

REPORT TO: Development Control Committee

DATE: 9 January 2012

REPORTING OFFICER: Strategic Director, Policy & Resources

SUBJECT: Planning Applications to be determined by the Committee

WARD(S): Boroughwide

PLAN NUMBER: 11/00197/FUL

APPLICANT: Ladson Group

PROPOSAL: Proposed residential development consisting of 7 no. three storey dwellings, 3 no. 2.5 storey dwellings and 2 no. two storey dwellings with associated access and parking at

ADDRESS OF SITE: Land opposite Motherwell Close, Lanark Gardens, Widnes, Cheshire

WARD: Birchfield

SUMMARY RECOMMENDATION:

Approve with Conditions

CONSULTATION AND REPRESENTATION:

The application has been advertised by means of a site notice, press notice and the neighbouring properties have been consulted via letter. Consultation has been undertaken with United Utilities, the Environment Agency, Cheshire Wildlife Trust (in their capacity as the Council's ecology advisors), and officers from the following Divisions of the Council: Open Spaces, Environmental Health and Highways.

The Environment Agency has confirmed that they have no objections subject to a condition relating to details of surface water regulation.

9 letters of objection have been received on the following grounds:

- Increased traffic from proposal
- Parking
- Noise from additional vehicles on Falkirk Avenue
- A new road should be built to take traffic away from Falkirk Avenue before any development

- Headlights shining into dwellings opposite the vehicle access
- The design, scale and appearance is not in keeping with the existing surrounding housing
- Loss of privacy
- The development would obscure views

SITE/LOCATION:

The site comprises land that is currently vacant but identified for development in the Unitary Development Plan. It is located on the corner of Lanark Gardens and Queensbury Way in north Widnes. To the west is the land for the proposed new local centre and to the east is vacant land designated for use as a school.

RELEVANT HISTORY:

The site has the benefit of having been previously considered suitable for housing and was granted consent for 18 dwelling units.

An outline application (ref: 04/01078/OUT) for 15 no. residential units was withdrawn. An application (ref:04/01085/FUL) for a district centre development, including a public house, nursery, two retail units and 2 no. class A3 hot food units was approved in March 2005, and renewed for a further 5 years in 2010 (10/00129/S73). This permission superseded application 04/00002/FUL which was for a district centre proposal, 4 no. retail units, nursery, public house and a health centre.

A further application (05/00473/FUL) was received for a proposed health centre (ground floor) with residential accommodation above (comprising 12 No. units in two bedroom apartments on the first and second floors) but was subsequently withdrawn. In 2006 outline permission was granted (06/00540/OUT) for a two storey health centre/childrens nursery.

In September 2006 application 06/00502/FUL was granted permission for district centre, consisting of 1 No. single storey convenience store, 5 No. two storey retail units, 1 No. two storey public house and 1 No. three storey apartment block.

Application 07/00436/FUL granted consent for the erection of 6 No. three storey townhouse residential properties.

Application 06/00502/FUL granted consent for a district centre, consisting of 1 No. single storey convenience store, 5 No. two storey retail units, 1 No. two storey public house and 1 No. three storey apartment block (comprising 12 No. two bed and 6 No. 1 bed).

DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as a Proposed Local Centre where policy TC1 Retail and

Leisure Allocations in the Halton Unitary Development Plan (UDP) is of relevance.

The other key policies of relevance are BE1 General Requirements for Development, BE2 Quality of Design, H2 Design and Density of New Residential, TP12 Car Parking, PR16 Development and Flood Risk,

The Council's New Residential Guidance Supplementary Planning Document is also of relevance.

The Halton Borough Council Core Strategy Revised Submission Document May 2011 is now also a material consideration, the most relevant Policies being; CS3 'Housing Land Supply and Locational Priorities' CS18 'High Quality Design'.

OBSERVATIONS AND ISSUES:

The application is for the construction of 12 new dwellings consisting of seven 3 storey dwellings, three 2.5 storey dwellings and two 2 storey dwellings, with associated vehicle access, parking and landscaping.

Policy and Principle of Development

The site is located south of Lanark Gardens opposite Motherwell Close, the land currently forms part of the land designated for the Upton Rocks Local Centre which is allocated as such in Policy TC1 'Retail and Leisure Allocations' and in the Local Centre Planning Brief. Taking this into account, the application has therefore been advertised as a departure.

Policy CS5 of the Core Strategy Revised Proposed Submission Document (May 2011), identifies the need for new retail development to serve local need in Upton Rocks.

The proposed site forms only part of the allocated land, and is not required as part of the local centre which was granted planning permission earlier this year (11/00156/FUL). Work on the local centre has now commenced on site. Furthermore the principle of residential use on this part of the site has already been established through the granting of previous planning permissions 06/00502/FUL and 07/00436/FUL.

Design and Character

Seven of the proposed dwellings would be three storey high with garages and kitchens on the ground floor and the habitable rooms to the first and second floors. These are similar in character and height to those existing properties fronting onto Lanark Gardens and also those on Motherwell Close.

The design, appearance and scale is therefore similar and in keeping with those in the surrounding area. The external materials will be similar to the adjoining existing residential properties. A condition is recommended to

ensure this (i.e. that final external materials are approved by the local planning authority prior to commencement to ensure a good design and maintain the appearance.)

Amenity

The nearest existing residential properties are on the opposite side of Lanark Gardens, and front the application site to the north. These are three storey with habitable room windows to the front elevation at the first and second floors.

The proposed new residential properties would be located adjacent to the proposed new Local Centre. The Environmental Health Officer has been consulted and has no objection on proximity or amenity grounds.

With regards to the concern expressed about headlights shining into properties opposite the access road into the development, the existing houses opposite are three storey and therefore at ground level there is only a garage and the front door, habitable rooms are on the first floor and above. Therefore, an objection on these grounds cannot be upheld.

Highway Safety

The proposed development includes the construction on a new access road to the east of Motherwell Close. The application has been submitted with details of tracking to ensure that the site can be satisfactory serviced by refuse vehicles.

The Council's Highway Engineer has been consulted and raises no objection, and considers the principle of the new access, the internal site layout and parking provision to be in accordance with policy. Representations have been received in relation to the future provision of a road to relieve traffic from Lanark Gardens. The layout of the site access has taken into account any potential new road across the adjacent site to the east, therefore the scheme would not prejudice the delivery of this potential future scheme.

A condition has been recommended for the submission of a construction traffic management plan.

Ecology

The application has been submitted with an ecological appraisal which outlines a number of mitigation measures. The Council's ecological advisor (Cheshire Wildlife Trust) has been consulted and has no objections to the proposal subject to conditions being attached which will ensure that the recommended mitigation measures are carried out, and that no site clearance works are carried out within the bird nesting season (March to September). It has also been recommended that native flora species be included within the landscaping scheme to enhance wildlife, together with the inclusion of bird and bat boxes.

Flood Risk

The application has been submitted with a flood risk assessment. The Environment Agency has been consulted and has confirmed that it has no objections subject to a condition relating to details of surface water regulation.

Summary and Conclusions

The application demonstrates that safe access can be achieved off Lanark Gardens, and that an internal access road can be provided to adoptable highway standards. The proposal demonstrates that this can be achieved whilst meeting the minimum standards for private amenity/garden space, interface distances, parking standards and design principles set out in the Council's Design of New Residential Guidance SPD.

The proposed site forms a small part of the original allocated land for a local centre. This site is now considered surplus to requirements in terms of land required for the local centre which was granted planning permission earlier this year (11/00156/FUL). Work on the local centre has now commenced on site. The principle of residential use on this part of the site has already been established through the granting of previous planning permission 06/00502/FUL and 07/00436/FUL.

The habitat and ecological surveys demonstrate that the proposal would not be to the detriment of protected species and that subject to the conditions to require a suitable landscaping plan and bird/bat boxes the proposal is considered to be acceptable.

The application therefore complies with Unitary Development Plan Policies BE1, BE2, H3 and the New Residential Guidance SPG and the Draft Design of new Residential Development SPD.

RECOMMENDATION:

Approve subject to the following conditions listed below: -

1. Standard condition relating to time limit for commencement.
2. Condition listing all plans / amended plans (BE1).
3. Wheel wash condition required for construction phase (BE1).
4. Condition(s) in relation to submission of details of hard and soft landscaping including planting scheme (BE2).
5. Condition requesting submission and approval of materials (BE2).
6. Condition in relation to boundary treatment details (BE2).
7. Condition relating to the provision of bins prior to occupation (BE2).
8. Condition that the development is carried out in accordance with the submitted ecological reports and mitigation measures (GE21 and GE25).
9. Condition that no clearance works shall be carried out during bird nesting season (GE21).

10. Condition for the provision of bat / bird boxes.
 11. Four Environment Agency conditions relating to submission of details of surface water runoff (BE1 and PR16).
 12. Condition in relation to the submission and agreement of a construction traffic management plan (BE1).
 13. Construction hours to be adhered to throughout the course of the development (BE1).
 14. Condition(s) removing permitted development rights for Schedule 2, part 1 class A, B, E, F of GPDO.
 15. Condition removing permitted development rights for fencing (Schedule 2, part of GPDO).
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PLAN NUMBER: 11/00372/FUL

APPLICANT: Silver Lining Industries Ltd

PROPOSAL: Proposed extension to existing building and retention of existing use as waste transfer facility at

ADDRESS OF SITE: Wastecare UK Ltd, Unit 1 Garaleena Park,
Gorse Lane, Widnes, Cheshire, WA8 0RN

WARD: Halton View

SUMMARY RECOMMENDATION:

Approve with Conditions

CONSULTATION AND REPRESENTATION:

The application has been advertised by means of a site notice and the neighbouring properties have been consulted by letter. United Utilities, the Environment Agency, and internal departments of the Council (Environmental Health and Highways) have also been consulted.

The Environment Agency has confirmed that it has no objections subject to conditions relating to ground investigations.

No further representations have been received.

SITE/LOCATION:

The application site is an existing industrial site to the north of the former Bayer Crop Science site off Gorse Lane, Widnes. The site is occupied by the applicant and is currently used as a waste management site for the sorting and transfer of waste for reuse, reprocessing and recycling (not domestic refuse).

RELEVANT HISTORY:

There is no recent relevant planning history.

DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as Primarily Employment in the Halton Unitary Development Plan therefore Policy E3 is of relevance to this application. Policy MW3 'Requirements for all Waste Management Applications' and MW7 'Waste Recycling and Collection Facilities'.

Policy BE1 'General Requirements', Policy BE2 'Quality of Design' and the Council's Design of New Industrial and Commercial Development Supplementary Planning Document.

OBSERVATIONS AND ISSUES:

The site is currently used as a waste transfer depot in which containerised waste goods including substances that have been used and discarded from various sources including industry, supermarkets and hospitals. These are sorted within the building, re-packaged and bulked up to be transported on to other waste management facilities.

The development is required because approximately two years ago the site experienced a fire which destroyed the rear part of the building of the original facility. This comprised of a high bay warehouse with a footprint of approximately 39m by 36m (1050sq.m), a temporary building has been erected on site until a permanent replacement can be constructed.

The proposed extension will be constructed on the exact footprint of the original high bay warehouse which was destroyed by fire. This will have a gross floor area of 1259 sq m of which 1067 sq m will be warehouse and 192 sq m will be office and ancillary to the use (over 2 floors).

All processing of waste will be within the warehouse.

Policy and Principle of Development

The site is located within a Primarily Employment Area and considered to be a sufficient distance away from dwellings and other sensitive uses, and would be located within a building. Therefore the proposal is considered acceptable in principle and in accordance with Policies E3 and MW7 of the Halton Unitary Development Plan.

Design and Appearance

The building has been designed to match in with the existing building. It will consist of a double pitched steel framed structure with a gable to the west elevation.

The elevations would consist of a facing brickwork plinth just a few brick courses above ground level, and above this the 3 side elevations would consist of profiled steel cladding coloured grey to match the existing warehouse.

The roof coverings will also be colour coated profiled steel sheet also in Grey with non-fragile roof lights to allow ample daylight in to the warehouse.

The design and appearance of the proposed building is considered to be acceptable, and complies with Policy BE2 'Quality of Design' and the Council's Design of New Industrial and Commercial Development Supplementary Planning Document.

Amenity

The site is located within an existing employment area, to the south is the former Bayer Crop Science site, this site has now been cleared and is earmarked for future employment development.

To the north and east is a mix of further industrial and office uses. All transfer processes would be carried out inside the building, with minimal storage of empty containers and skips externally.

In the interests of visual amenity a condition is recommended to control siting and heights of any external storage. Taking into account the neighbouring uses, and the controls on external storage, the proposal would not be detrimental to the amenities of the area.

Highway Safety

The site access and parking would be as existing, and the development does not represent an intensification of use. The Council's Highway Engineer has been consulted and has raised no objections.

Ground Conditions and Drainage

The Environment Agency (EA) has been consulted, and they have reviewed the submitted phase 1 desk study submitted with the application. Whilst they have no objection in principle to the development the site is associated with potentially contaminated uses and is underlain by an aquifer. The EA has therefore recommended the inclusion of three conditions relating to further site investigations.

Summary and Conclusions

The site is located within an area identified as Primarily Employment and is adjacent to existing industrial and employment uses, the proposal is therefore acceptable in principle and complies with Policies E3 and MW7 of the Halton Unitary Development Plan. The design and appearance of the proposed building is considered to be acceptable, and complies with Policy BE2 'Quality

of Design' and the Council's Design of New Industrial and Commercial Development Supplementary Planning Document. The proposal would not impact on the visual amenities of the area or amenity of neighbouring uses. The application is therefore recommended for approval.

RECOMMENDATION:

Approve subject to the following conditions listed below: -

1. Standard condition relating to timescale and duration of the permission.
2. Condition listing all plans and amended plans (BE1).
3. Condition to retain vehicle access, service and parking areas (BE1).
4. Condition restricting location, heights and type of external storage (BE1).
5. Condition that materials used match the existing building (BE2).
6. No materials or substances shall be burnt at the site (BE2).
7. Three conditions relating to further ground investigations, risk assessment, remediation and verification (PR14).
8. All processing of materials shall be undertaken within the building (BE1).