work in the Carnegie Library including photographs and methodology
5. Elevation and section of no more than 1:20 of proposed new window to infilled section of the Carnegie Library
6. Details and drawing of new gate to top of spiral stair and fencing to Egerton Street elevation
7. Details of secondary glazing to all windows
8. Details of any new doors to be added (internal or external)
9. Methodology for vegetation removal

9 **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

10 **SUSTAINABILITY STATEMENT**

As required by:

- The National Planning Policy Framework (2023);
- 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.

Highway Officer – Response 1

Highway Holding Objection.

Additional information and/or modification is required for full highway support to be offered.

In highway terms, when reviewing such a submission, consideration is given, but not limited to, the following: **traffic generation; access to the site for all modes; parking, turning and servicing facilities; and the impact on highway safety.**

Site and Situation

Egerton Street is one-way in operation, with parking restrictions – no waiting at any time - on both sides of the carriageway.

Houses on this street have no front boundary, with residents exiting houses directly onto the footpath.

Waterloo Road has parking restrictions only on the opposite side of the carriageway to the site and the houses have small private areas to the front of the properties. Resident parking is therefore on-street and site visits have shown that there is limited capacity for additional vehicles with the potential for potential inconvenience and safety issues to both local residents and highway users about the site due to increased on street parking pressures attributable to the development and traffic generation/attraction associated.

The proposed site access is opposite a priority junction with Speakman Street, a residential street. It appears this was some form of previous access though it is not understood if it was historically for vehicles and/or pedestrians.

Traffic Generation

With no Transport Assessment or Statement offered there was no traffic generation or associated information supplied.

It is considered, in accordance with Policy C1 Transport Assessments and Travel Plans, Point 16 that such a submission is required given the above mentioned location specific issues.

The level and content of the supporting TA/TS should be scoped with the Highway Authority in advice, as per afore, mentioned policy point 16.

TRICS database with comparative sites is generally utilised, where direct comparison of similar sites, in sufficient numbers, is not available, to provide trip generation/attraction information and also can be utilised for parking accumulation assessment.

For 85th Percentile Trip Generation, requested, a minimum of 20 sites will be required. If any reduction from the 85th Percentile rate is proposed then robust justification is required and sensitivity analysis using both average (50th percentile) and 85th percentile trip rates should be presented.

Whilst it is not anticipated that there will be a detrimental impact on the highway network, in terms of traffic generation, robust information, in the form of analysis and assessment, is required to be presented and from this the adequacy of parking provision can be supported, or otherwise.

A questionable (see 10.1 of the D&A) beat survey was not considered robust, nor was the raw data/results found, and was not undertaken in a neutral period as per guidance.

Access to the site for all modes

The proposed access to the car park area off Waterloo Road is unsatisfactory in terms of accessibility for vehicles and pedestrians.

However, it is noted that a previous query as to whether this is intended for pedestrian access has not been satisfactorily answered.

Given the Fire Escape egress point, and the secure gate to the communal garden form the parking area (see query below) at the top of the ramp is it is presumed that this is.

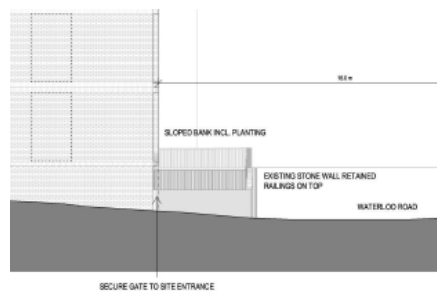
The ramp, with a 1:14 gradient, is not compliant for vehicles or pedestrians and there is no footpath or protected walkway for pedestrian/vulnerable users.

The gate detail in terms of effective width of the access opening is not forthcoming and therefore the ability of vehicles to pass on the ramp has not been demonstrated.

If only one vehicle is able to utilise the ramp at a same time there are safety concerns should accessing and egressing vehicles coincide; with either an excessively long reverse up a steep slope or backing out to Waterloo Road with the Speakman Rd junction opposite required.

Tracking for the largest vehicle likely to utilise this access is required, as well as tracking of the above mentioned manoeuvres i.e. passing on the ramp or otherwise.

Gate detail to understand effective width is also required.



Whilst historic (2009) the snippet above also demonstrated that the visibility splay information is not accurate.

The pillar to the existing house about the access will be within the 0.6m to 2m visibility envelope and, although described as a low wall and railing, as can be seen from the second snippet from DWG No. 1351 Rev B, Proposed Elevations this side of the access would have obstructed sightlines.

Moreover, the visibility splay “y” distance is required to be 25m, not 20m, for a 20mph street, see MfS Table 7.1. However, this street is subject to a 30mph speed limit and therefore 43m is the required distance.

Further, as can be seen from the Streetview snippet that cars parked adjacent to the entrance will further undermine visibility and therefore parking restriction, i.e. a TRO and signing/lining would be required to be sought (with public consultation part of the process), at the applicant's expense, to protect highway users' safety.

However, it should be noted that whilst the other side of the junction has double yellow lines there are cars parked indiscriminately underlining the local issues, as aforementioned.

See MfS 7.8.5 Obstacles to visibility for further consideration.

Another query that remains unresolved regards pedestrian access to the site, from the rear parking court, and the "Secure Gate". How is access acquired i.e. intercom and remote operation, passcode or suchlike?

Regardless the position is not acceptable, discharging into the turning area of the car park and a dedicate/protected walkway should be offered to all parking spaces. The disabled space would require a user to wheel through the centre of the turning aisle and then negotiate the non DDA compliant slope

With regards to cycle accessibility, again the ramp is not acceptable in terms of gradient and again the secure area, with the cycle storage being on the other side of the secure gate in the communal garden, or access is via a secure gate at the Egerton street entrance and through the courtyard to the furthest point of the communal garden.

Please see LCR CA Cycle Parking Guidance (2022), MfS and LTN 1/20 for guidance on secure, convenient and accessible cycle parking provision that will encourage and enable alternative journeys to vehicles.

The entrance lobby on Egerton Street does not have connection to Community Hub 1 or elsewhere – it is assumed this is a drawing error.

Access and manoeuvring for a fire appliance should be demonstrated; they should be able to get to within 45 metres of a dwelling, with a maximum reversing distance of 20 metres (MfS 6.7.2).

Parking, turning and servicing facilities

As well as the access to the rear parking court being unacceptable, the overall provision in terms of amount and location have significant shortcomings.

The information offered in the D&A Section 4.2 Care Needs and Staffing in the D&A is considered conflicting, and not robust or clear.

The notional split of occupants care needs does not consider the worsening condition that the residents will experience at differing rates, though a higher level of staffing for end of life care is mentioned, as well as overnight care for high care needs, it is stated that two carers per resident may be required.

However, only a single overnight staff member is suggested which is incongruous. 4 staff for 36 residents in the daytime also seems underprovision. Also, is there a staff member at the front entrance?

The information presented only pertains to the C2 Use, not the Community Centre(s), for which no information or insight has been offered in terms of staffing, visitor numbers, traffic generation or indeed general operational use or detail.

As aforementioned TRICS can be utilised to provide parking accumulation information, alternatively similar actual such facilities could be surveyed to offer operational insight into traffic generation and parking use of such establishments.

See section above re cycle parking shortcomings that need addressing.

No motorcycle parking has been offered and is required.

Scooter storage is offered. The location, central in the building with several door to navigate is not considered an accessible position given the nature of users.

No EV charging infrastructure was offered and is required.

No ambulance parking is offered and this is required to be considered given the nature of the residents' needs and the care given - to end of life.

The visitor restrictions are not clearly understood, or agreed with. Do the numbers refer to parking spaces or all visitors?

How would access be controlled, see above re secure gate access/front entrance staffing? Given the number of residents (36 No), their condition, which only deteriorates to end of life, the number of visitors is not considered realistic.

Shift times, visitor times and other operational information was not forthcoming and is required to understand the functioning building and therefore review and assess the proposal comprehensively..

The levels about the car park given the apparent difference about the Fire Escape need clarification - see snippet below from DWG No. 1351 Rev B, Proposed Elevations. It should be noted this is adjacent to the disabled parking space



Road marking detail, nor signage, for deliveries and drop/off and a disabled parking bay were not presented, only annotated on a plan.

The distance from the bin store to the kerbside collection point appears in excess of prescribed distance for the dragging of bins, see MfS 6.8.9, Bldg Regs H, and BS5906. The route also does not appear level given the levels presented.

It should be noted that Halton Planning Applications 10/00500/FUL, Naughton Fields, and 13/00112/FUL, Ashley Green, both for extra care provision, offered 30 and 27 spaces, for 47 and 50 units, respectively, a significantly higher number of parking

spaces, proportionally (0.64 and 0.54) , than this proposal, with 11 for 36 (0.3). The latter application explicitly references minimising potential on-street parking with sufficiency of on-site provision.#'

Impact on highway safety

Notwithstanding the lack of required intervisibility about the access junction and further compromised safety of all highway and site users given the excessive slope the Waterloo Road access to the car park is not clearly apparent, being a narrow opening between buildings (existing and proposed).

The inconspicuousness of the access/parking is another outstanding matter, see 10.1 Vehicle and Car Parking Strategy.

Further, positioned at the rear of the building, with undetermined access to the building, i.e. via secure gate or long walk down an excessively steep slope and round to the principal entrance(s) on Egerton Street, as well as the considered underprovision of spaces the parking proviosn is not considered conducive to use of this allocated off-street rear parking court and more convenient, closer and accessible on-street parking will ensue.

The Egerton Street Car Park, offered as able to accommodate any shortfall in parking is before the building, on a one way street/circuit, and similarly requires a walk, where the propensity to park as close to an entrance/destination as possible is well documented

It is considered that whilst a limited shortfall in on-site parking would not be significant the insufficiencies of the access and parking will create on-street parking pressures in the vicinity of the site with inconvenience and potential danger to local residents and highway users.

As well as indiscriminate parking, manoeuvres associated with the lack of adequate on-site provision manoeuvres associated with the inadequacies of the access also present potential hazard to highway users.

Highway Officer – Response 2

No Highway Objection, with suggested conditions.

Following the submission of additional information, and amendments, the holding objection is removed.

It is considered that the development as proposed and any shortfall in on-site parking would not be significant to the local network nor create undue on-street parking pressures to the inconvenience of local residents in the vicinity of the site, nor severe highway safety for highway users.

Additional cycle parking provision for visitors/short-term, suggested to be in the courtyard, separate from the staff/long-term cycle parking is required. A suitable condition should therefore be applied. This condition should include details of the CCTV mentioned and the cycle storage facility in the rear parking area.

LCR CA Cycle Parking Guidance (2022), MfS and LTN 1/20 offer guidance on secure, convenient and accessible cycle parking provision that will encourage and enable alternative journeys to vehicles.

Short-term (visitor) cycle parking does not need to be covered, like the staff cycle parking store, but must be secure, overlooked and accessible as well as adequate in quantity; a provision for a minimum of four bikes is required.

Highway Officer – Response 3.

No Highway Objection, with suggested conditions.

Following the submission of additional information, and amendments, including changes to the description of development, to more accurately reflect the proposal in hand, the holding objection is removed.

The application was offered, in the D&A, to be considered neither as C2, nor C3, but as Sui Generis; a pragmatic approach was therefore undertaken by Highways to ensure all potential uses, and impacts, were satisfactorily covered in terms of review and assessment of Highway considerations.

The scheme is for 29 Apartments which, according to the DALP Policy C2, Appendix D Parking Standards, viewed as being a Town Centre location, though technically just outside the recognised boundary, requires (assessed as C3 domestic dwellings) between 0.5 and 1 space per apartment i.e., between 15 and 29 spaces.

Twenty car parking spaces are offered in compliance with policy, as above assessed, though this could be increased by reconfiguring the overprovision of disabled spaces:

this overprovision being reflective of the proposed actual use as supported living/extra care apartments, for adults with early onset dementia and/or other special needs, as per the D&A.

Extra-care housing offers more support than [sheltered housing](#) but still allows independently living, in this instance in a self-contained flats, with staff available up to 24 hours per day to provide personal care and support services. Against such residential institution (C2) use proposed there is a satisfactory amount of car parking offered in excess of standards.

The applicant has worked collaboratively to improve and increase parking provision, for all modes, and other scheme improvements, such that the offering is on balance deemed supportable in highway terms.

Any considered shortfall in on-site parking would not be significant to the local network, nor create undue on-street parking pressures to the inconvenience of local residents, nor severe highway safety for highway users in the vicinity of the accessibly located site. Further, should an appeal be lodged against a refusal based on parking grounds it would be unlikely to be upheld. It should be noted the adjacent and surrounding homes are not afforded in-curtilage parking.

A Car Park Management Plan (CPMP) can be utilised as a tool to manage parking demand by identifying the users of a parking area (residents, staff, visitors, deliveries etc.) and planning for their respective needs, with the practical measures enabling the building management organisation to control who parks in the available spaces, with supporting monitoring and enforcement measures, sometimes as 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.

A CPMP, nor Travel Plan condition are considered necessary conditions given the special needs of the proposed residents.

Additional cycle parking provision for visitors/short-term, suggested to be in the courtyard, separate from the staff/long-term cycle parking, is required through suitably worded condition, which should include details of CCTV mentioned by the applicant, for additional surveillance/security, for the cycle storage facility in the rear parking area.

The LCR CA Cycle Parking Guidance (2022), MfS and LTN 1/20 offer guidance on secure, convenient, and accessible cycle parking provision that will encourage and enable alternative journeys to vehicles. Short-term (visitor) cycle parking does not need to be covered, like the staff cycle parking store, but must be secure, overlooked, and accessible as well as adequate in quantity; a provision for a minimum of four bikes is required, again to be covered in the suitably worded condition.

A Construction Management Plan (CMP) will be required pre-commencement which will cover, but not be limited to; the management of vehicle movement associated with the site on the public highway, parking for site associated vehicles, time of working and the management of debris on the highway.

Suggested Conditions

Should permission be granted the following conditions are suggested:

- **Car Parking Details:** Notwithstanding the submitted plans, development shall not take place until a scheme identifying areas of parking; including disabled, EV spaces and charging infrastructure, motorcycle and cycle parking, servicing, vehicular manoeuvring (including provision for pedestrians) has been submitted to and approved in writing by the Council as Local Planning Authority. The development shall not be brought into use until the areas identified have been hard surfaced, drained within the site and permanently marked out or demarcated in accordance with the details agreed. These areas shall be retained as such thereafter. For the avoidance of doubt, long stay cycle parking must be convenient, covered and offer a means to secure the cycles. Motorcycle parking should offer an anchor point securely attached to the ground, or similar.
- **Off Site Highway Improvements:** No development shall take place until a scheme for the design and layout of improvement works on the public highway about the site has been submitted to, and approved in writing by, the Council as Local Planning Authority. For the avoidance of doubt, the works shall include, but not be limited to:
 - Formation of the new vehicular access to the site from, including pedestrian crossing facilities, and,
 - Resurfacing of the footpath about the entire frontage of the development and any applicable kerbing, drainage, lining and signing modifications (parking bays on Egerton St.).

The approved scheme shall be implemented before the development is brought into use.

- **Demolition and Construction Management Plan(s)**

A Demolition/Construction Management Plan will have to be submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction effects. This shall detail, but not be limited to, the following:

- Layout of the site compound including identification of areas for the storage of plant and materials, loading/unloading and turning areas for delivery vehicles [for each phase as necessary].
- Management of deliveries including prevention of waiting/layover of construction related traffic on the highway, measures for the control of traffic to and from the site and consideration of any temporary traffic management arrangements which may be necessary during periods of construction.
- Note - reversing on the highway is not permitted without a Banksman.
- Construction staff parking arrangements - on site with sufficiency to accommodate all.
- Control of transfer of mud out of the site - details of wheel washing facilities including location and type.

- Note – Road sweeping at the request of HBC, about the access(es) and vicinity of the site is required to be referenced in the D/CMP document(s),
- Methods for the mitigation of noise and vibration from building works also from the operation of any temporary power generation or pumping plant which will operate overnight, if applicable.
- Methods for dust control and suppression.
- Measures to protect highway users when demolition/construction work is carried out adjacent to the highway.
- A programme of works including phasing, if applicable.
- Adequate provision for addressing any abnormal wear and tear to the highway, if applicable.

Note: Pre- and post-inspection visits will be required to ascertain if any damage has occurred, to be rectified at the developer's expense.

All site works shall then be carried out in accordance with the approved Plan unless otherwise agreed in writing beforehand with the Local Planning Authority.

Informatives

Notwithstanding LLFA comments, provision shall be made within the site for the disposal of surface water such that none runs onto the highway. The applicant should ensure they have met their obligations under NPPF particularly regarding discharge rates.

The developer will be responsible for paying for the installation of new and/or relocation of any existing signs/columns which must be agreed in advance.

A S278 highway agreement will be required prior to the commencement of any construction work to undertake works on the existing adopted highway about the site frontage and the signing and lining of the parking bays on Egerton Street.

Council's Ecological and Waste Advisor – Response 1.

Habitats Regulations Assessment

3. The development site is located in close proximity to the following European designated sites and Core Strategy Local Plan policy CS20 applies:

- Mersey Estuary SPA (400m)
- Mersey Estuary Ramsar (400m)

4. I have considered the proposals and the possibility of likely significant effects on European sites using the source-pathway-receptor model. I advise that there is no pathway that could result in likely significant effects on the European sites and the proposals do not warrant a detailed Habitats Regulations Assessment for the following reasons:

- Limited direct accessibility to European sites due to the Manchester Ship Canal,

- Low recreational pressure impacts from the additional care nature of this residential development, as it is unlikely that new homeowners will travel to European sites; and,
- Provision of SANGs within development i.e. courtyard garden.
- Nearest 'gateway access' point is Wigg Island which has moderate access to the European Sites,

Bats Roosting

5. The applicant has submitted a Bat Activity Surveys Report (Jeff Clarke Ecology, 30/09/2019) in accordance with Core Strategy Local Plan policy CS20. The report is not acceptable because of significant limitations. An updated bat survey report is required, in line with Recommendations of the Bat Activity Surveys Report commissioned by the applicant. See Part Two for justification.

6. An updated emergence and re-entry or activity bat survey is required prior to determination. Bats are protected species and Core Strategy Local Plan policy CS20 applies. Protected Species are a material consideration.

The survey and report are essential to determine if bats are present. If present the Local Planning Authority is required to assess the proposals against the three tests (Habitats Regulations) and determine whether an EPS licence is likely to be granted. Surveys must follow Standing Advice and best practice guidance (Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edition, Bat Conservation Trust ISBN-13: 978-1-872745-96-1). Any deviation from these guidelines must be fully justified. The applicant should note that timing for this survey is May to September inclusive.

Foraging and Commuting

7. Habitats adjacent to the site provides foraging and commuting habitat for bats. Lighting for the development may affect the use of these areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the habitats in line with NPPF (paragraph 180). This can be secured by a suitably worded planning condition. It would be helpful for the applicant to refer to Bat Conservation Trust website <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

Breeding birds

8. Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected and Core Strategy Local Plan policy CS20 applies. The following planning condition is required and included within a CEMP.

CONDITION No tree felling, scrub clearance or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

9. The proposed development will result in the loss of bird breeding habitat and UDP policy OE5 applies. To mitigate for this loss, details of bird nesting boxes (e.g. number, type and location on an appropriately scaled plan) that will be erected on the site for agreement with the Council are required. This can be secured by a suitably worded planning condition.

CONDITION The development hereby permitted shall not be occupied until details of bird boxes (e.g. number, type and location on an appropriately scaled plan) and timing, has been provided for approval and implemented in accordance with those details.

Waste Local Plan

Policy WM8

10. The proposal is major development involves demolition and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal.

In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition. The details required within the waste audit or similar mechanism is provided in Part Two. Policy WM9 11. The applicant has provided sufficient information in Proposed site plan (Pozzoni, 08/18) to comply with policy WM9 (Sustainable Waste Management Design and Layout for New Development) of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8). The Proposed site plan can be secured as an Approved Drawing by a suitably worded planning condition.

Part Two 12.

The Bat Activity Surveys Report (Jeff Clarke Ecology, 30/09/2019) is not acceptable because of the following limitations:

- Age of survey – over 12 months old,
- High level of bat activity recorded during all three surveys,
- Numerous bat records in the area,
- Possible emergence from the north side of the building; and,
- Good foraging habitat on and adjacent to the site.

Waste Local Plan – WM8

13. A waste audit or similar mechanism provides a mechanism for managing and monitoring construction, demolition and excavation waste. This is a requirement of WLP policy WM8 and the National Planning Policy for Waste (paragraph 8); and is advised for projects that are likely to produce significant volumes of waste (nPPG, paragraph 49). Implementation of such mechanisms may also deliver cost savings and

efficiencies for the applicant. The following information could be included within the waste audit (or similar mechanism) as stated in the Planning Practice Guidance:

- the anticipated nature and volumes of waste that the development will generate;
- where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development;
- the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities; and
- any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete.

Information to comply with policy WM8 could be integrated into a Construction Environment Management Plan (CEMP) if one is to be produced for the development. This would have the benefit of ensuring that the principles of sustainable waste management are integrated into the management of construction on-site to improve resource efficiency and minimise environmental impacts.

Guidance and templates are available at:

- <http://www.meas.org.uk/1090>
- <https://www.gov.uk/guidance/waste>
- <http://www.wrap.org.uk>
- http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item_id=8983

Council's Ecological and Waste Advisor – Response 2.

Bats

1. The applicant has submitted an Ecological Statement Update (*Jeff Clarke Ecology, 11/12/2020*) in accordance with Core Strategy Local Plan policy CS20. The Ecological Statement does not address the issues raised by MEAS previously (07/10/2020 and 30/11/2020) regarding bats.
2. The Ecological Statement Update concludes that there is 'no material change' in deterioration of the existing building and demolition can proceed on the basis of the Reasonable Avoidance Measures (RAMs) outlined in the 2019 Bat Activity Surveys Report (*Jeff Clarke Ecology, 30/09/2019*),
3. In section 3.19 of the Bat Activity Surveys Report it is stated that possible bat emergence was observed from the north side of the existing building during emergence survey, the validity of which is still to be fully evaluated by the consultant. This is a significant limitation of the report as it is also stated that the building has potential as a maternity roost of high conservation value (Table in 3.5 of the report).

4. As the consultant has not adequately responded to previous attempts to address these issues, including direct contact by myself (29/09/2020), I advise the conclusions of the 2019 survey effort are not accepted due to a possible emergence event, the high bat roost potential and possible high conservation potential of the building. In addition, paragraph 5.4 of the Bat Activity Surveys Report states survey effort should be updated if works had not begun by 1st June 2020. Further information is provided in Part Two of this response.
5. Updated emergence and re-entry bat survey effort, in line with Collins¹ (2016) guidelines for buildings of high bat roost potential, is required **prior to determination**. Bats are protected species and Core Strategy Local Plan policy CS20 applies. Protected Species are a material consideration.

The survey and report are essential to determine if bats are present. If present the Local Planning Authority is required to assess the proposals against the three tests (Habitats Regulations) and determine whether an EPS licence is likely to be granted. Surveys must follow Standing Advice and best practice guidance². Any deviation from these guidelines must be fully justified. The applicant should note that timing for this survey is May to September inclusive.

Breeding birds

6. Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected and Core Strategy Local Plan policy CS20 applies. The following planning condition is required and included within a CEMP.

CONDITION

No tree felling, scrub clearance or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

7. The proposed development will result in the loss of bird breeding habitat and Local Plan policy CS20 applies. To mitigate for this loss, details of bird nesting boxes (e.g. number, type and location on an appropriately scaled plan) that will be erected on the site for agreement with the Council are required. This can be secured by a suitably worded planning condition.

CONDITION

¹ Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edition, Bat Conservation Trust ISBN-13: 978-1-872745-96-1

² Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edition, Bat Conservation Trust ISBN-13: 978-1-872745-96-1

The development hereby permitted shall not be occupied until details of bird boxes (e.g. number, type and location on an appropriately scaled plan) and timing, has been provided for approval and implemented in accordance with those details.

Part 2

8. MEAS have stated updated emergence and re-entry bat survey is required due to the following:
 - Several potential roost features identified, including features of high bat roost potential and possible high conservation value (*Jeff Clarke Ecology, 11/12/2020*);
 - High level of bat activity recorded during all three surveys;
 - Numerous bat records in the area;
 - Bats are highly transient species;
 - Possible emergence from the north side of the building (*section 3.19 of the Bat Activity Surveys Report, Jeff Clarke Ecology, 30/09/2019*); and,
 - Good foraging habitat on and adjacent to the site.
9. Due to the ongoing situation with Covid-19, we understand that ecological survey work may need to be postponed or undertaken using a risk-based approach. The Government has released [guidance](#) for ecologists carrying out field survey or mitigation works during the coronavirus pandemic. CIEEM has also published [Guidance on Ecological Survey and Assessment in the UK During the Covid-19 Outbreak](#). This is a tool which is intended to help ecologists undertake ecological survey and assessments during the restrictions necessitated by the Covid-19 outbreak.

Council's Ecological and Waste Advisor – Response 3.

3. The ecological consultant has provided additional information to clarify the possible bat emergence from the north side of the building as part of Bat Activity Surveys Report (*Jeff Clarke Ecology, email to A. Coffey (MEAS)- RE: Re ecology conditions for Waterloo Centre & Carnegie Library, Egerton Street Waterloo Road Runcorn WA7 1JN, 30/09/2019*).
4. The additional information provided by the ecologist in relation to possible bat emergence is accepted and can be discounted as a reason for resurvey.
5. However, previous comments made by MEAS (27/05/2021) remain valid and further bat surveys are required.
6. Updated emergence and re-entry bat survey effort, in line with Collins³ (2016) guidelines for buildings of high bat roost potential, is required **prior to determination**. Bats are protected species and Core Strategy Local Plan policy CS20 applies. Protected Species are a material consideration.

³ Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edition, Bat Conservation Trust ISBN-13: 978-1-872745-96-1

The survey and report are essential to determine if bats are present. If present the Local Planning Authority is required to assess the proposals against the three tests (Habitats Regulations) and determine whether an EPS licence is likely to be granted. Surveys must follow Standing Advice and best practice guidance⁴. Any deviation from these guidelines must be fully justified. The applicant should note that timing for this survey is May to September inclusive.

Part 2

7. MEAS have asked for an updated emergence and re-entry bat survey due to the following:
 - a. High level of bat activity recorded during all three surveys,
 - b. Numerous bat records in the area,
 - c. Bats are highly transient species,
 - d. Uncertainties over the bat roost potential categorisation in the Bat Activity Surveys Report (as the table in paragraph 3.5 states conclusions of high bat roost potential for day/transient roosts and moderate maternity potential but fails to elaborate)
 - e. Paragraph 5.4 of the Bat Activity Surveys Report states survey effort should be updated if works had not begun by 1st June 2020; and,
 - f. Good foraging habitat on and adjacent to the site.

8. Due to the ongoing situation with Covid-19, we understand that ecological survey work may need to be postponed or undertaken using a risk-based approach. The Government has released [guidance](#) for ecologists carrying out field survey or mitigation works during the coronavirus pandemic. CIEEM has also published [Guidance on Ecological Survey and Assessment in the UK During the Covid-19 Outbreak](#). This is a tool which is intended to help ecologists undertake ecological survey and assessments during the restrictions necessitated by the Covid-19 outbreak.

Council's Ecological and Waste Advisor – Response 4.

The applicant has submitted additional information, Bat Survey Report (*Anser Ecology, 23/08/2021*) in accordance with Core Strategy Local Plan policy CS20. I advise that the survey is acceptable.

⁴ Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edition, Bat Conservation Trust ISBN-13: 978-1-872745-96-1

Bats

Roosting

The updated emergence and re-entry survey were conducted by suitably qualified ecologists on 18th July and 5th August respectively (*Anser Ecology, 23/08/2021*). The report states that no bats were recorded emerging from, or re-entering, the building during the updated surveys. The Council **does not** need to consider the proposals against the three tests (Habitats Regulations). See comments below and Part Two.

As a precautionary approach, I advise that the building is demolished removed during the November and February. If this is not possible a licensed bat ecologist is required to directly supervise the removal of the roof as set out within the Recommendations section of the survey report (*Anser Ecology, 23/08/2021*). This can be secured by a suitably worded planning condition.

The report categorises the building as having high suitability for roosting bats and this habitat will be lost to facilitate development. To compensate for this loss, I advise that bat box provision recommended in section 5.6 of the survey report (*Anser Ecology, 23/08/2021*) is secured by a suitably worded planning condition.

Foraging

Habitats adjacent to the site provide foraging habitat for bats. Lighting for the development may affect the use of this area. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the area in line with NPPF (paragraph 180). This can be secured by a suitably worded planning condition. It would be helpful for the applicant to refer to *Bat Conservation Trust website* <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

Part Two

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

Any landscaping on site should be with native tree and shrub species. These include:

- Willow (*Salix* spp.);
- Rowan (*Sorbus aucuparia*);
- Birch (*Betula pendula* or *B. pubescens*);
- Hawthorn (*Crataegus monogyna*);
- Blackthorn (*Prunus spinosa*);
- Alder (*Alnus glutinosa*); and
- Holly (*Ilex aquifolium*).

Council's Ecological and Waste Advisor – Response 5.

Bats

The applicant has submitted an Update Statement (Nocturnal Bat Survey 21/06/2023, Answer Ecology, undated, AE29-RO3) which includes the results of a single dusk emergence survey of 16/06/2023 supplemented with thermal camera at an area obscured by vegetation.

I advise that whilst the single 2023 emergence survey is not in line with Bat Conservation Trust guidelines for a high conservation roost (three surveys) it can be accepted alongside the 2019 and 2021 surveys to show consistency in bat usage and to confirm no roosting on site over a number of years. The survey and the Update Statement are accepted.

The report states that no evidence of bat use or presence was found. The Council does not need to consider the proposals against the three tests (Habitats Regulations).

The report categorises the building as having high suitability for roosting bats and this habitat will be lost to facilitate development. To compensate for this loss, I advise details of bat boxes (e.g. number, type and location on an appropriately scaled plan) that will be erected on the site be provided to the Local Planning Authority for agreement. This can be secured by the following planning condition:

CONDITION

The development hereby permitted shall not be occupied until details of bat boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, has been provided for approval and implemented in accordance with those details

Bats – informative text.

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

Lead Local Flood Authority – Response 1

After reviewing 20/00476/FUL planning application, the LLFA has found the following:

- The site is approximately 0.22ha in size and is a brownfield site comprising the Carnegie Library and Waterloo Centre.
- The proposed development for refurbishment of the existing library building to provide a new Community Hub, and erection of 36 one bedroom apartments, with associated access, parking and landscaping.
- The proposed development site is classed as 'More vulnerable', according to the Table 2 of the *Planning Practice Guidance: Flood Risk and Coastal Change* (paragraph 66).

- The applicant has provided the following relevant documents:
 - o *Design Access Statement*, prepared by Pozzoni Architecture, revision A, dated 09.06.2020;
 - o *Site Investigation* report, prepared by Earth Environmental & Geotechnical, reference number A3501/20, dated August 2020;
 - o *Drawing Planning – Existing Site*, number 1100, prepared by Pozzoni Architecture, dated 14/05/20;
 - o *Drawing Planning – Proposed Site Plan*, number 1102, prepared by Pozzoni Architecture, dated 14/05/20;
 - o *Drawing Occupancy Floor Plan*, number 1103, prepared by Pozzoni Architecture, dated 14/05/20;
 - o *Drawing Planning – Proposed Elevations*, number 1350, prepared by Pozzoni Architecture, dated 14/05/20;
- No information on proposed management of surface water management has been provided.
- Records show this site is located within Flood Zone 1 (according to Environment Agency's *Flood Map for Planning*) and within very low surface water flood risk according to the Environment Agency's *Long Term Flood Risk Map*.
- Records show that the closest watercourse is Bridgewater Canal, located approximately 145m south of the site, and the Manchester Ship Canal, located 195m north of the site.
- The Halton Borough Council Strategic Flood Risk Assessment shows the site is located outside of a Critical Drainage Area.

Based on the above, the LLFA considers the applicant has not adequately assessed the site with regards to the drainage hierarchy.

The LLFA would require the following information to be provided, in a form of a drainage strategy:

- Proposed surface water discharge point, following the hierarchy of preference (as per the *Planning Practice Guidance*):
 - o Infiltration – based on the *Site Investigation* report, it is unlikely that infiltration is viable on site;
 - o Watercourse – as stated before, the closest watercourse is Bridgewater Canal. However, considering the distance to the site and presence of existing infrastructure, it's unlikely that this discharge point will be feasible;
 - o Surface water sewer – records show there are no surface water sewers in the area;
 - o Combined sewer – records show there is a combined sewer running along Waterloo Road (adjacent to western site boundary).
- Proposed discharge rate - appropriate discharge rates should be calculated for 1, 30 and 100yr flood events for use in drainage design. In line with NPPF this should be attenuated to Greenfield rates for greenfield sites/site area, and as

close as possible to greenfield rates for brownfield areas. Climate change should be considered appropriately.

- Proposed drainage layout, indicating runoff areas and calculations provided including attenuation. Interceptors/filtration may also be deemed appropriate in accordance with SUDS hierarchy/guidance.
- Details of the implementation, maintenance and management of the sustainable drainage (SuDS) scheme for the disposal of surface water in accordance with the SuDS hierarchy. This should be reported within the Drainage Strategy, this should include the following details:
 - o A management and maintenance plan for the lifetime of the development which shall include the arrangements for i) drainage to soakaway, including calculations and arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime or ii) if i) not feasible connection to any system adopted by, any public body or statutory undertaker.
 - o Interceptors, attenuation structures and calculations to demonstrate a reduction in surface water runoff rate to greenfield runoff rates for the new hardstanding areas as a minimum, with additional improvements for existing runoff where practical. Calculation should demonstrate no flooding to buildings in the NPPF design event (1 in 100 year + 40% climate change allowance).
 - o Consultation with the Environment Agency and assessment of safe access and egress to the site.

The applicant has not provided sufficient details for the LLFA to make an informed decision on this planning application. The LLFA would therefore object to the application as proposed and would recommend the applicant provides the information and documents detailed above.

Lead Local Flood Authority - Response 2.

After reviewing 20/00476/FUL planning application the LLFA has found the following:

- The planning application boundary is stated to be 0.2ha.
- The proposed development would include residential dwellings. These are classified as “More Vulnerable” Development with regard to flood risk.
- The development area is shown to have a very low fluvial, tidal and surface water flood risk on the Environment Agency Long Term Flood Risk Maps. It is also outside of any critical drainage areas (CDA) as recorded in Halton BCs strategic flood risk assessment.
- Information presented with regard to flood risk and drainage is limited to statements within the design and access statement. It is identified that the site is within flood zone 1 and is at low risk of flooding and it is stated that the drainage design would include a sustainable drainage strategy for the building.

- No other information in relation to flood risk or drainage appears to have been included as part of the planning submission.

The LLFAs comments on the application are:

- As the development is less than 1ha and is within Flood Zone 1. No flood risk assessment is required and the LLFA agrees that the development would be suitable in terms of flood risk.
- A drainage strategy would be required to support the planning application prior to the commencement of construction. This strategy should demonstrate that the risk of surface water flooding to the development would remain low for its design life and that it would not increase flood risk elsewhere.

The LLFA would recommend the following conditions should the local planning authority be minded to approve the application on this basis.

No development should commence until a surface water drainage strategy is submitted to demonstrate that the development would comply with local and national policy regarding flood risk.

- The drainage strategy should follow SUDS hierarchy – i.e. discharge locations should be considered in the following order –
 - o Soakaway,
 - o Watercourse,
 - o Surface Water Sewer,
 - o Combined Sewer.
- Infiltration tests are required to demonstrate whether soakaway is feasible. It should be noted that United Utilities also apply this strictly, and detailed consideration of the hierarchy will need to be demonstrated in supporting documentation.
- Appropriate discharge rates should be calculated for 1, 30 and 100yr flood events for use in drainage design. In line with NPPF runoff should be attenuated to greenfield rates for greenfield sites/site area, and as close as possible to greenfield rates for brownfield areas (Halton BC SFRA requires minimum 50% reduction from existing). Climate change should be considered appropriately with a 40% increase in rainfall intensity applied.
- A conceptual drainage layout should be prepared indicating runoff areas and calculations provided including attenuation. Interceptors/filtration may also be deemed appropriate in accordance with SUDS hierarchy/guidance.

No development shall be occupied until a verification report confirming that the SuDS system has been constructed in accordance with the approved design drawings (including off site alterations) and in accordance with best practice has been submitted to and approved by the local planning authority. This shall include:

- Evidence that the SuDS have been signed off by an appropriate, qualified, indemnified engineer and are explained to prospective owners & maintainers plus information that SuDS are entered into the land deeds of the property.

- An agreement that maintenance is in place over the lifetime of the development in accordance with submitted maintenance plan; and/or evidence that the SuDS will be adopted by third party.
- Submission of 'As-built drawings and specification sheets for materials used in the construction, plus a copy of Final Completion Certificate.

Conservation Advisor – Response 1.

I have dealt with the 3 elements of the proposal sequentially below.

Demolition of the Waterloo Building

As previously advised there needs to be a robust justification to remove the Waterloo Building. It is noted that the listing description for the Carnegie Library explicitly excludes Waterloo, however this is in the national context. Locally, it is part of the evolution of Runcorn and has, during its lifetime, served as the civic core. Waterloo House, therefore, is of local significance and is worthy of local listing.

The significance of Waterloo house is derived from the following heritage values:

Historic value - HIGH

Association with the industrial development of Runcorn – it was constructed for Charles Hazelhurst of Hazelhurst and Sons, a prominent manufacturing family in the town.

Use as Town Hall following creation of the Improvement Commissioners in 1852

Housing of first Public Library in Runcorn.

Clear historic connection with Carnegie Library both physically and in terms of historic uses.

Evidential value – HIGH

Evidence of the development of the immediate area as a civic centre

Map evidence shows Waterloo House in use as a library, then Town Hall, and a Technical Institute to the north of Waterloo House(now lost)

Purposeful design of Carnegie Library to abut Waterloo house – then in use as Town Hall (circa 1907).

Aesthetic value – MEDIUM

Early Victorian building constructed of red brick with detailed stone coursing and parapet.

The house is of five bays and takes on elements of the Georgian order and symmetry in its fenestration.

Although pre-dating the library Waterloo house makes a positive contribution to the setting of the Grade II listed library.

As such, there are reasonable grounds to consider it is a non-designated heritage asset.

It is noted that the Amenity Societies (SAVE and AMS) clearly consider the building to be of local importance within their earlier comments.

Halton does not have local list or a current policy in relation to non-designated heritage assets. I note one is proposed within the emerging local plan. As such, the NPPF must be followed. Paragraph 197 of the Framework states;

‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’

The heritage statement submitted with the application focuses heavily on the Grade II listed Carnegie Library, and the impact of the proposal on the setting of this heritage asset but fails to consider the local significance of Waterloo House. The report concludes that the proposed development, as a result of the demolition of Waterloo House, would have a slight beneficial impact on the setting of the Carnegie Library. I would disagree with this conclusion (detailed further below) and further state that as the significance of Waterloo house has not been duly considered and therefore not justified.

Furthermore, the application documents state that the building has been declared unsafe by the Council however this in itself does not justify the demolition of the building.

As such it is considered there would be substantial harm to this non-designated heritage asset by virtue of its demolition, as well as less than substantial harm to the setting of the Carnegie Library.

Proposed Development

The application proposes the construction of a large building and associated access, landscaping to form a 36 bed care facility. There is some inference within the heritage statement that the proposed development should be considered as enabling development to facilitate the renovation and re-opening of the Library building as a community hub.

The renovation and re-use of the Grade II Library building is welcomed and will bring with it a number of positive benefits both to the historic building and the community in continuing the philanthropic work its original benefactor, Andrew Carnegie.

However, the suggestion of enabling development is questioned here. Policy BE11 and of the HBC Local Plan and Para 202 of the NPPF deal with enabling development and place great emphasis on ensuring that the proposed enabling development would secure the conservation of the development and outweigh any harm or departure from development plan policies.

Policy BE 11 states that enabling development will only be permitted where it meets a number of criteria including

- A. The enabling development will not materially detract from the archaeological, architectural, historic or landscape interest of the asset, or materially harm its setting.
- F. It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the heritage asset and that its form minimises disbenefits.

1, It is considered that proposal would materially harm the setting of the adjacent listed building for the following reasons:

- The Design and Access statement submitted with the proposal makes very little reference to the character of the area or the consideration of the setting of the Grade II listed Library as described in the Kathryn Sather and Associates Heritage Statement. A number of design precedence images are provided at pg 63 of the DAS but, again, there is no narrative demonstrating how the design evolution has considered the setting of the heritage asset.
- The proposal presents a large linear block which dwarfs the library building through its scale and massing. This may be trying to emulate the surrounding terrace housing form but results in the building dominating the street scene and failing to integrate itself into its setting.
- A mansard style roof with dormer windows is being utilised to create additional floor space within the roof – these features are uncharacteristic of the simple roof forms of the surrounding built environment.
- The east/west elevational treatments present a broad flat elevation increasing the building's visual scale – these elevations could benefit from being broken up to better fit the context and create interest.
- The Egerton Street elevation is poorly considered. Although an entrance is proposed to this elevation the solid to void ratio within the fenestration creates a discordant and in-active frontage. This combines with the setting of this elevation to the back of pavement creates a poor relationship with the adjacent library building, with the proposal dominating the form of the library and detrimentally impacting how the library is experienced.
- The proposed building seems confused at this corner as a change in design is introduced to include a square tower-like feature within dappled brickwork creating a discord within the building. This does not allow the building to turn the corner in an appropriate or sympathetic manner, producing a very hard edge to the building. This not only changes the spatial relationship of the proposed building to the street, but also intensifies its visual dominance to the detriment of the library's setting. It is considered that this section could benefit from being pulled back from the pavement edge, softening the corner and better revealing and framing the library.

2, It has not been demonstrated that the proposal is the minimum necessary to secure the future of the Library.

As such, the proposal does not meet the criteria of policy BE11 of the HBC Local Plan and would cause harm to the setting of the heritage asset for the reasons set out above and cannot be considered as enabling development.

The proposal fails to respond positively to its context – the predominant built form and the setting of the heritage asset – due to its scale, form, massing, and design treatment.

Works to Carnegie Library

The below comments are based on the description of works set out at para 6.2 of the Heritage Statement.

Roof

- Once survey completed a repair schedule should be submitted for review.

Walls (exterior)

- Again, following survey completion a repair schedule and method statement for the stone and brick work should be provided.
- If demolition is permitted then details of the proposed works to make good/resolve the loss of the junction between the buildings will need to be provided for consideration.
- Ground floor west wall – details of treatment should be provided.

RWG

- Acceptable.

Windows and doors

- Bespoke methodology should be provided as set out in the HS.
- Front door design will require elevation and section plans
- Details of additional windows and doors will also need to be submitted

Interior

- A room by room schedule of works to include photographs and methodology should be submitted.

Position

It is not considered that the local significance of Waterloo House and its status as non-designated heritage asset has been fully addressed within the application. Therefore, a robust case for its demolition has not been made. Its demolition cannot be supported.

(Should the Council consider the demolition to be acceptable then a programme of building recording should be required at Level 2 as set out in the Historic England Guidance – Understanding Historic Buildings: A guide to Good Recording Practice)

The proposed building is inferred as enabling development to facilitate the renovation and re-opening of the Carnegie Library as a community hub. Whilst the re-use of the currently vacant library is supported and welcomed, the proposal has not demonstrated it meets the requirements of enabling development. Furthermore, the proposed building is considered to be detrimental the setting of the Grade II listed

library by virtue of its scale, mass, siting, and design treatment and cannot be supported in its current form.

The works to the Grade II Library are supported subject to the submission of additional details as set out above.

As such it is recommended that the application be refused.

Conservation Advisor – Response 2.

We have assessed this application and are of the opinion that Planning Permission should be refused.

The application proposes the demolition of the Waterloo Building, a non-designated heritage asset, and the construction of a large residential building with access, parking, and ancillary facilities. The proposal also covers the adjacent Carnegie Library, a Grade II listed building. It is proposed to refurbish the Library and provide a community hub. The proposed works to the Carnegie Library are dealt with by separate listed building consent.

The key issues for consideration are the acceptability of the proposed demolition of Waterloo Building taking into account its significance as a building of high local importance, and its current condition. The impact of the proposed development on the character of the area and on the setting of Carnegie Library.

The significance of Waterloo House is derived from its special architectural interest as a fine example of a Georgian townhouse, as well as its local historic interest as Runcorn's former town hall and the first free library in the town. This significance has been described appropriately within the updated Heritage Impact Assessment by Nexus Heritage. It is also noted that the building has been submitted for inclusion on the emerging Cheshire Local List.

The applicant has submitted that the condition of Waterloo House has degraded to such a degree that demolition is now the only viable option. A structural and condition survey has been undertaken on behalf of the Local Authority by Woodbank Consulting. This also concludes that the building is so severely affected structurally that it is beyond repair and should be demolished. The condition of the building is agreed by both the Local Authority and the applicant. In this regard, demolition would be appropriate due to the risk of collapse identified.

However, despite the physical condition of the building which has had a detrimental impact on the visual appearance of the building its aesthetic value remains high. We would concur with the findings of Nexus report in relation to the other heritage values of evidential – moderate/high, historical – high, and communal- moderate. The building is of moderate overall significance. Therefore, the proposed demolition would result in substantial harm to a heritage asset of moderate significance. It would also result in a

lower level of less than substantial harm to the setting of the Grade II listed Carnegie Library.

The proposed design would have a demonstrably different relationship to the street frontages, the adjacent Carnegie Library, and the surrounding buildings. The buildings entrance would be situated on Egerton Street, completely altering the orientation of the site from its historic form. This completely removes any activity and interrelationship with Waterloo Road. Not only the longest boundary to the site but removing any reference to the historic access points within the site evidenced through the orientation of Waterloo House and the former Technical College (now lost). The building is still very much read from Waterloo Road but fails to address this frontage satisfactorily.

The proposed building would be a large singular block punctuated at rhythmic intervals by full height glazing. Whilst this does help the design to follow the clear horizontal emphasis evident in the surrounding built form, the lack of response to the topography of the site creates a building of such great mass it dominates its surroundings.

The Egerton Street elevation remains poorly considered despite a replacement of a solid second story with a balcony. The seemingly random openings within this elevation combined with the width of the building create a poor visual and spatial relationship with the adjacent library building, with the proposal dominating the form of the library and detrimentally impacting how the library is experienced.

The mansard style roof with full length dormer windows being utilised to create additional floor space within the roof presents features that are uncharacteristic of the simple roof forms of the surrounding built environment. The southern end of the roof becomes hipped, in comparison to the northern end which finished in a gable. This detail seems slightly contrived in an attempt address the buildings dominance over the library at this juncture.

The proposal fails to respond positively to its context due to its scale, form, massing, and design treatment. The setting of the Carnegie Library would be harmed.

The renovation and re-use of the Grade II Library building is welcomed and will bring with it several positive benefits both to the historic building and the community in continuing the philanthropic works of its original benefactor, Andrew Carnegie

Impact

The proposal would result in total loss, substantial harm, of a non-designated heritage asset of moderate significance. Potential to mitigate this loss should be explored for example, would naming the new building Waterloo House preserve the memory of the asset? Creating some heritage interpretation, as well as design review to lessen the impact on setting of other buildings, as well as creating a more appropriate relationship to the character of the surrounding area.

The proposal would result in a low/moderate level of less than substantial harm to the setting of the Grade II Carnegie Library both because of the loss of Waterloo House, and the impact of the proposed development.

Conclusion

For the reasons set out above, we recommend that Planning Permission should be refused

Conservation Advisor – Response 3

I have discussed the additional documentation with the team. The team have concluded that although it goes some way to addressing the justification for the demolition of Waterloo House, as discussed at the meeting last year, it is not complete in demonstrating that all the options have been explored.

The additional document looks at the inclusion of Waterloo House into the proposed scheme by considering the approach to achieving the floor to ceiling heights and the level floor plates required for the type and use of the proposed building. One of the main arguments they present is that floors would cross over existing windows. Deeming this to be unacceptable. We would not consider this to be an immediate dismissal as there are ways to treat floor edgings as they cross windows for example. They also refer to the internal layout of Waterloo House being unsuitable for their proposed use, but this could be completely stripped out.

Furthermore, they have not demonstrated anything other than the current design in terms of layout on the site. I recall discussing at the meeting that splitting the buildings was not an ideal solution but this was not articulated in the options appraisal.

We have acknowledged previously that the likely outcome due to a combination of the degradation of the building and the associated costs to retain and repair the building in its full form would be to support demolition, based on the structural reports undertaken by both parties and the viability information supplied by the applicant. However, at present I am not aware that the Council has undertaken their own assessments in terms of costs to retain the building in whole or part. Is there any update on this?

The conclusion remains that, the total loss of Waterloo House would result in substantial harm. I do not consider that, despite the conclusions of the current surveys and the additional information submitted, that the requirements of Policy HE2 Part 12 have been satisfied. But this is for you to balance out!

Environmental Protection – Response 1

This development is situated in a predominantly residential area, on the edge of Runcorn town centre. The west boundary of the site is located approximately 70m from the Queensway (A533) flyover leading from the Silver Jubilee Bridge.

The proximity to the Queensway flyover could give rise to unacceptably high noise levels within the development properties, particularly to those on the 2nd floor and

As these four applications concern the same development site, please accept this response for all the above listed applications. Although there are different applicants, the proposed construction and demolition phase conditions will apply equally to them.

The proposed operational phase conditions will apply only to 20/00476/FUL.

Noise

This development is situated in a predominantly residential area, on the edge of Runcorn town centre. The west boundary of the site is located approximately 70m from the Queensway (A533) flyover leading from the Silver Jubilee Bridge.

The proximity to the Queensway flyover could give rise to unacceptably high noise levels within the development properties, particularly to those on the 2nd floor and towards the north of the proposed development, who may have an unobstructed line of sight to the flyover given their elevated position.

It is noted that 20/00476/FUL does not include an operational phase acoustic report. At the time of the submission of this application the Silver Jubilee Bridge was closed to traffic, and so an acoustic report submitted at this time would have had little relevance to the future noise levels that the occupants would be exposed to.

Given that the Silver Jubilee Bridge is now fully reopen however it would now be possible to conduct an acoustic risk assessment as described in ProPG: Planning & Noise (May 2017). This will advise the applicant that if a full acoustic report and subsequent scheme of mitigation is required to ensure that noise levels inside the development properties do not exceed those specified in BS 2823:2014.

In addition to the above, we would also seek to ensure that for all applicants, construction and demolition activity is carried out at appropriate times

Air Quality

No applicant has submitted an air quality assessment with their application. Whilst we would not require an operational phase report for a development of this size, appropriate consideration must be given to dust management during the construction and demolition phase of the development, particularly given the scale of demolition

And if this acoustic report recommends a scheme of mitigation to ensure these levels are achieved, it shall be implemented in full

Open Spaces Officer – Response 1.

The proposed site encompasses an area of HBC managed green space which will be lost to this development.

Trees

There are no formal tree constraints on site, and the site is not within a Conservation Area.

Trees T9 and T10 are part of HBC managed green space and will be removed as part of the plans suggested in this application. This is acceptable subject to re-planting.

The '*Tree Protection Plan*' and '*Arboricultural Impact Assessment*' maps identify that the trees located on the eastern boundary of the site have their Root Protection areas compromised by the plans shown on the 'Planning – Proposed Site Plan' map.

Trees T1, T3 and T7's RPA's will be particularly affected and encroached on by the proposed car park and communal garden.

Further information is required on what methods the developer will use in the construction of the site, taking RPA's into consideration as none have been submitted.

Tree work shall be carried out strictly in accordance with British Standard 3998:1989 "Recommendations for Tree Work" to safeguard the health and visual amenity of the tree and that the consent shall be valid for a period of two years from the date of this notice.

Work shall not be carried out between April and September if it would result in disturbance to nesting birds.

Open Space Officer – Response 2.

The proposed site encompasses an area of HBC managed green space which will be lost to this development.

Trees

There are no formal tree constraints on site, and the site is not within a Conservation Area.

Trees T9 and T10 are part of HBC managed green space and will be removed as part of the plans suggested in this application. This is acceptable subject to re-planting.

The 'Tree Protection Plan' and 'Arboricultural Impact Assessment' maps identify that the trees located on the eastern boundary of the site have their Root Protection areas compromised by the plans shown on the 'Planning – Proposed Site Plan' map.

Trees T1, T3 and T7's RPA's will be particularly affected and encroached on by the proposed car park and communal garden.

A soil assessment should be undertaken by a competent person to inform decisions relating to: the root protection area (RPA), tree protection, new planting design and foundation design to take account of retained, removed and new trees (potential soil subsidence/heave).

'Arboricultural Impact Assessment & Method Statement' (Soil Assessment 6.2.1)

Seek Arboricultural advice and undertake a phase 1 preliminary tree survey in order to inform the layout and design of the proposed development.

'Arboricultural Impact Assessment & Method Statement' (Conclusions 9.1)

Tree work shall be carried out strictly in accordance with British Standard 3998:1989 "Recommendations for Tree Work" to safeguard the health and visual amenity of the tree and that the consent shall be valid for a period of two years from the date of this notice.

Work shall not be carried out between April and September if it would result in disturbance to nesting birds.

Hedgerows

There are no hedgerow constraints on site.

Ecology

In order to mitigate risk of high Potential Roost Features (PRF) it is recommended that the clients agree a soft-lift roof strip strategy on the high risk areas of the building, under the supervision of a Suitable Qualified Ecologist (SQE).

'Bat Survey Report 2021 Waterloo Community Centre Runcorn'

There is no requirement for a Protected Species Licence.

The preferred option that demolition works be conducted outside of the active season for bats (i.e. November to end of February).

'Bat Survey Report 2021 Waterloo Community Centre Runcorn' (Recommendation 5.2)

Suitable bat boxes should be included in the building designs on both northerly and southerly aspects for varied climatic roost opportunities.

It is recommended that House Sparrow and Common Swift species are supported on this project through the provision of suitable nest box opportunities.

'Bat Survey Report 2021 Waterloo Community Centre Runcorn'. (Recommendation 5.7)

A significant number of birds were associating with the vegetation at the rear of the site, including a Siberian Chiffchaff – a scarce winter warbler. It is important that the site is inspected for breeding birds prior to demolition. It is further advised that the vegetation is cleared during the winter period. If this is not possible, then an ecologist will need to be appointed to carry out nesting bird checks before vegetation is removed.

'Ecological Statement Update Waterloo Centre Runcorn JCE ES04-1120' (Recommendation 1.9)

If this proposal is successful, we would recommend that all works comply with current bird nesting legislation.

Wildlife and Countryside Act 1981 Part 1 Section 1 (1)

Consult W&C Act 1981 (with amendments) for full details of protection afforded to wild birds.

Natural England – Response 1

Habitat Regulations Assessment (HRA) Screening required

For residential development in this area, proportionate assessment of recreational disturbance impacts on the coastal designated sites resulting from the development is required via the Screening stage of the Habitats Regulations Assessment, as required under the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations').

Under Regulation 63 of the Habitat Regulations the determination of likely significant effect is for the competent authority, in this case the Local Planning Authority. If your authority can be satisfied that the proposal can conclude no likely significant effects there is no further need to consult Natural England.

Where the HRA Screening cannot rule out a likely significant effect on the coastal designated sites then an Appropriate Assessment is required, of which Natural England is a statutory consultee, please consult us again at this stage.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on [ancient woodland and veteran trees](#) which you can use to assess any impacts on ancient woodland.

The lack of further comment from Natural England does not imply that there are no impacts on the natural environment. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on [Magic](#) and as a downloadable [dataset](#)) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Natural England – Response 2.

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 16 September 2020 – ref. 327518 which I have attached for your reference.

The advice provided in our previous response applies equally to this **amendment** although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which **significantly** affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed

will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Natural England – Response 3

Habitat Regulations Assessment (HRA) Screening required

For residential development in this area, proportionate assessment of recreational disturbance impacts on the coastal designated sites resulting from the development is required via the Screening stage of the Habitats Regulations Assessment, as required under the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations').

Under Regulation 63 of the Habitat Regulations the determination of likely significant effect is for the competent authority, in this case the Local Planning Authority. If your authority can be satisfied that the proposal can conclude no likely significant effects there is no further need to consult Natural England.

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Cheshire Constabulary – Response 1

I have reviewed the above plans for Carnegie Library, on speaking to the local offices they see the redevelopment in positive light and believe that it will assist with reducing crime and antisocial behaviour (currently the main crime issues) in the local area:-

I have listed the main points below for consideration:-

- There is a limited defensible space round the perimeter of the building
- I would recommend P1A glass for all ground floor and vulnerable windows, all doors and windows should be PAS 24:2016 or equivalent
- I would recommend that the railings to the west boundary are not easy to climb over. They should be a minimum of 1.2 metres.
- The main entrance systems should be covered with a video door entry system especially the entrance at the top of Waterloo Road which lacks natural surveillance.
- It is good to see there is a secure gate to the vehicle entrance.
- The communal garden needs to be well managed and ideally covered by CCTV. All trees and shrubs need to be well maintained. Bushes need to be a maximum of 1 metre and the trees above 2 metres to allow a clean line of sight.

Cheshire Constabulary – Response 2

I have reviewed the plans for the Carnegie Library and see not much appears to have changed with security, my priorities for consideration would still be:-

- The height of the secure access gates into the rear garden / how access is controlled and ensuring there are no climbing aids within the structure of the gate.
- The glazing on the exposed elevations should be P1A
- Consideration should be given to the width of the recessed doorway off Egerton Street. Where possible I would recommend such recesses are less than 600mm to discourage loitering.
- Appropriate lighting should also be in place to enhance natural surveillance and any CCTV coverage. Lights should comply to BS 5489:1-2020
- I would recommend each apartment is fitted with a PAS 24:2016 door set and 24 hour lighting (switched using a photoelectrical cell) should be fitted to all internal communal areas. Ground floor windows should also be fitted with locks and limiters
- An internal access control system complying to UL293 should be fitted so areas can be zoned and tenants just given access to areas they need to be in, the communal areas, scooter store and refuse should all be included.

I have also reviewed the statistics for the Mersey Ward over the last twelve months which are shown below:-



Cheshire Constabulary – Response 3.

My comments made in April 2022 have not changed:-

- The height of the secure access gates into the rear garden / how access is controlled and ensuring there are no climbing aids within the structure of the gate.
- The glazing on the exposed elevations should be P1A
- Consideration should be given to the width of the recessed doorway off Egerton Street. Where possible I would recommend such recesses are less than 600mm to discourage loitering.
- Appropriate lighting should also be in place to enhance natural surveillance and any CCTV coverage. Lights should comply to BS 5489:1-2020
- 24-hour communal lighting should be fitted to all internal communal areas.
- I would recommend each apartment is fitted with a PAS 24:2016 door set (or new upgraded PAS 24:2022 version)
- Ground floor windows should be fitted with locks and limiters.
- An internal access control system complying to UL293 should be fitted so areas can be zoned and tenants just given access to areas they need to be in, the communal areas, scooter store and refuse should all be included.
- I would ask for clarification that the recess indicated below is less than 600mm deep to discourage loitering and to ensure natural surveillance is not restricted
- I would also recommend that mitigations are put in place to ensure that the fence at the front of the block does not become a seating area, consideration could potentially be given to using prickly bushes instead.

General Information for Applicants

A design objective of the National Planning Policy Framework [NPPF], - Section 8, paragraph 92b states that planning policies and decisions should aim to achieve healthy, inclusive, and safe places which:

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example using attractive, well-designed, clear, and legible pedestrian and cycle routes, and high-quality public space, which encourage the active and continual use of public areas.

I recommend that all developments be designed to comply with the principles of Secured by Design (SBD) regardless of whether the award is being pursued. I would however welcome a Secured by Design Application for the scheme, which would enhance the development and provide greater benefits.

Applicants can get more information about Secured by Design (including Design Guides) available at www.securedbydesign.com. A summary of the relevant awards taken from the Design Guide is shown below: -

Silver

a) This award is issued by Secured by Design in recognition of the use of 'Police Preferred Specification' doorsets and windows and the steps taken to reduce the opportunity for crime and anti-social behaviour within and against the building(s) only. This award also provides evidence of compliance with Building regulations for domestic security in England, Scotland, and Wales.

b) This award is issued by Secured by design in recognition of the achievement to design out crime within the development. It acknowledges the measures taken to reduce the opportunity for crime and antisocial behaviour by improved layout, environmental design and the use of bespoke security enhanced door and window products. This award also provides evidence of compliance with Building regulations for domestic security in England, Scotland, and Wales.

Gold

This award is issued by Secured by design in recognition of the achievement to design out crime within the development. It acknowledges the measures to reduce the opportunity for crime and antisocial behaviour by improved layout, environmental design, and the use of Police Preferred Specification products. This award also provides evidence of compliance with Building regulations for domestic security in England, Scotland, and Wales'

Applicants for new developments also need to consider the carbon cost of crime. 'Destruction or theft of property requiring its replacement, and criminal harms to people requiring treatment, and the energy cost of both in emergency services and criminal justice response to crime events, taken together, represent the carbon cost of crime.'

Crime Prevention advice is given free without the intention of creating a contract. Cheshire Constabulary does not take any legal responsibility for the advice given; however, if the advice is implemented, it will reduce the opportunity for crimes to be committed. Cheshire Constabulary is unable to recommend specific companies for

security products. We do however recommend that you visit www.securedbydesign.com which gives details of products meeting Association of Chief Police Officers Approval.

United Utilities

Drainage

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

We request the following drainage conditions are attached to any subsequent approval to reflect the above approach:

Condition 1 – Surface water

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

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 7 l/s.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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

Condition 2 – Foul water

Foul and surface water shall be drained on separate systems.

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

The applicant can discuss any of the above with Developer Engineer, Matthew Dodd, by email at wastewaterdeveloperservices@uuplc.co.uk.

Please note, United Utilities are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements

of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consults with the Lead Local Flood Authority regarding the exact wording of any condition. You may find the below a useful example:

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum: a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime. The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

Water Supply

Water pressure in this area is regulated to around 20 metres head. This should be taken into account when designing the internal plumbing.

For larger premises or developments of more than one property, including multiple connections, where additional infrastructure is required, a water network behaviour/demand modelling exercise would be required to determine the network reinforcements required to support the proposed development. With this in mind we recommend the applicant contacts us at the earliest opportunity.

Should this application be approved the applicant must contact our water fittings section at Warrington North WwTW, Gatewarth Industrial Estate, off Liverpool Road, Sankey Bridges, Warrington, WA5 1DS.

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk. Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

United Utilities' Property, Assets and Infrastructure Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction. For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets – DeveloperServicesWater@uuplc.co.uk

Wastewater assets – WastewaterDeveloperServices@uuplc.co.uk

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional

information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>

Council's Archaeological Advisor

Thank you for consulting with APAS in regard to the above application, which sits within Runcorn's area of archaeological potential as outlined in the Cheshire Historic Town Survey. I can see from the supporting documentation that this application is for the refurbishment of an existing structure along with the construction of a new structure to accommodate 36 dwellings.

Having reviewed the supporting documentation, including the heritage statement provided by Kathryn Sather & Associates and the information held on the Cheshire Historic Environment Records, I can see that the area of the propose new structure has some potential for the below ground remains of the technical institute seen on the second edition OS Map.

As the new building will undoubtedly impact these remains, it would be advisable that a programme of archaeological observation is undertaken in order to identify and record these remains during key phases of development.

This programme of archaeological observation may take the form of a developer funded watching brief during key aspects of the development. These key aspect would be the initial ground clearance and excavations for foundations and services. This work may be secured by condition, a recommended wording for this is offered below:

No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.

The use of such a condition is in line with the guidance set out in Paragraphs 189 & 199, Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (Revised 2018), published by the Department for Communities and Local Government and Managing Significance in Decision-Taking in the Historic Environment, Historic Environment Good Practice Advice in Planning: 2 (Historic England 2015).

Please note that the Cheshire Archaeology Planning Advisory Service (APAS) does not carry out archaeological work and the applicants will need to appoint an archaeological contractor to organise the mitigation

Health and Safety Executive

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

Historic England

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Contaminated Land Officer

I have reviewed the application and the key supporting documents and have the following comments in relation to land contamination.

The application is supported by the following;

- Site investigation, Runcorn Old Library on behalf of Signature Housing Group, ref A3501/20, Earth Environmental & Geotechnical Ltd, August 2020

The application includes residential use (apartment units) along with landscaped/garden areas, which is a land use that is considered to be sensitive to the presence of contamination.

The above report presents the findings of a desk study and site visit in the form of a preliminary risk assessment, and a follow on site investigation and quantitative risk assessment.

The site has undergone various stages of development and subsequent clearance, with a mix of public buildings and residential. The current site is the former public library and unused open land.

Potential pollutant linkages identified by the preliminary risk assessment include soil bound contamination from the various phases of occupation and demolition, along with the potential for adverse ground gases.

The site investigation is based around five shallow boreholes and the sampling of soils and ground gases. The scale of the investigation is relatively small with the five sample positions and five soil samples sent for chemical analysis.

All the samples exhibited some contaminants above the selected assessment criteria, with the most significant contamination being PAHs and other hydrocarbons in two of the sample locations. The analysis suggests that the near surface soils have been impacted by heavy fuel oil and potentially coal tar derived substances.

The report recommends that the current near surface soils are not suitable for the proposed end use, and that some form of remediation will be necessary.

Taking the above into account I do not object to the scheme, however, if planning permission is to be granted, I should be conditioned to require further investigation (the current assessment is based on a small number of samples) and the development and submission of a remediation strategy. Conditions requiring the submission of a verification report to demonstrate that the remedial objectives have been met will also be necessary.

Suggested condition wording;

No development shall take place until the following has been undertaken:

A remediation strategy, which may include further site investigation to formulate the strategy, shall be formulated that includes a timetable for implementation, monitoring proposals and remediation verification methodology. This shall be submitted to and approved in writing by the Local Planning Authority.

Prior to the occupation of the development;

A Site Verification/Completion Report shall be submitted to and approved in writing by the Local Planning Authority, and shall be completed by a suitably qualified professional. This shall include details on the remediation works undertaken; validation testing of the adequacy of the remediation; certificates of the suitability of the imported cover materials from a suitably qualified independent person; the fate of any excavated material; and any necessary verification-monitoring programme including details of any installed post-completion monitoring devices, together with measures to be undertaken should action limits be exceeded.

Highway Officer – Response 1

Highway Holding Objection.

Additional information and/or modification is required for full highway support to be offered.

In highway terms, when reviewing such a submission, consideration is given, but not limited to, the following: **traffic generation; access to the site for all modes; parking, turning and servicing facilities; and the impact on highway safety.**

Site and Situation

Egerton Street is one-way in operation, with parking restrictions – no waiting at any time - on both sides of the carriageway.

Houses on this street have no front boundary, with residents exiting houses directly onto the footpath.

Waterloo Road has parking restrictions only on the opposite side of the carriageway to the site and the houses have small private areas to the front of the properties. Resident parking is therefore on-street and site visits have shown that there is limited capacity for additional vehicles with the potential for potential inconvenience and safety issues to both local residents and highway users about the site due to increased on street parking pressures attributable to the development and traffic generation/attraction associated.

The proposed site access is opposite a priority junction with Speakman Street, a residential street. It appears this was some form of previous access though it is not understood if it was historically for vehicles and/or pedestrians.

Traffic Generation

With no Transport Assessment or Statement offered there was no traffic generation or associated information supplied.

It is considered, in accordance with Policy C1 Transport Assessments and Travel Plans, Point 16 that such a submission is required given the above mentioned location specific issues.

The level and content of the supporting TA/Ts should be scoped with the Highway Authority in advice, as per afore, mentioned policy point 16.

TRICS database with comparative sites is generally utilised, where direct comparison of similar sites, in sufficient numbers, is not available, to provide trip generation/attraction information and also can be utilised for parking accumulation assessment.

For 85th Percentile Trip Generation, requested, a minimum of 20 sites will be required. If any reduction from the 85th Percentile rate is proposed then robust justification is required and sensitivity analysis using both average (50th percentile) and 85th percentile trip rates should be presented.

Whilst it is not anticipated that there will be a detrimental impact on the highway network, in terms of traffic generation, robust information, in the form of analysis and assessment, is required to be presented and from this the adequacy of parking provision can be supported, or otherwise.

A questionable (see 10.1 of the D&A) beat survey was not considered robust, nor was the raw data/results found, and was not undertaken in a neutral period as per guidance.

Access to the site for all modes

The proposed access to the car park area off Waterloo Road is unsatisfactory in terms of accessibility for vehicles and pedestrians.

However, it is noted that a previous query as to whether this is intended for pedestrian access has not been satisfactorily answered.

Given the Fire Escape egress point, and the secure gate to the communal garden form the parking area (see query below) at the top of the ramp is it is presumed that this is.

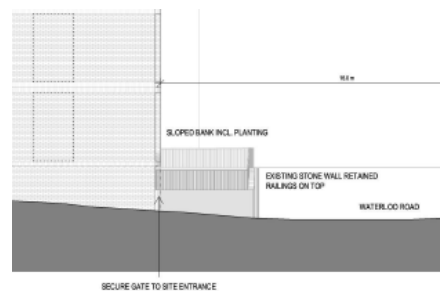
The ramp, with a 1:14 gradient, is not compliant for vehicles or pedestrians and there is no footpath or protected walkway for pedestrian/vulnerable users.

The gate detail in terms of effective width of the access opening is not forthcoming and therefore the ability of vehicles to pass on the ramp has not been demonstrated.

If only one vehicle is able to utilise the ramp at a same time there are safety concerns should accessing and egressing vehicles coincide; with either an excessively long reverse up a steep slope or backing out to Waterloo Road with the Speakman Rd junction opposite required.

Tracking for the largest vehicle likely to utilise this access is required, as well as tracking of the above mentioned manoeuvres i.e. passing on the ramp or otherwise.

Gate detail to understand effective width is also required.



Whilst historic (2009) the snippet above also demonstrated that the visibility splay information is not accurate.

The pillar to the existing house about the access will be within the 0.6m to 2m visibility envelope and, although described as a low wall and railing, as can be seen from the second snippet from DWG No. 1351 Rev B, Proposed Elevations this side of the access would have obstructed sightlines.

Moreover, the visibility splay “y” distance is required to be 25m, not 20m, for a 20mph street, see MfS Table 7.1. However, this street is subject to a 30mph speed limit and therefore 43m is the required distance.

Further, as can be seen from the Streetview snippet that cars parked adjacent to the entrance will further undermine visibility and therefore parking restriction, i.e. a TRO and signing/lining would be required to be sought (with public consultation part of the process), at the applicant's expense, to protect highway users' safety.

However, it should be noted that whilst the other side of the junction has double yellow lines there are cars parked indiscriminately underlining the local issues, as aforementioned.

See MfS 7.8.5 Obstacles to visibility for further consideration.

Another query that remains unresolved regards pedestrian access to the site, from the rear parking court, and the "Secure Gate". How is access acquired i.e. intercom and remote operation, passcode or suchlike?

Regardless the position is not acceptable, discharging into the turning area of the car park and a dedicate/protected walkway should be offered to all parking spaces. The disabled space would require a user to wheel through the centre of the turning aisle and then negotiate the non DDA compliant slope

With regards to cycle accessibility, again the ramp is not acceptable in terms of gradient and again the secure gate, with the cycle storage being on the other side of the secure gate in the communal garden, or access is via a secure gate at the Egerton street entrance and through the courtyard to the furthest point of the communal garden.

Please see LCR CA Cycle Parking Guidance (2022), MfS and LTN 1/20 for guidance on secure, convenient and accessible cycle parking provision that will encourage and enable alternative journeys to vehicles.

The entrance lobby on Egerton Street does not have connection to Community Hub 1 or elsewhere – it is assumed this is a drawing error.

Access and manoeuvring for a fire appliance should be demonstrated; they should be able to get to within 45 metres of a dwelling, with a maximum reversing distance of 20 metres (MfS 6.7.2).

Parking, turning and servicing facilities

As well as the access to the rear parking court being unacceptable, the overall provision in terms of amount and location have significant shortcomings.

The information offered in the D&A Section 4.2 Care Needs and Staffing in the D&A is considered conflicting, and not robust or clear.

The notional split of occupants care needs does not consider the worsening condition that the residents will experience at differing rates, though a higher level of staffing for end of life care is mentioned, as well as overnight care for high care needs, it is stated that two carers per resident may be required.

However, only a single overnight staff member is suggested which is incongruous. 4 staff for 36 residents in the daytime also seems underprovision. Also, is there a staff member at the front entrance?

The information presented only pertains to the C2 Use, not the Community Centre(s), for which no information or insight has been offered in terms of staffing, visitor numbers, traffic generation or indeed general operational use or detail.

As aforementioned TRICS can be utilised to provide parking accumulation information, alternatively similar actual such facilities could be surveyed to offer operational insight into traffic generation and parking use of such establishments.

See section above re cycle parking shortcomings that need addressing.

No motorcycle parking has been offered and is required.

Scooter storage is offered. The location, central in the building with several door to navigate is not considered an accessible position given the nature of users.

No EV charging infrastructure was offered and is required.

No ambulance parking is offered and this is required to be considered given the nature of the residents' needs and the care given - to end of life.

The visitor restrictions are not clearly understood, or agreed with. Do the numbers refer to parking spaces or all visitors?

How would access be controlled, see above re secure gate access/front entrance staffing? Given the number of residents (36 No), their condition, which only deteriorates to end of life, the number of visitors is not considered realistic.

Shift times, visitor times and other operational information was not forthcoming and is required to understand the functioning building and therefore review and assess the proposal comprehensively..

The levels about the car park given the apparent difference about the Fire Escape need clarification - see snippet below from DWG No. 1351 Rev B, Proposed Elevations. It should be noted this is adjacent to the disabled parking space



Road marking detail, nor signage, for deliveries and drop/off and a disabled parking bay were not presented, only annotated on a plan.

The distance from the bin store to the kerbside collection point appears in excess of prescribed distance for the dragging of bins, see MfS 6.8.9, Bldg Regs H, and BS5906. The route also does not appear level given the levels presented.

It should be noted that Halton Planning Applications 10/00500/FUL, Naughton Fields, and 13/00112/FUL, Ashley Green, both for extra care provision, offered 30 and 27 spaces, for 47 and 50 units, respectively, a significantly higher number of

parking spaces, proportionally (0.64 and 0.54) , than this proposal, with 11 for 36 (0.3). The latter application explicitly references minimising potential on-street parking with sufficiency of on-site provision.#'

Impact on highway safety

Notwithstanding the lack of required intervisibility about the access junction and further compromised safety of all highway and site users given the excessive slope the Waterloo Road access to the car park is not clearly apparent, being a narrow opening between buildings (existing and proposed).

The inconspicuousness of the access/parking is another outstanding matter, see 10.1 Vehicle and Car Parking Strategy.

Further, positioned at the rear of the building, with undetermined access to the building, i.e. via secure gate or long walk down an excessively steep slope and round to the principal entrance(s) on Egerton Street, as well as the considered underprovision of spaces the parking provision is not considered conducive to use of this allocated off-street rear parking court and more convenient, closer and accessible on-street parking will ensue.

The Egerton Street Car Park, offered as able to accommodate any shortfall in parking is before the building, on a one way street/circuit, and similarly requires a walk, where the propensity to park as close to an entrance/destination as possible is well documented

It is considered that whilst a limited shortfall in on-site parking would not be significant the insufficiencies of the access and parking will create on-street parking pressures in the vicinity of the site with inconvenience and potential danger to local residents and highway users.

As well as indiscriminate parking, manoeuvres associated with the lack of adequate on-site provision manoeuvres associated with the inadequacies of the access also present potential hazard to highway users.

Highway Officer – Response 2

No Highway Objection, with suggested conditions.

Following the submission of additional information, and amendments, the holding objection is removed.

It is considered that the development as proposed and any shortfall in on-site parking would not be significant to the local network nor create undue on-street parking pressures to the inconvenience of local residents in the vicinity of the site, nor severe highway safety for highway users.

Additional cycle parking provision for visitors/short-term, suggested to be in the courtyard, separate from the staff/long-term cycle parking is required. A suitable condition should therefore be applied. This condition should include details of the CCTV mentioned and the cycle storage facility in the rear parking area.

LCR CA Cycle Parking Guidance (2022), MfS and LTN 1/20 offer guidance on secure, convenient and accessible cycle parking provision that will encourage and enable alternative journeys to vehicles.

Short-term (visitor) cycle parking does not need to be covered, like the staff cycle parking store, but must be secure, overlooked and accessible as well as adequate in quantity; a provision for a minimum of four bikes is required.

Highway Officer – Response 3.

No Highway Objection, with suggested conditions.

Following the submission of additional information, and amendments, including changes to the description of development, to more accurately reflect the proposal in hand, the holding objection is removed.

The application was offered, in the D&A, to be considered neither as C2, nor C3, but as Sui Generis; a pragmatic approach was therefore undertaken by Highways to ensure all potential uses, and impacts, were satisfactorily covered in terms of review and assessment of Highway considerations.

The scheme is for 29 Apartments which, according to the DALP Policy C2, Appendix D Parking Standards, viewed as being a Town Centre location, though technically just outside the recognised boundary, requires (assessed as C3 domestic dwellings) between 0.5 and 1 space per apartment i.e., between 15 and 29 spaces.

Twenty car parking spaces are offered in compliance with policy, as above assessed, though this could be increased by reconfiguring the overprovision of disabled spaces: this overprovision being reflective of the proposed actual use as

supported living/extra care apartments, for adults with early onset dementia and/or other special needs, as per the D&A.

Extra-care housing offers more support than [sheltered housing](#) but still allows independently living, in this instance in a self-contained flats, with staff available up to 24 hours per day to provide personal care and support services. Against such residential institution (C2) use proposed there is a satisfactory amount of car parking offered in excess of standards.

The applicant has worked collaboratively to improve and increase parking provision, for all modes, and other scheme improvements, such that the offering is on balance deemed supportable in highway terms.

Any considered shortfall in on-site parking would not be significant to the local network, nor create undue on-street parking pressures to the inconvenience of local residents, nor severe highway safety for highway users in the vicinity of the accessibly located site. Further, should an appeal be lodged against a refusal based on parking grounds it would be unlikely to be upheld. It should be noted the adjacent and surrounding homes are not afforded in-curtilage parking.

A Car Park Management Plan (CPMP) can be utilised as a tool to manage parking demand by identifying the users of a parking area (residents, staff, visitors, deliveries etc.) and planning for their respective needs, with the practical measures enabling the building management organisation to control who parks in the available spaces, with supporting monitoring and enforcement measures, sometimes as 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.

A CPMP, nor Travel Plan condition are considered necessary conditions given the special needs of the proposed residents.

Additional cycle parking provision for visitors/short-term, suggested to be in the courtyard, separate from the staff/long-term cycle parking, is required through suitably worded condition, which should include details of CCTV mentioned by the applicant, for additional surveillance/security, for the cycle storage facility in the rear parking area.

The LCR CA Cycle Parking Guidance (2022), MfS and LTN 1/20 offer guidance on secure, convenient, and accessible cycle parking provision that will encourage and enable alternative journeys to vehicles. Short-term (visitor) cycle parking does not need to be covered, like the staff cycle parking store, but must be secure, overlooked, and accessible as well as adequate in quantity; a provision for a minimum of four bikes is required, again to be covered in the suitably worded condition.

A Construction Management Plan (CMP) will be required pre-commencement which will cover, but not be limited to; the management of vehicle movement associated with the site on the public highway, parking for site associated vehicles, time of working and the management of debris on the highway.

Suggested Conditions

Should permission be granted the following conditions are suggested:

- **Car Parking Details:** Notwithstanding the submitted plans, development shall not take place until a scheme identifying areas of parking; including disabled, EV spaces and charging infrastructure, motorcycle and cycle parking, servicing, vehicular manoeuvring (including provision for pedestrians) has been submitted to and approved in writing by the Council as Local Planning Authority. The development shall not be brought into use until the areas identified have been hard surfaced, drained within the site and permanently marked out or demarcated in accordance with the details agreed. These areas shall be retained as such thereafter. For the avoidance of doubt, long stay cycle parking must be convenient, covered and offer a means to secure the cycles. Motorcycle parking should offer an anchor point securely attached to the ground, or similar.
- **Off Site Highway Improvements:** No development shall take place until a scheme for the design and layout of improvement works on the public highway about the site has been submitted to, and approved in writing by, the Council as Local Planning Authority. For the avoidance of doubt, the works shall include, but not be limited to:
 - Formation of the new vehicular access to the site from, including pedestrian crossing facilities, and,
 - Resurfacing of the footpath about the entire frontage of the development and any applicable kerbing, drainage, lining and signing modifications (parking bays on Egerton St.).

The approved scheme shall be implemented before the development is brought into use.

- **Demolition and Construction Management Plan(s)**

A Demolition/Construction Management Plan will have to be submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction effects. This shall detail, but not be limited to, the following:

- Layout of the site compound including identification of areas for the storage of plant and materials, loading/unloading and turning areas for delivery vehicles [for each phase as necessary].
- Management of deliveries including prevention of waiting/layover of construction related traffic on the highway, measures for the control of traffic to and from the site and consideration of any temporary traffic management arrangements which may be necessary during periods of construction.
- Note - reversing on the highway is not permitted without a Banksman.
- Construction staff parking arrangements - on site with sufficiency to accommodate all.
- Control of transfer of mud out of the site - details of wheel washing facilities including location and type.

- Note – Road sweeping at the request of HBC, about the access(es) and vicinity of the site is required to be referenced in the D/CMP document(s),
- Methods for the mitigation of noise and vibration from building works also from the operation of any temporary power generation or pumping plant which will operate overnight, if applicable.
- Methods for dust control and suppression.
- Measures to protect highway users when demolition/construction work is carried out adjacent to the highway.
- A programme of works including phasing, if applicable.
- Adequate provision for addressing any abnormal wear and tear to the highway, if applicable.

Note: Pre- and post-inspection visits will be required to ascertain if any damage has occurred, to be rectified at the developer's expense.

All site works shall then be carried out in accordance with the approved Plan unless otherwise agreed in writing beforehand with the Local Planning Authority.

Informatives

Notwithstanding LLFA comments, provision shall be made within the site for the disposal of surface water such that none runs onto the highway. The applicant should ensure they have met their obligations under NPPF particularly regarding discharge rates.

The developer will be responsible for paying for the installation of new and/or relocation of any existing signs/columns which must be agreed in advance.

A S278 highway agreement will be required prior to the commencement of any construction work to undertake works on the existing adopted highway about the site frontage and the signing and lining of the parking bays on Egerton Street.

Council's Ecological and Waste Advisor – Response 1.

Habitats Regulations Assessment

3. The development site is located in close proximity to the following European designated sites and Core Strategy Local Plan policy CS20 applies:

- Mersey Estuary SPA (400m)
- Mersey Estuary Ramsar (400m)

4. I have considered the proposals and the possibility of likely significant effects on European sites using the source-pathway-receptor model. I advise that there is no pathway that could result in likely significant effects on the European sites and the proposals do not warrant a detailed Habitats Regulations Assessment for the following reasons:

- Limited direct accessibility to European sites due to the Manchester Ship Canal,
- Low recreational pressure impacts from the additional care nature of this residential development, as it is unlikely that new homeowners will travel to European sites; and,
- Provision of SANGs within development i.e. courtyard garden.
- Nearest 'gateway access' point is Wigg Island which has moderate access to the European Sites,

Bats Roosting

5. The applicant has submitted a Bat Activity Surveys Report (Jeff Clarke Ecology, 30/09/2019) in accordance with Core Strategy Local Plan policy CS20. The report is not acceptable because of significant limitations. An updated bat survey report is required, in line with Recommendations of the Bat Activity Surveys Report commissioned by the applicant. See Part Two for justification.

6. An updated emergence and re-entry or activity bat survey is required prior to determination. Bats are protected species and Core Strategy Local Plan policy CS20 applies. Protected Species are a material consideration.

The survey and report are essential to determine if bats are present. If present the Local Planning Authority is required to assess the proposals against the three tests (Habitats Regulations) and determine whether an EPS licence is likely to be granted. Surveys must follow Standing Advice and best practice guidance (Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edition, Bat Conservation Trust ISBN-13: 978-1-872745-96-1). Any deviation from these guidelines must be fully justified. The applicant should note that timing for this survey is May to September inclusive.

Foraging and Commuting

7. Habitats adjacent to the site provides foraging and commuting habitat for bats. Lighting for the development may affect the use of these areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the habitats in line with NPPF (paragraph 180). This can be secured by a suitably worded planning condition. It would be helpful for the applicant to refer to Bat Conservation Trust website <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

Breeding birds

8. Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected and Core Strategy Local Plan policy CS20 applies. The following planning condition is required and included within a CEMP.

CONDITION No tree felling, scrub clearance or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If

present, details of how they will be protected are required to be submitted for approval.

9. The proposed development will result in the loss of bird breeding habitat and UDP policy OE5 applies. To mitigate for this loss, details of bird nesting boxes (e.g. number, type and location on an appropriately scaled plan) that will be erected on the site for agreement with the Council are required. This can be secured by a suitably worded planning condition.

CONDITION The development hereby permitted shall not be occupied until details of bird boxes (e.g. number, type and location on an appropriately scaled plan) and timing, has been provided for approval and implemented in accordance with those details.

Waste Local Plan

Policy WM8

10. The proposal is major development involves demolition and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal.

In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition. The details required within the waste audit or similar mechanism is provided in Part Two. Policy WM9 11. The applicant has provided sufficient information in Proposed site plan (Pozzoni, 08/18) to comply with policy WM9 (Sustainable Waste Management Design and Layout for New Development) of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8). The Proposed site plan can be secured as an Approved Drawing by a suitably worded planning condition.

Part Two 12.

The Bat Activity Surveys Report (Jeff Clarke Ecology, 30/09/2019) is not acceptable because of the following limitations:

- Age of survey – over 12 months old,
- High level of bat activity recorded during all three surveys,
- Numerous bat records in the area,
- Possible emergence from the north side of the building; and,
- Good foraging habitat on and adjacent to the site.

Waste Local Plan – WM8

13. A waste audit or similar mechanism provides a mechanism for managing and monitoring construction, demolition and excavation waste. This is a requirement of WLP policy WM8 and the National Planning Policy for Waste (paragraph 8); and is advised for projects that are likely to produce significant volumes of waste (nPPG, paragraph 49). Implementation of such mechanisms may also deliver cost savings and efficiencies for the applicant. The following information could be included within the waste audit (or similar mechanism) as stated in the Planning Practice Guidance:

- the anticipated nature and volumes of waste that the development will generate;
- where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development;
- the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities; and
- any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete.

Information to comply with policy WM8 could be integrated into a Construction Environment Management Plan (CEMP) if one is to be produced for the development. This would have the benefit of ensuring that the principles of sustainable waste management are integrated into the management of construction on-site to improve resource efficiency and minimise environmental impacts.

Guidance and templates are available at:

- <http://www.meas.org.uk/1090>
- <https://www.gov.uk/guidance/waste>
- <http://www.wrap.org.uk>
- http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item_id=8983

Council's Ecological and Waste Advisor – Response 2.

Bats

1. The applicant has submitted an Ecological Statement Update (*Jeff Clarke Ecology, 11/12/2020*) in accordance with Core Strategy Local Plan policy CS20. The Ecological Statement does not address the issues raised by MEAS previously (07/10/2020 and 30/11/2020) regarding bats.
2. The Ecological Statement Update concludes that there is 'no material change' in deterioration of the existing building and demolition can proceed on the basis of the Reasonable Avoidance Measures (RAMs) outlined in the 2019 Bat Activity Surveys Report (*Jeff Clarke Ecology, 30/09/2019*),

3. In section 3.19 of the Bat Activity Surveys Report it is stated that possible bat emergence was observed from the north side of the existing building during emergence survey, the validity of which is still to be fully evaluated by the consultant. This is a significant limitation of the report as it is also stated that the building has potential as a maternity roost of high conservation value (Table in 3.5 of the report).
4. As the consultant has not adequately responded to previous attempts to address these issues, including direct contact by myself (29/09/2020), I advise the conclusions of the 2019 survey effort are not accepted due to a possible emergence event, the high bat roost potential and possible high conservation potential of the building. In addition, paragraph 5.4 of the Bat Activity Surveys Report states survey effort should be updated if works had not begun by 1st June 2020. Further information is provided in Part Two of this response.
5. Updated emergence and re-entry bat survey effort, in line with Collins¹ (2016) guidelines for buildings of high bat roost potential, is required **prior to determination**. Bats are protected species and Core Strategy Local Plan policy CS20 applies. Protected Species are a material consideration.

The survey and report are essential to determine if bats are present. If present the Local Planning Authority is required to assess the proposals against the three tests (Habitats Regulations) and determine whether an EPS licence is likely to be granted. Surveys must follow Standing Advice and best practice guidance². Any deviation from these guidelines must be fully justified. The applicant should note that timing for this survey is May to September inclusive.

Breeding birds

6. Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected and Core Strategy Local Plan policy CS20 applies. The following planning condition is required and included within a CEMP.

CONDITION

No tree felling, scrub clearance or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

¹ Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edition, Bat Conservation Trust ISBN-13: 978-1-872745-96-1

² Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edition, Bat Conservation Trust ISBN-13: 978-1-872745-96-1

7. The proposed development will result in the loss of bird breeding habitat and Local Plan policy CS20 applies. To mitigate for this loss, details of bird nesting boxes (e.g. number, type and location on an appropriately scaled plan) that will be erected on the site for agreement with the Council are required. This can be secured by a suitably worded planning condition.

CONDITION

The development hereby permitted shall not be occupied until details of bird boxes (e.g. number, type and location on an appropriately scaled plan) and timing, has been provided for approval and implemented in accordance with those details.

Part 2

8. MEAS have stated updated emergence and re-entry bat survey is required due to the following:
- Several potential roost features identified, including features of high bat roost potential and possible high conservation value (*Jeff Clarke Ecology, 11/12/2020*);
 - High level of bat activity recorded during all three surveys;
 - Numerous bat records in the area;
 - Bats are highly transient species;
 - Possible emergence from the north side of the building (*section 3.19 of the Bat Activity Surveys Report, Jeff Clarke Ecology, 30/09/2019*); and,
 - Good foraging habitat on and adjacent to the site.
9. Due to the ongoing situation with Covid-19, we understand that ecological survey work may need to be postponed or undertaken using a risk-based approach. The Government has released [guidance](#) for ecologists carrying out field survey or mitigation works during the coronavirus pandemic. CIEEM has also published [Guidance on Ecological Survey and Assessment in the UK During the Covid-19 Outbreak](#). This is a tool which is intended to help ecologists undertake ecological survey and assessments during the restrictions necessitated by the Covid-19 outbreak.

Council's Ecological and Waste Advisor – Response 3.

3. The ecological consultant has provided additional information to clarify the possible bat emergence from the north side of the building as part of Bat Activity Surveys Report (*Jeff Clarke Ecology, email to A. Coffey (MEAS)- RE: Re ecology conditions for Waterloo Centre & Carnegie Library, Egerton Street Waterloo Road Runcorn WA7 1JN, 30/09/2019*).
4. The additional information provided by the ecologist in relation to possible bat emergence is accepted and can be discounted as a reason for resurvey.
5. However, previous comments made by MEAS (27/05/2021) remain valid and further bat surveys are required.

6. Updated emergence and re-entry bat survey effort, in line with Collins³ (2016) guidelines for buildings of high bat roost potential, is required **prior to determination**. Bats are protected species and Core Strategy Local Plan policy CS20 applies. Protected Species are a material consideration.

The survey and report are essential to determine if bats are present. If present the Local Planning Authority is required to assess the proposals against the three tests (Habitats Regulations) and determine whether an EPS licence is likely to be granted. Surveys must follow Standing Advice and best practice guidance⁴. Any deviation from these guidelines must be fully justified. The applicant should note that timing for this survey is May to September inclusive.

Part 2

7. MEAS have asked for an updated emergence and re-entry bat survey due to the following:
- a. High level of bat activity recorded during all three surveys,
 - b. Numerous bat records in the area,
 - c. Bats are highly transient species,
 - d. Uncertainties over the bat roost potential categorisation in the Bat Activity Surveys Report (as the table in paragraph 3.5 states conclusions of high bat roost potential for day/transient roosts and moderate maternity potential but fails to elaborate)
 - e. Paragraph 5.4 of the Bat Activity Surveys Report states survey effort should be updated if works had not begun by 1st June 2020; and,
 - f. Good foraging habitat on and adjacent to the site.
8. Due to the ongoing situation with Covid-19, we understand that ecological survey work may need to be postponed or undertaken using a risk-based approach. The Government has released [guidance](#) for ecologists carrying out field survey or mitigation works during the coronavirus pandemic. CIEEM has also published [Guidance on Ecological Survey and Assessment in the UK During the Covid-19 Outbreak](#). This is a tool which is intended to help ecologists undertake ecological survey and assessments during the restrictions necessitated by the Covid-19 outbreak.

Council's Ecological and Waste Advisor – Response 4.

The applicant has submitted additional information, Bat Survey Report (*Anser Ecology, 23/08/2021*) in accordance with Core Strategy Local Plan policy CS20. I advise that the survey is acceptable.

³ Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edition, Bat Conservation Trust ISBN-13: 978-1-872745-96-1

⁴ Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edition, Bat Conservation Trust ISBN-13: 978-1-872745-96-1

Bats

Roosting

The updated emergence and re-entry survey were conducted by suitably qualified ecologists on 18th July and 5th August respectively (*Anser Ecology, 23/08/2021*). The report states that no bats were recorded emerging from, or re-entering, the building during the updated surveys. The Council **does not** need to consider the proposals against the three tests (Habitats Regulations). See comments below and Part Two.

As a precautionary approach, I advise that the building is demolished removed during the November and February. If this is not possible a licensed bat ecologist is required to directly supervise the removal of the roof as set out within the Recommendations section of the survey report (*Anser Ecology, 23/08/2021*). This can be secured by a suitably worded planning condition.

The report categorises the building as having high suitability for roosting bats and this habitat will be lost to facilitate development. To compensate for this loss, I advise that bat box provision recommended in section 5.6 of the survey report (*Anser Ecology, 23/08/2021*) is secured by a suitably worded planning condition.

Foraging

Habitats adjacent to the site provide foraging habitat for bats. Lighting for the development may affect the use of this area. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the area in line with NPPF (paragraph 180). This can be secured by a suitably worded planning condition. It would be helpful for the applicant to refer to *Bat Conservation Trust website* <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

Part Two

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

Any landscaping on site should be with native tree and shrub species. These include:

- Willow (*Salix* spp.);
- Rowan (*Sorbus aucuparia*);
- Birch (*Betula pendula* or *B. pubescens*);
- Hawthorn (*Crataegus monogyna*);
- Blackthorn (*Prunus spinosa*);
- Alder (*Alnus glutinosa*); and
- Holly (*Ilex aquifolium*).

Lead Local Flood Authority – Response 1

After reviewing 20/00477/LBC planning application, the LLFA has found the following:

- The site is approximately 0.22ha in size and is a brownfield site comprising the Carnegie Library and Waterloo Centre.
- The proposed development for refurbishment of the existing library building to provide a new Community Hub, and erection of 36 one bedroom apartments, with associated access, parking and landscaping.
- The proposed development site is classed as 'More vulnerable', according to the Table 2 of the *Planning Practice Guidance: Flood Risk and Coastal Change* (paragraph 66).
- The applicant has provided the following relevant documents:
 - o *Design Access Statement*, prepared by Pozzoni Architecture, revision A, dated 09.06.2020;
 - o *Site Investigation* report, prepared by Earth Environmental & Geotechnical, reference number A3501/20, dated August 2020;
 - o *Drawing Planning – Existing Site*, number 1100, prepared by Pozzoni Architecture, dated 14/05/20;
 - o *Drawing Planning – Proposed Site Plan*, number 1102, prepared by Pozzoni Architecture, dated 14/05/20;
 - o *Drawing Occupancy Floor Plan*, number 1103, prepared by Pozzoni Architecture, dated 14/05/20;
 - o *Drawing Planning – Proposed Elevations*, number 1350, prepared by Pozzoni Architecture, dated 14/05/20;
- No information on proposed management of surface water management has been provided.
- Records show this site is located within Flood Zone 1 (according to Environment Agency's *Flood Map for Planning*) and within very low surface water flood risk according to the Environment Agency's *Long Term Flood Risk Map*.
- Records show that the closest watercourse is Bridgewater Canal, located approximately 145m south of the site, and the Manchester Ship Canal, located 195m north of the site.
- The Halton Borough Council Strategic Flood Risk Assessment shows the site is located outside of a Critical Drainage Area.

Based on the above, the LLFA considers the applicant has not adequately assessed the site with regards to the drainage hierarchy.

The LLFA would require the following information to be provided, in a form of a drainage strategy:

- Proposed surface water discharge point, following the hierarchy of preference (as per the *Planning Practice Guidance*):
 - Infiltration – based on the *Site Investigation* report, it is unlikely that infiltration is viable on site;
 - Watercourse – as stated before, the closest watercourse is Bridgewater Canal. However, considering the distance to the site and presence of existing infrastructure, it's unlikely that this discharge point will be feasible;
 - Surface water sewer – records show there are no surface water sewers in the area;
 - Combined sewer – records show there is a combined sewer running along Waterloo Road (adjacent to western site boundary).
- Proposed discharge rate - appropriate discharge rates should be calculated for 1, 30 and 100yr flood events for use in drainage design. In line with NPPF this should be attenuated to Greenfield rates for greenfield sites/site area, and as close as possible to greenfield rates for brownfield areas. Climate change should be considered appropriately.
- Proposed drainage layout, indicating runoff areas and calculations provided including attenuation. Interceptors/filtration may also be deemed appropriate in accordance with SUDS hierarchy/guidance.
- Details of the implementation, maintenance and management of the sustainable drainage (SuDS) scheme for the disposal of surface water in accordance with the SuDS hierarchy. This should be reported within the Drainage Strategy, this should include the following details:
 - A management and maintenance plan for the lifetime of the development which shall include the arrangements for i) drainage to soakaway, including calculations and arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime or ii) if i) not feasible connection to any system adopted by, any public body or statutory undertaker.
 - Interceptors, attenuation structures and calculations to demonstrate a reduction in surface water runoff rate to greenfield runoff rates for the new hardstanding areas as a minimum, with additional improvements for existing runoff where practical. Calculation should demonstrate no flooding to buildings in the NPPF design event (1 in 100 year + 40% climate change allowance).
 - Consultation with the Environment Agency and assessment of safe access and egress to the site.

The applicant has not provided sufficient details for the LLFA to make an informed decision on this planning application. The LLFA would therefore object to the application as proposed and would recommend the applicant provides the information and documents detailed above.

Lead Local Flood Authority – Response 2

Following my response regarding 20/00476/FUL, I've nothing to add to 20/00477/LBC.

Conservation Advisor – Response 1.

I have dealt with the 3 elements of the proposal sequentially below.

Demolition of the Waterloo Building

As previously advised there needs to be a robust justification to remove the Waterloo Building. It is noted that the listing description for the Carnegie Library explicitly excludes Waterloo, however this is in the national context. Locally, it is part of the evolution of Runcorn and has, during its lifetime, served as the civic core. Waterloo House, therefore, is of local significance and is worthy of local listing.

The significance of Waterloo house is derived from the following heritage values:

Historic value - HIGH

Association with the industrial development of Runcorn – it was constructed for Charles Hazelhurst of Hazelhurst and Sons, a prominent manufacturing family in the town.

Use as Town Hall following creation of the Improvement Commissioners in 1852

Housing of first Public Library in Runcorn.

Clear historic connection with Carnegie Library both physically and in terms of historic uses.

Evidential value – HIGH

Evidence of the development of the immediate area as a civic centre

Map evidence shows Waterloo House in use as a library, then Town Hall, and a Technical Institute to the north of Waterloo House(now lost)

Purposeful design of Carnegie Library to abut Waterloo house – then in use as Town Hall (circa 1907).

Aesthetic value – MEDIUM

Early Victorian building constructed of red brick with detailed stone coursing and parapet.

The house is of five bays and takes on elements of the Georgian order and symmetry in its fenestration.

Although pre-dating the library Waterloo house makes a positive contribution to the setting of the Grade II listed library.

As such, there are reasonable grounds to consider it is a non-designated heritage asset.

It is noted that the Amenity Societies (SAVE and AMS) clearly consider the building to be of local importance within their earlier comments.

Halton does not have local list or a current policy in relation to non-designated heritage assets. I note one is proposed within the emerging local plan. As such, the NPPF must be followed. Paragraph 197 of the Framework states;

‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’

The heritage statement submitted with the application focuses heavily on the Grade II listed Carnegie Library, and the impact of the proposal on the setting of this heritage asset but fails to consider the local significance of Waterloo House. The report concludes that the proposed development, as a result of the demolition of Waterloo House, would have a slight beneficial impact on the setting of the Carnegie Library. I would disagree with this conclusion (detailed further below) and further state that as the significance of Waterloo house has not been duly considered and therefore not justified.

Furthermore, the application documents state that the building has been declared unsafe by the Council however this in itself does not justify the demolition of the building.

As such it is considered there would be substantial harm to this non-designated heritage asset by virtue of its demolition, as well as less than substantial harm to the setting of the Carnegie Library.

Proposed Development

The application proposes the construction of a large building and associated access, landscaping to form a 36 bed care facility. There is some inference within the heritage statement that the proposed development should be considered as enabling development to facilitate the renovation and re-opening of the Library building as a community hub.

The renovation and re-use of the Grade II Library building is welcomed and will bring with it a number of positive benefits both to the historic building and the community in continuing the philanthropic work its original benefactor, Andrew Carnegie.

However, the suggestion of enabling development is questioned here. Policy BE11 and of the HBC Local Plan and Para 202 of the NPPF deal with enabling development and place great emphasis on ensuring that the proposed enabling development would secure the conservation of the development and outweigh any harm or departure from development plan policies.

Policy BE 11 states that enabling development will only be permitted where it meets a number of criteria including

- A. The enabling development will not materially detract from the archaeological, architectural, historic or landscape interest of the asset, or materially harm its setting.
- F. It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the heritage asset and that its form minimises disbenefits.

1, It is considered that proposal would materially harm the setting of the adjacent listed building for the following reasons:

- The Design and Access statement submitted with the proposal makes very little reference to the character of the area or the consideration of the setting of the Grade II listed Library as described in the Kathryn Sather and Associates Heritage Statement. A number of design precedence images are provided at pg 63 of the DAS but, again, there is no narrative demonstrating how the design evolution has considered the setting of the heritage asset.
- The proposal presents a large linear block which dwarfs the library building through its scale and massing. This may be trying to emulate the surrounding terrace housing form but results in the building dominating the street scene and failing to integrate itself in to its setting.
- A mansard style roof with dormer windows is being utilised to create additional floor space within the roof – these features are uncharacteristic of the simple roof forms of the surrounding built environment.
- The east/west elevational treatments present a broad flat elevation increasing the building's visual scale – these elevations could benefit from being broken up to better fit the context and create interest.
- The Egerton Street elevation is poorly considered. Although an entrance is proposed to this elevation the solid to void ratio within the fenestration creates a discordant and in-active frontage. This combines with the setting of this elevation to the back of pavement creates a poor relationship with the adjacent library building, with the proposal dominating the form of the library and detrimentally impacting how the library is experienced.
- The proposed building seems confused at this corner as a change in design is introduced to include a square tower-like feature within dappled brickwork creating a discord within the building. This does not allow the building to turn the corner in an appropriate or sympathetic manner, producing a very hard edge to the building. This not only changes the spatial relationship of the proposed building to the street, but also intensifies its visual dominance to the detriment of the library's setting. It is considered that this section could benefit from being pulled back from the pavement edge, softening the corner and better revealing and framing the library.

2, It has not been demonstrated that the proposal is the minimum necessary to secure the future of the Library.

As such, the proposal does not meet the criteria of policy BE11 of the HBC Local Plan and would cause harm to the setting of the heritage asset for the reasons set out above and cannot be considered as enabling development.

The proposal fails to respond positively to its context – the predominant built form and the setting of the heritage asset – due to its scale, form, massing, and design treatment.

Works to Carnegie Library

The below comments are based on the description of works set out at para 6.2 of the Heritage Statement.

Roof

- Once survey completed a repair schedule should be submitted for review.

Walls (exterior)

- Again, following survey completion a repair schedule and method statement for the stone and brick work should be provided.
- If demolition is permitted then details of the proposed works to make good/resolve the loss of the junction between the buildings will need to be provided for consideration.
- Ground floor west wall – details of treatment should be provided.

RWG

- Acceptable.

Windows and doors

- Bespoke methodology should be provided as set out in the HS.
- Front door design will require elevation and section plans
- Details of additional windows and doors will also need to be submitted

Interior

- A room by room schedule of works to include photographs and methodology should be submitted.

Position

It is not considered that the local significance of Waterloo House and its status as non-designated heritage asset has been fully addressed within the application. Therefore, a robust case for its demolition has not been made. Its demolition cannot be supported.

(Should the Council consider the demolition to be acceptable then a programme of building recording should be required at Level 2 as set out in the Historic England Guidance – Understanding Historic Buildings: A guide to Good Recording Practice)

The proposed building is inferred as enabling development to facilitate the renovation and re-opening of the Carnegie Library as a community hub. Whilst the re-use of the currently vacant library is supported and welcomed, the proposal has not demonstrated it meets the requirements of enabling development. Furthermore, the proposed building is considered to be detrimental the setting of the Grade II

listed library by virtue of its scale, mass, siting, and design treatment and cannot be supported in its current form.

The works to the Grade II Library are supported subject to the submission of additional details as set out above.

As such it is recommended that the application be refused.

Conservation Advisor – Response 3

I have discussed the additional documentation with the team. The team have concluded that although it goes some way to addressing the justification for the demolition of Waterloo House, as discussed at the meeting last year, it is not complete in demonstrating that all the options have been explored.

The additional document looks at the inclusion of Waterloo House into the proposed scheme by considering the approach to achieving the floor to ceiling heights and the level floor plates required for the type and use of the proposed building. One of the main arguments they present is that floors would cross over existing windows. Deeming this to be unacceptable. We would not consider this to be an immediate dismissal as there are ways to treat floor edgings as they cross windows for example. They also refer to the internal layout of Waterloo House being unsuitable for their proposed use, but this could be completely stripped out.

Furthermore, they have not demonstrated anything other than the current design in terms of layout on the site. I recall discussing at the meeting that splitting the buildings was not an ideal solution but this was not articulated in the options appraisal.

We have acknowledged previously that the likely outcome due to a combination of the degradation of the building and the associated costs to retain and repair the building in its full form would be to support demolition, based on the structural reports undertaken by both parties and the viability information supplied by the applicant. However, at present I am not aware that the Council has undertaken their own assessments in terms of costs to retain the building in whole or part. Is there any update on this?

The conclusion remains that, the total loss of Waterloo House would result in substantial harm. I do not consider that, despite the conclusions of the current surveys and the additional information submitted, that the requirements of Policy HE2 Part 12 have been satisfied. But this is for you to balance out!

Conservation Advisor – Response 4

The application has been assessed and the following comments are made.

The proposal is acceptable in principle and will bring the long terms vacancy of the building to an end and create a vibrant community hub. However, limited information

is provided with the application to fully assess the impact of the proposals. The building will need to be re-surveyed, due to the passage of time, to accurately assess its current condition. This should be undertaken prior to the start of any demolition work.

- The following information is required prior to decision:
- Existing and proposed floor plans of the library
- Existing and proposed elevation drawings to show areas of repair and change. Including elevation drawing of the infill section where link removed
- Updated and detailed schedule of works for each area of work to include photographs and methodology

The following information is required but could be conditioned:

- Elevation and section of no more than 1:20 of proposed new window to infilled section.
- Details and drawing of new gate to top of spiral stair and fencing to Egerton St elevation
- Details of secondary glazing to all windows
- Details of any new doors to be added (internal or external)
- Methodology for vegetation removal

Conservation Advisor – Response 5

Yes, happy for these details to be pre-commencement.

(The details in question are those previously requested prior to decision in Response 4 above)

Environmental Protection

No comments.

Environment Protection – Response 2

Comments

As these four applications concern the same development site, please accept this response for all the above listed applications. Although there are different applicants, the proposed construction and demolition phase conditions will apply equally to them.

The proposed operational phase conditions will apply only to 20/00476/FUL.

Noise

This development is situated in a predominantly residential area, on the edge of Runcorn town centre. The west boundary of the site is located approximately 70m from the Queensway (A533) flyover leading from the Silver Jubilee Bridge.

The proximity to the Queensway flyover could give rise to unacceptably high noise levels within the development properties, particularly to those on the 2nd floor and towards the north of the proposed development, who may have an unobstructed line of sight to the flyover given their elevated position.

It is noted that 20/00476/FUL does not include an operational phase acoustic report. At the time of the submission of this application the Silver Jubilee Bridge was closed to traffic, and so an acoustic report submitted at this time would have had little relevance to the future noise levels that the occupants would be exposed to.

Given that the Silver Jubilee Bridge is now fully reopen however it would now be possible to conduct an acoustic risk assessment as described in ProPG: Planning & Noise (May 2017). This will advise the applicant that if a full acoustic report and subsequent scheme of mitigation is required to ensure that noise levels inside the development properties do not exceed those specified in BS 2823:2014.

In addition to the above, we would also seek to ensure that for all applicants, construction and demolition activity is carried out at appropriate times

Air Quality

No applicant has submitted an air quality assessment with their application. Whilst we would not require an operational phase report for a development of this size, appropriate consideration must be given to dust management during the construction and demolition phase of the development, particularly given the scale of demolition works taking place and built up nature of the area immediately surrounding the development site. This dust management plan should adhere to the principles set out in 'Guidance on the Assessment of Dust from Demolition and Construction' published by the Institute of Air Quality Management.

Ancient Monuments Society

The Ancient Monuments Society (AMS) objects to the application.

The AMS objected in November 2019 to application ref. 19/00502/HBCLBC for the demolition of the Waterloo Centre (which did not propose a replacement building) specifically noting that the significance of the Waterloo Centre had not yet been fully established and that its loss has not been justified. We note that application has been subsequently withdrawn.

We have reviewed the documents available on your website for the current application and find that our concerns have not been addressed. Section 7.1 of the Heritage Statement even clearly states that the impact of the demolition of the Waterloo Centre has not been assessed as part of this heritage assessment.

This building was once a substantial villa constructed for a leading local industrialist, and later the Town Hall, and is consequently of considerable local historic interest. We must therefore again recommend a detailed and illustrated analysis of the Waterloo Centre is carried out by an accredited historic buildings expert to establish its heritage significance.

Following Halton Borough Council's to declare a Climate Emergency in October 2019, the AMS believes Council should be actively encouraging the retention and reuse of historic buildings and structures which can be readily adapted and incorporated into new developments, to help meet climate change targets.

Natural England – Response 1

Habitat Regulations Assessment (HRA) Screening required

For residential development in this area, proportionate assessment of recreational disturbance impacts on the coastal designated sites resulting from the development is required via the Screening stage of the Habitats Regulations Assessment, as required under the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations').

Under Regulation 63 of the Habitat Regulations the determination of likely significant effect is for the competent authority, in this case the Local Planning Authority. If your authority can be satisfied that the proposal can conclude no likely significant effects there is no further need to consult Natural England.

Where the HRA Screening cannot rule out a likely significant effect on the coastal designated sites then an Appropriate Assessment is required, of which Natural England is a statutory consultee, please consult us again at this stage.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on [ancient woodland and veteran trees](#) which you can use to assess any impacts on ancient woodland.

The lack of further comment from Natural England does not imply that there are no impacts on the natural environment. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on [Magic](#) and as a downloadable [dataset](#)) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Natural England – Response 2

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 16 September 2020 – ref. 327518 which I have attached for your reference.

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Natural England – Response 3

Habitat Regulations Assessment (HRA) Screening required

For residential development in this area, proportionate assessment of recreational disturbance impacts on the coastal designated sites resulting from the development is required via the Screening stage of the Habitats Regulations Assessment, [as](#) required under the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations').

Under Regulation 63 of the Habitat Regulations the determination of likely significant effect is for the competent authority, in this case the Local Planning Authority. If your authority can be satisfied that the proposal can [conclude](#) no likely significant effects there is no further need to consult Natural England.

Where the HRA Screening cannot rule out a likely significant effect on the coastal designated sites then an Appropriate Assessment is required, of which Natural England is a statutory consultee, please consult us again at this stage.

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proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on [Magic](#) and as a downloadable [dataset](#)) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Historic England

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Cadent

****PLEASE NOTE – the below information is related to High and Intermediate Pressure Assets. You may be contacted separately by our engineers regarding Medium/Low Pressure Assets.****

Thank you for your recent communication regarding the above, I return a copy of drawings, which show the approximate position/s of all known Cadent Gas mains and pipelines in the area of this enquiry. Service Pipes, valves, syphons, stub connections, etc. are not necessarily shown but their presence should be anticipated.

Cadent Gas has a MAJOR ACCIDENT HAZARD PIPELINE in the vicinity, WIDNES/RUNCORN (indicated in orange).

The BPD (Building Proximity Distance) for this Pipeline is 8 metres.

The BPD is taken from The Institution of Gas Engineers and Managers publication IGEM/TD/1 Edition 5 which is the standard applicable to steel pipelines and associated installations for high pressure gas transmission.

This is the standard adopted by Cadent Gas and endorsed by the Health and Safety Executive (HSE).

There are other restraints imposed on high pressure gas pipelines, these are land use planning distances. These are distances defined by the HSE to allow them to advise on the acceptability of new developments next to the pipeline and are controlled through the HSE's Planning Advice for Developments near Hazardous Installations (PADHI) process. Further guidance on how these are applied can be found on the HSE's website <http://www.hse.gov.uk/landuseplanning/padhi.pdf>

Under Land Use Planning the HSE may wish to apply more stringent criteria for Building Proximity. I recommend that you ensure that they are formally consulted.

When working in the vicinity of ANY Cadent Gas pipelines, the standards set out in the enclosed copy of the Cadent Gas specification SSW22 must be strictly adhered to. PLEASE ENSURE THAT THIS IS HANDED TO THE APPLICANT/RESPONSIBLE PERSON ON SITE, TOGETHER WITH COPIES OF THE ENCLOSED PLANS.

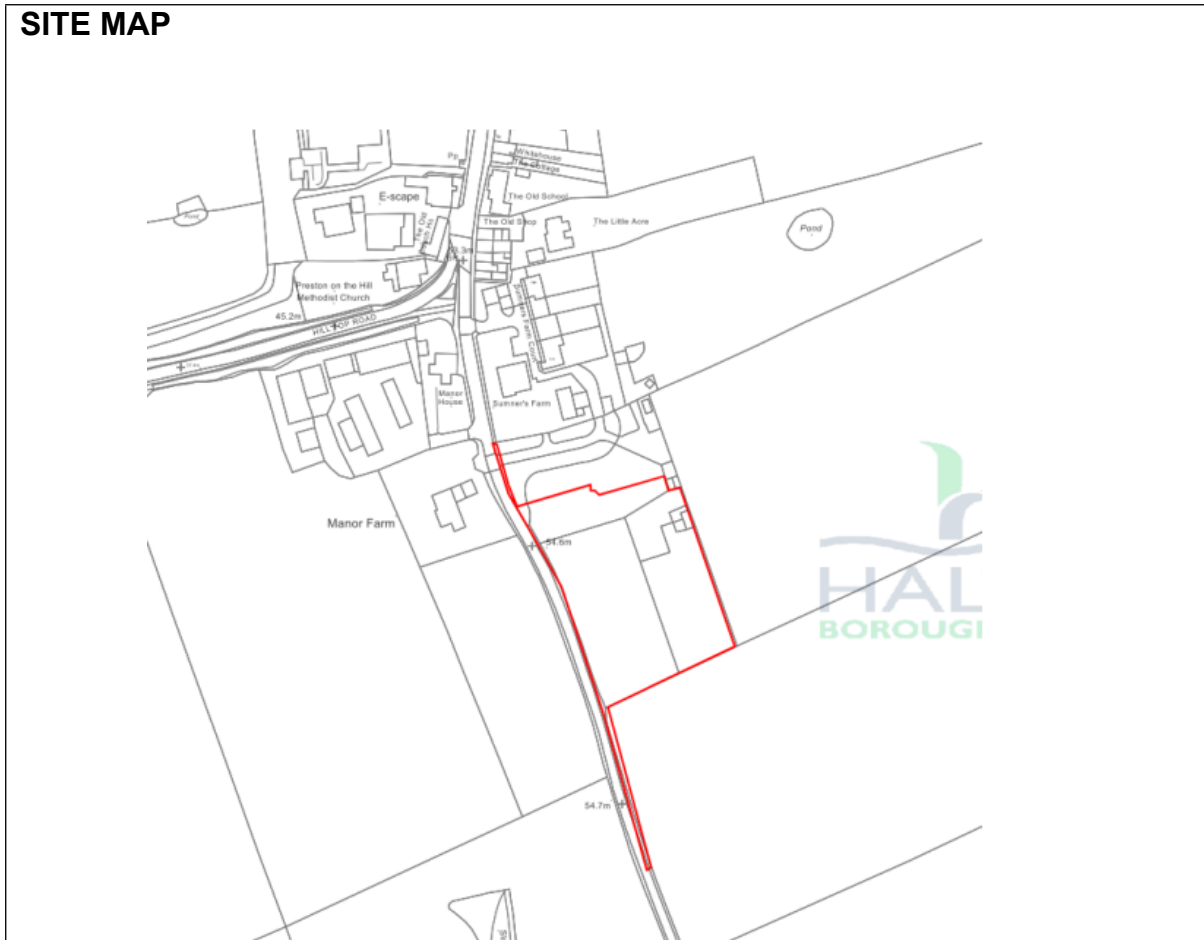
From the information provided, it does NOT appear the proposed works will directly affect the above pipeline. However, should you/the applicant require the pipeline locating 'on Site', or wish to discuss technical information regarding Cadent Gas apparatus at this location, please telephone me on 07870856098, and arrangements will be made for a Cadent Gas representative to attend site.

It is the responsibility of the applicant to contact Cadent Gas prior to any works commencing on site. As you will appreciate we are unable to provide specific guidance based on the information provided. It is therefore essential that the applicant should contact Cadent Gas at the earliest convenience providing detailed site plans, method statements and risk assessments. Correspondence should be forwarded to the above address and marked for the attention of 'The Plant Protection Team'. This will enable us to provide the relevant documentation for safe working in the vicinity of our pipeline, and to arrange appropriate site supervision.

For ALL other works/enquiries it is essential that you contact our Plant Protection Team on 0800 688 588 at the earliest available opportunity prior to ANY work commencing on site. This will ensure that the Operations Engineer responsible for this area is informed of your potential works and is able to make the necessary arrangements to provide appropriate supervision.

Plant Protection Team, 3rd Party Enquiries, Cadent Gas Block 1 floor 2 Brick Kiln Street Hinckley Leicestershire LE10 0NA.

APPLICATION NO:	22/00493/OUT
LOCATION:	Land at Sumners Farm, east of Barkers Hollow Road, Preston on the Hill, WA4 4AZ
PROPOSAL:	Outline application with all matters reserved except for access, for residential development (Use Class C3) of 17 dwellings
WARD:	Norton South & Preston
PARISH:	Preston Brook Parish Council
APPLICANT:	Henderson Homes
AGENT:	Stephen Harris – Emery Planning
DEVELOPMENT PLAN:	ALLOCATIONS:
Halton Delivery and Allocations Local Plan (2022)	Primarily Residential – RD5
Joint Merseyside and Halton Waste Local Plan (2013)	
DEPARTURE	No
REPRESENTATIONS:	Yes
KEY ISSUES:	Principle of development, traffic and highway safety
RECOMMENDATION:	Grant outline planning permission subject to conditions and the entering into a Legal Agreement or other agreement for the provision of a financial contribution towards off-site children and young people space and to secure affordable housing provision and TRO.

SITE MAP**1. APPLICATION SITE****1.1 The Site**

The site subject of the application on land at Sumners Farm, east of Barkers Hollow Road, Preston on the Hill. The site is 0.66ha in area.

The site is bounded by hedgerows and post and rail fencing.

To the north lies existing residential development and to the west lies Barkers Hollow Road. To the east and south lie farmers' fields.

The site is on the edge of the built-up area of the village and sits within the Primarily Residential area in the Halton Delivery and Allocations Local Plan. The Primarily Residential area extends to the north of the site and surrounding the site to the east, south and west, lies designated Safeguarded Land (SG5 and SG7).

1.2 Planning History

Sumners Farm House, which lies outside of the application site, has a lengthy planning history for farm related and domestic applications. However, there is no relevant planning history for this particular site.

2. The Application

2.1 The Proposal

The application is in outline, with all matters reserved except for access, for residential development (Use Class C3) of 17 dwellings, of which 4 will be affordable.

2.2 Documentation

The application is accompanied by the associated plans in addition to:

Design and Access Statement
Preliminary Ecological Appraisal
Phase 1 Geo-Environmental Desk Study Report
Transport Note
Tree Survey
Drainage Strategy

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.

THE DEVELOPMENT PLAN

3.1 Halton Delivery and Allocations Local Plan 2022 (DALP)

The site is designated as a Primarily Residential in the Halton Delivery and Allocations Proposals Map. The following policies within the adopted Local Plan are considered to be of particular relevance:

- CS(R)18 – High Quality Design
- CS(R)19 - Sustainable Development and Climate Change
- CS(R) 20 – Natural and Historic Environment
- GR1 - Design of Development
- GR2 – Amenity
- C1 – Transport Network and Accessibility
- C2 - Car Parking
- HE4 – Greenspace and Green Infrastructure
- HE1 – Natural Environment and Nature Conservation
- HE5 – Trees and Landscaping

- HE9 – Water Management and Flood Risk
- RD4 – Greenspace Provision for Residential Development

3.2 Joint Merseyside and Halton Waste Local Plan 2013 (WLP)

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 of New Development

MATERIAL CONSIDERATIONS

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

3.34 National Planning Policy Framework

3.4 The last iteration of the National Planning Policy Framework (NPPF) was published in September 2023 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.

Achieving Sustainable Development

Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8 states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 9 states that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

Paragraph 10 states so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. As set out in paragraph 11 below:

The Presumption in Favour of Sustainable Development

Paragraph 11 states that for decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Decision-making

Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Determining Applications

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

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 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.

4. CONSULTATIONS

4.1 United Utilities

United Utilities responded with advice regarding water and waste services which will be attached as an informative. They also requested the following condition:

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;*
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);*

(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;

(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

(v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

4.2 Archaeology

Thank you for consulting with APAS regarding the above application, having reviewed the supporting documentation along with the information held on the Cheshire Historical Environment Record, I can see that this current application is unlikely to disturb or disrupt any significant below ground archaeological remains.

4.3 Police

Cheshire Constabulary issued advice with respect to designing out crime which will be added as an informative to any forthcoming permission.

4.4 Contaminated Land

I have reviewed the application and considered the land contamination impacts and have the following comments.

The application is supported by the following document;

□ Proposed residential development, Sumner Farm, Preston on the Hill for Henderson Homes. Phase 1 geo-environmental desk study report, ref 22073/GEDS, Robert E fry and Associates Ltd, 10 June 2022.

The report details the findings of a desk study and site walkover and a preliminary risk assessment of the suitability of the site for the proposed residential development. The site has been in agricultural and associated usage as far back as the reviewed records go, with very limited potential sources of contamination identified on site or in close proximity. The reporting recognises a low risk from some made ground from trackway construction and small outbuildings, as well as agricultural/orchard chemical treatments. It recommends that a site investigation is undertaken to confirm the preliminary conceptual site model in terms of contamination and geo-technical characteristics.

The report is suitable to support the application and I am in agreement with its findings.

Therefore I do not have any objection to the proposals but recommend that if approved it should be conditioned to require the submission of a site investigation and risk assessment, with remedial strategy and verification reporting (where the site investigation deems it necessary).

Suggested wording for the condition;

No part of the development hereby permitted shall commence until;

- a) Prior to the commencement of development an appropriate investigation and assessment of all potential pollutant linkages is submitted to, and approved by, the Planning Authority. The investigation and assessment should be carried out by suitably qualified personnel and carried out in accordance with current Government, Environment Agency and British Standard guidance, and;
- b) Should any significant risks be identified by such an investigation a remediation strategy, including suitable monitoring and verification methodologies, should also be agreed in writing by the Planning Authority. A verification report shall be issued upon completion of any remediation.

4.5 Natural England

Natural England has no comments to make on this application.

4.6 Open Space

Further to your consultation I have considered the open space implications and would make the following comments;

The proposed site lies within the Daresbury area land, it is not in a conservation area and there are no TPO's on site.

Trees

A detailed Arboricultural survey and methodology report will be needed if the trees mentioned in the Tree Survey Schedule were to be affected by the development.

Hedgerows

Hedgerows to be retained and improved where possible, any subject to removal should be replanted close by so retain and enhance biodiversity as mentioned in the 'Preliminary Ecological Appraisal – 7.1.3'. These are important habitats which are currently in national decline.

'Preliminary Ecological Appraisal – 6.2.3 The intact hedged bounding the site are species poor and contain a low diversity of woody plant species but all hedgerows are a UK BAP habitat. They should be retained in any proposed scheme and where lengths need to be lost, they should be transplanted or new hedges planted as compensation'

Ecology

Biodiversity enhancements as compensation mentioned in table 7.1 would be beneficial to the development of local ecology.

Work shall not be carried out between April and July if it would result in disturbance to nesting birds to ensure no damage to wildlife.

Work must cease if any wildlife mentioned if any notable or protected species are found on site and an ecologist consulted.

Wildlife and Countryside Act 1981 Part 1 Section 1 (1)

Consult W&C Act 1981 (with amendments) for full details of protection afforded to wildlife

4.7 Merseyside Environmental Advisory Service

Ecology

The applicant has submitted an ecology report in accordance with Local Plan Policy HE1 (Envirotech. July 2022. Preliminary Ecological Appraisal. Land South of Sumners Farm) which meets BS 42020:2013.

Bats

The report states that no evidence of bat use or presence was found. The Council does not need to consider the proposals against the three tests (Habitats Regulations.)

Breeding birds

Hedgerows and trees on site may provide nesting opportunities for breeding birds, which are protected, and - Local Plan Policy HE1 applies. The following planning condition is required.

CONDITION

No tree felling or management, or hedgerow removal is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then trees, scrub, hedgerows, and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

Bird nesting boxes

The proposed development will result in the loss of bird breeding habitat and - Local Plan Policy HE1 applies. To mitigate for this loss, details of bird nesting boxes (e.g., number, type, and location on an appropriately scaled plan) that will be erected on the site should be provided to the Local Planning Authority for agreement. The following planning condition is required.

CONDITION

The development hereby permitted shall not be occupied until details of bird boxes to include number, type, and location on an appropriately scaled plan as

well as timing of installation, has been provided for approval and implemented in accordance with those details.

Amphibians Reasonable Avoidance Measures (RAMS)

As a precaution, I advise that the undertaking of the following Reasonable Avoidance Measures (RAMs) during the construction phase is secured by a suitably worded planning condition (and/or as part of a CEMP):

- Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians present to move away from the affected areas;
- The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them; and
- Any open excavations (e.g., foundations / footings / service trenches etc.) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians.

Habitats Regulations Assessment

The development site is near to the following national and international sites. These sites are protected under the Conservation of Habitats & Species Regulations 2017 (as amended) and Local Plan Policy CS(R)20/ HE1 applies:

- Mersey Estuary SPA.
- Mersey Estuary Ramsar.

I have considered the proposals and the possibility of likely significant effects on national and international sites using the source-pathway-receptor model. I advise that there is no pathway that could result in likely significant effects on the national and international sites and the proposals do not warrant a Habitats Regulations Assessment for the following reasons:

- There will be no land take required from any internationally or nationally designated sites as the closest international and designated sites (River Mersey Estuary SPA and Ramsar) are located approx. 7.27km west of the proposed site.
- There will be no direct effects such as noise or pollution incidents through construction due to the distance (approx. 7.27km west) between the proposed development site and the closest international and designated sites (River Mersey Estuary SPA and Ramsar.)
- In relation to recreational pressure the adopted Halton Council Information Note on mitigating the impact of recreational pressure within Halton shows the exclusion of the entire part of the borough south of the River Mersey (where the application site is located) from the recreational pressure core and outer zones of Halton. Therefore, in accordance with Halton Council's approved recreational pressure interim approach, a commuted sum and leaflet would not be required.
- The proposed site is located within a farmland setting. A review of the Cheshire and Wirral Bird Atlas website¹ (Birds in Cheshire and Wirral - A breeding and wintering atlas) returned zero non-breeding qualifying bird

species from within the OS tetrad SJ58Q within which the proposed site is located. A review of data from rECOrd returned one record of lapwing (50 birds) (a non-breeding qualifying bird species of Mersey SPA and Ramsar). This record is located approx. 850m south-east of the proposed site. Therefore, it is considered that the arable land surrounding the proposed site is not used as Functionally Linked Land by non-breeding qualifying bird species of Mersey SPA and Ramsar sites.

Sustainability

Waste Planning Policy

The proposal is major development and involves excavation, demolition and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g., a site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

Owing to the outline nature of the application, the applicant has not provided sufficient information to demonstrate compliance with policy WM9 of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph

I advise that information relating to household waste storage and collection is required and can be secured by a suitably worded condition.

A waste audit or similar mechanism provides a mechanism for managing and monitoring construction, demolition, and excavation waste. This is a requirement of WLP policy WM8 and the National Planning Policy for Waste (paragraph 8); and is advised for projects that are likely to produce significant volumes of waste (NPPG, paragraph 49). Implementation of such mechanisms may also deliver cost savings and efficiencies for the applicant. The following information could be included within the waste audit (or similar mechanism) as stated in the Planning Practice Guidance:

- the anticipated nature and volumes of waste that the development will generate;
- where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development;
- the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities; and
- any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete.

Information to comply with policy WM8 could be integrated into a Construction Environment Management Plan (CEMP) if one is to be produced for the development. This would have the benefit of ensuring that the principles of sustainable waste management are integrated into the management of construction on-site to improve resource efficiency and minimise environmental impacts.

Guidance and templates are available at:

- <http://www.meas.org.uk/1090>
 - <https://www.gov.uk/guidance/waste>
 - <http://www.wrap.org.uk/>
- http://ec.europa.eu/growth/toolsdatabases/newsroom/cf/itemdetail.cfm?item_id=8983

Low Carbon Development

In October 2019 Halton Borough Council declared a Climate Emergency to help tackle global warming at a local level. The proposed development should consider the use of low carbon and/or renewable energy in line with Core Strategy Local Plan policy CS19: (Sustainable Development and Climate Change) and Policy GR5 (Renewable and Low Carbon Energy).

Ecology

Bats

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

4.8 Local Lead Flood Authority

After reviewing 22/00493/OUT planning application the LLFA has found the following:

- The site is described as 0.66ha and is considered to be a Greenfield site.
- The proposed development would comprise of 17 residential dwellings and associated landscaping with those of the highest vulnerability classified as more vulnerable to flood risk as defined within Planning Practice Guidance.
- A Drainage Strategy has been prepared in support of the application. It is noted that no Flood Risk Assessment has been produced for this application.

The LLFAs comments on the Flood Risk Assessment are:

- It should be noted that there has been no Flood Risk Assessment provided with this planning application.

- The site is located within Flood Zone 1 and the actual area of the site where the resurfacing works are to be undertaken covers an area less than 1ha therefore a Flood Risk Assessment is not required for this application.

Drainage Strategy

- Discharge location

- o The site comprises a Greenfield land classification.

- o The drainage strategy indicates that the Phase 1 Desktop Study Report concludes that due to the Tarpoley siltstone formation present across the site, infiltration may be viable. It is noted that no infiltration testing has been undertaken at this stage.

- o It is stated that if infiltration is not a viable option for this site then the nearest watercourse to the site would be a unnamed watercourse located approximately 185m east of the site, with this outfall being approximately 8m lower than the current level of the site. It is noted that for this option 3rd party land consent would be required.

- o In the strategy it states that if neither infiltration nor discharging the surface water runoff into a watercourse is feasible then discharging into the United Utilities surface water sewer 283m to the northwest of the site with this outfall requiring the surface water runoff to be pumped.

- o The LLFA would question if this solution would have the same restrictions with 3rd party land ownership as discharging to a watercourse and hence would suggest that this be discounted as an option as the watercourse is closer to the site.

- Assessment of SuDS

- o It is noted that for a discharge to both the watercourse and the surface water sewer propose using an attenuation tank, with soakaways proposed if infiltration proves to be suitable.

- o It should be noted that the LLFA has a preference for above ground SuDS systems and would require justification for the use of below ground components such as attenuation tanks and oversized pipes. The LLFA will not accept 'lack of space' or 'loss of plots' as reasonable justification as making space for drainage should be thought about at the master planning stage for a site.

- Runoff Rates

- o The greenfield runoff rate for the site has been estimated to be 0.46 l/s however it is noted that no calculations have been provided to support this.

- o If infiltration is proved not to be viable, it is proposed that if the site is to be discharged to the watercourse at a rate of 3.0l/s and if this is not feasible the surface water would be pumped into the UU surface water network at a rate of 5.0l/s.

- o The LLFA would note that a flow restriction of 2.0l/s is required from this development as it is considered that this is the lowest feasible rate that can be achieved without a large risk of blockage.

- Drainage Performance

- o Currently an indicative drainage strategy has been provided for each of the three feasible discharge location. However, no calculations have been provided and the attenuation features have not been sized at this stage.

- o The LLFA requires that a discharge location is established in line with the hierarchy outlined within the National Planning Policy Framework (NPPF).

- o It is also required that modelling is undertaken to ensure no flooding on site for the 1 in 100 plus 45% climate change event.

- Maintenance and management

- o The drainage strategy does not provide a clear management and maintenance plan for this development.

In summary the LLFA acknowledges that a Drainage Strategy has been provided with multiple drainage options considered, however the LLFA would require the following information to be provided for a reserved matters application:

- o Drainage strategy with a singular proposed discharge location in line with the SuDS hierarchy – i.e. in preferential order – Soakaway, Watercourse, Surface Water Sewer, Combined Sewer.

- o Infiltration tests to BRE365 are required to demonstrate whether discharge via infiltration is feasible. It should be noted that the LLFA and United Utilities apply this strictly, and detailed consideration of the hierarchy will need to be demonstrated in supporting documentation.

- o A conceptual drainage layout should be prepared indicating proposed drainage layout, attenuation location, points of discharge and runoff areas.

- o Evidence of consideration to how SuDS would be integrated with other aspects of the development such as open spaces or green infrastructure,

so as to ensure an efficient use of the site. Please note the LLFA has a preference for above ground SuDS systems and would require justification for the use of below ground components such as attenuation tanks and oversized pipes. The LLFA will not accept 'lack of space' or 'loss of plots' as reasonable justification as making space for drainage should be thought about at the master planning stage for a site.

- o Hydraulic calculations should be provided showing an assessment of the drainage performance based on the updated Environment Agency Climate change guidance for all return periods assessed. This should demonstrate that the site would not flood during the 3.33% AEP flood event with an appropriate uplift for climate change.

- o A proposed foul water drainage strategy with a singular discharge method/location. If a pumped option is proposed consideration will have to be given to UU pump station requirements.

- o Proposed site levels plan indicating the proposed finished floor levels to show that the proposed development does not increase the risk of flooding to neighbouring properties.

- o A flood routing plan indicating where surface water runoff would go should the drainage system fail.

- o It should also be noted that DEFRA is currently working to implement Schedule 3 of the Flood and Water Management Act 2010 in Spring 2024, this would remove the automatic right to connect to a public sewer and there have been recent changes to the Environment Act requiring developers to provide a 10% Biodiversity Net Gain on site from November 2023. Therefore, the LLFA would encourage developers to use multi beneficial Sustainable Drainage Systems on their sites.

- o A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by, or connection to any system adopted by, any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

4.9 Highways Authority

No Highway Objection

The Highway Technical Note 02 'HTN02', response, was broadly acceptable in terms of addressing comments and considerations from the initial consultation response, including an acceptable response declining the suggested consideration of setting the site frontage back such that the road be nominally/judiciously widened about the site frontage about the northern limit to the access was offered.

A Stage 1/2 Road Safety Audit will be required at detailed REM stage, this should be conditioned.

In addition to standard conditions e.g., CEMP etc., a condition for a s278 agreement will be required to be conditioned to undertake the following offsite highway works:

- footway installation, resurfacing Including the removal of block paving on the adopted section of the Sumners Farm entrance bellmouth), kerbing etc. from the extent of the proposed footway on Barker's Hollow Road to the existing extent of footway to the north.
- A signing and lining scheme should be conditioned to change the road markings (Dragon's Teeth) and move the speed sign columns.

These works should be completed before development commences.

A condition will also be required regarding amendment to the TRO to move the speed limit position, to beyond the access of the site.

This will be required to have commenced prior to development.

Example wording for non-standard conditions:

▪ Road Safety Audit

A Stage 1 and Stage 2 Road Safety Audit, by an independent organisation, shall be undertaken prior to development to specifically address any conflicts between vehicles, pedestrians and cyclists, within and about the site as per the design. Within 6 months of the completion of the development, a Stage 3 Road Safety Audit shall be submitted to the Local Planning Authority for written approval.

Reason: In the interest of highway safety and to ensure the development, including off-site highway improvements is safe for all users, existing and new.

▪ Off-site highway Works/s278:

The development authorised by this permission shall not begin until:

a. the local planning authority has approved in writing a full scheme of works of improvement to:

(i) Provide continuous and connected pedestrian access (footway) along Barkers Hollow Road from the site to existing infrastructure. This shall include resurfacing (including about the adopted strip of the Sumners Farm entrance), crossing points (where applicable), kerbing, etc.

(ii) A signing and lining scheme for the relocation of the Dragon's Teeth and speed limit columns, and other required/associated infrastructure to complement the TRO (speed limit) amendments, below. This shall be in compliance with the Traffic Signs Regulations and General Directions (2016) (or any Order/Act revoking, amending or re-enacting those Regulations).

(iii) The approved works have been completed in accordance with the local planning authority's written approval and have been certified in writing as complete on behalf of the local planning authority; unless alternative arrangements to secure the specified works have been approved in writing by the local planning authority.

Reason: To meet the standards of pedestrian accessibility and accord with Policy C1 of the DALP and to ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

▪ TRO Amendment:

**No works shall commence on the site until the amendment to the Traffic Regulation Order for the change of speed limit position from, unrestricted (national speed limit for single carriage road) to 30mph, has been secured/promoted by the Developer.*

Reason: In the interests of highway safety.

*This needs to be a pre-commencement condition as the impact applies to traffic associated with both the construction and operational phase of the site.

4.10 Parish Council

I'd like to raise objection against the following application 22/00493/OUT.

First and foremost the application is for residential development on land which is designated as 'safeguarded for future development' as per the LDP. This land has not long been assigned this status from green belt and I find it absurd that planning is being sought for 17 houses on land which is 'safeguarded for future'. This doesn't have residential building status which would be subject to consultation via a newly proposed LDP so therefore the designation remains as stated and as such, quite simply the application should be denied.

The area is already subject to excessive traffic and speeding and to introduce 17 additional properties would present further impact to the village.

Preston on the Hill is the original village for Preston Brook and is slowly being eroded by unnecessary residential developments through ineffective land housing allocations by Halton Council. How is the village being preserved? It's not – the application if accepted not only creates a serious detrimental precedent for other builders who've secured development options but ruins the precious green area, the agricultural elements as well as the lack of infrastructure which is completely inefficient.

How is wildlife to be preserved? There are a culmination of different animals be it owls, bats, GCN, foxes and more – this was seriously impact that. Ironically, a lot of these frequent the land that this application refers to.

I don't believe any thought at all has gone into this other than the financial recompense to be gained from the owner of the land and the builders looking to make a quick buck.

5. REPRESENTATIONS

5.1 The application was advertised by a press advert in the Widnes & Runcorn Weekly News on 06/10/22, two site notices were posted close to the site and 19 neighbour notification letters sent on 29/09/22.

11 representation have been received from the publicity given to the application. A summary of the issues raised is below:

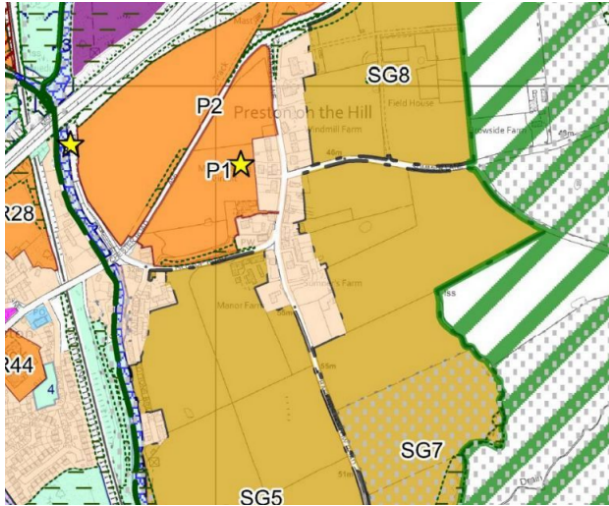
- Traffic safety concerns
- Lack of amenities in the area
- Loss of Green Belt
- Design and location of affordable housing
- Oversupply of housing
- Lack of design consideration
- Flood risk
- Biodiversity
- Affect on Safeguarded Land
- Risk of fly tipping

6. ASSESSMENT

6.1 Principle of Development

After reviewing the representations, there appears to be some confusion over the site's designation. This may be due to the DALP only being adopted last year.

The site is within the village boundary and forms part of the Primarily Residential area as shown below:



(DALP, 2022)

The site is surrounded by Safeguarded Land to the east, west and south and the rest of the Primarily Residential area to the north.

The previous development plan was the Unitary Development Plan (UDP). This old plan illustrated the whole of the village washed over by Green Belt and an Area of Special Landscape Value with the exception of Sumners Farm which was a committed site for residential development as seen below:



(UDP, 2005)

Considering the suitability of residential development in the Primarily Residential area, it is noted that the parcel of land directly bounds with a previously allocated housing site (from the old UDP) which has since been built and there is existing residential development in the locality and associated greenspace. It is considered that residential development on this

parcel of land would be sympathetic to surrounding land uses and is acceptable in principle.

The principle of residential development on the wider site is therefore considered to be acceptable in accordance with Policy RD5. The above is considered to address the concerns raised by the Parish Council regarding the allocation of the site.

It has been suggested by a member of the public that greenbelt compensation should be sought. The site is not an allocated site for residential development under Policy RD1 nor is it allocated as Safeguarded Land under Policy GB2. It is therefore considered that Policy CS(R)6 does not apply in this case and there is no conflict with Policy CS(R)6 of the DALP.

6.1 Affordable Housing

Policy CS(R)13 of the DALP requires residential schemes of 10 or more dwellings or 0.5ha or more in size, with the exception of brownfield sites are to provide affordable housing.

As this site is a greenfield site, 25% of the development is required to be affordable. For this development this equates to 4 affordable homes.

The provision of 4 affordable homes has been included by the applicant from the first submission of the application.

It is noted that a representation has been made concerning the location and size of the affordable homes. The submitted site plan is for indicative purposes only as the application is in outline and design and layout is reserved. Notwithstanding this, from the indicative site layout plan it can be seen that the site is too small to have significantly more or less desirable plots and the indicative semi detached affordable homes are adequately distributed.

The applicant notes the requirement for affordable housing in their application and it is considered that securing the submission of an affordable housing scheme, including appropriate tenure mix, by means of s106 or other appropriate agreement would ensure compliance with Policy CS(R)13 of the DALP.

6.3 Open Space

The requirements for provision of greenspace within new residential developments are set out in Policy RD4 of the DALP.

The Open Space Requirement Calculator has identified that there is a deficit of provision for children and young people in this particular neighbourhood.

Whilst the applicant proposes amenity greenspace, the identified deficit for children and young people is not being proposed to be met on site., the policy indicates that a commuted sum in lieu of on-site provision is required.

The appropriate commuted sum has been agreed by the applicant and can be secured by legal agreement to ensure compliance with Policy RD4 of the DALP.

6.4 Access

This is an outline application in which means of access (covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site) is under consideration. Whilst layout is reserved for future consideration, the means of access would be fixed should this application be granted.

The applicant has worked proactively with the Highway Officer to amend the scheme to address all previous concerns.

The Highway Officer has confirmed that they raise no objection but recommends a S278 agreement for highway works including footway installation and a signing and lining scheme. It is considered that these can be secured by suitably worded planning condition.

To address safety concerns the Highway Officer has also recommended a condition to amend the TRO to move the speed limit position to beyond the access of the site and reduce to 30mph and conditions relating to Road Safety Audits prior to development and post development. Given that a contribution towards the TRO of £1.5K would be secured by way of a S106 Agreement, it is considered that is the TRO works would be within the power of the Council as Highway Authority and it would not be reasonable or necessary to further secure this by planning condition

The proposals are considered to comply with Policy C1 of the DALP.

6.5 Layout

Layout is reserved for future consideration. There is no longer a requirement to provide an indicative layout to accompany an outline planning application; however, the applicant has chosen to provide one to demonstrate the suitability of the amount of development being sought. The layout would not be restricted to that shown on the indicative layout. As stated in the access section above, the access arrangements which include the accessibility for all routes to and within the site would be fixed by the granting of this application.

The application seeks to gain permission for a residential development of up to 17 dwellings which would equate to the site being developed at a density of

up to 26.5 dwellings per hectare. This is below the minimum density on individual sites of 30 dwellings per hectare which is sought to ensure the efficient use of land in accordance with Policy CS(R)3 of the DALP. Having regard to the character of the area it is not considered that a refusal on this issue alone could be sustained. Furthermore, a large area is undeveloped for amenity open space to preserve separation with adjoining properties and for the amenity of wildlife and future occupants.

The layout provided with the application is purely indicative, however it does demonstrate that a layout showing 17 dwellings can be achieved which has regard for the Council's guidelines including the Design of Residential Development SPD.

Cheshire Police have made some observations which could influence the layout and design at a reserved matters stage, and it is considered appropriate to attach these observations as an informative.

The layout detail would be considered as part of a reserved matters application.

6.6 Scale

Scale is reserved for future consideration. There is no longer a requirement to provide scale parameters with an outline planning application; however, the indicative plans show the proposed dwellings to be typical two storey in height which would reflect the scale of dwellings in the wider locality.

Scale is something which would be considered as part of a reserved matters application.

6.7 Appearance

Appearance is reserved for future consideration. This is something which would be considered as part of a reserved matters application.

It is considered that a scheme of appropriate external appearance can be achieved which has regard for the location of the site.

6.8 Landscaping

Landscaping is reserved for future consideration. Landscaping would be considered as part of a reserved matters application.

A detailed arboricultural survey and methodology report will be needed if the trees mentioned in the submitted Tree Survey Schedule were to be affected by the development.

The Council's Open Spaces Officer has made some suggestions with regard to the retainment and improvement of the hedgerows on site which can be attached as an informative.

6.9 Ground Contamination

The application is accompanied by a Phase I Geo-Environmental Desk Study.

This has been reviewed by the Contaminated Land Officer and no objection has been raised subject to the attachment of a condition which secures the submission of a site investigation, risk assessment and, if determined to be necessary, remediation strategy and verification reporting to ensure that any ground contamination is dealt with appropriately.

The attachment of the condition above will ensure compliance with Policy HE8 and CS(R)23 of the Halton Delivery and Allocations Local Plan.

6.10 Flood Risk and Drainage

The applicant has provided a drainage strategy but this is very high level with multiple options for the surface water and foul water disposal methods. What they are suggesting for each option is acceptable but they need to work through the hierarchy to determine which options are viable and then add some more detail to the actual design at reserved matters stage.

If infiltration is not viable then the option to discharge to the watercourse to the east of the site has to be developed, even if there are issues over 3rd party land ownership.

One neighbour queried the affect the proposal would have on the stream running through their garden. The LLFA consider the proposal would limit the discharge rate to the watercourse to 2-3l/s which is as close to the greenfield runoff rate that is possible to limit discharge rates to, so there will be a slight increase in flow rates in the watercourse in the resident's garden but this should be negligible.

The LLFA raised a concern regarding foul drainage for the development, the applicant will either have multiple properties draining to a singular package treatment plant which has long term maintenance issues (especially with multiple property owners) the other option is to pump to the UU sewer 400m away. Detailed drainage can be secured by condition the applicant will need to consider the space required at reserved matters stage.

6.11 Ecology

The applicant has submitted an ecology report in accordance with Policy HE1. The report states that no evidence of bat use or presence was found, and

MEAS agrees that the Council does not need to consider the proposals against the three tests (Habitats Regulations.)

The Council's retained Ecological Advisor (MEAS) raises no objection to the proposed development subject to the attachment of conditions which secure breeding bird protection, reasonable avoidance measures for common amphibians and an ecologically sensitive lighting scheme. It is noted that the Parish Council raised concerns about the effect the development would have on animals. It is considered that the Ecological Advisor has recommended reasonable conditions to mitigate the effect upon protected species which addresses their concerns.

Based on the above, it is considered that the proposal is compliant with Policy HE1 and Policy CS(R)20 of the Halton Delivery and Allocations Local Plan.

6.12 Biodiversity Net Gain

The NPPF requires that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Planning policy encourages pursuit of opportunities for securing measurable net gains for biodiversity.

The scheme is however illustrative at this stage as the design of the site will be determined at the reserved matters stage and could dictate the level of BNG. A BNG assessment will be required at that stage based on an assessment of habitats to be lost and those to be retained, enhanced and created. MEAS have produced a guidance note for developers in this regard which will be attached as an informative to any decision.

6.13 Archaeology

A representation from a member of the public has raised concerns about archaeology on the site. However, the Council's Archaeology Advisor is confident that the application is unlikely to disturb or disrupt any significant below ground archaeological remains and therefore there is no conflict with Policy CS(R)20 or HE2 of the Halton Delivery and Allocations Local Plan.

6.14 Waste Prevention/Management

The proposal involves construction activities and policy WM8 and WM9 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 on-going waste management, there is sufficient space on site to deal with this and this will be considered further through reserved matters submission. The proposal is considered to be compliant with policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan.

Sustainable development and climate change

Policy CSR19 of the DALP requires all new development to be sustainable and be designed to have regard to the predicted effects of climate change. The policy recommends that developers consider national guidance to ensure development is sustainable and appropriate to the location.

Policy GR1 states all major development proposals must demonstrate how sustainable design and construction methods will be incorporated to achieve efficiency and resilience to climate change in accordance with CSR19 taking into account the site-specific viability of the development where appropriate.

DALP policies CSR24 and GR5 encourage suitable construction practices including the incorporation of low carbon energy into new developments to address carbon emissions arising from housing. It is therefore considered reasonable to attach a condition requiring the submission, agreement and implementation of measures for reducing carbon emissions and adapting to climatic conditions.

7. CONCLUSIONS

In conclusion, the proposal would bring forward residential development in a Primarily Residential area and the proposal demonstrates that a residential land use would be sympathetic to surrounding land uses.

The Highway Officer has commented that the means of access to the proposed development is acceptable and the suggested conditions are in the interests of highway safety.

A reserved matters application which provides detail relating to layout, scale, appearance and landscaping would be required.

The proposal is considered to accord with the Development Plan and would contribute to the achievement of sustainable development in Halton.

The application is recommended for approval subject to conditions and the entering into a Legal Agreement or other agreement for the provision of a financial contribution towards off-site provision for children and young people and to secure the 4 affordable homes.

8. **RECOMMENDATION**

That the application be **APPROVED** subject to the following:

a) entering a legal agreement under Section 106 Town and Country Planning Act 1990 with the Council land relating to:

- affordable housing
- off-site public open space contribution
- TRO contribution to extend the 30mph zone

b) the conditions for which headings are listed below.

(c) That if the S106 Agreement or alternative arrangement is not executed 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.

9. **CONDITIONS**

1. Time Limit – Outline Permission.
2. Submission of Reserved Matters.
3. Development Parameters.
4. Breeding Birds Protection – (Policy HE1)
5. Bird Boxes – (Policy HE1)
6. Hours of Construction – (Policy GR2)
7. Implementation of Site Access – (Policy C11)
8. Parking and Servicing – (Policy C1 and C2)
9. Visibility Splays on Barkers Hollow Lane – (Policy C1)
10. CEMP Including Reasonable Avoidance Measures – Common Amphibians
11. Ecologically Sensitive Lighting Scheme – (Policy GE21)
12. Drainage Strategy/ Verification – (Policy HE9)

13. Ground Contamination (Site Investigation, Risk Assessment, Remediation Strategy, Validation Report) - (Policy HE8)

14. Submission of a Biodiversity Net Gain Assessment (including updated metric). 15. Securing off-site Highway Works

16. Arboricultural Survey and Methodology Report (HE5)

17. Waste Management Plan (Policy WM8 & WM9)

18. Submission and Implementation of an operational energy scheme to demonstrate energy consumption/ carbon reduction.

Informatives:

1. Highway Informative.
2. Landscaping Informative.
3. Cheshire Police Informative.
4. United Utilities Informative.
5. MEAS BNG Informative

9. **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.

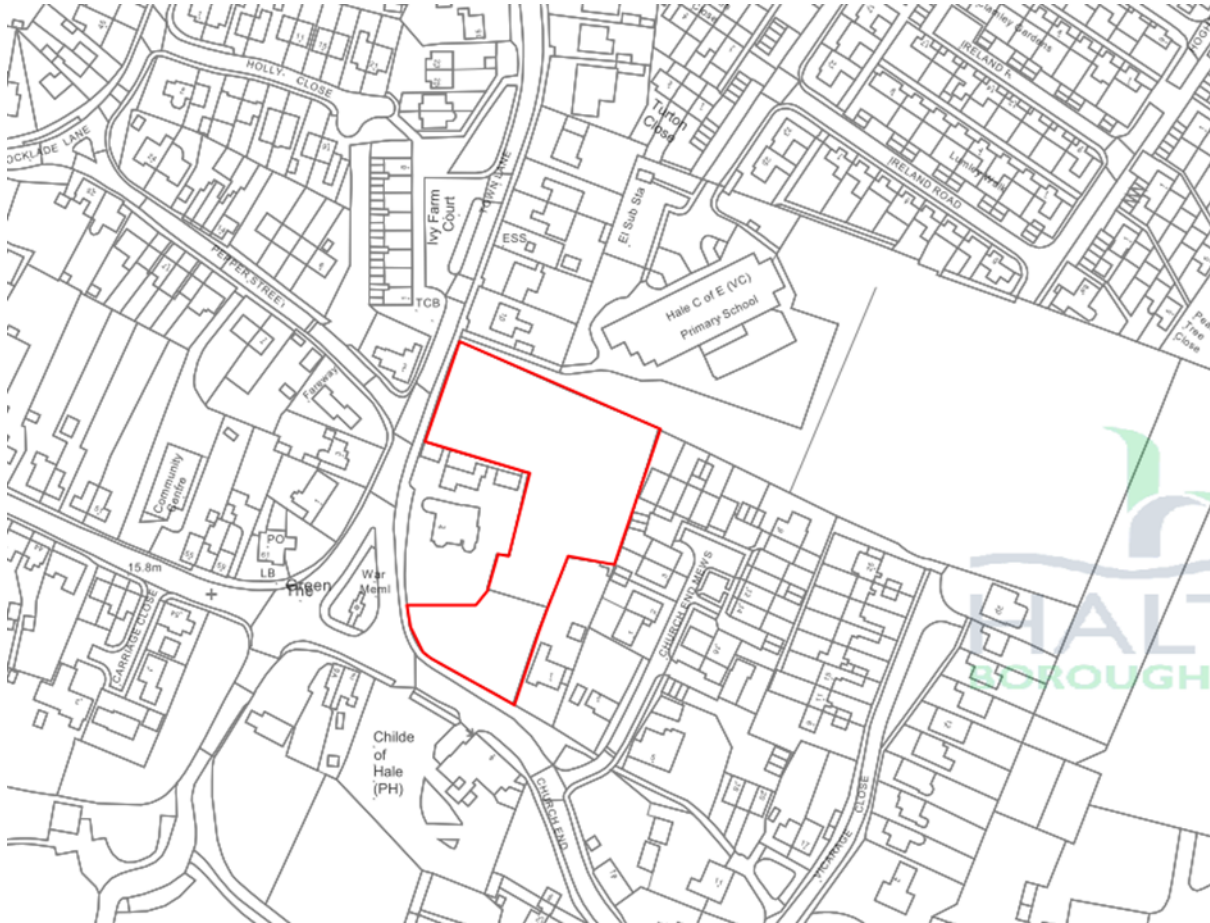
10. **SUSTAINABILITY STATEMENT**

As required by:

- The National Planning Policy Framework (2019);
- 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:	22/00638/FUL
LOCATION:	Land Bounded By Church End & Town Lane Hale L24 4AX
PROPOSAL:	Proposed development of 13 dwellings (Use Class C3) with associated landscaping, access/egress, parking, and associated works
WARD:	Ditton, Hale Village and Halebank
PARISH:	Hale
APPLICANT:	Mr David Platt, Knight Hill Homes Ltd
AGENT:	Mr Richard Dimisianos, 3 Kenyons Steps, Liverpool , L1 3BH
DEVELOPMENT PLAN: Halton Delivery and Allocations Local Plan (2022) Joint Merseyside and Halton Waste Local Plan (2013)	ALLOCATIONS: Residential Allocation Site 'H1'
DEPARTURE	No.
REPRESENTATIONS:	30 representations have been received in response to the public consultation exercise. A summary of the responses is set out in the report.
KEY ISSUES:	Highways , Principle of Development, Ecology, Developer Contributions, Residential amenity, design, impact upon Hale Village Conservation Area, affordable housing, contaminated land, drainage and flood risk, recreational pressure.
RECOMMENDATION:	Grant outline planning permission subject to conditions and S106 Legal Agreement relating to Open Space and Affordable Housing.
SITE MAP	



1. APPLICATION SITE

1.1 The Site

The site subject of the application consists of a 1.13 Acre parcel of land located within Hale Village. The site is unorthodox in terms of its overall shape and boundary layout that fronts onto Town Lane and Church End. The Northern and Eastern boundaries of the site are contained by houses and other buildings including a School. It is of note that the pedestrian access to the Hale C of E primary school, located north east of the application site, is directly adjacent to the application sites northern boundary.

The site is Greenfield and contains both shrubs and trees in addition to a Protected Copper Beech Tree in the South West Corner of the site.

The application site sits within the Hale Village Conservation Area, an urban environment that consists primarily of surrounding dwellings that are of mixed character and age predominantly 2 storey in height.

The site is allocated as a Residential Development Site (H1) by the Halton Delivery and Allocations Local Plan Policies Map. The site has a notional capacity of 12 houses as defined by the Halton DALP.

1.2 Planning History

The application site is an undeveloped parcel of land. As a result there is no relevant planning history.

2. **THE APPLICATION**

2.1 The Proposal

Permission is sought for the erection of 13 dwelling houses. The proposed breakdown of dwellings is as follows: 3 mews houses (3 bedroom) 4 semi-detached houses (4 bedrooms) and 6 detached dwellings (2 of which are 3 bedroomed 4 of which are 4 bedroomed). The houses are a combination of 2 and 2.5 storey dwellings with accommodation in the roof space.

The 3 mews houses will be affordable dwellings which equates to 25 % of the development. The Applicant has proposed a tenure of first homes for the affordable housing provision.

The development details a new access point off Town Lane that will serve 10 of the proposed units. Two units will be serviced directly off Town Lane. An additional unit will be serviced directly from the Church End highway. Each dwelling will benefit from dedicated private off street car parking situated within each units private residential curtilage.

The Applicant proposes a traditional materials pallet consisting primarily of render and red brick with grey roof tiles and flush wooden casement windows.

A Copper Beach Tree that is protected by way of a tree preservation order (TPO) is located on the application site. An additional TPO tree located in a neighbouring property is of note due to its overhanging crown along the application site boundary. It is of further note that the application site is grassed and has a mixture of immature tree specimens. Whilst the Copper Beach is to be retained the remainder of the site would be cleared in preparation for the development of the site.

2.2 Documentation

The planning application is supported by the following documentation:

- Planning Statement
- Construction and waste method statement
- Preliminary Ecological Statement
- Arboricultural Impact and Method Statement
- Heritage Statement
- Noise Impact Statement
- Flood Risk Assessment
- Preliminary Risk Assessment

- Transport Statement
- Drainage Scheme
- Site Investigation
- Landscape Drawing
- Design and Access Statement

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.

THE DEVELOPMENT PLAN

3.1 Halton Delivery and Allocations Local Plan (2022)

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

- CS(R)3 Housing Supply and Locational Priorities;
- CS (R) 6 Green Belt
- CS (R) 7 Infrastructure Provision
- 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;
- CS23 Managing Pollution and Risk;
- C1 Transport Network and Accessibility;
- C2 Parking Standards;
- HE1 Natural Environment and Nature Conservation;
- HE2 Heritage Assets and the Historic Environment
- HE4 Greenspace and Green Infrastructure;
- HE5 Trees and Landscaping;
- HE8 Land Contamination;
- HE9 Water Management and Flood Risk;
- GR1 Design of Development;
- GR2 Amenity
- RD1 Residential Development Allocations
- RD 5 Primary Residential Areas
- GR3 Boundary Fences and Walls

Supplementary Planning Documents (SPD)

Design of Residential Development SPD

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.

MATERIAL CONSIDERATIONS

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

3.3 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.

3.4 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

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

Sustrans

No objection – comments received are discussed in the highways comments section of the report

United Utilities

No objection

Liverpool John Lennon Airport

No objection

Natural England

Awaiting comments pending review of Council habitat regulation assessment

Hale Parish Council

Objection – Details of the objection are set out in the report below

Environment Agency

No Objection.

Council Services

Highways

No objection subject to conditions

Lead Local Flood Authority

No objection to the proposed development subject to a condition

HBC Contaminated Land

No objection to the proposed development subject to conditions

Archaeology

No objection. Site does not hold archaeological interest

Open Spaces

No objection subject to condition.

Landscape Architect

No objection

Merseyside Environmental Advisory Service – Ecology and Waste Advisor

No objection subject to condition and financial contribution secured by S106

Environmental Protection

No objection subject to condition

Conservation Officer

No objection

5 REPRESENTATIONS

5.1 The application has been publicised by neighbour notification letters on three occasions following the Applicant's modification to the development proposal, specifically those relating to house design, layout and highways considerations. Site notices were also posted in the vicinity of the site. The application was also advertised in the Local Press.

5.2 Thirty representations have been received. A summary of the objections received is set out below.

- Detrimental to Highways Safety
- Traffic Generation
- Increased demand for on street parking
- Houses will not be affordable
- Harmful to the Environment
- A pedestrian crossing should be installed
- Loss of light at neighbouring properties
- Over dominant form of development - will overshadow existing houses
- Negative impact upon Conservations Area
- Negative Impact upon Protected Trees
- Inadequate Landscaping proposed
- Negative impact upon Rights to Light (it should be noted that Rights to Light are not material planning considerations)
- Harmful to the residential amenity of neighbours
- Houses will overlook neighbours
- Public Consultation event failed to engage adequately and was not transparent
- Errors in application documents
- Smaller houses are required in Hale
- Overdevelopment

- Proximity of houses to Protected Tree will create future pressure to reduce canopy of the tree
- Design of houses is unsuitable for this location
- Houses should be rendered
- Houses will be too tall dwarfing neighbouring dwellings
- Inadequate infrastructure is in place to support additional residents
- “To build new housing right next to the school is so distasteful”
- Dwellings are out of character
- Loss of existing Trees
- Loss of Sandstone Wall
- Loss of Historic Farm Duck Pond, loss of both historical feature and detrimental to drainage

Cllr Wharton has raised the following concerns:

I have concerns relating to access and egress to the site. The Town Lane proposed road is close to the school entrance and is extremely busy particularly at school opening time. The other proposed road is extremely close to a bend and visibility as you come out of that road would be extremely limited. I would ask that the highways team give consideration as to how these issues can be mitigated if the proposal is agreed by the Development Management Committee.

6 ASSESSMENT

6.1 Principle of Development / DALP Allocation

The Residential Allocation of the site by the Halton DALP has established that developing the site for residential purposes is acceptable in principle. Policy RD1 of the Halton DALP contains a table that presents a notional capacity for all the of the allocated residential sites. Such figures are indicative only, developments can exceed or fall short of this capacity depending on site circumstances. The suggested capacity of the application site is 12 residential units.

The DALP residential allocation for the application site establishes the precedent that a form of residential development is acceptable in principle. The remaining planning policies identified above will consider whether the form and quantum of development is acceptable. The consideration of such policies is set out below.

Housing Mix

Dalp policies CS(R)3 and CS(R)12 require sites of 10 or more dwellings to deliver a mix of new property types that contribute to addressing identified needs (size of homes and specialist housing) as quantified in the most up to date Strategic Housing Market Assessment, unless precluded by site specific constraints, economic viability or prevailing neighbourhood characteristics. The Mid-Mersey SHMA 2016 sets out the demographic need for different sizes of homes, identifying that the majority of market homes need to provide two or three bedrooms, with

more than 50% of homes being three bed roomed. The policy justification recognises that a range of factors including affordability pressures and market signals will continue to play an important role in the market demand for different sizes of homes. Evidence from the Mid-Mersey Strategic Housing Market Assessment (SHMA) demonstrates that there is a need for a greater diversity of housing types and sizes across market housing as well as in affordable accommodation. The housing type profile in Halton currently differs from the national pattern with higher proportions of medium/large terraced houses and bungalows than the average for England and Wales. Consequently, there is under provision of other dwelling types, namely detached homes and also to a certain extent, flatted homes. The SHELMA (LCR) shows an above average representation of detached and semi-detached sales however does not breakdown for bedroom requirements. In Halton this is due to a particularly high proportion of new build sales that upwardly skew the figures for detached and semi-detached sales.

It is important to rebalance the type and size of housing across the Borough and to ensure that the most appropriate form of housing is provided by listening to the market to ensure the requirements are met for current and future residents.

The following table illustrates the proposed residential mix.

	Market	Affordable
3 bed units	2 (15%)	3 (23%)
4 bed units	8 (62%)	0
Total	10 (80%)	3 (20%)

The table below provides the objectively assessed housing need breakdown as presented in the 2016 SHMAA that formed the original evidence base for the DALP.

	Market	Affordable
1 bed units	6.5%	44.8%
2 bed units	30.4%	28.4 %
3 bed units	52.7%	23.8%
4+ bed units	10.5%	3.0%

Since the adoption of the DALP, the Liverpool City Region Authority has undertaken a HEDNA study into housing needs of the Liverpool City Region (HEDNA 2023). The local need set out in this evidence base is set out in the table below.

	Market	Affordable
1 bed units	25%	25%
2 bed units	45%	45%
3 bed units	25%	25%
4+ bed units	6%	5%

From the tables set out above, noting the inconsistencies between the 2016 DALP evidence base and the evidence base of the emerging Liverpool City Region Spatial Development Strategy, the Applicant is not meeting the locally identified

needs. Notwithstanding, consideration needs to be given to the overall size of the application site. This is a modest sized application that sits within an existing urban area. It is not of a strategic scale that would contribute a disproportionate impact with regard to the Council's identified need.

The Applicant is providing two three bedroomed market housing representing 15% of the proposed quantum of development. The assessed need for this type of housing is shown to be 52.7 % in the 2016 SHMAA and 25% in the 2023 HEDNA. A total of 8 dwellings representing 62% of the proposed quantum of development is proposed. The identified needs of the SHMAA and HEDNA are 10.5% and 6% respectively.

When compared against the evidence base, the Applicant is under providing in 3 bedroomed market dwellings and over providing in 4 bedroomed market dwellings. No provision is given to 1 and 2 bedroomed houses, the needs of which are set out in the tables above.

The application provides for 25% affordable housing in line with policy CS(R)13. The bedroom mix for the proposed affordable units differs from the need identified in the SHMAA as set out in the table above. The application is a modest development of 13 units details 8No. 2 bedroomed dwellings and 12No. 3 bedroomed properties. These house types are comparable to the remainder of the development site. The Applicant has commendably aspired to achieve a tenure blind development scheme. Whilst the affordable housing offering is presented in a terrace, the design, orientation and building materials are consistent with the remaining market housing.

It is of note that the Applicant has offered 3No. 3 bedroomed affordable houses. Whilst the evidence base calls for greater provision of 1 and 2 bedroomed affordable houses, there remains an identified need for 3 bedroomed properties. It is considered that the proposed development of 3No. 3 bedroomed properties is an improved offering compared to 3No. 1 or 2 bedroomed dwellings.

It is of note that the Council has received notifications from registered social housing providers as part of its consideration of the other Widnes based DALP housing allocations. Such notifications identify a need of properties in the range of 1No to 3No bedroomed dwellings. The proposed social housing mix offered as part of this development site is consistent with such opinion of social housing sector need.

With regard to market housing, the Applicant has set a focus on delivering 4 bedroomed detached properties accounting for 54% of the market provision. This is in contrast to the SHMA which identified 89% of need for market housing as being for 3 bedrooms or less (95% HEDNA). It should be noted that there is a difference between 'need' and 'demand' in housing terms with many families, where finances allow, choosing to occupy a larger properties than strictly needed to meet their bedroom requirements. The Applicant is a housebuilder and is confident that the housing market in the locality requires the housing product they are seeking permission for. They consider the proposed units are an appropriate mix for the locality. The Applicant has bought the development site with a view to

implementing a sensitive development in line with the proposed plans commensurate in scale to the land allocation table set out at Policy RD1 of the Halton DALP

Since the completion of the latest SHMA in 2016, Government has introduced “First Homes” a specific form of discounted market sale as a preferred form of affordable housing. This may have skewed the need and demand figures slightly with some previously identified demand for smaller market housing now being met by “First Homes” and “Shared Ownership” properties which respectively represent 50*% and 25% of the affordable units.

Whilst the mix of property types is not aligned to the breakdown of the evidence base, it is contributing toward property types which are identified as being in need. Notwithstanding, the policy requirement encourages proposals to contribute to addressing identified needs and is more advisory than a prescriptive requirement. Given the contrast of the housing mix proposed when compared to the 2016 SHMA, there is considered to be a non-compliance with Policies CS(R)3 and CS(R)12, however based on the assessment set out that there are not sufficient grounds to warrant the refusal of this planning application.

Affordable Housing

As per the terms of planning policy CSR13, residential development proposals on non strategic housing sites are required to deliver 25% affordable housing as part of the proposed housing mix. Paragraph 2 of CSR13 sets out the Councils ambition for affordable housing delivery, at 74% social rent and 26% intermediary. Notwithstanding this detail, the Government published updated national guidance on the delivery of First Homes since the DALP examination in public. The Council accepts that First Homes are a form of intermediary housing. The Applicant is proposing that all 3No. affordable dwellings will be delivered as First Homes.

First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of ‘affordable housing’ for planning purposes. First Homes are the government’s preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations. Eligibility criteria apply to their occupation. First homes are required to fulfil the following nationally set criteria:

- Must be discounted by a minimum of 30% against the market value
- Sold to persons meeting the first homes eligibility criteria
- On their first sale will have a restriction registered on the Land Registry title to ensure that other restrictions are passed on at each subsequent title transfer
- A market price cap of £250,000 is applied
- Purchasers of a First Home should have a combined household income not exceeding £80,000 in the tax year immediately preceding the year of purchase
- A purchaser of a First Home should have a mortgage or home purchase plan to fund a minimum of 50% of the discounted purchase price

In addition to the above nationally set criteria, it is intended for the following locally set criteria to be applied. The Applicant has agreed to the following locally set criteria:

- Applicant must be a former British Armed Service Member or ex member of no longer than 5 years inc. civil partners, spouses, ex spouses/partners
- A Halton resident for a continuous period of not less than 24 consecutive months.
- A parent/child family with association to Halton resident
- A requirement to living in Halton due to employment as a key worker
- Past resident who has living the Borough for 5 years or more
- A key worker employed in Halton Public Sector for 12 months
- Key worker employed in health and education and childcare, public safety and national security

The provision of 3No. First Homes does not conform with paragraph 4b of policy CSR13. However, the policy sets out an exemption that an applicant can vary the tenure mix set by the policy provided credible evidence has been submitted that demonstrates that the target would make the scheme unviable. The Applicant has undertaken this exercise by submitting a viability study. The study shows that with the development of three first homes representing 100% of the affordable housing tenure the scheme is still markedly below the reasonable developer return of 15-20% set out by the PPG (Paragraph: 018 Reference ID: 10-018-20190509). The Applicant is prepared to maintain the delivery of 3No. affordable dwellings below the expected rate of return. Sufficient justification has been provided that demonstrates a need to depart from the specified tenure mix. Whilst the development proposal fails to comply with para 4b of Policy CSR13, it maintains compliance with para 1 of Policy CSR13. It is therefore considered that the development proposal complies with the requirements of Policy CS(R)13.

An additional requirement of policy CSR13 concerns affordable housing integration within the surrounding development to avoid over concentration and provide seamless design. The Applicant has incorporated the affordable housing units to the front of the site as a dual aspect terrace. The design is commensurate to the remainder of the scheme and the wider surroundings. Significant effort has been undertaken to achieve a tenure blind development. The Applicant has taken steps to ensure suitable interfaces exist between affordable units and smaller market housing to offer a complementary streetview appearance.

Affordable housing would be secured by means of suitably worded clauses within an accompanying S106 agreement. First homes eligibility criteria would also form part of the S106 wording with a requirement for criteria to be entered into the title deeds to ensure market discount is retained in perpetuity. The development proposal will deliver the 20% affordable housing requirement which meets the broad requirements of planning policy CS(R)13. It is not considered that the percentage split in the type of affordable housing units would warrant the refusal of the application.

Design and Appearance

The development proposal is a well-designed housing scheme that comprises a visually attractive layout with good quality architectural design. The Applicant has chosen a collection of house types that are well suited to one another and the site layout. The design is also commensurate to the streetscene of the conservation area. The appearance is consistent with that seen in the more recent housing

developments in Hale Village. Whilst this is undoubtedly a significant change from the undeveloped appearance on site at present, the proposed development is consistent with that envisaged by the DALP land allocation. The final appearance will result in a well-designed infill to Hale Village. The surrounding housing stock is of mixed era outside of the conservation area. To the south of the application site, properties that lie within the conservation area are primarily historic of mixed era design with both brick and render wall finishes. It is considered that the proposed development compliments the local distinctiveness of Hale Village.

Impact on Conservation Area

The impacts of the proposed development upon the Hale Village Conservation Area have been assessed by the Council's retained heritage advisor. Comments from whom are set out in full below.

The proposed works will create 13 dwellings (use class C3) with associated landscaping, access/egress, parking, and associated works at Land Bounded by Church End and Town Lane, Hale. The proposed site is located in the centre of Hale Village and as such is located within the Hale Village Conservation Area, and is bordered by residential properties to the north, east and west. The application site was previously classified as an 'Area of Special Landscape Value' until the adoption of the Halton Delivery and Allocations Local Plan in 2022 which designated the site as suitable for housing.

While the application site has typically not included any development, the site is surrounded by residential developments and the impact of the site on the setting of the conservation area is neutral due to its unkept nature. The TPO's on the site however do have a positive impact on the wider setting of the conservation area. Hale Village Conservation Area is experienced through the open landscape to the east and south and the proposals will not impact on this openness with views of the development being limited through existing developments when viewed from outside the conservation area. Views of the application site are also limited in respect of the nearby listed buildings.

Plans submitted indicate two dwellings will be access from Church End with the remaining dwellings accessed from a new access point on Town Lane. The scale of the development on the site is appropriate and reflects the surrounding residential developments. Additional elevations have been provided showing missing street scene elevations and they are considered to be acceptable and in keeping with the setting. The general character of the conservation area is described as 'a number of historic whitewashed cottages centred on the linear plan of the High Street and Church End', being 'predominantly single storey, constructed from brick and thatch'. It is also noted that the area contains a mix of 20th century housing and mature planting.

The details submitted in elevation showing plot 6 to plot 10 shows a varied housing style with similar architectural details carried throughout the scheme, predominantly showing facing brick, slate roof coverings and stone detailing to windows and doors. While the development does not have a varied material palette as seen elsewhere in the conservation area, the impact of the proposed materials is considered to be neutral.

Overall, the proposed development will make use of a plot of land that is currently redundant therefore having the potential to detract from the significance of the conservation area and surrounding heritage assets, and is considered to have a neutral impact on the conservation area.

The proposed developments impacts on the Hale Village Conservation Area have been considered by the Council's heritage advisor. It is considered that whilst the development does not contribute an enhancement to the Conservation Area as required by paragraph 8 of Policy HE2 of the Halton DALP, it does not prejudice the quality of the area to the extent that the perseverance of its character is compromised. The development proposal represents a quality of development suited to the site and character of the area. Therefore on balance it is the Council's view the proposed development preserves the setting of the Conservation Area. On this basis it is considered that the development complies with Policy HE2 of the Halton DALP.

Residential Amenity

The proposed development layout has taken into account the guidance set out in the Design of Residential Development SPD (the SPD) and follows good urban design principles with complementary plot layouts that ensure good natural surveillance and convey a pedestrian and community safe sense of place.

Sufficient regard has been given to the interface distances between proposed plots meet the interface requirements of the SPD. There are two interfaces of note. The first interface concerns the rear elevations of Plots 7 and 8 with the blank gable wall of the existing property 5 Church End Mews. The guidance set out in the SPD seeks to achieve an interface of 13metres. The interface detailed on the proposed plan is 12.13m. It is considered that this modest shortfall of 87cm in standards is acceptable; the rear interface of the proposed plots 7 and 8 is a feature that it is assumed that any potential purchaser would be aware of prior to completing their acquisition.

The second interface of note concerns Plot 13 and the existing property 1 Church End. This interface details a proposed gable to an existing gable. The Occupiers of 1 Church End have emailed their objection to the Council. The full detail of which is set out below:

We write to register our objection to the above proposed development on the grounds that it will severely impact on our right of light. In particular, the proposed dwelling at Plot 13 is sited directly in front of our kitchen window, less than 2 metres away, and will impair the amenity and use of this frequently used habitable room.

Our property is a bungalow and the proposed dwelling is a two-storey house, which would overshadow our property. We would request that the applicant amends the layout of the development so as not to infringe on our legal right of light, which we have benefited from for in excess of 20 years. This objection has also been raised directly with the applicant.

The SPD fails to provide guidance for a gable side to gable side interface. It is a typical feature of the development of residential properties to have proximate interfaces in side to side arrangements. Such interfaces typically present themselves along a street frontage, such is the case in Hale Village and this proposed interface is consistent with that view. Typically in such instances gables are blank or may feature a stairwell window with no means of direct oversight. The proposed Plot 13 details a stairwell light. The occupier of 1 Church End confirms that the gable end of their property features a kitchen window. They also confirm that they regard this to be habitable room window. A review of the Council's Building Control record for the property 1 Church End confirms that the affected window belongs to a kitchen. The SPD at footnote 14 of page 25 provides the following definition of habitable rooms:

Habitable rooms are defined as living rooms, dining rooms, bedrooms or conservatories. Spaces such as bathrooms, kitchens, utility rooms, laundries, corridors, hallways/landings, or similar spaces are not deemed to be habitable rooms.

It is of note that since the date of the objection, the Applicant has amended the scheme. The proposed layout plan currently subject of determination features a setback in the overall from 1 Church End effectively granting an extension of garden space to 1 Church End. Notwithstanding this development the following assessment applies.

The interface distance shown on the proposed plan measures 9metres between the respective gable ends. It is of note that the existing property 1 Church End is a bungalow. The immediate outlook for the affected kitchen window is a boundary fence approximately 2 metres in height. The immediate proximity of the fence to the kitchen window compromises the outlook to the extent that it would not be a fair summation to state that the only impact on this aperture is the proposed development of plot 13. Notwithstanding, as stated in the above footnote taken from the SPD, it is the Council's view that the kitchen window is not a habitable room contrary to the assertions of the occupiers of 1 Church End.

On this basis it is considered that whilst the development of Plot 13 is a profound change for the occupiers of 1 Church End who presently benefit from an undeveloped adjacent plot, the proposed development is consistent with the gable to gable interface expected from a streetscene and maintains an existing shoulder to shoulder like development footprint evident within Hale Village. Furthermore such development is in line with the requirements of the guidance set out within the SPD.

Paragraph 6.14 of the SPD provides guidance in the calculation of required sizes for usable minimum private garden spaces for houses as follows:

- Houses having 3 bedrooms shall have a minimum private outdoor space of 70sqm per unit
- Houses having 4 or more bedrooms shall have a minimum private outdoor space of 90sqm per unit

Consideration has been given toward garden sizes within the proposed residential site. The suggested minimum garden size set by the SPD for residential properties

is met on the majority of the plots. The scheme is however considered deficient with respect to a number of plots (approximately 31%). Just because the gardens on some plots could be classed as modest, it does not follow that unacceptable harm would necessarily be caused to future occupiers. The gardens would provide sufficient space for sitting out, hanging laundry and for children to play. The proposed ratio of garden to space per plot would appear proportionate.

Whilst the scheme does not make provision for areas of public open space within the proposed development, there is a nearby public park that offers formal areas of open space. With regard to the amenity of the Proposed Developments, it is considered that the proposals would provide for an appropriate form of development that do not impact unduly on existing residents and that sufficient regard has been had for the amenity of future occupiers. On this basis the proposals are considered acceptable having regard to Policies GR1 and GR2 of the Halton DALP.

Open space, Greenspace and Green Infrastructure

Policies RD4, HE4 and HE5 of the Halton DALP set out the Council's expectations for the provision of open space and green infrastructure in new developments. Policy RD4 underlines the importance at para 9.18 of the DALP where it states:

The provision of greenspace underpins people's quality of life. The Council views such provision as being important to individual health and wellbeing, and to the promotion of sustainable communities.

Paragraph 9.23 of the DALP goes on to say:

The provision of attractive and functional open space has an important role to play in ensuring a satisfactory housing estate design. It is vital that it should be considered as an integral element of the overall residential layout. The type, location and amount of areas of open space must be one of the starting points in drawing up the design of a new development. However, it should be noted that not all residential development will create a need for all types of open space and the type and amount will be guided by site specific circumstances.

Policy RD4 'Greenspace provision for residential development', states; all residential development of 10 or more dwellings that create or exacerbate a projected quantitative shortfall of greenspace or are not served by existing accessible greenspace will be expected to make appropriate provision for the needs arising from the development, having regard to the standards detailed in table RD4.1 The Halton Open Space Study 2020 (OSS) forms the evidence base for this policy.

The application site lies within Area Forum 1, which is identified as having deficiencies in the provision of parks and garden, provision of children and equipped play and allotments. Due to there being no proposed on-site open space provision the identified deficiencies are being addressed through the payment of a commuted sum for off-site provision. The Applicant has agreed to

pay a financial contribution to mitigate the identified shortfall in open space provision to improve open space provision within the locality of the scheme.

The Applicant has given consideration toward providing on site open space. The proposed development site is a modest sized development of 13 dwellings. Of which, the Applicant has proposed an appropriate mix of different sized dwellings. A reduction in the numbers of dwellings to accommodate an area of equipped play would result in a loss of three dwellings that would further harm the overall viability of the development and which may jeopardise the delivery of affordable homes. It is also noted that the application site is located in close proximity to the formal Hale Park which in addition to a typical parkland setting also benefits from an area of equipped play.

The agreed financial contribution is necessary to for the planning application proposal to comply with DALP policy RD4. Having assessed the merits of the proposal against the Local Plan requirements set out above, it is considered that offsite open space payments are acceptable in this regard and are therefore held to be in compliance with Policies RD4, HE4 and HE5 of the Halton DALP

6.3 Ecology

The Applicant has undertaken a preliminary ecological statement in support of the application. This has been reviewed by the Council's retained ecology advisor. The comments provided by the Council's ecology advisor are summarised below.

Recreational Pressure

The proposed Development is located within 5km of the Mersey Estuary SPA and the Mersey Estuary Ramsar. Therefore DALP policy CS(R)20 applies.

It is considered that the resultant development will results in an uplift in population that will result in increased visits to the identified sensitive sites. In order. In order to mitigate the impact of the scheme against recreational pressure upon sensitive ecological sites, the Applicant has agreed to participate in the Halton Interim Approach on Recreational Management (HIARM) as part of the adoption of the DALP. The Applicant will include a colour copy of the leaflet produced by the Council's retained ecology advisor and pay a financial contribution toward off site mitigation. This will be secured by way of a S106 agreement.

In response to the Applicant's participation in the HIARM, the Council's retained ecology advisor has undertaken a habitat regulation assessment (HRA). A copy of which has been sent on to Natural England. Natural England (NE) will not issue a response of no objection until such time that they have reviewed the HRA. The recommendation detailed below sets out a request for delegated authority to issue a determination of this planning application subject to confirmation of no objection from NE.

SSI Impact Risk zones

The proposed development is within the Natural England SSSI Impact Risk Zone (IRZ) (November 2022). The development proposal subject of the planning application would form a new residential developments that would bear impact as a result of recreational disturbance impacts on the coastal designated sites.

As noted above such impacts are mitigated following implementation of the HIARM. The Council's retained ecology advisor has undertaken an HRA which has been set to NE to consider in light of the SSSI designation. Delegated authority details are set out in the recommendation below should NE not provide a response to the consultation process ahead of Committee.

Wildlife Impacts.

The application was supported by an preliminary ecology report. The documentation submitted with the application states that no evidence of bat use or presence was found on site. This has been accepted by the Council's retained ecology advisor. As a result the Council does not need to consider the proposal against the three tests of the Habitats Regulations.

Breeding Birds

Existing trees and other vegetative cover on site may offer opportunities for nesting birds which are protected. Policy HE1 applies. Implementation of the proposed development will result in the loss of bird breeding habitat. To mitigate for this loss, details of bird nesting boxes are required to be installed on site. This will be secured by a suitably worded planning condition.

Reasonable Avoidance Measures

As noted above, the existing condition of the application site offers opportunities for nesting birds. In order to avoid disturbing nesting birds, the following condition is recommended:

No tree felling, scrub clearance, hedgerow removal, or vegetation management, is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then trees, scrub, hedgerows, and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

In addition, the existing habitats on site are suitable for hedgehogs which are a Priority Species. Therefore, Policy HE1 applies. The following reasonable avoidance measures are recommended to be used as part of a construction and management plan condition.

- A pre-commencement check for hedgehog.
- All trenches and excavations should have a means of escape (e.g., a ramp.)
- Any exposed open pipe systems should be capped to prevent mammals gaining access.

- Appropriate storage of materials to ensure that mammals do not use them.

The Council's retained ecology advisor has provided an opinion of no objection of the scheme subject to the use of planning conditions as outlined in the advice above.

In addition a separate condition is recommended to ensure a measure is introduced in the delivery of the proposed development that would deliver a hedgehog highway. This will be achieve a 13cmX13cm aperture in all residential plot boundary treatments. The Applicant is in agreement with the requirements of the recommended condition.

Having reviewed the details of the preliminary ecological statement and the responses received from the Council's retained ecology advisor, it is considered that, subject to confirmation regarding HRA compliance, the proposed development complies with planning policy HE1 of the Halton DALP.

Waste Planning Policy

The development proposal is a major development. Such developments typically involve excavation and activities which are likely to generate significant volumes of waste. As a result, Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal.

In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved must be submitted prior to development commencing. This can be secured by a suitably worded planning condition.

The Applicant has provided sufficient information in Proposed Site Layout – Refuse Management (July 2022, Drawing Ref: 22-22-P03) to comply with Policy WM9 (Sustainable Waste Management Design and Layout for New Development) of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8). The Proposed Site Plan will be secured as an Approved Drawing by a suitably worded planning condition.

Sustainable Development and Climate Change

In October 2019 Halton Borough Council declared a Climate Emergency to help tackle global warming at a local level. The proposed development should consider the use of low carbon and/or renewable energy in line with Core Strategy Local Plan policy CS19: (Sustainable Development and Climate Change) and Policy GR5 (Renewable and Low Carbon Energy).

The Applicant has not considered this policy requirement as part of their overall submission. Notwithstanding, it is considered that carbon saving measures are achievable in the delivery of the scheme. The Council has reviewed examples of climate change measures concerning recent housing development sites where a fabric approach consisting of a blend of modern technologies and improved insulation have been accepted as complying with policy CS19. Examples of such modern technologies include air source heat pumps, heat recovery systems, solar panels, electric vehicle charging facilities and battery storage. Such measures have the potential to reduce the carbon demand of future occupiers.

In order to ensure that the development incorporates such measures, it is considered appropriate to attach a suitably worded planning condition. The Applicant has agreed to the use of such a condition and confirmed their intention to install solar panels as part of the delivery of the development proposal.

It is acknowledged that the proposed development would impact existing habitat on the application site, however it is considered that there is sufficient potential to mitigate for this loss on the application site which should be demonstrated through a Biodiversity Net Gain Plan secured by condition.

Highways

The development proposal has been reviewed by the Council's Highways Officer on behalf of the Local Highway Authority in response to the consultation exercise. Comments provided indicate that the Development will have an impact on the local highway network pursuant to the quantum of development sought. The residential allocation of the application site by the DALP Allocations Plan does not call for specific infrastructure to be implemented ahead of the schemes delivery or occupation.

The Applicant has worked closely with the Council's Highways Officer in addressing the typical design requirements of a residential development. It is considered that the proposed development has adequate provision of off road parking spaces along with visitor parking. The development layout adequately serves the proposed dwellings and tracking of the layout has demonstrated that it is appropriate for large service vehicles. Site egress has been assessed and determined in line with good practice and having regard for standards set out in the manual for streets guidance document.

The application site is located in the existing centre of Hale Village, within walking distance of the local services of Hale Shops Parade, Hale Park and is within 129 metres of the nearest bus stop. Having had regard for these observations and the DALP residential development allocation, it is considered that the application site is a sustainable location.

The Council has received a consultation response from Sustrans. This organization has requested the Applicant give consideration toward off-site

improvements specifically that improvements. A copy of the Sustrans consultation response is set out at Appendix 1.

The Council's Senior Highway Engineer has reviewed the Sustrans consultation response and has responded with the following comments:

Halton Highways had similar considerations to the TPT/Sustrans comments, with regards to matters of accessibility, including crossings, other local highway improvements, with highway safety paramount; as noted within the initial Holding Objection, and again in V2. These matters were discussed with the developer's representatives to progress the scheme design collaboratively, and they duly incorporated elements considered reasonable and relevant to mitigate the impact of the development satisfactorily.

Regarding a Pelican crossing, or suchlike, as there is a School Crossing Patrol (SCP) directly about the school access, and the position for any potential additional crossing point is undetermined, given the local highway arrangement with householder driveways/vehicle crossovers and the parking/access for the parade of shop, junctions etc. in the vicinity. It was not considered reasonable, including given the costs involved against the scale of the development, to pursue this matter further. Similarly, a short section of widened 3m shared pedestrian/cycle route would be counterintuitive in terms of coherence and consistency of pedestrian and cycle links, fundamental tenets of LTN 1/20 so again discounted.

The final design was agreed satisfactory haven taken onboard the considerations and comments offered, with consideration and improvement to pedestrian crossings about the site, notably the new junction and also measures to prevent indiscriminate parking (heritage bollards) which can obstruct footways, detrimental to amenity and safety, notably about schools at drop off and pick up time.

Any requests for further off set Highways improvements would be unlikely to meet the 6 tests of application of conditions, primarily reasonableness but also relevance and unnecessariness (given SCP as above mentioned).

Whilst there is removal of some, but not all, of the guardrail about frontage, the parking restrictions will still apply i.e. the yellow 'school-keep-clear' zig-zag markings outside schools - mean no stopping- not even to let out a passenger will remain and there will be improvement to the kerbing and surfacing as part of the S38/278 Agreement.

The Highways Officer has reviewed the requests of Sustrans and determined that the requested additional improvements are not necessary for this development to be considered policy compliant.

The development proposal concerns a modest development of 13 dwellings has a limited impact upon an existing village setting the Sustrans request for

improvements to the locality are not an appropriate requirement for the Applicant to meet the cost of implementing. Notwithstanding, the Council will consider the advice of Sustrans for localized improvements should grant or other funding become available.

It is considered that the application site is a sustainable location within walking distance of local amenities and a bus stop. The Highways Officer has confirmed that the proposed development site will provide sufficient access and off-site parking arrangements.

In view of the considerations set out above, it is considered that the Applicant has satisfied the requirements of planning policy C2 of the Halton DALP.

Drainage And Flood Risk

The application is supported by a Flood Risk Assessment. The details of this assessment has been considered by the Council's Drainage Engineer from whom the following comments have been provided:

- *The site is described as 0.45ha and is considered to be a brownfield site.*
- *The proposed development is would comprise 13 dwellings with associated works that would classify as more vulnerable to flood risk as defined within Planning Practice Guidance.*
- *A Flood Risk assessment and Drainage strategy has been prepared in support of the application.*

The LLFAs comments on the Flood Risk Assessment are:

- *Fluvial flood risk*
 - o The site is located within flood zone 1, with no open watercourses in or near the development site.*
 - o The proposed development includes residential property which is appropriate within Flood Zone 1 subject to the need to avoid flood risk from sources other than main rivers and the sea.*
- *Surface water flood risk*
 - o This assessment indicates the risk of surface water flooding is very low and there are no records of surface water flooding at or near to the site.*
 - o The LLFA agrees with this assessment.*
- *Groundwater*
 - o The assessment identifies that flooding due to groundwater to be a low risk to the site.*
- *Flooding from artificial sources.*
 - o The LLFA is satisfied that the risk from sewers, canals and reservoirs would be low.*

Drainage strategy

- *The site currently comprises undeveloped land which is not formally drained and is therefore considered to be 100% permeable.*
- *The proposed development will introduce 2,660m² of hardstanding in the form of buildings and access roads.*
- *Runoff rates*
 - o *The existing 1 in 1 year event Greenfield runoff rate for the 0.475ha site is 0.98 l/s. A discharge rate of 2 l/s per connection point will be applied for the development to ensure the drainage system is self-cleansing.*
 - o *The LLFA agrees with this assessment.*
- *Discharge location*
 - o *The site is not currently formally drained. There is an existing pond in the north-western extent of the site however there is no evidence to suggest that the pond provides a drainage function. The pond will be removed as part of the development.*
 - o *It is noted a falling head permeability test has been undertaken by GroundSolve Ltd in September 2022. The results indicate the underlying geology has limited permeability and would not be sufficient to support traditional infiltration techniques such as soakaways.*
 - o *The nearest watercourse is an unnamed watercourse located approximately 430m south-west of the site. The site is separated from nearby watercourse by third party, urbanised land. Therefore, discharge to a watercourse is not feasible.*
 - o *Therefore, it is accepted that discharge of managed flows into the combined UU sewers in Town Lane and Church End is the most sustainable viable option.*
- *Attenuation provision*
 - o *The site will be split into two drainage areas.*
 - o *Drainage Area 1 will require an estimated storage volume of 175m³ to accommodate the 1 in 100 year plus 40% Climate Change (CC) event (as agreed with LLFA in pre application consultation). The storage estimate is based on a discharge rate of 2 l/s, storage within a tank structure, an impermeable drainage area of 2,430m², a design head of 2m and hydro-brake flow control.*
 - o *Drainage Area 2 will require an estimated storage volume of 8m³ will be required to accommodate the 1 in 100 year plus 40% CC event. The storage estimate is based on a discharge rate of 2 l/s, storage within a tank structure, an impermeable drainage area of 230m², a design head of 2m and hydro-brake flow control.*
- *Assessment of SuDS*
 - o *The strategy proposes to attenuate flows using a combination of large diameter pipes, underground attenuation and permeable paving.*
 - o *The assessment of SuDS indicates it is not possible to utilise above ground SuDS such as ponds and basins for attenuation purposes due to the required housing density. The land take required to provide over ground storage would result in the loss of 3 plots, impacting the financial viability of the scheme.*

- o Therefore the applicant proposes permeable paving be incorporated for private driveways and under-drained to a downstream attenuation storage feature. Attenuation storage for Area 1 to be provided within oversized pipes and for Area 2 to be provided within an attenuation tank beneath the driveway of plot 13.*
- o The LLFA finds this acceptable.*

- Drainage performance

- o Storage will be provided for the 1 in 100 year plus 40% CC event. Storm events in excess of the 1 in 100 year plus 40% CC event would cause a temporary shallow depth flooding within the access road and landscaped areas. Finished floor levels will be set at a minimum of 150mm above surrounding ground levels ensuring exceedance flooding will not affect the buildings.*
- o The LLFA agrees with the above.*

- Water quality

- o A clear assessment has been provided relating to water quality which indicates the proposed system would adequately treat runoff to prevent impacts.*

- Maintenance and management

- o The proposed surface water drainage system serving plots 1 – 12 is to be offered for adoption to United Utilities who will then be responsible for maintenance. If this were to not occur the drainage features such oversized pipes can would be privately maintained through appointment of a site management company. Permeable paving on private driveways will be maintained by the individual property owner. Maintenance of the drainage system for Plot 13 (which will have its own attenuation storage) will be the responsibility of the property owner. In summary, the LLFA is satisfied that flood risk on site has been assessed adequately and there is a clear surface water drainage strategy.*

The LLFA would request that a pre occupation condition be applied should the LPA be minded to approve this application:

No development shall be occupied until a verification report confirming that the SuDS system has been constructed in accordance with the approved design drawings (including off site alterations) and in accordance with best practice has been submitted

to and approved by the local planning authority. This shall include:

- i. Evidence that the SuDS have been signed off by an appropriate, qualified, indemnified engineer and are explained to prospective owners & maintainers plus information that SuDS are entered into the land deeds of the property.*
- ii. An agreement that maintenance is in place over the lifetime of the development in accordance with submitted maintenance plan; and/or evidence that the SuDS will be adopted by third party.*
- iii. Submission of 'As-built drawings and specification sheets for materials used in the construction, plus a copy of Final Completion Certificate.*

A review of the proposed development flood risk documentation has been undertaken by the Council's Drainage Engineer in addition. The Council's Drainage Engineer raises no objections subject to the use of an appropriately worded condition set out above that will ensure a verification study has been submitted to the Council demonstrating that the agreed SuDS drainage scheme has been implemented. The Applicant has agreed to the use of this condition. The Applicant has had sufficient regard to the flood risks associated with the development both in terms of future occupiers and any impact that the proposed development may have upon its surroundings. It is therefore considered that the development complies with planning policy HE9 of the Halton DALP.

Contaminated Land

As part of a package of supporting documentation, the Applicant has submitted a ground investigation report. This has been reviewed by the Council's contaminated land officer, the following observations from whom are of note.

The application is supported by the following documents;

- *Hale Village, Halton PRA, ref 2795/R01, version 01, GroundSolve Ltd, 01 December 2022*
- *Phase 2 ground investigation: Hale Village, Halton, ref GL2795, version 01, GroundSolve Ltd, 01 December 2022*

Both reports present the findings of a preliminary risk assessment based upon a desk study and site recon, and a follow on site investigation with detailed risk assessment to determine the suitability of the site for the proposed end use.

The historical review identified only limited potential sources of land contamination, the site has had several small buildings that are no longer present, it has been used as an orchard and the historical maps show a pond on site that may have been infilled.

The site investigation identified a thin layer of made ground and topsoil across the site overlying natural sands and clays. The pond feature was still present but appeared to have been drained or dried up. Analytical chemical testing detected concentrations of arsenic and lead in the top soil and made ground, possibly a result of the use of the site as an orchard (historical pesticides often were based upon those elements). No significant, viable sources of hazardous ground gases were identified, although the possible pond deposits were not assessed, which could be a gas risk if buried by the development.

The report concludes that the current topsoil/made ground is not suitable for

landscaping/private gardens, and recommends that a simple 600mm cover system be implemented as remediation.

I believe that the submitted documents present a sound investigation and assessment of the site and an understanding of the hazardous posed by soil contamination. The suggested remedial option of a cover system, suitably checked and verified, should be appropriate mitigation.

The pond feature needs to be cleared of any pond deposits (possible organic rich material and gas risk if left in situ). Therefore I have no objection to the proposals if any approval is conditioned to require the submission of a remedial strategy (setting out how the cover system will be incorporated into the development, removal of any pond deposits along with a verification plan).

The pollution risks associated with the development have been reviewed by the Council's Contaminated Land Officer. The findings from whom have confirmed a position of no objection subject to suitably worded planning condition that will ensure that a suitable covering system is implemented on site that will address the legacy contaminants on site that are a legacy of the pesticides and other chemicals used as part of the sites former orchard use. In addition, two further conditions are to be attached, a condition regarding unsuspected contamination and an associated validation condition.

The Applicant has reviewed the details of the contamination officer and confirmed that they accept the recommended conditions. Subject to the Contaminated Land Officers recommendations being implemented, the application site is found to be a suitable use of land for residential purposes with no risk to human health. It is considered that the proposed development complies with planning policy HE8 of the Halton DALP.

Noise Pollution

The planning application was accompanied by an acoustic report, this has been reviewed by the Council Environmental Health Officer. Comments from whom are set out below.

The applicant has submitted an acoustic report reference 50-700-R1-1, dated September 2022 in support of the application. The impact of existing sources of noise that may affect the development site are assessed in order to ensure that sound levels specified in BS 8233:2014 Guidance on Sound Reduction for Buildings can be achieved at all properties within the development site. This is an agreed assessment methodology.

The development site is boundaried by existing residential property and local roads, as well as Hale C of E Primary School to the north east of the site.

The acoustic report recommends an acoustic barrier at plot 1 to the north of the site in to ensure that the rear garden of this plot is not unduly affected by road traffic noise from Town Lane. This report and this recommendation are accepted.

The report also recommends acoustic barriers be built at plots 5 – 7 and upgraded glazing at plot 6 to mitigate against noise from Hale C of E Primary School. The applicant can follow these recommendations should they wish, however this is not something we would seek to condition as we would not expect noise from educational establishments to be mitigated against.

We would also wish to ensure that appropriate hours of work are adhered to during the construction phase

The risks of sound pollution have been assessed by the Council's EHO who has responded with an opinion of no objection. The EHO accepts that a measure is needed in the form of an acoustic barrier to the road noise along Town Lane. However, the recommendation set out in the acoustic report of plots 5,6,7 requiring mitigation from the Hale C of E school are not regarded to be necessary. Therefore the following planning condition will be attached to a grant of planning permission.

The scheme of acoustic mitigation specified for plot 1 in acoustic report reference 50-700-R1-1, dated September 2022 shall be implemented in full.

It is considered that subject to the above acoustic standard being achieved on site, the development site is a suitable location for human habitation and therefore the development complies with policy HE7 of the Halton DALP insofar as it is relevant to sound pollution.

Air Quality

The applicant has submitted an Air Quality Assessment, this has been assessed by the Council's EHO who have provided the following comments.

The applicant has not submitted an air quality assessment with their application. Whilst we would not require one for a development of this size in respect of the operational phase, we would wish to ensure that dust emissions are appropriately assessed and controlled during the construction phase given the proximity of Hale C of E Primary School and existing housing. The applicant should therefore be required to submit a report assessing the risk of dust emissions affecting nearby receptors and from this devise a dust management plan. This should be based on the 'Guidance on the Assessment of Dust From Demolition and Construction' produced by the Institute of Air Quality Management.

As set out in the advice from the EHO, no air quality assessment is required for a development of this scale. However, the EHO correctly identifies a receptor to the future risk of construction dust emissions given the development sites overall proximity to the Hale C of E school. In order to mitigate this risk, the following condition is recommended.

Prior to the commencement of the construction phase, the risk of dust emissions affecting nearby receptors shall be assessed and appropriate control measures implemented, based on the 'Guidance on the Assessment of Dust From Demolition and Construction' produced by the Institute of Air Quality Management.

The risks borne from air pollution for the future occupiers of the site and those who occupy and use the land around the application site have been assessed by the Council's EHO who has provided a provided an opinion of no objection.

It is considered that the Application site is fit for human habitation and that subject to the above recommended planning condition the development proposal complies with policy HE7 of the Halton DALP insofar as it is relevant to the consideration of air pollution.

Impact On Residential Amenity

The Council's EHO has raised no objections to the developments long term impact on the surrounding existing properties. However, with regard to the potential for nuisance during the construction phase, the EHO has recommended that the following planning condition is attached to any grant of planning permission.

All construction activity should be restricted to the following hours;

- *Monday – Friday 07:30 to 19:00 hrs*
- *Saturday 07:30 to 13:00 hrs*
- *Sundays and Public Holidays Nil*

Whilst a degree of disruption is to be expected from a development site, standard working hours conditions help limit the impact upon local residents during what would be regarded as typical working hours. Such a condition can be justified by policy HE7 of the Halton DALP.

Hale Parish Council Objection

The Council received an email from Have Village Parish Council (HVPC) setting out a position of objection. The full detail of the correspondence is set out below.

Good afternoon,

I am writing, on behalf of Hale Parish Council, as a statutory consultee, to request an extension of two weeks to submit a response to Planning Application 22/00638/FUL. The Council would like to undertake further consultation with the community.

This land parcel is one of the last remaining developable plots of land within the parish and residents are concerned about the impact this development will have on the Conservation Area, our need for retirement homes, and its discord with Halton's Local Plan and the NPPF. Historical features of the plot have not been retained within the plan and documenting local knowledge will be an essential undertaking to prepare a considered response for Halton BC.

An extension until 10 February 2023 would be most appreciated.

No further email has been received from the Parish Council. Notwithstanding, it is clear where the concerns of the Parish Council in January lay. Taking each of the expressed concerns in turn, it is considered that the impact on the Hale Village Conservation Area has been assessed by the Council's retained

Conservation Advisor. No local historical features of interest were referenced in the Conservation Officers advice. The outcome of this assessment stated that the overall impact was neutral. The policy assessment set out in the report finds that the proposed development complies with Policy HE2 of the Halton DALP.

With regard to the need for retirement homes, there is no requirement as a result of the land allocation for the site to come forward as a particular form of residential accommodation. It is a matter for the free market to determine a viable development product suitable to the locality in line with the Local Plan policies. The expectation of which is for the proposed development to contribute to the identified housing needs. This assessment has been considered earlier in the report where it was held that the proposed development is contributing toward local housing need.

The chairman of the Parish Council raises a comment citing a discord between the Council's DALP policy document and the NPPF. The Council does not recognise any such discord; following an examination in public, the DALP was considered sound by the Planning Inspectors assigned by the Secretary of State and considered to be consistent with the NPPF.

S106

This section of the report will consider the areas of financial contribution identified and discussed in the report and their weighing of importance having had full regard to the individual matters and the strategic importance of underlying policy justification.

Distribution of spend

This report has set out a number of planning considerations that following an examination of planning policy have resulted in the Applicant agreeing to a package of off-site commuted sum payments in order to comply with the DALP. The following table sets out the value of contributions sought from the development in order to mitigate harm.

The Applicant asserts that a greater allowance would make the scheme unviable. The Applicant is still providing 20% affordable housing in line with DALP policy CSR13.

As set out in the report, the Applicant has agreed off site cumulative contributions towards the following:

- . Mitigating against the recreational pressures placed upon sensitive habitats in line with the Halton Interim Strategy,
- Off site open space improvements

This will ensure that the scheme complies with national and local planning policies with regard to ecology and nature conservation as set out in the ecology section of the report.

The agreed contribution is considered sufficient to comply with the requirements of planning policy RD4. The S106 funds have been allocated having full regard to planning policy. They will ensure that the scheme is delivered in a sustainable manner and that any harms are sufficiently mitigated.

Planning Balance and Conclusion

Whilst there is an element of non-compliance detailed in relation to housing and affordable housing tenure mix, this is not considered to be contrary to the development plan as a whole. Based on the above assessment and subject to the proposed to be issued with a planning approval conditions and legal agreement provisions, the proposal is deemed acceptable. The proposed development would provide residential development on an allocated housing site in a sustainable location, contributing to housing need in the Borough and delivery of high-quality development.

When assessed against the policies in the NPPF taken as a whole, taking into account the details of the scheme and any material planning considerations, the proposal is thus sustainable development for which the NPPF carries a presumption in favour.

As such, the proposal is considered to accord with the Development Plan and national policy in the NPPF.

1. RECOMMENDATION

That authority be delegated to the Operational Director – Planning, Policy and Transportation, to determine the application in consultation with the Chair or Vice Chair of the Committee, following the satisfactory resolution of the outstanding issues relating to HRA compliance

Upon satisfactory resolution that the application be approved subject to the following:

- a) S106 agreement that secures the terms set out at in the Legal Agreement section of this report.
- b) Schedule of conditions set out below.
- c) That if the S106 Agreement or alternative arrangement is not executed 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.

Recommended conditions as follows with any additional conditions recommended through the resolution of the HRA compliance issue to be added to the list below:

CONDITIONS

1. Time Limit
2. Plans
3. Materials to be agreed (Policy RD3 and GR1)
4. Submission of Existing and Proposed Site Levels (Policy GR1)
5. Tree Protection Measures – (Policy HE5)
6. Submission of Bird Box Scheme – (Policies CS(R)20 and HE1)
7. Protection of mammals during construction (Policies CS(R)20 and HE1)
8. Electric Vehicle Charging Points Scheme (Policy C2)
9. Ground Contamination - (Policies CS23 and HE8)
10. Visibility Splays – (Policies C1 and C2)
11. Submission of a Cycle Parking Scheme – (Policy C2)
12. Verification of the Sustainable Urban Drainage Scheme – (Policies CS23 and HE9)
13. Waste Management Plan (Policy WM8)
14. Sewage disposal (Policy HE9)
15. Construction Management Plan (Policy C1)
16. Limited Construction Hours (Policy GR2)
17. Detail Hard Standing agreed (Policy C2 and HE9)
18. Access constructed prior to occupation (Policy C1)
19. Landscaping (Policy GR1, GR3 and HE5)
20. Hedgerows retained or mitigation (Policy CS(R)20 and HE1)
21. Acoustic Mitigation (Policy GR2)

The conditions above have been agreed with the applicant.

6 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

7 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.

APPENDIX 1 – SUSTRANS CONSULTATION RESPONSE



JOINT Planning Application Response

Local Authority:	Halton
Detail:	Land bounded by Church End & Town Lane, Hale – 13 dwellings
Link:	https://webapp.halton.gov.uk/PlanningApps/index.asp
Planning Ref:	22/00638/FUL
Deadline:	26 th January 2023
Submitted by	Trans Pennine Trail National Office & Sustrans North West
Response to:	dev.control@halton.gov.uk
Submitted:	16 th January 2023
Summary	<p>The Trans Pennine Trail national office (TPT) and Sustrans welcomes the opportunity to respond to this consultation.</p> <p>The application does not reference the national Trans Pennine Trail or National Cycle Network that runs directly adjacent to the site.</p> <p>With the proposal for a new T-junction as part of the development it is important that LTN1/20 guidance is followed and safe crossing points for sustainable transport users provided.</p> <p>Further detail is provided below.</p>
Detailed Information:	<p>The development area in relation to the TPT/NCN is shown below:</p> <p>Yellow = TPT / NCN – walkers and cyclists along this section Blue = Site boundary</p>



©Google Maps

The development site is adjacent to the Trans Pennine Trail / National Cycle Network that is used by walkers and cyclists in this location.

The north of the site lies adjacent to access to the local primary school. Care should be taken to ensure that works vehicles or materials are not blocking the school access or Town Lane. Whilst Town Lane is part of the TPT / NCN network there is no dedicated / segregated cycling facility so it should be noted that cyclists will be using the road and this could include children cycling to school.

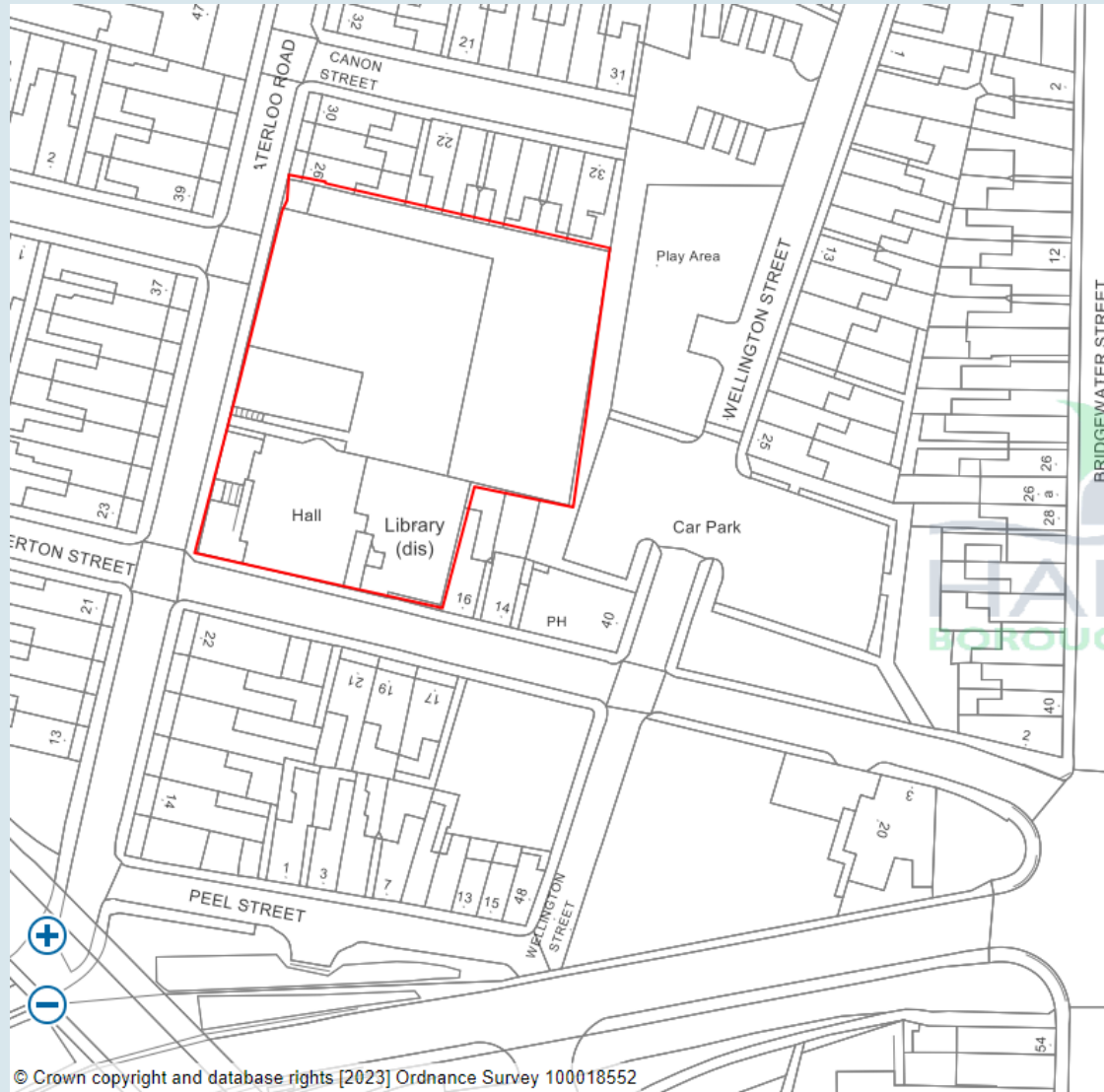
If there is no dedicated crossing at this location, could the developers contribute to a Toucan crossing / raised table / parallel crossing at this location to provide a dedicate safe crossing point for the school, particularly as one of the development site entrances will be on Town Lane?

Design & Access Statement

Pg 4	The Site – should also state that there is a school access point to the north of the site and that the development is adjacent to a section of the TPT/NCN.
Pg 8	Sustainable location – should mention the TPT / NCN along Town lane. Access arrangements – the T-junction should include a raised table giving priority crossing to

	walkers and cyclists, not vehicles. Does the new layout provide adequate vision for walkers and cyclists using the footway? The 2m footway connection to Town Lane – a 3m width is preferred.
Transport Assessment	
2.4	Pedestrian and Cycle Network – should also include reference that Town Lane is also part of the TPT / NCN.
2.4.2	No mention of the TPT / NCN – the TPT is a 370-mile route from Southport to Hornsea and runs directly adjacent to the site. At this point the national cycle network is NCN62.
3.3.2	The T-junction should be designed to give priority to walkers and cyclists via a raised table. The footways should be 3m wide. Specification to LTN1/20 should be followed.
3.4.1	If cyclists are expected to use the footway, this should be noted. If not, what provision is going to be provided for cyclists?
3.5.3	Internal footways should be 3m.
3.6.1	The Construction Access Strategy should note the direct access to the school which is adjacent to the site.
3.6.2	Access to the site via the Town Lane entrance will have an impact on those using the TPT and local users.
4.2.4	No mention of the TPT or NCN directly adjacent to the site.
4.3.4	No mention of the TPT or NCN directly adjacent to the site.
6.1.4	Footway should be 3m and not 2m as noted.













3 North Elevation



4 East Elevation





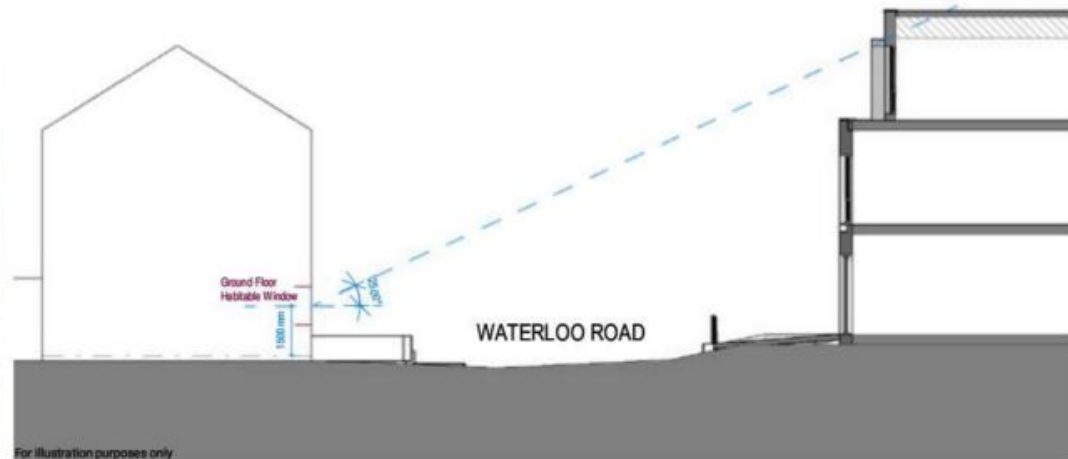






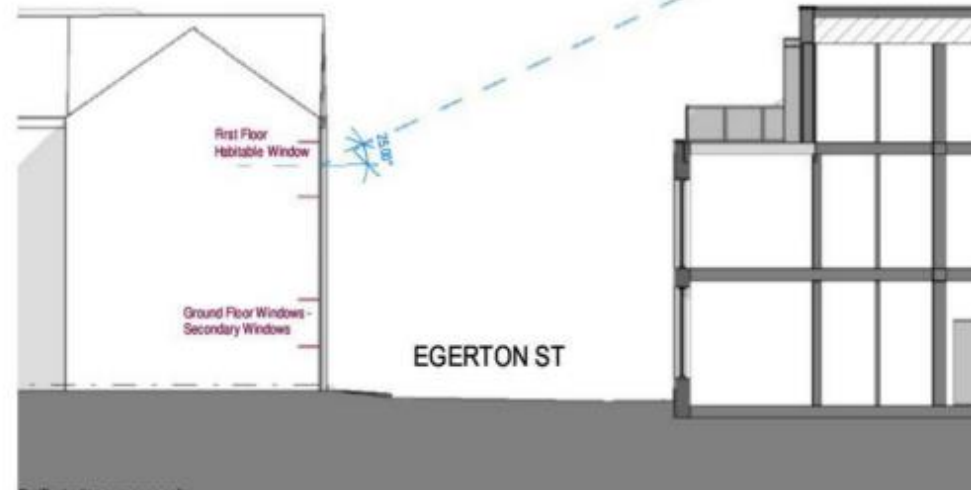


The below section shows the 25° assessment applied to Waterloo Road. Whilst the top of the Zinc roof is just outside the 25° zone, the second floor roof is set back from the main Waterloo Road frontage, with the main building frontage falling within the 25° zone. Any negative impact on daylight to the properties on the west side of Waterloo Road would be minimal.



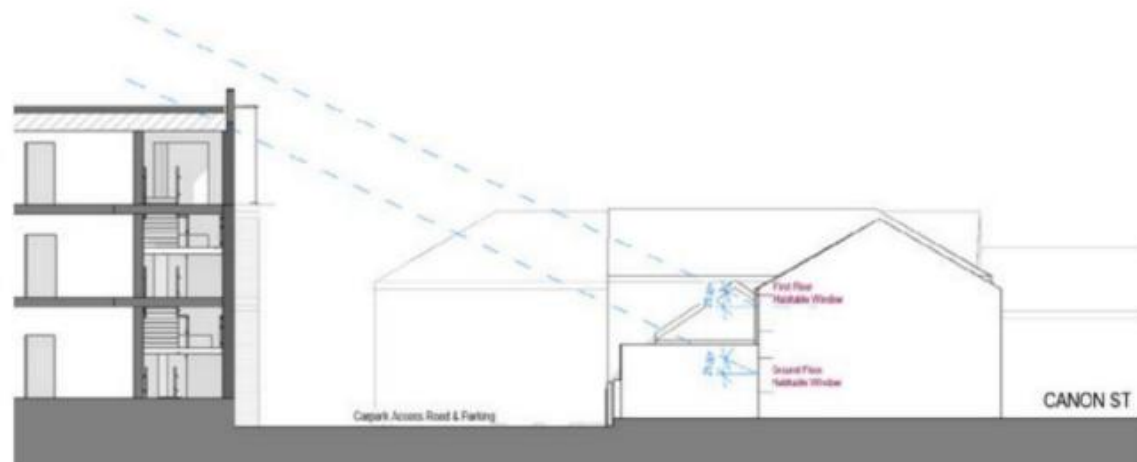
The gable end of the end terraced house directly to the south of the site, on the opposite side of Egerton Street, has two secondary windows to the ground floor and what appears to be a main bedroom window to the first floor. The distance across Egerton Street is 8.3m

To avoid overlooking into the first-floor window of the property on the opposite side of Egerton Street, there are only stair and corridor windows to the upper floors of the new build on the Egerton Street elevation. The below section shows that the gable end of new building falls outside of the 25° line. As the existing windows to the house on the south side of Egerton street face north there is no direct sunlight to these windows so any negative impact on daylight to the house on the south side of Egerton Street would be minimal.



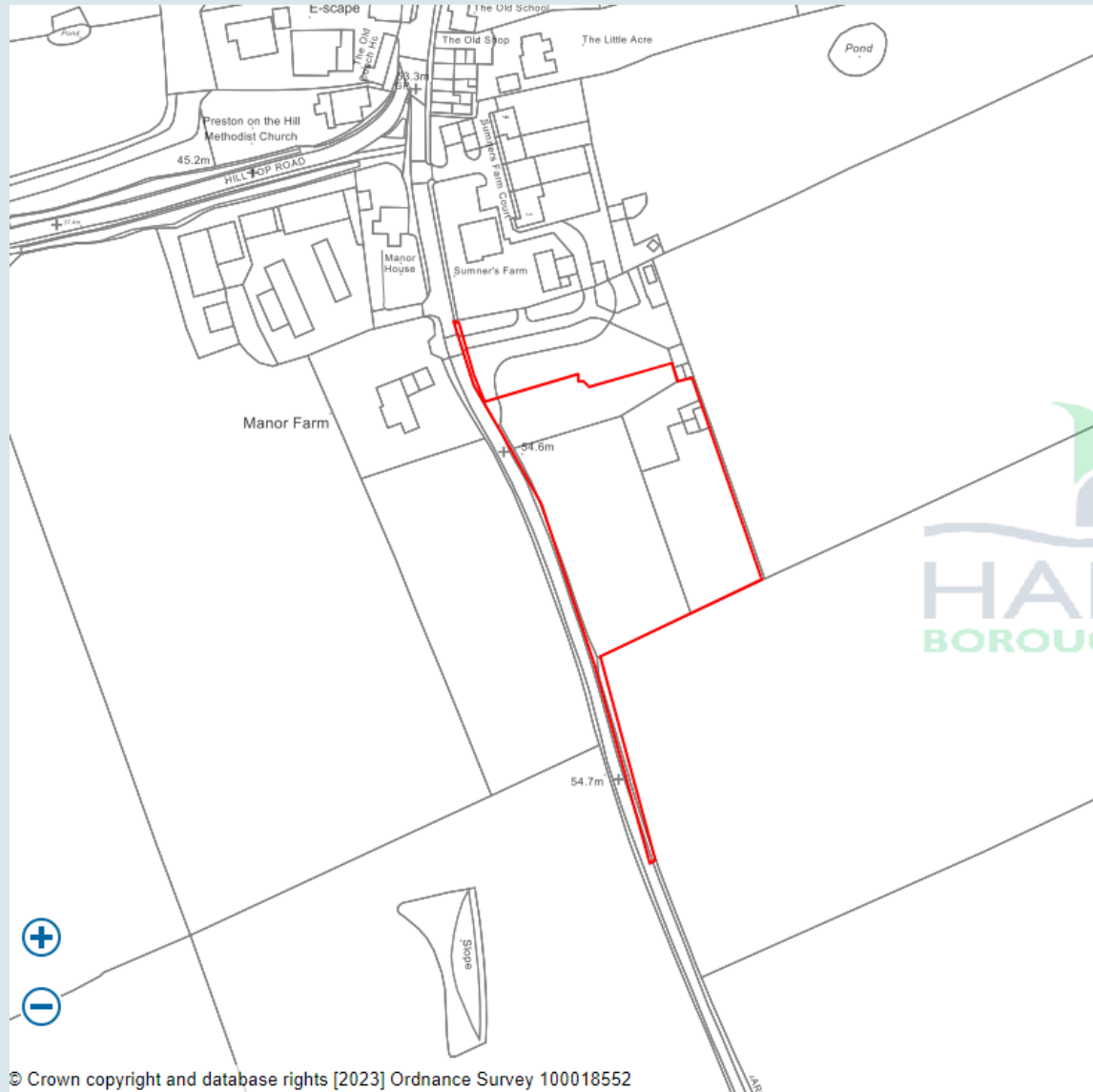
The rear of the terraced houses directly to the north of the site (on the opposite side of the car park access road), has what appear to be a dining room window to the ground floor and a bedroom window to the first floor. The distance across the access road and yards is 17.6m

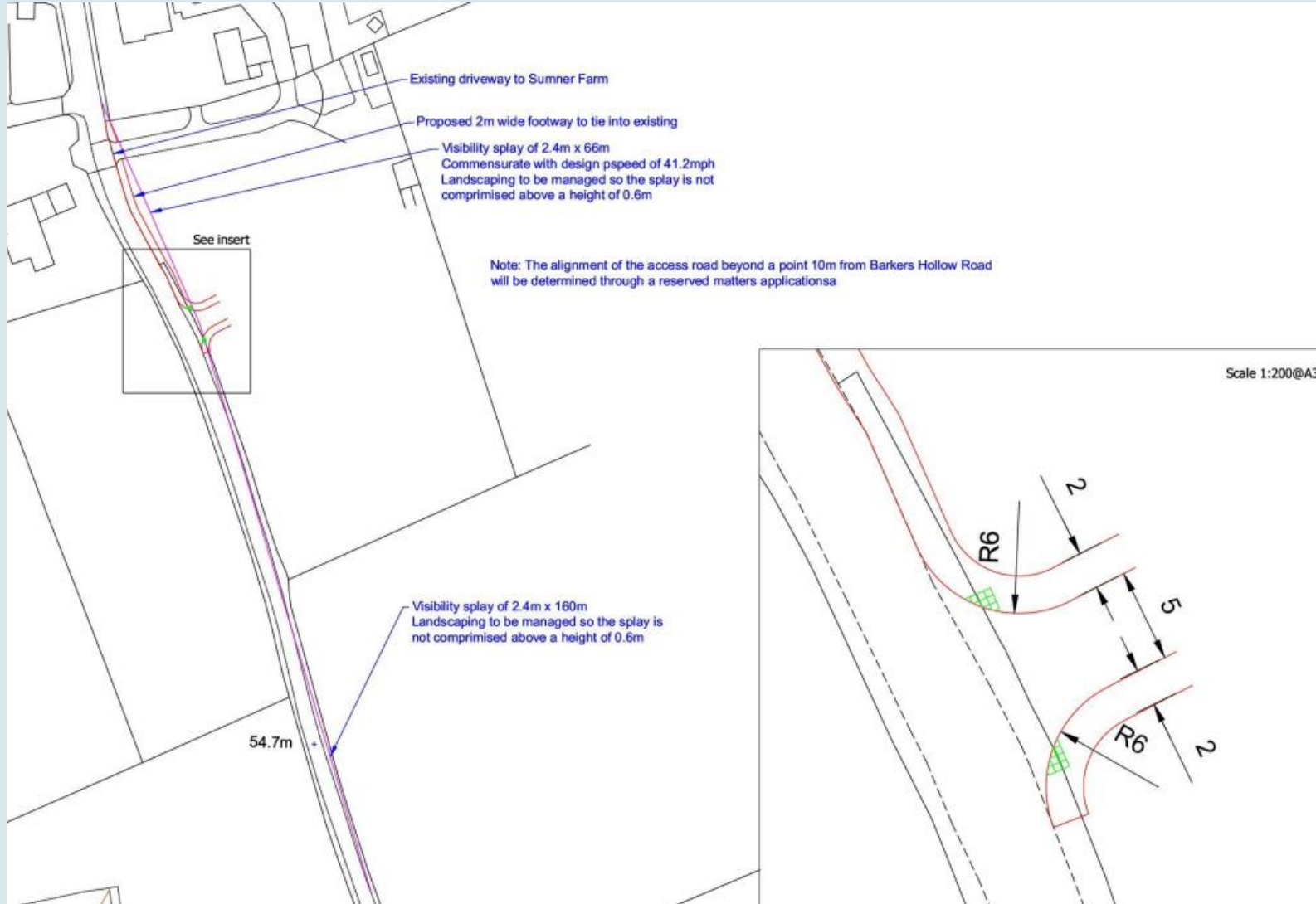
To avoid overlooking into any windows of the property, there are only stair and corridor windows to all floors of the new build north elevation. Whilst the top of the second floor stairs and parapet are marginally outside the 25° zone, the north elevation has been pulled away from the residential houses allowing the main building frontage to predominately fall within the 25° zones. Any negative impact on daylight to the properties on the North side of the site should be minimal.



For illustration purposes only

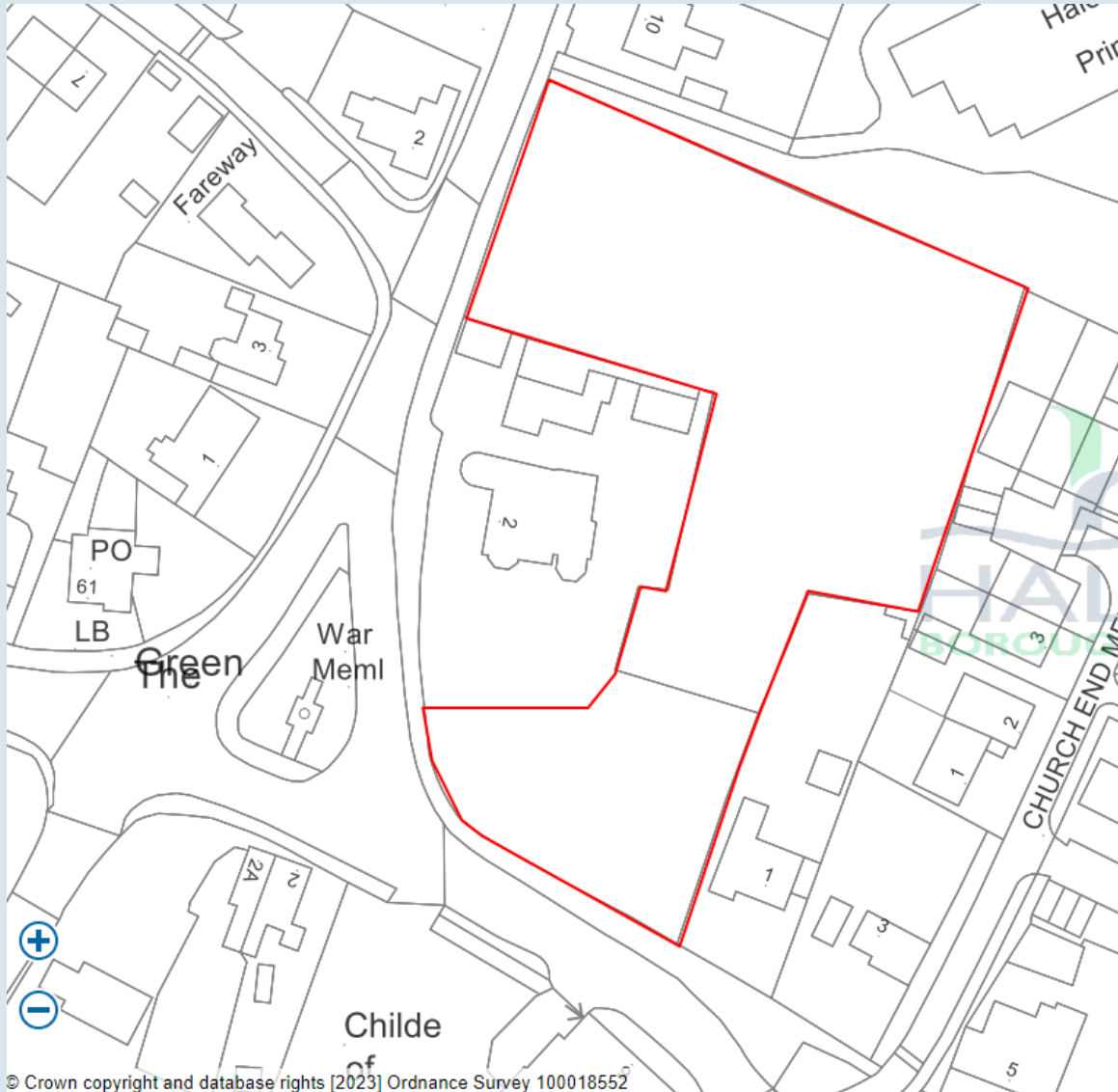












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REPORT TO: Development Management Committee

DATE: 5 December 2023

REPORTING OFFICER: Executive Director – Environment & Regeneration

SUBJECT: Miscellaneous Information

WARD(S): Boroughwide

The following Appeals have been received / are in progress:

22/000304/FUL Proposed demolition of existing garage and erection of two storey side extension and single storey front and rear extensions at 9 Windermere Avenue, Widnes.

The following appeals have been determined:

22/00019/PLD Application for a Lawful Development Certificate for a proposed use of development for the installation of a solar farm (ground mounted solar photovoltaic panels) at Liverpool John Lennon Airport, Land Bounded by Dungeon Lane, Hale Road and Baileys Lane to the East of Liverpool John Lennon Airport, Speke, Liverpool, L24 1YD – **Allowed**