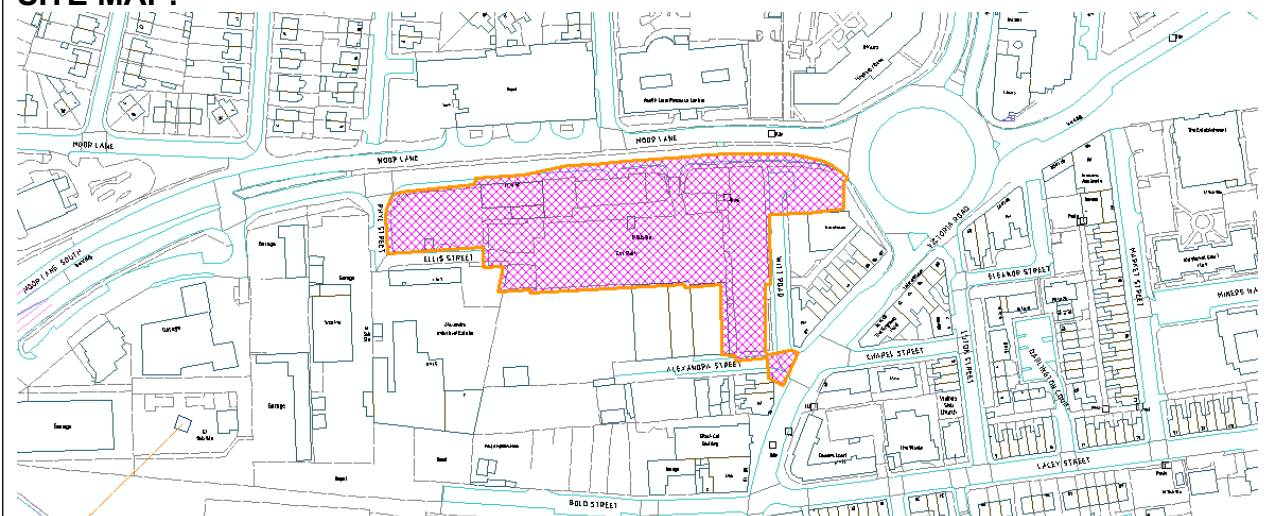


APPLICATION NO:	20/00206/HBCFUL
LOCATION:	Land at Moor Lane Widnes
PROPOSAL:	Proposed demolition of existing buildings and the erection of a 2 storey leisure centre with associated access, parking, landscaping and substation
WARD:	Riverside
PARISH:	N/A
AGENT(S)/APPLICANT(S):	Avison Young
DEVELOPMENT PLAN:	Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)
DEPARTURE:	Advertised as a departure – See discussion below.
REPRESENTATIONS:	At the time of writing the report, 10 representations have been received
KEY ISSUES:	Principle of Development, Design, Parking and Highway Safety, Drainage
RECOMMENDATION:	Approval subject to conditions

SITE MAP:



1. APPLICATION SITE

1.1 The Site

The proposed site is to the South West of Widnes town Centre. It lies to the South of Moor Lane and is bordered by Rhyl Street/Ellis street to the west and Witt Road to the East.

The application site is currently occupied in the main by car parking. The western part of the site is currently occupied by Enterprise Rent a Car and Essentials Hair and Beauty. The site is an area of approximately 1.19 Off Moor Lane, Widnes.

The site is approximately 300 metres from the existing leisure centre site.

The application site is identified as within the central Widnes Action Area in the Unitary Development Plan and within the South Area Key Area of Change in the Core Strategy.

1.2 Planning History and Background

- None directly relevant to the application. A number of change of use applications relating to the Enterprise/ Hair and Beauty building and the prior notification for the former Moor Lane Business Centre.

2. THE APPLICATION

2.1 The proposal

The application seeks planning permission for a new leisure centre facility to replace the existing one on Moor Lane. This will comprise of the following:

- 25m x6 lane competition swimming pool (25m x 13m) with a learner pool (13m x 7m)
- Circa 150 swimming pool spectator seating provision
- 100 station health and fitness provision (gym)
- 4 court sports hall
- A medium sized exercise

2.2 Documentation

The planning application is supported by the following documents:

- Design and Access Statement
- Tree Survey
- Plans
- Topographic Survey
- Energy and Sustainability Statement

- Planning Statement
- Transport Assessment,
- Ecological Appraisal
- Noise Statement
- Contaminated land Desk Study
- Drainage Strategy
- Flood Risk Assessment

3. POLICY CONTEXT

3.1 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was updated in June 2019 to set out the Government's planning policies for England and how these should be applied.

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

Paragraph 11 and paragraph 38 state that “plans and decisions should apply a presumption in favour of sustainable development and that local planning authorities should work in a positive and creative way, working pro-actively with applicants to secure developments that will improve economic, social and environmental conditions of their areas.”

3.2 Halton Unitary Development Plan (UDP) (2005)

The site is identified as an action area in the Halton Unitary Development Plan. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance:

- RG2 Action Area 2 Central Widnes
- BE1 General Requirements for Development;
- BE2 Quality of Design
- BE3 Environmental Priority Areas
- BE18 Access to New Buildings Used by the Public
- BE20 Disabled Access in Public Places
- GE11 Protection of Incidental Greenspace
- PR1 Air Quality
- PR2 Noise Nuisance
- PR4 Light Pollution and Nuisance
- PR14 Contaminated Land
- PR16 Development and Flood Risk
- TP1 Public Transport Provision as Part of New Development

- TP6 Cycling Provision as Part of New Development
- TP7 Pedestrian Provision as Part of New Development
- TP12 Car Parking
- TP14 Transport Assessment
- TP17 Safe Travel for All
- LTC3 Development of Major Leisure and Community Facilities in out of Centre Locations
- LTC5 Protection of Community Facilities

3.3 Halton Core Strategy (2013)

The following policies contained within the Core Strategy are of particular relevance:

- CS2 Presumption in Favour of Sustainable Development;
- CS5 A Network of Centres
- CS9 South Widnes
- CS15 Sustainable Transport
- CS18 High Quality Design
- CS19 Sustainable Development and Climate Change
- CS22 Health and Well-being
- CS23 Managing Pollution and Risk

3.4 Joint Merseyside and Halton Waste Local Plan (2013)

The following policies contained within the Joint Merseyside and Halton Waste Local Plan are of relevance:

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

Supplementary Planning Guidance

Designing for Community Safety

4. CONSULTATIONS

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

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

- **Natural England**

No Comments

- **Merseyside Environmental Advisory Service**
No objections
- **Environment Agency**
No objection recommend conditions around flood risk.
- **United Utilities**
No objection recommend conditions regarding surface water and drainage.
- **Cheshire Police**
No objection, comments discussed below

Council Services:

- **HBC Highways and Transport**
No objection see relevant section below
- **Open Space Service**
No objection Tree works acceptable and make recommendations in relation to bird nesting season
- **HBC Contaminated Land**
No objection recommends conditions
- **Lead Local Flood Authority**
No objection recommends conditions
- **HBC Major Projects**
No comments
- **Archaeological Advisor**
Condition in relation to Archaeology
- **Merseyside Environmental Advisory Service**
No objections

5. REPRESENTATIONS

5.1 The application was originally advertised by neighbour notification letters and site notices.

5.2 At the time of writing the report, representations have been received from 10 addresses. These comments are summarised below:

- Investment in Widnes not Runcorn
- There should be two squash courts and have concerns over only one
- Reduction in swimming lanes of 8 to 6 is a concern and may impact on swimming club and competitions.

- Refurbishment of existing is better than a full replacement
- Concerns over the location and safety as Moor Lane is 40mph
- Good idea in need of update and new facility
- Creche/play is important for people exercising
- Should look at leisure provision in Runcorn
- Local business has concerns over the use of Car Park and future provision.
- Support for the new facility but concerns over the size and is there enough space for storage etc
- Due to Covid will the soft play be a good idea going forward?
- What buildings are being demolished does this affect the bus depot?

6. ASSESSMENT

Principle of Development

The site is identified in the Unitary Development Plan proposals map as an Action Area. The site is within the Action Area for Central Widnes and Policy RG2 applies. This policy sets out the acceptable uses within this area. It identifies Assembly and Leisure as an acceptable use. Policy RG2 sets out principles of development that applies to applications in this area. The relevant ones are Para 2,3,5,6 and 7. The development is considered to comply with these principles as the development is well related to the town centre, is of high quality of design and in respect of transport and parking is considered sustainable (this is discussed in the relevant sections below. In addition the proposal is not going to be unsightly nor a source of noise, dust odour or pollutions that is considered detrimental. Therefore the proposal is considered to comply with Policy RG2.

UDP Policy LTC3 Development of major leisure and community facilities in out of centre locations would be applicable on the basis that the application site is located over 400metres (approximately 450m walking distance) away from the primary and secondary shopping areas identified in the UDP. However on the basis that Core Strategy Policies CS5 Network of Centres and CS9 South Widnes Key Area of Change are more up to date policies LTC3 is not considered to apply. Policy CS5 requires that Retail and Leisure proposals in excess of 2,000sqm floor space not located within a defined primary shopping area will be subject to sequential and impact assessments. The applicant has undertaken an a sequential assessment of other sites closer to the town centre, this contained within the planning statement. These sites include the former police station site, existing site, Widnes Retail Park and Albert Square car park. The retail park and Albert square car park have been ruled out on the basis of size. The redevelopment of the existing and the former police station sites are considered to cause disruption to the delivery of leisure functions during the construction phase and not considered as suitable alternatives to the proposed site given that the site is a gateway to the town and will provide well designed

building in this location and be located directly opposite the health centre that could provide an area for health and well-being. In relation to the impact assessment given that this is a replacement facility and that the existing facility is not within the primary shopping area it is anticipated therefore there would be no impact in the vitality and viability of the town centre. As the proposal was outside of the town centre the application was advertised as a departure from the development plan. Given the above the application is no longer considered to be a departure. The proposal is considered to comply with CS5.

Policy CS9 sets out the acceptable uses within the key area of change of South Widnes. This states that leisure facilities should be focused on Widnes Town Centre in accordance with CS5 (this analysis is dealt with above) Figure 9 of the policy identifies the site within Widnes Town Centre. The proposal also accords with the Principles of Development set out in Policy CS9 as it does not impact on the Waterfront, takes advantage of transport provision, and provides a good quality design. The proposal is therefore considered to comply with policy CS9 and CS22.

UDP policy LTC5 Protection of Community facilities. The policy states that "Development that would result in the change of use or loss of community facilities will not be permitted if they serve an important local need unless a replacement facility or other facility of equivalent community benefit is provided in no less convenient location. As the Proposal is a replacement facility approximately 200 metres from the existing site. The proposal complies with policy LTC5.

The proposal does result in the loss of incidental Greenspace adjacent to the Moor Lane/ Kingsway roundabout therefore Policy GE11 and the criteria in GE6 are applicable. Given the size of the area the greenspace does have high amenity value for most the criteria it does provide visual variety to the area some of this will be compensated by improvements to the public realm and proposed landscape however the overall benefits of the scheme from the provision of new leisure facility would outweigh the loss of the incidental open space. The application is also accompanied by a tree survey and the Council's Open Spaces officer has confirmed that the works proposed are acceptable.

Design, Layout and Appearance.

The proposal is for a new leisure facility fronting on to Moor Lane. The proposal provides a high quality building and public realm. With Some parking to either site. The Main access is from Moor Lane with another access off Witt Road. The facility will contain of the following:

- 25m x6 lane competition swimming pool (25m x 13m) with a learner pool (13m x 7m)
- Circa 150 swimming pool spectator seating provision
- 100 station health and fitness provision (gym)
- 4 court sports hall

- A medium sized exercise
- Soft play area
- Access ramps to provide disabled access

The elevations of the building will contain glazed areas and a mix of cladding and brick work and is designed so that the building will stand out on the moor lane frontage. Final materials will be agreed by condition along with a landscaping scheme and boundary treatments.

The design, layout and appearance of the proposed development is considered to be acceptable and compliant with Policies BE1, BE2, BE3, BE18 and BE20 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

Contaminated Land and Pollution

The application is supported by a contaminated Land desk study, this document presents an initial conceptual site model, preliminary risk assessment and makes recommendations for further work.

There are a number of historical land uses on and adjacent to the site that could give rise to significant contamination, e.g. paper bag works, business centre and other developments. Heavy industry and waste disposal has been a feature of the surrounding area.

The overall risk is assessed as low to moderate, given the historical uses and the proposed end use. It is therefore recommended that a condition should be imposed on any permission for the submission of a detailed contaminated land report.

The proposal is not considered to raise any Air Quality, Noise or light pollution issues therefore the proposal is considered to comply with Policies PR1, 2, 4, and 14 of the Unitary Development Plan and Policy CS23 of the Core Strategy.

Flood Risk and Drainage

The application has been supported by a Flood Risk assessment. This has been reviewed by officers and further information has been provided in response to the LLFA concerns about the original drainage strategy. From the information given the updated scheme provides confidence that the site will be able to be adequately drained.

The responses Ramboll has given regarding the floodplain compensation and SuDS features chosen is acceptable.

The increased discharge rate to 12.7l/s agreed by United Utilities is positive, confirmation has been provided that they would accept the proposed surface water connections to the existing 450 diameter sewer at MH 1206 and a new manhole installed between MH0203 and MH1202 on the existing 225 VC sewer.

The LLFA are satisfied with the submitted drainage strategy and the additional documentation that has been submitted. The LLFA request conditions to secure the submission of update drange strategy and plans including appropriate connection agreements. Therefore the proposal complies with policy PR16.

Highway Considerations

The scheme includes a new left in and left out access on to Moor Lane and another access from Witt Road. With parking shown to both the sides of the new building.

Amended plans and an addendum to the Transport Statement has been submitted by the applicant.

The scheme proposes changes to the existing Highway Network including a new access point into the site and narrowing of the Westbound Moor Lane frontage from two lanes to a single lane.

The position and type of the new access (left in/ left) onto Moor Lane was considered to be appropriate for the volume of traffic utilising it with suitable visibility splays. A revised plan has now been submitted including more detail to address concerns and the proposed arrangement for the access is now acceptable.

The capacity impact of narrowing Moor Lane has been considered within the Transport Assessment submitted to support the application and this section of the network continues to operate within capacity.

Another consideration is the provision for non-motorised users to access the site given existing barriers to movement i.e. lack of suitable pedestrian routes and connection to existing cycle provision.

The applicant's consultants have reviewed the submitted information in line with the relevant policies that need to be met (TP1, TP6, TP7 and TP17) and produced a plan showing a series of indicative improvements to improve access.

The Highway Officer has considered the proposed improvements works and considers them to be implementable and fit for purpose, these will need to be conditioned.

Improvements have been made to the North of the site including widening of the Moor Lane central reservation, increasing capacity for users waiting mid crossing. Upgrades to the shared cycleway/ footway linking to the on carriageway provision Northbound on Kingsway which will assist cyclists.

To the East of Kingsway two opportunities for cyclists to leave the on carriageway have been proposed linking to the shared use cycleway/ footway provision and improvements to the uncontrolled crossing to the Northern arm of the roundabout are proposed.

To the South of the roundabout on Victoria Road new crossing provision is proposed which assists on-motorised movements from the South of Widnes and connects to the existing bus stops.

All works on existing and proposed adopted Highways including the proposed access off Moore Lane will require a suitable agreement from the Highway Authority and will be subject to suitable design checks and Road Safety Audits.

The Highway Officer would recommend a suitably worded condition to ensure that said works (access and wider access improvements are submitted for approval and implemented prior to the facility being brought into use.

The Transport Assessment uses suitable trip generation and distribution and is considered robust in its approach in relation to vehicular access.

The report does identify that the Kingsway Roundabout experiences capacity issues during peak hours of the Kingsway approach within the 2020 which with growth will worsen. It is the Transport Consultants opinion that the proposed development will have only a minor impact on the peak hour operation of the roundabout.

On request additional information has been supplied within the Transport Statement addendum that demonstrates the proposal will not have a significant impact on the approaches to the Kingsway Roundabout and therefore will not have a detrimental impact on network capacity in the area.

With regards to vehicular access and circulation to the site the overall approach taken by the applicant is considered appropriate in that there are two points of access onto the highway network. These access points are linked through the site offering various access/ egress options for users and servicing.

In terms of car parking provision the proposed centre will benefit from 157 spaces with a suitable number of accessible and disabled bays.

A Concern was raised by the Highway Officer with regards to the potential Impact of displaced vehicles using the existing car park on the site and questioned if there was enough provision in the area to sustain both the existing demand and the new development.

To address this the applicant has identified a new area of parking off site that will accommodate between 60 and 90 vehicles.

The Highway Authority is therefore comfortable that the proposed number of spaces within the site cater for the needs of the future leisure centre use. A separate public car park is formed to the South of the site that will serve the existing businesses on Witt Road to ensure they still benefit from the current amenity they enjoy.

The Highway Officer took into consideration the existing provision at the current Leisure Centre site which offers 114 spaces. These spaces are split between the East and West of the site and are known to serve not only the Leisure

Centre but also surrounding businesses, residential streets and the local college.

It is the Highway Officers considered opinion that the proposed provision on the new site would accommodate not only the patronage of the existing centre but the anticipated increase in numbers associated with a “new build” facility.

The inclusion of Electric Vehicle charge points and cycle storage is welcomed although full details of provision will need to be submitted for approval and implemented prior to first use.

Therefore the proposal is considered to comply with Highways and transport policies listed above.

Waste prevention/management

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

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

In terms of waste management, the applicant has demonstrated the proposed locations for bin stores within the site

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

Ecology

The application is supported by an ecological appraisal. This appraisal has not found any particular issues and recommends conditions in relation to installing bat and bird boxes and tree protection measures for trees shown to be retained. An informative would also be included in relation to bird nesting season.

Designing out crime

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

Cheshire Police Designing Out Crime Officer has provided comments on the proposed scheme these are set out below:

“It is good to see that the main entry is viewable from the street, this will maintain good natural surveillance of the site. It will be important that any staff in this area are solely for this purpose and not pulled away to do anything else.

- The café area is great, however clear rule setting and possibly CCTV should be considered so it does not become a gathering place for local teenagers to use and possibly become an anti-social behavior hotspot.*
- The gym and pool area have good natural surveillance due to the use of glazed curtain walls.*
- The single corridor running through the centre is good as it will ensure people can be easily challenged as they move round the site.*
- The canopy at the front of the building should be less than 600mm to discourage loitering.*
- I was a little concerned regarding the cycle storage on the side of the building, there is no natural surveillance, there is a risk it may become a site of antisocial behavior and also that the bikes are at risk of theft. I would strongly recommend CCTV is installed to cover this area.*
- The side entry with ramp may become a site for antisocial behavior and should be covered by CCTV.*
- I was a little concerned regarding the proposed bin store and seating being in timber. I would prefer these were of metal or masonry as they would be less vulnerable to damage. There are many different anti-graffiti / vandal resistant products on the market.”*

Based on the comments above where appropriate conditions will be imposed.

Archaeology

The Council's advisers on archaeology have looked at the application. As the proposal will involve significant groundworks within the proposed development area, it is clear there are several potential archaeological deposits which are likely to be disrupted or destroyed during the groundworks for this development. These archaeological deposits primarily relate the housing visible on the first, second and third edition OS maps. The housing extends along Rhys Street, Ellis Street and to the west of Witt Street, it is likely that these buildings may have been cellared and therefore there is a likelihood of surviving archaeological remains relating to these present on the site.

Further to the housing, there are two religious buildings and a former theatre present within the proposed development area, the two religious buildings may have associated remains and most notably the presence of the Chapel on the 1st edition would pre-date the burial act of 1857 and therefore there is limited potential for human remains to be present. The Spiritual house may also have religious depositions associated with it within the former footprint. Lastly the former theatre, although less likely to have substantial remains, should be monitored for any remaining foundations.

Given the potentially sensitive archaeological remains associated with the religious buildings, and the moderate likelihood for surviving below ground remains associated with the housing, it would be advised that a programme of archaeological monitoring is undertaken during key aspects of this development. This archaeological monitoring may take the form in the first instance of a developer funded watching brief, during site clearance and excavations for foundations and services, and in the instance of archaeological deposits becoming apparent further archaeological works may be warranted. These works can be secured by condition

Issued raised from consultation.

In relation to the comments raised as part of the consultation, HBC commissioned an Indoor and Built Facilities Strategy which identified the 'Core' facility mix for a new Leisure Centre. This was based on the assessment of need, consultation with governing bodies of sport and local sports clubs and Sport England's Market Segmentation. The proposed facilities enabled an operator to provide services at minimal subsidy. Offering a range of community based activities, such as, Soft Play enables operators to maximise income to underpin the cost of the operation by taking a more commercial approach to programming activity areas. Squash courts were not identified, based on affordability and need. Following public consultation in January 2020, 1 squash court was added to the facility mix.

Comments regarding the proposed Leisure Centre being 6 lanes (compared to current 8 lane facility). Following consultation in January 2020, managers met with swimming club personnel and reviewed the design of the pool. Pool specification was changed from community use to regional competition standard use, resulting in increased surrounds (allowing for timing boards etc), it was then agreed 6 lanes sufficient for competitions. The local club host 3 or 4 galas a year, it is not a requirement of their current competitive league to have an eight lane pool. Out of 359 main pools in North West only 15 have 8 lanes (Jan 20). Access to pools for training, would be down to the programming of the pools.

7. CONCLUSIONS

The proposal seeks to bring forward a High quality replacement Leisure Centre in Widnes. within the key area of change of South Widnes. This states that leisure facilities should be focused on Widnes Town Centre in accordance with CS5 (this analysis is dealt with above) Figure 9 of the policy identifies the site within Widnes Town Centre.

8. RECOMMENDATIONS

Grant planning permission subject to conditions:

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Boundary Treatments Scheme
4. CCTV Scheme
5. Off Site Highway Works
6. Parking and Servicing Provision
7. Ground Contamination
8. Drainage/ flood risk conditions
9. Archaeological condition
10. Electric charging points
11. Materials
12. Landscaping
13. Boundary treatments
14. Offsite highway improvements
15. Cycle storage.

Informatives

1. Breeding bird protection

10. SUSTAINABILITY STATEMENT

The decision to grant permission and impose any conditions has been taken having regard to the relevant policies and proposals in the Development Plan set out above. The Local Planning Authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with planning applications in accordance with Part 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

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 by contacting Dev.control@halton.gov.uk in accordance with Section 100D of the Local Government Act 1972