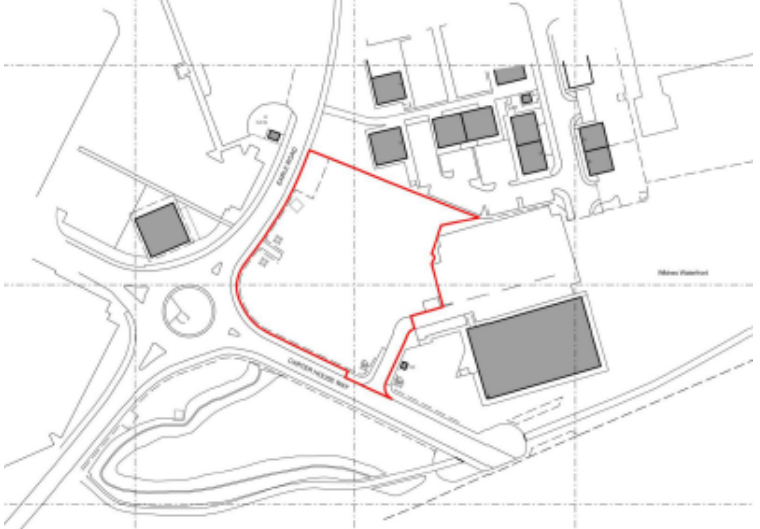


<b>APPLICATION NO:</b>	20/00371/FUL
<b>LOCATION:</b>	Land At The Junction Of Earle Road And Carter House Way, Widnes, WA8 0WR
<b>PROPOSAL</b>	Proposed erection of a building to be used as offices (Use Class B1) and as a self-storage facility (Use Class B8), plus associated landscaping, improved access, and other associated works
<b>WARD:</b>	Riverside
<b>PARISH:</b>	None
<b>AGENT(S)/APPLICANT(S)</b>	Walsingham Planning/Easy Access Storage Limited
<b>DEVELOPMENT PLAN ALLOCATION:</b> National Planning Policy Framework (2019) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Action Area 3 – Widnes Waterfront
<b>DEPARTURE:</b>	No
<b>REPRESENTATIONS:</b>	None
<b>KEY ISSUES:</b>	Principle of development, design, drainage, contaminated land and highway issues
<b>RECOMMENDATION:</b>	Approve subject to conditions and drainage issues being resolved
<b>SITE MAP:</b>	

## 1. APPLICATION SITE

### 1.1 The Site

The site subject of the application is an area of land adjacent to the Earle Road roundabout, where Earle Road adjoins Carter House Way in

Widnes. The site measures approximately 0.66 Ha in size and comprises of a brownfield site. The application site is particularly visible to the public given it has a dual aspect frontage onto the local highway network. The whole north-western site boundary fronts onto Earle Road, and the south western boundary fronts onto Carter House Way. Vehicular access into the site is via an existing access road off Carter House Way which will be shared with the adjoining Pure Gym.

The site is located within Action Area 3 – Widnes Waterfront in the Halton Unitary Development Plan and is also within the South Widnes Key Area of Change within the Halton Core Strategy Local Plan.

## 1.2 Planning History

There is no relevant planning history associated with this site.

## 2. **THE APPLICATION**

### 2.1 The Proposal

Permission is sought for the proposed development consisting the proposed erection of a building to be used as offices (Use Class B1) and as a self-storage facility (Use Class B8), plus associated landscaping, improved access, and other associated works.

### 2.2 Documentation

The application is supported by the following documents:

- 10848-05.01 Design and Access Statement: Easy Access Self Storage, Venture Fields, Widnes (V1)
- Planning Statement, KN0086-1 9 Venture Fields, Widnes
- Extended Phase 1 Ecology Survey & Appraisal, Sensible Ecological Survey Solutions, June 2019
- FRA at Earle Road and Carter House Way, Final Report, June 2020 A01
- J000074-TA02b Transport Assessment, July 2020
  - Appendix TA1
  - Appendix TA5
  - Figures
- T/16/1856/GIR A Ground Investigation Report for Proposed Units 1, 2 and 4, Venture Fields, Widnes, Issue 1.1 Dated 11 May 2017

### **3. POLICY CONTEXT**

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

#### **3.1 National Planning Policy Framework**

The National Planning Policy Framework (NPPF) was published in July 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 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."

Paragraphs 80-82 states the need for planning policies and decisions to be made to create conditions in which business can invest, expand and adapt. Significant weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It encourages an adaptive approach to support local and inward investment to meet the strategic economic and regenerative requirements of the area.

#### **3.2 Halton Unitary Development Plan (UDP) (2005)**

The following policies within the adopted Unitary Development Plan are considered to be of particular relevance:

- RG3 Action Area 3 – Widnes Waterfront
- BE1 General Requirements for Development
- BE2 Quality Of Design
- GE21 Species Protection
- PR2 Noise Nuisance
- PR14 Contaminated Land
- PR16 Development and Flood Risk
- TP6 Cycling Provision as Part of New Development

- TP7 Pedestrian Provision as Part of New Development
- TP12 Car Parking
- TP14 Transport Assessments

### 3.3 Halton Core Strategy (2013)

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

- CS1 Halton's Spatial Strategy
- CS4 Employment Land Supply and Locational Priorities
- CS9 South Widnes
- CS15 Sustainable Transport
- CS18 High Quality Design
- CS20 Natural and Historic Environment
- 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 of New Development.

### 3.5 Supplementary Planning Documents (SPD)

- Widnes Waterfront Supplementary Planning Document
- Design of New Industrial and Commercial Development SPD

## 4. CONSULTATIONS

- **HBC Contaminated Land**  
No objection
- **HBC Highways**  
No objection
- **HBC Lead Local Flood Authority**  
Additional information requested, received and now awaiting a response
- **HBC Major Projects**  
No comments to make
- **HBC Planning Policy**  
No comments received
- **HBC Riverside Ward Councillors**  
No comments received

- **United Utilities**  
Objection - Additional information requested, received and now awaiting a response
- **Environment Agency**  
No comments to make
- **Merseyside Environmental Advisory Service**  
No objection
- **Network Rail**  
No comments to make

## 5. REPRESENTATIONS

The application was advertised by a press advert in the Widnes & Runcorn Weekly News on 30.07.20, a site notice posted on 30.07.20 and 47 neighbour notification letters sent on 30.07.20. No representations have been received from the publicity given to the application.

## 6. ASSESSMENT

### 6.1 Proposed Development

Permission is sought for the proposed development consisting the proposed erection of a building to be used as offices (Use Class B1) and as a self-storage facility (Use Class B8), plus associated landscaping, improved access, and other associated works.

The proposed office space is arranged over two floors facing Earle Road. Within this area of the building there will be a reception area for the business operation together with the flexible office space. In total this space will provide a floor space of 560 sq.m.

At the ground floor level of the self-storage element of the building, there are drive-up storage units accessed by a series of roller shutters. A size range of storage space will be available from small lockers to larger units. The site circulation layout will allow customers vehicles to enter the site and then turn into one of the 11 loading bays at ground floor level for loading.

The site will be served by 38 car parking spaces, two of which are accessible spaces and two are electric vehicle charging spaces. A pedestrian entrance will be provided from Earle Road, in the form of a stepped and ramped access.

## 6.2 Principle of Development

The application site is located within Action Area 3 – Widnes Waterfront as designated on the Halton Unitary Development Plan proposals map and as such, Policy RG3 of the Halton UDP is applicable. Policy RG3 sets out that acceptable land uses include employment uses (Use Class B1, B2 and B8) which is what is proposed.

The site is also located within the South Widnes Key Area of Change within the Halton Core Strategy Local Plan and Policy CS9 applies. Policy CS9 makes reference to employment uses which, again, are proposed as part of the application.

Paragraph 86 of the National Planning Policy Framework (NPPF) states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses which are neither an existing centre nor in accordance with an up-to-date plan. An office use is a main town centre use, however based on the site's designation in the UDP, a sequential assessment would not be required in this instance.

The Hive Leisure Park development is adjacent to the application site, characterised by restaurant and leisure uses. However the wider area includes a mix of employment uses, the proposed development is in accordance with adopted planning policy and is therefore considered acceptable in principle.

## 6.3 Design and Character

In terms of the external appearance of the proposed development, the design is considered to be of an acceptable quality and appropriate size and massing which would add interest to the application site.

The principle elevation of the proposed building faces Earle Road, this elevation contains the reception and entrance to the office space. This elevation includes a three-storey, orange, wrap-around canopy framing a triple height panel of glazing.

The external material palette comprises the applicant's corporate colours of black and dark grey with accents of orange. The submitted landscaping proposals are also considered to be of a good quality and are therefore acceptable.

The building and wider development is considered to be of a quality appropriate to the site and wider area in accordance with Policies BE1 and BE2 and regeneration principles set out in Policy RG3 of the Halton Unitary Development Plan.

## 6.4 Highway Considerations

The application is supported by the following documents:

- J000074-TA02b Transport Assessment, July 2020
  - Appendix TA1
  - Appendix TA5
  - Figures

The Council's Highways Officer has reviewed the proposed development and supporting documents and has commented as follows:

*The Highway Authority was involved in the pre-application process for the proposed development of the site and provided extensive comments on the original scheme plans. Revised plans submitted demonstrate that the layout has been addressed and the Highway Officers comments have largely been addressed.*

*A suitable Transport Assessment has been submitted to support the application which considers access to the site and the internal servicing needs of the site.*

*Parking provision does not exceed the maximum set out within the Halton UDP. The Highway Officer has calculated the potential need for a unit of this size and nature utilising a sliding scale and considers the 38 spaces provided to acceptable for the business model set out in section 5.1 of the Transport Assessment.*

*Accessible spaces have been provided with marked disabled bays close to the main access to the building. The inclusion of EV charging bays is welcomed but details of the actual charging equipment will need to be submitted for approval and secured by condition.*

*The site is accessible in terms of access to bus services and pedestrian links with good connections from the building to the adjacent adopted footway. The application includes a new uncontrolled crossing point over Earle adjacent to the site, these off-site highway works will require a suitable agreement and should be completed prior to the building being brought into use.*

*The use of cycles as a sustainable mode of travel has been considered with the inclusion of a covered cycle store in a visible location close to the main entrance. Details of this provision should be provided for approval and as with the EV charging should be suitably conditioned.*

*Full details of existing and finished levels along with surface water drainage details will be required and it should be noted that no water should shed from the site onto the adjacent highway.*

*Although the Highway Authority raises no objection to the proposed scheme they would note that considerations are based on a single operator renting space to individuals and small businesses following the principles set out in section 5.1 of the Transport Assessment. Sub division of the main building and offices to allow multiple businesses (not in line with section 5.1) to operate from the premises may result in an increased demand on parking provision. We would therefore ask the LPA to advise if suitable conditions can be applied to mitigate this risk.*

Whilst it is considered reasonable to restrict the floor space given over to the proposed office use it is not considered that conditions seeking to restrict the number of occupiers or employee numbers of businesses renting the space would meet the 6 tests for planning conditions. Maximum parking standards as set out in Appendix 1 of the Halton UDP are also based on floor space ratios. It is not considered that refusal of planning permission could be justified on this basis.

The proposals are considered to accord with Policies BE1, TP6, TP7, TP12 and TP14 of the Halton Unitary Development Plan.

#### 6.5 Flood Risk and Drainage

*The application has been reviewed by the Council's Lead Local Flood Authority who have commented as follows:*

*The planning application is supported by a Flood Risk Assessment and a proposed drainage strategy. The Flood Risk Assessment indicates that the closest watercourse is Bowers Brook, 30m to the west of the site and the Environment Agency Flood Map for Planning indicates the proposed development site lies within Fluvial Flood Zone 1.*

*The Environment Agency Long Term Flood Risk Maps show the site to have a two areas Surface Water Flood Risk. The FRA indicates there is a large area to the south east of the site is shown to be at high risk of surface water flooding, this is thought to be due to low lying topography within this area of the site, there is also a small area to the north west of the site shown to be at low risk. The Flood Risk Assessment indicates the site is assumed to have no existing drainage system which could help to mitigate the risk of flooding currently seen.*

*The Flood Risk Assessment indicates historical sewer flooding has been recorded within the local area of the site, however no site specific information is available and therefore sewer flood risk is classed as low. The FRA also classes the flood risk from groundwater and reservoirs to be low to negligible.*

*With regards to mitigating the surface water flood risk to and from the development the FRA recommends Finished Floor Levels to be set to a minimum of 11.83m AOD which is 300mm higher than the 1 in 1000year*



*flood level on site and over 600mm greater than the 100year + climate change peak water level from Bowers Brook.*

*The FRA indicates there is vehicular safe access and egress to and from the site up to the 30 year storm event, however there is pedestrian safe access and egress available up to the 1000 year storm event. It recommends the site to be closed during severe weather forecasts to ensure safe access and egress.*

*The site does not lie within a Critical Drainage Area.*

*The drainage strategy proposes to drain to public sewer, restricting the flow to 5l/s using a hydrobrake and providing a attenuation through an underground storm water attenuation tank for all storm events up to the 100 year + 30% Climate Change event. This would provide 200m<sup>3</sup> of storage and the tank would be approximately 1.2m deep.*

*There is no evidence that the drainage hierarchy has been followed as required by the LLFA and United Utilities. Furthermore no calculations detailing how the storage volume was determined, including details of pre and post development impermeable areas, flows and volumes for the 1, 30, 100, 1000 and 100+40% Climate Change events. I would also note Halton Borough Council requires a 40% allowance for climate change with regards to surface water not 30% as mentioned on the drawings.*

*The drainage design also mentions the foul flows would be restricted to 5l/s, but there is no justification for this.*

*The applicant has not provided a clear strategy for the disposal of foul and surface water and there is no evidence that the disposal of surface water is in accordance with the SUDS hierarchy. The Lead Local Flood Authority would require further information in order to consider the drainage for the proposed site.*

An amended plan showing changes to the drainage layout has been provided by the applicant and updated comments are awaited from the Lead Local Flood Authority. These are considered technical matters capable of resolution and Members will be updated accordingly.

United Utilities have objected to the proposed development due to a number of their network assets falling within the red line boundary. They have stated in their comments that the red line boundary contains a number of significant wastewater network assets and a water main cross the site.

The applicant is in correspondence with contacts at United Utilities to resolve the issues, has amended the scheme and provided further information requested by United Utilities. An updated response is awaited from United Utilities and Members will again be updated accordingly.

## 6.6 Ecology

The application is supported by an Extended Phase 1 Ecology Survey & Appraisal report. An Ecology Consultant for the Merseyside Environmental Advisory Service has reviewed the application and supporting documents and has confirmed that the conclusions of the report are accepted.

They have also advised that there is also no pathway that could result in likely significant effects on the European sites and the proposals do not warrant a detailed Habitats Regulations Assessment. It is confirmed that there are no objections to the proposed development subject to suitably worded planning conditions which have been set out in the consultee comments.

Based on the above, it is considered that the proposal is compliant with Policy GE21 of the Halton Unitary Development Plan and Policy CS20 of the Halton Core Strategy Local Plan.

## 6.7 Noise and Amenity

Given the location of the application site and the character of the surrounding area, it is not considered that the impact of noise on amenity would be severe. There are no residential properties located nearby the application site, therefore it is considered that given the nature of the development and the location of the site, the proposed development would not result in a detrimental impact on amenity and is acceptable in accordance with Policy PR2 of the Halton Unitary Development Plan.

## 6.8 Contaminated Land

The application is supported by the following document:

- A ground investigation for proposed units 1, 2 and 4 at Venture Fields, Widnes, issues 1.1, ref T/16/1856/GIR, Tier Environmental Ltd, May 2017

The Council's Contaminated Land Officer has reviewed the proposed development and supporting documents and has commented as follows:

*The report summaries the preliminary risk assessment undertaken and reported upon in earlier documentation, however that document has not been submitted. A site investigation was undertaken based on the findings of the PRA, with a reasonable number of investigation/sampling locations across the site. It should be noted that the outline development discussed in the report is not the same as this application, the original scheme comprised of 3 small units, whilst this is a much larger building. There is no*

*supporting information relating this investigation to the proposed development.*

*The site has been closely associated with the early chemical industry in Widnes with a number of potentially contaminative land uses having taken place on or within close proximity. The site investigation has identified a variable layer of made ground under the site which includes impact from alkali process waste (which effects significant parts of this area of Widnes).*

*Contamination testing did not identify concentrations significantly in excess of relevant assessment criteria for commercial end-uses, and no specific remediation measures have been recommended for bulk soil chemical contamination. The contaminant that may pose a risk to site end-users (and during the construction phase) is asbestos, which has been identified in a number of samples. The report recommends further sampling and analysis to define the level of risk posed (the original testing did not quantify the percentage of asbestos present, which is critical to further the risk assessment). The report sets out an outline remedial strategy that may be required, dependent upon the further investigation and assessment.*

*Ground gas monitoring detected elevated concentrations of carbon dioxide and methane, with only minimal flow rates. The report recommends that, based on the elevated gas concentrations, that gas protection measures should be included in the design of the building. In line with guidance in CIRIA document C665, those measures should be appropriate for Characteristic Situation 2. The report makes suggestions on how that level of protection could be achieved, although this will need to be the subject of detailed design (to be submitted for approval).*

*Groundwater contamination whilst above screening values was assessed not to be significant given the environmental setting, broad characteristics of shallow groundwater in the area and the protection afforded to the deeper groundwater by low permeability glacial deposits.*

*I have no objection to the proposed development, subject to suitably worded conditions that secure the submission of a supplementary investigation and assessment into the asbestos contamination in near surface soils; a detailed remediation strategy taking into account the above assessment and including the gas protection measures, and a verification report detailing the implementation of the remedial strategy and how the objective of that strategy have been met.*

The attachment of the proposed conditions above will ensure compliance with Policy PR14 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan

## 6.9 Waste

The proposal involves 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.

The applicant has not provided information 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. It is considered that this can be secured by a suitably worded condition.

## 7. CONCLUSIONS

Permission is sought for the proposed development consisting the proposed erection of a building to be used as offices (Use Class B1) and as a self-storage facility (Use Class B8), plus associated landscaping, improved access, and other associated works.

Core Strategy Policy CS2 and NPPF paragraphs 11 and 38 set out the presumption in favour of sustainable development whereby applications that are consistent with national and up-to-date local policy should be approved without delay.

The application site is located within Action Area 3 – Widnes Waterfront as designated on the Halton Unitary Development Plan proposals map and as such, Policy RG3 of the Halton UDP is applicable. Policy RG3 sets out that acceptable land uses include employment uses (Use Class B1, B2 and B8) which is what is proposed.

The site is also located within the South Widnes Key Area of Change within the Halton Core Strategy Local Plan and Policy CS9 applies. Policy CS9 makes reference to employment uses which, again, are proposed as part of the application.

It is considered that the redevelopment of a brownfield site for a good quality office and storage building and offering potential employment opportunities should be welcomed in accordance with the regeneration principles identified within Policy RG3. It is considered that drainage and any other issues raised as a result of the original submission can be adequately addressed and that any outstanding issues can be resolved by way of oral update and appropriately worded planning conditions.

## **8. RECOMMENDATION**

The application is recommended for approval subject to conditions and subject to drainage issues discussed above being resolved.

## **9. CONDITIONS**

- Time
- Approved Plans
- Use restriction
- Materials
- Site levels
- Vehicle access, parking and servicing construction prior to occupation
- Cycle parking details
- Electric Vehicle charging details
- New crossing point over Earle Road (needs suitable agreement)
- Breeding Birds
- Bird nesting box
- RAMS for terrestrial mammals
- RAMS for Amphibians
- Contaminated Land
- Site Waste Management Plan
- Drainage & Flood Risk

## **10. INFORMATIVES**

- MEAS comments
- Protected species
- No water drainage onto highway
- Future Mezzanine may be subject to planning permission

## **11. 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

## **12. SUSTAINABILITY STATEMENT**

As required by:

- The National Planning Policy Framework (2019);

- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.