

# Public Document Pack



## Development Management Committee

Tuesday, 4 March 2025 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 Chris Loftus
Councillor Ged Philbin
Councillor Carol Plumpton Walsh
Councillor Rob Polhill
Councillor Christopher Rowe
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, 7 April 2025*

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

**Part I**

<b>Item No.</b>	<b>Page No.</b>
<b>1. MINUTES</b>	<b>1 - 7</b>
<b>2. DECLARATIONS OF INTEREST</b>	
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.	
<b>3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE</b>	
(A) <b>24/00086/FUL &amp; 24/00087/LBC</b> - Proposed restoration of Daresbury Hall and couch house to enable conversion to residential use, the demolition of various buildings and extensions, and the construction of new build dwellings in the Hall's grounds to support the conservation of the designated heritage assets at Daresbury Hall, Daresbury Lane, Daresbury WA4 4AG	<b>8 - 112</b>
(B) <b>24/00438/REM</b> - Application for the approval of reserved matters (scale, appearance, layout and landscaping) for the erection of 199 residential dwellings pursuant to outline application 22/00543/OUTEIA at Sandymoor South Phase 2, Windmill Hill Avenue East, Runcorn	<b>113 - 145</b>
<b>4. MISCELLANEOUS ITEMS</b>	<b>146</b>

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

**DEVELOPMENT MANAGEMENT COMMITTEE**

*At a meeting of the Development Management Committee on Tuesday, 28 January 2025 at Civic Suite, Town Hall, Runcorn*

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

Apologies for Absence: Councillor Carlin

Absence declared on Council business: None

Officers present: A. Jones, A. Plant, A. Evans, A. Strickland, G. Henry, A. Blackburn and C. Nixon

Also in attendance: One member of the press and 8 members of the public

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

	<i>Action</i>
DEV1 MINUTES	
<p>The Minutes of the last meeting held on 4 November 2024, were taken as read and signed as a correct record.</p>	
DEV2 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p>	
DEV3 22/00203/FUL - PROPOSED RESIDENTIAL DEVELOPMENT OF 136 HOMES, WITH ASSOCIATED GARAGES, INFRASTRUCTURE, LANDSCAPING AND SERVICES ON LAND NORTH OF CHESTER ROAD, BETWEEN PRESTON BROOK BRIDGE AND WINDMILL LANE, PRESTON BROOK	
<p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p>	
<p>Since the publication of the agenda it was noted that an error was found in the report and clarification was</p>	

required in relation to page number 20 of the report and the assessment table presented. It was confirmed that financial contributions of Open Spaces was calculated on the basis of the Council's Open Spaces calculator and not the table in the report.

In reference to the published AB list, it was stated that the Merseyside Environmental Advisory Service (MEAS) had confirmed that the updated ecological information provided addressed all concerns raised by the Ecology and Waste Advisor, and no further condition was required. Therefore, the request for delegated authority in respect of this was no longer required.

The Committee was addressed by Ms Dainty, who spoke in objection to the proposal. She argued *inter alia* that:

- The Wharf is next to the site and is used by 1000 Canal boats per annum;
- Compliance with Policy HE3 of the DALP was not considered;
- The proposed embankment was not in keeping with the character of the Village;
- Water quality would be affected;
- *Bridgewater Canal* was not consulted on the proposal;
- The Wharf was of recreational and commercial importance and a vital site from a tourism perspective;
- The proposal would cause damage to businesses on the Wharf and adversely affect tourism;
- The developer had not engaged with residents;
- The boundary line was in the wrong place;
- The heritage line was in the wrong place;
- Morris Homes had carried out road works without permission;
- There was no privacy for boaters;
- A verbal agreement was made regarding a mesh fence – this has not been done; and
- Security concerns and concerns over road access to the site.

Mr Trevaskis, Clerk to Preston Brook Parish Council (PBPC), then addressed the Committee. He apologised for the late email sent yesterday and tabled copies of this. He stated that he was not speaking to oppose the development, but its scale and the omission of certain details were not acceptable to the Parish Council. He cited *inter alia*, that:

- The provision of quality housing and the proposed lowering of speed limits was welcomed by PBPC;
- Preston Brook was a commercial and historical area and at the heart of the community was the Bridgewater Canal, which was of deep historical importance and significant relevance to the Village;
- The terramesh bund which would be visible from the Canal would affect the naturalness of the area – this should be replaced with natural stone;
- The Heritage Impact Assessment fell short in terms of the proposed schemes wider impacts;
- There was no reference to Policy HE3;
- Impacts on Preston Brook tunnel were not taken into account;
- PBPC were not invited to discussions relating to the Section 106 funding; and
- The development would bring disruption and huge changes to the Village.

On behalf of the Applicant, Mr Williams then addressed the Committee. He advised that the development had been in planning stages for a number of years and the best development solution had been presented. He stated the following, *inter alia*:

- The development would contribute to Halton's housing needs;
- It included improved footway and cycleways;
- Following highway authority discussions the development would be served from two access points;
- Morris Homes had engaged fully with the Council;
- The Heritage Impact Assessment had been accepted by the Council's Heritage Advisor;
- Financial contributions towards Green Belt compensation were agreed;
- Morris Homes had agreed to fund a TRO to reduce the speed limit on the A56 from 40mph to 30mph;
- The site comprised 31% open space; met the 10% bio net diversity; and had a 67% gain in hedgerows;
- In line with DALP Policy, the scheme proposed 25% affordable dwellings, with the proposed tenure a mix of 26% delivered as first homes, 18% intermediate, and 56% affordable rent;
- There were no outstanding objections from statutory consultees; and
- The proposal offered high quality housing for Halton.

Further to the representations already made by

neighbours and PBPC, an update was presented by Officers concerning a 20 page letter of objection circulated late yesterday (referred to by Mr Trevaskis above), covering 5 themes:

- Design of the project;
- Protection of the historic environment;
- Infrastructure;
- Use of Section 106 funds; and
- Community safety.

The Case Officer set out the points of objection behind each theme and provided the Council's detailed response to each one.

In response to matters raised by speakers, Officers advised that matters relating to the Wharf were private, to be dealt with by the Owners. Regarding the impact on the structure and integrity of the Canal, this is owned by Peel Holdings who had raised no objection to the proposal. In regards to the 1.8m wire mesh not being secure, this is a form of boundary treatment recommended by Cheshire Police. It was recommended in the Council's '*Designing for Community Safety*' supplementary planning document, furthermore the fence type is used across the Borough to secure commercial sites.

The Committee discussed the proposal and considered it to be compliant on planning grounds overall, but raised questions on the allocation of a portion of the Section 106 funding for Wigg Island, as opposed to being for the community of Preston Brook. Officers advised that a development of this nature was required to comply with Policy CS(R)6, that necessitates compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. As Wigg Island is the only Green Belt area of land within the Council's ownership located in Runcorn, this justified its inclusion in the recommendation before the Committee. Members questioned whether an alternative site existed within the Preston Brook Parish; it was confirmed by Officers that no such alternative site existed. It was clarified that not all Section 106 funding would be allocated to Wigg Island. Officers advised that the Council's Open Spaces Department would work with the community to identify suitable projects within Preston Brook for the majority of the funding.

The Committee debated whether the recommendation could be amended so that all Section 106

funding was directed to the Preston Brook Parish area alone. Members were advised that clear justification for such an amendment would be required because to do this, would mean that the Green Belt compensatory element would not be met, resulting in non-compliance with the Development Plan.

After clarification, it was understood that the Policy regarding the Section 106 funding could not be amended as it was national policy. The strong sentiments of the Committee in relation to the use of the Section 106 funding in this case were noted and clarity over the Committee's options in respect of this were provided as follows:

If Members did not agree with the Officer recommendation, then they would need to amend the proposal for the spending of the Green Belt compensation to improve greenspaces within the area of Preston Brook. To do this Members must recognise that this would be contrary to the Development Plan. Therefore, to approve the application, Members must consider if the benefits of the proposed development outweighed the non-compliance with the Development Plan.

The Committee considered the matter and concluded that the a portion of the Section 106 funds should be spent within the area of Preston Brook Parish Council (rather than Wigg Island). Members acknowledged that this was contrary to the Development Plan, but concluded that the benefits from the proposed development in terms of delivering housing in general, and affordable housing in particular, should be given substantial weight. Accordingly Members concluded that this outweighed any non-compliance with the Development Plan.

The application was moved and seconded and the Committee voted to approve the application, subject to the above amendment in relation to the Section 106 agreement and conditions listed below.

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

1. Time;
2. Approved plans;
3. External facing materials (GR1);
4. Site levels (GR1);
5. Soft tree felling (HE1);
6. Tree protection CS(R)21 and HE1);
7. Landscape and Ecological Management Plan

- (CS(R)20 and HE1);
8. Securing landscaping / detailed planting plan (GR1, GR2 and HE5);
  9. Construction Environmental Management Plan (HE9) ;
  10. Lighting strategy (HE1 and CS(R)20);
  11. Standard hours condition (GR2);
  12. Sustainable drainage management and maintenance plan (HR9);
  13. Drainage verification (HE9);
  14. Off site highway works including hedgerow replacement (C1 and C2);
  15. Parking and servicing (C1 and C2);
  16. Site waste management plan (WM8);
  17. Climate change (CS(R)19);
  18. Securing bund construction and other noise mitigation (HE7 and GR2);
  19. Ground contamination and remediation strategy (CS23 and HE8);
  20. Securing LAP and LEAP (GR2);
  21. Permitted development removal – garages (GR1 and GR2); and
  22. Permitted development removal – fences (GR1 and GR2).

DEV4 MISCELLANEOUS ITEMS

The Committee was advised that the following appeals had been received and/or were in progress:

**23/00200/FUL**

Proposed removal of existing conservatory and construction of single storey rear extension at Sexton Cottage, Daresbury.

**21/00711/FUL**

Proposed division of one flat into two flats on ground floor at Unit 5 Salisbury Street, Widnes.

**23/00194/FUL**

Proposed internal reconfiguration of existing dwelling and part double, part single storey extension at 62 Church Road, Hale.

**24/00125/FUL**

Proposed two storey pitched roof extensions to front and side, single storey flat roof rear extension and new roof over existing side extension and detached garage at Tileacres, 29 Hale Road, Hale, L24 5RB.



**24/00097/FUL**

Erection of two drive-thru units with 'drive-thru' facilities together with associated car parking, servicing and landscaped areas, at Green Oaks Centre, Widnes.

**22/00569/OUT**

The Secretary of State has called in the planning application for the Heath Business and Technical Park, Runcorn. This will be considered at a Public Inquiry.

And the following appeals had been determined:

**24/00004/FUL**

Proposed extension above existing garage at 25 Hale Road, Hale (Dismissed).

**24/00053/ADV**

Advertisement consent for 1 no. internally lit LED digital display at 85-87 Victoria Road, Widnes (Dismissed).

*Meeting ended at 7.30 p.m.*

<b>APPLICATION NO:</b>	24/00086/FUL & 24/00087/LBC
<b>LOCATION:</b>	Daresbury Hall
<b>PROPOSAL:</b> Proposed restoration of Daresbury Hall and coach house to enable conversion to residential use, the demolition of various buildings and extensions, and the construction of new build dwellings in the Hall's grounds to support the conservation of the designated heritage assets at Daresbury Hall Daresbury Lane Daresbury Warrington Cheshire WA4 4AG	
<b>WARD:</b>	Daresbury, Moore and Sandymoor
<b>PARISH:</b>	Daresbury
<b>APPLICANT:</b> <b>AGENT:</b>	J. and P. Liddiment and Greenhalgh Darren Muir of Pegasus Planning Julian Handy of Mason Gillibrand
<b>DEVELOPMENT PLAN:</b> Halton Delivery and Allocations Local Plan (2022) Joint Merseyside and Halton Waste Local Plan (2013)	<b>ALLOCATIONS:</b> Gren Belt
<b>DEPARTURE</b>	Yes
<b>REPRESENTATIONS:</b>	5 representations have been received in response to the public consultation exercise. 3 in support two in objection. A summary of the responses is set out in the report.
<b>KEY ISSUES:</b>	Principle of Development, Impact on Green Belt, Ecology, Recreational Pressure, Highways, Drainage and Flood Risk, Affordable Housing, Heritage Impacts, Residential Amenity, Design, Contaminated Land, Air Quality Impacts, Noise Impacts, Health Impacts, Climate Change, Developer Contributions.
<b>RECOMMENDATION:</b>	Grant outline planning permission subject to conditions and S106 Legal Agreement relating to Securing the restoration of Daresbury Hall, Biodiversity Net Gain, Open Space.

**SITE MAP**

## **1. APPLICATION SITE**

### **1.1 The Site**

Daresbury Hall is a country mansion dating from c.1759. It was built for George Heron. The building has an appearance typical for a four storey mansion of this era. Daresbury Hall has suffered a prolonged period of neglect. It was left vacant in the period 2010-2016, after which in 2016 a major fire resulted in substantial structural damage. This has necessitated an extensive set of scaffolding to keep the structure from deteriorating further. For the avoidance of doubt, only the brick wall interior remains. Floors, doors and windows were destroyed in the fire.

Daresbury Hall has a set of outbuildings, including a stable and set of agricultural workers residences and agricultural building that are original to the hall itself. The stable building has fallen victim to vandalism and has recently had a large fire that has destroyed much of the roof and first floor. Remaining outbuildings are intact but are dilapidated with condition declining due to neglect.

The wider site has a series of unsympathetic developments related to the sites former use as a hospital. These are in significant decline following a lack of maintenance.

The site subject of the application consists of a 6.75 hectare parcel of land located within the Daresbury Ward. The site is bound by Daresbury Lane to the north and private agricultural land holdings to the east, south and west. In the wider context the application site is located east of Daresbury Village and north of the M56.

The site is located in the Green Belt and is comprised of a mix Brownfield and Greenfield land. The application site is that of Daresbury Hall. Historically once a private residence, in the 1960's the Hall was converted and extended by Cheshire County Council to provide hospital care. The legacy of this conversion still exists today and is plainly manifest in the form of a large concrete extension to the Hall, staff houses and gate keeper bungalow on the front lawn, a swimming pool and the remnants of a series of mobile classrooms that have succumbed to age and acts of vandalism including arson. The harmful additions to the grounds borne from the hospital use form the area of brownfield land within the application site boundary. The remaining unspoiled grounds represent the greenfield portion of development.

The wider grounds feature areas of lawn, woodland, an overgrown orchard and a small lake. A number of mature trees exist on site. The overall maturity and close planting of the trees benefits the site itself but also the amenity value of the Daresbury Lane Highway. The site is covered by a group tree preservation order (TPO). Tree impacts are discussed in detail in the consideration section of the report.

As set out previously the application site is located east of Daresbury Village. It's setting is rural in nature being set beyond the settlement of Daresbury Village.

The site is allocated as washed over Green Belt by the 2022 Halton Delivery and Allocations Policies Map. As such the proposed development is considered a departure from the Local Plan.

## 1.2 Planning History

The application site is comprised of previously developed and undeveloped land. Developments that comprised the historic conversion of the Hall and grounds to a hospital use pre date the Council's inception. With regard to the modern era of the application site, previous planning applications were made to convert the Hall and grounds to a residential use. However, these were never realised and have since lapsed. A summary of the most recent applications is set out below.

Relevant Planning History:

- 04/01064/FUL - Proposed part demolition, restoration and conversion of Hall and outbuildings into 22 No. residential units and erection of 9 No. houses (31 No. residential units in total).
- 04/01065/LBC - Application for Listed Building Consent for proposed part demolition, restoration and conversion of Hall and outbuildings into 22 No. residential units and erection of 9 No. houses (31 No. residential units in total).
- 04/01107/LBC - Application for Listed Building Consent for alterations and extensions to existing dwelling and erection of a new garage block
- 04/01108/FUL - Proposed alterations/extensions to existing dwelling and erection of a new garage block

It is of note that the following planning applications were submitted and subsequently withdrawn:

- 12/00139/LBC - Proposed renewal of Listed Building Consent 04/01065/LBC for proposed part demolition, restoration and conversion of hall and outbuildings into 22 no. residential units and erection of 9 no. houses (31 no. residential units in total)
- 12/00140/FUL - Proposed renewal of planning permission 04/01064/FUL for proposed part demolition, restoration and conversion of hall and outbuildings into 22 no. residential units and erection of 9 no. houses (31 no. residential units in total)

## 2. THE APPLICATION

### 2.1 The Proposal

The development proposal submitted to the Council is set out in two separate applications, planning application 24/00086/FUL and listed building application

24/00087/LBC. The planning application concerns the development of operational development which details demolition, material changes to elevations of the existing heritage buildings on site and the development of new structures in the grounds of Daresbury Hall. The listed building consent concerns the adaptation works to the listed building structures consisting of the hall, stables, and miscellaneous heritage buildings. The description of each application is set out as follows:

*24/00086/FUL - Proposed restoration of Daresbury Hall and coach house to enable conversion to residential use, the demolition of various buildings and extensions, and the construction of new build dwellings in the Hall's grounds to support the conservation of the designated heritage assets*

*24/00087/LBC - Application for Listed building consent for proposed restoration of Daresbury Hall and coach house to enable conversion to residential use, the demolition of various buildings and extensions, and the construction of new build dwellings in the Hall's grounds to support the conservation of the designated heritage assets*

The proposed development will result in the delivery of 45 residential units. A total of 8 No. apartments will be accommodated within the restored Daresbury Hall 6 units in the stables and heritage outbuildings and a total of 31 dwellings upon the grounds of the Hall.

The proposed development will be accessed from its existing access point off Daresbury Lane. No private driveways are proposed directly on to the Highway.

## 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
- Conservation Deficit Financial Appraisal

### **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)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;
- CS23 Managing Pollution and Risk;
- CS24 Waste;
- 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;
- HE7 Pollution and Nuisance;
- HE8 Land Contamination;
- HE9 Water Management and Flood Risk;
- GR1 Design of Development;
- GR2 Amenity'
- 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:

Daresbury Parish Council

No objection

Georgian Group

Objection – Details set out in the report

Historic England

No objection – subject to S106 agreement securing the restoration of Daresbury Hall ahead of the enablement development, detailed schedule of repair to the heritage assets, and the Council's assessment of the financial appraisal submitted with the application.

HSE

No objection

Shell Pipeline

No objection

United Utilities

No objection

Warrington BC

No objection

**Council Services**

Highways

No objection subject to conditions

Lead Local Flood Authority

No objection, subject to conditions

HBC Contaminated Land

No objection subject to conditions

Archaeology

No objection. Site does not hold archaeological interest

Open Spaces

No objection



Landscape Architect

No objection

Merseyside Environmental Advisory Service – Ecology and Waste Advisor

No objection subject to conditions

Environmental Protection

No objection subject to condition

Conservation Officer

No objection subject to conditions

## 5 REPRESENTATIONS

5.1 The application has been publicised by neighbour notification letters and site notices in the vicinity of the site. The application was also advertised in the Local Press.

5.2 Five representations have been received, three in support two as objections. A summary of each set of responses is set out below.

In support:

- Balance of estate is good.
- It is good to see that the Lime Tree approach to Daresbury Hall will remain.
- The development will be really beneficial to the area.
- The Hall and gardens are currently an eyesore for the local area
- This development will increase the local community without destroying the look of the area

In objection:

- Halton loses a beautiful imposing lawned roadside entrance vista to oversized gate houses.
- Impact on temporary structures and trampolines, shed and gazebos
- The development needs two exit points
- Inevitable increase in traffic as a result of the proposed development
- Very tight S-bend close to the entrance point for Daresbury Hall
- Danger of HGVs associated with the development on a 60mph road.
- Existing congestion at A56 at peak hours due to school pick up and drop offs.
- The pedestrian access is dangerous given the speed of the road.
- It is difficult to understand how bats, owls and other species will be protected during the build phase.

- Consideration needs to be given as to how the build phase will be planned with Creamfields event.
- The nearby field is used by off road motorbikes in the winter which will cause significant noise pollution for future residents.
- The Hall should be given over to public use

## 6 ASSESSMENT

### 6.1 Principle of Development / DALP Allocation

The proposed development concerns the redevelopment of Daresbury Hall and grounds. This land is allocated as Green Belt on the Council's Delivery and Allocations Plan policies map. The primary purpose of the Green Belt is the absence of development. As such the proposal of development in the Green Belt is contrary to the Local Plan and therefore considered to be a departure.

Notwithstanding, S38 (6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) states 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. The Applicant has put forward an argument of further material considerations to justify the departure from the Local Plan. These are considered below.

#### Enabling Development

The proposal concerns the redevelopment of the Daresbury Hall property to deliver residential units. This development proposal is an example of an enabling scheme. Historic England define enabling development to be:

*"Enabling development is development that would be unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify it being carried out, and which could not otherwise be achieved"*

The enabling development consists of 45No. residential units in addition to the 12No. units that will occupy the existing heritage units. The additional quantum of development sought by the enabling development is directly in conflict with the DALP in terms of harm to a heritage asset and inappropriate development in the Green Belt. The public benefit proposed is the restoration and conversion of a grade II\* listed property that is currently in a dilapidated state of disrepair following a number of fires.

The Daresbury Hall property consists of a number of original structures that are grade II\* heritage buildings along with a number of modern unsympathetic additions that date to the era of the hospital use of the site.

Ordinarily the development of an existing site would involve the demolition of any existing unsympathetic additions and a conversion to a final land use, the sale of which would be profitable enough to pay for the redevelopment costs. However,

the renovation of heritage buildings bears an inflated cost due to the higher cost of materials associated with a higher specification to compliment the original heritage fabric. In order for a scheme to be viable, the sale of residential properties would have to bear a profit above the development costs. In this particular instance the development costs are significant. This is attributed to the scale of decay in the heritage buildings a result of a long term lack of maintenance and more significantly two separate instances of fires that resulted in the total loss of internal fabric of the Hall causing serious structural harm. This has necessitated a bespoke approach to the Halls redevelopment including the clearance of contaminated debris. The applicant has undertaken a financial appraisal and submitted a viability assessment (VA) in support of the scheme. The VA presents a set of financial figures that demonstrate that for the restoration and conversion of the Hall and outbuildings into 12No residential units would present a loss in the range of -£5.37million to -£6million. In heritage developments this is known as a conservation deficit. Given the complexity of the scheme involving extensive restorative works to a badly damaged building, it is considered appropriate to adopt the upper range figure of -£6m. The conservation deficit demonstrates that the restoration, conversion and sale of the heritage elements of the Daresbury Hall estate is not a viable development proposal. In order to make the scheme viable 31No units are proposed within the grounds of Daresbury Hall. These additional units will bear a development cost. However, their sales will also provide sufficient financial return to address the conservation deficit of -£6million and post a reasonable rate of return for the applicant.

The VA has been reviewed by the Council's independent advisor commissioned by the Council's Property Services Department. A further third party evaluation of the VA has been undertaken as a joint venture between the Applicant and the Council to ensure that a fair and proper examination of the values has been undertaken. Whilst HE have recommended that the Council undertake its own examination of the VA, they have not raised any concerns with the submission. In consideration of the VA. the Council's Principal Surveyor has returned the following assessment:

*The development proposals for the restoration of Daresbury Hall comprise restoration of existing buildings and bespoke new build.*

*The applicant provided a report indicating the level of conservation deficit. This is presented as a range between £5.37m to £6m. Given the complexity of the scheme involving extensive restorative works to a badly damaged building, it is considered appropriate to adopt the upper range of £6m. Using the data before the Council and assuming a scheme for conversion of the hall for a single dwelling, repair of outbuildings and the Coach House, the costs of restoration are shown to exceed the development value by the amount of conservation deficit.*

*The Council's external property adviser concluded that there is a substantial theoretical deficit in the region of the figures quoted.*

*The applicant has devised a scheme of enabling development required to fund both the repair and conversion works of the hall and deliver what the applicant considers to be an acceptable level of commercial return. The Council's external property advise focussed on the element of the new build in terms of costs and development value of the scheme*

*The applicant has produced financial appraisals of the scheme to show the level of conservation deficit and how the level of the development of new build to address the shortfall to ensure the Hall is restored. Additional information was supplied by the applicant as a benchmark exercise to support their appraisals. A key concern of the Council was to avoid a situation whereby projected build costs for local schemes were coming in at a lower cost and this could result in the over provision of more new buildings than required to meet the costs to restore the Hall.*

*The Council's external property adviser has reviewed the information provided and although it is impossible to be precise over costs with nature of this type of project, it is their view that there is potential over supply of the new build units. Discussions with the applicant's property advisers, the Council's external adviser and the Council internal officers has not resulted in agreement over this element of the appraisal. This is not unusual given the nature and complexity of the project.*

*In order to explore the cost element of new build an independent external property adviser was appointed by the applicant in consultation with Council internal officers. The report identified a wide variation in costs and overall the costs were considered reasonable for the nature of the project but were not asked comment on the appropriateness of the design and materials that resulted in the higher costs.*

*To support the choice of design and materials for the new build the applicant has provided a narrative setting out discussions with statutory bodies which influenced the exterior design to complement the Main Hall and outbuildings across the site.*

*Council internal officers have considered the information provided on the costs and the reasoning for the design and conclude that level of enabling development to be reasonable for the project.*

The above response demonstrates that the applicant has provided sufficient justification to demonstrate the need for 33No. additional market dwellings that provide the minimum quantum of enabling development required to fund the extensive repairs to the Hall and ancillary heritage buildings on site.

#### Condition of Heritage Assets

The Daresbury Hall estate is comprised of a set of heritage buildings and a set of unsympathetic mid 20<sup>th</sup> century buildings. The latter bear no heritage value, posing long term heritage harm and are proposed to be demolished and removed from site.

The heritage assets consist of the Hall itself and its outbuildings located directly south of the Hall. The applicant has instructed a structural surveyor to undertake an assessment of the condition of the heritage assets, this is presented in the accompanying structural report. The following extract from which is of particular note:

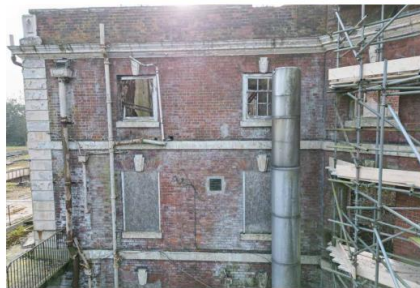
*The structural condition of the hall is poor. In addition to substantial repairs, new replacement floor and roof structure is required. The West wall is leaning and had been tied back before the fire to internal load bearing walls but these ties are now ineffective. A new tie back details is proposed using Cintec anchors. No ground investigation has been undertaken so far but*

*underpinning of load bearing walls alongside the basement is likely to be required. Commentary is provided on the architect's proposals . The structural condition of the three buildings known as the Coach house was variable but better than the hall. The north building had lost ½ of the roof and floor structure. The remainder requires work to the floors. The single storey section of the west building is substantially a ruin.*

The findings of the report confirm the damage caused by the extensive fire that resulted in the loss of internal fabric to the Hall and subsequent fires that have taken place in the outbuildings.

The applicant has undertaken a drone survey assessment of Daresbury Hall which illustrates the perilous condition of the Hall. Extracts from this survey are set out below.











It is important to note the present condition of Daresbury Hall, as this is the background context in which planning policies are considered along with the prospect of retaining the heritage assets for future generations.

### 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 development proposal concerns an enabling development that will see the redevelopment of a Grade II\* Georgian Mansion and accompanying listed building estate buildings as part of an overall residential development. As set out above, in order to demonstrate the viability of such a scheme the development requires a level of enabling development that has been calculated to be the minimum quantum of development required. The term minimum quantum of development is important, as the enablement development concerns development that would otherwise be considered harmful and inappropriate to the wider planning policy protections of the impacts upon the setting of the Daresbury Hall heritage asset and the impact of inappropriate development in the Green Belt. This is a delicate balance of harms against proposed planning benefits. Approval of the proposed scheme would provide sufficient financial returns to fund the conservation of the heritage assets on site. This minimum quantity of development will have a negative impact on the Green Belt and the heritage setting of Daresbury Hall. By comparison, a larger number of smaller units will require a disproportionate level of servicing, private amenity space, parking and chattels that would have a more urbanised appearance that in turn would have a greater a negative impact upon the Green Belt and the heritage setting of the Daresbury Hall campus.

With regard to heritage, the enablement elements of the proposed scheme are limited by to a small group of selectively designed larger properties that are more in keeping with the setting of the Daresbury Hall setting.

The development of large properties is not compliant with the housing need evidence base to the DALP. However, the evidence base is tasked with looking at the housing needs for the regional housing market. The prospect of a bespoke enabling scheme would not fall under the scope of such an evidence base. The proposed scheme is considered as a result to be outside the typical market housing development and therefore the evidence base should not be rigidly applied to the development proposal that seeks to preserve heritage for future generations by causing minimal harm.

For the reasons set out above, it is considered that there are justifiable reasons for the proposed enabling development to be delivered in the proposed housing type. The principle ambition of the scheme is to restore a grade II\* listed building and ensure its survival for future generations. Given this aim, a failure to accord with the evidence base of market housing is not sufficient reason to justify the refusal of planning permission.

### Affordable Housing

The application site is located in the Green Belt and is not allocated for housing. 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.

The planning application does not propose affordable housing. As set out above, this development proposal is an enabling scheme, whereby the costs to develop the Hall are cost prohibitive to the extent that a such a development scheme would not be financially viable without the cost of off setting brought about by the enabling development. Given the identified Heritage and Green Belt planning policy constraints, the proposed development details the minimum quantum of enabling development required to make the development achievable. Were the Council to insist upon the delivery of affordable housing, a further deficit would be created that would require additional dwellings to make the scheme viable which would in turn lead to further harm to the Green Belt and the setting of the Daresbury Hall heritage asset.

Having reviewed the detail of planning policy CS(R)13 and the merits of the scheme, it would not be appropriate to consider affordable housing in isolation. The minimisation of other harms is given greater value which in turn outweighs the harm brought about concerning the lack of affordable housing provision. Non compliance with Policy CS(R)13 can be accepted in this situation.

### Design and Appearance

The development proposal is comprised of two distinct parts, the redevelopment of heritage assets and the new build enabling development.

The proposed redevelopment of Daresbury Hall is set out in a set of highly detailed plans. The proposed development notes a set of bespoke materials to recreate the external fabric of the building that has been lost as a result of the fire whilst also making superficial additions that make the building fit for purpose as a residential building. In addition, residential conversion is proposed to take place in the stable buildings and accompanying barn. Such conversion again seeks to make changes to the external elevations to ensure that the buildings are fit for the purpose of a residential use.

With regard to the enabling development, there are five types of design that play out as a theme for the Hall's grounds. At the entrance, two units are set out as gate houses, whilst not original to the Hall they do not look out of place and compliment the existing gate houses across the road to the former Lord Daresbury estate. Moving in to the site, the Alms Houses on the eastern lawn are a modern maisonette. It is of note that these properties will be located on an area of lawn currently occupied by the former staff houses that date back to the hospital use of the site. In the area around the hall are two farm houses and gardeners cottage houses, these are designed to be as if the Hall was part of a country estate. To the south east of the property is a phase of development that has the appearance of a set of converted buildings and agricultural workers residences. Six modern pavilions are located to the south west, the elevations of these properties are obscured from view by landscaping, the use of green roofs will help blend the units into the landscape. In all a significant level of thought has been given to how the development is designed to compliment the history of Daresbury Hall. Whilst the

enabling development justification can give rise to development that would otherwise be considered harmful, the Applicant has not been complacent in their resolve, having put forward a very well designed scheme.

Heritage Impacts

Daresbury Hall is a grade ii\* listed building, comprising of the Hall itself and three accompanying buildings dating to the same era as the Hall. As a result planning policies CS(R)20 and HE2 of the Halton DALP apply . An examination of Policy HE2 is set out below.

Policy HE2	Examination
<p>1. Development of designated heritage assets and their settings must:</p> <p>a. Be based on an analysis of their significance and the impact of proposals upon that significance;</p> <p>b. Conserve, or where possible enhance, the asset or its setting;</p> <p>c. Ensure that significance of the asset is not compromised;</p> <p>d. Protect, or where appropriate, restore original or historic fabric;</p>	<p>The application is supported by a heritage impact assessment and a statement of significance.</p> <p>It is proposed that Daresbury Hall is retained. The removal of the mid 20<sup>th</sup> century additions to the Hall and the wider grounds are proposed to be demolished. Whilst elements of harm are to be introduced as a result of the enablement development, it is considered that this is less harmful than the present unsympathetic additions. With this in mind, the overall outcome results in the conservation of the heritage asset of Daresbury Hall and its enhancement.</p> <p>The Hall has been severely damaged by fire. The internal fabric and roof has been lost as a result. The internal floor plan exists in part due to the internal brick walls. The brickwork is the remaining historic fabric. Some of this brickwork is proposed to be lost as a result of the conversion of the Hall to apartments. However, this is offset to the substantial investment that is proposed to restore the Hall to an appearance that is an improvement to that which existed prior to the Hall. On this basis, it is considered that an appropriate balance has been struck between preservation and restoration of the heritage asset.</p>

<p>e. Enhance or better reveal the significance of assets;</p> <p>f. Take account of:</p> <ul style="list-style-type: none"> <li>i. Topography, landscape, setting and natural features;</li> <li>ii. Existing townscapes, local landmarks, views and vistas;</li> <li>iii. The architecture of surrounding buildings;</li> <li>iv. The quality and nature of materials;</li> <li>v. Established layout and spatial character;</li> <li>vi. The scale, height, bulk and massing of adjacent townscape;</li> <li>vii. Architectural, historical and archaeological features and their settings; and</li> </ul> <p>g. Be accompanied by a Heritage Statement</p>	<p>Per para d above, the restoration of the Hall will result in an overall improvement of the heritage assets compared to the current baseline condition. It is considered that the post development appearance of the Hall will result in an overall enhancement to reveal the significance of the heritage asset.</p> <p>Daresbury Hall is an isolated flat site benefiting from screening on north, east, west boundaries and to a certain extent on the southern boundary. Broken views exist of the surrounding countryside. The nearest development is that of two gate houses across Daresbury Lane, the next nearest after this is Daresbury Church and the associated vicarage. The conclusion of such assessment is that the Hall sits alone and has no village-scape aesthetic to fit within.</p> <p>The enabling development proposed is mindful of the Hall's historic fabric and has set about a design theme that is sympathetic to the heritage of the Hall. The proposed materials, layout and overall spatial character have been well designed as evidenced by the scale, height, massing across the development site without creating an overbearing appearance on the setting of the Hall insofar as is possible given the nature of the enabling development.</p> <p>The application is accompanied by a heritage impact assessment and a statement of significance. This supporting documentation has been assessed by the Council's retained heritage advisor who raises no objection to the development proposal.</p>
<p>2. Where it has been demonstrated that potential harm to, or the loss of, a designated heritage asset, including its setting cannot be avoided, the Council will expect the development proposal to:</p>	

<p>a. Demonstrate that, firstly, all reasonable efforts have been made to sustain the heritage asset and secondly, to mitigate the extent of the harm to the significance of the asset;</p>	<p>The heritage assets are to be retained. Some fabric is proposed to be lost e.g. some internal wall fabric and part of one chimney that requires rebuilding. In the case of the outbuildings, additional apertures are proposed. However, these are not examples of total loss. They are proposed adaptations to the existing structure so that it can accommodate the final land use of residential units with a particular emphasis on achieving particular sales values that will then require less enablement development which will in turn limit the harm on the setting of the listed buildings.</p>
<p>b. Provide a clear and convincing justification as to why that harm is considered acceptable. Where that case cannot be demonstrated, proposals will not be supported.</p>	<p>To follow on from 2a above, clear and convincing justification exists in the form of the enablement development. Daresbury Hall is a heritage building in a perilous condition. The only means to secure the future of the Hall is by way of an enabling development. This is recognized by Historic England in its consultation response (Appendix 1). The proposed development will see a restoration and redevelopment of the heritage assets which in the final development delivery will result in a significant improvement to their current condition both in terms of their preservation and aesthetic quality but also their setting by way of removal of a series of unsympathetic mid 20<sup>th</sup> century additions and the installation of a new landscaping scheme.</p>
<p>c. Ensure that the significance of the asset is not compromised;</p>	<p>Per paragraphs 2a and 2b above, the significance of the heritage asset is currently compromised. However, the post development assessment undertaken by the consideration of this planning application is of the view that this is a marked improvement over the existing condition.</p>

<p>d. Include appropriate legal agreements or planning obligations to secure the benefits arising from a development proposal where the loss, in whole or in part, of a heritage asset is accepted.</p> <p>e. Appropriately record the asset.</p>	<p>The application is subject to a S106 agreement that will ensure the enabling development is not delivered and occupied until such time that the Hall is restored and fitted for residential use. This ensures the benefits of the scheme are fully realized ahead of the full release of harmful enabling development.</p> <p>Per above, it is considered that the application is accompanied by sufficient heritage documentation that appropriately records the present condition of the Hall.</p>
<p>3. Development proposals will be required to safeguard or enhance listed buildings.</p> <p>a. The demolition of any listed building will only be permitted in exceptional circumstances, which outweigh the case for retention.</p> <p>b. The Council will not permit uses, alterations or extensions that would be detrimental to the significance of the Listed Building including fabric, appearance, historic interest or setting.</p> <p>c. The rehabilitation, maintenance repair and enhancement of listed buildings will be encouraged.</p>	<p>It is considered that the development proposal will safeguard and enhance the heritage assets on site above their current condition.</p> <p>The heritage assets are not proposed for demolition.</p> <p>The founding use of the heritage assets was that of a large residential estate. The residential use has since lapsed following the use of the site as a hospital. Notwithstanding, the residential use of the site is consistent with the heritage assets on site. The proposed alterations are not considered to be detrimental to the significance of the heritage assets in terms of appearance, historic interest or setting.</p> <p>The restoration and redevelopment of the Hall is clearly set out in the proposed development. This work will be secured ahead of the completion of the enabling development by way of a S106 agreement.</p>
<p>4. In accordance with policy CS(R)20 the Council will support proposals that conserve and, where appropriate, enhance the Borough's historic</p>	<p>The development will result in the restoration of Daresbury Hall. This is considered to be the conservation and enhancement of a heritage asset that is in a poor state of repair. It is of note that</p>

<p>environment, heritage assets and their settings, especially those identified as being at risk.</p>	<p>Daresbury Hall is on the Historic England heritage at risk register. Redevelopment of the Hall will remove the Hall from a risk of collapse.</p>
<p>5. Development proposals affecting designated heritage assets (or an archaeological site of national importance) should conserve, and where possible enhance, the significance of the asset and its setting. The more important the asset, the greater the weight that will be given to its conservation.</p>	<p>Presently the Hall is in a poor state of repair. This is accurately depicted in the photographic images included in this report. Redevelopment of the site will lead to the conservation and preservation of a Grade II* listed building. The preservation of the Hall is a benefit that great weight can be afforded to by Policy HE2 of the Halton DALP.</p>
<p>6. Harm to the significance of a designated heritage asset will only be permitted where the application meets the criteria set out in Para 194 of the National Planning Policy Framework 2021. Approval will be conditional upon the asset being fully recorded and the information submitted to the Local Planning Authority and the Historic Environment Record.</p>	<p>An assessment of the impacts with regard to the relevant sections of the NPPF is set out below.</p> <p>Per above, the application is accompanied by a satisfactory level of recording. Notwithstanding, the heritage assets, whilst being adapted are not to be lost, rather they will be preserved for future generations.</p>
<p>7. All proposals affecting heritage assets should be accompanied by an analysis of the asset's significance, including the impact of proposals upon that significance, through a Heritage Statement or Heritage Impact Assessment. The level of detail should be proportionate to the asset's importance and sufficient to understand the potential impact of the proposal on their significance.</p>	<p>The application is accompanied by a statement of significance and a heritage impact assessment. These are considered to provide sufficient details to understand the impact of the proposal upon the significance of the heritage assets.</p>
<p>8. Proposals that conserve or enhance the character or appearance of a Conservation Area, especially those elements which have been identified in a Conservation Area Appraisal as making a positive contribution to its significance, will be supported, subject to a balance of all other material considerations.</p>	<p>Daresbury Village has a conservation area, known as the Daresbury Village Conservation Area (DVCA). It is of note that Daresbury Hall is situated outside of the boundary of the DVCA by approximately 279 meters. It is considered that the redevelopment of Daresbury Hall will not have an impact on the character and appearance of DVCA.</p>
<p>13. In accordance with policy CS(R)20 the Council will support proposals</p>	<p>For the reasons set out above it is considered that the development proposal will conserve and enhance a</p>

that conserve and, where appropriate, enhance the Borough's historic environment, heritage assets and their settings, especially those identified as being at risk.	grade II* heritage asset. Existing negative impacts (the existing baseline condition) on the setting will be removed and replaced with a new development that will on balance have less impact than the current baseline condition.
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Policy CS(R)20	Policy Examination
3. 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.	Implementation of the proposed development will see the development and restoration of a heritage asset that is presently on the Historic England heritage at risk register. Per the policy assessment of HE2 above, the post development setting of the heritage asset is considered to be an improvement upon the existing condition.

The heritage comments provided in response to the consultation exercise raise NPPF paragraphs 201, 203, 205, 206, 207, 208 as considerations for the assessment of this development proposal. These paragraphs are set out and considered with regard to the proposed scheme in the table below.

NPPF Paragraph	Policy Assessment
201. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.	The application is accompanied by a statement of significance and a heritage impact assessment. These are considered to provide sufficient details to understand the impact of the proposal upon the significance of the heritage assets.  The Council's retained Conservation officer has reviewed the development proposal and confirmed their support.
203. In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can	Daresbury Hall is a grade II* heritage asset. It is presently in a perilous condition, the Council acknowledges that appraisal of the scheme would result in preservation and enhancement of the heritage assets, whilst introducing a long term viable use that will sustain the long term use of the site in its renovated form.



<p>make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.</p>	<p>Currently a site of rural blight, approval of the scheme would bring use to the site and improve the appearance of the immediate locality and address fears of anti social behavior following the fires that have taken place at the property.</p>
<p>205. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.</p>	<p>The scheme will see the preservation of the Hall. Currently the Hall is being held up by specialist scaffolding. The prospect of a post development scenario having delivered a redeveloped Daresbury Hall heritage asset that is preserved for future generations is a matter of great significance in the consideration of this application and is a matter that is afforded its due significant material weight.</p> <p>Elements of harm are introduced by the proposed scheme such as the partial loss of one original chimney and areas of loss of the original plan form. These harms are considered to be less than substantial harm. Per the terms of para 205, the Council affords significant weight to relation of Daresbury Hall as a grade II* heritage asset.</p>
<p>206. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional<sup>72</sup>.</p>	<p>Harm to the heritage assets from erosion of plan form and partial loss of original chimney fabric in the Hall, infill of existing apertures and creation of new apertures in the heritage outbuildings is necessary for successful conversion to take place for residential use. Harm to the setting of the heritage assets will be borne from the development of enablement development that is required to be developed to balance the conservation deficit. This is justified by the submitted financial appraisal which has been assessed by an independent third party as well as the Council's principal estates surveyor. Without these harms, It is highly improbable that an alternative scheme will be forthcoming. Were this development to be refused then it is likely the Hall would continue in its current condition perhaps declining to a total loss. The prospect</p>

	of retaining the Hall via an enablement development is wholly exceptional.
<p>207. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:</p> <p>a) the nature of the heritage asset prevents all reasonable uses of the site; and</p> <p>b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and</p> <p>c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and</p> <p>d) the harm or loss is outweighed by the benefit of bringing the site back into use.</p>	<p>Per the above assessment concerning para 206, it is considered that the identified harm to the heritage assets is necessary to achieve a viable long term use and therefore any identified harm is outweighed by the long term securement of Daresbury Hall.</p> <p>The overall size of the Daresbury Hall property and extensive sets of repairs and demolition of non heritage existing buildings, necessitates sub division of the site. It is highly improbable that an alternative use would come forward that would seek a single use for the heritage assets only. This is consistent with the advice set out in the Historic England advice in Appendix 1.</p> <p>Per Historic England advice, no marketing exercise is required. Enablement Development is considered the only likely means forward to achieving the securement of the heritage assets on site. Furthermore, there is a precedent set by the previously approved enablement development.</p> <p>No grants are available.</p> <p>Per the assessment set out at paragraph 206, it is considered that the harm posed by the proposed development is outweighed by the benefit of restoring the Hall and securing its long term future use and bringing the site back into use.</p>
208. Where a development proposal will lead to less than substantial harm to the significance of a designated	The identified harm to the heritage asset is considered to be less than substantial. It is considered that the

heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.	assessment in paragraph 206, noting the restoration, retention and securement of a long term viable use is sufficient reason to justify the harm to the heritage asset and demonstrates public benefit as the Hall will be preserved for future generations.
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As part of the consideration of this application, the Council sought opinion from its conservation officer, comments from whom are set out below.

*The above application has been assessed and it is not considered to cause harm to the significance of the designated heritage assets, subject to compliance with the recommended conditions.*

*The application site is compromised of two designated heritage assets. Daresbury Hall, an 18<sup>th</sup> century country mansion, is listed at Grade II\* and has been on Historic England's Buildings at Risk register for several years. Since its last use as an residential home and school for SCOPE, the hall has been the victim of vandalism and several fires. The hall remains as its external walls, some internal fabric at lower floors, and various later extensions.*

*To the south of the hall close to the southern site boundary are the former stable block and carriage sheds, set in a courtyard form and constructed of stone with slate roofs. The buildings have various architectural details including pediment with integral clock, cupola and decorative stonework.*

*The proposal would see both buildings undergo a comprehensive scheme of conservation with a change of use to residential dwellings. The conservation works will be funded and supported through a scheme of enabling development which has been assessed under a separate planning application.*

*The stable block and coach house is to be converted into a number of dwellings and includes for contemporary single storey extensions. Demolition of lower quality modern extensions will take place as part of the works and will result in a heritage benefit. The proposed replacement extensions are simple in their design and scale and will clearly be read as additions. The proposed extensions have been sensitively sited so as to retain the courtyard layout formed by the existing historic buildings and the buildings' place and importance within the wider site.*

*Internally, the existing layouts have been utilised where possible, retaining a significant amount of historic fabric. Further details will need to be provided in relation to treatment of external walls for fire protection, door and window details, stone repairs, RWG, and repairs/renovations to the clock and cupola.*

*It is recommended that the Council does not approve drawing no. 6266/d/c/01 Proposed Wall Lining Details as the details contained within require further*

*discussion, in particular matters concerning breathability/vapour moveability of the proposal.*

*The hall is currently a shell and crucial work is required to conserve existing fabric and rebuild the structure. The proposal is to rebuild the hall using documentary and material evidence to its former structural and plan form. The hall will then be divided in 8 dwellings; 3 at ground and at first floor, with 2 at second floor.*

*During its previous uses the hall has seen various poor quality extensions, parts of which still survive. All 20<sup>th</sup> century extensions will be removed allowing the grandeur of the hall, as well as its relationships and views to the Coach House and lake to be returned.*

*Due to the level of damage the hall has received and the time elapsed since the ADS report, it may be necessary for an updated structural report to be undertaken any repair schedules and methodology drafted based on the most up to date information. Submission of complete works schedule, methodologies, and materials schedules are included in the recommended conditions.*

*Overall the proposal will result in a major heritage benefit, rebuilding the hall in a sensitive manner and re-use through a scheme of constructive conservation. This will result in the building coming off the buildings at risk register and being occupied.*

*The conditions below are recommended prior to the individual elements taking place on site.*

*Recommended Planning Conditions*

*Prior to any demolition - a methodology statement to accompany approved dwg 6237/b/b202 Existing plans – Demolition shall be submitted to and approved in writing by the LPA.*

*Prior to each of the following element of working beginning on site a full Schedule of works shall be submitted to and approved in writing by the LPA.*

- All external rebuilding works to the building.*
- All internal works required to rebuild and re-instate plan form.*

*Stone repair to the Hall shall be undertaken in accordance with the methodology for external masonry repairs by Mather and Ellis Ltd dated 16/04/24*

*A repair methodology shall be provided for the Coach House/ Stables. This should include any repairs required to stone work, roofs, clock, and cupola. Details shall be submitted to and approved in writing by the LPA.*

*Prior to their installation into the building a room by room schedule of details to include all joinery and plasterwork, as well as decorative details including but not limited to architrave, skirting, and coving shall be submitted to and*

*approved in writing by the LPA. Details shall be provide for the Hall and Coach House/ Stable buildings.*

*Prior to its installation in any part of the building details of fire protection, fireproofing, and fire suppression methods shall be submitted to and approved in writing by the LPA. Details shall be provide for the Hall and Coach House/ Stable buildings.*

*Prior to their use on site a full materials schedule and samples shall be submitted to and approved in writing by the LPA. This shall include all Internal, external, hard surfaces and landscaping materials. Details shall be provide for the Hall and Coach House/ Stable buildings.*

*Prior to their use on site a brick sample panel of at least 1m<sup>2</sup> and supporting schedule, showing the materials, bond, mortar colour and mix for the proposed garage courtyard shall be made available on site to the LPA. Details shall then be submitted to and approved in writing by the LPA.*

*Prior to its use details of any acoustic separation material and methodology shall be submitted to and approved in writing by the LPA. Details shall be provide for the Hall and Coach House/ Stable buildings.*

*Prior to their installation, details of services including electricity and plumbing as well as vents, flues, soil pipes, meter boxes shall be submitted to and approved in writing by the LPA. Details shall be provide for the Hall and Coach House/ Stable buildings.*

*Prior to their installation on site details of all windows, doors, and roof lights shall be submitted to and agreed in writing by the LPA. Rooflight shall be flush to the slope and retained as such thereafter. Details shall be provide for the Hall and Coach House/ Stable buildings.*

*All RWG shall be cast iron. Prior to their installation details of their proposed locations shall be submitted to and agreed in writing by the LPA. Details shall be provide for the Hall and Coach House/ Stable buildings.*

*No DPC shall be installed to any of the following buildings; Hall. Any Coach House or Stable building.*

*An updated structural report to be undertaken by a CARE accredited engineer prior to works commencing.*

The Council's retained heritage advisor has considered the merits of the scheme and has undertaken an assessment of the development proposal. An opinion of no objection has been provided subject to a schedule of recommended planning conditions. The recommended schedule of conditions has been reviewed by the applicant who has confirmed no objection to their use.

### Historic England

Historic England responded to the public consultation exercise on 29<sup>th</sup> April 2024. A copy of this response is set out in full at Appendix 1. The following summary points are of note:

Enabling Development – Historic England (HE) accepts the requirement for enablement development (ED) at Daresbury Hall acknowledging that due to the conservation deficit, ED is the only means to bring about repair to the heritage assets on site.

Quantum of Development – HE recommend that the Council obtains independent consultant to review the submitted financial documents to ensure that the ED proposed is the minimum necessary to ensure the preservation of the heritage assets on site.

S106 Agreement – A legal agreement will ensure that the Hall is preserved and repurposed and avoid profitable ED work taking place first.

Precedent – A planning precedent exists on site due to the previously approved enablement schemes.

Marketing Exercise - HE do not consider that it is necessary to undertake a marketing exercise.

Conversion – HE has no objection to the conversion of Daresbury Hall or former stables to residential use. This would allow the architectural appearance to return to similar position prior to deterioration.

Impact on Setting – HE confirm that the development in the grounds of Daresbury Hall have been positioned to protect key views to the Hall and retain buildings relationship with the surrounding designed landscape. Scale of buildings on site allows the dominance of the Hall to remain.

Shortcomings – The application fails to set out a S106 agreement, a detailed repair schedule. In addition an assessment by the Council of the submitted financial appraisal is required to satisfy the requirements of paragraph 201 of the NPPF.

In their first consultation response, Historic England set out a position of support in principle. However, two shortcomings were identified. In response, the Council undertook further dialogue with the applicant. Historic England responded on 30<sup>th</sup> January 2025, following their receipt and assessment of the proposed repair methodology and structural safety report, to confirm that they have no further comment to make.

### The Georgian Society

The Georgian Society responded to the consultation exercise with a detailed objection. The Council has considered the details of this objection in the table below and a response has been provided to each point raised. It is of note that the

Georgian Society did not subject their objection in the form of a table, a copy of the objection as received is set out at Appendix 2 of this report.

Georgian Society Objection	LPA Response
<p>The application was discussed by The Georgian Group's Casework Committee at a meeting on the 25<sup>th</sup> March 2024 and they offer the following comments, advice and recommendations. The Committee advise that whilst The Group is willing to demonstrate considerable flexibility with the proposals in the interest of securing a sustainable future for this at-risk heritage asset, we object to the presently proposed scheme of works.</p>	<p>Comments are noted</p>
<p>Daresbury Hall is a handsome country mansion, built c.1759 for George Heron by an unknown architect. The building has a handsome composition with different characteristics to all 4 elevations. The building has been disused since c.1995 and has been subject to significant vandalism and fire damage, most notably from a major fire in 2016 which gutted the building with the loss of floors and roof structure. The Hall is now derelict and is shored by scaffolding. The historic range of stables and coach houses (likely contemporary with the hall, although with probable later alterations) are also curtilage listed. The stable has a handsome, north facing principal façade originally visible from the hall's south front, the Group understands that there is little surviving internally to the stables except its cellular planform. The curtilage of the hall also contains a number of mid-twentieth-century concrete ancillary buildings erected to support the use of the building as a hospital and care facility during and following the second world war, these make a negative contribution to the significance of the site.</p>	<p>Comments are noted, observations are broadly consistent with those of Historic England and the Council's retained conservation advisor.</p>
<p>The application is for a scheme of enabling development including the erection of 23no. new build houses, the conversion of the stable to form 6no. residential units and the conversion of the hall to provide 8no. residential apartments. This is a total of 37no. residential units across the site. The scheme will involve the removal of mid-twentieth century concrete ancillary structures from across the site and will also involve significant</p>	<p>Comments are noted.</p>

<p>works of demolition, repair and alteration to the hall and stables.</p>	
<p>Whilst the Group overall welcomes the proposals to repair and renovate the hall and coach houses, we have significant concerns with the proposed scheme of works, notably with the proposed extent of demolition and partitioning in the house, with extent of development in the grounds and with some of the materials choices to the proposed repairs and renovations to the stables.</p>	<p>The demolition works undertaken to the Hall fall under two distinct categories, removal of unsympathetic additions to the Hall during its use as a hospital, and demolition of the original fabric as part of the work. There is no disagreement regarding the removal of the unsympathetic additions.</p> <p>In terms of the original fabric, a further sub section of considerations exist, there are parts of the Hall that are badly damaged from the fire and overall neglect. These areas are already collapsed, partially collapsed or damaged beyond repair. There is a separate area of proposed demolition that is proposed to take place in order for the Hall to be adapted to a modern living environment, including the sub division into 8 separate apartments.</p>
<p><u>Demolition of Internal Fabric</u></p> <p>The Group recognises that the hall is in a poor structural condition following the fire resulting in the loss of floor and roof structures and some areas of collapse and failure. We thank the applicant for having commissioned a structural report from a CARE accredited engineer and we recognise the limitations of the survey resultant from the dangerous state of the building and inaccessibility to drones.</p> <p>We register significant concerns with the extent of demolition proposed to internal walls including chimney breasts under the submitted scheme. We note that the DAS (6.3,D) states that ‘the internal walls will be retained where possible, in accordance with the structural assessment whilst ensuring the design brief is met to achieve a layout that will work efficiently.’</p> <p>We advise however that we have been unable to find any recommendations or statements in the structural survey to support the extent of demolition proposed. Indeed, we highlight the structural report’s comments (section 5) which state ‘In the authors opinion, much of the damaged masonry can be repaired... there are various areas of poor quality or damaged masonry internally, however they are generally in non-visible areas such as the roof space.</p>	<p>The report referenced is from the perspective of a structural engineer not a conservationist. The development proposal has been reviewed by the Council’s retained heritage advisor and Historic England. No objection has been received to the development proposal from either party.</p> <p>It is important to note post development sales values. The development proposal seeks to maximise the financial return on the heritage fabric residential unit sales in order to minimise the conservation deficit. A higher deficit results in an increased demand for enablement development. Put simply additional demands on the conservation deficit will result in additional development in the curtilage of the listed building in order to generate additional profit.</p> <p>The Applicant has prioritised conservation efforts to areas of fabric that can be seen e.g. external masonry rather than elements of internal fabric that cannot be seen behind internal walls. Repairs of all of the original fabric can be made but, per above consideration this will lead to an increase in build costs which will increase the conservation deficit and lead to a further demand of enablement development to compensate it. On this basis it is considered that the applicant has struck an appropriate balance between the two</p>



Areas of local rebuilding will be needed, and this will require temporary propping; dismantling of brick units; cleaning up of the bricks and then relaying them...’ Furthermore, the report recommends that ‘...we consider the reuse of the walls as load bearing elements is preferable...’.

We must therefore advise that we strongly object to the extent of demolition proposed as being entirely unjustified and therefore the proposals fail to meet the requirements of NPPF (2023) paragraph 206.

competing elements of harm to the heritage assets

NPPF Para 206 states:

*206. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

The proposed development is an enablement scheme. The entire application is itself a form of justification that together guarantees the restoration and preservation of the grade II\* heritage assets on site for future generations. With regard to the assessment of P.206, the Council considers the proposed additional loss of internal fabric to be less than substantial harm per the assessment set out in the table below. It should be noted that a significant amount of the existing structure will be restored and preserved. The existing building today is a burnt out ruin, the applicant is seeking to restore the external elevations with some noted modifications to the roof and southern elevation entrance. Notwithstanding these changes, the finished development will be exceptional in quality particularly when compared to the existing appearance of the building. The existing condition of the building provides a necessary context, the observations of the Georgian Society fails to acknowledge

	<p>the value of the development proposal that will transform the present appearance and longevity of the heritage assets on site. Delivery of the proposed development is more than a satisfactory example that ultimately meets the exceptional test of paragraph 206 of the NPPF.</p>
<p><u>Impacts on the plan form of the Daresbury Hall</u>          We further register concerns that the design brief to ‘achieve a layout that will work efficiently’ does not give the due great weight to the asset’s conservation as required under NPPF paragraph 205.</p> <p>We advise that the loss of internal walls proposed will cause significant and irreversible harm through loss of historic fabric and harm to the legibility of the building’s historic planform. The cellular planform is a significant aspect of a building’s design and should be considered as part of the architect’s original intention and vision. Alongside the external edifices it is now all that survives of the original hall.</p> <p>The Group emphasise that a building’s historic planform and historic room volumes has high evidential value evidencing the flow of the building, and the function and hierarchy of the spaces contributing strongly to its historic character. The significant loss of planform proposed would therefore erode the building’s significance and historic character and does not give the due ‘great weight’ to the asset’s conservation are required under NPPF paragraph 205.</p> <p>The Group strongly recommends that the applicant should explore alternative options which preserve more of the historic planform, retaining and repairing the internal walls wherever possible.</p>	<p>For the avoidance of doubt, paragraph 205 of the NPPF states:</p> <p><i>205. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.</i></p> <p>In response the Council would raise the matter of the conservation deficit. The greater the return of the sales values the smaller the conservation deficit. The larger the conservation deficit becomes, the more enablement development is required and by association the greater the level of harm that is caused to the setting of the listed building. Both the loss of internal fabric is a concern as is the development of additional structures within the setting of the listed building. It is a simple balancing exercise between one set of harms and another. The Applicant has given significant weight to the assets conservation having formed a development proposal that seeks to restore the Hall in a sympathetic manner that will preserve it for future generations. The scheme as proposed will secure the retention of the heritage assets on site for a considerable period of time and will lead to the removal of the Hall from the Historic England Heritage at Risk register.</p> <p>In terms of the considerations of paragraph 205 of the NPPF, the impact on the existing fabric of the Hall is considered to be less than substantial harm. Ordinarily, minor alterations to the original plan form to the extent shown (rather than total loss as alleged by the Georgian Society), would be regarded as less than substantial harm. The GS appears to make</p>

the argument that the loss of parts of the original structure to a fire raises the value of the surviving parts. However, this fails to appreciate the jeopardy that the Hall is currently in. If the scheme is not viable then the proposed development will not go forward. There is a distinct possibility that in such a scenario, the Hall will face further deterioration perhaps even a total loss. Consideration should be given to the benefit of securing the long term preservation and conservation of the heritage assets on site, which is to say a matter of conservation value that extends beyond the concerns of the original plan form which is a matter that weighs significantly in favour of the proposed scheme and a matter that outweighs the harm concerning the erosion of the original plan form of Daresbury Hall.

It is also of note that Historic England as executive agency advising on development proposals affecting grade II\* or higher buildings, has not raised an objection to the proposal.

It is of further note that the Georgian Society has not raised concern with the sub division of the Hall into separate residential units. The conversion of listed buildings is a relatively common occurrence and one that is key to the preservation and longevity of listed buildings that are in need of investment. Such conversions require a degree of disruption to the original building in order for it to accommodate modern living requirements. It would be unreasonable to suggest that no alterations can take place to the plan form. The original planform was suited to a single large residence, as demonstrated in the proposed plan form, adaptations are required in order to accommodate 8 dwellings. Whilst fewer units could be accommodated this would have a direct impact upon the conservation deficit and would lead to the need for further enablement which would harm the setting of the listed building. As stated, the application before the Council is a balance of harms, one harm cannot be eliminated entirely without impacting another. Having considered the harms, it is considered that the Applicant has put forward the correct balance of harms in the overall

	aspiration of restoring and preserving the heritage assets on site.
<p><u>Roof Terrace Concerns</u></p> <p>The Group registers some concerns with the proposals to form a roof terrace instead of replicating the historic 3-pitched roof. We advise that this is a notable deviation from the historic design of the hall, and we query why a roof terrace is considered necessary given the extensive grounds surrounding the hall. We further query whether the roof space with pitched roofs could be better used for renewable energy installations, such as PV and ASHP.</p>	<p>The roof terrace at second floor is a change from the original layout of the building. Such a change is considered harmful when compared to the original roof plan. However, the original roof was destroyed by fire. The original roof served a single residence as was the requirements in 1759. The future of the Hall as proposed is to host 8 No. apartments. The application concerns an enablement scheme, the conservation deficit is dependent on property sales values. The Applicant has put forward a scheme whereby a value has been drawn from the roof space to afford the second floor units an area of private outdoor space. This increased value is offset against the conservation deficit. In a repeat of what is set out above, the Council is considering a balance of competing harms to ascertain a path to the least overall amount of harm that will ensure the restoration and preservation of the heritage assets on site.</p>
<p><u>Removal of mid-20<sup>th</sup> Century Additions</u></p> <p>The Group welcomes the proposals to demolish the poor quality mid-twentieth century ancillary buildings adjoining the east elevation and the post-1960 infill porch to the south elevation.</p> <p>The Group recommends that this extensive scheme of works presents an excellent opportunity to redress much of the harm which was done to the hall through the addition of inappropriate extensions and accretions during the twentieth century.</p>	<p>The Council is in agreement, the removal of the unsympathetic additions will greatly improve the setting of the heritage assets on site.</p>
<p>We do however query with the need for the proposed new south elevation infill living room and we advise that it would be preferable to omit the proposed living room (replacing the post-1960 porch) to return the hall to its historic south elevation arrangement with the recessed central block as per the photo in Historic England's 'redbox' collection (0552_124).</p> <p>We likewise register concerns with the proposed 1F French doors onto the balcony as</p>	<p>The addition of a new non original design element to the southern Hall elevation is noted. However, it replaces a large existing element of a mid 20<sup>th</sup> century unsympathetic addition. Whilst the new element would be considered more harmful than the original southern elevation, the LPA must be mindful that such a situation does not exist on the ground. What exists is the harmful mid 20<sup>th</sup> century addition and it is against this backdrop that the Council must assess the proposal. On this basis it is considered that the development proposal is</p>

<p>these significantly unbalance the handsome designed symmetry of the south elevation. Whilst we recognise that this section of wall has already been lost during the twentieth century, we advise that it would be a considerable benefit for it to be reinstated to restore the original designed symmetry of the south façade.</p>	<p>less harmful than the unsympathetic addition to the southern elevation.</p>
<p>The Group declines to offer any further detailed comments on the Hall at this time as we cannot support the principal of such a scheme extensive and harmful works of demolition and alteration as proposed. We advise that we would be pleased to offer more detailed and specific advice and recommendations on revised proposals as appropriate.</p>	<p>The comments of the Georgian Society are noted.</p>
<p><u>Tanking Concerns</u> The Group registers significant concerns with the proposed ‘tanking’ measures to the floors and external walls of both the hall and stables with introduction of PIR insulation. We advise that these measures have the potential to cause significant harm to the historic fabric of the buildings by forming a non-permeable barrier trapping water and forcing it into the solid walls of the stable risking causing the historic brickwork and masonry to decay. We strongly recommend that the applicant explores revising the proposals to use traditional vapour permeable materials (e.g. lime plaster and limecrete) to prevent causing harm to the historic walls of the stables and coach houses through damp accumulation. We advise that we consider the proposed ‘tanking’ measures fail to meet the requirements of NPPF paragraph 205 and not clearly or convincingly justified as per NPPF paragraph 206.</p>	<p>The proposed tanking measures have been reviewed by the Council’s conservation advisor. Concerns have been raised with regard to impacts on the heritage asset. As a result the plans that detail tanking will not be approved by a grant of planning permission following the advice provided, furthermore a condition will be added that prevents a tanking exercise from taking place.</p>
<p>The Group registers some concerns with the intensification of development within the grounds. Whilst we welcome the proposed demolitions of the twentieth century buildings, we register concerns that the wider spread of replacement development within the grounds may cause some harm to the setting of the hall.</p> <p>We recognise that the proposed newbuild developments are intended to provide financial</p>	<p>It is accepted that additional development in the grounds of the hall and within the setting of the listed building will cause harm to the heritage assets. However, this harm is considered less impactful than leaving the existing heritage buildings in situ for the foreseeable future. Daresbury Hall has been in a significant period of decline for a number of years. Even before the fire the building was in an extremely poor condition having featured on</p>

<p>support for the restoration of the hall and stables under enabling development. We would however strongly recommend that the calculations and estimates for the conservation deficit and revenue of the proposed scheme are reviewed and verified by an independent body. We further recommend that the viability of the proposed scheme is reviewed by an independent body.</p>	<p>the Historic England heritage at risk register six years prior to the fire. As has already been set out above, it is considered that the enablement development is the minimum amount of development required in order to address the conservation deficit whilst allowing a reasonable rate of return for the Applicant. The Council has reviewed the financial figures for the proposed development, in addition a third party has been commissioned to review the figures. The conclusion to this exercise accepted that the enablement development as proposed is the minimum quantum of development required to address the conservation deficit.</p>
<p>We note that the calculations for the conservation deficit presented are for the conversion and marketing of the hall as a single residence. We recommend that a comparative calculation should be made for the conversion of the hall into apartment.</p>	<p>The assessment of the financial appraisal is set out above and raises no objection to the proposed scheme or the manner in which the financial appraisal was carried out.</p>
<p>We advise that with such an extent of new development as proposed, we would have hoped for a more sympathetic scheme of renovation and repair to the hall which retains more of the hall's historic fabric and planform as recommended above. We advise that if the applicant were to revise their proposals for the renovation of the hall as per the above advice, we may be more willing to accept the justification for the proposed extensive new development within the grounds.</p> <p>We therefore must at this stage advise that we do not consider the proposed new development is either clearly or convincingly justified and thereby fails to meet the requirements of NPPF paragraph 206.</p>	<p>The comments are noted. However, the impacts set out by the GS are the loss of internal fabric, reduction in planform, changes to the original layout of the now lost roof and a missed opportunity to restore the Hall to its pre hospital roof with emphasis on the south elevation. As noted above, to implement the suggestions would have an impact on the finances of the scheme and require a greater level of enablement. The costs of the scheme are not just limited to the restoration of the Hall. Further costs involve the demolition and clearance of the existing unsympathetic structures that date to the hospital use of the site. Per above, the finances have been assessed by the Council and no objection has been raised.</p>
<p>The Group overall welcomes the proposals to repair and renovate the stables and coach houses converting them for residential use and we advise that we have no objection in principle to this.</p> <p>We register some concerns however with details of the proposed conversion scheme and with the materials choices proposed.</p>	<p>The GS comments are noted. The scheme has been reviewed by the Council's retained heritage advisor. They raise no objection to the scheme. However, a number of conditions were recommended including a materials schedule and samples of brickwork to be used. These details are to be agreed prior to works commencing on site. On this basis it is considered that the concern of the Georgian Group are addressed.</p>

The Group furthermore registers concerns with the proposals to alter the openings in the north (principal) elevation of the north stable to form garages. This work has the potential to cause irreversible harm through loss of historic fabric disrupting the potentially historic design of the stable. It is not clear whether the existing arrangement of openings is historic or is the result of later alterations and we therefore must draw attention to the requirements of NPPF paragraph 200. If the arrangement is historic then it should be understood to have considerable significance as being part of the original design of the building and part of a designed façade intended to be seen from the south elevation of the hall.

We advise that we do not consider that the conversion of these spaces into garages is a robust justification for the potential harm proposed and we consider that the space could be better used as additional living space with the existing opening arrangement retained as is. We advise therefore that this element of the proposals fails to meet the requirements of NPPF paragraphs 205 and 206 and does not appear to have any obvious public benefits to be weighed under paragraph 208. We therefore recommend the applicant omits this proposal and retains the existing arrangement of openings as existing.

Paragraph 200 of the NPPF states:  
200. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

The application is supported by an extensive heritage assessment, these documents have been reviewed by the Council's retained conservation advisor and Historic England. Neither of whom have raised concerns regarding a lack of historical reporting or the loss of fabric or alternation to elevations. The historic importance of the building is not disputed, this is reflected in the listing of the building. In order to guarantee the buildings future, a use must be found for the heritage assets. A use that guarantees the future preservation is that of a residential unit. There are some consequences to this, adaptations are required to ensure the building is fit for purpose in order to successfully market the building for future residents. A failure to market in line with the viability assessment will lead to an increased need of enablement development. Again, the Council must balance all harms to assess the best possible outcome for this development in terms of the impacts on heritage and Green Belt.

With regard to paragraphs 205 and 206 of the NPPF, the Council gives great weight to the conservation of the assets and notes the harm that is proposed to take place. However, greater harm exists if the development does not come forward as the buildings will

	<p>deteriorate further. It is of note that there is no alternative scheme. Since 2004 there have been two schemes for this property under two applicants. The first scheme did not progress. This is a scheme that has been thoroughly assessed and is financially sound and has a real prospect of success. Such success is centred around the preservation of the heritage assets on site.</p>
<p>The Group likewise registers some concerns with the proposals to introduce car parking spaces into the forecourt of the north stable. We advise that car parking in this location would intrude on views of the handsome principal façade of the stable block, particularly visible from the south facing windows of the Hall and would thereby cause some harm to both the setting of the hall and stables as a curtilage listed heritage asset. We recommend that the applicant removes the parking spaces elsewhere where they will not be so prominent in views of the stable's principal façade.</p>	<p>Uses of the buildings change over time. With which the associated appearance will change. When such buildings were first used they would have had an associated amount of chattels stored about them. As a residential use is acceptable it is naturally acceptable that there will be a level of chattels in association with such a use, it is inescapable. Furthermore, if the parking does not take place here then it will invite further development pressure elsewhere. As has already been explained above, the development pressure will bear harm on the setting of the listed building and further development in the Green Belt. On balance it is considered that the applicant has considered the parking needs adequately with the full policy considerations upon which this planning application is to be determined.</p>
<p>The Group also queries why it is proposed to insert 1no. new window into the east elevation whilst proposing to infill 2no. existing windows? We advise that this intervention would again result in some harm through loss of historic fabric and neither clearly nor convincingly justified. We recommend that the applicant should investigate alternative internal arrangements to facilitate the reuse of the existing openings to reduce loss of historic fabric.</p>	<p>This is a similar consideration to those that are already set out above. This is a matter of taking heritage assets and adapting them to modern living. The future delivery of the site will require some modifications to the existing buildings. Whilst heritage retention is important, this particular property has been through a number of changes in the past, which for the most part have been exceedingly harmful. It is not incumbent upon the applicant to right those wrongs. In a similar vein as the property moves forward to a new chapter in its history there needs to be a set of adaptations that will foster a new long term use that will effectively lock the proposed appearance for a foreseeable period. There is no sense in granting consent for a development that will incur additional development or adaptation pressure because the present scheme has been ill thought out with regard to its adaptation for modern living. It is considered that the Applicant has undertaken an appropriate balance of adaptations having full consideration of the harms that they bring.</p>



<p>The Group registers some concerns with the loss of an historic chimney breast from within the east coach houses. We advise that this would cause some harm to the legibility of the building’s historic planform and function and would constitute loss of historic fabric. We understand however that the stacks are proposed to be retained to the roof.</p>	<p>A similar consideration applies per above. The internal arrangements are not fit for modern residential uses and require adaptation. The loss of fabric is a harm. However, this is compensated for by the continued use and preservation of the heritage asset. The external view of the chimney will be retained which lessens the harm and maintains the historical context of the original building within the wider property setting.</p>
<p><u>Conclusion</u></p> <p>When making a decision on all listed building consent applications or any decision on a planning application for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Preservation in this context means not harming the special interest of the building, as opposed to keeping it utterly unchanged. This obligation, found in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1), applies to all decisions concerning listed buildings. Under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 they also have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.</p> <p>The Group advises that whilst we overall welcome this application to secure a new use for Daresbury Hall, we register significant concerns with the abovementioned proposed works. We advise that the abovementioned proposed works have the potential to cause significant and irreversible harm to the building’s historic fabric, evidential and historic value, and its overall special architectural and historic significance as a Grade II* listed heritage asset.</p> <p>The Group therefore strongly recommends that the applicant addresses the abovementioned concerns and objections with revisions, clarifications, or additional details as appropriate. If the applicant is unwilling to do so, listed building consent should be refused.</p> <p>The Group would furthermore be very pleased to meet with the applicant and relevant stakeholders to discuss the proposals</p>	<p>The conclusion repeats the concerns set out above. The Council has responded to each of which in this table.</p> <p>Consideration of this planning application has involved consultation with Historic England and the Council’s retained conservation officer, neither has raised an objection to the scheme. It is considered that the applicant has considered a number of harms and has struck an appropriate balance between the long-term preservation of the heritage assets and the harms to the fabric and setting to the listed building along with the harms to development taking place within the Green Belt.</p>

further in the interest of securing a sympathetic and sustainable future for Daresbury Hall.	
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<p>We request that we are kept informed of the development and progress of this application and we would be pleased to offer comments on any revisions or amendments. We would likewise be happy to clarify or elaborate on any of our comments offered above.</p>	
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### Heritage Conclusions

Having assessed the relevant heritage opinions provided by statutory consultees and having undertaken an assessment of relevant planning policies as set out above, it is considered that the proposed scheme will result in the restoration and redevelopment of Daresbury Hall. Whilst there are elements of harm proposed, such harm is considered necessary to undertake the restoration and redevelopment of Daresbury Hall which is a matter that is afforded significant weight. Without an acceptance of harm caused by enablement along with modifications and adaptations to the heritage assets, Daresbury Hall will continue to languish in its current condition having significantly deteriorated since it was first placed on the Historic England Heritage at Risk Register in 2010. This is best summarised in the following statement, that it is unlikely that the Hall will come forward for development as a single dwelling development, as is recognised by Historic England in their consultee response which states:

*Our position also remains that, as we accept that Enabling Development is necessary, we do not consider it necessary to carry out a marketing exercise of the building, as set out in our guidance document "Historic Environment Good Practice Advice in Planning: Note 4 Enabling Development and Heritage Assets". This is our view because whoever was to purchase the building would almost certainly need to fall back on Enabling Development to conserve the hall.*

On this basis it is considered that that the proposed scheme broadly complies with the identified relevant planning policies concerning heritage. The elements of non compliance are considered to introduce heritage harm that is less than substantial per the assessment of NPPF paragraph 205. Such harms are not sufficient to outweigh the significant weight that is afforded to the proposed schemes restoration and preservation of Daresbury Hall.

### Impact on Green Belt

The proposed development is located in the Green Belt. As a result planning policies CS(R)6 and GB1 apply. Paragraph 2 of CS(R)6 is of direct relevance, which states:

*2. The Green Belt boundary is defined on the Policies Map. Within the Green Belt, planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy.*

Policy GB1 goes further to set out a set of exceptions to development that would not be considered to be inappropriate development in the Green Belt. Paragraph 1c is relevant to the consideration of the planning application which states:

*1C The replacement, extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building and that it is of an appropriate scale, character and appearance;*

The existing plans depict the non heritage structures that presently exist on site that are proposed for demolition. These consist of:

- hospital extension wing to hall
- Indoor swimming pool
- Staff houses
- Caretaker bungalow
- Managers house

In total these properties offer 3,616m<sup>2</sup> of floor space. The replacement of existing floor space in the Green Belt with new development is a concept that is consistent with the provisions of DALP policy GB1. The existing floor space concept provides a fallback position for the applicant whereby 3,616m<sup>2</sup> of the proposed 6942.95m<sup>2</sup> is Green Belt policy compliant. By virtue it remains evident that the remaining quantum of proposed development is by definition contrary to Green Belt policy.

It is acknowledged that openness has both visual and spatial dimensions and that Green Belt policy is typically assessed in volumetric terms rather than floorspace, this assessment is provided to demonstrate an indicative comparison between the existing and proposed development footprint with regard to the overall impact of this scheme upon the openness of the Green Belt.

With regard to inappropriate development in the Green Belt, Paragraph 152 of the NPPF offers further assistance, it states:

*152. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

Paragraphs 153 goes on further to say:

*153. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*

A test of very special circumstances is established by paragraphs 152 and 153 of the NPPF. In order to overcome this test the Council must be of mind that the planning application constitutes a set of benefits that either weighed separately or together constitute a set of very special circumstances.

The justification of policy based harm put forward by the applicant in the overall test of very special circumstances concerns the preservation and restoration of the heritage buildings that comprise Daresbury Hall. As set out above the non policy compliant matters concern the concept of an enabling development. Paragraph 214 of the NPPF offers further guidance on the consideration of enabling development, it states:

*214. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.*

In terms of assessing the benefits of the scheme with the conflicts of planning policies, the applicant has put forward a justification that the proposed development will result in the removal of a series of large unsympathetic additions to the heritage assets on site both in terms of those set within the curtilage of the listed buildings and the hospital wing attached to the Hall albeit at a cost of increased development in the Green Belt.

The Council accepts that a proposed loss of existing dilapidated structures and a quantitative replacement with a sympathetically designed enablement scheme is an improvement to the setting of the listed building and the Green Belt. However, the enablement scheme exceeds the floor space and by association the volume of the existing structures. Therefore, Green Belt policy harm is an evident consequence of the implementation of the proposed scheme. In order to overcome this harm the development must demonstrate a case of very special circumstances.

The purpose of the proposed inappropriate development in the Green Belt is clear. It is the applicant's intention to preserve Daresbury Hall for future generations. Per the assessment of finances above, this preservation can only be secured by way of an enablement form of development. Due to the location of Daresbury Hall, this enablement can only take place in the Green Belt.

As can be seen in the S106 agreement section of this report, the preservation of the Hall is safeguarded by being the primary beneficiary of works in each phase of development to be delivered on site.

It is important to highlight the precarious condition of Daresbury Hall following the fire in 2016. There has been specialist scaffolding supporting the structure since the fire and this is the only reason why the building condition has not deteriorated further. Notwithstanding, since the time of the fire at least one chimney stack has collapsed. Prior to the fire, Daresbury Hall was subject to a protracted period of neglect, and has understandably featured on the Historic England Heritage at Risk Register since 2010. The proposed development would bring about a positive end to the neglect that the hall has faced leading to a program of restoration and future conservation of a series of heritage assets for future generations.

It is of note that in recent years the building has been victim to anti social behaviour. Since the 2016 fire, additional fires have been set in the outbuildings with acts of vandalism and graffiti across the property. As a result the property has become a site of rural blight in the Green Belt. Redevelopment of the Daresbury Hall estate would bring about an end to this properties checkered history.

Having reviewed the merits of the scheme, it is considered that the Green Belt harms that would materialise as a result of the proposed development are

outweighed by the benefits of the schemes restoration and preservation of heritage assets as set out earlier in the report. Delivery of the scheme will result in the removal of rural blight on the outskirts of Daresbury Village and the preservation of grade II\* listed buildings for future generations. On this basis, the test of very special circumstances has been met.

#### 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. 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. Paragraph 4 of Policy RD4 states:

*The provision of greenspace off site can be made either in kind or through financial contributions unless a viability appraisal demonstrates that the proposed contributions would make the development unviable*

As has been set out above, this application concerns an enabling development. Such a development is a fine balance of harms against material considerations that weigh in favour of the development. Were the Council to request additional funding for off site provision then this would have an impact on the overall viability of the scheme necessitating additional housing which would lead to more harm. This would be contrary to the overall ambition of the development proposal. It is important to note that policy RD4 of the Halton DALP seeks to ensure that adequate on site provision is provided for the proposed new residents. The final proposed scheme will see the delivery of expansive grounds and generous personal gardens which together are considered to provide sufficient provision for on site residents.

Having assessed the merits of the proposal against the Local Plan requirements set out above, it is considered that offsite open space payments are not required as demonstrated by the financial appraisal submitted with the planning application, which is consistent with paragraph 4 of policy HE4. Therefore the scheme is held to be in compliance with Policies RD4 of the Halton DALP

#### 6.3 Ecology

The Applicant has undertaken a preliminary ecological statement and submitted a landscape and ecological management plan 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.

#### Priority Habitats

Several habitats have been recorded within the application redline including woodland, hedgerow, neutral grassland and a pond and Local Plan policies HE1 and CS(R)20 apply. The site also falls within the Bridgewater Canal, Keckwick Brook and Runcorn Ancient Nature Improvement Area (NIA).

Details submitted with the application indicate that the majority of the existing grassland habitat and part of the woodland will be lost, whilst most of the hedgerow habitat and the pond will be retained. The PEC and EclA reports states that a Biodiversity Net Gain assessment will be produced. Whilst the application was submitted prior to 10% BNG becoming mandatory, the applicant has put forward a scheme that will yield a positive increase in the overall biodiversity value of the site. To ensure that the BNG improvements will be delivered on site, a suitably worded planning condition will be drafted to include the following points:

- Completed Statutory Biodiversity Metric spreadsheet, with macros disabled;
- Condition Assessment sheets for both the baseline and post-development habitats; and
- An outline habitat management and monitoring plan (HMMP). If this is acceptable, a full and detailed, long-term HMMP can be secured by condition. The HMMP should also include measures to enhance the site for protected and notable species, i.e. bats, barn owl, breeding birds, invertebrates and hedgehogs.

#### Bats

Ten buildings are present upon the site and bat surveys of these in 2023 confirmed that bats roosts (day roosts of common and soprano pipistrelle and maternity roosts of brown long-eared bats) are present in six of the buildings. Bats are a protected species and Local Plan policies HE1 and CS(R)20 apply. The applicant has submitted a bat mitigation plan (BMP). This has been reviewed by the Council's ecologist who advises that the bat mitigation measures and replacement roost provision proposed in the BMP document are acceptable.

The proposed development will result in the loss of eleven bat roosts including common pipistrelle, soprano pipistrelle and brown long-eared day and maternity roosts. Developments affecting European protected species must be assessed by the Local Planning Authority against three tests set out in the Habitats Regulations prior to determination. The three test assessment has been completed by the Council's ecologist, see Appendix 3 below. This assessment shows how the Council has engaged with the Habitats Regulations.

As the proposals involve the destruction of bat roosts, the applicant will require a Natural England European Protected Species licence prior to any works

commencing on the building. To ensure this is in place the following planning condition is required:

**CONDITION**

*Works will not commence unless the local planning authority has been provided with a copy of a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified development to go ahead.*

In addition it is recommended that any trees to be felled on site should be felled using a soft felling technique.

To ensure that the mitigation is undertaken and that the three tests are met, the following planning condition is required:

*The development shall only be carried out in accordance with all of the recommendations for mitigation and compensation set out in the submitted Bat Mitigation Plan (Arbtech, 18 January 2025, Issue 0.3) which details the methods for maintaining the conservation status of bats, unless otherwise approved in writing by the local planning authority or varied by a European Protected Species licence subsequently issued by Natural England.*

Given the identified nocturnal species use of the site, any proposed lighting for the development may affect the use of retained foraging and commuting habitat by bats. A lighting scheme should be designed so that it protects ecology and does not result in excessive light spill onto the habitats in line with NPPF (paragraph 186). This can be secured by a suitably worded planning condition. It would be helpful for the applicant to refer to the 'Bats and Artificial Lighting at Night' guidance which has been produced by the Institute of Lighting Professionals in conjunction with the Bat Conservation Trust.

Amphibians

There is a pond within the site (labelled as P1) and four ponds within a 250m radius of the application site (P2 to P5). The locations of the ponds are shown on Figure 5 of the PEC report. Habitat Suitability Index (HSI) assessment and eDNA survey of the pond within the site were undertaken and great crested newt (GCN) were found to be absent. However, access could not be gained to the four other ponds located within 250m of the site. The status of GCN at these ponds is therefore unknown and some of them (i.e. P2 and P3) have very good connectivity to the application site which contains excellent potential GCN terrestrial habitat.

Regarding great crested newt, the applicant is following the District Level Licensing route. The Impact Assessment and Conservation Payment Certificate (IACPC), that has been countersigned by Natural England, is still required prior to determination in order for the Council to complete the three test assessment.

The DLL approach has been followed, the applicant has submitted an Impact Assessment and Conservation Payment Certificate (IACPC), that has been

countersigned by Natural England. This has enabled the Council to complete the three tests assessment (Habitats Regulations) as set out in Appendix 3 to this report.

It was considered likely that the on-site pond supported other amphibian species such as common toad (a Priority Species), common frog and smooth newt and Local Plan policies HE1 and CS(R)20 apply.

Reasonable Avoidance Measures (RAMs) during the construction phase can be secured by a suitably worded planning condition or as part of a CEMP to achieve the following controls:

- 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.

### Barn Owls

During the course of the bat surveys of the buildings, a barn owl was observed flying out of building B4 on a number of occasions. However, nesting could not be confirmed as an internal inspection of the building was not possible due to health and safety concerns. Barn owls are a protected species, receiving enhanced protection under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended), and Local Plan policies HE1 and CS(R)20 apply.

Table 1 of the LEMP includes details of barn owl mitigation measures to compensate the loss of nesting sites. The Council's ecologist confirms that these measures are acceptable. Whilst the LEMP will be listed as an approved document an additional condition will be attached to a grant of planning permission which ensures that the developer will comply with the details of the proposed LEMP.

### Breeding birds

In addition to barn owl, a range of notable bird species were considered likely to be breeding upon the site such as wren, whitethroat, song thrush and dunnock. However, the majority of the habitat which is suitable for these species on the site is to be retained. Breeding birds are protected and Local Plan policies HE1 and CS(R)20 apply. The following planning condition is required:

*No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works is to take place*



*during the period 1 March to 31 August Working with local authorities for a clean, green, prosperous and resilient Liverpool City Region inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, 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.*

The proposed development will result in the loss of bird breeding habitat and Local Plan policies HE1 and CS(R)20 apply. 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:

*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. Evidence of implementation (i.e. photographs) will need to be provided to the Local Planning Authority to enable discharge of the condition.*

#### Terrestrial mammals

Habitats within the application site are potentially suitable for badger (a protected species) and hedgehog (a Priority Species) and Local Plan policies HE1 and CS(R)20 apply. The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them:

- A pre-commencement check for badger and hedgehog by a suitably experienced ecologist;
- 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; and
- Appropriate storage of materials to ensure that mammals do not use them.

These measures can be secured by a suitably worded planning condition.

In order to maintain habitat connectivity for hedgehogs, a hedgehog highway is recommended. This can be achieved by the insertion of 13cm x 13cm gaps into any closeboard fences on site. This will be secured by a suitably worded planning condition.

#### Reptiles

No evidence of reptiles was recorded upon the site during the reptile survey. The undertaking of the above amphibian RAMs will be sufficient in ensuring that harm to reptiles is avoid in the event that they are present within the application site.

### Invasive species

The extended phase 1 habitat survey and the submitted Invasive Species Walkover Survey (Arbtech, 11 August 2023) recorded the presence of Japanese knotweed and rhododendron on the site. These species are listed on Schedule 9 of the Wildlife and Countryside Act and national Planning Policy Guidance applies<sup>1</sup>. It has been recommended by the Council's ecologist that the applicant should submit a method statement, prepared by a competent person, which includes the following information:

- A plan showing the extent of the plants; 1 <https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants> Working with local authorities for a clean, green, prosperous and resilient Liverpool City Region
- The methods that will be used to prevent the plant/s spreading further, including demarcation;
- The methods of control that will be used, including details of post-control monitoring; and
- How the plants will be disposed of after treatment/removal.

The method statement should be submitted for approval to the Local Planning Authority prior to commencement of any works on site. The method statement will be secured by a suitably worded planning condition or it can be included within the CEMP. A validation report is then required confirming the remediation treatment carried out and that the site has been free of Japanese knotweed for 12 consecutive months for approval in writing by the Local Planning Authority. This will be secured by a suitably worded planning condition.

### Construction Environmental Management Plan

It is recommended that the applicant prepares a Construction Environmental Management Plan (CEMP) document to manage and mitigate the main environmental effects during the construction phases of the proposed development. The CEMP should address and propose measures to minimise the main construction effects of the development. Regarding ecology considerations, the CEMP should include, but not be limited to the following:

- Measures to ensure the protection of retained habitats (hedgerow, woodland, trees and pond) from physical damage during construction;
- Measures to avoid the transfer of demolition and construction-related pollutants into retained habitats;
- Method statement for the translocation of English bluebell bulbs, as recommended in the submitted PEC report;
- Measures to avoid spillage of construction lighting onto bat foraging and commuting habitats;
- Bat mitigation measures (full details yet to be produced);
- Soft-felling of the trees to be removed identified as providing low bat roost potential;
- Barn owl mitigation measures (full details yet to be produced);
- Measures to avoid harm to breeding birds; • Amphibian RAMs;
- Terrestrial mammal RAMs; and
- Invasive species method statements.

The CEMP should be compiled in a coherent and integrated document and should be accessible to site managers, all contractors and sub-contractors working on site as a simple point of reference for site environmental management systems and procedures. The submission and fulfilment of the recommendations for the CEMP will be secured through a suitably worded planning condition.

#### 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 Working with local authorities for a clean, green, prosperous and resilient Liverpool City Region 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 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. However, information relating to household waste storage and collection can be secured by a suitably worded condition. Details to be secured by planning conditions should include the location of all proposed bin stores and collection points. For communal waste stores the size and number of bins for both recycling and general waste should be provided.

#### Sustainable Development and Climate Change

The Planning Statement (Pegasus, December 2023) refers to the Design and Access Statement providing further details on the sustainability measures to be incorporated into the scheme including the use of Air Source Heat Pumps. However, the document titled 'Design and Access Statement (Mason Gillibrand Architects, October 2023) includes no such information. Further information on the use of low carbon and/or renewable energy is required in line with Core Strategy Local Plan policy CS19: (Sustainable Development and Climate Change) and Policy GR5 (Renewable and Low Carbon Energy). A statement on low carbon development can be secured by a suitably worded planning condition.

#### Waste Planning Policy

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 (PPG, 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 Working with local authorities for a clean, green, prosperous and resilient Liverpool City Region*
- *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). 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.

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. Having reviewed the details of the preliminary ecological statement and the responses received from the Council's retained ecology advisor, it is considered that the proposed development complies with planning policy HE1 of the Halton DALP.

### Highways

The development proposal has been reviewed by the Councils 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 comments provided are set out in full below.

*Further to your re-consultation we have considered the proposed application as the Highway Authority and would make the following comments;*

### ACTIVE TRAVEL

*The site, by its historic nature is remote and poorly connected. Daresbury Lane has a narrow footway on its northern most side which provides an access directly to Daresbury Village centre. The Village consists of a church and a popular gastro pub. The footway is narrow and the carriageway is recorded as national speed limit.*

*It is clear looking at the site access that no pedestrian facilities exist in any way to connect onto this route. It would be necessary for the applicant to consider the safety of future residents in designing a means by which residents can safely access from the site onto the footway. This could be by means of a crossing point at the site access*

*or a route which could exist within the site boundary and links down onto Daresbury Lane at a point further west. Equally the development would need to provide a safe connection over to the public right of way opposite the site. The access to the development has not been used for a period and as such it would need to be demonstrated that the visibility here can still be adequately achieved.*

*Electric Vehicle charging provision would also be necessary as part of any highway permission granted.*

*It is clear from the offset that the application site is not served well in regard to the requirements for LTN 1/20 or even aspects of the DALP which require walking and cycling to be at the heart of any application. Given that the property has a previous use as both accommodation and even a hospital to which it could return without objection, it is clear that the impact of vehicles from the site onto the lightly trafficked Daresbury Lane will not have a severe impact upon highway safety. In this instance it is important to consider the benefits of the application against its shortcomings. Here a heritage asset is to be brought back from the brink of demolition and returned to its former condition with a viable use. The alternative is to lose the asset completely. As such, given what is outlined above I would conclude that whilst the Highway Authority are keen to ensure that this application can pass without unnecessary hurdles, we would provide the following conditions*

- *EV (phase three capability) charging facilities for residents.*
- *Safe pedestrian link as per plans provided onto Daresbury Lane. In addition we would condition the construction of a safe pedestrian gateway feature to allow for reduced speeds and improved pedestrian visibility.*

The highway impacts have been reviewed by the Local Highway Authority, a series of recommendations have been made. With regard to site access this is an existing access that is original to the Hall. There are as a result a series of heritage protections that would prohibit any change to the existing visibility splay.

Details concerning a pedestrian crossing can be secured by way of a planning condition. A degree of practicality will need to be adopted by the Council in the assessment of such a future submission. As set out in the opinion of the Highway Officer, the development will be accessed off Daresbury Lane which is a national speed limit. It would not be appropriate to have a formalised crossing point such as a zebra crossing. If the Highway Authority are so minded they could issue a traffic regulation order to reduce the speed limit to a speed they consider appropriate.

In summary the application has been It is considered that the application site is in a semi rural location, being located on the outskirts of Daresbury Village which features a bus stop and a local pub. Bus routes provide access to nearby Halton Lea, Warrington and Runcorn. 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:

*After reviewing 24/00086/FUL planning application the LLFA has found the following:*

- The site is described as 7.2ha and is considered to be a mixture of both Brownfield and Greenfield land.*
- The proposed development would comprise a mix of development types with those of the highest vulnerability classified 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 nearest watercourse to the site is a stream located approximately 70m from the eastern site boundary.*
    - o The site is located wholly within Flood Zone 1.*
    - o The proposed development includes the development of residential housing and the redevelopment of an existing building on site 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 The flood risk assessment indicated the site is at very low risk from flooding due to surface water.*
    - o The LLFA agrees with this assessment.*
  - Groundwater*
    - o No assessment of the risk from groundwater flooding has been undertaken for this site.*
    - o The LLFA required the sites specific flood risk due to groundwater to be established.*
  - Flooding from artificial sources.*
    - o The LLFA is satisfied that the risk from sewers, canals and reservoirs would be low.*
- Drainage Strategy*
- Discharge location*
    - o The site comprises of a mixture of both Brownfield and Greenfield land classification.*
    - o It is stated within the Drainage Strategy that an inspection of the nearest available borehole logs from the area along with local knowledge*

*of the sub-soils the site is underlain with impermeable clays and marls which would prevent the use of infiltration drainage on this development. However no on-site ground investigations to prove that the infiltration rates would be insufficient to drain to site have been undertaken.*

*o The LLFA would require that on-site infiltration tests are undertaken prior to discounting this as an option.*

*o Should infiltration be shown to not be feasible on site it is proposed that the surface water is discharged into a culverted watercourse running along the southern boundary. Details and location of this connection are not currently shown.*

*o Details and the location for the outfall to the culverted watercourse are required.*

*- Assessment of SuDS*

*o The strategy proposed to attenuate flows via the enlargement of the existing pond feature and a new geocellular system located in the car park area to the southeast of the site.*

*o The proposed volume of attenuation is not clear from the SuDS report with the modelling undertaken suggesting that the volume modelled is from an empty pond.*

*o It is required that the proposed attenuation volume of both the geocellular system and pond are confirmed with the surveyed water level and maximum water level of the pond to be confirmed along with any freeboard to be provided.*

*- Runoff Rates*

*o No assessment of the runoff rates from the site have been undertaken for either the existing or proposed site.*

*o It is noted from the modelling that three hydro brakes are proposed within the system but information around the final runoff rate from site and justification for the proposed rate has not been provided.*

*- Drainage Performance*

*o Modelling summaries have been provided for the proposed system however no results were included within the files hence it is not clear if the system has been sized correctly for the 1 in 100 +45% climate change event.*

*- Maintenance and management*

*o The drainage strategy does not provide a clear management and maintenance plan for this development. The LLFA agrees with the assessment of the existing flood risk to the site however the flood risk caused due to the development needs to be considered further once the Drainage Strategy is finalised.*

*For a full planning application, the LLFA would expect to see a full drainage strategy with, as a minimum, confirmed surface water discharge method/outfall locations, proposed SuDS to be utilised on site, confirmed discharge rates and attenuation volumes. The LLFA would note that the drainage strategy proposed is missing a large amount of information which is required to determine whether the proposed strategy is feasible and as such whether the proposed development could increase flood risk to the wider area. Therefore, the LLFA would object to this application until a suitable drainage strategy*

has been submitted to support the application, the LLFA has provided its standing advice for developing drainage strategies below.

LLFA advice for drainage strategies:

- Drainage strategy should follow SUDS hierarchy – i.e. in preferential order

- Soakaway, Watercourse, Surface Water Sewer, Combined Sewer.

Infiltration tests are required to demonstrate whether soakaway 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.

- 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.

- Appropriate discharge rates should be calculated for Qbar, 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 and as close as possible to greenfield rates for brownfield areas (Halton BC SFRA requires minimum 50% reduction from existing for brownfield sites).

- Climate change should be considered appropriately, the current rainfall allowances for the Lower Mersey Management Catchment are as follows (for up to date advice on which climate change allowances to use please check the governments website: <https://www.gov.uk/guidance/flood-risk1assessments-climate-change-allowances> ).:

- o 3.3% annual exceedance rainfall event

Epoch	Central allowance	Upper end allowance
2050s	20%	35%
2070s	25%	40%

- o 1% annual exceedance rainfall event

Epoch	Central allowance	Upper end allowance
2050s	25%	40%
2070s	30%	45%

\*Use '2050s' for development with a lifetime up 2060 and use the 2070s epoch for development with a lifetime between 2061 and 2125.

- 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.



- *Separate consent will be required from LLFA or EA should a development affect the flow in a watercourse or land drain, and discussions held with the LLFA if development is proposed within 8m of a watercourse.*
- *Confirmation of the proposed foul water package treatment plant type, size, location etc.*
- *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.*

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 in principle to the scheme. However, points to a number of shortcomings regarding the level of detail submitted with the scheme. It is considered that the missing information can be secured by way of a suitably worded planning condition that also ensures that any recommendations are implemented. A further condition will be attached that requires the applicant to submit a validation scheme that will demonstrate that the approved details have been implemented. On this basis, 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 document;*

- *Daresbury Hall letter report, ref 2944/DH/LetRep, Groundsolve Ltd, 30<sup>th</sup> August 2023*

*I have reviewed the above in consideration of the application.*

*The supporting land contamination assessment is only a short letter report and isn't particularly compliant with best practice and guidance (e.g. BS10175 and LCRM guidance) in that it does not include a preliminary risk assessment, based upon a desk study and site reconnaissance, site investigation scope and rationale for sample locations nor detailed discussion of the results.*

*I have a number comments and concerns about the assessment.*

1. *Having looked at the site history information held by HBC, there are number of features that are relevant;*
  - a. *Possible former orchard – use of herbicides and pesticides*
  - b. *Glass houses - use of herbicides and pesticides, use of asbestos insulation materials on pipework, etc*

- c. *Infilled pond – unknown infill and potential gas source*
  - d. *Tennis courts - often underlain by an ash/clinker layer*
  - e. *Two circular features of unknown use/function in the SE part of the site*
2. *The site investigation recorded up to 2.6m of made ground in TP04 and TP05, but there is no discussion of why that might be the case*
  3. *The overall coverage and sampling density is poor (only four locations where the full suite of analytical testing was applied)*
  4. *The infilled pond has not been investigated*
  5. *Given the age of the main house and original associated buildings, it is unusual that no deposits of wastes or the use of ash/clinker has been encountered*
  6. *All the analytical test sheets are marked as 'deviating', there is no comment on this.*

*The above notwithstanding, the assessment that is presented does not identify any significant pollutant linkages that would make the site unsuitable for the proposed end use, which is positive. However, as stated above, there are significant gaps in that assessment that need to be addressed before development can take place.*

*Given the lack of a major potential contamination source from the site history and the data that is presented, I think it is reasonable for the additional site investigation and assessment to be a requirement controlled by condition, it would be appropriate for some of the investigation to take place post-demolition.*

*Therefore, I have no objection to the proposals as long as any permission is conditioned as follows;*

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

1. *A site investigation and assessment shall be carried out by an appropriately qualified and experienced person or persons. This shall determine the status of contamination, including chemical / flammable or toxic gas / asbestos/ physical hazards / other contamination at the site and exact ground conditions. The investigations and assessments shall be in accordance with current Government and Environment Agency recommendations and guidance and shall identify the nature and concentration of any contaminants present, the potential for migration and risks associated with them and solutions to the potential ground stability. Results of the investigation shall subsequently be submitted to and agreed in writing by the Local Planning Authority.*
2. *A remediation strategy shall be formulated that includes a timetable for implementation, monitoring proposals and remediation validation methodology. This shall be submitted to and approved in writing by the Council as Local Planning Authority.*

*Prior to the proposed use commencing;*

*3. The agreed remediation strategy shall be demonstrably and successfully completed in accordance with the details agreed. 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.*

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 the use of a suitably worded planning conditions that will ensure that a phase 2 ground investigation report is submitted prior to development taking place. This will provide the necessary data for the Council to assess the potential ground contamination risks set out in the above opinion. Two further conditions are to be attached, a condition regarding a timetable for the delivery of matters pursuant to the phase 2 investigation and a verification report.

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 and the above conditions being attached to a grant of planning permission the application site is found to be a suitable use of land for residential purposes. It is considered that the proposed development complies with planning policy HE8 of the Halton DALP.

#### Noise Pollution

The risks of sound pollution have been assessed by the Council's EHO who has responded with an opinion of no objection. 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 risks of air pollution have been assessed by the Council's EHO who has responded with an opinion of no objection. The EHO has determined a need for a dust management plan (DMP), this is required to address the issues of demolition on site and the potential conflict that may arise if this work is still continuing if new residents are residing on site. A DMP will be secured by an appropriately worded planning condition.

The Council's EHO has assessed the potential for risks borne from air pollution for the future occupiers of the site and those who occupy and use the land

around the application site and 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 planning application concerns the development of a residential property on a previously developed site in countryside surroundings. There are two neighbouring residential properties nearby to which the proposed land use is considered complimentary. On this basis the Council's EHO raises no objection. Notwithstanding, there is the possibility of disturbance during construction of the proposed development. On this matter, the Council's EHO raises the following observation:

*It is possible however that properties that are to be built closest to Daresbury Lane could be affected by road traffic noise from it, as this would appear to the route which connects the village of Hatton with Daresbury village and the wider road network and that the national speed limit applies to the road as it passes the development site. For this reason, prior to first occupation, an acoustic report shall be produced which demonstrates noise levels within the new residential units do not exceed the limits specified in BS 2823:2014. As with all developments of this nature, we would wish to ensure that the hours of construction activity are appropriately controlled.*

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. It is considered that the Application site bears no significant impact on the amenity of nearby land uses and subject to the use of 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 noise pollution.

#### S106

This section of the report will consider the detail of the accompanying S106 agreement.

As has been set out, the central theme of the applications under consideration concerns an enabling development. A series of new build properties will

generate a sales value that will enable the restoration and conversion of the heritage assets on site. It is critical that the Council secures the restoration of the heritage assets ahead of the delivery of the profitable enabling development. In order to achieve this it is proposed that a S106 accompanies the grant of planning permission that secures a build and release clause. The phases of works are set out as follows:

<p>Phase 1</p>	<p>Critical stabilisation works</p> <p>1.2 Demolition of the buildings shown edged red on Demolition Plan Ref:6237/b/b/101</p> <p>1.3 Clearing the Hall of all debris including all bird droppings</p> <p>1.4 Commencement of site infrastructure works. This needs to be carried out concurrently with the main hall due to the proximity of the works and also integration of services.</p> <p>1.5 Demolition and internal conversion works will commence to the historic asset Daresbury Hall, works will be continuous up to a minimum standard of first fix. To clarify, that is windows in place, brick repairs and other external ornate features unless otherwise agreed by the Council, including roof complete to make the building wind and water tight.</p>
<p>Phase 2</p>	<p>2.1 The internal conversion of the Main Hall to form 8 residential apartments. <b>“Internal Conversion”</b> refers to the permitted conversion works to Daresbury Hall as shown on proposed floor plans.</p>

	2.2 The construction of 50% of the additional new build enabling development throughout the parkland. 2.3 The conversion of existing listed coach houses to form 6 residential dwellings.
Phase 3	3.1 The construction of the remaining 50% of the additional new build enabling development throughout the parkland.

The S106 will control the phasing of development in the following terms:

- Phase 1 works to be fully completed before occupation of Phase 2 works and before Phases 2 and 3 works;
- Phase 2 works will take place after Phase 1 and before Phase 3 works;
- Phase 3 works shall take place after the restoration of the Hall and its internal conversion into 8 residential apartments.

The S106 agreement is currently subject of review by the Council's legal department. Whilst the applicant has agreed to the heads of terms, a final draft of the legal agreement is not ready for signing at this time. Delegated approval is sought from the Committee for officers to continue the drafting of the S106 agreement to achieve the above clause aims.

#### Planning Balance and Conclusion

Whilst there are elements of non-compliance detailed in relation to Green Belt protections, heritage impacts, housing need and affordable housing, this is not considered to be sufficient to justify a refusal of planning permission given the overriding public benefit of preserving and redeveloping the Daresbury Hall estate. The redevelopment of Daresbury Hall will see the removal of a long term site of urban decay that has blighted the Daresbury rural landscape for decades and will see the external restoration of a grade II\* listed building that has remained on the heritage at risk register since 2010. Based on the above assessment and subject to the proposed planning conditions and legal agreement clauses, the proposal is deemed acceptable and is considered to meet the teste of VSC for the purposes of paragraph 2 of Policy CS(R)6 of the Halton Delivery and Allocations Local Plan. The proposed development would provide residential development on an unallocated housing site in a sustainable location and result in the delivery of a 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**

### 24/00086/FUL

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.

### 24/00087/LBC

Upon satisfactory resolution that the application be approved subject to the following:

- a) Schedule of conditions set out below.

## **CONDITIONS**

### 24/00086/FUL

1. Time Limit
2. Clarification of proposed development
3. Approved Plans (GR1)
4. Materials to be agreed (Policy RD3 and GR1)
5. Submission of Existing and Proposed Site Levels (Policy GR1)
6. Tree Protection Measures (Policy HE5)
7. Natural England bat licence (Policies CS(R)20 and HE1)
8. Development to be undertaken in accordance with Bat mitigation plan Arbtech, 18 January 2025, Issue 0.3 (Policies CS(R)20 and HE1)
9. Submission of Bird Box Scheme – (Policies CS(R)20 and HE1)
10. Nocturnal Species Sensitive External Lighting Scheme (Policies CS(R)20 and HE1)
11. Reasonable avoidance strategy, construction phase ecological impacts (Policies CS(R)20 and HE1)
12. Statutory Biodiversity metric assessment to secure: a conditions assessments and a habitat management plan (Policies CS(R)20 and HE1)
13. Development To Be Undertaken With Landscape and Ecological Management Plan. (Policies CS(R)20 and HE1)

14. No Tree Felling or Hedge Removal In Period 1<sup>st</sup> March to 31<sup>st</sup> August (Policies CS(R)20 and HE1)
15. Hedgehog highway scheme (Policies CS(R)20 and HE1)
16. Invasive species method statement (Policies CS(R)20 and HE1)
17. Site investigation study and site remediation plan- (Policies CS23 and HE8)
18. Site investigation unforeseen contamination condition (Policies CS23 and HE8)
19. Site investigation verification submission (Policies CS23 and HE8)
20. Daresbury Lane Pedestrian link scheme details (Policies C1 and C2)
21. Electric Vehicle Charging Points Scheme (Policy C2)
22. Visibility Splays – (Policies C1 and C2)
23. Submission of a Cycle Parking Scheme – (Policy C2)
24. Verification of the Sustainable Urban Drainage Scheme – (Policies CS23 and HE9)
25. Surface water drainage verification submission (Policies CS23 and HE9)
26. Dust management plan (construction phase) (Policy HE7)
27. Working Hours Condition (Policy HE7)
28. Waste Management Plan (Policy WM8)
29. Post development future resident recycling plan (Policy WM8)
30. Sustainable development and climate change strategy
31. Sewage disposal (Policy HE9)
32. Construction Management Plan (Policy C1)
33. Limited Construction Hours (Policy GR2)
34. Detail Hard Standing agreed (Policy C2 and HE9)
35. Access constructed prior to occupation (Policy C1)
36. Landscaping (Policy GR1, GR3 and HE5)
37. Hedgerows retained or mitigation (Policy CS(R)20 and HE1)
38. Acoustic Mitigation (Policy GR2)
39. Update structural report (HE1)
40. Soft tree felling technique for all trees to be removed (Policies CS(R)20 and HE1)
41. Tree retention root protection strategy ( Policy HE5)

24/00087/LBC

1. Time limit
2. Approved plans (GR1)
3. Stone repair details (HE1)
4. Repair methodology (HE1)
5. Joinery and plasterwork details (HE1)
6. Fire protection details and strategy (HE1)
7. Schedule of materials (HE1)



8. Schedule of works (HE1)
9. Brick sample panel (HE1)
10. Acoustic separation details (HE1)
11. Aperture details (HE1)
12. Rain water goods details
13. Damp proof course treatment prevention

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 – Historic England Consultee Response**



Mr Andrew Evans  
Halton Borough Council  
Municipal Buildings  
Kingsway  
Widnes  
WA8 7QF

Direct Dial: 0161 2421417

Our ref: L01573945

29 April 2024

Dear Mr Evans

**Arrangements for Handling Heritage Applications Direction 2021  
& T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**DARESBURY HALL, DARESBURY LANE, DARESBURY, WARRINGTON,  
CHESHIRE, WA4 4AG  
Application Nos 24/00087/LBC & 24/00086/FUL**

Thank you for your letters of 7 March 2024 regarding the above applications for listed building consent and planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the applications.

**Summary**

Daresbury Hall (GII\*) was constructed in 1759-60 for George Heron. The building is an elegant three storey symmetrical brick built structure with stone detailing. The hall is positioned to overlook a roughly square lake, with an open aspect to the north and principal approach; whilst the interior of the hall was historically simple and elegant in form, with plaster ceilings evoking the Adams style of design.

The current application seeks an Enabling Development scheme to fund the repair of the hall which is in a very poor condition. The proposal meets our statutory remit for consideration due to the high grade of Daresbury Hall. We can advise that we accept the requirement for ED at Daresbury Hall, acknowledging that the conservation deficit to the building is such that its repair will only be brought about using this mechanism, and that the principle of ED has been established by the earlier permissions.

It is necessary, however, to re-establish whether the quantity of development is the minimum necessary to secure the future of the hall. We advise that the Council should therefore employ an independent consultant to review the submitted financial documents. We have some concerns with the potential lack of a section 106



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agreement. We ask that these points are addressed prior to determination of the application.

**Historic England Advice**

**Significance**

Daresbury Hall was constructed in 1759-60 for George Heron, a descendant of the Brooke Family who owned the nearby Norton Priory. The building is an elegant three storey symmetrical brick built structure with stone detailing. A heavy cornice and parapet disguises the roof, creating a composed and attractive frontage, whilst the central bay of the building is highlighted through a subtle forward projection, edged by quoins with a central pedimented door.

The front of the hall is positioned to overlook a square ornamental lake, whilst principal approach cuts through the open garden, which could be appreciated from the grand full height bay window which adds architectural interest to the north elevation of the hall.

The sandstone and brick stable block, which has gothic detailing and former kitchen gardens were positioned to the south of the site. Historic mapping indicates that most of the tree planting was confined to the outer edges, creating intimate and enclosed grounds to be enjoyed by the family.

The interior of the hall was historically simple and elegant in form, with plaster ceilings evoking the Adams style of design, which were highly fashionable at the date of the hall's construction. However, whilst the Adam style was used, it was in a simplified way, perhaps reflecting the more modest means of the Heron family.

The hall is of further interest as in the late 19th century the hall was purchased by Sir Gilbert Greenall, 1st Baron Daresbury, who was a member of the Greenall brewery dynasty, based in near-by Warrington.

The architectural and historic interest of Daresbury Hall as a modest Georgian manor house, set in landscaped grounds is recognised in its designation as a grade II\* listed building, placing it in the top percentage of the countries listed buildings. However, the hall is in a very poor state of repair, suffering from extensive fire damage and it has been remained on our Heritage at Risk register for a number of years.

**Impact**

The current application seeks to convert the hall and stable blocks to residential units and build a number of new buildings in the grounds as a form of Enabling Development, which is development allowed against planning policy as its benefits are considered to outweigh the disbenefits. In this case the repair of an important heritage



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asset is the key benefit and justification for such a scheme. The proposal meets our statutory remit for consideration due to the high grade of Daresbury Hall, and we wish to offer the following advice.

Daresbury Hall has a long planning history. Since the early 1990's a number of schemes for Enabling Development have been pursued, with two applications resulting in public inquiries. However in 2009 the principle of Enabling Development at the hall was established through permission to convert the hall and stable blocks into 22 apartments, as well as the construction of 9 new dwellings in the grounds. Unfortunately, this application was never enacted and required renewal in 2012, which also subsequently lapsed. We last provided advice to a similar scheme in 2018, however this application was withdrawn. Daresbury Hall has suffered during this time and deteriorated from a habitable condition to a burnt-out shell.

A new application for Enabling Development has now been submitted, to some extent following the general pattern of earlier permitted schemes, but now with a greater number of proposed units. Historic England remains of the view that that the condition of Daresbury Hall and the resulting conservation deficit is such that the building's repair would only be brought about via Enabling Development. We also acknowledge that the principle of Enabling Development has already been established by the earlier permissions.

Our position also remains that, as we accept that Enabling Development is necessary, we do not consider it necessary to carry out a marketing exercise of the building, as set out in our guidance document "Historic Environment Good Practice Advice in Planning: Note 4 Enabling Development and Heritage Assets". This is our view because whoever was to purchase the building would almost certainly need to fall back on Enabling Development to conserve the hall.

However, it is also still necessary to assess whether or not the quantity of development proposed is the minimum necessary to secure the future of the hall and we would strongly advise that the financial figures need to be scrutinised by an appropriately qualified company with local knowledge of the market. Halton Borough Council should therefore employ an independent consultant to review the submitted financial documents. We would draw particular attention to the site values for consideration and assessment by your expert independent advisers.

We have no objection to the proposed conversion of Daresbury Hall or of the former stables, both allowing the architectural form and appearance of the buildings to return similar in appearance prior to their deterioration.

Unfortunately, the application does not provide up to date details on the proposed



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repair works to the hall or the stables; as these works will be extensive and form a crucial part of the justification for the Enabling Development, these details should be appropriate works for the conservation of highly graded traditionally constructed historic buildings and be provided prior to determination.

It is proposed to replace the large 1960's extension to the east of the hall with a residents' walled courtyard with car parking structure. This proposal would remove an unsightly addition, which is of little architectural or historic interest and therefore have some modest benefits.

We consider that the proposed new build structures in the grounds of Daresbury Hall have been positioned to protect key views to the hall and retain the buildings relationship with the surrounding designed landscape. Their scale is domestic and allows the Hall to remain the dominant structure on the site, though the quantum of developed has increased since the previous application. Providing the quantity of development can be demonstrated to be the minimum necessary, we consider that the new build elements would cause less than substantial harm to the contribution setting makes to the significance of the hall.

As the defining principle of Enabling Development is to secure the restoration of a designated asset at risk, it is fundamental that any application is supported by a robust section 106 agreement, which has at its core the repair of Daresbury Hall, at the earliest point in the development. Such an agreement needs to be drafted as part of the application process, and the application should not be determined positively without the agreement being in place.

We would also strongly recommend that the Local Planning Authority include the requirement for a bond to be incorporated into the section 106 agreement. The condition of Daresbury Hall is now critical, and it is vital that funds are secured to allow the repair works to progress imminently. Further guidance on this point can be found in our advice note.

#### Policy

The National Planning Policy Framework (NPPF) (2023) requires that great weight should be given to the conservation of designated heritage assets, and the more important the asset, the greater the weight should be (paragraph 205). Any harm to significance requires clear and convincing justification (paragraph 206), which is linked to the requirement for local authorities to seek to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal (paragraph 201).

Paragraph 208 instructs that the Council should weigh less-than-substantial harm



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against the public benefits of proposals in judging the planning balance.

Paragraph 214 advises that the council should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

**Position**

Historic England continues to accept that Daresbury Hall's long terms preservation is dependent upon a scheme of enabling development. We consider the current application seeks to achieve this aim but have concerns the submission lacks certain details to ensure this is achieved, including a robust section 106 agreement, and a detailed schedule of repair to the listed buildings. We would suggest that the LPA is not yet in a position to positively determine the application as the submitted figures require specialist consideration to establish if the proposed development is the minimum necessary.

Establishing this point would also allow the LPA to consider whether the identified harm to the heritage asset has been clearly and convincingly justified, and that steps have been taken to minimise the identified harm, in line with paragraph 201 of the NPPF.

**Recommendation**

Historic England has concerns regarding the applications on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the applications to meet the requirements of paragraphs 201, 205, 206, 208 and 214 of the NPPF.

In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely

**Ross Brazier**  
Inspector of Historic Buildings and Areas



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## Appendix 2 – Georgian Society Consultee Response

**From:** Thomas Whitfield <thomas@georgiangroup.org.uk>  
**Sent:** Thursday, March 28, 2024 3:29 PM  
**To:** Dev Control <Dev.Control@halton.gov.uk>  
**Cc:** 'BUTTERWORTH, Lauren'  
<Lauren.Butterworth@cheshirewestandchester.gov.uk>  
**Subject:** Case 24/00087/LBC - Daresbury Hall, Daresbury Lane, Daresbury

Dear Andrew Evans,

Thank you for notifying The Georgian Group of application 24/00087/LBC to undertake a scheme of works at Grade II\* listed Daresbury Hall, Daresbury Lane, Daresbury.

The application was discussed by The Georgian Group's Casework Committee at a meeting on the 25<sup>th</sup> March 2024 and they offer the following comments, advice and recommendations. The Committee advise that whilst The Group is willing to demonstrate considerable flexibility with the proposals in the interest of securing a sustainable future for this at-risk heritage asset, we object to the presently proposed scheme of works.

Daresbury Hall is a handsome country mansion, built c.1759 for George Heron by an unknown architect. The building has a handsome composition with different characteristics to all 4 elevations. The building has been disused since c.1995 and has been subject to significant vandalism and fire damage, most notably from a major fire in 2016 which gutted the building with the loss of floors and roof structure. The Hall is now derelict and is shored by scaffolding. The historic range of stables and coach houses (likely contemporary with the hall, although with probable later alterations) are also curtilage listed. The stable has a handsome, north facing principal façade originally visible from the hall's south front, the Group understands that there is little surviving internally to the stables except its cellular planform. The curtilage of the hall also contains a number of mid-twentieth-century concrete ancillary buildings erected to support the use of the building as a hospital and care facility during and following the second world war, these make a negative contribution to the significance of the site.

The application is for a scheme of enabling development including the erection of 23no. new build houses, the conversion of the stable to form 6no. residential units and the conversion of the hall to provide 8no. residential apartments. This is a total of 37no. residential units across the site. The scheme will involve the removal of mid-twentieth century concrete ancillary structures from across the site and will also involve significant works of demolition, repair and alteration to the hall and stables.

## **Advice and Recommendations.**

Whilst the Group overall welcomes the proposals to repair and renovate the hall and coach houses, we have significant concerns with the proposed scheme of works, notably with the proposed extent of demolition and partitioning in the house, with extent of development in the grounds and with some of the materials choices to the proposed repairs and renovations to the stables.

### ***Works to the Hall***

The Group recognises that the hall is in a poor structural condition following the fire resulting in the loss of floor and roof structures and some areas of collapse and failure. We thank the applicant for having commissioned a structural report from a CARE accredited engineer and we recognise the limitations of the survey resultant from the dangerous state of the building and inaccessibility to drones.

### ***Planform and Internal Works***

We register significant concerns with the extent of demolition proposed to internal walls including chimney breasts under the submitted scheme. We note that the DAS (6.3,D) states that ‘the internal walls will be retained where possible, in accordance with the structural assessment whilst ensuring the design brief is met to achieve a layout that will work efficiently.’

We advise however that we have been unable to find any recommendations or statements in the structural survey to support the extent of demolition proposed. Indeed, we highlight the structural report’s comments (section 5) which state ‘In the authors opinion, much of the damaged masonry can be repaired... there are various areas of poor quality or damaged masonry internally, however they are generally in non-visible areas such as the roof space. Areas of local rebuilding will be needed, and this will require temporary propping; dismantling of brick units; cleaning up of the bricks and then relaying them...’ Furthermore, the report recommends that ‘...we consider the reuse of the walls as load bearing elements is preferable...’.

We must therefore advise that we strongly object to the extent of demolition proposed as being entirely unjustified and therefore the proposals fail to meet the requirements of NPPF (2023) paragraph 206.

We further register concerns that the design brief to ‘achieve a layout that will work efficiently’ does not give the due great weight to the asset’s conservation as required under NPPF paragraph 205.

We advise that the loss of internal walls proposed will cause significant and irreversible harm through loss of historic fabric and harm to the legibility of the building’s historic planform. The cellular planform is a significant aspect of a building’s design and should be considered as part of the architect’s original intention and vision. Alongside the external edifices it is now all that survives of the original hall.



The Group emphasise that a building's historic planform and historic room volumes has high evidential value evidencing the flow of the building, and the function and hierarchy of the spaces contributing strongly to its historic character. The significant loss of planform proposed would therefore erode the building's significance and historic character and does not give the due 'great weight' to the asset's conservation are required under NPPF paragraph 205.

The Group strongly recommends that the applicant should explore alternative options which preserve more of the historic planform, retaining and repairing the internal walls wherever possible.

### *Roof*

The Group registers some concerns with the proposals to form a roof terrace instead of replicating the historic 3-pitched roof. We advise that this is a notable deviation from the historic design of the hall, and we query why a roof terrace is considered necessary given the extensive grounds surrounding the hall. We further query whether the roof space with pitched roofs could be better used for renewable energy installations, such as PV and ASHP.

### *Exterior Works*

The Group welcomes the proposals to demolish the poor quality mid-twentieth century ancillary buildings adjoining the east elevation and the post-1960 infill porch to the south elevation.

The Group recommends that this extensive scheme of works presents an excellent opportunity to redress much of the harm which was done to the hall through the addition of inappropriate extensions and accretions during the twentieth century.

We do however query with the need for the proposed new south elevation infill living room and we advise that it would be preferable to omit the proposed living room (replacing the post-1960 porch) to return the hall to its historic south elevation arrangement with the recessed central block as per the photo in Historic England's 'redbox' collection (0552\_124).

We likewise register concerns with the proposed 1F French doors onto the balcony as these significantly unbalance the handsome designed symmetry of the south elevation. Whilst we recognise that this section of wall has already been lost during the twentieth century, we advise that it would be a considerable benefit for it to be reinstated to restore the original designed symmetry of the south façade.

### *Detailed Comments*

The Group declines to offer any further detailed comments on the Hall at this time as we cannot support the principal of such a scheme extensive and harmful works of demolition and alteration as proposed. We advise that we would be pleased to offer

more detailed and specific advice and recommendations on revised proposals as appropriate.

### ***Tanking Measures***

The Group registers significant concerns with the proposed 'tanking' measures to the floors and external walls of both the hall and stables with introduction of PIR insulation. We advise that these measures have the potential to cause significant harm to the historic fabric of the buildings by forming a non-permeable barrier trapping water and forcing it into the solid walls of the stable risking causing the historic brickwork and masonry to decay. We strongly recommend that the applicant explores revising the proposals to use traditional vapour permeable materials (e.g. lime plaster and limecrete) to prevent causing harm to the historic walls of the stables and coach houses through damp accumulation. We advise that we consider the proposed 'tanking' measures fail to meet the requirements of NPPF paragraph 205 and not clearly or convincingly justified as per NPPF paragraph 206.

### ***Development in the Grounds.***

The Group registers some concerns with the intensification of development within the grounds. Whilst we welcome the proposed demolitions of the twentieth century buildings, we register concerns that the wider spread of replacement development within the grounds may cause some harm to the setting of the hall.

We recognise that the proposed newbuild developments are intended to provide financial support for the restoration of the hall and stables under enabling development. We would however strongly recommend that the calculations and estimates for the conservation deficit and revenue of the proposed scheme are reviewed and verified by an independent body. We further recommend that the viability of the proposed scheme is reviewed by an independent body.

We note that the calculations for the conservation deficit presented are for the conversion and marketing of the hall as a single residence. We recommend that a comparative calculation should be made for the conversion of the hall into apartment.

We advise that with such an extent of new development as proposed, we would have hoped for a more sympathetic scheme of renovation and repair to the hall which retains more of the hall's historic fabric and planform as recommended above. We advise that if the applicant were to revise their proposals for the renovation of the hall as per the above advice, we may be more willing to accept the justification for the proposed extensive new development within the grounds.

We therefore must at this stage advise that we do not consider the proposed new development is either clearly or convincingly justified and thereby fails to meet the requirements of NPPF paragraph 206.

### ***Stables and coach houses***

The Group overall welcomes the proposals to repair and renovate the stables and coach houses converting them for residential use and we advise that we have no objection in principle to this.

We register some concerns however with details of the proposed conversion scheme and with the materials choices proposed.

#### *North Coach House/Stable*

The Group furthermore registers concerns with the proposals to alter the openings in the north (principal) elevation of the north stable to form garages. This work has the potential to cause irreversible harm through loss of historic fabric disrupting the potentially historic design of the stable. It is not clear whether the existing arrangement of openings is historic or is the result of later alterations and we therefore must draw attention to the requirements of NPPF paragraph 200. If the arrangement is historic then it should be understood to have considerable significance as being part of the original design of the building and part of a designed façade intended to be seen from the south elevation of the hall.

We advise that we do not consider that the conversion of these spaces into garages is a robust justification for the potential harm proposed and we consider that the space could be better used as additional living space with the existing opening arrangement retained as is. We advise therefore that this element of the proposals fails to meet the requirements of NPPF paragraphs 205 and 206 and does not appear to have any obvious public benefits to be weighed under paragraph 208. We therefore recommend the applicant omits this proposal and retains the existing arrangement of openings as existing.

The Group likewise registers some concerns with the proposals to introduce car parking spaces into the forecourt of the north stable. We advise that car parking in this location would intrude on views of the handsome principal façade of the stable block, particularly visible from the south facing windows of the Hall and would thereby cause some harm to both the setting of the hall and stables as a curtilage listed heritage asset. We recommend that the applicant removes the parking spaces elsewhere where they will not be so prominent in views of the stable's principal façade.

The Group also queries why it is proposed to insert 1no. new window into the east elevation whilst proposing to infill 2no. existing windows? We advise that this intervention would again result in some harm through loss of historic fabric and neither clearly nor convincingly justified. We recommend that the applicant should investigate alternative internal arrangements to facilitate the reuse of the existing openings to reduce loss of historic fabric.

#### *East and West Coach Houses*

The Group registers some concerns with the loss of an historic chimney breast from within the east coach houses. We advise that this would cause some harm to the legibility of the building's historic planform and function and would constitute loss of historic fabric. We understand however that the stacks are proposed to be retained to the roof.

## **Conclusion**

When making a decision on all listed building consent applications or any decision on a planning application for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Preservation in this context means not harming the special interest of the building, as opposed to keeping it utterly unchanged. This obligation, found in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1), applies to all decisions concerning listed buildings. Under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 they also have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

The Group advises that whilst we overall welcome this application to secure a new use for Daresbury Hall, we register significant concerns with the abovementioned proposed works. We advise that the abovementioned proposed works have the potential to cause significant and irreversible harm to the building's historic fabric, evidential and historic value, and its overall special architectural and historic significance as a Grade II\* listed heritage asset.

The Group therefore strongly recommends that the applicant addresses the abovementioned concerns and objections with revisions, clarifications, or additional details as appropriate. If the applicant is unwilling to do so, listed building consent should be refused.

The Group would furthermore be very pleased to meet with the applicant and relevant stakeholders to discuss the proposals further in the interest of securing a sympathetic and sustainable future for Daresbury Hall.

We request that we are kept informed of the development and progress of this application and we would be pleased to offer comments on any revisions or amendments. We would likewise be happy to clarify or elaborate on any of our comments offered above.

Yours sincerely,

Thomas Whitfield, PhD, MLitt, BA (hons)  
Conservation Adviser, Northern England

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**Appendix 3** : Application 24/00086/FUL Three test assessment

The three tests are set out in Regulation 55 of the Habitats Regulations 2017. The three-test assessment of the proposals is set out below. National Planning Policy Guidance applies<sup>1</sup>.

This three-test assessment has been undertaken by a MEAS suitably qualified ecologist. Set out below is our advice to the Local Planning Authority (LPA) case officer in relation to the proposed development and whether Tests 1 to 3 are satisfied. Tests 1 and 2 are social, economic, and planning tests, therefore we recommend the case officer draws upon wider information with regard to evidencing of whether Tests 1 and 2 are satisfied as necessary in determining this application.

Test 1: Regulation 55(1)(e): *“preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”*

The proposed development will bring unoccupied buildings back into use and will also create new build dwellings. It will therefore contribute towards meeting the housing targets set out in policy CS(R)3 of the Halton Local Plan. **This test has been satisfied.**

Test 2: Regulation 55(9)(a): *“that there is no satisfactory alternative”*

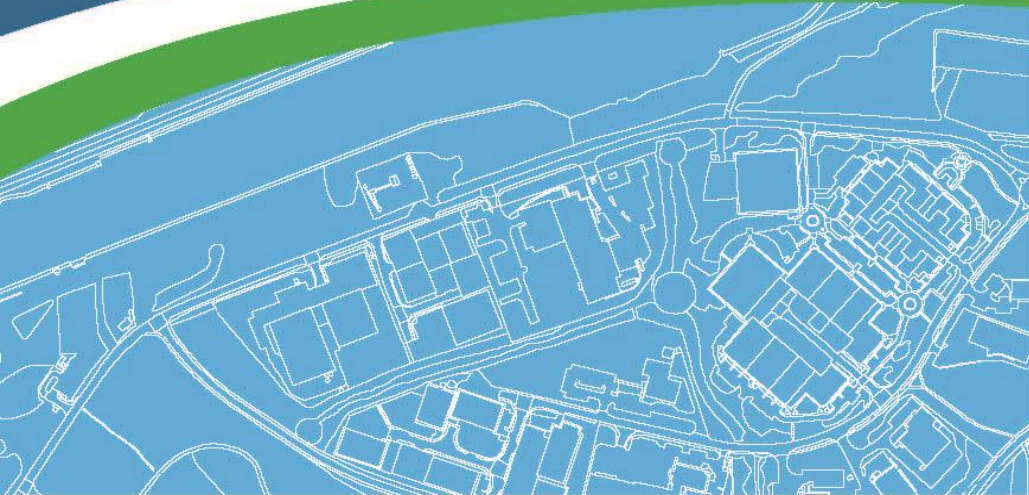
Without the proposed development taking place, the condition of the existing buildings would continue to deteriorate and the potential bat roost features present would eventually be lost. With the proposed replacement roost provision that will be incorporated into the proposed development, opportunities for bats will remain in perpetuity. **This test has been satisfied.**

Test 3: Regulation 55(9)(b): *“that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”*

The mitigation measures outlined within the Bat Mitigation Plan (BMP) (*Arbtech, 18 January 2025, Issue 0.3*) will ensure that harm to bats during the proposed development is avoided and that replacement roost provided is installed. Provided that the implementation of the mitigation measures is secured by a suitably worded planning condition, **this test will be met.**

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<sup>1</sup> [Protected species and development: advice for local planning authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/protected-species-and-development-advice-for-local-planning-authorities)



















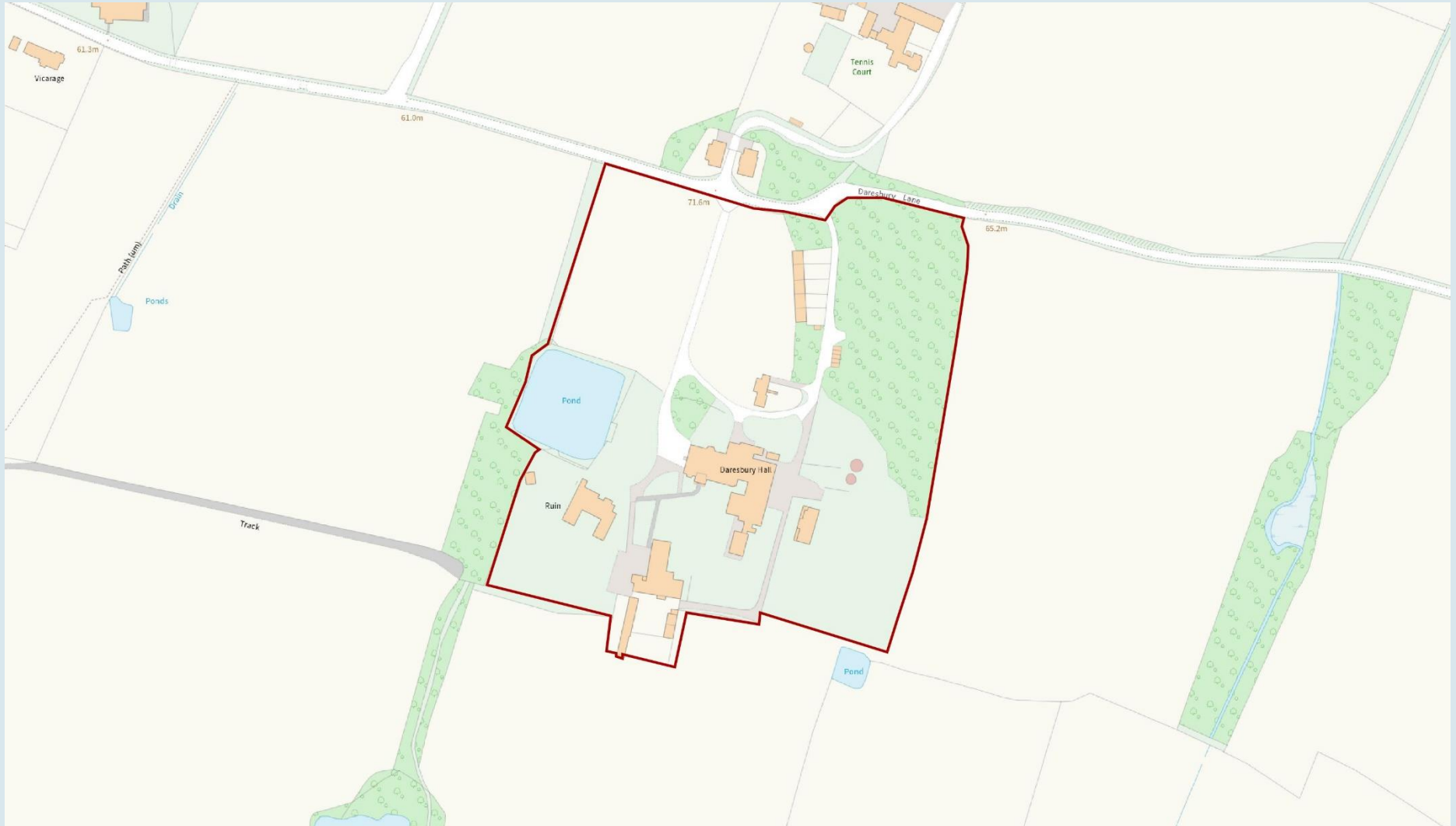
















North Elevation  
1:100



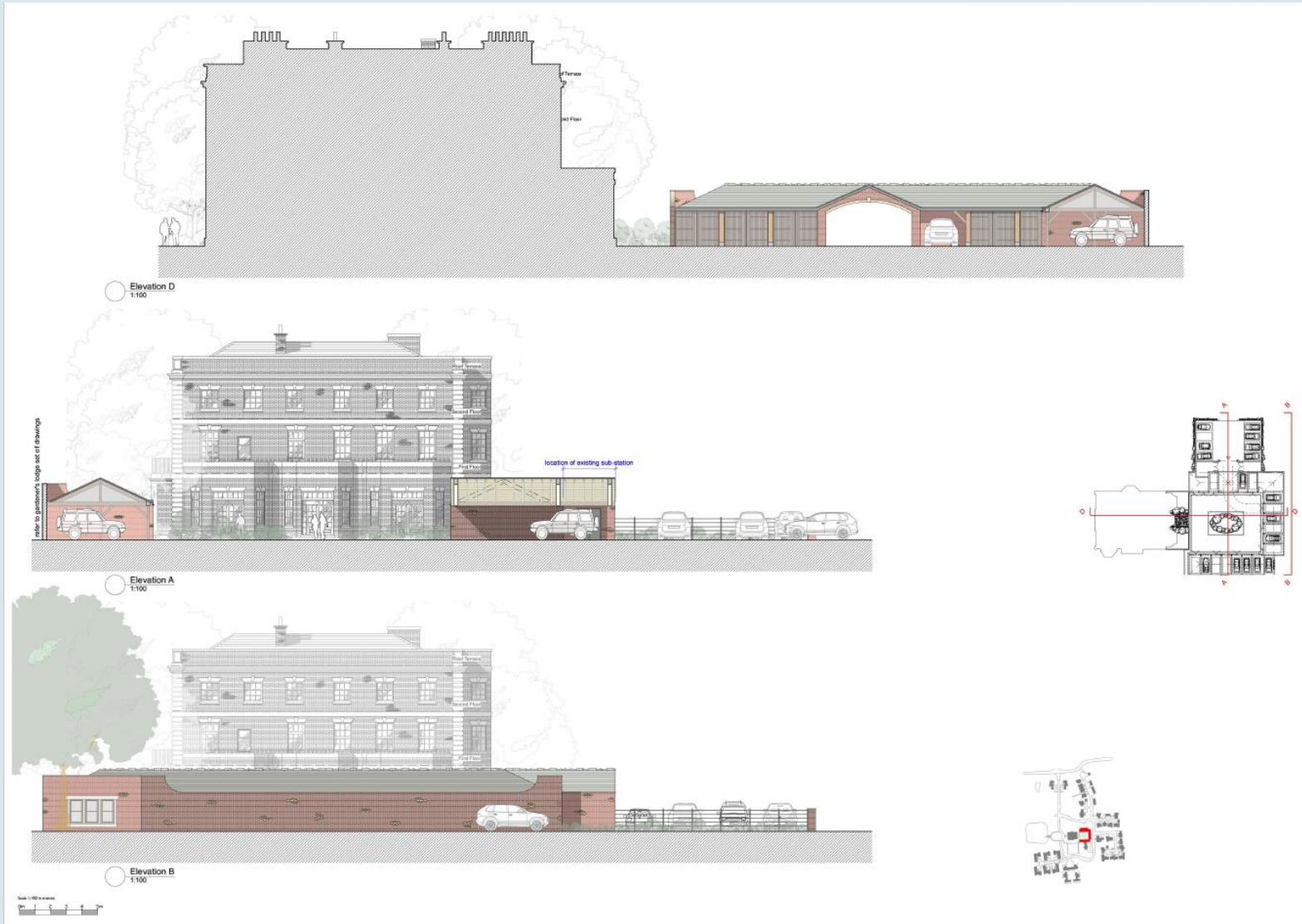
West Elevation  
1:100



South Elevation  
1:100



East Elevation  
1:100







South Elevation  
1:100



West Elevation  
1:100



North Elevation  
1:100



East Elevation  
1:100



North Section  
1:100



East Section  
1:100



**2400086FUL**  
**06/03/2024**

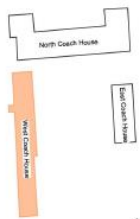
BUILDING AS  
SURVEYED PRE  
2016 FIRE DAMAGE



East Elevation  
1:100



West Elevation  
1:100



South Elevation  
1:100



North Elevation  
1:100



**2400086FUL**  
**06/03/2024**



North Elevation  
1:100



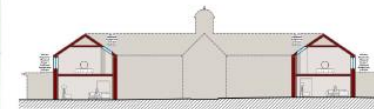
South Elevation  
1:100



East Elevation  
1:100



West Elevation  
1:100



Section AA  
1:100



Section BB  
1:100



S-05 Site Section - Cottages North



S-06 Site Section - Cottages North

2400086FUL  
06/03/2024



Proposed Roadside - East Elevation  
Scale: 1:100

REFERS TO PARKING COURTYARD DRAWINGS  
6/27/16/002, 6/27/16/071, 6/27/16/072



Proposed - East Elevation  
Scale: 1:100

REFERS TO PARKING COURTYARD DRAWINGS  
6/27/16/002, 6/27/16/071, 6/27/16/072



Proposed - West Elevation  
Scale: 1:100

REFERS TO PARKING COURTYARD DRAWINGS  
6/27/16/002, 6/27/16/071, 6/27/16/072



Proposed Garden View - West Elevation  
Scale: 1:100



Proposed - North Elevation / Section  
Scale: 1:100



Proposed - South Elevation  
Scale: 1:100







S-01 Site Section - Home Farm

1:100



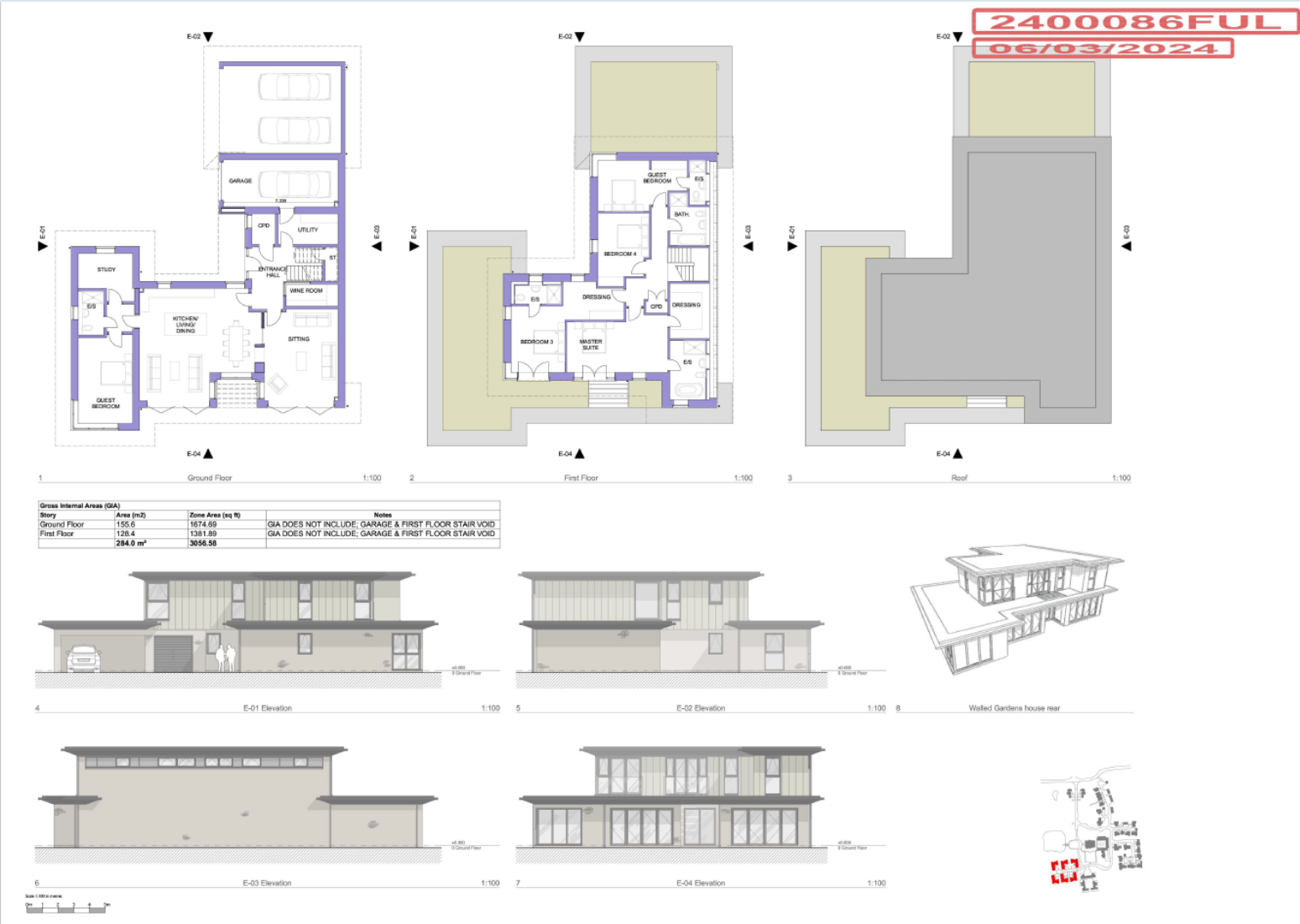
S-02 Site Section - Home Farm

1:100

Scale 1:100 is shown  
0m 1m 2m 3m 4m 5m



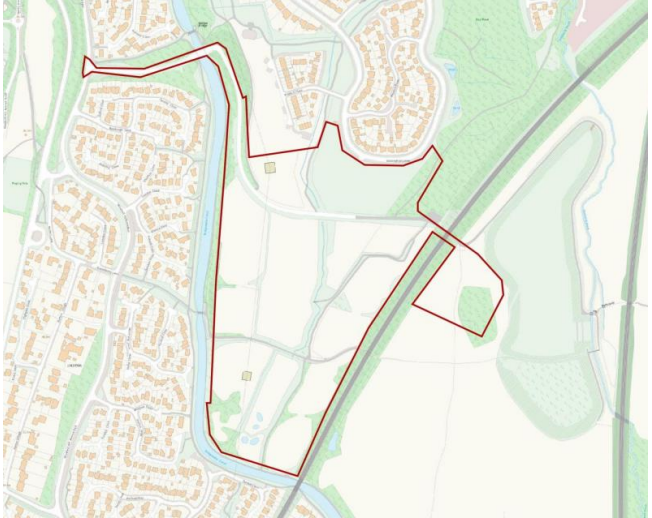










<b>APPLICATION NO:</b>	24/00438/REM
<b>LOCATION:</b>	Sandymoor South Phase 2, Windmill Hill Avenue East, Runcorn
<b>PROPOSAL:</b>	Application for the approval of reserved matters (scale, appearance, layout and landscaping) for the erection of 199 residential dwellings pursuant to outline application ref: 22/00543/OUTEIA
<b>WARD:</b>	Daresbury, Moore & Sandymoor
<b>PARISH:</b>	Sandymoor Parish Council
<b>APPLICANT:</b> <b>AGENT:</b>	Keepmoat Homes Limited And Homes England Eden Planning & Development
<b>DEVELOPMENT PLAN:</b> Halton Delivery and Allocations Local Plan (2022)  Joint Merseyside and Halton Waste Local Plan (2013)	<b>ALLOCATIONS:</b> Strategic Housing Location Residential Allocation – R29 Greenspace Greenway Core Biodiversity Area
<b>DEPARTURE</b>	No
<b>REPRESENTATIONS:</b>	A total of 4 representations have been received in response to the public consultations. A summary of the responses is set out in the report.
<b>KEY ISSUES:</b>	Highways, ecology, residential amenity, design, affordable housing, drainage and flood risk, open space provision and noise.
<b>RECOMMENDATION:</b>	That authority be delegated to the Operational Director – Planning and Transport, to determine the application following the satisfactory resolution of the outstanding issues relating to drainage, noise and highways.
<b>SITE MAP</b>	

## **1. APPLICATION SITE**

### **1.1 The Site**

Site of approximately 16.51 hectares (ha) in area located at Sandymoor South Phase 2, Windmill Hill Avenue East, Runcorn. The site currently comprises the access road running from Windmill Hill Avenue East to the railway line at the north east of the site, footpaths, grassland and landscape features, including mature trees, hedgerows and scrub. There is existing infrastructure within the site in the form of high voltage pylons and overhead cables (with 25m easement either side), as well as an existing sewer running north-south towards the western boundary of the site. The Bridgewater Canal forms the western and southern boundaries of the site, alongside which there is an existing foot/towpath and mature vegetation. To the east is the Warrington to Chester railway line and another part of the Sandymoor Masterplan Area known as Wharford Farm. To the north is predominantly residential development fronting Walsingham Drive and the wider Sandymoor South Phase 1. The Site's topography is relatively flat, but slopes gradually, falling to the north and rising more steeply alongside the Bridgewater Canal towards the west. Sandymoor Brook runs north-south through the centre of the site and there are a number of on-site ponds. At the south of the site is an existing Great Crested Newt (GCN) mitigation area.

The application site forms part of site allocation R29 as defined by Policy RD1 and the Halton DALP policies map.

### **1.2 Planning History**

07/00111/OUT- (PER) -Outline application (with all matters reserved) for development of up to 320 No. residential dwellings

08/00296/FUL- (PER) -Proposed comprehensive earthworks, drainage works and ground level changes to land at Sandymoor South and the creation of a newt reserve area at the southern end of Sandymoor South

09/00129/OUT- (PER) –Outline application (with all matters reserved) for residential development of up to 469no. dwellings.

10/00483/FUL- (PER) -Construction of proposed temporary footpath and bridleway.

22/00543/OUTEIA Outline planning permission was granted on 27 March 2024 subject to conditions and a S106 Agreement. The description of development for that application was: Application for outline planning permission with all matters reserved (except means of access) for residential development comprising up to 250 dwellings, electricity sub stations, along with recreational open space, landscape and other related infrastructure.

## **2. THE APPLICATION**

### **2.1 The Proposal**

The application is for reserved matters for 199 residential dwellings, comprising:

- 4 x 1-bedroom dwellings (2%).
- 64 x 2-bedroom dwellings (32%).
- 106 x 3-bedroom dwellings (53%).
- 25 x 4-bedroom dwellings (13%).

In accordance with the signed legal agreement secured at outline stage, 20% of the proposed dwellings will be affordable.

## 2.2 Documentation

The planning application is supported by the following documentation:

- Application Form
- Drawings Pack – see Appendix 1 for details
- Design and Access Statement
- Planning Statement
- Transport Statement
- Landscape and Habitat Management Plan
- Arboricultural Impact Assessment
- Noise & Vibration Assessment
- Flood Risk Assessment
- Drainage Details
- Statement of Community Involvement

## 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)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
- CS23: Managing Pollution and Risk

- CS24 Waste
- RD4 Greenspace Provision for Residential Development
- C1 Transport Network and Accessibility
- C2 Parking Standards
- HE1 Natural Environment and Nature Conservation;
- HE4 Greenspace and Green Infrastructure
- HE5 Trees and Landscaping
- HE7 Pollution and Nuisance
- 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.

### **MATERIAL CONSIDERATIONS**

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

### 3.3 Supplementary Planning Documents

The following adopted Supplementary Planning Documents are of relevance:

- Design of Residential Development SPD
- Sandymoor SPD

The Sandymoor SPD contains the original Sandymoor Masterplan. The Sandymoor South Phase 2 site represents the final phase of residential development in the original Sandymoor masterplan.

### 3.4 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was updated in December 2024 to set out the Government's planning policies for England and how these should be applied.

### 3.5 Equality Duty

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

Section 149 states:-

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

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

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

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

### 3.6 Other Considerations

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:

### National Highways

No objection to the original application, Not look to comment further.

### Coal Authority

No Comment

### HSE

Does not cross any consultation zones

### Historic England

No Comments

Natural England

No Comments

Sport England

No comments

Environment Agency

No further comments to those in relation to the Outline application which stated no objection.

Warrington Borough Council

No Comments

United Utilities

United Utilities has confirmed that it is aware that as part of the outline planning permission (reference: 22/00543/OUTEIA), condition 28 on the Decision Notice relates to the protection of United Utilities water main which is laid within the site boundary. We request that further details are submitted for our review and comment prior to the commencement of development in accordance with the condition attached to the outline planning permission.

Following review of the submitted drainage layouts (4084-RSK-DR-001-DRAINAGE-REVP3 dated 11.10.2024 and 4084-RSK-DR-002-DRAINAGE-REVP3 dated 11.10.2024) they state that the plans are not acceptable to United Utilities. This is because we would require evidence of the accurate location, depth and diameter of the wastewater assets crossing the site before the layout and drainage strategy can be approved.

Issues relating to asset protection and final detailed drainage design are addressed by conditions attached to outline planning permission.

Network Rail

Objection. Addressed below.

**Council Services**

Highways

No objection.

Lead Local Flood Authority

No objection.

Environmental Protection

No objection.

Open Spaces- Design and Development

No objection.

Open Spaces



No objection.

Merseyside Environmental Advisory Service – Ecology and Waste Advisor

No objection

Cheshire Archaeology

No objection.

## **5 REPRESENTATIONS**

The application has been publicised by neighbour notification letters and a site notice in the vicinity of the site. The application was also advertised in the Local Press.

A total of 4 representations have been received. A summary of the objections received is set out below.

- Increase in traffic and parking issues
- Lack of infrastructure and services including shops, schools, GPs, public transport
- Blocking
- Loss of greenspace/ harm to character
- Removal/ damage to trees and greenery.
- Unnecessary/ unsuitable location
- Drainage and flooding
- Insufficient affordable housing for people of Halton
- Damage to wildlife
- Noise
- Property Value
- Will attract rats
- Harm to view from property

## **6 ASSESSMENT**

### 6.1 Background

This is an application for approval of reserved matters. The principle of development has previously been established by the approval of outline planning permission (Ref. 22/00543/OUTEIA). Access was approved at Outline stage. The determination of this application relates to the remaining reserved matters which are scale, appearance, layout and landscaping.

The site context analysis submitted with the application identifies a number of site constraints and existing features worthy of retention which have guided and helped form the development. These include:

- a number of prominent water features, including Sandymoor Brook ( with a 7m standoff in accordance with condition the of Outline approval)
- a series of natural ponds along the southern and eastern boundaries that provide ecological habitats worthy of retention,
- existing green infrastructure comprising mature tree belts, footpaths, hedgerows and grassland,
- a Great Crested Newt mitigation zone, encompassing the southern most ponds a 20m ecology corridor is proposed along the eastern boundary with the railway embankment
- The Mersey Valley Trail public right of way passes west to east across the site
- A HV Pylon line runs north to south across the site and requires a clear 25m easement either side of the cables .
- A further sewer easement runs along the base of the canal embankment to the west of the site
- The Bridgewater Canal and associated towpath to the west and south of the site and the Chester to Warrington Railway line along the eastern boundary both at an elevated position

The outline approval contained detailed access proposals which included a new spine road linking Windmill Hill Avenue East to the Wharford Farm site via the New Norton Bridge with a second access point linking the proposed spine road to Walsingham Drive.

The combination of these site's constraints, landscape and ecology features, easements and movement corridors result in a series of small parcels of developable area.

### 6.3 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.

Table 1. illustrates the proposed residential mix.

	Market	Affordable	Total
1 bed dwelling	4 (2%)	-	4 (2%)
2 bed dwelling	41 (20.6%)	23 (11.6%)	64 (32%)
3 bed dwelling	89 (44.7%)	17 (8.5%)	106 (53.3%)
4 bed dwelling	25 (12.6%)	-	25 (12.6%)
Total	159 (80%)	40 (20%)-	199

**Table 1.** Proposed residential mix (% Approx.)

Table 2 below provides the objectively assessed housing need breakdown as presented in the 2016 SHMA 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%

**Table 2.** 2016 SHMA evidence base

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 3 below.

	Market	Affordable
1 bed units	25%	25%
2 bed units	45%	45%
3 bed units	25%	25%
4+ bed units	6%	5%

**Table 3.** 2023 HEDNA Study

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.

They are however providing a range of property sizes across the market and affordable tenures. The Applicant is providing 20% affordable housing in line with paragraph 1b of DALP policy CS(R)13 with a tenure mix determined by the terms

of the legal agreement secured through the determination of the outline planning permission. This is addressed in more detail below.

It should be noted that there is a difference between 'need' and 'demand' in housing terms. The Applicant is a housebuilder and, it is assumed, is satisfied that the housing market in the locality requires the housing product they are seeking permission for. Whilst there is an element of non-compliance, it is considered that this is not sufficient to justify a reason for refusal of the application particularly given the Applicant's compliance with delivering 20% affordable housing.

### 6.3 Affordable Housing

The affordable housing provision was assessed by the Council under the determination of planning application ref: 22/00543/OUTEIA which was presented to Committee on 7<sup>th</sup> August 2023. The officer report to committee provided the following assessment of the proposed affordable housing provision.

*Policy CS(R)13 of the DALP states that all residential schemes including 10 or more dwellings (net gain), or 0.5 ha or more in size, with the exception of brownfield sites are to provide affordable housing at the following rates:*

*a. Strategic Housing Sites: Those identified on the Policies map as Strategic Locations, are required to deliver a 20% affordable housing requirement.*

*The application site is designated as a Strategic Housing Location on the DALP Policies Map, and as such 20% of the proposed units should be delivered as affordable housing. Para 2 of CS(R)13 sets out the Council's ambition for affordable housing delivery, at approximately 74% affordable or social rented housing and 26% intermediate housing where practicable and unless evidence justifies a departure from this provision. The Government published a written Ministerial Statement and updated national guidance on the delivery of First Homes since the DALP adoption, which is a material consideration.*

*The NPPF is also a material consideration. Paragraph 65 of the NPPF requires that planning decisions relating to proposed housing development should expect at least 10% of the total number of homes to be available for affordable home ownership (unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups).*

*The applicant proposes that 20% of all new homes to be delivered on the site are delivered as affordable housing in accordance with Policy CS(R)13. The applicant assessed an affordable housing tenure split for the purposes of the ES assessment of 25% First Homes, 25% Shared Ownership Housing and 50% Affordable Rented Housing. The assessed tenure split for 25% of these affordable homes to be delivered as First Homes is consistent with the government's guidance on First Homes. The Council accepts this position.*

*The applicant considers that the proposal for a further 25% of these affordable homes to be delivered as Shared Ownership Housing (i.e. for 50% of the affordable homes to be delivered as an affordable home ownership product) is consistent with the requirements of paragraph 65 of the NPPF (in that it would ensure that 10% of all homes being delivered would be made available for affordable home ownership) and paragraph 23 of the First Homes guidance.*

*As set out above, Para 2 of CS(R)13 sets out the Council's ambition for affordable housing delivery, at approximately 74% affordable or social rented housing and 26% intermediate housing where practicable and unless evidence justifies a departure from this provision. Based on the assessed tenure split and the deficiency in affordable / social rented housing, it is considered that there is an element of non-compliance with Policy CS(R)13.*

*The applicant has had regard to national policy and guidance in forming the assessed tenure split (both of which are material considerations), however the adoption of policy CS(R)13 post-dates the publication of the NPPF (namely para 65) as amended in 2021. This policy does not secure 10% affordable home ownership as required. Notwithstanding this, the scheme does secure 20% affordable housing and having regard for the apparent policy conflicts, the proposed development is considered to be in broad compliance with the Development Plan and a refusal of planning permission cannot be sustained on these grounds.*

Affordable housing is to be delivered in the following terms, affordable rent 50%, shared ownership 25%, first homes 25%. Affordable homes will comprise of 17 No. 3bed and 23 No. 2bed units.

It should be noted that there have been subsequent changes to NPPF (including paragraph numbers). Notwithstanding that, having assessed the details of the reserved matters application before members, it is considered that the reserved matters application is consistent with the details of outline planning permission ref: 22/00543/OUTEIA and secured by way of associated legal agreement.

An additional requirement of policy CSR13 concerns affordable housing integration within the development to avoid over concentration and provide seamless design. Whilst the Applicant has incorporated the affordable housing units across a number of the development parcels these do focus within the north eastern and central parcels and on particular house types. Notwithstanding that, it is considered that the Applicant has had sufficient regard for the requirements of paragraph 4a of the planning policy CS(R)13 and any degree of non-compliance on this element alone would not justify refusal of the application.

The scheme remains in broad compliance with policy CS(R)13 of the Halton DALP plan pursuant to the above assessment and a refusal of approval of reserved matters cannot be sustained.

#### 6.4 Design, Appearance and Residential Amenity

Three-storey apartment blocks are proposed at the west of the site. All of the other proposed house types are either two or 2.5-storeys in height which is considered consistent with the parameters established at outline stage.

The development comprises a visually attractive layout with high quality design. The applicant has considered the transition from the more traditional, predominantly detached housing on Walsingham Drive with a similar form of development on the northern parcel (referred to as parcel 1). Where development plot depths and sizes have been restrictive with respect to this more traditional housing layout, bespoke house types have been utilised in order to achieve full perimeter blocks and provide activity and surveillance to both the internal streets and Canal embankment. These bespoke house types include a combination of own front door apartments, smaller mews houses and more typical semi-detached units, back to back mews houses, houses and apartments partially retaining level difference, narrow style cluster house designs and including a mix of in curtilage parking and courtyards.

The proposals are considered a novel and imaginative development proposal which deals well with the constraints of the site, the retention of existing landscape features and connectivity within and through the site. It is considered that the impact of the level changes and retaining structures have been well integrated and minimised as far as possible through the design. 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.

Given the site constraints a number of the plots fall short with respect to the provisions for privacy and separation distances and garden sizes when measured against the Council's adopted Design of New Residential Development Supplementary Planning Document. Adequate provision has been made for privacy and separation relating to existing properties on Walsingham Drive. Where such shortfalls do exist within the site it is considered that these have been appropriately considered through the positioning of properties, internal accommodation and window location. Where shortfalls exist in garden size when measured against guidance such gardens would provide sufficient space for sitting out, hanging laundry and for children to play. It is not considered that this will be significant to the detriment of residential amenity or the quality of the overall scheme, which would warrant the refusal of the application. The scheme and wider area makes significant provision for outdoor space by way of compensation.

With respect to protecting the amenity of existing residents during the construction phase it is considered that hours of construction and mitigation through the submission and agreement of a construction management plan are sufficiently secured by way of conditions attached to the outline planning permission.

Based on the above, the proposal is considered acceptable in respect of its design and external appearance in compliance with Policies CS(R)18, GR1 and GR2 of the DALP.

## 6.6 Open space, Greenspace and Green Infrastructure

Policy CS(R)21 of the DALP highlights that Halton's green infrastructure network will be protected, enhanced and expanded, where appropriate, and sets out how the delivery and maintenance of green infrastructure will be achieved. The policy states this will be achieved by ensuring that new development maximises opportunities to make provision for high quality and multifunctional green infrastructure taking account of deficiencies and the standards for green space provision.

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 Neighborhood 7, which is identified as having deficiencies in the provision of natural and semi natural open space, amenity green space, provision for children and young people and allotments.

The proposal includes an significant areas of open space with the Design and Access Statement indicating an emphasis on naturalist planting including wildflower and meadow planting rather than a focus on amenity lawn. It also includes provision for children's play including provision for timber play equipment, boulders and natural play equipment as an alternative to the more conventional children's play equipment. Provision is also made for inclusion of wooden benches, refuse bins and cycle parking to encourage people to visit a dwell in the areas of open space. Final details of detailed planting, equipment and street furniture can be secured by appropriately worded planning condition.

It is considered that the proposals are able to demonstrate compliance with Policies RD4, HE4 and HE5 of the Halton DALP.

### 6.8 Trees and Landscaping

Policy HE5 of the DALP, sets out requirements for landscaping in new developments. The application is supported by a series of hard and soft landscape plans, furniture and boundary treatment plans and a Landscape Habitat Management Plan. In addition to the above, the application is also supported by an Arboricultural Impact Assessment. There are no Tree Preservation Orders in place within the site, nor is the site located within a conservation area.

The development will require removal of a number of trees from the landscape, to facilitate the development. The development also requires the removal of several Category B trees and sections of W2, which is a Category A woodland.

The proposed development has sought to minimise the loss of existing trees and retain many of the key features of the site. The application is also supported by a soft work general arrangement plan which includes a schedule of tree, hedgerow and planting mixes which it is considered satisfactorily demonstrate a good quality landscaping scheme through the development and appropriate mitigation for any losses.

It is considered that the proposed development can demonstrate compliance with Policies CS(R)20 and HE5 of the Delivery and Allocations Local Plan.

### 6.9 Ecology

The application is supported by a Landscape and Habitat Management Plan. These have been reviewed by the Council's Open Spaces Officers and retained ecology advisor.

The Council's ecology advisor has advised that a previously submitted and accepted shadow HRA a (and subsequent HRA Addendum) were completed for assessment of up to 250 dwellings. Despite the reduction in net dwellings, they advise that the previously accepted mitigation measures and secured by conditions attached to the outline planning permission remain valid with respect to Habitat Regulations. They further advise that the submitted Landscape and Habitat Management Plan is acceptable. The Management Plan states that it will be updated once landscape plans and the BNG Metric have been finalised. This can be secured by appropriately worded planning condition. The Council's Open Spaces Officer has identified further considerations with respect to minimising construction impacts and invasive and protected species however it is considered that these are properly addressed through conditions attached to the outline planning permission.

### 6.10 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 Policies 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 has been secured by way of suitably worded planning condition attached to the outline planning permission.

#### 6.11 Waste Collection and Storage

The applicant has provided sufficient information in the Proposed Planning Layout to comply with policy WM9 'Sustainable Waste Management Design and Layout for New Development' of the WLP and the National Planning Policy for Waste (Paragraph 8). The Proposed Planning Layout can be secured as an Approved Document by a suitably worded planning condition.

#### 6.13 Highways

The application is supported by a Reserved Matters Transport Statement. The development proposal has been reviewed by the Councils Highways Officer on behalf of the Local Highway Authority in response to the consultation exercise.

Matters relating to the principle of development and access to the scheme were approved at outline stage. In that regard points of vehicle access will be taken from Windmill Hill Avenue East, with a second vehicular access off Walsingham Drive at the north of the site. Details of the main points of access and main access route from Windmill Hill Avenue East to the railway line were approved under 22/00543/OUTEIA and have been incorporated into the proposals.

With respect to the reserved matters subject of this application, the Applicant has met with the Council's Highways Officer and discussed relatively minor amendments to the scheme.

Amended plans are awaited. The Council's Highways Officer has however confirmed that, subject to receipt of those amendments, no objection is raised and that satisfactory provision can be made for bus service provision, servicing and parking in order to demonstrate compliance with policy C1 of the Halton Delivery and Allocations Local Plan. It is also considered that satisfactory provision can be made for the extension and connectivity of the bridleway through the scheme in accordance with the Sandymoor SPD. Members will be updated orally.

#### 6.14 Drainage And Flood Risk

The application is supported by an updated Flood Risk Assessment as required by condition attached to the outline planning permission. The Lead Local Flood

Authority is currently reviewing the submission and final comments are awaited. Members will be updated Orally.

Based on the above, and subject to the relevant conditions the proposal is considered to be acceptable from a flood risk and drainage perspective in compliance with Policies CS23 and HE9 of the Halton Delivery and Allocations Local Plan together with the NPPF.

#### 6.18 Noise

In accordance with a condition attached to the outline planning permission, the application is supported by a Noise and Vibration Assessment.

The Council's Environmental Health Officer has confirmed agreement with the report and mitigation measures contained therein. An update to the plan contained within the report has however been requested to make it clear which facades will be subject to upgraded glazing. Subject to receipt of the amended plan, it is considered that satisfactory mitigation can be secured in line with the condition attached to the outline planning permission in order to comply with Policies CS23 and HE7 of the Halton DALP insofar as it is relevant to sound pollution. Members will be updated orally.

#### 6.19 Network Rail Objection

In response to the consultation exercise undertaken, Network Rail has reiterated their objection (originally made in relation to the outline application ref 22/00543/OUTEIA) in relation to this Reserved Matters application. They state that:

*There have been a number of near-miss incidents at the level crossing, including two recent incidents within a 24 hour period on 14 and 15 March. Further information on these incidents, and the recent history of near-misses at the level crossing, are detailed in the attached document. A near-miss incident which occurred on 18 January, where a pedestrian walked into the path of a high speed train after ignoring a red warning light, was discussed on the BBC Breakfast tv programme. Further information, including footage of the near-miss, is available at: <https://www.networkrailmediacentre.co.uk/news/safety-warning-as-cctv-catches-mans-shocking-near-miss-with-train> Network Rail is in ongoing discussion with Homes England to facilitate the design and delivery of a bridge to replace the level crossing. Whilst we appreciate that this is being discussed as part of additional conversations regarding the Outline application, it is important that we provide a consistent approach and object to this application due to the level of impact the development will have upon the level crossing. Should the council be minded to approve the application, we wish to underline the requirements in our original consultation response to the Outline application, which are still relevant to the Reserved Matters application. We would request that the condition below forms part of any decision notice: "The Council is requested to include a Grampian Condition upon the grant of any planning permissions for the development to ensure that:*

1. *The public bridle footpath over Norton Level Crossing is permanently stopped up via s257 of the T&CPA, and;*
2. *The closure of the level crossing, and any necessary diversionary route must be completed prior to the new dwellings being occupied.”*

This matter was properly addressed through the determination of that outline planning permission where the officer report to committee provided the following assessment in this regard:

*In its representation, Network Rail request that the Norton Level Crossing be closed to pedestrian and cycle access, or otherwise bridged, and that this requirement should be attached to the planning application via a Grampian condition. The concerns cited include existing issues over safety and an increased number of near misses, as well as the additional impact of further residents living at the application site. Representations including from members of the public and elected representatives have raised issues over the potential closure of Norton Cross Level Crossing, which provides important walking routes between Daresbury Business Park and facilities including Runcorn East station. Network Rail have suggested an alternative to the closure of the Level Crossing will be to erect a bridge over the railway line. However, this falls outside of the application site boundary and the cost and feasibility of such a scheme is currently understood to be in the very early stages of investigation by Network Rail. Representations also requested that the application makes contributions to any bridging project. The Council will not impose the closure of the Norton Cross Level Crossing as a Grampian condition on this application, as it would hinder the continued use of existing sustainable modes of transport. It is also considered inappropriate to require this application to fund or otherwise provide a bridging solution to the Level Crossing. Officers consider that the Level Crossing is an existing safety issue and appropriate that Network Rail ensures the safe operation of its asset.*

#### 6.20 Impact on Local Services

A number of responses received to the public consultation exercise have centered on the concerns regarding this development and the impact it will have on local services, specifically education places in schools, health services regarding GP surgery places and dentists.

**EDUCATION** - The Local Education Authority have stated that there is sufficient capacity within the Halton Borough in terms of primary and secondary school provision based on existing population levels. In addition it should also be noted that latest population projections do not predict significant increases in the number of school age residents over the Plan period to 2037. On this basis there is no anticipated shortfall in this provision as a result of the DALP site allocations. Therefore, no financial contribution is sought toward a pooled fund to increase existing capacity.

**HEALTH SERVICES** - No request for additional funding finance has been received from any public body as a result of this application or in response to

the Council's allocation of residential sites by the DALP. The concerns raised in response to the public consultation exercise relate to existing service levels, such objections are based on an existing situation albeit one that additional households borne from the development would marginally worsen. Notwithstanding, no policy justification or scheme exists to justify mitigation or financial contributions in this regard and it is not considered sufficient reason for refusing a grant of planning permission for residential development on a strategic housing site.

SHOPS – Sandymoor Local Centre is now complete/ substantially complete offering the allocated provision

All issues raised in the representations received, which are material to the planning application's consideration are responded to above. There is no evidence or reason to anticipate that the proposed development would attract rats to justify refusal.

#### 6.25 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.

### **7. RECOMMENDATION**

That authority be delegated to the Operational Director – Planning and Transport, 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 drainage, noise and highways.

Upon satisfactory resolution that the application be approved subject to the following:

- a) Schedule of conditions set out below.

Recommended conditions as follows with any additional conditions recommended through the resolution of the highways and drainage issues to be added to the list below:

## **CONDITIONS**

1. Approved Plans
2. Detailing hard and soft Materials (Policy GR1)
3. Site levels (Policy GR1)
4. Submission and agreement of an updated LHMP – (Policy HE1)
5. Tree Protection/ Arboricultural Method Statement - (Policies CS(R)21 and HE1)
6. Securing Landscaping/ Detailed Planting Plan – (Polies GR1, GR2 and HE5)
7. Parking and Servicing – (Policies C1 and C2)
8. Detailing play equipment/ street furniture - (Policy RD4/ GR1)
9. Detailing boundary treatments- (Policy GR3)
10. Permitted Development Removal – Garages (Policies GR1 and GR2)
11. Permitted Development Removal – Fences (Policies GR1 and GR2)

## **6 BACKGROUND PAPERS**

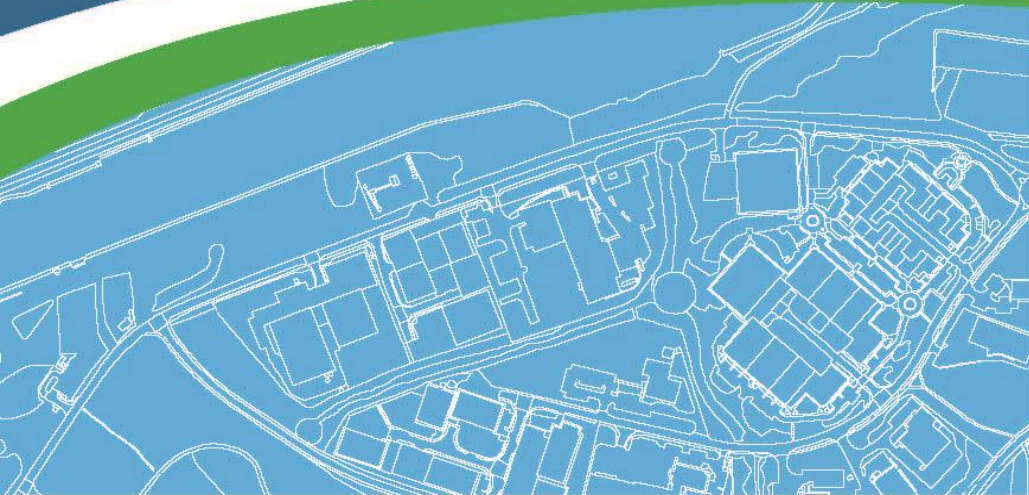
The submitted planning applications are background papers to the report. Other background papers specifically mentioned and listed within the report are open to inspection at the Council's premises at Municipal Building, Kingsway, Widnes, WA8 7QF in accordance with Section 100D of the Local Government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

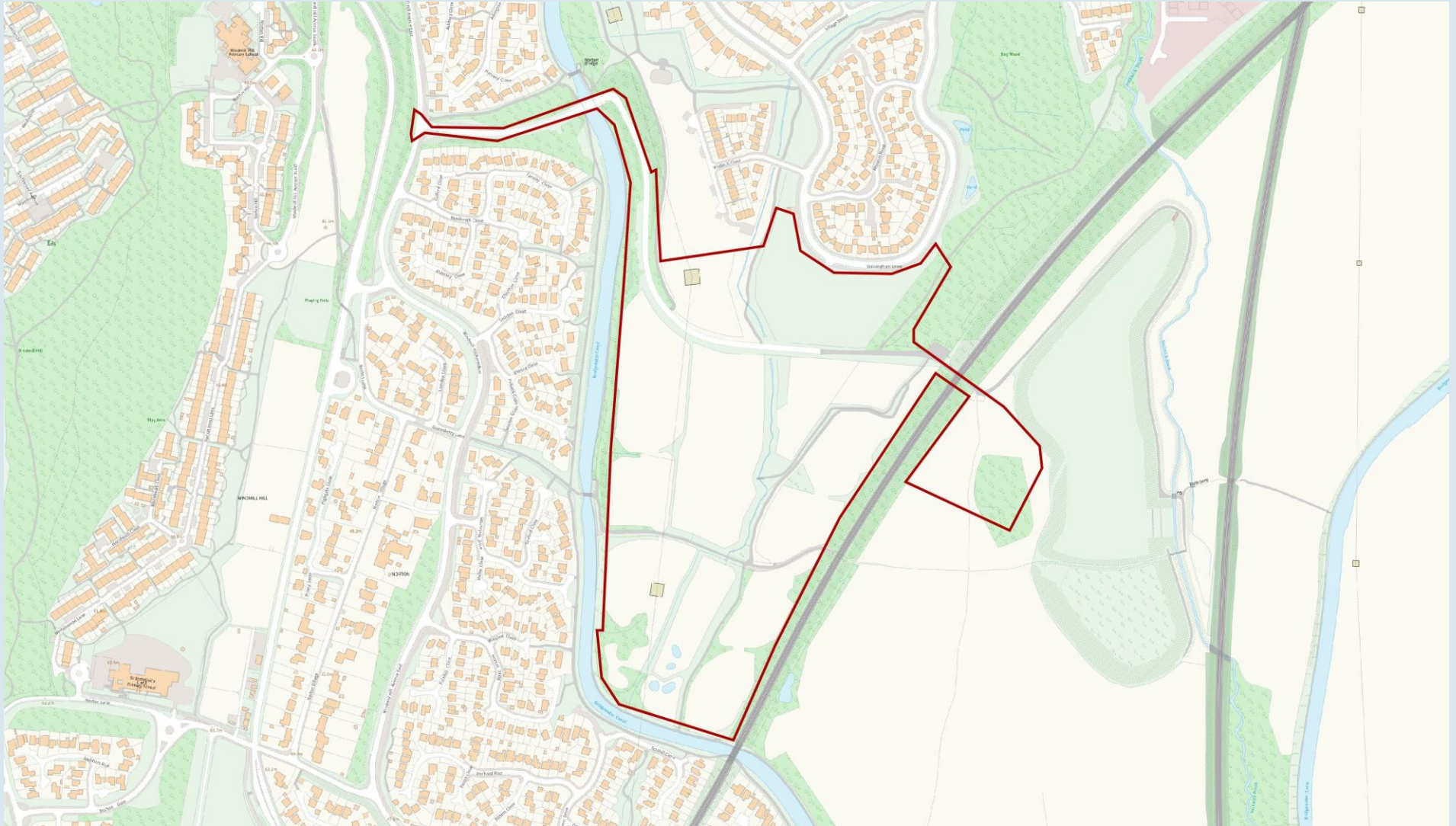
## **7 SUSTAINABILITY STATEMENT**

As required by:

- The National Planning Policy Framework (2024);
- 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.

































**REPORT TO:** Development Management Committee

**DATE:** 4 March 2025

**SUBJECT:** Miscellaneous Information

**REPORTING OFFICER:** Executive Director – Environment & Regeneration

**WARD(S):** Boroughwide

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**The following Appeals have been received / are in progress:**

**23/00194/FUL**

Proposed internal reconfiguration of existing dwelling and part double, part single storey extension at 62 Church Road, Hale.

**24/00125/FUL**

Proposed two storey pitched roof extensions to front and side, single storey flat roof rear extension and new roof over existing side extension and detached garage at Tileacres, 29 Hale Road, Hale, L24 5RB.

**24/00097/FUL**

Erection of two drive-thru units with 'drive-thru' facilities together with associated car parking, servicing and landscaped areas at Green Oaks Centre, Widnes.

**22/00569/OUT**

The Secretary of State has called in the planning application for the Heath Business and Technical Park, Runcorn. This will be considered at a Public Inquiry.

**The following appeals have been determined:**

**23/00200/FUL**

Proposed removal of existing conservatory and construction of single storey rear extension at Sexton Cottage, Daresbury. **(DISMISSED)**

**21/00711/FUL**

Proposed division of one flat into two flats on ground floor at Unit 5 Salisbury Street, Widnes. **(DISMISSED)**