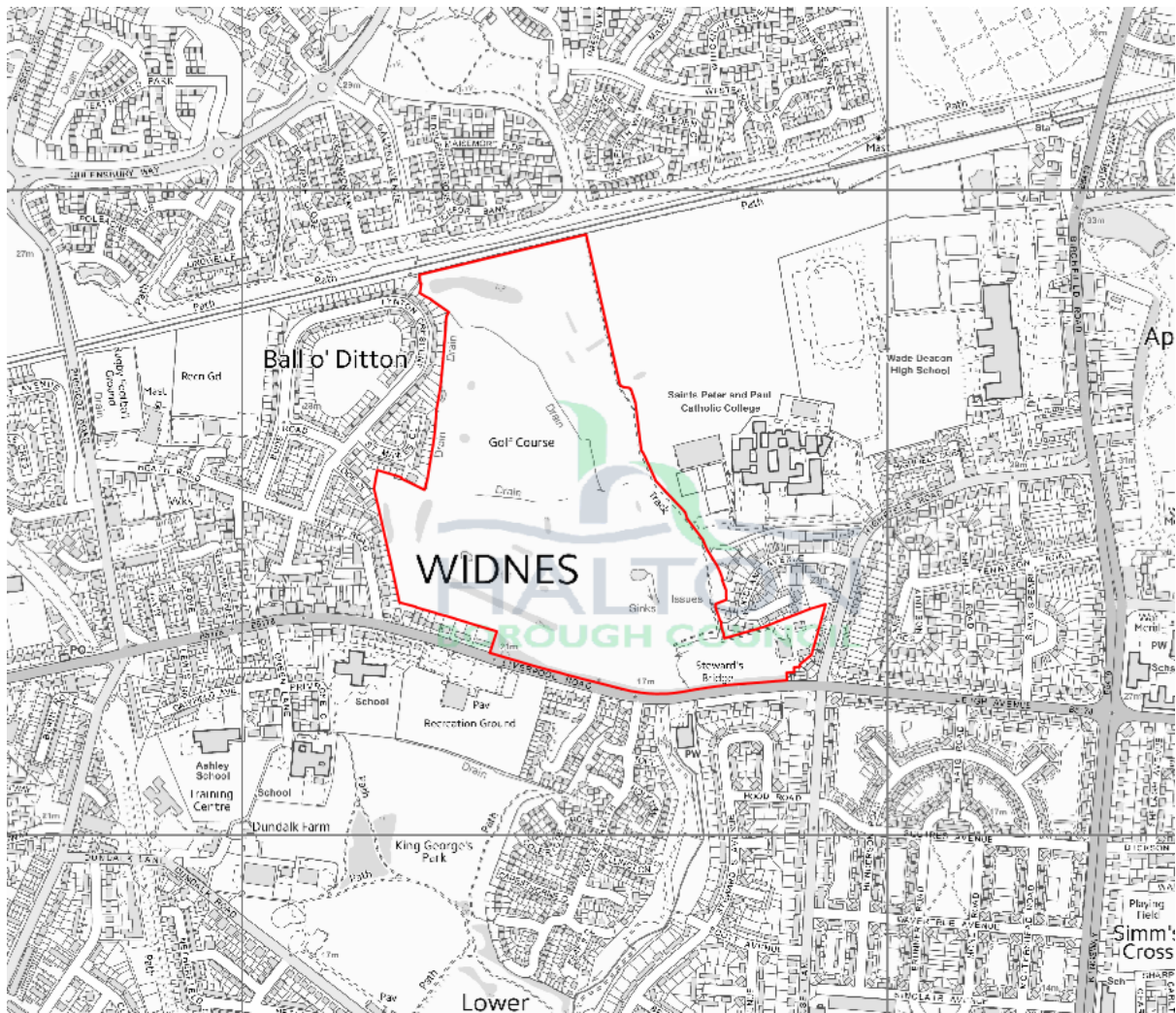


<b>APPLICATION NO:</b>	20/00153/FUL
<b>LOCATION:</b>	Widnes Golf Club, Highfield Road, Widnes, WA8 7DT.
<b>PROPOSAL:</b>	Proposed development comprising 249 dwellings, reconfiguration of golf course, demolition of existing clubhouse and associated buildings and erection of new clubhouse and greenkeepers store, creation of new vehicular accesses, roads, car parking and ancillary development.
<b>WARD:</b>	Kingsway
<b>PARISH:</b>	None
<b>APPLICANT:</b>	Widnes Golf Club, Highfield Road, Widnes, WA8 7DT.
<b>AGENT:</b>	Barton Willmore, Tower 12, Bridge Street, Spinningfields, Manchester, M3 3BZ.
<b>DEVELOPMENT PLAN:</b>  Halton Unitary Development Plan (2005)  Halton Core Strategy (2013)  Joint Merseyside and Halton Waste Local Plan (2013)	<b>ALLOCATIONS:</b>  Greenspace (Golf Course) and Potential Greenway – Unitary Development Plan Proposals Map.
<b>DEPARTURE</b>	Yes.
<b>REPRESENTATIONS:</b>	Representations have been received from 918 contributors with 881 being in objection. A petition in objection to the scheme signed by 2,417 people has also been received.
<b>KEY ISSUES:</b>	Development on Greenspace / Strategic Greenspace, Highways and Transportation, Flood Risk and Drainage, Trees, Landscaping and Landscape Impacts, Health and Well-being.
<b>RECOMMENDATION:</b>	Refuse planning permission
<b>SITE MAP</b>	



## 1. APPLICATION SITE

### 1.1 The Site

The site subject of the application is Widnes Golf Course located on Highfield Road in Widnes. The site is 25.04ha in area. Vehicular and pedestrian access to the site is from Highfield Road. The associated clubhouse buildings are located adjacent to the site entrance from Highfield Road.

The site is bound by Liverpool Road and residential development to the south, by residential development to the west, by a railway line to the north and a secondary school and residential development to the east.

The site currently operates as an 18 hole golf course.

Located on the site are 50 individual trees, 106 groups of trees, 1 woodland component and 7 hedgerows. There are also 3 mapped ponds however one has been completely dry for a number of years.

Liverpool Road is a main route through Widnes served by a number of bus routes. The nearest local centre is Liverpool Road (Widnes) Local Centre which is approximately 300m from the site at its closest point. Widnes Town Centre is less than 1km from the site at its closest point.

The site is designated as Greenspace (Golf Course) on the Halton Unitary Development Plan Proposals Map. A Potential Greenway which would be primarily along the eastern boundary of the application site is also shown on the Halton Unitary Development Plan Proposals Map.

The Halton Core Strategy Local Plan has a Key Diagram which shows the application site as being part of a Strategic Greenspace running through Widnes.

The Council submitted the Submission Delivery and Allocations Local Plan to the Planning Inspectorate (DALP) for independent examination on 5th March 2020. This will replace the existing Unitary Development Plan Proposals Map in due course. This proposes to designate the area occupied by the golf course as Greenspace (Golf Course) with the remainder of the application site which forms the clubhouse and parking area adjacent to Highfield Road as being unallocated. This is now a material planning consideration, however at this point carries very little weight in the determination of this planning application.

## 1.2 Planning History

The site has some planning history with the more recent applications being as follows:

- 92/00793/FUL – Rebuilding of existing wall and roof over communal lounge – Granted 3<sup>rd</sup> February 1993.
- 94/00584/FUL - Single storey extension to rear of Professional's Shop for use as trolley store – Granted 9<sup>th</sup> November 1994.
- 95/00102/FUL – Erection of 9m high golf ball stop netting fencing to rear of 14 St Mawes Close and along western boundary – Refused 1<sup>st</sup> May 1995 – Appeal Allowed 13<sup>th</sup> February 1996.
- 95/00187/FUL – Replacement of existing boundary fencing with 2.1m high galvanised steel palisade fencing along northern course boundary – Granted 13<sup>th</sup> June 1995.
- 95/00539/FUL – Proposed single storey extension to rear of professional's shop for use as mess room and toilet – Granted 13<sup>th</sup> November 1995.
- 12/00212/FUL – Proposed single storey extension and access ramp – Granted 13<sup>th</sup> June 2012.

## 2. THE APPLICATION

### 2.1 The Proposal

Proposed development comprising 249 dwellings, reconfiguration of golf course, demolition of existing clubhouse and associated buildings and erection

of new clubhouse and greenkeepers store, creation of new vehicular accesses, roads, car parking and ancillary development.

## 2.2 Documentation

The application is accompanied by the associated plans (all viewable through the Council's website) in addition to a Planning Statement (including a Widnes and Blundells Hills Golf Courses Needs Assessment Report, Business Plan and Golf Development Plan), Health Impact Assessment, Design and Access Statement, Affordable Housing Statement, Flood Risk Assessment, Air Quality Assessment, Preliminary Ecological Appraisal, Shadow Habitats Regulations Assessment, Bat Activity Survey, Bat Presence / Absence Survey, Invasive Species Method Statement, Ecological Impact Assessment, Ground Tree Level Assessment, Landscape & Ecological Management Plan, Bat Tree Assessment, Energy Statement, Building Survey Report, Ground Investigation Report, Landscape Management Plan, Noise Assessment, Transport Assessment (including responses to observations made by the Local Highway Authority), Utility Statement, Site Construction Management Plan, Boundary Treatments Booklet, Arboricultural Impact Assessment.

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

The site is designated as Greenspace (Golf Course) on the Halton Unitary Development Plan Proposals Map. A Potential Greenway which would be primarily along the eastern boundary of the application site is also shown on the Halton Unitary Development Plan Proposals Map.

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

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- BE18 Access to New Buildings Used by the Public;
- BE20 Disabled Access in Public Places;
- BE22 Boundary Walls and Fences;
- GE6 Protection of Designated Greenspace;
- GE8 Development within Designated Greenspace;
- GE10 Protection of Linkages in Greenspace Systems;
- GE12 Protection of Outdoor Playing Space for Formal Sport and Recreation;
- GE21 Species Protection;

- GE25 Protection of Ponds;
- GE26 Protection of Hedgerows;
- GE27 Protection of Trees and Woodland;
- GE28 The Mersey Forest;
- H3 Provision of Recreational Greenspace;
- LTC3 Development of Major Leisure and Community Facilities;
- LTC5 Protection of Community Facilities;
- PR1 Air Quality;
- PR4 Light Pollution and Nuisance;
- PR8 Noise Sensitive Developments;
- PR14 Contaminated Land;
- PR16 Development and Flood Risk;
- TP1 Public Transport Provision as Part of New Development;
- TP6 Cycle Provision as Part of New Development;
- TP7 Pedestrian Provision as Part of New Development;
- TP9 The Greenway Network;
- TP12 Car Parking;
- TP14 Transport Assessment;
- TP15 Accessibility to New Development;
- TP17 Safe Travel For All;
- TP18 Traffic Management;
- TP19 Air Quality.

### 3.2 Halton Core Strategy (2013)

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

- CS1 Halton's Spatial Strategy;
- CS2 Presumption in Favour of Sustainable Development;
- CS3 Housing Supply and Locational Priorities;
- CS7 Infrastructure Provision;
- CS12 Housing Mix;
- CS13 Affordable Housing;
- CS15 Sustainable Transport;
- CS18 High Quality Design;
- CS19 Sustainable Development and Climate Change;
- CS20 Natural and Historic Environment;
- CS21 Green Infrastructure;
- CS22 Health and Well-Being;
- CS23 Managing Pollution and Risk;
- CS24 Waste.

### 3.3 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.

## **MATERIAL CONSIDERATIONS**

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

### **3.4 Halton Borough Council – Affordable Housing Supplementary Planning Document.**

This SPD seeks to provide greater certainty and clarity for all parties involved in the delivery of affordable housing in Halton through the planning system. The National Planning Policy Framework requires local authorities to assess and meet the full needs for affordable housing in their housing market area.

### **3.5 Halton Borough Council – Design of Residential Development Supplementary Planning Document.**

The purpose of the Design of Residential Development Supplementary Planning Document (SPD) is to provide additional practical guidance and support for those involved in the planning and design of residential development within Halton. It will also be used by the Council in its assessment of applications for planning permission for schemes of residential development or mixed use schemes containing a residential element.

### **3.6 Halton Borough Council – Designing for Community Safety Supplementary Planning Document**

The purpose of this Supplementary Planning Document (SPD) is to complement the Halton Unitary Development Plan (UDP), to provide additional practical guidance and support for those involved in the planning of new development within Halton Borough to:

1. Design places that help to reduce crime, the fear of crime and anti social behaviour;
2. Make certain no planning decisions result in a detriment to wider community safety; and
3. Create a safe, secure, and pleasant environment in Halton for people to live and work within.

### **3.7 Halton Borough Council – Provision of Open Space Draft Supplementary Planning Document**

The purpose of this Draft Supplementary Planning Document (SPD) is to complement those policies of the Halton Unitary Development Plan (UDP) that recognise the importance of open space within the borough. Added to this it will provide a stimulus for the enhancement in quality, quantity and accessibility of all types of open space within the borough. Specifically, it will help provide;

- a) Networks of high quality open spaces and sport and recreation facilities in both urban and rural areas, which meet the needs of residents and visitors, are fit for purpose and economically and environmentally sustainable;
- b) An appropriate balance between new provision and the enhancement of existing provision;
- c) Clarity and reasonable certainty for developers and land owners in relation to the financial requirements and expectations of the Local Planning Authority in respect of open space, sport and recreation provision to serve new residential developments.

### 3.8 National Planning Policy Framework

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

#### Achieving Sustainable Development

Paragraph 7 of the NPPF states that *the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.*

Paragraph 8 states that *achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

*a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

Paragraph 9 states that *these objectives should be delivered through the preparation and implementation of plans and the application of the policies in*

*this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.*

Paragraph 10 states so *that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.* As set out in paragraph 11 below:

#### The Presumption in Favour of Sustainable Development

Paragraph 11 states that *for decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

#### Decision-making

Paragraph 38 states that *local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*

#### Determining Applications

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

### 3.9 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. LEGAL CONSIDERATIONS**

##### **4.1 Environmental Impact Assessment**

For certain types of development, permission should only be granted once an Environmental Impact Assessment (EIA) has been undertaken to consider the likely environmental impacts of the proposal.

Prior to the submission of the planning application, the applicant submitted a Screening Request to determine whether the proposal is EIA development.

This required the Local Planning Authority to adopt a screening opinion as to whether the above development is likely to have significant effects on the environment such that an Environmental Impact Assessment should be carried out and an Environmental Statement be submitted, in accordance with The Town & Country Planning (Environmental Impact Assessment) Regulations 2017.

The Screening Request correctly identifies the scheme as falling within Schedule 2, 10(b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 being an 'Urban Development Project, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas'. The applicable screening criteria and thresholds for this type of development are if the proposal includes:

- (i) More than 1 ha of urban development which is not dwellinghouse development; or
- (ii) More than 150 dwellings; or
- (iii) If the overall area of the development exceeds 5 ha.

Based on the number of dwellings proposed and also based on the site area, EIA Screening is required with this development.

National Planning Practice Guidance (NPPG) further assists the screening process. It states that EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination. For sites not previously intensively developed it provides indicative criteria and thresholds as follows:

- (i) The area of the scheme is more than 5ha;
- (ii) It would provide a total of more than 10,000m<sup>2</sup> of new commercial floorspace; or
- (iii) The development would have significant urbanizing effects in a previously non urbanized area e.g. more than 1,000 dwellings.

In this case, the proposal considerably exceeds the size guideline but is below the number of dwellings likely to have an urbanizing effect.

After considering the criteria in Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the Local Planning Authority adopted a Screening Opinion that the proposals are unlikely to give rise to significant environmental effects from an EIA perspective, and that EIA is therefore **not** required in this case.

## **5. CONSULTATIONS SUMMARY – FULL RESPONSES CAN BE LOCATED AT APPENDIX 1.**

Highways and Transportation Development Control – Objection raised.  
Contaminated Land Officer – No objection.  
Lead Local Flood Authority – Objection raised.  
Environmental Protection – No objection.  
Public Health – No objection.  
Open Spaces – Objection raised.  
Merseyside Environmental Advisory Service – Ecology and Waste Advisor – No objection.  
Sport England – No objection.  
Environment Agency – No objection.  
Cheshire Police – No objection.  
Natural England – No objection.  
United Utilities – No objection.

## **6. REPRESENTATIONS**

6.1 The application was originally advertised by a press advert in the Widnes and Runcorn Weekly News on 02/04/2020, thirteen site notices posted on Birchfield Road, Heath Road, Highfield Road, Liverpool Road, Prescott Road and Footpath adjacent to Tickford Bank on 03/04/2020 and four thousand, five hundred and seven neighbour notification letters sent on 02/04/2020.

6.2 Following the receipt of amended plans, 869 neighbour notification letters were sent on 30/07/2020 and thirteen site notices posted on Birchfield Road, Heath Road, Highfield Road, Liverpool Road, Prescott Road and Footpath adjacent to Tickford Bank posted on 31/07/2020.

6.3 Representations have been received from 918 contributors including ward Councillors with 881 being in objection. A petition in objection to the scheme signed by 2417 people has also been received. A summary of the issues raised is below:

### **GROUPS OF OBJECTION**

- The Golf Course is the lungs of Widnes and much needed green land in a sea of urban sprawl;

- Would change the character of the area of which the golf course makes a significant contribution;
- Loss of Greenspace would result without any replacement or enhancement being proposed contrary to policy;
- Where would the replacement greenspace in the Borough be provided?
- The amount of Greenspace in the town is diminishing;
- Loss of a sporting / leisure facility;
- This provision needs to be maintained for the ageing population;
- The site is shown as designated greenspace in the emerging plan. The granting of the application would undermine this;
- The Council state in the Kingsway Technical Report that the site is not considered suitable for development due to its current use and contribution as a strategic greenspace;
- The town needs an 18 hole golf course;
- The proposed 9 hole golf course will not even be unique to the town as the municipal golf course will be reopening as a 9 hole golf course. This is not what the town needs;
- The proposal would result in a 9 hole pitch and putt facility
- It would force people to travel further to the nearest 18 hole golf course;
- Blundell's Hill Golf Course already exists and people can play there if they choose to;
- The application indicates that the new clubhouse would close at 8pm. The existing one is open until 11pm. This implies that the same level of service would not be provided;
- There is a lack of detail on phasing of the project. Would there be a period where no golfing provision would exist?
- Reducing the golf course has not been reported to Sport England;
- The impact of the development would be much wider than Kingsway Ward;
- There is a lack of parks in Widnes without any further development;
- Brownfield sites should be developed ahead of this site. Why not build on the unused industrial estates like the recent schemes around Tan House Lane and Page Lane?
- Lilycross Care Centre could be converted to apartments;
- If the Council needs housing, why not consider Victoria Park next?
- Why doesn't the Council sell St Michaels Golf Course for housing and take over the Widnes Golf Course as a municipal golf course?
- There is plenty of land at St Georges Playing Field for houses;
- There is no evidence of the golf club attempting to drive up membership / lack of marketing;
- The golf club has just signed 62 new members on a two year deal so does have the ability to attract new members;

- The golf club has not moved with the times;
  - The golf course has other options;
  - The Widnes Golf Club Business Plan is flawed;
  - Only the Council and the golf club members will benefit from the proposed development;
  - Contrary to the Council's vision and corporate plan;
  - The land was gifted by local chemical company ICI for the local people of Widnes;
  - Widnes Golf Course should learn from the lovely Allerton Manor Golf Club;
- 
- The existing roads are already under intense strain and Liverpool Road is one of the busiest in Widnes;
  - The adjacent traffic signalised junctions are already at capacity;
  - Trying to get out of the existing roads off Liverpool Road is already difficult;
  - Increased chance of an accident happening particularly to school children when walking to school;
  - Traffic noise is already horrendous;
  - The distances referred to in the Transport Assessment are deliberately manipulated to sway opinion towards acceptance of the development;
  - The traffic report expects that the reduction in the number of holes would result in a reduction in the members of the golf club. This contradicts the observations made the applicant;
  - Are the projected traffic impacts accurate?
  - The proposal would result in vehicles parked on Liverpool Road;
  - The refurbished Albion Public House will increase traffic and is the granting of planning permission for its full renovation a coincidence?
  - Lack of capacity on public transport;
  - Inadequate mitigation for improved bus lay-bys on the major transport corridor;
  - No evidence of electric vehicle charging provision;
  - Why is a pedestrian link required to Highfield Road from the proposed development? This has the potential for noise, vandalism and litter;
  - What about the public right of way through to St Mawes Close from Highfield Road;
  - The footpath running parallel to the railway line would have to be maintained;
  - Liverpool Road is structurally unsound and works have been left incomplete;

- Increased air pollution and respiratory illness in an area which has significant issues;
  - The areas adjacent to the site already feed into an Air Quality Management Area just along Leigh Avenue into Deacon Road and there is a potential that this will increase and require additional Council measures to mediate the impact;
  - Increased noise and disturbance in the area;
  - Disturbance during the construction phase;
- 
- What would be the impact on the sewerage system?
  - Will the development not lead to flooding as there are ditches draining the golf course at present?
  - The removal of a significant land drain will likely lead to further flooding in the area;
  - The changing ground levels will impact flood risk for existing properties adjacent to the site namely on Woodland Avenue;
  - What will be the impact of the development further downstream?
  - Has the complex control Hydrobrake been approved by United Utilities?
  - Impact on natural drainage;
- 
- Increased pressure on local schools who are already at saturation point;
  - For the 2019 primary school intake, only 6 of 17 primary schools in Widnes had places remaining with a total unfilled capacity of just 55 children. For high schools, 2 out of 3 were oversubscribed with Saints Peter and Paul Catholic High School only having a capacity for an additional 20 children.
  - Who will pay bus fares for children to travel to school in Runcorn?
  - Recent planning decisions in Halton have not secured any additional schooling provision, in fact one secondary school has been closed;
  - A new school was planned in Upton Rocks but more houses were built instead;
  - A new school should be linked to the proposed development;
  - Extra strain on local GP practices;
  - Lack of dentist places available;
  - The town will become more stretched and deprived;
  - An extra strain on emergency services and their ability to travel through Widnes;
  - The proposal would have a detrimental impact on existing infrastructure;
  - Utility provision in the area already poor;
  - The Utilities Report indicates a planned BT box outside 35 Three Crowns Close would preclude a planned driveway;
  - Health and well-being of the community would be compromised;

- Having easy access to greenspace would save the healthcare system billions each year;
  - The Health Impact Assessment is lacking in evidence and relies on limited desktop research;
  - Have Health and Social Services been consulted on the additional demands that would result?
  - Loss of the town's heritage as the golf course has been there for nearly 100 years;
- 
- 2 and 3 bedroom social housing is what is needed;
  - There should be large 5 bedroom properties within the proposed development;
  - The majority of the houses are 4 bedroom market housing for which there is no shortage locally;
  - A quarter of the affordable housing would be in the form of 1 bedroom flats;
  - Is the affordable housing actually going to be built or will the developer not argue that it makes the scheme unviable further down the line?
  - There is enough housing supply without building on this greenspace;
  - The emerging plan exceeds the Government's minimum housing supply requirements;
  - Is the proposed development meeting new housing provision targets?
  - There are currently over 200+ homes available for sale in Widnes;
- 
- The flats would be distinguishable from houses and would overlook existing properties;
  - The outlook of properties currently overlooking the golf course would be compromised;
  - Loss of light and privacy for existing properties;
  - Excessive lighting;
  - Detrimental impact on mental health;
  - The garden of one of the proposed dwellings would be directly adjacent to the wall of an existing bungalow and would preclude access for parking and maintenance of property;
  - Impact on property prices;
  - Who would maintain the public open space?
  - The proposal has the potential to result in greater income, health and social inequality;
- 
- Increased anti-social behaviour and crime particularly in relation to the proposed public open space and public footpaths;
  - Exposed boundaries of existing properties are a security risk;

- 100's of trees would be removed;
  - More trees required to deal with climate change;
  - A negative impact on climate change;
  - The site is within the Mersey Community Forest and is the site of deciduous woodland;
  - The site is important green infrastructure in the urban area and should be enhanced rather than reduced;
  - The proposal does not comply with the Council's 'A strategy for Halton's Trees and Woodlands';
  - An arboricultural method statement should accompany the application;
  - It should be demonstrated that the trees can practicably be retained;
  - Some trees have already been felled;
  - No demonstration of biodiversity net gain;
  - Landscape plan contains insufficient information;
  - Halton has a poor record of enforcing landscaping on recent developments;
  - Proposed landscaping / tree planting does not mitigate the loss of the open well established parkland landscape;
  - Hedgerow would be destroyed contrary to policy;
  - The Ecology reports provide insufficient data. Further bat survey information is required;
  - Loss of wildlife habitat;
  - The loss of two ponds. This loss should be replaced;
  - There have been many sightings of Great Crested Newts by local residents;
- 
- The application should not have been publicised during the COVID-19 pandemic and timescales for representations should be extended;
  - Disappointed by the consultation undertaken on the application;
  - There are surrounding roads who have not been consulted who will be affected by the additional traffic;
  - Lack of community engagement;
  - The publication and letters of intent to apply were not issued within the legal timeframes;
  - Threats have been made to those objecting to the application;
  - A misleading Facebook campaign to generate objections has been undertaken;
  - Why has the developer been given a second chance when there were so many objections to the proposed development?
  - The plans are of a poor quality and cannot be viewed adequately online;

- The members of the golf course have been offered a substantial financial reward to accept the proposal;
- Anwyl Homes are known for breaching planning conditions imposed by Wrexham County Council at Llay;
- The road system has been designed to continue residential development across the whole golf course;
- Government funding to enhance the site could be secured if it were brought into Council ownership. It could become a nature reserve, city farm, park or a family fun tournament centre;
- The Council should ensure that the properties are freehold;
- Widnes is becoming nothing more than charity shops, supermarkets, betting shops, takeaways, gyms and vacant premises;

#### GROUND FOR SUPPORT

- There is demand for new housing that is close to local schools, on a major bus route and in close proximity to the town centre;
- The houses would be an asset to the town;
- Without a financial solution for Widnes Golf Club, it is likely to end up run down. It does not seem viable;
- The present course is in a small tight area and is in danger of being overtaken by golf technology;
- The proposal would eliminate the possibility of a wayward ball causing an accident on Liverpool Road;
- Relocation has always been the only real solution for the golf club;
- If the club were to fold, there would be no financial benefit to the members as the land would divert to the Government Agency CASC (Community Amateur Sporting Club) who would look to develop the whole site;
- The club has been struggling due to a lack of support from locals;
- It is one of the dreariest golf courses to play. All of the site should be sold to the housing developer on the condition a public park is included in the plans;
- A slightly longer car journey would not be an issue for members;
- It would be better to have a well maintained 9 hole facility with a modern clubhouse than none at all;
- The golf course is currently unplayable in the winter months. A new drainage system is required to deal with the issues created by the clay subsoil;
- The 9 hole course would support the development of female players, juniors and beginners;
- At present, the land is only accessible to members of the golf club. The proposed development would provide public access;



- Houses were allowed to be built on the Ineos, Council and Church land on the opposite side of the road. The justification for development is the same;
- Building on the Golf Course land would help avoid further encroachment into the Green Belt and deliver housing which is within walking distance of local amenities;
- Is the reason for objection the future inability to trespass onto the site with dogs, playing football or fishing in the ponds?
- This application should not be refused because of loss of views across the golf course from adjacent properties;
- The proposal has the backing of Sport England.

6.4 Ward Councillors / Councillors for adjacent wards have made the following observations:

Councillor Andrea Wall – Representation received 02.04.2020

I am writing to formally object to any of the Green Space known as Widnes Golf Club being developed for housing. This land is designated as Green Space in the UDP and in the Local Plan, it is on the already heavily congested Liverpool Road and the addition of the cars that go with 255 properties would make the congestion and resultant pollution worse in this area. There are hundreds of school children that pass by this on school days and the increased traffic would bring increased risk to their safety. Already Leigh Avenue, Highfield Road, Lower House Lane and Liverpool Road are regularly backed up with traffic, to add more traffic would simply make the existing situation worse. The nearby primary schools and two of the high schools are already hugely oversubscribed, adding more houses here would push existing residents out of a chance of a school place at these schools. Due to this Green Space's location, I believe any housing development of this land is uniquely placed to impact on existing residents across the whole of Widnes.

A housing development here would change the character of the area and lose us Green Space that we can ill afford to lose, alongside this would be the destruction of trees, hedgerows and habitats for wildlife. I also have concerns regarding the flooding that regularly occurs on Liverpool Road. People who live off Liverpool Road and Leigh Avenue, such as in Foxley Heath, Three Crowns, Heath Road area and around the Ball O'Ditton, the Kingsway Estate area and the Shakespeare Avenue area already regularly struggle to leave their roads to get on to the main roads, which I have personally witnessed. I have also personally witnessed the difficulties in people leaving the Frank Myler Pavilion/Ditton Primary School car park.

I have concerns regarding the capacity of vital services in this area, such as GPs and dentists, the existing facilities in the area are already very busy.

As I work my way through the hundreds of pages of reports, I will be submitting further objections, but these are my starting points.

1) As a ward councillor I have spoken to hundreds of people in the vicinity and not one person has said they agree with this application. In the local area there is universal opposition to this application, the views of the local community should be given much weight in the decision-making process, as it is the local community that would have to live with the result should the development be granted permission.

2) When the Local Plan was out for Public Consultation, with this land designated as Green Space in it, over 1,000 representations went in to the council from the local community supporting the Green Space Designation, therefore it is clear what the local community's views are.

3) On page 9 of the Design and Access Statement of the application it states: "There are a large number of schools in the vicinity which have capacity to accommodate new pupils."

This is simply not true, two out of the three local high school are hugely over subscribed and the nearest primary schools, St Bede's and Ditton Primary are also over subscribed.

4) On page 13 of the Design and Access Statement of the application it states: "To provide a mix of dwelling types that will satisfy local need and enhance the profile of the area as a whole." The majority of the houses proposed to be built are 4 bed+ houses there is not a local shortage of 4 bed+ houses in the private market sector. From local knowledge of other developments of this nature, it tends to be people moving into the local area that buy this type of housing, not people that already live here, therefore it is not the case that there is local need. The local community are clear that this development would not enhance the area at all, it would make the existing area worse.

5) Page 13 of the Design and Access Statement also states: "To create a well-informed attractive neighbourhood, not dominated by car." Yet the application includes 200% car parking and a garage for houses – meaning at least two cars per property, a huge addition to the already congested roads in the area.

6) I note that nearly a quarter of the 25% 'affordable' housing would be in the form of 1 bedroom flats and none of the properties for market sale are flats it would appear that the 'affordable' housing is being squashed into the smallest land space possible to maximise the space for full market houses, it is therefore difficult to understand how nearly a quarter of the proposed 'affordable' housing are indistinguishable from the other housing, as quite clearly a block of flats is very distinguishable from houses.

7) I do not accept that the golf club have done their best to drive up membership or to encourage none members to pay to play golf there, I have seen no evidence of this whatsoever. Indeed, I believe the opposite to be true and this is in fact an attempt to 'cash in' on the land. Recent local press reports state that the Golf Club are saying for them to continue in their present form they would have to reduce down to members volunteering to run the course, therefore there is clearly an option for them to continue.

8) The municipal golf course will be re-opening as a nine-hole golf course with club house facilities, therefore the proposed 9 hole golf course will not even be unique in the town of Widnes and is not an enhancement to this borough.

9) This application constitutes a loss of Designated Greenspace in this borough with no replacement Greenspace on offer whatsoever and indeed only the enhancement of another borough's Greenspace on offer, this is unacceptable and in my view against the UDP and Local Plan.

I will be writing and submitting further objections in the near future.

Kind regards,

Cllr Andrea Wall – Kingsway

Councillor Andrea Wall – Representation received 03.04.2020

Following the submission of my first formal objection to this application I will now turn to the application's Planning Statement document, Halton's Core Strategy, Halton's Unitary Development Plan and Halton's Local Plan.

Page 5 of the Planning Statement states that there are four high schools within a half mile radius of the site, while technically this is true, one of these high schools, Ashley High School is a specialist education provision, specifically only for pupils with a SEN/Autistic Spectrum Condition. Ormiston Chadwick has been over subscribed for the past two years and for the coming year was full by the time the distance from the school reached 1,231 metres. Wade Deacon has been over subscribed for many years and for the coming year was full by the time the distance from the school reached 1,605 metres.

2) Core Strategy Policy CS1: Halton's Spatial Strategy states:  
*"Brownfield Focus (beneficial and efficient use of existing sites) Outside of the Key Areas of Change, the re-use of previously developed land will be prioritised, notably where regenerating or bringing sites back into use will bring wider benefits to the Borough. Important green infrastructure within the urban area will be protected from detrimental development to ensure its value, both individually and as part of a network, is retained."*

**The Designated Green Space known as Widnes Golf Club is not one of the Key Areas of Change. It is important green infrastructure within an urban area and must be protected to ensure its value, both individually and as part of the green network that runs through Spike Island, through Leigh Rec, through King George Playing Fields and onto the Golf Club is retained. It is intrinsic to the green network within Widnes.**

3) Core Strategy Policy CS3: Housing Supply and Locational Priorities Housing Requirement states:  
*"A minimum of 9,930 net additional homes should be provided between 2010 and 2028 at an average rate of 552 dwellings per annum."*

These figures have changed in the Local Plan (DALP) that was unanimously passed by full Council in August 2019 and is currently with the Planning Inspectorate the new figures are below:

*“During the period 2014 to 2037 provision will be made for the development of at least 8,050 (net) additional dwellings a. At an average of 350 dwellings (net) each year”*

**Enough housing supply land has been allocated in Halton to achieve these housing figures, without building on this Green Space. The Government’s standard methodology calculation of Housing Need gives a minimum requirement for Halton of 296 net new dwellings per annum, therefore Halton’s plan exceeds the Government’s minimum requirement for Halton.**

4) Core Strategy Policy CS7: Infrastructure Provision states:

*“Development should be located to maximise the benefit of existing infrastructure and to minimise the need for new provision. Where new development creates or exacerbates deficiencies in infrastructure it will be required to ensure those deficiencies or losses are compensated for, adequately mitigated or substituted before development is begun or occupied.”*

**This Designated Green Space is bound by residential housing, a railway line and the very busy Liverpool Road (B5178), for a B road this road already has huge volumes of traffic and is a main route across the town of Widnes. When it was partially closed for a number of weeks, there was chaos on the surrounding road network. Two further roads and three further openings on to this road, with the addition of approximately another 500+ cars will detrimentally impact on the infrastructure and will exacerbate the deficiency that already exists. There is nothing that can be done to change the B5178 in this location due to its proximity to existing housing and no amount of Section 106 funds could mitigate the detrimental impact on local residents.**

5) Core Strategy Policy CS12: Housing Mix states:

*“On sites of 10 or more dwellings, the mix of new property types delivered should contribute to addressing identified needs 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 Local Plan states the below:

*“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 bedrooomed.”*

The UDP states the below:

*“The housing type profile in Halton currently differs from the national pattern with higher proportions of medium/large terraced houses and bungalows than elsewhere in the country. Consequently, there is under provision of other dwelling types, namely small terraced and detached homes and also to a certain extent, flatted homes. Surveys demonstrate that the variety of bed spaces provided in homes across the Borough is comparable to other areas in*

*the country, but that residents' aspirations are mostly for two and three bedroomed terraced and semi-detached properties."*

**The majority of houses that this application proposes are 4 bedroom detached houses, yet the need and aspiration in Halton is identified as being for 2 and 3 bedroom properties. There have already been many 4 bedroom detached houses built in Widnes in the last decade or so, there is no local need for further properties of this type. I have checked on this developer's other sites and the minimum starting price for their 4 bedroom detached houses is £251,000 and they range up to over £300,000. The average annual income of Halton residents is £28,000, even in dual income families this would be a mortgage multiplier of a minimum of 4.4. It is more social housing that we need to meet local people's needs, built on brownfield sites, not more 4 bedroom detached houses, taking away Green Space.**

6) Core Strategy Policy CS13: Affordable Housing states:

*"Affordable housing units will be provided, in perpetuity, on schemes including 10 or more dwellings (net gain) or 0.33 hectares or greater for residential purposes. Affordable housing provision will be sought at 25% of the total residential units proposed. The Council will seek to secure 50% of new provision as social and affordable rented tenures and 50% intermediate housing tenures across the Borough."*

**The minimum requirement of 25% 'affordable' housing is in the application, however, nearly a quarter of the 'affordable' dwellings are in the form of 1 bedroomed flats, there are no market rate flats in the application, therefore a quarter of the affordable dwellings would be distinguishable from the rest. In addition, I note that it is often the case that developers return once they have received planning permission to state that they can no longer build the 'affordable' dwellings promised as the scheme is would not be viable (profitable) if they have to build them.**

7) Core Strategy Policy CS20: NATURAL AND HISTORIC ENVIRONMENT states:

*"Halton's natural and historic environments provide the Borough with a range of biological, geological and heritage assets which are not only of environmental value but provide a social and economic resource and ultimately contribute to the character of the Borough's landscapes. These assets should therefore be conserved and where possible enhanced for current and future generations and to ensure a strong sense of place and improve local distinctiveness."*

**This designated Green Space is part of Halton's natural and historic environment, it is located within the Mersey Community Forest and is the site of a Deciduous Woodland. Quite clearly this development would result in the loss of natural/heritage assets of landscape character, as the proposal is to build on it. Once done this could never be reversed and it is certainly not enhancing it for future generations, it is destroying it for future generations.**

8) Core Strategy Policy CS21: Green Infrastructure states:

*“Halton’s green infrastructure network will be protected, enhanced and expanded, where appropriate. Halton Borough Council working alongside other partners and agencies responsible for the delivery and maintenance of green infrastructure will achieve this through: 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. Resisting the loss of green infrastructure where there are identified deficiencies in provision.”*

**This application goes against this policy to protect, enhance and expand the green infrastructure. This application would result in a substantial loss of green infrastructure. This Local Green Space is special to the local community as is demonstrated by the huge numbers that put in representations supporting it retaining Green Space Designation when the Local Plan went out to public consultation.**

9) Core Strategy Policy CS22: HEALTH AND WELL-BEING states:

*“Ensuring the Borough’s communities have good health and well-being is a major priority for Halton. Statistics show that health standards in Halton are amongst the worst in the country and highlight that this is an aspect of life in the Borough in need of urgent improvement. It is essential that policies are put in place that tackle the underlying causes of health problems in the Borough, and facilitate the provision of healthy lifestyles and healthy environments for all.”*

**This application goes against this policy to facilitate healthy lifestyles and healthy environments for all. The loss of such a huge amount of Designated Green Space would have a negative impact on the healthy environment. In addition the number of additional people would put a strain on already stretched health care resources in the vicinity, making it harder for existing residents to get things like GP appointments.**

10) Core Strategy Policy CS23: MANAGING POLLUTION AND RISK states:

*“Halton is affected by risk to its population, environment and buildings from a variety of sources from both within and outside of the Borough. The domination of Halton’s past and current economy by industry has left a legacy of pollution, particularly ground contamination which presents a physical and financial barrier for development to overcome. Today, industrial processes in the Borough are carefully controlled through environmental legislation and permits to ensure that pollution is managed. In addition to these statutory processes it is important that the mechanisms available through planning processes are also used to minimise the effects of pollution on health and the environment.”*

**The addition of at least another 500 + cars in this area would increase the pollution levels. Due to the legacy left by the chemical industry in Halton, it is all the more important to retain Designated Green Space in this area, this land was originally owned by a chemical company, it is only right that it is retained as Designated Green Space for the local population, many of whom have had family members that have suffered ill health due to the legacy of the chemical industry.**

1 UDP Policy GE6 PROTECTION OF DESIGNATED GREENSPACE states:

*“Development within designated and proposed greenspace, as defined on the Proposals Map, will not be permitted unless it is ancillary to the enjoyment of the greenspace or, in the case of designated greenspace in educational use, it is specifically required for educational purposes, in compliance with Policy GE8.*

*Exceptions may be made where the loss of the amenity value, which led to the designation of the site as greenspace, is adequately compensated for. Loss of amenity value may be compensated for where either of the following criteria can be satisfied:*

*a Development on part of the site would fund improvements that raise the overall amenity value of the greenspace, as measured against the criteria for designation of greenspace set out in the justification to this policy. In assessing whether a proposal would raise the overall amenity value of the site, consideration will also be given to the extent to which accessibility to and through the site, including linkages with other greenspaces, would be improved.*

*b The developer provides a suitable replacement greenspace of at least equal size and amenity value, or significantly enhances the amenity value of nearby greenspace. In assessing whether a proposal would significantly improve the amenity value of a nearby greenspace, consideration will be given to the extent to which the quality and accessibility of the space would be enhanced.*

*c No proposal should result in a loss of amenity for local residents by forcing them to travel to a less convenient location.*

*d In all exceptional cases there would have to be clear and convincing reasons why development should be permitted or that loss of amenity value could be adequately compensated.”*

**a) This application goes against this policy. Building houses is not ancillary to the enjoyment of the Green Space. The proposal does not raise the overall amenity value of this Designated Green Space, it severely reduces the size of the Green Space and the justifications for the policy clearly state that quantity of Green Space is a consideration. This land is part of a series of pieces of land that has a target of 30% Woodland Cover set by the Mersey Forest. Our environment faces serious challenges, ranging from climate change to habitat fragmentation, this application goes against the work being done to improve our environment to ensure Halton plays its part in tackling the climate emergency.**

**b) The developer is not providing suitable replacement Green Space of at least equal size or amenity value.**

**c) This application seeks to remove an 18 hole course from this borough, replace it with a 9 hole golf course and invest in an existing 18 hole golf course over the borough boundary. This is a loss of amenity for local residents, who will have to travel further and by car, increasing pollution to their nearest 18 hole golf course.**

**d) There are no clear and convincing reasons that this is an exceptional case or that it should be permitted, the loss of amenity value and Designated Green Space cannot be adequately compensated.**

12) UDP Policy GE8 DEVELOPMENT WITHIN DESIGNATED GREENSPACE states:

*“New buildings required for recreation and interpretative uses will be permitted within designated greenspace if their function is directly related and ancillary to the use and enjoyment of the greenspace.”*

**I have no objection to the Golf Club building a new club house, subject to it not interfering with the peaceable enjoyment of their neighbour’s properties.**

13) UDP Policy GE10 PROTECTION OF LINKAGES IN GREENSPACE SYSTEMS states:

*“Greenspace systems, as defined on the Proposals Map, are networks of interconnecting greenspaces, providing important visual, physical, functional and structural linkages. Development affecting a “greenspace system” will not be permitted in the following circumstances:*

*a It would sever or unacceptably affect visual, physical, functional or structural linkages within the system.*

*b It would have an unacceptable effect on any part of the system, to the detriment of the overall amenity of the system, measured in terms of visual impact, impact on the landscape, impact on wildlife, and impact on the recreational value of the system.*

*c It would be detrimental to the objective of creating a network of inter-connecting greenspaces.*

*d It would break visual or cultural links with the historic use of the landscape.*

*e It would impair the movement of people on foot, cycle or horse-back.*

*f It would impair the colonisation or movement of flora or fauna.*

*g It would cause a material reduction in a habitat whose characteristics are of demonstrable value to the Greenspace System.*

*h It would cause demonstrable harm to any protected species known to be dependent on the use of the affected part of the system for migration, breeding, feeding or shelter.”*

**This application should not be permitted as it would create each of the circumstances set out in A through to H, apart from E.**

14) UDP Policy GE12 PROTECTION OF OUTDOOR PLAYING SPACE FOR FORMAL SPORT AND RECREATION states:

*“Development that would result in the loss of outdoor playing space for formal sport and recreation, such as pitches, courts, greens and athletics tracks, whether in public, private or educational use, will not be permitted unless one or more of the following criteria can be satisfied:*

*a A carefully quantified documented assessment of current and future needs for the school/ educational establishment or local community, has*



*demonstrated that there is an excess of playing field provision and the site has no special significance to the interests of sport.*

*b The existing facilities are of a poor quality and are underused and development on a small part of the playing space would fund improvements that significantly enhance the quality of these facilities and enhance the potential for the increased usage of the site for outdoor sports and recreation, provided that the development will not affect land forming part of a playing pitch, bowling green or tennis court, (outside a residential curtilage) including any safety margins or the loss of any other sporting/ancillary facility on the site nor reduce the size of the site to an extent which restricted its reasonable use, taking into account longer-term needs of the local community.*

*c The developer provides a suitable replacement facility, at least equivalent in terms of quantity and quality, and which is in place prior to the existing site being lost.”*

**None of these criteria have been met, therefore this application should not be permitted.**

15) UDP Policy GE26 PROTECTION OF HEDGEROWS states:

*“Development will not be permitted if it is likely to damage or destroy an existing hedgerow, either directly or indirectly, unless the importance of the proposed development can be shown to clearly outweigh both the amenity value and nature conservation value of the hedgerow.”*

**This application states that existing hedgerow will be destroyed, the proposed development’s importance does not clearly outweigh the amenity value and nature conservation value of hedgerow.**

Councillor Margaret Horabin – Summary of Representation received 17.04.2020

The proposed housing development would take up part of our Green Lung and wildlife. Consideration should be given to impact on schools.

What is the waste and drain capacity lying downhill from the proposed development? In the past, the Muni, Library and houses along Milton Road, Mottershead and the College have all suffered flooding episodes due to water runoff in heavy weather. So as they are downhill from the proposed development and the hard surfaces resulting from the development will re-route rain fall (soaked up at the moment by the grasslands where the development is to be) will have nowhere to go but downhill and into the lower lying areas of the Ward. The proposed development would overwhelm the existing systems.

Councillor Tony McDermott – Representation received 07.04.2020

I wish to register my objection to this application It is contrary to Halton’s local plan It increases the traffic pollution in an already congested area It deprives the borough of green space I would also like to associate myself with all the

objections lodged by Cllr Andrea Wall In addition I must express my concern about commencing such a process during the present virus lockdown. If we cannot hold local elections at this dangerous time it cannot be right to flout it with such a process.

Tony McDermott  
Broadheath Ward

Councillor Robert Gilligan – Representation received 06.04.2020

I wish to support these objections made to planning application 2000153FUL. At a time when it has even important to have open spaces for people to enjoy fresh air and recreational spaces it seems wrong to allow this development to take place.

## **7. ASSESSMENT**

### **7.1 Development on a Greenspace Designation**

The site is designated as Greenspace (Golf Course) on the Halton Unitary Development Plan Proposals Map.

Protection is provided to designated Greenspaces within Policy GE6 of the Halton Unitary Development Plan and there is a presumption against development unless it is ancillary to the enjoyment of the Greenspace.

Policy GE6 does however set out some exceptions which may be made where the loss of the amenity value, which led to the designation of the site as greenspace is adequately compensated for. Policy GE6 sets out the following:

*Loss of amenity value may be compensated for where either of the following criteria can be satisfied:*

*a Development on part of the site would fund improvements that raise the overall amenity value of the greenspace, as measured against the criteria for designation of greenspace set out in the justification to this policy. In assessing whether a proposal would raise the overall amenity value of the site, consideration will also be given to the extent to which accessibility to and through the site, including linkages with other greenspaces, would be improved.*

*b The developer provides a suitable replacement greenspace of at least equal size and amenity value, or significantly enhances the amenity value of nearby greenspace. In assessing whether a proposal would significantly improve the amenity value of a nearby greenspace, consideration will be given to the extent to which the quality and accessibility of the space would be enhanced.*

*c No proposal should result in a loss of amenity for local residents by forcing them to travel to a less convenient location.*

*d In all exceptional cases there would have to be clear and convincing reasons why development should be permitted or that loss of amenity value could be adequately compensated.*

## 7.2 Development within Designated Greenspace

Policy GE8 of the Halton Unitary Development Plan relates to Development Within Designated Greenspace. It states that:

- 1) New buildings required for recreation and interpretative uses will be permitted within designated greenspace if their function is directly related and ancillary to the use and enjoyment of the greenspace.
- 2) Development specifically for educational purposes will be permitted on designated greenspace in educational use provided that it would not conflict with Policy GE12.
- 3) Where development is permitted the buildings should be of a scale, form, layout and design which respects the character and open nature of the greenspace and does not lead to a loss in the overall amenity of the greenspace.

## 7.3 Protection of Outdoor Playing Space for Formal Sport and Recreation

Policy GE12 of the Halton Unitary Development Plan relates to the Protection of Outdoor Playing Space for Formal Sport and Recreation and is supplementary to Policy GE6 which relates generally to designated Greenspace.

Within the justification for the policy, it is explained that the definition of outdoor playing space for formal sport and recreation adopted by the Council for purpose of assessing adequacy of provision is based on the National Playing Fields Association (NPFA) definition of formal youth/adult playing space set out in "The Six Acre Standard" (1992).

The operating name of the NPFA is now Fields in Trust. The latest guidance is 'Guidance for Outdoor Sport and Play – Beyond the Six Acre Standard – England' which is dated October 2015.

Fields in Trust have recently produced a Green Space Index which is a barometer of publicly accessible local park and greenspace provision.

Golf courses are undoubtedly a Greenspace typology, however they are excluded from the Green Space Index, are not referred to in the latest guidance is 'Guidance for Outdoor Sport and Play – Beyond the Six Acre Standard – England', nor is any direct reference made to golf courses within Policy GE12.

Based on the above, it is considered that the proposal should be considered on Policy GE6 and that supplementary policy GE12 does not apply in this instance as the proposal does not fall within the definition of Outdoor Playing Space for Formal Sport and Recreation.

#### 7.4 National Planning Policy relevant to Development on a Designated Greenspace

Paragraph 97 of the National Planning Policy Framework (NPPF) states that:

*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

The scope of Paragraph 97 is broad and whilst the terminology used differs from that in the Unitary Development Plan (Open Space rather than Greenspace), it is considered that the site's use as a golf course fits within this definition and is therefore a material consideration in the determination of this application.

#### 7.5 Strategic Greenspace

Halton Core Strategy Local Plan has a Key Diagram which shows the application site as being part of a Strategic Greenspace running through Widnes.

Policy CS1 of the Core Strategy Local Plan states that important green infrastructure within the urban area will be protected from detrimental development to ensure its value, both individually and as part of a network, is retained.

Policy CS21 of the Core Strategy Local Plan defines Green Infrastructure as a network of multifunctional green space and other environmental features, both new and existing, both rural and urban. Amongst its many benefits, green infrastructure can improve sustainability, health and well-being, support and enhance biodiversity, contribute to climate change adaptation, improve environmental quality and provide recreational and sporting opportunities.

Policy CS21 is also clear that Halton's green infrastructure network will be protected, enhanced and expanded, where appropriate.

Policy GE10 of the Unitary Development Plan is also relevant in this regard as this relates to the protection of linkages in Greenspace systems. The application site is part of a network of inter-connecting Greenspaces, providing important visual, physical, functional and structural linkages.

The application site adjoins designated Greenspaces at St Peter and Pauls Catholic College / Wade Deacon High School to the east, and King George V Playing Fields to the south on the opposite side of Liverpool Road. These sites also link into further Greenspaces at Leigh Recreation Ground and St Michaels Golf Course site and form a network of inter-connecting Greenspaces running through Widnes.

This is reiterated through the Halton Core Strategy Local Plan Key Diagram which shows the application site and these inter-connecting Greenspaces as being a Strategic Greenspace.

#### 7.6 Principle of Development

The relevant policy on which the principle of development needs to be assessed is set out in paragraphs 7.1 to 7.5 above. Paragraph 47 of NPPF states that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. It is considered that the development plan policies referenced are in general conformity with the NPPF and full weight should be given to these.

In assessing the application, the Council has sought advice from a Golf Specialist and this advice has assisted with the assessment of the application.

POLICY GE6 of HALTON UNITARY DEVELOPMENT PLAN (Referred to at paragraph 7.1)

Firstly considering Policy GE6 of the UDP, the proposal would result in approximately 11ha of land which is designated Greenspace being developed for residential purposes.

The justification for Policy GE6 sets out a criteria on which the amenity value of a greenspace is measured.

This greenspace is considered to have the following value:

- An important link in the greenspace systems;
- An important link in the strategic network of greenways;
- Value for organised sport and recreation;
- Its landscape interest;
- Its value as part of the Mersey Forest;
- The provision of a visual break within the built up area of Widnes;
- The enhancement of the attractiveness of the area;
- A contribution to the health and sense of well-being of the community.

The table below will consider the impact that the proposed development would have on the amenity value of this designated greenspace.

<b>AMENITY VALUE OF GREENSPACE</b>	<b>IMPACT OF THE PROPOSED DEVELOPMENT</b>
An important link in the greenspace systems.	As stated above in paragraph 7.5, this site is part of a network of inter-connecting Greenspaces running through Widnes. The proposed residential development would segregate these inter-connecting Greenspaces and compromise its amenity value in this regard.
An important link in the strategic network of greenways.	A Potential Greenway which would be primarily along the eastern boundary of the application site is also shown on the Halton Unitary Development Plan Proposals Map. The proposed development fails to incorporate a Potential Greenway which would result in a missed opportunity to enhance and expand the green infrastructure network.
Value for organised sport and recreation.	<p>Widnes is a sizeable town and it is normal for a town of this size to have one, two or maybe three local 18-hole courses. If Widnes Golf Club closed as an 18-hole course, Widnes would be in the highly unusual situation of not having an 18-hole course.</p> <p>Widnes benefits from having an 18-hole course in this location; and its loss would be a significant loss of golfing provision for the town.</p> <p>Looking at the Club's 20 minute drivetime statistics, a major quantitative benchmark ratio is that there is the equivalent of one 18-hole course per 35,000 people. This does not indicate an oversupply of courses within this catchment area.</p> <p>It is also clear from the applicant's Widnes and Blundells Hills Golf Courses Needs Assessment Report that most members at Widnes Golf Club live very close to the course</p>

	<p>which again highlights the value of Widnes Golf Course.</p> <p>Turning to the retention of part of the site as a 9 hole golf course, there is a very strong preference to be a member of an 18-hole golf course rather than a 9-hole golf course. The demand for the 9-hole course would most likely be significantly less than the demand for the 18-hole course.</p> <p>The 9-hole course wouldn't be aimed at a totally different market if it continued to be run by the Club. It is still, essentially, a not-for-profit private members' club. It would, however, most likely move the emphasis away from the broader use of the typical 18-hole course for all types of players to a more segmented demand from older members content with playing 9 holes instead of 18, those who like flatter less demanding layouts, and beginners/casual golfers.</p> <p>Based on the above, the loss of the only 18-hole golf course in Widnes and its reduction to a 9-hole golf course would ultimately compromise its value for organised sport and recreation.</p>
<p>Its landscape interest.</p>	<p>Located on the site are 50 individual trees, 106 groups of trees, 1 woodland component and 7 hedgerows. The development would result in the loss of 19 individual trees, tree groups comprising 1.8 hectares and 28.5m of hedgerow.</p> <p>Some of the trees proposed to be removed are very prominent along the southern boundary of the site, and greatly influence the landscape along Liverpool Road.</p> <p>13.5% of the trees on the site are considered to be Category A trees in the applicant's Arboricultural Impact</p>

	<p>Assessment which means that they are of high quality, typically with a long remaining life expectancy, and with clear and identified merit as specimens, visually, culturally or for conservation.</p> <p>The Category A trees have been surveyed in line with the Tree Evaluation Method for Preservation Orders (TEMPO) by the Council's Open Spaces Officer which has identified that there are a number of trees on site which satisfy the criteria for statutory protection.</p> <p>In relation to the trees which the applicant intends to retain, as construction related works are proposed within the root protection area (RPA) of a retained tree; either on site, or within the curtilage of a neighbouring property, the proposed development has not demonstrated that the recommendations within BS5837: 2012 'Trees in Relation to Design, Demolition and Construction – Recommendations' have been met.</p> <p>The applicant's Arboricultural Impact Assessment states that tree cover will be reduced across the site. It is not considered that the proposed planting across the site would adequately compensate for the loss of priority habitat.</p> <p>It is therefore considered that the site's landscape value would be compromised by the proposed development.</p>
<p>Its value as part of the Mersey Forest.</p>	<p>As stated in the landscape value observations, the applicant's Arboricultural Impact Assessment states that tree cover will be reduced across the site. It is not considered that the proposed planting across the site would adequately compensate for the loss of priority habitat.</p>



	It is therefore considered that the site's value as part of the Mersey Forest would be compromised by the proposed development.
The provision of a visual break within the built up area of Widnes.	As stated in the observations relating to important links in the greenspace systems, this site is part of a network of inter-connecting Greenspaces running through Widnes. The proposed residential development would segregate these inter-connecting Greenspaces and remove the visual break in the built up area of Widnes compromising its amenity value in this regard.
The enhancement of the attractiveness of the area.	The site is an attractive well landscaped greenspace which provides a visual break in the built up area. The proposed development would compromise the enhancement of the attractiveness of the area that the site currently provides.
A contribution to the health and sense of well-being of the community.	The site is located at the heart of Widnes forming part of a network of inter-connecting Greenspaces as well as being used for sport and recreation. It is considered that the site contributes to the well-being of the community which is emphasised by the level of objection to the proposed development. The proposed development would compromise the health of the community by taking away the only 18-hole golf course in Widnes as well as the sense of well-being that the site currently offers the community.

The above table demonstrates the amenity values that result from the designated Greenspace and how the proposed development would impact on these. It is evident that a loss of amenity value would result if the proposed development were to be permitted on this site.

Where a loss in amenity value would result, there are exceptions set out in Policy GE6 which indicate where it may be adequately compensated for.

The applicant considers that the reduction in size of the golf course would be compensated through the improvement to the existing quality of the facility. Whilst this point is not made explicitly in their planning statement, it is

considered that the applicant is of the view that their proposal meets exception a) of Policy GE6 as set out at paragraph 7.1.

It is considered that the 9 holes that would remain would be broadly the same as the 9 holes which already exist so this does not represent a material improvement from a qualitative golfing perspective.

The proposal would result in the replacement of the existing clubhouse which is a fairly typical size for an 18-hole private membership based golf club and would replace it with a smaller clubhouse of a dimension considered typical for a 9-hole course.

The applicant has submitted a Building Survey Report to accompany the application. This concluded that the Gamekeeper's Building and the Cottage are in very poor condition and require significant cost to bring them into a reasonable state of repair. Whilst the Clubhouse is not in such poor condition, there is a high cost item to the roof area.

Turning to car parking, page 23 of the Widnes and Blundells Hills Golf Courses Needs Assessment Report describe the current situation as follows: "The accompanying car park is poor and in need of improvement; the surface is worn and it is limited in size; it provides fewer than 100 spaces."

It is noted that it is commonplace for UK golf clubs to have poor/worn out car park surfaces, and that quite a few 18-hole clubs in the UK have less than 100 parking spaces.

The 9-hole golf course would have 44 car parking spaces which is less than half of 100 and is not considered to represent a qualitative improvement.

The applicant has stated that additional capital investment is required to ensure that the clubhouse remains open and that investment in a 9-hole-standard course would allow for significantly improved layout and investment in the quality of the greens, bunkers and fairways, thereby substantially improving the overall quality of the site. They also state that the planned drainage improvements would also extend its carrying capacity overall and, in particular its ability to accommodate winter use.

The policy test which the overall proposal must meet is to fund improvements that raise the overall amenity value of the Greenspace.

The proposed overall development would compromise many of the amenity values of this designated Greenspace as considered in the table above and the accepted improvements including a new purpose-built clubhouse and ancillary building forming a greenkeepers store do not go anywhere near raising the overall amenity value of the greenspace to justify the circa 11ha of residential development being sought by this application.

The applicant's Development Plan states "Because of the cost of acquiring Blundells Hill, carrying out improvements there and building new facilities at the

9-hole course, there is a minimum amount of cash that must be raised from land sale to make the project work. The required land sale requirement has been assessed at just under half our existing land”.

Firstly the applicant’s submissions are silent on development costs for the 9 hole golf course and the land sale price to the housebuilder. The anticipated outcome is that the development costs would be a small fraction of the land sale price. The consideration is whether the improvements proposed by the applicant at Widnes Golf Club raise the overall amenity of the Greenspace to justify development on part of the site. Officers consider that this would not be the case.

Secondly the applicant’s desire to acquire an additional golf course is not considered to be justification for further residential development on this designated Greenspace. The acquiring of Blundells Hill Golf Course would not raise the overall amenity of the designated Greenspace which is the application site which is ultimately the policy test being considered.

Based on the above, the proposed development is considered to be contrary to the provisions of Policy GE6 of the Halton Unitary Development Plan.

POLICY GE8 of HALTON UNITARY DEVELOPMENT PLAN (Referred to at paragraph 7.2)

The proposed development includes the reconfiguration of golf course, demolition of existing clubhouse and associated buildings and erection of new clubhouse and greenkeepers store and ancillary development all of which relating to the Widnes Golf Club operation. These particular proposals are considered to be ancillary to the use of the site as a golf course and its designation on the Halton Unitary Development Plan Proposals Map as a Greenspace and acceptable in terms of their design and would not in themselves lead to a loss in the overall amenity of the Greenspace.

The reconfiguration of golf course, demolition of existing clubhouse and associated buildings and erection of new clubhouse and greenkeepers store and ancillary development for the golf course is considered to be compliant with the provisions of Policy GE8 of the Halton Unitary Development Plan.

PARAGRAPH 97 OF THE NATIONAL PLANNING POLICY FRAMEWORK (Referred to at paragraph 7.4)

Secondly considering the proposal in relation to Paragraph 97 of NPPF which is set out at paragraph 7.4, an assessment with its compliance is below.

In relation to point a), the applicant has submitted a Widnes and Blundells Hills Golf Courses Needs Assessment Report produced by Knight, Kavanagh & Page, a Business Plan and a Golf Development Plan) in addition to a Planning Statement.

Widnes is a sizeable town and it is normal for a town of this size to have one, two or maybe three local 18-hole courses. If Widnes Golf Club closed as an 18-hole course, Widnes would be in the highly unusual situation of not having an 18-hole course. By comparison, all the other local sizeable towns have at least one 18-hole course, and this is the normal position to be found in the UK. Widnes benefits from having an 18-hole course in this location; and its loss would be a significant loss of golfing provision for the town.

The applicant argues that there would still be the opportunity to play 18 holes at the Widnes Golf Club site by playing the 9 holes twice. This is not a reasonable argument when assessing quantitative supply of golf courses in a locality, and whether a course is surplus to requirements. To illustrate the point using an extreme: if every 18-hole golf club in the UK was reduced to only 9 holes, then using the applicant's logic, nothing would be lost, because golfers would still be able to play 18 holes of golf at each venue by playing the resulting 9-hole layouts twice. It is for this reason that quantitative supply is always measured on an equivalent 'per 18-hole course' or a 'per hole' basis. These measurements override the 'play 9 holes twice' argument.

Looking at the Club's 20 minute drive time statistics, the applicant's golf needs report indicates that there are 14 standard 18 hole golf courses accessible within this time period which they consider sufficient to meet local demand. It is acknowledged that the golf industry uses a 20 minutes' drive-time as a basis for its assessments.

Estimates that the population within the Club's 20-minute drive time is 494,865 which means that the equivalent golf provision is one 18-hole course per 35,000 residents.

Considering quantitative supply of 18-hole golf courses within the borough of Halton, based on a population at 127,595 and there being only two 18-hole golf clubs (Widnes Golf Club and Runcorn Golf Club), so here the ratio is one 18-hole course per 64,000 Borough residents.

In 1989, golfs governing body, the Royal & Ancient Golf Club of St Andrews, produced an important report called 'The Demand for Golf'. Its overriding conclusion was that the UK needed to reach a supply ratio of one 18-hole course per 25,000 people by the year 2000.

Many parts of the UK had ratios higher than this in 1989. For example, in England ratios of 1:40,000 were common (indicating a lack of courses), whereas in Scotland, the ratio was 1:12,000 (indicating ample provision).

Today, the ratios for Widnes Golf Club are 1:35,000 for the 20-minute drivetime, and 1:64,000 for the Borough. Both ratios indicate a shortage of 18-hole courses against the 1:25,000 ratio.

In November 1992, the Sports Council (now Sport England) referred to the target ratios of 1:20,000-25,000 in its report entitled 'The Study of Golf in England'.

In November 1997, EMAP (magazine publishers) and The Henley Centre (a major research centre) produced a comprehensive report called 'The Definitive Study of Future Trends in the British Golf Market'. This also referred to the 1:25,000 ratio.

Kit Campbell Associates, in their 'Leisure and Recreational Needs Assessment (dated September 2008) for Basingstoke and Deane Borough Council, quoted a supply ratio per head of population for the Borough. The ratio was one 9-hole course per 8,700 residents, which translates into one 18-hole course per 17,400 people.

They concluded that the Basingstoke Borough was amply supplied with golf courses. This is a reasonable conclusion given that the ratio fell below 1:25,000.

The situation is vastly different in Halton, where the current ratio is 1:64,000.

A planning appeal (APP/N2345/A/11/2145837) with regard to a development at Ingol Golf Course in Preston is relevant in respect of the topic of golf need.

The Planning Inspector's report (in paras 323 and 324) said the following in respect of Ingol:

*"The definition of the appropriate catchment area is fundamental to the consideration of supply and demand. The golf industry uses a 20 minutes drive-time as a basis for its assessments... The golf industry standard for the provision of courses is one course to 20-25,000 head of population. The catchment area contains some 356,000 people and within this number is a better than average representation of socio economic groups that are found to play golf. Taking Ingol golf course into account the ratio of course to population in the catchment area is 1:33,900. Excluding Ingol the ratio is 1:37,500. Thus on a quantitative basis using the objective industry standard there is a significant undersupply of 18 hole golf courses. Overall, even taking into account that the current economic situation could suppress demand, it is evident that there is a need for the golf course."*

In May 2016, the consulting firm, naa, produced a report called 'The Central Bedfordshire Golf Study' for Central Bedfordshire Council. The report quoted 'holes per 1,000 population. This ratio can be converted to the equivalent of 18-hole courses per head of population.

For England as a whole, naa quoted a ratio of 0.60 holes per 1,000 people. This equates to one 18-hole course per 30,000 people. For Central Bedfordshire's area, the ratio was 0.99 holes per 1,000 people. This equates to one 18-hole course per 18,000 people, and it indicated ample local 18-hole provision.

The global accounting/consultancy business, KPMG, has a Golf Advisory Practice. Its 'Golf Participation Report for Europe 2019' quotes course ratios per head of population for the countries in Europe. Its ratio for England was 1:29,435. By contrast, the ratios in other parts of the UK were as follows: Scotland 1:9,687, Wales 1:21,703, and Ireland 1:12,183.

As is demonstrated by all the evidence referred to above, the level of 18-hole golf course provision within a 20-minute drive time at one course to 35,000 head of population does not demonstrate an oversupply of 18 hole golf courses in this locality nor does a ratio of one 18-hole course per 64,000 Borough residents.

The applicant considers that there are no normal numbers for golf courses and the rationale is not based on the number of people in a specific locality but is determined by an up to date needs assessment report, which is compliant with the NPPF and, linked directly to that, Sport England's Assessing Needs and Opportunity Guidance (ANOG) 2014.

Whilst it is acknowledged that the applicant has followed the general format of Sport England's ANOG 2014, this, however, does not mean that their measures used, and their conclusions reached, are all correct. Ratios calculating the supply of golf courses per head of population have been used for years not just in the UK, but in Europe and the rest of the World. It is considered that calculating the supply ratios per head of population is a fundamental element of any meaningful golf needs assessment.

The applicant has cited Sport England annual Active Lives Survey levels of participation in golf have been falling steadily for 10+ years both nationally and locally and that this is, in part, attributable to some of the issues that Widnes Golf Club is seeking to address. It should be noted that the applicant's Golf Needs Assessment Report was produced in September 2019 before the effects of the coronavirus pandemic. A number of media articles support the fact that Golf has benefitted from an extraordinary surge in golfer demand since national lockdowns began and then eased.

The applicant has stated that through consultation with providers and England Golf, the majority of clubs within the catchment area do have capacity to increase membership which they consider would accommodate the current demand at Widnes Golf Course.

It is normal for most golf clubs in the UK to have the capacity to increase membership. This includes many of the most prestigious golf clubs in the country. If spare membership capacity was the only measure for assessing whether a course is surplus to requirements, then a case could be made to close virtually any golf club in the UK. All the other measures as set out in the report need to be considered.

The applicant's golf needs report identifies that 78% of Club members live within Halton and that 141 members (over a third of all members) live within a mile of the Club. This again highlights the local demand for the 18-hole golf course.

The applicant has stated that England Golf's market segmentation tool identifies that demand for Widnes Golf Club is lower than the average for its catchment area, with 106,558 potential users identified (compared to an average of 148,421) and that the proposed development responds directly and

would appeal directly to a number of the segmentation-based golfing profiles. It is assumed that a 'Facility Planning Report' or equivalent has been produced for Widnes Golf Course, however the applicant has not provided this to evidence the point that they are trying to make.

The applicant is of the view that Widnes Golf Course is too small for modern day requirements because of health and safety issues associated with its closeness to current housing and comparable safety issues associated with the cross-over of the fairways servicing the different holes and on this basis is surplus to requirements.

The Council acknowledge that the Halton Borough Council – Open Space Study 2005 stated the following: "Facilities at Widnes Golf Club are now considered to be inadequate for an 18-hole golf course and the club is hoping to relocate to the edge of Widnes in order to improve these facilities". The site may have a very tight site area, however this has not meant that it is an unusually short 18-hole golf course. England Golf are promoting faster golf and shorter courses promote this. Shorter courses can also appeal to senior and beginner golfers. The Widnes Golf Club business plan refers to England Golf's desire of 'express golf' so a short 18 hole golf course could lend itself to this model. The applicant alludes to there being health and safety issues with this existing golf course however does not evidence these. The fact that the site is small in terms of site area does not mean that Widnes' only 18 hole golf course is surplus to requirements.

The applicant has stated that the undertaking of a Golf Needs Assessment process did not set out to show that an 18-hole golf course is surplus to requirements. The Golf Assessment simply concludes that investment is required in the ancillary facilities, and the course, at Widnes Golf Club in order to retain Club viability. The applicant has stated that they agree that the 18 hole golf course is not surplus to requirements.

To conclude in respect of point a), an assessment has been undertaken which shows that the 18-hole golf course is **NOT** surplus to requirements.

In relation to point b), this designated greenspace demonstrates many different amenity values which would ultimately be compromised by the proposed development. One of the key amenity values of this particular Greenspace is its value for organised sport and recreation based on its use as an 18 hole golf course.

The golf course provision in terms of quantity would also inevitably be reduced. The applicant accepts this point and the proposal clearly does not meet point b) as the loss resulting from the proposed development would need to be replaced by equivalent or better provision in terms of **QUANTITY and QUALITY**.

The applicant has provided Widnes Golf Club's business and development plans. This indicates their intention to purchase Blundells Hill Golf Course in St

Helens and reduce Widnes Golf Course to 9 holes and upgrade Blundells Hill Golf Course. It is noted that whilst Widnes Golf Club may intend to purchase and upgrade the existing 18 hole Blundells Hill Golf Course in St Helens, these are ideas set out in a business plan and there is no planning application / planning permission for these improvements. The proposed acquisition of the existing 18 hole Blundells Hill Golf Course in St Helens is not considered to be of particular relevance for the policy tests being considered here and the applicant's planning argument is therefore based around the alterations proposed for the Widnes Golf Course site.

The applicant has set out their desire to offer England Golf's Express 9 model for Widnes Golf Club and retain Blundells Hill Golf Course as an 18-hole course in an attempt to widening its membership and play base. Notwithstanding the planning argument being based on the alterations proposed for the Widnes Golf Course, the Council do not consider that operating the two venues makes them more viable and capable of generating more members than they already have and given their differing natures would they actually complement each other?

The applicant considers that the reduction in size of the golf course would be compensated through the improvement to the existing quality of the facility. This clearly does not meet the policy test set out.

The Widnes Golf Club development plan sets out that the following improvements:

- New Clubhouse and Locker Rooms;
- Disable Access to both Clubhouse and Locker Rooms;
- Storage and Charging Facilities for Buggies used by less mobile members;
- New Green Keeping Equipment Store and Personnel Facilities;
- Extensive Tree Replacement On-Course;
- Extensive Bunker Renovation On-Course;
- Extensive Drainage Work On-Course to Maximise Winter Playability.

The 9 holes that would remain as part of the reduced golfing provision would be broadly the same as the 9 holes which already exist and whilst some improvements would result, it is not considered that these would off-set the reduction in the size of the golf course from 18 holes to 9 holes nor materially improve the site from a qualitative golfing perspective.

The documents submitted by Widnes Golf Club whilst outlining the above improvements, it is silent on financial details regarding the proceeds of the sale for the housing development, cost of reconfiguring Widnes Golf Course to a 9 hole course and the cost of buying Blundells Hill Golf Club. This detail is expected as part of a business plan.

The proposed improvements at Widnes Golf Course do not represent a material improvement from a qualitative golfing perspective to justify such a significant loss of Greenspace to residential development amounting to approximately 11ha.



In any case, the proposed development would need to be replaced by equivalent or better provision in terms of quantity and quality in a suitable location for the proposal to be compliant with point b). The resultant provision is not considered to be equivalent or better in terms of quantity and quality for the reasons set out.

This proposal is **NOT** considered to meet point b).

In relation to point c), the proposed development includes a reconfigured 9-hole course broadly the same as the 9 holes (on the existing 18 hole golf course) and whilst the improvements set out by the applicant are noted, they do not represent a material improvement from a qualitative golfing perspective to justify such a significant loss of Greenspace to residential development amounting to approximately 11ha. The proposed development does not justify the loss of the current 18-hole golf course and its reduction to 9-holes.

This proposal is **NOT** considered to meet point c).

It must be stated that Officers do not concur with the observations made by Sport England that the Golf Business Plan submitted by the applicant and a planning obligation (S106 agreement or Unilateral Undertaking) securing the mitigation and timeframe for implementation as set out below would achieve compliance with any of the exceptions set out in Paragraph 97 of NPPF for the detailed reasons set out in this report:

1. The purchase of Blundells Hill Golf Club which is an 18 hole Golf Course in St Helens to be jointly managed so that those members currently playing 18 hole golf at Widnes Golf Club still have the opportunity to play, albeit in a different Local Authority area and 4.5 miles from the Widnes course.
2. The use of some of the capital receipt to upgrade the remaining golf course including a new clubhouse.

To conclude, based on the above detailed consideration, the proposal does not meet any of the exceptions set out and is contrary to the provisions of paragraph 97 of NPPF.

#### STRATEGIC GREENSPACE CONSIDERATIONS (Referred to at paragraph 7.4)

The application site itself is a Greenspace and adjoins further designated Greenspaces at St Peter and Pauls Catholic College / Wade Deacon High School to the east, and King George V Playing Fields to the south on the opposite side of Liverpool Road. These sites also link into further Greenspaces at Leigh Recreation Ground and St Michaels Golf Course site and form a network of inter-connecting Greenspaces running through Widnes. Due to their collective importance, they are identified as a Strategic Greenspace on the Halton Core Strategy Local Plan Key Diagram. The proposed reduction from an 18-hole golf course to a 9-hole and the proposed residential development

would segregate these inter-connecting Greenspaces/Strategic Greenspace compromising the existing green infrastructure in the urban area.

A Potential Greenway has been identified which would be primarily along the eastern boundary of the application site and is shown on the Halton Unitary Development Plan Proposals Map. The applicant has chosen not to design this into their scheme. As noted in the Highway Officer's observations, during pre-application discussions, the applicant raised concerns that there were health and safety issues with public rights of way through golf courses. This argument is questionable, with public rights of way common on golf courses. The lack of implementation of the Potential Greenway as part of this redevelopment proposal would result in a missed opportunity failing to enhance and expand the green infrastructure network.

Based on the wider strategic greenspace / greenway issues highlighted, it is considered that the proposed development would segregate the inter-connecting Greenspaces forming part of the wider Strategic Greenspace compromising the existing green infrastructure in the urban area contrary to the provisions of policies CS1 and CS21 of the Halton Core Strategy Local Plan and policy GE10 of the Halton Unitary Development Plan.

#### PRINCIPLE OF DEVELOPMENT CONCLUSION

The applicant's golf needs assessment does not demonstrate that the existing 18-hole golf course is surplus to requirements.

The proposed development would compromise many of the amenity values of this designated Greenspace and would segregate the inter-connecting Greenspaces forming part of the wider Strategic Greenspace identified on the Halton Core Strategy Local Plan Key Diagram.

The proposed development would not result in replacement provision which is equivalent or better in terms of quantity and quality nor does the development provide alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. The proposed improvements at the Widnes Golf Course site including the building of a new purpose-built clubhouse and ancillary building forming a greenkeepers store do not go anywhere near raising the overall amenity value of the greenspace to justify the 11ha of residential development being sought by this application.

The proposed development fails to incorporate a Potential Greenway has been identified which would be primarily along the eastern boundary of the application site as shown on the Halton Unitary Development Plan Proposals Map. This would result in a missed opportunity to enhance and expand the green infrastructure network.

The Council can demonstrate a five year supply of deliverable housing sites and there is not a need to deliver housing on the application site contrary to the provisions of the Development Plan. The Council has submitted the Submission Delivery and Allocations Local Plan to the Planning Inspectorate

(DALP) for independent examination on 5th March 2020. This will replace the existing Unitary Development Plan Proposals Map in due course and ensure the allocation of sufficient land for future housing in the borough over the plan period. The site subject of the application does not form part of any proposed future housing allocation with the proposal being that the site remain as designated Greenspace.

In conclusion, the proposed development would be detrimental to important green infrastructure in the urban area and is unacceptable.

The proposed development is considered to be contrary to the provisions of Policies GE6 and GE10 of the Halton Unitary Development Plan, Policies CS1 and CS21 of the Halton Core Strategy Local Plan and Paragraph 97 of the NPPF.

### 7.7 Potential Greenway Designation

The proposed development fails to incorporate a Potential Greenway has been identified which would be primarily along the eastern boundary of the application site as shown on the Halton Unitary Development Plan Proposals Map as expected by Policy TP9 (2b) of the Halton Unitary Development Plan. This would result in a missed opportunity to enhance and expand the green infrastructure network.

The applicant has previously raised concerns regarding the implementation of the Potential Greenway in that there were health and safety issues with public rights of ways through golf courses. This argument is questionable with similar public rights of way common on existing golf courses across the country.

The possibility of partially removing the link was considered by Council. This was on the basis of a strong footway / cycleway greenway link from the South through the development emerging at Highfield Road and continuing North to the new club house.

The Highway Officer has confirmed that the amended plans do strengthen footway / cycleway greenway links from the South of Liverpool Road through the development emerging at Highfield Road through the site, and continuing North to the new club house.

Whilst the lack of implementation of the potential greenway is not desirable, it is considered that the improvements now shown on the latest layout mean that on balance the proposal is considered acceptable subject to a compensatory payment being made to fund improvements to walking and cycling, to the benefit of existing and future residents, in the local area.

Based on the improvements made to the layout and the securing of a compensatory payment to fund improvements to walking and cycling in the local area, it is not considered that a refusal on the provisions of Policy TP9 of the Halton Unitary Development Plan can be sustained.

#### 7.8 Development/Protection of a Leisure/Community Facility

Policy LTC3 of the Halton Unitary Development Plan relates to the 'Development of Major Leisure and Community Facilities in Out of Centre Locations'. The existing golf course is an established leisure and community facility in an out of centre location. The reconfiguration of golf course, demolition of existing clubhouse and associated buildings and erection of new clubhouse and greenkeepers store and ancillary development for the golf course would be located where there is the need (i.e. next to the golf course) in a sustainable location whilst not undermining the vitality and viability of Widnes Town Centre. The proposal is considered to be compliant with Policy LTC3 of the Halton Unitary Development Plan.

Policy LTC5 of the Halton Unitary Development Plan relates to the 'Protection of Community Facilities'. It is considered that the existing golf course clubhouse represents a community facility that brings the local community together. The golf course clubhouse may be primarily used ancillary to the golf course (primarily for local residents given that 78% of members are Halton residents), however they also have function rooms which are used for weddings, christenings, birthdays, anniversaries, annual dinners, presentation nights, company promotions and exhibitions. This opens the facility up to the wider community.

The existing building is not a registered asset of community value, however that does not mean that it has no value in this regard.

The proposal development includes a replacement golf course clubhouse which would be smaller in dimension than the existing clubhouse. The proposed floorplan indicates that there would be a clubroom which would have a maximum capacity of 130 people.

It has been raised in the representations that the proposed opening hours of the replacement golf course clubhouse would be 0900-2000 and that the existing facility is open until 2300 therefore implying a reduced operation. In terms of opening hours, this is ultimately a management decision and would need to comply with any restriction imposed by planning condition in the interests of amenity.

Whilst the proposed clubhouse may be smaller than the existing clubhouse, it is considered that it would be of equivalent community benefit and that a refusal on the grounds of loss of community facilities could not be sustained.

The proposed development is therefore considered to be compliant with Policy LTC5 of the Halton Unitary Development Plan.

## 7.9 Highways and Transportation

Policy BE1 (3 Accessibility) 'General Requirements for Development' of the Halton Unitary Development Plan states:

- a) *Proposals for the design and layout of roads, footpaths, accesses and servicing areas must comply with the Council's standards.*
- b) *It must make adequate provision for, and be easily accessible by, pedestrians (including those with restricted mobility), cyclists, public transport and should have easy access to the existing rail network wherever possible in compliance with the Council's standards.*
- c) *It must not overload the capacity of the surrounding highway network nor be detrimental to highway safety.*
- d) *New buildings where the public will have access must have adequate provision for people with disabilities or restricted mobility, particularly in terms of signage, access, facilities and car parking.*
- e) *It must not prejudice access onto the identified Greenway Network, and where appropriate, should improve or enhance greenway linkages.*

Policy TP15 'Accessibility to New Development' of the Halton Unitary Development Plan states:

*Development which increases traffic to undesirable levels will not be permitted, unless improvements to the transport network, including public transport links and pedestrian and cycling routes, to alleviate traffic problems can be made.*

Policy TP17 'Safe Travel For All' of the Halton Unitary Development Plan states:

- 1) *Transport schemes will be designed to maintain or improve safety for pedestrians, cyclists, public transport users and drivers.*
- 2) *Development will be required to provide safe access in to the overall transport network and safe on-site circulation to avoid danger to pedestrians, cyclists, public transport users and drivers.*

Paragraph 109 of the National Planning Policy Framework states that:

*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

The application is accompanied by a Transport Assessment.

Firstly considering traffic impact, all trips associated with the development would need pass through one, or the other, of the Liverpool Road traffic signal junctions adjoining the site and therefore there will be a direct impact on the operation of these signal installations due to the proposed increase in movements.

In an attempt to mitigate against the impact of trips associated with the proposed development the applicants consultants have proposed amendments to the signal phasing at the *Liverpool Road/ Prescot Road/ Hale Road* and *Liverpool Road/ Highfield Road/ Lower House Lane* junctions.

The Highway Authority had severe concerns with regards the proposed phasing from both a capacity and road safety perspective and commissioned a third party specialist consultant to undertake a full audit of both the baseline and proposed Linsig models.

As previously agreed, when allowing for an accepted growth factor, by 2026 the junction exceeds 90% Degree of Saturation (DoS) on some approaches which results in both junctions operating over capacity and unstable.

Degrees of saturation below 100% are within theoretical capacity (i.e. demand flow does not exceed capacity), however variations in traffic arrivals through the peak hour may result in shorter time periods where the degree of saturation exceeds 100%. Therefore, an arm is generally considered to be over capacity once the degree of saturation exceeds 90%.

The Highway Officer notes that the commissioned audit team highlighted that there was a lack of pedestrian crossing data included in the original modelling data, a concern raised previously, and pointed out that actual demand could further impact on the operation on the junction greatly increasing the DoS percentage.

The detailed consideration on each of the signal controlled junctions can be found in the Highway Officer's observations in Appendix 1.

In summary with regard to traffic impact, the applicant's proposed mitigation measures would result in an unacceptable significant capacity impact on an already busy key route network to the detriment of existing road users.

Secondly considering road safety, the Transport Assessment provides a breakdown of road traffic accidents over the last 5 years. The information represents that there have been 57 accidents in the area with 31 of these

occurring between the signal controlled junctions to the east and west of the site and the connecting length of Liverpool Road. The applicant is of the view that the local roads do not have an unduly poor safety record nor will the development significantly worsen the situation.

The Highway Officer considers that the number of road traffic accidents is significant and as demonstrated by the presence of permanent speed cameras to the site frontage, road safety is already a concern in the area.

The Highway Officer notes that the applicant has reduced the number of new connections/ conflict points onto this busy section of the highway network from 5 to 3 but there is a remaining private driveway that serves a limited number of dwellings that represents an unacceptable road safety issue due to a conflict with an opposing junction and existing right turn lane.

An additional road safety issue previous raised has also not been addressed in the revised plans. This is the conflict between an existing bus stop and a proposed junction onto Liverpool Road. The Eastbound provision adjacent to plot 39 is on the approach to the new junction which restricts visibility and is not considered to be good practice. The existing bus stop should be relocated to an alternative position that does not create a hazard for road users nor conflict with either new or existing junctions.

The Highway Officer notes that no Road Safety Audit reports have been submitted to support the application to substantiate the views given within the Transport Assessment in regards to impact on road safety.

Thirdly considering the site layout, the Highway Officer notes that the internal layout of the site has been significantly improved by the applicant with many of the previously raised parking, servicing and pedestrian routing issues addressed. If there wasn't such clear grounds for a Highway Authority objection with regards to impact on capacity and road safety the Highway Officer would expect that the majority of points could be addressed through further dialogue and an internal layout agreed that met the guidance set out within Manual for Streets and the councils own standards in terms of highway adoptions.

Although the site is considered to be sustainable in terms of access to sustainable modes of travel the scale and design of the development results in an unsatisfactory impact on the adjacent highway network.

In conclusion, the proposed development would result in a significant and unacceptable residual cumulative impact on the operational capacity of the adopted highway network in the area due to the increased number of vehicle

movements generated by the proposal particularly at the traffic signals junctions to the east and west of the site.

The proposed residential layout along the frontage of Liverpool Road would also create significant road safety issues and is therefore considered to be unacceptable.

In respect of highway and transportation impact, the proposed development is considered to be contrary to the provisions of Policies BE1, TP14, TP15 and TP17 of the Halton Unitary Development Plan and Paragraphs 108 and 109 of the NPPF.

#### 7.10 Accessibility

As noted in the Highway and Transportation section above, the application site is considered to be sustainable in terms of access to sustainable modes of transport.

The application site is located adjacent to a key route network which provides access to a number of bus services.

The site is located within walking distance of the nearest local centre (Liverpool Road (Widnes) Local Centre) and Widnes Town Centre is less than 1km from the site at its closest point again in relative close proximity to the site.

The Potential Greenway Designation which runs through the application site is considered at paragraph 7.7. The proposed development fails to incorporate this which has been identified as being primarily along the eastern boundary of the application site and considered a missed opportunity to enhance and expand the green infrastructure network.

The possibility of partially removing the link was considered by Council. This was on the basis of a strong footway / cycleway greenway link from the South through the development emerging at Highfield Road and continuing north to the new club house.

The Highway Officer has confirmed that the amended plans do strengthen footway / cycleway greenway links from the south of Liverpool Road through the development emerging at Highfield Road through the site, and continuing North to the new club house.

Whilst the lack of implementation of the potential greenway is not desirable, in the context of accessibility, it is considered that the improvements now shown on the latest layout mean that on balance the proposal is considered acceptable



subject to a compensatory payment being made to fund improvements to walking and cycling, to the benefit of existing and future residents, in the local area.

In respect of accessibility, it is not considered that a refusal on this basis can be sustained and that the proposal is compliant with Policies BE1, TP1, TP6, TP7 and TP15 of the Halton Unitary Development Plan.

#### 7.11 Flood Risk and Drainage

Policy PR16 'Development and Flood Risk' of the Halton Unitary Development Plan states *development will not be permitted where:*

- a) The site is at risk from fluvial or tidal / coastal flooding;*
- b) It would contribute to the risk of flooding elsewhere;*
- c) It would cause adverse access or maintenance problems on or adjacent to watercourses;*
- d) It will cause loss of functional floodplain;*
- e) It will adversely affect the integrity of existing fluvial or tidal flood defences;*
- f) It will adversely affect the geomorphology of channels, or increase instability and erosion;*
- g) It will result in extensive culverting; unless the site is protected to the appropriate standard of defence and it can be clearly demonstrated that sustainable and appropriate mitigation methods can be implemented.*

*A Flood Risk Assessment will be required where it is considered that there would be an increased risk of flooding as a result of the development or the development itself would be at risk of flooding.*

*Where development is allowed, mitigation measures are likely to be required to alleviate flood risk both on and off site. These measures should be derived from a Flood Risk Assessment and be included as part of the development proposals. Such proposals must protect and enhance the environmental quality of the river, its surroundings and natural history interests.*

Policy CS23 'Managing Pollution and Risk' of the Halton Core Strategy Local Plan states:

##### *c) Managing Flood Risk*

*Development should not exacerbate existing levels of flood risk nor place residents or property at risk from inundation from flood waters. This will be achieved by:*

- *Directing development to areas where the use is compatible with the predicted level of flood risk, both at present and taking into consideration the likely effects of climate change.*
- *Using Halton's Strategic Flood Risk Assessment to inform the application of the sequential approach/test and exception test in accordance with national planning policy.*
- *Requiring site-specific Flood Risk Assessments for proposals in areas at risk from flooding as identified in the Halton SFRA.*
- *Supporting proposals for sustainable flood risk management (e.g. defence / alleviation work) so long as they do not have a detrimental impact on the landscape of the Borough.*

The application is accompanied by a Flood Risk Assessment (FRA). This has been reviewed by the Lead Local Flood Authority (LLFA) and a summary of their observations on the proposal are as follows:

1. The applicant has demonstrated through the hydraulic assessment and modelling the site is at risk of flooding from Moss Brook during events with the same or greater magnitude to the 1% Annual Exceedance Probability (AEP) event. The LLFA would like to draw the applicants attention to Paragraph 033 of the Environment Agency (EA) Flood Risk and Coastal Change Guidance (Reference ID: 7-033-20140306) which indicates that although the Sequential and Exceptions tests would not normally be necessary to applied to development proposals in Flood Zone 1 they should if other more recent information, indicates there may be flooding issues now or in the future. Therefore the sequential test should have been applied.
2. Paragraph 033 of the Environment Agency Flood Risk and Coastal Change Guidance (Reference ID: 7-033-20140306) and Paragraph 155 to 158 of the NPPF indicate the sequential approach to locating development in areas at lower flood risk should be applied to all sources of flooding and inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 163 of the NPPF goes on to state 'Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk'. The LLFA would therefore object to the proposed development of 'More Vulnerable' infrastructure within the modelled flood extent of Moss Brook shown in Annex E of the FRA, particularly when there is a significant area of the site which does not lie within the modelled flood extents and would be more suitable for development of residential dwellings.
3. The applicant is proposing to raise land levels without providing compensatory storage analysis. The FRA also notes the residential development platform is proposed to raise to prevent flooding in the worst-case scenario 1 in 1000 year event. The LLFA would like to note the site is 25ha, with the majority of the site in fluvial flood zone 1 and outside of the modelled 1 in 1000 year flood outline

for the ordinary watercourse, therefore the residential development, as the most vulnerable infrastructure, should have been placed in the area of lowest risk and should not require a raised platform.

4. Figure 4 shows flood risk has increased to the properties on Woodland Avenue. This is unacceptable and clearly does not follow NPPF or EA guidance by the proposed development increasing flood risk elsewhere.
5. As the site is 25ha the LLFA would not accept the statement 'where insufficient land is available to provide 1 in 3 side slopes' with regard to alterations to the watercourse, as clearly there is sufficient land to otherwise place the development and provide the space for a 1 in 3 slope for the watercourse.
6. The 'Surface Water Drainage Strategy' plan provided the current layout shows development is proposed within 8m of a watercourse, this is against standard drainage bylaws, which the LLFA has previously stated to the applicant it would not accept the layout if they did so.
7. The applicant has not applied the Drainage Hierarchy adequately as there have been no site specific infiltration testing been undertaken prior to discarding infiltration. The LLFA would note Untied Utilities also apply this strictly, and detailed consideration of the hierarchy will need to be demonstrated in supporting documentation.
8. There is a concern regarding how riparian responsibilities would work as the applicant proposes to develop properties above a culverted watercourse.

Based on all the above, the proposed development is not considered acceptable in respect of flood risk and drainage contrary to the provisions of Policy PR16 of the Halton Unitary Development Plan, Policy CS23 of the Halton Core Strategy Local Plan and the National Planning Policy Framework.

#### 7.12 Noise

The application is accompanied by a Noise Assessment which has been updated to reflect the latest site layout. The application site is primarily adjacent to existing residential areas. The main noise source in the area both day and night is from traffic on Liverpool Road.

Liverpool Road consists of predominantly residential properties fronting on the road. The noise report assesses what the likely impact of the existing noise levels would be on the future residents of the site.

Noise levels were taken over a 26 hour period to ascertain existing noise levels on the site. The report references the standards within BS8233:2014 Guidance on Noise Insulation and Noise Reduction for Buildings. This specifies acceptable noise criteria for developments. It concludes that in most of the proposed units these standards can be met externally (in gardens) and

internally with windows open or closed, in all rooms. However in a small number of units, primarily those fronting onto Liverpool Road, the internal night time standard in bedrooms cannot be met with the windows open. In these units it is proposed that enhanced glazing and trickle vents are provided to the affected rooms so that residents have the choice to whether to open the windows. This is consistent with the Professional Practice Guidance on Planning and Noise. It is suggested that the implementation of the noise mitigation measures in the form of enhanced glazing and trickle vents as set out in the noise report could be secured by condition.

The Environmental Health Officer concludes that the methodology is robust and are satisfied that the noise would not cause detriment to future residents at the proposed development subject to the implementation of the noise mitigation measures set out.

The replacement clubhouse would be sited in an appropriate manner having regard for the existing residential properties in the locality and the resultant impact in terms of noise would not be significantly detrimental to residential amenity in terms of noise and is considered to be acceptable.

Based on the above, the proposal is considered acceptable from a noise perspective in compliance with Policies BE1 and PR8 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

#### 7.13 Air Quality

The application is accompanied by an Air Quality Assessment which considers the impact of emissions of dust from the site during the construction phase and in relation to the increase in vehicle activity along Liverpool Road and the associated highways.

In relation to the construction phase of the development the report cites sensitivity to dust within the surrounding area as the main issue regarding air quality. Given the size of the site the risk of dust emissions is high and therefore needs to be addressed through effective management. A condition securing the submission and implementation of an appropriate dust mitigation scheme including a wheel wash or similar facility at the front of the site and include the measures outlined in Table 20 of the Air Quality Assessment would deal with this matter.

In relation to the impact of the operational phase of the development, the assessment concludes that neither the, health based, air quality objective levels for PM10 nor NO2 will be breached due to the development. It further concludes that the impact on human exposure in the area will be negligible. The demonstration of a negligible impact under the IAQM guidance draws the

Environmental Health Officer to the conclusion that there is no justifiable objection to the application on the basis of air quality.

One of the representations received noted that the area already feeds into an Air Quality Management Area, just along Leigh Avenue into Deacon Road, there is potential that this will increase and require additional council measures to mediate the impact. This may be the case, however as set out in the previous paragraph, there is no justifiable reason to refuse the application on the grounds of air quality.

Representations have been made that there would be increased emissions on vulnerable receptors (children) as they walk to school at peak congestion times alongside congested roads. It is noted that there are a number of schools in the vicinity as well as key routes through the borough. It is not considered that the proposed development would exacerbate issues with air quality to such a degree that this would warrant the refusal of the application on this basis.

Based on the above, the proposal is considered acceptable from an air quality perspective in compliance with Policies PR1 and TP19 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

#### 7.14 Ground Contamination

The application is accompanied by a Desk Study Report and a Ground Investigation Report.

The site development history indicates a low potential for significant land contamination, as the site was predominately open agricultural land prior to the development of the golf course. There was some previous development, Widnes House, in the area of the current club house and several small ponds have disappeared/been infilled over time.

The submitted report makes the following recommendations;

- Gas protection measures for the areas of identified gas risk
- Additional testing of the soils from fairways and greens
- Removal of the ash/clinker layer as encountered in borehole WS2
- Further delineation of the former pond features
- Investigation of the existing clubhouse area post-demolition

The Contaminated Land Officer raises no objection to the proposed development but has suggested that any approval should be conditioned to require the additional investigation, a remedial strategy, prior to development and a verification report upon completion to ensure that any ground contamination is dealt with appropriately.

Based on the above, the proposal is considered acceptable from a ground contamination perspective in compliance with Policy PR14 of the Halton Unitary Development Plan and Policy CS23 of the Halton Core Strategy Local Plan.

#### 7.15 Habitats Regulation Assessment

The following European designated sites are easily accessible (by car) from the development site:

- Mersey Estuary SPA (2.2km south);
- Mersey Estuary Ramsar (2.2km south).

The application proposes 249 residential units, which would result in increased visits (recreational pressure) to the sites listed above. This may result in significant effects on habitats and species for which these sites have been designated.

The applicant has submitted a shadow Habitats Regulation Assessment (HRA) which concludes that, without mitigation/preventative measures, that there will be likely significant effects on the above sites as a result increased recreational pressure. The shadow HRA includes an Appropriate Assessment and concludes that the proposed development is unlikely to result in a significant increase in recreational activity at the European sites, and that any slight increase that does occur can be largely accommodated within the well adapted footpath network at the accessible points of the estuary. In order to mitigate any residual impacts a resident's information pack is recommended to be included with the sales information for all properties. This could be secured by condition. The submitted HRA has been adopted by the Council as its own assessment based on the above assessment and Natural England not raising an objection to the proposed development.

#### 7.16 Ecology

The application was originally accompanied by a Preliminary Ecological Appraisal. This has been supplemented by an Updated Preliminary Ecological Appraisal, Shadow Habitats Regulations Assessment, Bat Activity Survey, Bat Presence / Absence Survey, Invasive Species Method Statement, Ecological Impact Assessment, Ground Tree Level Assessment, Landscape & Ecological Management Plan and a Bat Tree Assessment.

These documents have been reviewed by the Council's Ecological Advisor.

In respect of Great Crested Newts, both ponds on site were surveyed and the results of the eDNA survey were negative. The Council's Ecological Advisor has stated that the Council does not need to consider the proposals against the three tests (Habitats Regulations).

The original proposal for the site would have resulted in the loss of both of the existing ponds located on the application site. These ponds are considered to be priority habitat under Section 41 of the Natural Environment and Rural Communities Act 2006 (England) and form part of the Liverpool City Region Ecological Network. The habitat loss on site requires compensation.

The applicant has amended the proposal to ensure the retention of one pond and the creation of a new pond in the northern part of the site approximately 200 square metres in area equivalent to the pond which would be lost. The securing of this would ensure that the proposal would be acceptable in terms of impact on pond habitat compliant with Policy GE25 of the Halton Unitary Development Plan.

With regard to bats, the surveys note that two common pipistrelle bats were recorded roosting behind the fascia on the southern side of the clubhouse building (Building 1). The roosting site would be lost as the building would be demolished as part of the proposals. The Local Authority is required to assess the proposals against the Three Tests (Habitats Regulations) in order to determine whether a European Protected Species (EPS) license is likely to be granted by Natural England and to exercise its duty under the Habitats Regulations. Indicative mitigation proposals for bats have been provided in Section 4.3 of the bat survey report and if these mitigation proposals are implemented on site in full then the Three Tests would be satisfied and Natural England are likely to grant an EPS license for the site. The detailed reasoning in respect of the Three Tests assessment can be seen in Appendix 1 of the Ecological Advisor's consultation response.

Based on the surveys / reports undertaken to date, the Council's Ecological Advisor has stated that the surveys / reports are acceptable. They have however advised that the following be secured by condition as part of a Construction Environmental Management Plan for the site to ensure the impact on bats is acceptable:

- reasonable avoidance measures for bats, including supervision by a licensed bat ecologist and soft felling;
- a buffer zone of 10 metres around Trees T9 and T11 should be established around these trees and marked with temporary fencing during construction works in order to prevent accidental damage or disturbance.

Bat foraging activity was identified around the woodland copse located outside of the northern boundary of the construction area. Lighting for the development may affect the use of this area. The Council Ecological Advisor has stated that

a lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the important habitat in line with NPPF (paragraph 180) and could be secured by condition. The attachment of the condition and the approval of an appropriate lighting scheme would also ensure that the proposal is compliant with Policy PR4 of the Halton Unitary Development Plan.

In order to ensure the proposed development is acceptable in terms of ecology, the following would need to be secured by condition:

- Landscape & Ecological Management Plan (LEMP);
- Construction Environmental Management Plan (CEMP);
- Lighting scheme that protects ecology;
- Breeding Bird Protection;
- Bird Nesting Boxes (as part of LEMP);
- Reasonable Avoidance Measures for Badgers and Hedgehog (as part of CEMP);
- Boundary Fences to allow movement of hedgehogs (as part of LEMP);
- Implementation of mitigation measures set out within Section 4.3 of the Bat Survey Report;
- Works shall not commence until a copy of a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified development to go ahead has been submitted;
- Avoidance measures for bats (as part of CEMP);
- Implementation of Habitat Compensation & Enhancement (as part of LEMP);
- Implementation of Invasive Species Method Statement;

The attachment of conditions securing the above would ensure that the proposal is acceptable in terms of ecology in compliance with Policies GE21 and GE25 of the Halton Unitary Development Plan and Policy CS20 of the Halton Core Strategy Local Plan.

#### 7.17 Trees, Landscaping and Landscape Impacts

The application is accompanied by an Arboricultural Impact Assessment Landscape Management Plan, Landscape Masterplan, Landscape Layouts and Planting Plans.

The Arboricultural Impact Assessment outlines the applicants' intention to remove 19 individual trees; tree groups comprising approximately 1.88ha; and 28.5m of hedgerow from within the application boundary.



Firstly considering impact on hedgerows, as acknowledged by the applicant, the proposal would result in the removal of 28.5m of hedgerow. The hedgerow in question is not protected by the Hedgerow Regulations 1997 and proposed new hedge planting is considered acceptable in principle compliant with Policy GE26 of the Halton Unitary Development Plan.

Whilst most of the trees scheduled to be removed currently offer limited visibility to the public due to the private nature of the current golf course, the groups G43; G44; G48; and G49; are very prominent along the southern boundary of the site, and greatly influence the landscape along Liverpool Road.

Many of the trees which are proposed to be felled are of significant size, and Table 5 of the Arboricultural Impact Assessment states that there would be a negative residual effect in respect of tree cover as a result of the proposed development.

The Council's Open Spaces Officer surveyed the trees in line with the Tree Evaluation Method for Preservation Orders (TEMPO) as they would potentially satisfy the criteria for statutory protection. This highlighted two woodlands, one group and three individuals meriting Tree Preservation Order. During the processing of this planning application, a Tree Preservation Order has been made as a result of their significant amenity value for the woodlands, group and individual trees highlighted. The Tree Preservation Order made (Reference TPO126) is as follows:

Map TPO Ref	Survey Reference No.	Species	Individual or Group	No. in group (if applicable)	Within Development Plot (Dev) or retained Golf Course (GC)
W2	G43, G48, G49	Mix	Group	N/A	Dev
T1	T1	Sycamore	Individual	N/A	Dev
T2	T26	Poplar	Individual	N/A	Dev
G1	G90	35 Oak, 5 Hawthorn & 4 Sycamore	Group	44	GC

W1	G1, G100, G101, G96 T22, T23, T24	Mix	Woodland		GC
T3	T36	Oak	Individual	N/A	GC

Of the trees falling within the Tree Preservation Order made, the proposed development would result in the felling of Map TPO References W2, T2 as well as a tree which forms part of W1 (Survey Reference No. T22).

Policy GE27 of the Halton Unitary Development Plan relates to the protection of trees and woodlands and states the following:

- 1) Development will not be permitted if it is likely to damage or destroy a tree protected by a Tree Preservation Order or a tree within a Conservation Area or a woodland which is greater than 0.25 hectare in size, has more than 50% canopy and is more than fifty years old, either directly or indirectly, unless either of the following criteria can be satisfied:
  - a) The removal of those trees likely to be affected would be in the interests of good arboricultural practice.
  - b) The importance of the proposed development can be shown to clearly outweigh both the amenity value and nature conservation value of the protected tree.
- 2) Wherever practical, the design and layout of development should make provision for the retention of all protected trees and woodlands.
- 3) If the removal of a tree is permitted as part of a development, replacement planting of appropriate number, size and species, should be carried out on or near the site. Where it is not possible to provide adequate replacements within the site, due to space limitations, developers may be required to fund suitable planting nearby on land owned by the local authority.

The proposed development would destroy trees contained within the Tree Preservation Order made and their removal would not be in the interests of good arboricultural practice as the Arboricultural Impact Assessment accompanying the application states that they all have a long remaining contribution and no significant defects highlighted.

In respect of the importance of the proposed development, as set out in the principle of development conclusion, the existing 18-hole golf course is not

surplus to requirements and the proposed development would compromise many of the amenity values of this designated Greenspace and would segregate the inter-connecting Greenspaces forming part of the wider Strategic Greenspace identified on the Halton Core Strategy Local Plan Key Diagram. The proposed development would not result in replacement greenspace provision which is equivalent or better in terms of quantity and quality. The proposed development fails to incorporate an identified Potential Greenway which would be primarily along the eastern boundary of the application site and is a missed opportunity to enhance and expand the green infrastructure network.

It is noted that the proposed development would deliver 249 residential units, however this does not address the issues raised in the principle of development conclusion nor does it outweigh the amenity value of the trees part of the recently made Tree Preservation Order that would be destroyed by the proposed development.

Considering the applicant's proposed planting scheme, it is noted that 311 new trees are proposed within the residential part of the scheme, including a community orchard, as well as hedges and shrub planting. The planting of a further 103 medium to large growing native trees as well as wildflower meadow is proposed within the retained golf course.

The applicant also comments that on the basis of their proposal, a net balance of long-term tree cover and a greater range of species than currently exists on site would result.

Whilst the plant species suggested for the residential planting scheme are acceptable in principle and would provide a greater range of species, they are smaller specimens, and many of the trees are within residential curtilages which may lead to the removal of those trees by property owners in the future.

The planting scheme on the retained golf course is considered acceptable in terms of specification however this does not mitigate for the negative residual effect in respect of tree cover over the whole site as well as the negative landscape impact that would result.

As previously stated, a negative residual effect in respect of tree cover as a result of the proposed development with the applicant acknowledging that in their view would only result in a net balance in the long term.

It is also noted that a number of trees which are shown as being retained would be potentially impacted by the proposed development. The proposed development also has the potential to impact trees on neighbouring properties

including, but not limited to, properties on Liverpool Road; Heath Road; and Looe Close.

The site forms part of the Mersey Forest as acknowledged by the applicant's Arboricultural Impact Assessment. Policy GE28 of the Halton Unitary Development Plan is applicable.

The application site is located within the corridor running south from Pex Hill to the A562 and the policy justification for Policy GE28 states that there is an opportunity for structural woodland planting along the corridor of open and development land. Given the negative residual effect in respect of tree cover, it is not considered that the proposed development would make the necessary landscape improvements to ensure compliance with Policy GE28 of the Halton Unitary Development Plan.

The Halton Landscape Character Assessment looks at the landscape and visual character of Halton Borough, aids decisions on planning applications and to guide landscape enhancement where funding and opportunities allow.

The application site is located within the Ball O'Ditton Parkland Character Area. The Landscape Strength is Weak and the Landscape Condition is Moderate. The Landscape Guidelines are to Enhance and Restore. An emphasis should be placed on enhancing the key features such as the woodland belts and the stream corridor. The landscape in some areas should be restored to improve its condition.

Within the Landscape Character Assessment, the Golf Course is considered to be one of the key characteristics of the Ball O'Ditton Parkland Character Area as are the linear strips of woodland through the golf courses and along the fringes of other open space. The Landscape Character Assessment notes that there is relatively little woodland in this area and that the linear belts that do exist will give an increasing natural character.

It is not considered that the proposed development would enhance and restore the Ball O'Ditton Parkland Character by virtue the amount of residential development proposed on the existing golf course as well as the loss of the key woodland belts which are key characteristics of the Character Area.

In conclusion, the proposed development would destroy many trees forming part of the recently made Tree Preservation Order which provide significant amenity value as well as other individual trees and tree groups covering a significant area of the site. The proposed development also has the potential to impact existing trees which would remain and therefore compromise tree cover further. The proposed replacement planting scheme would have a

negative residual effect in respect of tree cover and the proposal is not considered to reflect the essential character of this designated Greenspace. The site forms part of the Mersey Forest with the focus being on landscape improvements. This proposal would result in the loss of a significant amount of trees with the proposed replacement planting scheme having a negative residual effect in respect of tree cover thus not representing a landscape improvement. The proposal also fails to enhance and restore the Ball O'Ditton Parkland Character Area by virtue of the amount of residential development proposed on the existing golf course as well as the loss of the key woodland belts which are key characteristics.

Based on the above, the proposal is considered to be contrary to the provisions of Policies BE1, GE27 and GE28 of the Halton Unitary Development Plan, Policy CS20 of the Halton Core Strategy Local Plan and Paragraph 170 of the National Planning Policy Framework.

#### 7.18 Green Infrastructure

Policy CS21 of the Halton Core Strategy Local Plan states that Halton's green infrastructure network will be protected, enhanced and expanded, where appropriate. Halton Borough Council working alongside other partners and agencies responsible for the delivery and maintenance of green infrastructure will achieve this through:

- 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.
- Resisting the loss of green infrastructure where there are identified deficiencies in provision.
- Protecting, enhancing and where possible creating linkages and connections between natural habitats and other landscape features which contribute towards a network of greenspaces and corridors of value for biodiversity, recreation and the amenity needs of the community.
- Improving accessibility, where appropriate, to the green infrastructure network particularly where this encourages walking and cycling.
- Maximising the contribution of Halton's green infrastructure to broader sustainability objectives including health, climate change adaptation, and maintaining and improving biodiversity.
- Identifying the Borough's multifunctional green infrastructure network and preparing detailed policies within the Site Allocations and Development Management Local Plan for its protection.
- Sustaining the protection afforded to internationally important sites for biodiversity by managing recreational impacts and encouraging the use

of the wider green infrastructure network which is less sensitive to recreational pressure.

- Using developer contributions to facilitate improvements to the quality, connectivity and multifunctionality of the Borough's green infrastructure network.
- Supporting the delivery of programmes and strategies to protect, enhance and expand green infrastructure across the Borough including local and sub-regional strategies and Regional Park initiatives.

Considering the proposal in terms of the above policy, it would result in a loss of green infrastructure as a result of the amount of residential development proposed on this designated Greenspace. The site adjoins further designated Greenspaces at St Peter and Pauls Catholic College / Wade Deacon High School to the east, and King George V Playing Fields to the south on the opposite side of Liverpool Road. These sites also link into further Greenspaces at Leigh Recreation Ground and St Michaels Golf Course site and form a network of inter-connecting Greenspaces running through Widnes. Due to their collective importance, they are identified as a Strategic Greenspace on the Halton Core Strategy Local Plan Key Diagram. The proposed reduction from an 18-hole golf course to a 9-hole and the proposed residential development would segregate these inter-connecting Greenspaces/Strategic Greenspace compromising the existing green infrastructure in the urban area.

The proposed development fails to incorporate a Potential Greenway has been identified which would be primarily along the eastern boundary of the application site as shown on the Halton Unitary Development Plan Proposals Map as expected by Policy TP9 (2b) of the Halton Unitary Development Plan. This would result in a missed opportunity to enhance and expand the green infrastructure network.

Whilst the lack of implementation of the potential greenway is not desirable, it is considered that the improvements now shown on the latest layout mean that on balance, subject to a compensatory payment being made to fund improvements to walking and cycling, to the benefit of existing and future residents, in the local area, the proposal is considered acceptable and a refusal on the basis of the lack of implementation of the potential greenway cannot be sustained

Notwithstanding the observations made in relation to the potential greenway, the proposal in respect of Green Infrastructure is still considered contrary to the provisions of Policy CS21 of the Halton Core Strategy Local Plan for the reasons outlined.

The elevations show that the proposed dwellings would be of an appropriate appearance with variety in materials across the proposed development to add interest to the overall external appearance of the residential development. The application is accompanied by material layouts which specify external facing materials which are considered acceptable and could be secured by condition if the principle of development were to be considered acceptable.

In terms of external appearance, it is noted that the existing clubhouse is dated and that the replacement clubhouse would be functional in appearance of a brick construction with a tiled roof. It is not considered that a refusal of the application on the basis of the external appearance of the proposed clubhouse could be sustained. No details have been provided on precise external facing materials and this detail could be secured by condition if the principle of development were to be considered acceptable.

Based on the above, the proposal is considered acceptable in respect of external appearance in compliance with Policies BE 1 & BE 2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

#### 7.20 Access to New Buildings Used By The Public

The replacement clubhouse would likely be accessible by members of the public and on this basis has been designed to provide suitable means of access for people with disabilities and restricted mobility. 6no. accessible parking spaces have been provided adjacent to the building entrance. In respect of access to new buildings used by the public, it is considered that the proposed development is compliant with Policy BE18 of the Halton Unitary Development Plan.

#### 7.21 Residential Site Layout & Residential Amenity

The proposed residential layout generally follows good urban design principles and avoids exposed rear boundaries where possible. The northern boundary of the residential development adjacent to the golf course is designed in a manner where the fronts of properties overlook the site boundary / golf course which would ensure the delivery of uniform appearance on this boundary and is a better design solution than having properties backing on to the site boundary.

The proposed residential layout is considered to provide active frontages which is assisted through the use of dual aspect properties on corner plots.

The application is accompanied by existing and proposed site levels which demonstrate that the layout generally provides separation in accordance with the privacy distances for residential development set out in the Design of Residential Development Supplementary Planning Document. There are

some minor shortfalls in separation within the scheme, however they are not considered to be to the significant detriment of residential amenity which would warrant the refusal of the application on this basis.

With regard to private outdoor space, the Design of Residential Development Supplementary Planning Document states that in calculating the required size of usable private outdoor space for houses the following minimum standards should be used as a guide:

- Houses having 1-2 bedrooms shall have a minimum private outdoor space of 50sqm per unit;
- Houses having 3 bedrooms shall have a minimum private outdoor space of 70sqm per unit;
- Houses having 4 or more bedrooms shall have a minimum private outdoor space of 90sqm per unit.

The scheme has been designed so that it generally accords with this standard and would ensure that each property has a usable private outdoor space.

It is noted that the scheme comprises a range of property types including terraced, semi-detached and detached houses. The scheme provides variety in parking solutions for properties with some located to the sides of properties and some frontage parking. It should also be noted that the proposal makes appropriate parking provision for each property to meet the Council's standards. Sufficient space for soft landscaping to the front of properties which improves the overall appearance of the scheme is provided. Appropriate boundary treatments are proposed which are reflective of the positioning in terms of appearance, privacy and durability.

The proposed layout and resultant residential amenity is considered to be acceptable and compliant with Policies BE 1, BE 2, BE 22 and TP 12 of the Halton Unitary Development Plan and Policies CS 3 and CS18 of the Halton Core Strategy Local Plan.

## 7.22 Provision of Recreational Greenspace

Policy H3 of the Halton Unitary Development Plan states that for new residential development, developers will be required to ensure that there is sufficient recreational greenspace to meet the local needs of the people living there.

The Policy then goes on to state that in residential developments, well located open space should be provided at a standard equivalent to 0.8 hectares per thousand population for children's play and casual recreation and 1.6 hectares per thousand population of formal sport and recreation.



Exceptions (or partial exceptions) to the provisions of the policy are made where it can be demonstrated that existing provision in the vicinity exceeds the minimum requirements.

The application is accompanied by a plan which shows the proposed public open space areas. This includes the following:

- Provision for Children – 2,809 sqm;
- Outdoor Sport Facilities – 142,236 sqm;
- Natural & Semi Natural Space – 7,162 sqm;
- Amenity Greenspace – 4,779 sqm;
- Allotments – 806 sqm;
- Parks & Gardens – 1,880 sqm.

The Council's Open Space Survey looks at the provision by Typology by Sub-Area (Neighbourhoods). The application site falls within Neighbourhood 2 which comprises Appleton, Kingsway and Riverside Wards. Deficiencies in both the Provision for Children & Young People and Allotments Open Space Typologies are highlighted.

Based on the proposed open space provision as outlined above, this would ensure that there would be no open space typology which would be deficient in the Neighbourhood 2 in which the application site falls.

In relation to playing space for children, Policy H3 includes a table (TABLE 1) which sets out three categories of play provision (Local Area of Play (LAP), Local Equipped Area of Play (LEAP) and Neighbourhood Equipped Area for Play (NEAP)). The proposed development would have an anticipated population of 1,090 and is considered to be of a dimension to warrant a NEAP. The applicant has provided a NEAP which would be located centrally within the proposed residential development. This would provide 1,000 sqm of activity zone and would be positioned a minimum of 30m away from the nearest proposed dwellings. It would also make provision for 7 types of equipment as well as a separate kickabout area enclosed by 2m high fencing. It is considered that this area would meet a variety of needs for Children and Young People.

The proposal would not technically provide the three categories of play provision set out in Table 1 of Policy H3, however based on the wider open space strategy for the residential development, opportunities for play in other parts of the development would exist beyond the NEAP located centrally within the scheme. The proximity of the proposed development to existing opportunities on the southern side of Liverpool Road including the Multi Use Games Area adjacent to the Frank Myler Pavilion and King George's Park are also noted.

Having regard for the point made above and also that it is demonstrated that there would be no deficiency for the Provision for Children & Young People as a result of the proposed development in the wider area referred to as Neighbourhood 2, it is not considered that a refusal on the basis of the provision of recreational greenspace could be sustained and that the proposal would

likely meet the demand generated by the new development in compliance with Policy H3 of the Halton Unitary Development Plan.

The detail of the wider open strategy, its implementation and subsequent maintenance could be secured by condition if the principle of development were to be considered acceptable.

In respect of the provision of recreational greenspace for new residential development, the proposal is considered compliant with Policy H3 of the Halton Unitary Development Plan and the Provision of Open Space Draft Supplementary Planning Document.

### 7.23 Affordable Housing

Policy CS13 of the Halton Core Strategy Local Plan states that affordable housing units will be provided , in perpetuity, on schemes including 10 or more dwellings (net gain) or 0.33 hectares or greater for residential purposes.

The policy also states that affordable housing provision will be sought at 25% of the total residential units proposed with 50% being social and affordable rented tenures and the other 50% being intermediate housing tenures.

The policy is clear that the affordable housing contribution may only be reduced where robust and credible evidence is provided to demonstrate that the affordable housing target would make the development unviable.

The Affordable Housing Supplementary Planning Document provides additional guidance on the interpretation of the affordable housing policy.

The proposed development includes 62 affordable homes which equates to the 25% of total residential units sought by the policy. The affordable units would be a mix of 1 bedroom apartments, 2 bedroom two storey houses and 3 bedroom two storey houses. This would meet a range of needs.

No detail is provided in relation to tenures, implementation and management, however a condition securing this information along with implementation and maintenance in perpetuity would ensure compliance with the affordable housing policy requirements.

The proposal is considered to be compliant with Policy CS13 of the Halton Core Strategy Local Plan and the Affordable Housing Supplementary Planning Document.

### 7.24 Housing Mix

Policy CS12 of the Halton Core Strategy Local Plan states that the mix of new property types delivered should contribute to addressing needs 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 proposed development would provide a mix of private housing including 2 bedroom semi-detached bungalows, 3 bedroom semi-detached and detached two storey houses and 4 bedroom two storey detached houses.

The 2016 Mid Mersey Strategic Housing Market Assessment identified the need for a variety of different sized homes to meet a variety of needs. The inclusion of bungalows having regard to an ageing population is welcomed. The proposed development whilst not following the percentage splits would deliver a range of properties which would fulfil the overall requirement for different sized homes. It is not considered that a refusal of the application on the basis of housing mix could be sustained.

In terms of Housing Mix, the proposal is considered to be compliant with Policy CS12 of the Halton Core Strategy Local Plan.

#### 7.25 Density

In respect of density, Policy CS3 of the Halton Core Strategy Local Plan states that to ensure the efficient use of land, a minimum density on individual sites of 30 dwellings per hectare will be sought.

The proposed residential development including associated open space would cover 10.83ha of the wider site. The applicant notes that the net site area amounts to 8.5ha. Based on the gross site area, this results in a gross density of 22.99 units per hectare, however based on the net site area (the developable area following the deduction of infrastructure requirements), a net density of 29.28 units per hectare would result and it should be on this figure that the policy should be applied.

Density cannot be considered in isolation and regard has to be given to site constraints as well as the impact on the character and appearance of the locality. Housing mix is also a significant factor in the resultant density on a residential development.

As noted from the net density on the proposed development, it is marginally below the 30 dwellings per hectare that is sought, however based on the character / density of the surrounding area, it is considered that the residential development proposed would provide a mix of dwelling types and sizes to meet a variety of needs in a manner which would reflect an efficient use of land. The

residential development in terms of density is considered to be acceptable and broadly compliant with Policy CS3 of the Halton Core Strategy Local Plan.

## 7.26 Crime Prevention

Policy BE1 (2e) of the Halton Unitary Development Plan states that development must be designed in such a way that minimises the fear and risk of crime.

The proposal has been reviewed by the Designing Out Crime Officer at Cheshire Constabulary.

The applicant's use of the Building 4 Life criteria in designing the residential layout is welcomed.

The scheme is designed so cars do not dominate the street scene through the use of soft landscaping, whilst still ensuring good natural surveillance of parked cars. The amended layout removed a number of parking courts and a significant number of the properties benefit from in-curtilage parking.

The proposed green spaces within the residential development are appropriately overlooked to ensure them not becoming a hotspot for Anti Social Behaviour.

The Neighbourhood Equipped Area of Play (NEAP) is very easily accessible located centrally within the proposed residential development. The number paths which access the area has been reduced to control access as suggested by the Designing Out Crime Officer.

The Designing Out Crime Officer welcomes the soft landscaping proposals to reinforce the boundary treatments of the properties backing on to the public areas with defensible planting.

Recommendations have been received that doors and windows should comply to PAS 24:2016 and not PAS 24:2012 and that the developer should give some consideration to gaining Secured by Design National Building Approval. These matters could be dealt with by way of an informative.

In terms of crime prevention, the proposed residential development is considered to accord with Policy BE1 (2e) of the Halton Unitary Development Plan and the Designing for Community Safety Supplementary Planning Document.

## 7.27 Health and Well-Being

Policy CS22 of the Halton Core Strategy Local Plan states that healthy environments will be supported and healthy lifestyles encouraged across the borough by ensuring that applications for large scale major developments are supported by a Health Impact Assessment (HIA) to enhance potential positive impacts of development and mitigate against any negative impacts.

The application is accompanied by a HIA. The assessment indicates that it provides recommendations to seek maximising health gains and remove or mitigate potential adverse impacts on health. It also considers that the development would have a positive health effect in relation to the majority of the key health themes as a result of the proposed design measures including a high quality and healthy environment for future users, building upon local green-infrastructure and providing diversity in housing typologies.

Due to COVID-19, only a brief review of the HIA has been undertaken by the Council's Public Health Development Manager who has provided observations which can be found in the appendices at the end of the report. The lack of both any stakeholder involvement and acknowledgement of local health issues are issued raised with the HIA.

It is acknowledged that that proposed residential development would create an environment for future residents that would be both of a high quality and a healthy environment and would provide diversity in housing typologies, however it is considered that the overall development would have a negative impact on the wider population in terms of impact on both local green-infrastructure, designated green space and golfing provision in the locality.

Based on this, it is considered that the proposal would have a negative impact on health and well-being as result of its location on a designated Greenspace shown on the Halton Unitary Development Plan Proposals Map and Strategic Greenspace identified on the Halton Core Strategy Local Plan Key Diagram detrimental to the borough's Green Infrastructure contrary to the provisions of Policy CS22 of the Halton Core Strategy Local Plan.

## 7.28 Education Provision

Some of the representations received question whether there is capacity in local schools and GP surgeries to accommodate the residents of the new homes proposed.

Policy CS7 of the Halton Core Strategy Local Plan states that development should be located to maximise the benefit of existing infrastructure and to minimise the need for new provision.

For the 2020/21 academic year, Halton has 11,823 primary school places: 5,460 in Widnes and 6,363 in Runcorn. Widnes primary schools are currently operating at 94.5% occupancy, and Runcorn primary schools are operating at 86.5% occupancy, returning an overall 90% occupancy rate and 1,159 available places at primary level across Halton.

In the secondary sector Halton has 8,575 secondary school places, 4,025 in Widnes and 4,550 in Runcorn. 3,804 pupils are currently on roll in Widnes providing a 94.5% occupancy rate, and 3,813 pupils are currently on roll in Runcorn providing an 84% occupancy rate, returning an 89% occupancy rate and 958 available places at secondary level across Halton.

The above demonstrates that Halton has an overall surplus capacity in both primary and sectors. Should additional primary school accommodation be required in the future, the Local Authority would look at options to expand capacity at existing schools where practicable. With regard to secondary school provision, all secondary schools are academy or own admission schools (not Local Authority Community Schools) and any future increase for demand in secondary places would need to be determined by the schools themselves, with the Local Authority providing pupil number updates as appropriate to help inform overall place planning decisions.

As part of the Delivery and Allocations Local Plan which has been submitted to the Secretary of State (DALP), sites for educational purposes have been identified and based on the latest 2016 based population projections do not predict significant increases in the number of school age residents over the Plan period to 2037.

In terms of availability of health provision, it is not considered that the proposed development would exacerbate availability of healthcare provision within Halton.

Based on the above, sufficient educational and health provision is available in the locality to accommodate likely demand from the proposed development in accordance with Policy CS7 of the Halton Core Strategy Local Plan.

## 7.29 Sustainable Development and Climate Change

Policy CS19 of the Halton Core Strategy Local Plan outlines some principles which will be used to guide future development in relation to sustainable development and climate change.

NPPF is supportive of the enhancement of opportunities for sustainable development and it is considered that any future developments should be located and designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles.

The incorporation of facilities for charging plug-in and other ultra-low emission vehicles is realistically achievable for this development. The inclusion of property level EV charging provision throughout the scheme is welcomed. The precise detail could be secured by condition if the principle of development were to be considered acceptable.

The Design and Access Statement and Energy Statement which accompany the application advocate a fabric first approach for energy efficiency for the proposed dwellings which is considered to be acceptable. The Energy Statement concludes that using the measures proposed the properties will achieve a higher reduction in carbon emissions than required by the current building regulations. This is considered to be compliant with Policy CS19.

One of the principles referred to in the policy is Code for Sustainable Homes. Whilst it is desirable to meet such a standard, given links with Sustainable Development and Climate Change, following the Government's Written Ministerial Statement in March 2015, it is no longer for Local Authorities to secure the implementation of a particular level of Code for Sustainable Homes by planning condition.

Based on all the above, the proposal is considered compliant with Policy CS19 of the Halton Core Strategy Local Plan.

### 7.30 Waste Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application along with policy CS24 of the Halton Core Strategy Local Plan. In terms of waste prevention, construction management by the applicant will deal with issues of this nature and based on the development cost, the developer would be required to produce a Site Waste Management Plan. The Council's Waste Advisor has stated that the submission of a Waste Audit / Site Waste Management Plan should be secured by condition. They have also advise that information relating to household waste storage and access for Refuse Collection Vehicles on the roadway fronting the golf course is required and can be secured by condition.

In terms of on-going waste management, Officers consider that there is sufficient space on site within plots to deal with this. The suitability of the internal road network has been considered by the Highway Officer and no objection has been raised in this regard.

The proposal is considered to be compliant with policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan and policy CS24 of the Halton Core Strategy Local Plan.

### 7.31 Planning Obligations

Based on the above assessment, it is not considered that a planning obligation to mitigate the impacts of this development proposal would overcome the fundamental issues and ensure compliance with planning policy.

As set out at paragraph 7.5, It must be stated that Officers do not concur with the observations made by Sport England that the Golf Business Plan submitted by the applicant and a planning obligation (S106 agreement or Unilateral Undertaking) securing the mitigation and timeframe for implementation as set out below would achieve compliance with any of the exceptions set out in Paragraph 97 of NPPF for the detailed reasons set out.

1. The purchase of Blundells Hill Golf Club which is an 18 hole Golf Course in St Helens to be jointly managed so that those members currently playing 18 hole golf at Widnes Golf Club still have the opportunity to play, albeit in a different Local Authority area and 4.5 miles from the Widnes course.
2. The use of some of the capital receipt to upgrade the remaining golf course including a new clubhouse.

### 7.32 Planning Balance

There is a presumption in favour of granting sustainable developments set out in NPPF where the proposal is in accordance with an up-to-date development plan.

Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The Council can demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in Paragraph 73 of NPPF).

It should also be noted again at this point of the report that the Council has submitted the Submission Delivery and Allocations Local Plan to the Planning Inspectorate (DALP) for independent examination on 5th March 2020. This will replace the existing Unitary Development Plan Proposals Map in due course



and ensure the allocation of sufficient land for future housing in the borough over the plan period. The site subject of the application does not form part of any proposed future housing allocation with the proposal being that the site remain as designated Greenspace.

It is considered that the development plan policies referenced are in general conformity with the NPPF, therefore up-to-date and full weight should be given to these.

The proposal whilst it would provide benefits in the form of 249 dwellings along with the associated construction jobs in building them would not outweigh the significant policy issues raised in this report. The proposal is not considered to accord with the development plan and is therefore unacceptable.

### 7.33 Issues raised in representations

All issues raised in the representation received, which are material to the planning application's consideration are responded to above.

## 8. CONCLUSIONS

In conclusion, whilst the proposal may be considered policy compliant in some respects, the fundamental issues with the proposed development are as follows:

### Greenspace/Strategic Greenspace/Potential Greenway/Green Infrastructure/Health and Well-Being

The proposed development would compromise many of the amenity values of this designated Greenspace and would segregate the inter-connecting Greenspaces forming part of the wider Strategic Greenspace identified on the Halton Core Strategy Local Plan Key Diagram.

The applicant's golf needs assessment does not demonstrate that the existing 18-hole golf course is surplus to requirements. The proposed development would not result in replacement provision which is equivalent or better in terms of quantity and quality nor would it enhance and expand the green infrastructure network.

It is acknowledged that that proposed residential development would create an environment for future residents that would be both of a high quality and a healthy environment and would provide diversity in housing typologies, however it is considered that the overall development would have a negative impact on the wider population in terms of impact on both local green-infrastructure, designated green space and golfing provision in the locality.

### Highways/Transportation

The proposed development would result in a significant and unacceptable residual cumulative impact on the operational capacity of the adopted highway network in the area due to the increased number of vehicle movements generated by the proposal particularly at the traffic signals junctions to the east and west of the site.

The proposed residential layout along the frontage of Liverpool Road would also create significant road safety issues and is therefore considered to be unacceptable.

In respect of highway and transportation impact, the proposed development is considered to be contrary to the provisions of Policies BE1, TP14, TP15 and TP17 of the Halton Unitary Development Plan and Paragraphs 108 and 109 of the NPPF.

### Flood Risk/Drainage

The proposed development would be located in an area which there may be flooding issues now or in the future and the applicant has failed to apply a sequential test. The proposed development would result in 'More Vulnerable' infrastructure within the modelled flood extent of Moss Brook and based on significant areas of the site not lying within the modelled flood extents, it is considered that there would be more suitable for development of residential dwellings. The applicant is proposing to raise land levels without providing compensatory storage analysis. The proposal would result in increased flood risk to the properties on Woodland Avenue. There is sufficient land to otherwise place the development and provide the space for a 1 in 3 slope for the watercourse. The 'Surface Water Drainage Strategy' plan provided the current layout shows development is proposed within 8m of a watercourse, this is against standard drainage bylaws. The applicant has not applied the Drainage Hierarchy adequately as there have been no site specific infiltration testing been undertaken prior to discarding infiltration. There is a concern regarding how riparian responsibilities would work as the applicant proposes to develop properties above a culverted watercourse.

### Trees/Landscaping/Landscape Impacts

In conclusion, the proposed development would destroy many trees forming part of the recently made Tree Preservation Order which provide significant amenity value as well as other individual trees and tree groups covering a significant area of the site. The proposed development also has the potential to impact existing trees which would remain and therefore compromise tree cover further. The proposed replacement planting scheme would have a negative residual effect in respect of tree cover and the proposal is not considered to reflect the essential character of this designated Greenspace. The site forms part of the Mersey Forest with the focus being on landscape improvements. This proposal would result in the loss of a significant amount of trees with the proposed replacement planting scheme having a negative residual effect in respect of tree cover thus not representing a landscape improvement. The proposal also fails to enhance and restore the Ball O'Ditton

Parkland Character Area by virtue of the amount of residential development proposed on the existing golf course as well as the loss of the key woodland belts which are key characteristics.

## **9. RECOMMENDATION**

Refuse planning permission for the reasons set out in section 10 below:

## **10. REASONS FOR REFUSAL**

1. The proposed development would compromise many of the amenity values of this designated Greenspace and would segregate the inter-connecting Greenspaces forming part of the wider Strategic Greenspace identified on the Halton Core Strategy Local Plan Key Diagram.

The applicant's golf needs assessment does not demonstrate that the existing 18-hole golf course is surplus to requirements. The proposed development would not result in replacement provision which is equivalent or better in terms of quantity and quality nor does the development provide alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. The proposed improvements at the Widnes Golf Course site including the building of a new purpose-built clubhouse and ancillary building forming a greenkeepers store do not go anywhere near raising the overall amenity value of the greenspace to justify the 11ha of residential development being sought by this application nor would it enhance and expand the green infrastructure network.

Whilst the proposed residential development would create an environment for future residents that would be both of a high quality, a healthy environment and would provide diversity in housing typologies, the proposed development would have a negative impact on the wider population in terms of impact on both local green-infrastructure, designated green space and golfing provision in the locality.

To allow the proposed development is therefore considered to be contrary to the provisions of Policies GE6 and GE10 of the Halton Unitary Development Plan, Policies CS1, CS21 and CS22 of the Halton Core Strategy Local Plan and Paragraph 97 of the NPPF.

2. The proposed development would result in a significant and unacceptable residual cumulative impact on the operational capacity of the adopted highway network in the area due to the increased number of vehicle movements generated by the proposal particularly at the traffic signals junctions to the east and west of the site.

The proposed residential layout along the frontage of Liverpool Road would also create significant road safety issues and is therefore considered to be unacceptable.

To allow the proposed development is therefore considered to be contrary to the provisions of Policies BE1, TP14, TP15 and TP17 of the Halton Unitary Development Plan and Paragraphs 108 and 109 of the NPPF.

3. The applicant has demonstrated through the hydraulic assessment and modelling the site is at risk of flooding from Moss Brook during events with the same or greater magnitude to the 1% Annual Exceedance Probability (AEP) event. Paragraph 033 of the Environment Agency (EA) Flood Risk and Coastal Change Guidance (Reference ID: 7-033-20140306) and Paragraph 155 to 158 of the NPPF indicate that although the Sequential and Exceptions tests would not normally be necessary to applied to development proposals in Flood Zone 1, however they should if other more recent information, indicates there may be flooding issues now or in the future. Therefore a sequential test should have been applied.

The sequential approach to locating development in areas at lower flood risk should be applied to all sources of flooding and inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 163 of the NPPF goes on to state 'Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk'. The proposed development of 'More Vulnerable' infrastructure within the modelled flood extent of Moss Brook shown in Annex E of the Flood Risk Assessment (FRA) is not considered to be acceptable, particularly when there is a significant area of the site which does not lie within the modelled flood extents and would be more suitable for development of residential dwellings.

No compensatory storage analysis has been provided along with the proposal to raise land levels. The site is 25ha, with the majority of the site in fluvial flood zone 1 and outside of the modelled 1 in 1000 year flood outline for the ordinary watercourse, therefore the residential development, as the most vulnerable infrastructure, should have been placed in the area of lowest risk and should not require a raised platform.

The proposed development would result in an increased flood risk for properties on Woodland Avenue which is unacceptable and clearly does not

follow NPPF or EA guidance by the proposed development increasing flood risk elsewhere.

With regard to alterations to the watercourse, the site is 25ha and there is clearly sufficient land to otherwise place the development and provide the space for a 1 in 3 slope for the watercourse.

The 'Surface Water Drainage Strategy' plan shows development is proposed within 8m of a watercourse which is against standard drainage bylaws and not considered to be acceptable.

The applicant has not applied the Drainage Hierarchy adequately as there have been no site specific infiltration testing been undertaken prior to discarding infiltration.

No detail has been provided as to how riparian responsibilities would work as dwellings are proposed above a culverted watercourse.

In respect of flood risk and drainage, to allow the proposal would be contrary to the provisions of Policy PR16 of the Halton Unitary Development Plan, Policy CS23 of the Halton Core Strategy Local Plan and the National Planning Policy Framework.

4. The proposed development would destroy many trees including some of those forming part of the recently made Tree Preservation Order which provide significant amenity value as well as other individual trees and tree groups covering a significant area of the site. The proposed development also has the potential to impact existing trees which would remain and therefore compromise tree cover further. The proposed replacement planting scheme would have a negative residual effect in respect of tree cover and the proposal is not considered to reflect the essential character of this designated Greenspace.

The site forms part of the Mersey Forest with the focus being on landscape improvements. This proposed development would result in the loss of a significant amount of trees with the proposed replacement planting scheme having a negative residual effect in respect of tree cover thus not representing a landscape improvement.

The proposal also fails to enhance and restore the Ball O'Ditton Parkland Character Area by virtue of the amount of residential development proposed on the existing golf course as well as the loss of the key woodland belts which are key characteristics.

In respect of trees, landscaping and landscape impacts, the proposed development is considered to be contrary to the provisions of Policies BE1, GE27 and GE28 of the Halton Unitary Development Plan, Policy CS20 of the Halton Core Strategy Local Plan and Paragraph 170 of the National Planning Policy Framework.

## **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 by contacting [dev.control@halton.gov.uk](mailto:dev.control@halton.gov.uk)

## **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.

## **APPENDIX 1 - Full Consultation Responses.**

### **1. Highways and Transportation Development Control**

#### **FIRST CONSULTATION RESPONSE**

Further to your consultation we have considered the proposed application as the Highway Authority and would make the following representation;

***The Highway Authority would raise objections to the proposed development on grounds including road safety, impact on highway capacity and failure to meet Transport related policy with the Halton Unitary Development Plan (UDP).***

***The Highway Officers comments demonstrate that the proposed development results in a significant and unacceptable negative impact on the operation of the adopted highway network in the area due to the increased number of vehicle movements generated by the proposal particularly at the traffic signals junctions to the East and West of the site.***

***The scheme fails to address the Highway Authority's requirements set out in The Greenway Network Policy within TP9 as the proposed North/ South connection through the site is not provided.***

***Layout proposals shown along the frontage of Liverpool Road are considered to present significant road safety issues and therefore would be unacceptable to the Highway Authority.***

***Likewise there are layout and design proposals throughout the site that, as detailed, result in a failure to meet council standards or UDP policy.***

Although the site is considered to be sustainable in terms of access to sustainable modes of travel the scale and design of the development results in an unsatisfactory impact on the adjacent highway network.

The Transport Assessment submitted in support of the application is considered to be sufficient in scope but the Highway Officer disagrees with the conclusion that "the development proposals will result in a minimal impact and can be accommodated on the local highway network".

The Highway Officer will address the information contained within the Transport Assessment under the following headings, Traffic Impact, Walking/ Cycling, Public Transport and Road Safety.

#### **Traffic Impact;**

It is noted that the Highway Officer agreed the Trip generation level with the applicant's consultant in advance during the scoping of the Transport and both these movements and the gravity model distributions are agreed.

All trips associated with the development would need pass through one, or the other, of the Liverpool Road traffic signal junctions adjoining the site and therefore there will be a direct impact on the operation of these signal installations due to the proposed increase in movements. The only potential alternative to these junctions is via Heath Road which is unsuitable for increased traffic movements.

The Highway Authority considers that the proposed development would result in a significant detrimental impact on the existing traffic signal junctions to the East and West of the site (Liverpool Road/ Highfield Road/ Lower House Lane and Liverpool Road/ Prescott Road/ Hale Road).

#### ***Liverpool Road/ Highfield Road/ Lower House Lane***

Currently all arms potentially operate with an DoS (degree of saturation) of below 85%, *whilst* allowing for an accepted growth factor by 2026 the junction exceeds 90% DoS on two arms, Highfield Road and Leigh Avenue, in the PM peak. This demonstrates the junction is becoming unstable

*Degrees of saturation below 100% are within theoretical capacity (i.e. demand flow does not exceed capacity). However variations in traffic arrivals through the peak hour may result in shorter time periods where the degree of saturation exceeds 100%. Therefore, an arm is generally considered to be over capacity once the degree of saturation exceeds 90%.*

Significant impact can be seen in the 2026 base when the proposed development is accounted for due to the proposed movements associated with the development. Adding the agreed development trips pushes the Highfield Road and Leigh Avenue arms over 100% to 103.8% and 104.2% respectively. An additional two arms of the junction also operate beyond 85%.

The Highfield Road arm sees an 11.6% increase in the DoS as a result of the proposed development above the 2026 baseline which predicts a 92.2% suggesting it will already be over capacity with normal growth, clearly permitting a development that compounds the future issues with no mitigation is an unacceptable

In terms of the Leigh Avenue arm the 2026 baseline of 95% DoS is increased by 9.2% by the addition of development traffic again clearly demonstrating an unacceptable impact of the proposed scheme.

It is noted potentially due to an error in coding Highfield Road and potential under accounting for pedestrian demand (*detailed below*) the situation could in fact be worse. The coding error for Highfield Road is in inputting the lane width which suggests the available road space is greater than it is which results in an unrealistic saturation flow.

### ***Liverpool Road/ Prescot Road/ Hale Road***

One arm of this signal controlled junction is currently operating with a DoS of over 85% in the AM peak and two arms in the PM peak. In the 2026 base output two arms exceed 90% in the AM peak and 3 exceed 90% in the PM peak with an further arm going beyond 85% demonstrating that even without the development traffic the junction is becoming unstable.

Adding the development trips has significant impact in the PM peak with the Liverpool Road (East) and Hale Road (Northbound) arms exceeding 100% to 101.9% and 102.9% respectively, and the Prescot Road arm predicted at 99.6%, gain clearly demonstrating an unacceptable impact due to the development.

### **General Comments relating to the impact assessment/ modelling of the proposed development existing signal junctions.**

Both of the Linsig (signal junction assessment software) runs apply an assumed pedestrian demand with no data submitted in support i.e. counts. It is noted that due to the current situation (Covid-19) the actual use cannot be checked on site. It is the Highway Officers opinion that due to the signal junction locations on routes to school the demand could be substantially higher and/ or have a peak within the



peak which when applied to a junction running near capacity, and in the future over capacity further compounds the issues.

It is also noted that although queue information has been generated by the assessment software manual verification has not been carried out which the Highway Officer would have expected given the busy nature of the highway network. A peak within a peak can result in queues not clearing especially at junctions approaching or above capacity.

This lack of validation also fails to address concerns the Highway Officer has with regard to the side roads to the south of Liverpool Road. Anecdotal information suggests that residents of Three Crowns Close and Foxley Heath struggle to exit these side roads during peak hours and although the Picady assessments submitted suggest there would be no issues, the 5.8% and 5.5% respective increase in the volume of traffic on Liverpool Road attributed to the development raises concerns. As with the pedestrian demand issue the Highway Officer cannot verify submitted information or undertake queue surveys due to the current circumstances (Covid-19).

### **Traffic Impact summary**

The proposed development is considered to result in unacceptable significant capacity impact on an already busy key route network to the detriment of existing road users with no mitigation proposed by the applicant, therefore the Highway Authority would object on Policies BE1, TP14 and TP15 of the Halton Unitary Development Plan (UDP).

BE1 sets out the general requirements for development and within point 3 Accessibility (c) development “must not overload the capacity of the surrounding network nor be detrimental to highway safety” again it is the Highway Officers considered opinion that the information submitted clearly demonstrates a significant negative impact on the adopted network.

Moving on to the Transport policies TP14 Transport Assessments and TP15 Accessibility to New Development. As detailed in the Highway Officers commentary the proposed development demonstrates a significant and severe impact on the operational capacity of two traffic signal controlled junctions on a busy key route within the Borough by increasing traffic to undesirable levels with no proposals for mitigation.

### **Walking/ Cycling;**

It is acknowledged that the site is well served by footways to the South and East and therefore is considered to be accessible in terms of pedestrian movement. There are however issues that the Highway Officer has identified that would need to be addressed.

It is noted that under within the current UDP document under TP9 there is a proposal for a greenway corridor connecting the existing network to the South of

Liverpool Road to the Black Path link North of the Railway line. During pre-application discussion the applicant raised concerns that there were health and safety issues with public rights of way through golf courses. Although this argument is questionable, with similar PROW common on existing courses, the possibility of partially removing the link was considered. The basis of this amendment to the UDP plan would be dependent on a strong footway/ cycleway greenway link from the South through the development emerging at Highfield Road and continuing North to the new club house.

There would also be a desire by the Highway Authority to seek a S106 payment for the length of the lost link to contribute to improvements to walking and cycling, to the benefit of existing and future residents, in the local area. Currently the proposal does not demonstrate the strong links required and therefore the Highway Authority would object to the proposal on Policy TP9 of the UDP.

The provision of a 3m footway to the frontage on Liverpool Road is welcomed and generally, with the exception of the routes referenced above, provision for pedestrians within the site is considered to be acceptable. Although a 20mph zone is referenced, with surface treatments, additional cycle friendly traffic calming would be required to ensure visibility splays are suitable particularly on the approach to junctions. We would seek this to be a condition on any permission or request that additional plans are submitted for consideration showing traffic calming details and junction visibility splays.

The submitted plans show an uncontrolled tactile crossing across Liverpool Road and although this new provision is noted it is not considered to be suitable as there will be a strong desire line from the development to the Southern bus stop and to the Council owned leisure provision, The Frank Myler Centre. The Highway Officer would request that a pedestrian refuge similar to the existing provision to the East be provided.

### **Public Transport;**

The proposed development site meets the requirements of TP1 Public transport provision policy as there are services within 400m.

However a road safety issue has been identified on the plan due to a conflict between an existing bus stop and a proposed junction onto Liverpool Road. The Eastbound provision adjacent to plot 39 is on the approach to the new junction which restricts visibility and is not considered to be good practice.

This situation would be further compounded by the inclusion of the necessary refuge island mentioned above. The existing bus stop should be relocated to an alternative position that does not create a hazard for road users nor conflict with either new or existing junctions.

The Highway Officer considers this issue to be a significant road safety concern and would raise an objection on Policy BE1 (3) General requirements for development, Accessibility. and on Policy TP17 (2) Safe Travel for all of the UDP.

### **Road safety;**

Within the Transport Assessment a breakdown of road traffic accidents over the last 5 years has been provided. The information represents that there have been 57 accidents in the area with 31 of these occurring between the signal controlled junctions to the East and West of the site and the connecting length of Liverpool Road. Section 7.3 of the report gives the view that the local roads do not have an unduly poor safety record nor will the development significantly worsen the situation.

The Highway Officer considers that the number of road traffic accidents is significant and as demonstrated by the presence of permanent speed cameras to the frontage road safety is already a concern in the area.

The additional 5 new connections/ conflict points onto this busy section of the highway network and the increase in traffic volume, turning movements associated with the development would pose a risk to road safety and it is the Highway Officers opinion that the impact of the development on the existing adopted highway has not suitably been considered and an objection would be made on Policy BE1 (3) General requirements for development, Accessibility and on Policy TP17 (2) Safe Travel for all of the UDP.

During pre-application discussion the Highway Officer expressed concern that any other access points on to Liverpool Road other than the main two junctions would result in a road safety risk due to interaction with existing junctions and an increase in vehicle conflict points on this already busy section of the network. The applicant has continued with 3 additional accesses into private drives each serving 5 large dwellings. As anticipated these private drive accesses pose a considerable risk to the safe operation of Liverpool Road and are considered to be wholly unsuitable.

The private driveway access serving plots 34-38 is situated too close to the existing bus stops which results in an increased risk of collision. The Eastbound stop however as noted requires relocating to address the previously detailed road safety issue. Therefore further consideration of this particular access point can only be given once revised proposals are developed to address the Highway Officers concerns over the conflict between the secondary (main) access point and the bus stop.

With regards to the private driveway access points serving plots 1-5 and plots 6 to 10, both of these accesses interact with the existing right turn lanes serving the residential areas to the South, Three Crowns and Foxley Heath. Motorists travelling Westbound would utilise the existing Eastbound right turn lane to enter the site in direct conflict with users of these facilities.

This conflict is considered to be unacceptable in terms of highway safety and therefore the Highway Officer would object strongly on Policy TP 17 Safe travel for all, or failure to meet standards and BE1 (3) General requirements for development, Accessibility of the UDP.

In general the 3 direct access private driveways are not supported and the Highway Officer would recommend that and development be limited to the primary and

secondary main connections onto Liverpool Road with all dwellings accessed internally.

It is noted that no Road Safety Audit reports have been submitted to support the application to substantiate the views given within the Transport Assessment in regards to impact on road safety.

The position proposed secondary (main) access point to the West of development site appears to conflict with an existing permanent speed camera location. No details for its treatment are proposed nor is any evidence given of agreement by the operator to relocate or remove said apparatus.

### **Layout Comments;**

In addition to undertaking a review of the supporting Transport Assessment the Highway Officer considered the submitted plans and has identified several issues with the proposed site layout that result in highway safety concerns, (Policy TP 17 Safe travel for all of the UDP), or failure to meet standards, (Policy BE1 (3) General requirements for development, Accessibility of the UDP).

The applicant has expressed a wish to offer a substantial length of the estate road for adoption by the Highway Authority therefore advice has been sought from the Section 38 Engineer to establish issues that may result in the Highway Authority's inability to formally adopt roads.

For clarity, unless otherwise stated, Planning Layout Sheets 1 (PL01 Rev D) and 2 (PL02 Rev D) have been used to form commentary.

### **Parking;**

Parking provision for dwellings meets the required standard although several plots are served by poorly laid out provision which are considered to be contrary to guidance given in Manual for Streets.

The North West corner of the development site serving plots 75 to 87 has a high density of dwellings served off a small cul-de-sac which results in an undesirable layout with disjointed and remote parking. This type of layout has proven to be problematic for the Highway Authority in terms of buildability to meet required standards for adoption and ongoing issues with neighbour dispute.

Likewise the parking for plot 90 is not considered to be suitable directly of the end of the turning head and adjacent to a neighbouring property which may result in neighbourhood dispute and obstruction of footway due to inconsiderate parking.

There is elongated private driveway between plots 96 and 91 which will be difficult to access for service vehicles/ deliveries with no turning provision. It is also questioned if the length of this private driveway will be suitable for refuse collection in terms of building regulations.

A similar concern is raised for the long private driveway serving plots 111-115, although the access is considered suitable the length of this private driveway may be unsuitable for refuse collection in terms of building regulations. There is limited space for turning vehicles within the private driveway and therefore servicing/deliveries may prove difficult for residents.

Plots 109, 150, 146, 170, 175,220 and 230 are served by a driveway to the rear of the dwelling, a layout that is unsupported by the Highway Authority as it is not considered to be convenient for the occupants and is likely to lead to on street parking to the frontage. Given all of these dwelling are on corner plots on street parking should not be encouraged to ensure junctions are kept clear.

Driveway serving plots 61, 62 and 63 are considered to be poorly aligned and therefore could prove difficult to access.

As with the North West corner of the site there is an area of dense development to the centre (plots 178-189) served off a small courtyard. Parking provision for the majority of these dwellings is within rear courtyards with little or no natural surveillance. Based on observations of similar provision the Highway Authority would not support the current layout and do not consider it to meet the guidance of Manual for Streets.

There is also an area of the development to the East adjacent to the link through to Highfield Road covering plots 244 to 255 that is considered over development resulting in an undesirable layout in terms of parking provision. Again this type of layout has proven to be problematic for the Highway Authority in terms of buildability to meet required standards for adoption and ongoing issues with neighbour dispute and is therefore unsupported.

The provision of formalised visitor parking adjacent to the public open space is welcomed although the Highway Officer would request that the bays be split to the East and West rather than its current location. Siting the lay-bys on side roads away from the main flow of traffic is considered to be a safer option and provision of one or two bays to the West would provide parking for sub-station maintenance. Providing this parking off line would also mitigate somewhat against use by users not associated with the local residents.

The inclusion of property level EV charging provision throughout the scheme is welcomed and the proposals are considered to be suitable and in line with current guidance.

### **Servicing;**

The tracking diagrams submitted with the application are considered suitable and on the whole with the exception of the private driveways referenced above the site can be serviced adequately by the standard refuse collection vehicle operating in the area and by delivery vehicles.

### **Pedestrian routes;**

Although pedestrian crossings points are not shown on the plans the layout allows for their provision as part of any technical approval process.

As pointed out earlier in our representations there is a failure to deliver an aspirational from the UDP greenway policy. It is essential that a 3m shared use footway/ cycleway is provided adjacent to the primary access road leading from the new junction onto Liverpool Road through to the proposed new club house. This connection should also branch East providing a continuous 3m link to Highfield Road, the Highway Officer would recommend this shared use provision be sited North of the road leading to plots 255. It would be beneficial if the pathway shown North/ South to the rear of plots 206/ 216 also be a 3m wide provision.

### **Landscaping;**

The Highway Officer has reviewed the landscape plans that have been submitted and is concerned that some species and planting layouts, especially boundary hedges and use of fruit shedding trees, are unacceptable for use at the back of footway or within visibility splays.

Due to the time sensitive nature of the required representation the Highway Officer would ask that these plans be classed as indicative or removed from the application and if a permission granted a pre-occupation condition be applied for submission of detailed landscaping/ planting proposals.

### **Golf club house layout;**

As mentioned above it is essential that the 3m footway/ cycleway connects to the new club house to improve access to sustainable modes of travel.

Covered, secure and overlooked cycle parking should also be provided to a suitable standard which should be secured by a suitable pre-occupation condition.

A scheme to provide at least 2 EV charging bays should be developed and secured via condition to promote the use of ULEV's. Details of bay location, markings and charging provision should be submitted for approval by the Highway Authority.

The overall layout of the facility in terms of vehicular access, number car parking and servicing is considered suitable and the Highway Officer raises no further comment to this aspect of the development.

### **Further comment;**

Should the Local Planning Authority be mindful to approve the application the Highway Authority would expect to see the following conditions;

- A full construction phase management plan is required for the proposed development prior to commencement.
- Development shall not commence on site until the scheme of offsite highway works including new access/ junctions, footway improvements, pedestrian

crossing points, bus stop works, road markings, relocation of safety camera etc. is approved by local planning authority.

- These offsite works should be completed prior to first occupation of dwellings.
- Details of road levels and finished floor levels to be submitted for approval prior to commencement.
- Full details of landscaping/ planting should be submitted prior to first occupation for approval to ensure suitable a suitable scheme is implemented to meet road safety requirements.

As mentioned within the Highway Officers comments there may be a requirement for a S106 to mitigate against the loss of sections of Greenway as identified with the Halton UDP. A contribution equivalent to the cost per linear metre of lost Greenway would be sought by the Highway Authority. This contribution would be earmarked for pedestrians and cycling improvements in the area.

## SECOND CONSULTATION RESPONSE

Further to the re-consultation for the above scheme the Highway Authority has considered the revised plans and additional information supplied by the applicant and although some improvements have been made to the internal layout the overarching concerns with regards to Road Safety and Highway Capacity remain.

The revised supporting information that is considered to be most relevant to Highway Officer is the Transport Assessment addendum drafted by the Transport Consultant (Croft) and the revised layout plans.

The Applicants Transport consultant remain at an impasse in terms of the detrimental impact of the development on the signalised junctions to the East and West of the site. Proposals however have been made to improve both junctions by adding MOVA control to the junction and amending road markings. Although it is the Transport Consultants view that these changes will mitigate impact from the proposed development the Highway Officer cannot agree on this position.

With regards to the Liverpool Road/ Highfield Road junction the Transport Assessment addendum contains a revised plan showing some minor changes to road marking and states that MOVA would be employed. The previously issued table showing the worsening of the 2026 base flows through the junction as a result of the development is replicated. This table demonstrates that DOS is increased by circa 10% on two arms of the junction to above 100%.

As per previous commentary, degrees of saturation below 100% are within theoretical capacity (i.e. demand flow does not exceed capacity). However variations in traffic arrivals through the peak hour may result in shorter time periods where the degree of saturation exceeds 100%. Therefore, an arm is generally considered to be over capacity once the degree of saturation exceeds 90%.

A statement is then made that "The impact of these improvements is difficult to model but in reality the operation of the junction will improve with these in place and in particular MOVA". The Highway Authority does not agree with this statement it is their opinion that even with the introduction of MOVA control would not result

in the improvements needed to the performance of the junction to mitigate against the impact of the development which the Highway Officer considers to be severe.

The Highway Officer notes that the Transport Consultant states that increases to queue lengths will be minimal but as per previous Highway Authority comments queue length cannot be suitably modelled once a junction becomes unstable.

The Highway Officer has previously raised concerns with regards to how pedestrian phases for the Signal Controlled junction at Liverpool Road/ Highfield Road had been considered. The Transport Consultant confirmed in the addendum that pedestrian use was based on on-site observations rather than actual count data. It was the Highway Officers opinion that demand may be higher in the AM peak due to the facility being on a route to school and therefore a crossing call could be experienced more frequently impacting on junction operation. We would again request that more supporting information be provided to demonstrate that the modelled scenario reflects operation. If the Transport has records of on-site observations then this should be presented for consideration.

It is noted that the modelling work undertaken does not take into account that the signal controlled junctions already operate with a Bus Priority System to optimise services along the key route network.

In terms of the mitigation to the approach taken to improve capacity to the Prescot Road/ Liverpool Road junction by extending the two lane approach by an additional 32m is impractical due to existing on street parking by residents. To ensure queuing lanes are kept clear from parked vehicles additional TRO' would be required which would not be supported by existing residents as they would suffer a loss of amenity.

MOVA is also proposed at this junction and we would refer back to earlier comments that a move to this type of control would not see the percentage improvements needed to mitigation against impact of proposed new trip generation associated with the proposed development.

The information submitted in the Highway Officers opinion demonstrates that even with the undeliverable mitigation proposed the junction is operating well over capacity and is therefore unstable. Again the increase in trips associated with the proposed development are considered to have a severe impact on the junction.

The Highway Authority would stress that all of the trips generated by the proposed development will pass through one of the signal controlled junctions mentioned above no matter the origin or destination therefore it remains the Highway Officers opinion that the development due to its size and geographic location will have an unacceptable strain on the local Highway network.

Although the junctions could be reassessed with the above points addressed i.e. with implementable mitigation improvement schemes, full consideration of the impact of the Bus Priority System and an increased pedestrian demand in the AM peak at the Liverpool Road/ Highfield Road junction, it is the Highway Officers considered opinion that the modelling work originally undertaken demonstrates



that the proposed trips associated with the development would have an unacceptable impact on the existing network and any further assessment would result in either at best a very minor improvement on the 2026 with development degrees of saturations or possibly a worsening of this scenario.

It is noted that the revised layout adequately considered comments raised with regards to pedestrian accessibility with improvements being made to the Liverpool Road frontage although there are still some minor points to address within the site itself, namely missing footways adjacent to adoptable carriageway.

With regards to the point raised within the Transport Assessment addendum concerning the location of the existing Eastbound bus stop on Liverpool Road adjacent to the new site access the Highway Officer does not agree with the Transport Consultants view and remains of the opinion that the bus stop should be relocated to satisfy Road Safety concerns.

Changes have been made to the scheme layout fronting Liverpool Road with two of the three private drive access points being removed and it is the Transport Consultants view the remaining private driveway access does not create a road safety issue. Following consideration it is the Highway Officers opinion that this is not the case, the proposed location for the access is opposite an existing junction to the South with an inadequate offset that fails to meet standards.

As previously noted the Highway Officer does not support additional access points being formed onto this busy stretch of Liverpool Road other than the main two junctions serving the development.

With regards to the note within the Transport Assessment addendum concerning servicing, the Highway Officer previously stated that on the whole servicing arrangements were acceptable but additional tracking information was required for certain points within the development. The additional information has not been submitted for consideration, this said the tracking diagrams submitted as part of the original Traffic Assessment may now be out of date given the proposed changes to the internal layout.

There are still some outstanding points with regards internal site layout that without the Highway Authority objection regarding impact on the existing Highway Network would normally be worked through with the applicant to arrive at an agreed position. Given the significant nature of the Highway Authority objection there is little merit in continuing to work through minor layout changes and improvements at this time.

In summary;

The Highway Officers previous comments demonstrate that the proposed development results in a significant and unacceptable negative impact on the operation of the adopted highway network in the area due to the increased number of vehicle movements generated by the proposal particularly at the traffic signals junctions to the East and West of the site.

Layout proposals shown along the frontage of Liverpool Road are considered to present significant road safety issues and therefore would be unacceptable to the Highway Authority.

It is the Highway Officers opinion that the revised information submitted by the applicant fails to demonstrate that the development would not have a severe impact on road safety and operation capacity and therefore the Highway Authority would raise objections to the proposed development on grounds including road safety, impact on highway capacity and failure to meet Transport related policy with the Halton Unitary Development Plan (UDP).

### THIRD CONSULTATION RESPONSE

Further to your consultation we have considered the proposed application as the Highway Authority and would make the following representation;

***The Highway Authority would raise objections to the proposed development on grounds including road safety, impact on highway capacity and failure to meet NPPF paragraphs 108/ 109 and Transport related policies with the Halton Unitary Development Plan (UDP) BE1, TP14, TP15 and TP17 .***

***The Highway Officers comments demonstrate that the proposed development results in a significant and unacceptable residual cumulative impact on the operational capacity of the adopted highway network in the area due to the increased number of vehicle movements generated by the proposal particularly at the traffic signals junctions to the East and West of the site.***

***Layout proposals shown along the frontage of Liverpool Road are considered to present significant road safety issues and therefore would be unacceptable to the Highway Authority.***

Although the site is considered to be sustainable in terms of access to sustainable modes of travel the scale and design of the development results in an unsatisfactory impact on the adjacent highway network.

Following on from the Highway Authority's previous response and formal objections the applicant has submitted revised information including amendments to the Transport Assessment and revised site plans.

The Highway Officer will address the information contained within the revised information under the following headings, Traffic Impact, Walking/ Cycling, Public Transport and Road Safety.

#### **Traffic Impact;**

As previously stated all trips associated with the development would need pass through one, or the other, of the Liverpool Road traffic signal junctions adjoining the site and therefore there will be a direct impact on the operation of these signal installations due to the proposed increase in movements.

In an attempt to mitigate against the impact of trips associated with the proposed development the applicants consultants have proposed amendments to the signal phasing at the *Liverpool Road/ Prescot Road/ Hale Road* and *Liverpool Road/ Highfield Road/ Lower House Lane* junctions.

The Highway Authority had severe concerns with regards the proposed phasing from both a capacity and road safety perspective and commissioned a third party specialist consultant to undertake a full audit of both the baseline and proposed Linsig models.

As previously agreed, when allowing for an accepted growth factor, by 2026 the junction exceeds 90% Degree of Saturation (DoS) on some approaches which results in both junctions operating over capacity and unstable.

Degrees of saturation below 100% are within theoretical capacity (i.e. demand flow does not exceed capacity), however variations in traffic arrivals through the peak hour may result in shorter time periods where the degree of saturation exceeds 100%. Therefore, an arm is generally considered to be over capacity once the degree of saturation exceeds 90%.

The Highway Officer notes that the commissioned audit team highlighted that there was a lack of pedestrian crossing data included in the original modelling data, a concern raised previously, and pointed out that actual demand could further impact on the operation on the junction greatly increasing the DoS percentage.

For clarity the Highway Officer presents the conclusions of the audit for each signal controlled junction below;

### ***Liverpool Road/ Highfield Road/ Lower House Lane***

Various points were raised by the audit team with regards to input inaccuracies within the supplied Linsig models including, lane widths, nearside/ offside assumptions and inconsistencies between the existing and proposed models with regards to bus zone/ flows, pedestrian demand and cycle timing.

The audit team then ran the model with corrected inputs resulting in the following DoS in the 2026 baseline.

AM Peak – Liverpool Road West 82.5%, Highfield Road 81.8%, Leigh Ave 76.6% and Lower House Lane 71.1%.

PM Peak - Liverpool Road West 63.0%, Highfield Road 96.9%, Leigh Ave 97.5% and Lower House Lane 86.4%.

As can be seen in the corrected 2026 baseline the junction operates below 90% during the AM peak but in the PM peak two arms are shown to be over capacity, Highfield Road and Leigh Ave.

The applicant's consultant's mitigation proposals included adding an 2 additional stages into the signal phasing and physical measures to remark the Highfield Road arm to provide a two lane approach.

These new phases run unopposed movements, one from Leigh Ave and the other from Highfield Road. When the audit team carried out sensitivity tests it was noted that new phase associated with Leigh Avenue offered no real benefit to capacity due to very low right turning traffic. This phase also prevented eastbound movements which are higher from Liverpool Rd. This stage was therefore discounted from and removed from the audit team's model.

The new phase introduced associated with Highfield Road was shown to improve capacity for the arm, due to a higher right-turn. The audit team updated the model with corrected intergreen timings and reran the Linsig to generate a corrected 2026 baseline. The DoS outputs for the junction are as follows;

AM Peak – Liverpool Road West 91.7% Highfield Road 69.3% Leigh Ave 77.8% and Lower House Lane 92.1%.

PM Peak - Liverpool Road West 75.7%, Highfield Road 106.1%, Leigh Ave 106.5%, and Lower House Lane 106.2%.

As can be seen in the AM Peak although there is an improvement to the Highfield Road arm (due to the change in lane widths) there is a significant worsening of the remaining three arms of the junctions with both the Liverpool Road West and Lower House Lane approaches exceeding operational capacity.

In the PM Peak there is a detrimental impact on all arms of the junction with three arms exceeding operational capacity with a DoS of over 100%.

The exercise carried out by the commissioned audit team demonstrates that the proposed mitigation is not acceptable and flawed.

An additional model was run within Linsig for the new junction layout with the 2026 baseline traffic flows (without development loading) which again showed a worsening of the situation on all arms apart from the Highfield Road approach in the AM Peak and all arms in the PM Peak.

The audit team also again raised the lack of pedestrian demand data to input into the model. The applicants consultant utilised an assumption on demand in terms of how often a pedestrian phase was called but given the signal junctions location on a route to school the demand could be substantially higher and/ or have a peak within the peak which when applied to a junction would further compounds the issue. Again the audit team ran a sensitivity test to obtain a worst case scenario of a call being included in ever cycle which demonstrated the concerns of the Highway Officer were valid.

In summary although it is acknowledged that the proposed changes do see an improvement on the Highfield Road arm but the approach taken results in an unacceptable trade off as there is a significant detrimental impact on the operation of other arms of the junction.

### ***Liverpool Road/ Prescott Road/ Hale Road***

Various issues were identified in the 2026 baseline model including incorrectly inputted timing not in line with the existing controller specification, stage sequence shown to run 1>2>4>3 and not 1>2>3>4 as per controlled specification, no intergreen provided after pedestrian phases which is not in line with the controller specification.

A geometrical issue was also raised in that the Hale Road approach has a very short flare that would not have much benefit to capacity. However this layout cannot be modelled within Linsig and the correct configuration would be a shared lane between the straight on and left movements with a short offside lane for the right turn movement.

The employed audit team corrected the inputs and reran the model to establish an accurate baseline. This exercise demonstrated that in the AM peak the Prescott Road, Hale Road and Liverpool Road arms are all operating at a Degree of Saturation higher than shown in the original submitted model where the Liverpool Road (East) arm was running at a lower level.

In the PM all arms showed an increase in the Degree of Saturation than this shown in the baseline model submitted for consideration.

The model outputs from the corrected report are as follows;

AM Peak - Prescott Road 105.4%, Liverpool Road East 88.7%, Hale Road 101.6% and Liverpool Road West 107%.

PM Peak - Prescott Road 111.4%, Liverpool Road East 107.9% Hale Road 112.8% and Liverpool Road West 111.2%.

The phasing changes proposed as mitigation from 1>2>3>4 as per controlled specification to 1>2>4>1>2>6 raised some significant road safety and operational concerns and again some input issues were raised including, no give way parameters set for right turning traffic from Hale Rd and Prescott Rd and Intergreens after pedestrian phases set to zero.

The primary concern in terms of road safety is that the proposed phasing results in a risk of conflict between turning vehicles for example drivers who frequently drive through the junction will sometimes be unopposed (Stage 3) and other times opposed (Stage 6). The risk is that the driver will assume opposing traffic will be held on red, a proceed to turn right as the opposing traffic receives a green signal. This was just one of the issues raised by the audit team and is considered to

illustrate a severe impact in terms of road safety and therefore the proposed changes to the signal cannot be supported.

Questions were also raised with regards to how pedestrians are considered within the proposed phasing and the impact that demand may have on the operation of the junction.

The consensus is that the signal junction in the current configuration is the safest arrangement and it is unlikely that any changes can be put forward that would suitably address road safety and capacity.

As the proposed changes to signal phasing are considered wholly unacceptable the audit team undertook an exercise to load the development into the corrected 2026 baseline model of the existing junction layout to demonstrate impact.

In addition to the proposed changes to signal phasing the applicants consultants also proposed some horizontal alignment changes to the junction that resulted in narrowed footway provision to Hale Road which the Highway Authority cannot support but in the spirit of investigating the best case scenario this layout was included in the audit.

The optimised flows with the physical mitigations showed slight improvements on the degree of saturation for the Prescott Road and Liverpool Road West arms but a worsening on the Liverpool Road East arm. The biggest improvement was seen on the Hale Road approach but this is considered to be to the detriment of non-motorised users as the mitigation requires loss of footway provision.

As neither the proposed changes to phasing nor the physical mitigation can be supported it is the Highway Authority's opinion that loading additional movements associated with the development would detrimentally impact on the future operation of the Liverpool Road/ Prescott Road/ Hale Road junction and therefore is unacceptable.

The following additional points previously raised by the Highway Officer with regards to traffic modelling are also considered to still be relevant as they have not suitably been addressed by the applicant's consultants.

It is also noted that although queue information has been generated by the assessment software, manual verification has not been carried out which the Highway Officer would have expected given the busy nature of the highway network. A peak within a peak can result in queues not clearing especially at junctions approaching or above capacity.

This lack of validation also fails to address concerns the Highway Officer has with regard to the side roads to the south of Liverpool Road. Anecdotal information suggests that residents of Three Crowns Close and Foxley Heath struggle to exit these side roads during peak hours and although the Picady assessments submitted suggest there would be no issues, the 5.8% and 5.5% respective increase in the volume of traffic on Liverpool Road attributed to the development raises concerns. As with the pedestrian demand issue the Highway Officer cannot

verify submitted information or undertake queue surveys due to the current circumstances (Covid-19).

It is further of note that since the application was first presented to Highway Authority there have been significant developments in National Government guidance in terms how non-motorised users are catered for within highway improvement schemes. Proposed changes to existing highway network including junctions should pay due consideration to LTN 01/20 Cycle Infrastructure Design.

### ***Traffic Impact summary***

Given that the proposed mitigation measures cannot be supported the proposed development is still considered to result in unacceptable significant capacity impact on an already busy key route network to the detriment of existing road users, therefore the Highway Authority would object on Policies BE1, TP14 and TP15 of the Halton Unitary Development Plan (UDP).

BE1 sets out the general requirements for development and within point 3 Accessibility (c) development “must not overload the capacity of the surrounding network nor be detrimental to highway safety” again it is the Highway Officers considered opinion that the information submitted clearly demonstrates a significant negative impact on the adopted network.

Moving on to the Transport policies TP14 Transport Assessments and TP15 Accessibility to New Development. As detailed in the Highway Officers commentary the proposed development demonstrates a significant and severe impact on the operational capacity of two traffic signal controlled junctions on a busy key route within the Borough by increasing traffic to undesirable levels.

### **Walking/ Cycling;**

It is noted that there is a still a somewhat unresolved issue with how the scheme addresses the greenway proposal through the site within the current UDP document. There is a proposed route in the UDP document connecting the existing greenway network to the South of Liverpool Road up to the Black Path link North of the Railway line.

The applicants argument with regards to Health and Safety implications of having a PROW through an active golf course has been fully considered but, as existing PROW's can be found on other golf courses, the Highway Officer would question this as acceptable justification.

The Highway Officer confirms that the amended plans do strengthen footway/ cycleway greenway links from the South of Liverpool Road through the development emerging at Highfield Road through the site, and continuing North to the new club house but would seek advice from the Local Planning Authority as to if the benefits of the scheme outweigh TP9.

Should the on balance decision side with the loss of the greenway route the Highway Authority would recommend that compensation be sought for the loss of

the North/ South link in the form of a S106 payment. This contribution would be utilised to improvements to walking and cycling, to the benefit of existing and future residents, in the local area.

### **Road safety;**

Within the Transport Assessment a breakdown of road traffic accidents over the last 5 years has been provided. The information represents that there have been 57 accidents in the area with 31 of these occurring between the signal controlled junctions to the East and West of the site and the connecting length of Liverpool Road. Section 7.3 of the report gives the view that the local roads do not have an unduly poor safety record nor will the development significantly worsen the situation.

The Highway Officer considers that the number of road traffic accidents is significant and as demonstrated by the presence of permanent speed cameras to the frontage road safety is already a concern in the area.

The applicant has reduced the number of new connections/ conflict points onto this busy section of the highway network from 5 to 3 but there is a remaining private driveway that serves a limited number of dwelling that represents an unacceptable road safety issue due to a conflict with an opposing junction and existing right turn lane. The Highway Authority has been clear in previous comments that only the two main access points onto Liverpool Road would be supported.

*The conflict generated by the inclusion of the private driveway connection onto Liverpool Road is considered to be unacceptable in terms of highway safety and therefore the Highway Officer would object strongly on Policy TP 17 Safe travel for all, or failure to meet standards and BE1 (3) General requirements for development, Accessibility of the UDP.*

An additional road safety issue previous raised has also not been addressed in the revised plans. This is the conflict between an existing bus stop and a proposed junction onto Liverpool Road. The Eastbound provision adjacent to plot 39 is on the approach to the new junction which restricts visibility and is not considered to be good practice.

This situation would be further compounded by the inclusion of the necessary refuge island mentioned above. The existing bus stop should be relocated to an alternative position that does not create a hazard for road users nor conflict with either new or existing junctions.

*The Highway Officer considers this issue to be a significant road safety concern and would raise an objection on Policy BE1 (3) General requirements for development, Accessibility, and on Policy TP17 (2) Safe Travel for all of the UDP*

It is noted that no Road Safety Audit reports have been submitted to support the application to substantiate the views given within the Transport Assessment in regards to impact on road safety.



## **Layout Comments;**

The Highway Officer notes that the internal layout of the site has been significantly improved by the applicant with many of the previously raised parking, servicing and pedestrian routing issues addressed.

If there wasn't such clear grounds for a Highway Authority objection with regards to impact on capacity and road safety the Highway Officer would expect that the majority of points could be addressed through further dialogue and an internal layout agreed that met the guidance set out within Manual for Streets and the councils own standards in terms of highway adoptions.

## **2. Contaminated Land Officer**

The application is supported by the following documents;

- Desk study report for Widnes Golf Club, ref 18ANW003/DS, Betts Geo Consulting Engineers, May 2018
- Ground investigation report for Widnes Golf Club rev1, ref 18ANW003/DSGI, Betts Geo Consulting Engineers, January 2019

The two reports present the findings of a preliminary risk assessment, based upon desk study and site recon, and a detailed investigation and risk assessment that includes soil and ground gas sampling and analysis.

The site development history indicates a low potential for significant land contamination, as the site was predominately open agricultural land prior to the development of the golf course. There was some previous development, Widnes House, in the area of the current club house and several small ponds have disappeared/been infilled over time.

The location and frequency of the site investigation positions (shallow boreholes) is appropriate given the site history and land contamination potential. The boreholes were located to give good coverage across the site and also to target specific features identified at the desk study stage. However, it is noted that there were some limitations on the investigation due to the ongoing use of the site as a golf course.

The majority of the investigation positions encountered topsoil and natural strata, consisting of sands, silts and clays. The chemical analysis of these soils did not encounter significant concentrations of contaminant when compared to relevant assessment criteria for the proposed residential end-use with appropriate statistical analysis. Made ground was encountered in three locations, associated with the current clubhouse area and with infilled pond features. This comprised tarmac, hardcore, sands and gravels, including ash and clinker. The chemical analysis of the made ground shows some elevated concentrations of contaminants, poly-aromatic hydrocarbons associated with an ash and clinker containing layer in the vicinity of the current clubhouse and arsenic in soils in the area for the proposed new clubhouse. The report does undertake some statistical analysis of the results,

but I am not in agreement with that approach as the sample size (four) is too small and the materials tested are not the same (not appropriate to treat as the same population). However, I do agree with the overall assessment and conclusions regarding risk posed, i.e. that the ash and clinker layer is not suitable for residential garden and some remedial treatment will be necessary, e.g. removal or encapsulation.

Ground gas monitoring did not detect significant concentrations of methane, but carbon dioxide is elevated in the area around the existing parking/yard area in the east of the site and in one of the infilled ponds. Gas protection measures are recommended for properties constructed in those locations.

Given the low levels of contamination and the low permeability underlying natural clays no significant risks to controlled waters (surface and ground water) has been identified.

The report concludes with the following recommendations;

- Gas protection measures for the areas of identified gas risk
- Additional testing of the soils from fairways and greens
- Removal of the ash/clinker layer as encountered in borehole WS2
- Further delineation of the former pond features
- Investigation of the existing clubhouse area post-demolition

The additional works should include a focus on the greens and tees, which were excluded from the original investigation, as well as make consideration of locating the former on-site well noted in the desk study.

I am in agreement with the findings of the investigation and assessment, and would recommend that the suggested further assessment be undertaken. I have no objection to the proposals but recommend that any approval is conditioned to require the additional investigation, a remedial strategy, prior to development and a verification report upon completion.

### 3. Lead Local Flood Authority

After reviewing 20/00153/FUL planning application the LLFA has found the following:

- The proposed development as presented comprises 249 dwellings, reconfiguration of golf course, demolition of existing clubhouse and associated buildings and erection of new clubhouse and greenkeepers store, creation of new vehicular accesses, roads, car parking and ancillary development at Widnes Golf Club.
- The site is a 25ha Greenfield site. The site is currently occupied by the existing clubhouse area to the south east, which included the clubhouse, parking areas and associated buildings. The remaining area is occupied by the 18 hole course comprising trees, water hazards, tees, fairways, bunkers and greens.

- The land class use would change to C3 which falls under the NPPF vulnerability classification as 'More Vulnerable' development. This will significantly increase the hardstanding area on site.
- The applicant has commissioned and provided a topographic survey to support the application. The survey shows the site generally falls towards the southern boundary where Moss Brook enters the culvert underneath Liverpool Road.
- The applicant has provided the documents 'OTH\_Letter Appx 4a - 30444 FRA 200714 Text and Appendices A to I' as the Flood Risk Assessment for the proposed development.
- The Flood Risk Assessment (FRA) details the existing drainage and watercourses on site. These include the ordinary watercourse 'Moss Brook' which runs through the south east of the site before entering the culvert under Liverpool Road where it becomes the 'Main River' Stewards Brook. There is also a large ditch which runs from the train line at the north of the site to the South, it has a section which diverges to run along the western boundary before converging again to flow through a pond and into Moss Brook. The documents detail the numerous culverts the ditches and Moss Brook pass through on site.
- The FRA states the Environment Agency's Flood Map for Planning shows the majority of the site to lie within Fluvial Flood Zone 1, with a small section of the site lying within Fluvial Flood Zones 2 and 3 in the south east of the site which is associated with Moss Brook. The FRA goes on to note the nearest watercourse is Moss Brook, an ordinary watercourse and the extent of flooding presented by the Flood Map for Planning suggests that the risk of flooding at the site from Moss Brook has not been fully assessed.
- To more accurately identify and assess the level of flood risk at the site posed by Moss Brook, a catchment analysis was undertaken and a 1D-2D hydraulic model has been developed by Weetwood, as described in Appendix F of the FRA.
- The applicant has used the Revitalised Flood Hydrograph Model v2.3 (ReFH2) has been used to derive peak flows for the Moss Brook catchment. The duration of the critical storm was calculated by ReFH2 to be 4.5 hours using the catchment descriptors and the 1% Annual Exceedance Probability (AEP) peak flow stated as 2.20m<sup>3</sup>/s.
- The Flood Estimation Handbook (FEH) Statistical Method has also been used to estimate the peak 1% AEP flow based upon a pooled analysis, QMED was estimated to be 1.19m<sup>3</sup>/s using donor stations and application of an urban adjustment factor of 1.55 provided a peak 1 in 100 AEP flow of 3.18 m<sup>3</sup>/s. Taking into account the impact of the public sewer network, the peak 1 in 100 AEP flow is estimated to be 2.53m<sup>3</sup>/s using the FEH Statistical Method.
- The FRA notes the FEH peak flow is slightly higher than the peak flow calculated using ReFH2, the pooling group was not considered to be suitably homogenous or representative of the Moss Brook catchment. The ReFH2 flows have therefore been taken forward for use in the hydraulic model.

- Although there is no industry standard, given the proximity of the watercourse to the proposed development, the mitigation required to reduce the flood risk to the proposed development and that both FEH and ReFH2 are both likely to under predict in urbanised areas, the LLFA would query why the more conservative estimates were not taken forward?
- The FRA uses an ESTRY-TUFLOW hydraulic model in order to more accurately define the level of fluvial flood risk at the site has been developed of Moss Brook. The 1D model is based upon the topographic survey and the 2D domain topography is based upon EA LiDAR data and the topographic survey. A 2m grid size was adopted for the 2D domain. Flows from the South-West and South-East sub-catchments have been applied to the 1D domain whilst flows from the North sub-catchment have been applied directly to the 2D domain, representing overland flows that result from the capacity of the UU public sewer network being exceeded.
- Baseline Flood Extent have been provided in Annex E and can be seen if Figures 1 and 2 below. They show a significant extent of fluvial flood risk surrounding Moss Brook in the 1% AEP event and events of greater magnitudes. The LLFA would also note it is unclear as to what magnitude event the flooding starts to occur and the mechanism for flooding.
- With regards to the Sequential and Exceptions tests the FRA indicates that based on the location of the development on the site in Flood Zone 1 as detailed on the Environment Agency Flood Map for Planning, all development (including 'More Vulnerable') is deemed appropriate according to NPPF and NPPG, and therefore the residential development is appropriately situated and the Sequential and Exception Tests are not required.
- The LLFA disagrees with the above statement and would like to draw the applicants attention to Paragraph 033 of the Environment Agency Flood Risk and Coastal Change Guidance (Reference ID: 7-033-20140306) which indicates that although the Sequential and Exceptions tests would not normally be necessary to applied to development proposals in Flood Zone 1. They should if other more recent information, indicates there may be flooding issues now or in the future. The applicant has demonstrated through the hydraulic assessment and modelling the site is at risk of flooding from Moss Brook during events with the same or greater magnitude to the 1% AEP event. Therefore the sequential test should have been applied.
- Furthermore the LLFA would like to note both Paragraph 033 of the Environment Agency Flood Risk and Coastal Change Guidance (Reference ID: 7-033-20140306) and Paragraph 155 to 158 of the NPPF indicate the sequential approach to locating development in areas at lower flood risk should be applied to all sources of flooding and inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 163 of the NPPF goes on to state 'Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk'.

- The LLFA would therefore object to the proposed development of 'More Vulnerable' infrastructure within the modelled flood extent of Moss Brook shown in Annex E of the FRA, particularly when there is a significant area of the site which does not lie within the modelled flood extents and would be more suitable for development of residential dwellings.

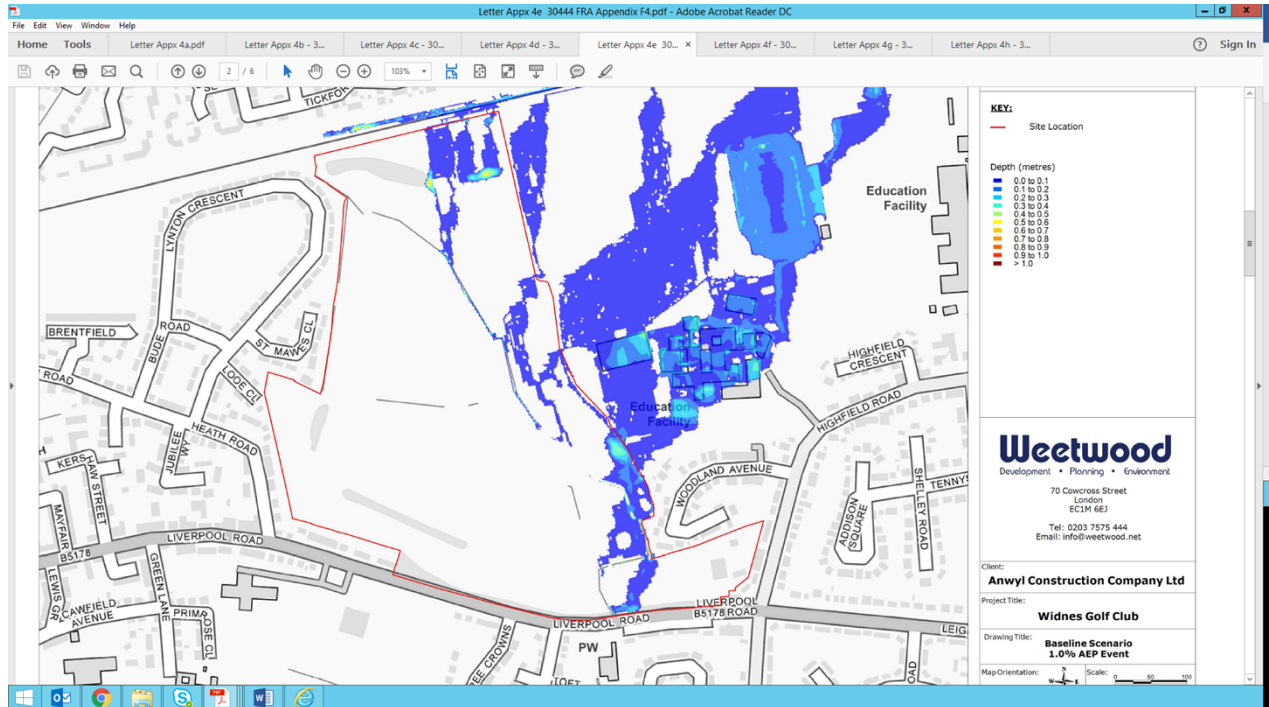


Figure 1. Modelled Baseline Scenario 1% AEP Event

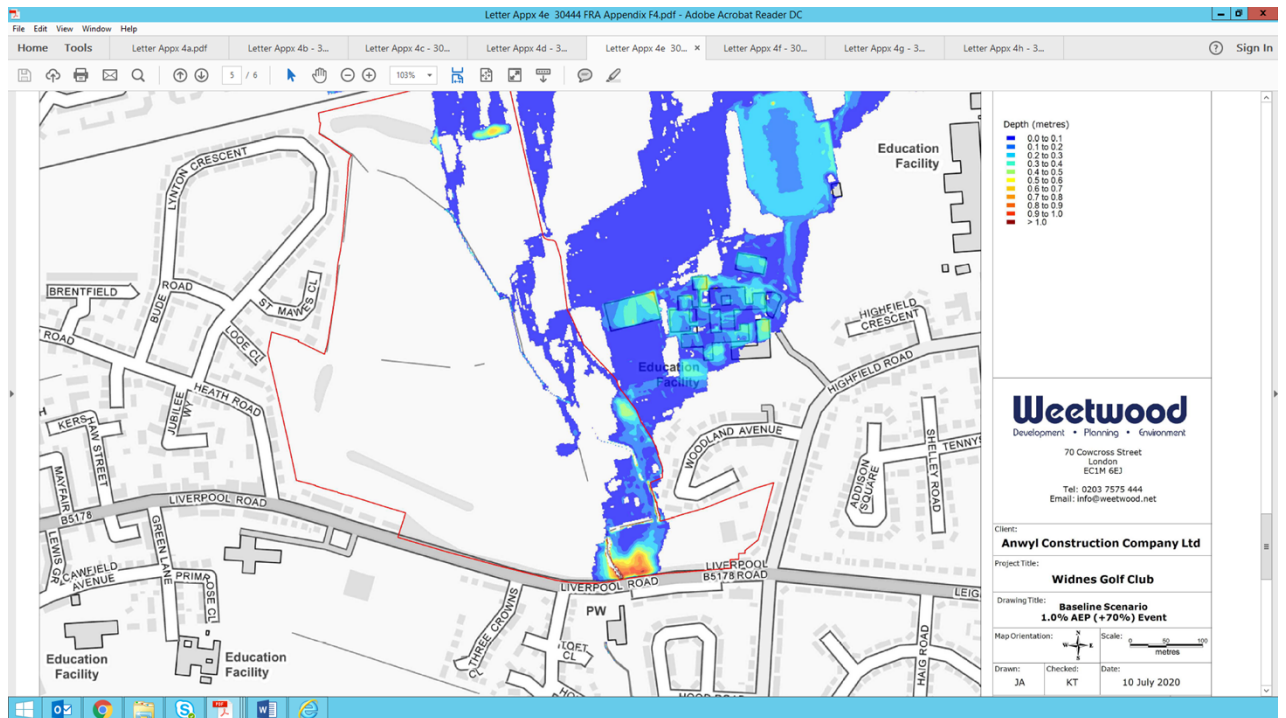


Figure 2. Modelled Baseline Scenario 0.1% AEP Event

- The FRA indicates to facilitate the proposed development, it would be necessary to divert Moss Brook where it crosses the site, upgrade several of the existing culverts and raise the proposed development platform.
- It is proposed to divert the open channel upstream of the development platform into the existing pond. The existing 450mm diameter culvert connecting the pond to Moss Brook will be upgraded to provide a single 750 mm diameter culvert, to be maintained by the management company. It should be noted that the open channel upstream of the public footpath will remain as existing
- The existing 600 x 600 mm footbridge on the eastern boundary in the location of the proposed public footpath will be upgraded to provide a 750 mm diameter culvert to carry the footway /cycleway on a similar line to the existing watercourse.
- The eastern portion of the proposed residential development would occupy the site of the former clubhouse, carpark and adjacent holes. The main site access is proposed to enter the site from the west of Moss Brook, therefore a crossing has been proposed. To carry the proposed access road over Moss Brook a 1000 x 1000 mm box culvert has been proposed based on the 1% AEP + 35% Climate Change allowance.
- The LLFA would note, diverting and culverting sections of watercourses is not considered best practice and would require further justification as to why it has been deemed necessary. It would also note any changes to the watercourse, or structures on the watercourse would require watercourse consents. Where structures would form part of the highway details would also have to be approved by the highways team.

- The FRA states 'the remainder of the open channel will be constructed with a 1.5 m bed width to maintain existing low flow regimes and 1 in 3 side slopes where possible. Where insufficient land is available to provide 1 in 3 side slopes, appropriate access arrangements should be put in place and fencing should be erected to discourage entry to the channel.'
- The LLFA is unclear which sections of open channel the above is referring to. It would also note as the site is 25ha it would not accept the statement 'where insufficient land is available to provide 1 in 3 side slopes' with regard to the watercourse, as clearly there is sufficient land to otherwise place the development and provide the space for a 1 in 3 slope for the watercourse. As stated previously to the applicant the LLFA would not accept any development within 8m of the open watercourse.
- The FRA also notes the residential development platform is proposed to raise to prevent flooding in the worst-case scenario 1 in 1000 year event. The LLFA would like to note the site is 25ha, with the majority of the site in fluvial flood zone 1 and outside of the modelled 1 in 1000 year flood outline for the ordinary watercourse, therefore the residential development, as the most vulnerable infrastructure, should have been placed in the area of lowest risk and should not require a raised platform.
- The FRA indicates an online flood storage area with a base level of 17.3 m AOD has been incorporated adjacent to the northeast corner of the residential development platform. A raised bund with a crest level of 17.7 m AOD is provided along the southern edge of the flood storage area to prevent flooding of Woodland Avenue in up to the 1 in 100 CC (+35%) AEP event. The LLFA would like to note this would not have been necessary if the applicant had followed the NPPF when designing the layout of the proposed development. The LLFA would also note the online flood storage area and accompanying embankment would need to be designed to ensure slopes were kept to 1 in 3 side slopes to ensure maintenance of the asset. The LLFA is also require mapping to understand the residual risk of flooding to the properties on woodland Avenue should the embankment be breached or suffer damage, a maintenance and management plan for the assets, including inspection regimes and who would be responsible for the assets.
- The FRA states the hydraulic model has been used to assess the impact of development on flood risk elsewhere for the 1 in 100, 1 in 100 CC (+30%) and 1 in 100 CC (+35%) AEP events, in accordance with EA guidance. The model outputs indicate that off-site flood risk changes very little. Flood depths are generally shown to have not changed at all whilst the extent of flooding within the gardens to the rear of Woodland Avenue is shown to have reduced following creation of the flood storage area.
- The LLFA would like to note, although this is the case for the 1 in 100 year event as shown in Figures 3 and 5, Figure 4 shows flood risk has increased to the properties on Woodland Avenue. There are four properties on Woodland Avenue shown to have minor garden flooding up to 0.1m in the baseline scenario, that in the proposed scenario are shown to be well within the flood outline, indicating a potential for internal property flooding and with their



gardens potentially experiencing flood depths of up to 0.6m. This is unacceptable and clearly does not follow NPPF or EA guidance by the proposed development increasing flood risk elsewhere.

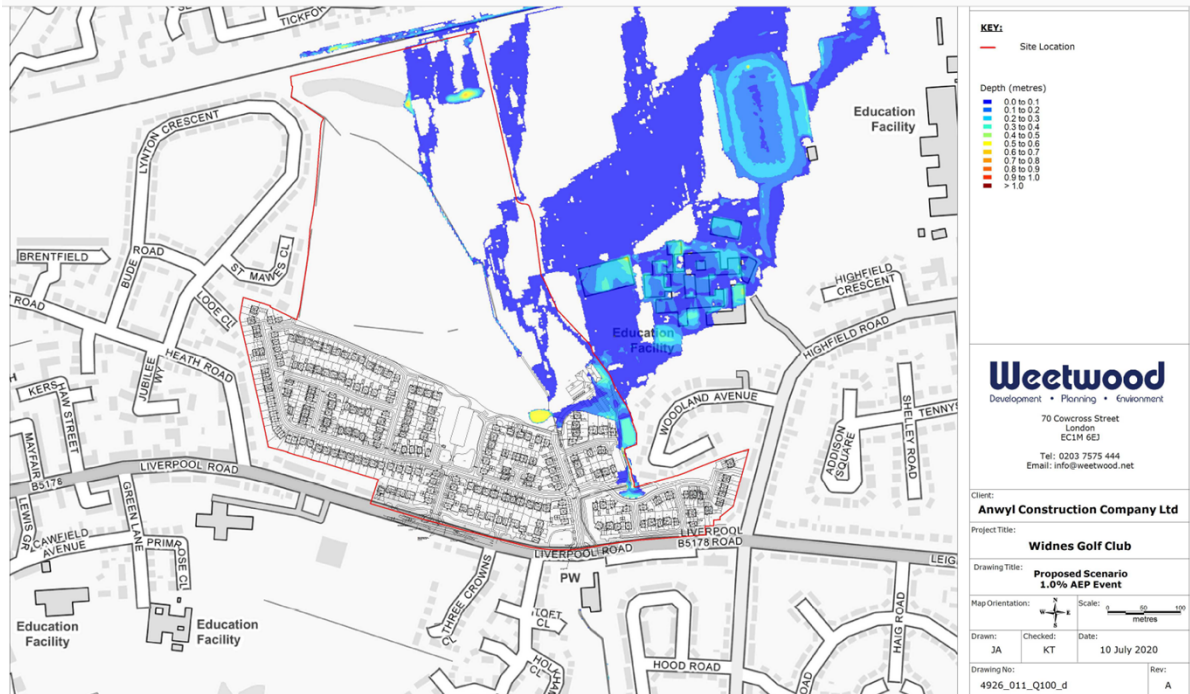


Figure 3. Proposed Scenario 1% AEP Event

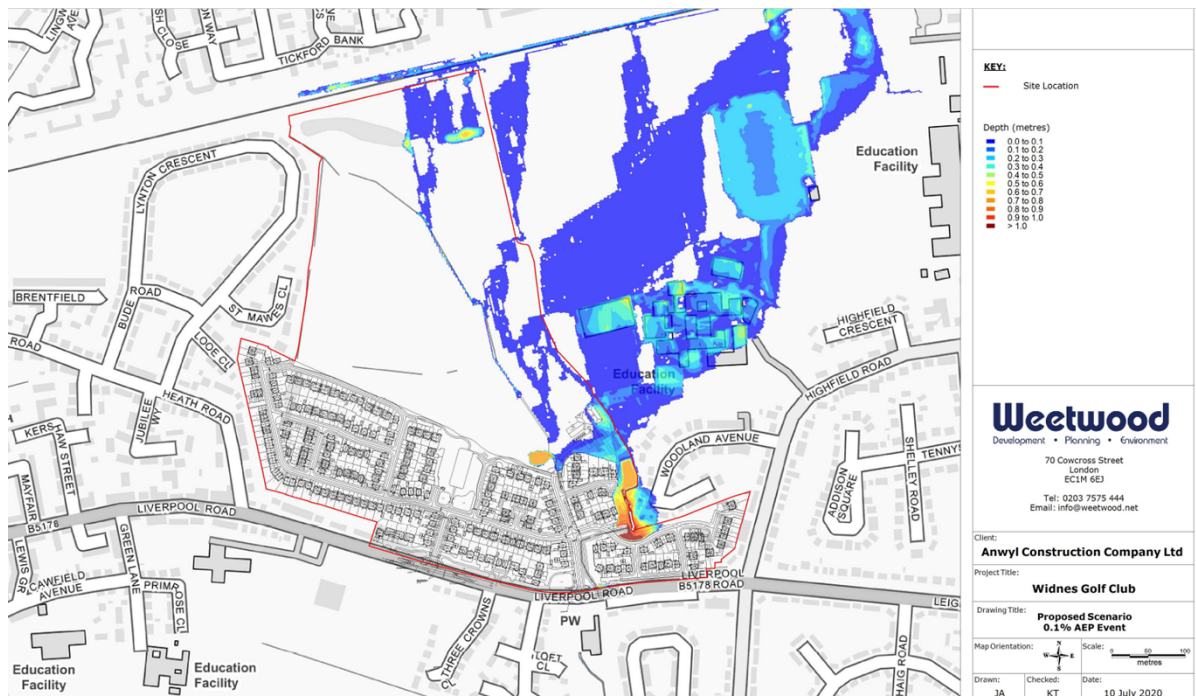


Figure 4. Proposed Scenario 0.1% AEP Event



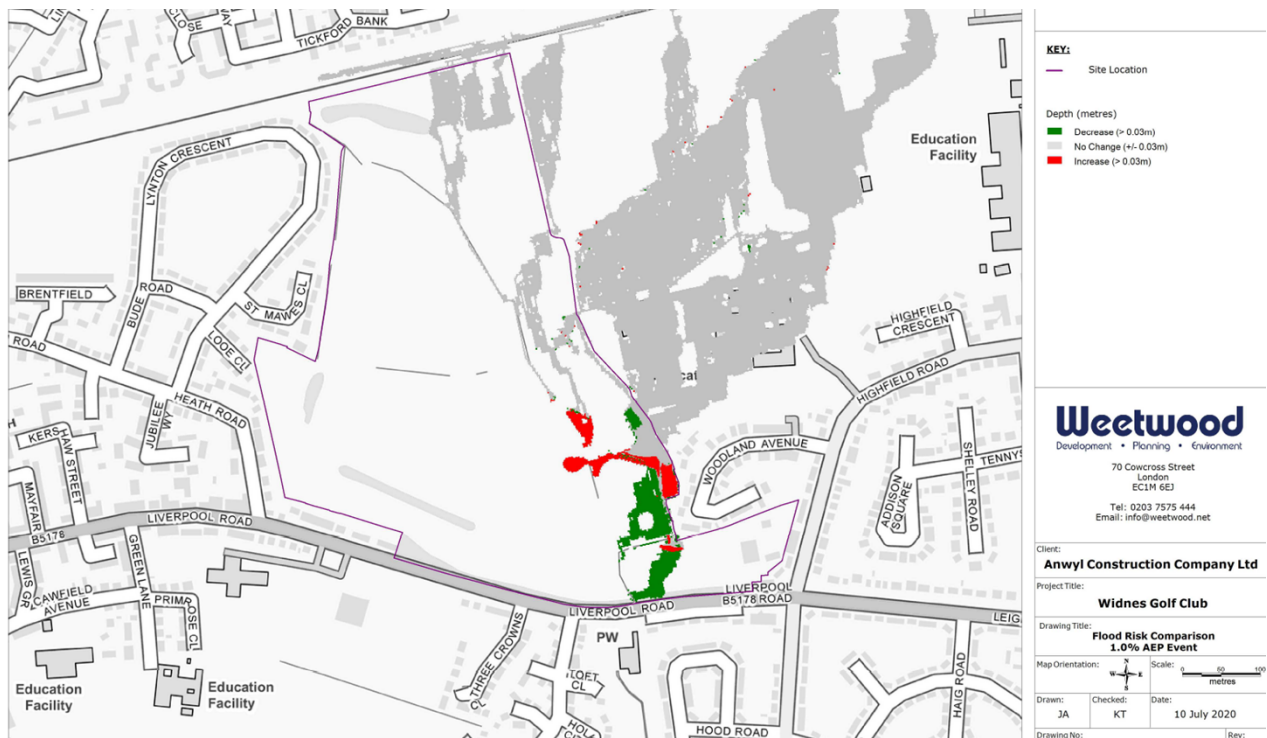


Figure 5. Flood Risk Comparison 1% AEP Event

- The FRA indicates the hydraulic model has been used to assess the impact of a 50% culvert blockage on the risk of flooding at the site and to inform proposed finished floor levels. Based upon the modelling, the finished floor levels of the residential dwellings should be raised a minimum of 200 mm above the modelled development platform levels to prevent flooding in all modelled events. The finished floor levels of the new Club House and ancillary building should be a minimum 18.65 m AOD and 18.70 m AOD respectively to prevent flooding. The FRA also indicates the culverts and channel should be regularly inspected and maintained to reduce the risk of blockage.
- With regards to exceedance flows the FRA states 'floor levels will generally be set a minimum of 0.15m above external ground level and will encourage any flows generated by an exceedance event .. to pass safely through the development down to the watercourse network'. As the development would be classed as 'More Vulnerable' the Environment Agency's Preparing a flood risk assessment: standing advice (<https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#extra-flood-resistance-and-resilience-measures>) indicates applicants should follow its finished floor level guidance which states 'Ground floor levels should be a minimum of whichever is higher of: 300 millimetres (mm) above the general ground level of the site or 600mm above the estimated river or sea flood level. Therefore the LLFA would require floor levels to be set to a minimum of whichever is higher of 300mm above the general ground level of the site or 600mm above the estimated flood level from the ordinary watercourse.

- The EA Surface Water Flood Risk map shows a large area of High and Medium Surface Water Flood Risk in the South Eastern section of the site. The mapping and document show the flooding occurring from surface water collecting at the lowest point of the site where Moss Brook flows through the culvert in Liverpool Road and also from Moss Brook and its associated drainage ditches potentially being overwhelmed.
- The FRA states as 'the levels of the golf course to be retained are above the proposed residential development area, there is a small chance that overland flows could run into the residential area'. A cut off drain has been proposed along the northern boundary of the residential area to intercept such flows.
- With regard to flooding from sewers the following existing drainage assets have been identified and risk of flooding from these sewers has been deemed not significant: a United Utilities owned 225mm combined sewer which passes through the site from Woodland Avenue to Liverpool Road, there is a 675mm privately owned culverted watercourse , which becomes an open watercourse through a 900mm outfall pipe at the boundary of the site from the College, there is a second private surface water outfall from the college into this system and a further two surface water outfalls from Woodlands Avenue which appear to be connected to the combined sewer system. It is thought the surface and foul water pipes from the club house connect to the 600mm combined sewer in Highfield Road.
- The applicant has provided a Drainage Strategy as part of the FRA. The document states the following with regard to the drainage hierarchy being applied to the site:
  - o Soakaways/ Infiltration – *'A Ground Investigation Report has been undertaken ... and has identified as being predominantly underlain by clay. On this basis it has been concluded that infiltration-based drainage will not be feasible'*.
  - o Watercourse / Ditches – *'[Moss Brook] ... is at levels that will enable a surface water connection to be made and is considered the most practical location for the discharge of surface water from the site in accordance with the hierarchy'*.
  - o Surface Water / Combined Sewers – Not Applicable

Based on the above the LLFA understands the report mentioned to be a desk based investigation and would require physical infiltration tests to be undertaken on site prior to infiltration based drainage be dismissed. Should the applicant be able to provide evidence to show infiltration based drainage to be dismissed the LLFA would consider the applicant to have adequately assessed the site with regards to the drainage hierarchy.

- The document indicates the applicant proposes to limit surface water runoff rates for the Golf Club House area and residential development area to those detailed in section 5.3.2 of the FRA. The LLFA is unclear how these rates were

calculated. Due to the largely Greenfield nature of this site, the LLFA would require surface water to be limited to Greenfield runoff rates.

- The document indicates the applicant proposes to discharge surface water from the proposed Golf Club House through an underground cellular attenuation tank sized to attenuate the 100 year + 40% allowance for climate change flows prior to outfall into the existing Moss Brook Culvert through a hydrobrake limiting the flow to Greenfield rates. The system would be maintained by the golf club.
- The drainage strategy for the residential development indicates two systems would be used to serve the area, designed to adoptable standards. The applicant proposes attenuation in the form of in pipe and an underground cellular attenuation tank in the western part of the site. The applicant proposes both systems will pass through a tiered hydrobrake to limit the flows discharging into the Moss Brook in all events up to and including the 1 in 100 year +40% climate change allowance to Greenfield rates. From the FRA it is unclear who would maintain the tanks.
- The LLFA notes the document does not provide detail of the attenuation volumes required on site to limit run-off flows in either area.
- The LLFA is unclear why the applicant is proposing attenuation through pipes and geocellular tanks as the preferred method to attenuate flows Greenfield rate. The LLFA would always encourage the use of infiltration systems to minimise the impact of any additional runoff where appropriate. Infiltration can be provided using the following types of SuDS:
  - Swales (dry and conveyance)
  - Permeable Paving
  - Infiltration Cells
  - Filter strips / drains
  - Soakaways
  - Infiltration trenches
  - Bio-retention

Where infiltration does not provide sufficient reduction of runoff, the use of long-term storage to address this additional runoff volume shall be provided. Long term attenuation storage can be provided in the following types of SuDS listed in order of preference:

- Detention ponds
- Retention basins and Wetlands
- Underground storage - Underground storage generally does not provide water quality benefit so should be used in conjunction with other SuDS.

As the proposed development is a Greenfield site and large areas of the site are proposed to remain Greenfield the LLFA would require the applicant to consider the use of Infiltration SuDS, detention ponds, retention basins, wetlands and provide a clear assessment and reasoning for why these have been discounted prior to choosing attenuation through underground storage.

- Section 6.3.3.1 indicates applicant is proposing two sections of road to cross watercourses on site, which would require these sections of watercourse to be culverted. The applicant indicates the hydraulic assessment has been used to provide the proposed dimensions of the culverts.
- The applicant indicates the drainage system associated with the Residential development would be designed to an adoptable standard, and proposes the main piped systems will be adopted under a S104 agreement by United Utilities. The LLFA would request the applicant to provide details of consultation with United Utilities regarding this.
- The applicant proposes riparian responsibilities for the watercourses within the Residential development will be placed with the development management company, with the Highway Authority taking on responsibility for the road culverts as part of the road adoption agreement.
- The LLFA would comment under the Land Drainage Act and Flood and Water Management Act riparian responsibilities lie with the riparian owner as someone who has any watercourse within or adjacent to any boundary of their property. This includes culverted watercourses under properties. Therefore if the applicant proposes riparian responsibilities to be placed with the development management company, the LLFA would request this to be clearly detailed in the property ownership agreements, including who holds responsibility for maintenance and repair within each individual property boundary.
- With regards to the Highway Authority taking on responsibility for the road culverts as part of the road adoption agreement, the LLFA and Highway Authority would need to be satisfied that the culverts have been designed and constructed correctly. The LLFA is unclear whether the proposed culverts have been sized correctly and would recommend the applicant review the updated guidance from CIRIA (<https://www.ciria.org/ItemDetail?iProductCode=C786F&Category=FREEPUBS>) regarding culvert design.
- Sections 6.2.2.4 and 6.3.2.4 make reference to development levels being raised 'to tie into the residential access road', 'deliver the drainage solution' and to 'contain and manage flows in Moss Brook'.
- With regard to the 'Surface Water Drainage Strategy' plan provided the LLFA would like to comment the current layout indicates there are several sections of watercourse within the site being diverted, culverted or straightened. The applicant has not previously consulted with the LLFA regarding these works to the watercourse which would be required to gain any necessary consents prior to works being undertaken. The LLFA would note it is against best practice to straighten or culvert watercourses as these types of works tend to increase the flows passed downstream, causing 'flashier' responses of watercourses following rainfall which would impact flood risk downstream. These works would also decrease the area of 'natural' flood storage on the site, by decreasing the in-channel area, which has not been accounted for through compensatory storage. The applicant has not provided clear reasoning for going against best

practice and the LLFA would consider these works would likely increase flooding elsewhere therefore would object to this proposal on this basis.

- The LLFA would like to comment on the 'Surface Water Drainage Strategy' plan provided the current layout shows development is proposed within 8m of a watercourse, this LLFA would not accept this as development within 8m of a bank top is more likely to undermine its structural integrity and has the potential for the development to be affected should the bank erode for any reason.

**To summarise, the LLFA would object to the application for to the following reasons:**

9. The applicant has demonstrated through the hydraulic assessment and modelling the site is at risk of flooding from Moss Brook during events with the same or greater magnitude to the 1% AEP event. The LLFA would like to draw the applicants attention to Paragraph 033 of the Environment Agency Flood Risk and Coastal Change Guidance (Reference ID: 7-033-20140306) which indicates that although the Sequential and Exceptions tests would not normally be necessary to applied to development proposals in Flood Zone 1 they should if other more recent information, indicates there may be flooding issues now or in the future. Therefore the sequential test should have been applied.
10. Paragraph 033 of the Environment Agency Flood Risk and Coastal Change Guidance (Reference ID: 7-033-20140306) and Paragraph 155 to 158 of the NPPF indicate the sequential approach to locating development in areas at lower flood risk should be applied to all sources of flooding and inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 163 of the NPPF goes on to state 'Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk'. The LLFA would therefore object to the proposed development of 'More Vulnerable' infrastructure within the modelled flood extent of Moss Brook shown in Annex E of the FRA, particularly when there is a significant area of the site which does not lie within the modelled flood extents and would be more suitable for development of residential dwellings.
11. The applicant is proposing to raise land levels without providing compensatory storage analysis. The FRA also notes the residential development platform is proposed to raise to prevent flooding in the worst-case scenario 1 in 1000 year event. The LLFA would like to note the site is 25ha, with the majority of the site in fluvial flood zone 1 and outside of the modelled 1 in 1000 year flood outline for the ordinary watercourse, therefore the residential development, as the most vulnerable infrastructure, should have been placed in the area of lowest risk and should not require a raised platform.
12. Figure 4 shows flood risk has increased to the properties on Woodland Avenue. This is unacceptable and clearly does not follow NPPF or EA guidance by the proposed development increasing flood risk elsewhere.

13. As the site is 25ha the LLFA would not accept the statement 'where insufficient land is available to provide 1 in 3 side slopes' with regard to alterations to the watercourse, as clearly there is sufficient land to otherwise place the development and provide the space for a 1 in 3 slope for the watercourse.
14. The 'Surface Water Drainage Strategy' plan provided the current layout shows development is proposed within 8m of a watercourse, this is against standard drainage bylaws, which the LLFA has previously stated to the applicant it would not accept the layout if they did so.
15. The applicant has not applied the Drainage Hierarchy adequately as there have been no site specific infiltration testing been undertaken prior to discarding infiltration. The LLFA would note Untied Utilities also apply this strictly, and detailed consideration of the hierarchy will need to be demonstrated in supporting documentation.
16. There is a concern regarding how riparian responsibilities would work as the applicant proposes to develop properties above a culverted watercourse.

#### 4. Environmental Protection

Environmental has considered his application with regard to air quality and noise. The applicant has submitted an air quality and a noise assessment in relation to the application.

##### Noise

The proposed site is located in an existing residential area. The main noise source in the area both day and night is from traffic on Liverpool Road. Liverpool Road consists of predominantly residential properties fronting on the road.

The noise report assess the existing noise levels on the future residents of the site to assess the likely impact. Noise levels were taken over a 26 hour period to ascertain existing noise levels on the site.

The report references the standards within BS8233:2014 Guidance on Noise Insulation and Noise Reduction for Buildings. This specifies acceptable noise criteria for developments. It concludes that in most of the proposed units these standards can be met externally (in gardens) and internally with windows open or closed, in all rooms. However in a small number of units, primarily those fronting onto Liverpool Road, the internal night time standard in bedrooms cannot be met with the windows open. In these units it is proposed that enhanced glazing and trickle vents are provided to the affected rooms so that residents have the choice to whether to open the windows. This is consistent with the Professional Practice Guidance on Planning and Noise.

**In reviewing The report I can conclude that the methodology is robust and Environmental Health would be satisfied that the noise will not cause detriment to future residents at the proposed development.**

## **Air Quality**

Air quality has been considered in relation to the potential for emissions of dust from the site during the construction phase and in relation to the increase in vehicle activity along Liverpool Road and the associated highways.

In relation to the construction phase of the development the report cites sensitivity to dust within the surrounding area as the main issue regarding air quality. Given the size of the site the risk of dust emissions is high and therefore needs to be addressed through effective management. Table 20 of the assessment details a number of actions can be imposed on site to reduce the dust off-site. These include ensuring that there is an adequate supply of water to damp soils down, monitoring of the site for emissions and locating equipment such as crushers and screeners centrally within the site. It mentions reducing the material to be carried onto the road, however I would expect a wheelwash at the point of exit. The methods are industry standards for large building sites and I would expect that they would be included in a dust mitigation scheme formally submitted as part of the planning consent.

In relation to the impact of the operational phase of the development the assessment refers to the Air Quality Management's (IAQM) 2017 guidance on Land Use and Planning Control. It models the levels of PM10 and NO<sub>2</sub> in the reference year 2026. It then compares the 'do-minimum' (DM) scenario which assumes that the development is not built and traffic levels change in accordance with national predictions; and the 'do-something' (DS) scenario which assumes that the development is built with the associated increase in traffic along Liverpool road and the local junctions. The assessment utilises the data from Transport Assessment provided for this application and models the associated pollution levels, comparing the DM with the DS to identify the modelled difference.

The modelled results are shown in figures 6-9 of the appendix. These demonstrate compliance with the air quality objective for PM10 at the carriageway in both the DM and the DS scenarios. However the NO<sub>2</sub> levels will be above the air quality objectives in some locations in both the DM and the DS scenarios. The tables 21 to 24 in section 5 of the report represent the figures adjusted to the facades of the relevant receptors in the area, such that they are representative of the exposure of residents to pollutants over the 12 month averaging period. This is standard procedure and a method that Halton borough Council employ in compiling our own air quality reports and reflects the rate at which transport related air pollution reduces as you move away from the road.

The assessment concludes that neither the, health based, air quality objective levels for PM10 nor NO<sub>2</sub> will be breached due to the development. It further concludes that the impact on human exposure in the area will be negligible. The demonstration of a negligible impact under the IAQM guidance draws Environmental Health to the conclusion that there is no justifiable objection to the application on the basis of air quality

**In reviewing the assessment I am satisfied that the appropriate standards have been applied and the methodology is robust.**

### **Conclusion and Recommendations**

Given the nature of the residential development in a pre-existing residential area, and in reference to the findings above, Environmental Health would not be able to sustain an argument to object to the application.

I would however request that conditions related to the following are included in any planning consent granted:

- A dust mitigation scheme is submitted prior to the commencement of the construction phase of the development. This should include reference to a wheel wash or similar facility at the front of the site and include the measures outlined in Table 20 of the Air Quality Assessment.
- Enhanced double glazing and trickle vents should be provided to all habitable rooms in plots 1-12, 33-39, 221-230 and 236, where windows are fronting directly or obliquely onto Liverpool Road, and cannot achieve the appropriate BS8233:2014 standard.

### 5. Public Health

#### RESPONSE FROM PUBLIC HEALTH HIA LEAD TO WIDNES GOLF COURSE RESIDENTIAL DEVELOPMENT HIA

Please note that it has not been possible to conduct a full review of the HIA on this occasion. Public Health staff time has been predominantly focussed on the Coronavirus Pandemic surveillance and local action.

Nevertheless, the key appraisal questions identified in the HBC Health Impact Assessment: Local guidance for developers and their agents wanting to conduct a health impact assessment<sup>1</sup> have been used to review the submitted HIA.

<b>ASSESSMENT QUESTIONS</b>	<b>RESPONSE</b>
What was the scope of the HIA and the definitions of health used? How was the scope justified?	The authors stated this was a rapid HIA although no explanation is given as to why this was chosen or what they mean by a 'rapid HIA'. Their definition of health is not outlined. Whilst they do quote from the relevant chapter 8 of the National Planning Policy framework which outlines how planning decisions can contribute to health from a social determinants perspective, it is not clear

<sup>1</sup> <https://www3.halton.gov.uk/Pages/health/PDF/health/HIA/HIAlocalguidance.pdf>



ASSESSMENT QUESTIONS	RESPONSE
	beyond this that they have an understanding of health from a social, economic and wider lens.
Was the methodology used appropriate, explicit and logical?	The authors of the HIA chose to use the Healthy Urban Development Unit (HUDU) checklist. This is an excellent tool and now regarded by many involved in HIAs of urban development projects as the best tool for a UK setting. They give a clear rationale as to why they chose this tool being more up to date than the checklists and tool in the current HBC HIA guidance.
What evidence and sources of evidence were included and excluded and was the justification given explicit, reasonable and appropriate?	<p>The evidence used was from other documents prepared as part of the planning application.</p> <p>There was no attempt to relate elements of the HUDU tools to local health or wider social-economic data</p>
Was there any stakeholder involvement, if so were a range of stakeholders consulted and was the justification for having or not having stakeholder involvement explicit, reasonable and appropriate?	<p>There was no stakeholder engagement as part of this HIA. There was no justification given for why this was not done. This area was one of the weaknesses of this HIA.</p> <p>Access to healthcare services and other social infrastructure asks 'Does the proposal assess the impact on health and social care services and has local NHS organisations been contacted regarding existing and planned healthcare capacity?' The HIA states that there is adequate primary care (general practice and dental) and secondary care provisions as there are practices nearby with open lists. However, they did not contact NHS Halton Clinical Commissioning Group or the practices to see if there were any pressures or issues with local provision that the development may impact on. Therefore the statement that there are likely to be neutral impacts cannot be justified purely on the basis of the approach taken in the HIA to judge this. Their conclusion may be correct but the method they used to determine this is poor. In particular the tool used asks if</p>

ASSESSMENT QUESTIONS	RESPONSE
	<p>local NHS organisations have been contacted which they did not do.</p> <p>Section 5: Accessibility and Active Travel asks 'does the proposal address the ten Healthy Streets indicators'. The HIA states that they do but does not provide much detail to demonstrate this, although they conclude the proposal has positive impacts in this area.</p> <p>Section 9: Social Cohesion and Lifetime neighbourhoods asks 'Does the proposal consider health inequalities by addressing local needs through community engagement?'. The HIA states this is relevant to the proposal and the health impacts are neutral. However the evidence given is scant. Reference is made to Statement of Community Involvement. This was contained within the Planning Statement but did not go beyond letters to ward councillors and a letter drop informing local residents of the development proposal. No specific consultation or stakeholder involvement was carried out which set out to specifically address health concerns or direct contact with them.</p> <p>No reference to health inequalities was made in the evidence anywhere in the HIA</p>
<p>Was the appraisal of impacts systematic and the reasons for judging the significance and extent of the positive and negative health effects explicit, appropriate and justified?</p>	<p>It was difficult to judge why positive and neutral impacts decision was taken from the level and type of evidence presented. This is not to say they are incorrect. Rather without direct dialogue with the authors, which would have happened in a HIA that was conducted face to face to multiple stakeholders, it is not possible to judge</p>
<p>Where there any recommendations made? Did these include mitigation and enhancement measures and was there a clear link between the recommendations and the key issues emerging from the assessment?</p>	<p>There were 2 sets of recommendations made covering information to be provided in a Welcome Pack around active travel and local amenities plus the CEMP. There was also a statement</p>

ASSESSMENT QUESTIONS	RESPONSE
	<p>about locally sourced workforce and materials were possible.</p> <p>This is one area where stakeholder engagement would really have been of benefit to the HIA. Stakeholders bring many different levels of experience, knowledge and backgrounds.</p> <p>Innovation often springs from dialogue amongst stakeholders, planners and developers that are cost neutral but enhance the project.</p>

## 6. Open Spaces – Trees

OBSERVATIONS DATED 14.04.2020

Further to your consultation I visited the site of the proposed development on 09/04/2020 and would make the following comments on behalf of the Open Space Team. During my site visit I observed the trees which are on the southern section of the site (that which is proposed for development); I have not visited the northern section of the site which is to become the remodelled golf course.

### **Trees**

There are no Tree Preservation Orders in force at this site and the area does not fall within a designated Conservation Area.

I will refer to the trees and tree groups using the reference given in Appendix A of the submitted *Arboricultural Impact Assessment February 2020* (hereafter; Arb Impact Assessment).

The Executive Summary of the Arb Impact Assessment outlines the applicants' intention to remove 19 individual trees; tree groups comprising approximately 1.8ha; and 28.5m of hedgerow from within the application boundary.

Whilst most of the trees scheduled to be removed currently offer limited visibility to the public due to the private nature of the current golf course, the groups G43; G44; G48; and G49; are very prominent along the southern boundary of the site, and greatly influence the landscape along Liverpool Road.

Many of the trees which are proposed to be felled are of significant size, and Table 5 of the Arb Impact Assessment states that tree cover will be reduced across the site. Whilst the plant species suggested in the Planting Plan

(Drawing No. 210) are suitable to a development of this nature and will provide a greater range of species, they are smaller specimens, and I also have concerns that many of the trees shown in the plan appear to fall within the curtilage of the property gardens. This may lead to the removal of those trees by property owners in the future.

It is stated in the Executive Summary of the Arb Impact Assessment that “The remodelled golf course area presents an opportunity to include infill planting”. This could further mitigate the loss of tree cover from the overall site. Can the applicant clarify their intentions in regard to planting in the remodelled golf course?

There are a number of trees within the development site which will be retained, and potentially impacted, as part of the development. This is acknowledged within Drawing 3: Arboricultural Method Statement Head of Terms (hereafter; Head of Terms).

The development also has the potential to impact trees on neighbouring properties including, but not limited to, properties on Liverpool Road; Heath Road; and Looe Close.

The Head of Terms states that a number of trees require “Special Mitigation” by means of a “Tree Protection Scheme/Arboricultural Method Statement”, neither of which appear to have been provided by the applicant.

Clarification that the proposed development will meet the recommendations within *BS5837: 2012 ‘Trees in Relation to Design, Demolition and Construction – Recommendations’* is required, and an Arboricultural Method Statement which complies with BS5837:2012 is recommended. This is especially pertinent in regards to construction related works which are proposed within the root protection area (RPA) of a retained tree; either on site, or within the curtilage of a neighbouring property.

I also noted during my site visit that a number of the trees which may be retained have the potential to satisfy the criteria for statutory protection. If the Duty Planner wishes for it to be the case, then another site visit could be arranged in order for those trees to be surveyed in line with the Tree Evaluation Method for Preservation Orders (TEMPO).

Should permission be granted, tree works should be carried out in accordance with *BS 3998:2010 Tree Work Recommendations* and *BS5837: 2012 ‘Trees in Relation to Design, Demolition and Construction – Recommendations’*.

## Hedgerows

Table 3 of the Arb Impact Assessment states that the application seeks to remove two hedgerows; H3 and H4. There are no hedgerow constraints on site. The proposed new hedge planting outlined in Planting Plan (Drawing No. 210) is acceptable.

## Ecology

The Merseyside Environmental Advisory Service (MEAS) has been consulted in regards to this application.

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

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

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

### FURTHER OBSERVATIONS RECEIVED 30.04.2020

I've attached the TEMPO guidance notes and survey data sheets from my site visit on Monday 27<sup>th</sup> April, and the summary is in the table below. I have noted whether they are within the southern (proposed development) or northern (retained golf course) part of the site.

Please note due to time constraints I narrowed the surveys down to the trees & groups which scored a Category "A" in the BS5837 Tree Quality Assessment, and some other notable trees on site. It is not intended to be a condition survey, although condition is taken in to account during the scoring.

Survey Reference No.	Species	Individual or Group	No. in group (if applicable)	Within Development Plot (Dev) or retained Golf Course (GC)	TEMPO Score	TEMPO Decision
G48	Poplar & Cypress	Group	approx 100	Dev	16	Merits TPO
T1	Sycamore	Individual	N/A	Dev	15	TPO Defensible
T26	Poplar	Individual	N/A	Dev	13	TPO Defensible
G90	Oak, Hawthorn & Ash	Group	approx 70	GC	16	Merits TPO
G96	Scots Pine	Group	19	GC	17	Merits TPO
T22, T23, T24	Poplar	Group	3	GC	13	TPO Defensible

T32	Lime	Individual	N/A	GC	10	Does not merit TPO
T36	Oak	Individual	N/A	GC	14	TPO Defensible

TEMPO is not appropriate when considering Woodlands for a TPO and so such an assessment was carried out on the area referenced as “W1” on the submitted Arboricultural Impact Assessment (dated February 2020). I did however note during my site visit that the area may be worth considering for statutory protection.

### THIRD CONSULTATION RESPONSE

Further to my comments dated 14/04/2020, I have additional comments to make with regards to the additional information supplied by the applicant.

#### **Trees**

There is no Tree Preservation Orders currently in force at the site, and the area does not fall within a designated Conservation Area.

I will refer to the trees and tree groups using the reference given in Appendix A of the submitted *Arboricultural Impact Assessment July 2020* (hereafter; Arb Impact Assessment).

The Executive Summary of the Arb Impact Assessment outlines the applicants' intention to remove 13 individual trees; tree groups comprising approximately 1.8ha; and 28.5m of hedgerow from within the application boundary.

Following the submission of my previous comments, I visited the site at the request of the Duty Planning officer to carry out a Tree Evaluation Method for Preservation Orders (TEMPO) assessment in order to determine whether trees on site would be suitable for statutory protection. This visit took place on 27/04/2020; it was found that a number of trees on site satisfied the criteria for statutory protection, and recommendations were made to create Tree Preservation Orders for 3 individual trees, 1 group of trees, and 2 woodlands.

Many of the trees which are proposed to be felled are of significant size, and Table 5 of the Arb Impact Assessment states that tree cover will be reduced across the site.

It is still my belief that, whilst the plant species suggested in the Planting Plan (Drawing No. 210) are suitable to a development of this nature and will provide a greater range of species, they are smaller specimens. I also have concerns that many of the trees shown in the plan appear to fall within the curtilage of the property gardens. This may lead to the removal of those trees by property

owners in the future. The species proposed for replanting in the northern section of the site are acceptable.

There are a number of trees within the development site which will be retained, and potentially impacted, as part of the development. This is acknowledged within *Drawing 3: Arboricultural Method Statement Head of Terms* (hereafter; Head of Terms).

The development also has the potential to impact trees on neighbouring properties including, but not limited to, properties on Liverpool Road; Heath Road; and Looe Close.

I stated in my original comments dated 14/04/2020 that:

*Clarification that the proposed development will meet the recommendations within BS5837: 2012 'Trees in Relation to Design, Demolition and Construction – Recommendations' is required, and an Arboricultural Method Statement which complies with BS5837:2012 is recommended. This is especially pertinent in regards to construction related works which are proposed within the root protection area (RPA) of a retained tree; either on site, or within the curtilage of a neighbouring property.*

The Arb Impact Assessment submitted in July 2020 states at 3.11 *"In some areas proposed new hard surfacing falls within the RPA of retained trees, it is deemed that the level of this encroachment is acceptable with provision of an arboricultural watching brief or special mitigation construction measures."* Again, clarification is required as to how the proposals meet the guidance in Section 7.4 of BS5837: 2012; it would appear that an Arboricultural Method Statement has not been submitted.

Should permission be granted, tree works should be carried out in accordance with *BS 3998:2010 Tree Work Recommendations* and *BS5837: 2012 'Trees in Relation to Design, Demolition and Construction – Recommendations'*.

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

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

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

## 7. Open Spaces – Design & Development

I have a few items to raise with regard to this particular application. Given the nature of the site (predominately green open space/golf course land) I would like to see additional information over and above a normal landscape planting scheme/schedule, this scheme needs to show proper consideration to how it relates to the remaining reconfigured gold course, the design goes some way to addressing this but lacks levels and cross section to properly interpret how this will work.

I will cover overall landscape/layout design including play, proposed planting and if applicable any sustainable drainage proposals that impact on the landscape. Please see OSSD Open Space Team comments on habit and tree matters. I have also assumed that the proposed playground **will not** be handed over to and adopted by the Council, is this correct?.

- It would be useful to have some proposed cross sections through development/reconfigured golf course ('green buffer') boundary. In order to see how levels are handled and how surface water drainage may/may not affect house/gardens plots, infiltration alone during sustained periods of heavy rain cannot be relied on in isolation and use of swales or other drains need to be considered. Retaining some existing vegetation can also aid good drainage as well as preserve habitats, but this requires detailed consideration of levels.
- An outline specification should also be provided to show how garden areas will be created, and illustrate the full depth of intended sub soil/top soil and methods of dealing with compacted/hard pan layers in the soil layers which are to be expected after construction works.
- Proposed swales; need to be shown in cross section in order to see proposed profiles and to ensure these features can be properly maintained and are suitable drainage features for the locations shown.
- The Boundary Treatment document or drawing 3337-105 Rev A. does not include the proposed play area fence detail. I note drawing refers to 'bow-top' fence. There are recommended fence types for kick about and playground areas and certain fence types such as bow-top fencing may not meet these required standards.
- Path surfacing up to the play area should be continued in to the play area and include seating areas and connect, grass is inadequate in these locations.
- Are goal posts being included in kick about area? None are shown at present. I would suggest 1 set are included.
- Proposed planting on drawings; 3337/201A, 202A, 203A, 204A, 205A, 206A, is acceptable. Note, I have not checked if there are a sufficient number of trees proposed in what will be open space areas (ie not ultimately in private plots) to compensate for those lost from developing the former golf course.



- Surface water drainage proposals, I can't see any reference to any areas given over for SuDS filtration prior to water entering Steward Brook and have assumed the LFA will look at surface water drainage/flooding in more detail separately. The CIRIA guidelines should be followed.

8. Merseyside Environmental Advisory Service – Ecology and Waste Advisor

FIRST CONSULTATION RESPONSE

*Ecology*

The applicant has submitted a Preliminary Ecological Appraisal (PEA) report in accordance with Local Plan Core Strategy policy CS20 (*PEA - Land to North of Liverpool Road, UES, 12<sup>th</sup> June 2019*).

The PEA report includes a full ecological appraisal of the site, and a daytime bat survey of three buildings that will be demolished as part of the proposals and a daytime bat survey of the trees on site. The PEA of the southern part of the application site was undertaken in April 2018 and is now over two years old, the PEA of the northern part of the site is also over a year old. I advise that a repeat walkover of the site should be undertaken in order to ascertain whether there have been any significant changes since these surveys were completed. The updated ecological appraisal is required **prior to determination**. Further information is provided in Part Two, as well as guidance on site surveys in relation to COVID19.

The daytime bat survey of the site buildings and trees on site was undertaken in April 2018 and did not include an internal assessment of the buildings – due to bat roosting potential on the existing buildings an updated bat survey, including internal surveys of the buildings to be demolished and dusk/dawn activity surveys is required. The updated bat survey and ecological appraisal are required **prior to determination** of the application. Further information is provided in Part Two.

The PEA report (*UES, 12<sup>th</sup> June 2019*) states that the habitats on site, primarily the lines of mature trees that cross the site and at the site boundaries (particularly the southern site boundary), have suitability as foraging and commuting habitat for bat species. The majority of the trees in the northern part of the site will be retained, however significant tree removal will take place in the southern part of the site. I advise that in addition to the emergence/re-entry surveys of the site buildings further general bat activity surveys/transects of the southern part of site should be undertaken in order to identify any significant bat commuting routes or foraging areas. Surveys should be completed in line with best practice guidelines (Collins J (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines*, 3rd edition, Bat Conservation Trust ISBN-13: 978-1-872745-96-1). These activity surveys should be completed **prior to determination** so that the potential impacts of the proposals on foraging and commuting bats can be properly assessed.

Lighting for the development may affect the use of bat foraging and commuting areas. A lighting scheme can be designed so that it protects ecology and does

not result in excessive light spill onto these areas in line with NPPF (paragraph 180). The results of the general bat activity surveys outlined above should be used to inform the lighting proposals. The lighting plan can be secured by a suitably worded planning condition. It would be helpful for the applicant to refer to *Bat Conservation Trust website* <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

The two ponds located within the southern part of the application site have suitability as breeding sites for great crested newts. Section 3.3.1 of the PEA (*UES, 12<sup>th</sup> June 2019*) states that eDNA surveys of the two ponds were completed as part of the PEA and that the results for both ponds were negative. No further information on the eDNA surveys is provided. In line with Natural England guidelines further information is required as to how the eDNA surveys were conducted including:

- that a licensed great crested newt surveyor collected the eDNA sample.
- the sampling methods used, and the date the samples were taken.
- that a suitably equipped laboratory undertook the laboratory work in strict adherence to accepted methods in the Natural England technical guidance.
- full eDNA survey results.

The additional information on the methods and results of the eDNA survey are required to verify survey results and are required **prior to determination**.

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

#### CONDITION

No tree felling, scrub clearance, vegetation management or building works are to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, 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 Core Strategy policy CS20 applies. To mitigate for this loss, details of bird nesting boxes (e.g. number, type and location on an appropriately scaled plan) that will be erected on the site should be provided to the Local Planning Authority for agreement. The following planning condition is required.

#### CONDITION

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

The habitats on site are suitable for hedgehog which is a Priority Species and Local Plan Core Strategy policy CS20. The following reasonable avoidance measures (RAMs) should be put in place to ensure that there are no adverse effects on them:

- A pre-commencement check for hedgehog;
  - All trenches and excavations should have a means of escape (e.g. a ramp);
  - Any exposed open pipe systems should be capped to prevent mammals gaining access; and
  - Appropriate storage of materials to ensure that mammals do not use them.
- These measures can be secured by a suitably worded planning condition.

The fences that will form the boundaries of the new properties could restrict the movement of hedgehogs across the site. To mitigate for this gaps/passes should be provided at the base of fences to allow movement of hedgehogs. The specification and locations of the hedgehog passes should be marked on an appropriately scaled plan and provided to the Local Authority for approval. This can be secured by a suitably worded condition.

#### *Habitat mitigation and creation*

The proposals will result in the loss of two ponds and areas of trees, which are Priority habitat (NERC). Areas of trees on site will also have value as wildlife corridors, particularly on the southern and western site boundaries, and form part of the LCR Ecological Network. The habitat loss on site requires compensation within the landscaping proposals for the site in line with Local Plan Core Strategy policy CS20. Opportunities for habitat creation within the southern part of the site are likely to be limited due to the density of the proposed housing, therefore consideration should also be given to new habitat creation and enhancement in the northern part of the site. Tree removal should be minimised wherever possible. Where trees are lost this should be compensated for through new native tree and woodland planting, particularly at the site boundaries. New native planting along the northern boundary of the new residential area between the development and the retained area of golf course would be desirable in order to replace the habitat corridor that will be lost as a result of tree removals on the southern site boundary adjacent to Liverpool Road. I advise that two new ponds should also be created on site in order to compensate for those that will be lost as a result of the development. These compensation measures should form part of the landscaping proposals for the site.

In line with Local Plan Core Strategy policy CS20 and NPPF paragraph 175, ecological enhancements should be incorporated into the landscaping proposals for the site. The proposals will result in the loss of existing grassland and tall herb habitats on site. The creation of areas of wildflower species rich grassland around the periphery of the site, including nectar rich plant species, would be desirable to compensate for this loss and enhance the site for species such as invertebrates. Species used within any planting scheme as part of the proposals should also include native plants with known value to wildlife – these should include flowering plants for invertebrate species and fruit bearing plants

that will act as a food source for species such as birds. Additional information is provided in Part Two.

The applicant should submit landscaping proposals showing any new habitat creation (ponds, tree planting, grassland) and the species mix that will be utilised on site for approval and include proposals for ongoing management. The landscape proposals can be secured by a suitably worded condition. Further information is provided in Part Two.

### *Invasive Species*

Japanese knotweed, cotoneaster and yellow archangel are located in the northern part of the application site. These species are listed on Schedule 9 of the Wildlife and Countryside Act and National Planning Policy Guidance applies (<https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants>) the stands of invasive species are located outside of the main residential construction area, but could be impacted by the proposed reconfiguration of the remaining golf course. 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;
- The methods that will be used to prevent the plant/s spreading further, including demarcation and fencing;
- The methods of control that will be used if the stands will be impacted by the proposals, including details of post-control monitoring; and
- How the plants will be disposed of after treatment/removal if required.

The method statement should be submitted for approval to the Local Planning Authority prior to commencement of any works on site. The method statement can be secured by a suitably worded planning condition.

No invasive plant species were identified within the southern part of the application site during the PEA in 2018 (*UES, 12<sup>th</sup> June 2019*). As the PEA survey of the southern part of the site is now 2 years old it is recommended that an updated invasive species survey forms part of the updated survey/walkover of the site outlined above.

### *Habitats Regulation Assessment (HRA) – Recreational Pressure*

The following European designated sites are easily accessible (by car and public transport) from the development site and Local Plan Core Strategy policy CS20 applies:

- Mersey Estuary SPA (2.2km south);
- Mersey Estuary Ramsar (2.2km south).

The proposal is for 255 net residential units, this will result in increased visits (recreational pressure) to the sites listed above. This may result in significant effects on habitats and species for which these sites have been designated.

Recreational pressure from residential development has been identified as a Likely Significant Effect alone and in-combination within the Liverpool City Region. Recreational pressure is recognised in the formal statutory Conservation Advice Packages and Site Improvement Plans **Error! Bookmark not defined.** as Medium-High risk to qualifying features of the European sites.

The applicant must demonstrate how increased recreational pressure will be avoided or mitigated to enable the LPA to undertake HRA **prior to determination**. Further information is provided in Part Two.

### *Waste*

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

In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

The applicant has not provided sufficient information to demonstrate compliance with policy WM9 of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8). I advise that information relating to household waste storage and collection for the apartments and access for RCVs on the roadway fronting the golf course is required and can be secured by a suitably worded condition. However, I will be guided by Highways colleagues regarding the accessibility issue.

### *Sustainability and Climate Change*

The Design and Access Statement (*apd dated March 2020*) and Energy Statement (*ratiosevenltd energy consultants dated February 2020*) advocate a fabric first approach for energy efficiency for the proposed dwellings this is acceptable. The Energy statement concludes that using the measures proposed the properties will achieve a higher reduction in carbon emissions than required by the current building regulations and that this meets the requirements of bullet points 3, 4 and 5 of policy CS19 (Sustainable Development and Climate Change). I concur with this.

## **Part Two**

### *Ecological information*

The updated Ecological Appraisal should include the following:

- Full desk study results, including protected species data from rECOrd.

- A walkover of the site to determine whether there have been any significant habitat changes since the 2018/2019 surveys.
- A check for protected species, for example badger.
- A check for any new stands of invasive species, for example Japanese Knotweed.
- An updated bat survey, to include a daytime assessment of the buildings and a minimum of two dusk/dawn surveys completed in line with best practice guidelines (Collins J (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines*, 3rd edition, Bat Conservation Trust ISBN-13: 978-1-872745-96-1). All trees that will be removed as part of the proposals should also be assessed for their potential to support roosting bats, with further activity surveys being undertaken of any trees classed as having greater than Low potential as roosting sites. It should be noted that bat activity surveys can only be undertaken between May and August/September.

#### Suggested Planting Species for Biodiversity Enhancement:

- *Hedgerow* – suggested species include hawthorn, holly, hazel, dog rose, elder, blackthorn, birch, alder, ash, rowan, aspen, field maple and honeysuckle.
- *Trees* – Suggested tree species include rowan; birch; willow; hawthorn; blackthorn; cherry; field maple; alder; and oak. Tree species should be tailored to the local area and this can be discussed with the local tree officer.
- *Shrubs* – Suggested shrub species include buckthorn; juniper; dog rose; guelder rose; gorse; field rose and broom.

#### Habitats Regulation Assessment (HRA) – Recreational Pressure

Examples of mitigation measures for recreational pressure impacts are listed below. Following the Sweetman ruling (People Over Wind and Sweetman v Coillte Teoranta (C-323/17)), a clear distinction must be made between essential features of the development and additional mitigation measures needed to protect the European sites:

- Provision of public open space within the development boundary;
- Improving access to and promoting use of Suitable Alternative Natural Greenspaces (SANG) (including contributions to management);
- Provision of information in sales packs, informing residents of the importance of the European sites, and responsible user code and the location of SANGs; and
- Financial contributions to the management of European sites and SAMM (Strategic Access Management & Monitoring).

#### CORONAVIRUS

Due to the ongoing Coronavirus situation we understand ecological survey work may need to be postponed or undertaken using a risk-based approach.

Ecological consultants must follow CIEEM advice which is subject to regular updates: <https://cieem.net/i-am/covid-19/>

## SECOND CONSULTATION RESPONSE

### Ecological Information

The applicant has submitted the following reports in accordance with Local Plan Core Strategy Policy CS20 which meet BS42020:2013:

- UES, Preliminary Ecological Appraisal – Widnes Golf Course, Ref: UES02361/04, 10<sup>th</sup> July 2020
- UES, Ecological Impact Assessment – Widnes Golf Course, Ref: UES02361/12, 13<sup>th</sup> July 2020
- UES, Shadow Habitats Regulations Assessment – Widnes Golf Course, Ref: UES02361/11, 13<sup>th</sup> July 2020
- UES, Bat Presence/Absence Survey – Widnes Golf Course, Ref: UES02361/06, 10<sup>th</sup> July 2020
- UES, Ground Level Tree Assessment – Widnes Golf Course, Ref: UES02361/08, 10<sup>th</sup> July 2020
- UES, Bat Activity Survey – Widnes Golf Course, Ref: UES02361/07, 10<sup>th</sup> July 2020
- UES, Bat Presence/Absence Survey – Widnes Golf Course, Ref: UES02361/06, 10<sup>th</sup> July 2020
- UES, Invasive Species Method Statement – Widnes Golf Course, Ref: UES02361/09, 1<sup>st</sup> July 2020
- UES, Landscape & Ecological Management Plan – Widnes Golf Course, Ref: UES02361/10, 13<sup>th</sup> July 2020
- tpm, Landscape Management Plan – Widnes Golf Course, February 2020

### Habitats Regulation Assessment (HRA) – Recreational Pressure

The following European designated sites are easily accessible (by car) from the development site and Local Plan Core Strategy policy CS20 applies:

- Mersey Estuary SPA (2.2km south);
- Mersey Estuary Ramsar (2.2km south).

The proposal is for 249 net residential units, this will result in increased visits (recreational pressure) to the sites listed above. This may result in significant effects on habitats and species for which these sites have been designated. Recreational pressure from residential development has been identified as a Likely Significant Effect alone and in combination within the Liverpool City Region. Recreational pressure is recognised in the formal statutory Conservation Advice Packages and Site Improvement Plans as Medium-High risk to qualifying features of the European sites.

The applicant has submitted a shadow HRA (UES, Shadow HRA – Widnes Golf Course, 13<sup>th</sup> July 2020). The shadow HRA has concluded that, without mitigation/preventative measures, that there will be likely significant effects on the above sites as a result increased recreational pressure. The shadow HRA includes an

Appropriate Assessment in accordance with Regulation 63 (Habitats Regulations 2017). The Appropriate Assessment outlines the following points:

- Access to the European sites on foot is unlikely due to distance (minimum 2.2km) and due to the indirect route to the estuary which passes through urban and industrial areas.
- A variety of SANGs are easily accessible within a 15 minute walk of the application site, including King George's Park, Victoria Park and Leigh Recreation Ground. The retained part of the golf course to the north of the application site will also be accessible for recreational purposes eg. Dog walking. These SANGs are likely to absorb a significant amount of the day to
- day recreational activity from the application site such as jogging and dog walking.
- Day trips by car to the European sites may occur, with the most accessible point being Spike Island. This area gives access to the Mersey Path which is a well established and well used footpath. Access to the foreshore is limited due to fencing and steep banks.

The conclusion of the Appropriate Assessment is that the proposed development is unlikely to result in a significant increase in recreational activity at the European sites, and that any slight increase that does occur can be largely accommodated within the well adapted footpath network at the accessible points of the estuary. In order to mitigate any residual impacts a residents information pack is recommended to be included with the sales information for all properties. This pack would include information on the importance of the European sites, a responsible user code and available Suitable Alternative Natural Greenspace (SANGs) in the area. The conclusions and recommendations of the shadow HRA are accepted, and I agree that with the mitigation/preventative measures outlined, there will be no adverse effect upon the integrity of the European sites. The Council can adopt the submitted HRA as its own assessment. I advise that Natural England is consulted on the outcome of the Appropriate Assessment prior to determination and any points which may arise should be addressed. Its views, together with the outcome of the Appropriate Assessment, are required to be included within the Planning Committee/Delegated report.

The provision of a residents information pack to be included with the sales information for the new properties as outlined in the shadow HRA should be secured by an appropriately worded condition.

### Great Crested Newts

Two ponds are located within the site (Ponds 1 and 2), Pond 1 will be lost as a result of the proposals. An eDNA survey of both ponds was completed in 2018 with the full survey results being provided in the Preliminary Ecological Appraisal report (UES, PEA, 13<sup>th</sup> July 2020). The report states that the results of the eDNA survey were negative. The Council does not need to consider the proposals against the three tests (Habitats Regulations).

### Badgers & Hedgehog

The habitats on site are suitable for badger and hedgehog which are protected/Priority/Species and Local Plan core strategy policy CS20 applies. 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;
- 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 should form part of the CEMP for the site (see paragraph 22).

## Bats

A preliminary roost assessment, one dusk emergence survey and one dawn re-entry survey of the buildings on site (Buildings 1 to 3) were completed in June/July 2020 (UES, Bat Presence/Absence Survey – Widnes Golf Course, 10<sup>th</sup> July 2020). During the surveys two common pipistrelle bats were recorded roosting behind the fascia on the southern side of the clubhouse building (Building 1). The roosting site will be lost as the building will be demolished as part of the proposals.

The Local Authority is required to assess the proposals against the Three Tests (Habitats Regulations) in order to determine whether an EPS license is likely to be granted by Natural England and to exercise its duty under the Habitats Regulations. Indicative mitigation proposals for bats have been provided in Section 4.3 of the bat survey report (UES, Bat Presence/Absence Survey – Widnes Golf Course, 10<sup>th</sup> July 2020). I advise that if these mitigation proposals are implemented on site in full then the Three Tests will be satisfied and Natural England are likely to grant an EPS license for the site. The detailed reasoning in respect of the Three Tests assessment is provided in Appendix 1.

Implementation of the mitigation measures set out within 4.3 of the bat survey report can be secured by a suitably worded planning condition.

As the proposals involve the destruction of a bat roost the applicant will require a Natural England European Protected Species (EPS) licence prior to any works commencing to the clubhouse (Building 1). 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 authorising the specified development to go ahead.

A ground level assessment has been undertaken of the trees on site in respect of their potential to support roosting bats (UES, Ground Level Tree Assessment – Widnes Golf Course, 10<sup>th</sup> July 2020):

- Trees T5, T7 and T24 have been classed as having Low potential for bats. As a precaution I advise that works to these trees are undertaken using reasonable

avoidance measures for bats, including supervision by a licensed bat ecologist and soft felling. Avoidance measures for bats should form part of the CEMP for the site.

- Trees T1, T2, T4, T6, T9 and T11 were classed as having Moderate or High potential for bats. Further aerial inspections and/or emergence/re-entry surveys of these trees are required prior to determination of the planning application. The additional surveys are essential to determine if bats are present. If present the Local Planning Authority is required to assess the proposals against the three tests (Habitats Regulations) and determine whether an EPS licence is likely to be granted for works to the trees. Surveys must follow Standing Advice and best practice guidance<sup>1</sup>. Any deviation from these guidelines must be fully justified. The applicant should note that timing for emergence/entry surveys is May to August / early September inclusive.

Bat activity transect surveys of the site have been completed in June and July 2020 (UES, Bat Activity Survey – Widnes Golf Course, 10<sup>th</sup> July 2020). The surveys did not identify any of the linear habitat features that will be lost as part of the proposals as being significant commuting routes for bats. Bat foraging activity was identified around the woodland copse located outside of the northern boundary of the construction area. Lighting for the development may affect the use of this area. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the important habitat in line with NPPF (paragraph 180). This can be secured by a suitably worded planning condition. New external lighting should also be avoided adjacent to the proposed new hedgerow and tree planting on the northern boundary of the construction area as this new habitat feature will have good suitability for foraging and commuting bats. It would be helpful for the applicant to refer to Bat Conservation Trust website

<https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>.

A new hedgerow and tree planting will take place along the northern boundary of the development area and this new habitat creation should compensate for any minor impacts as a result of the loss of the vegetation along the southern site boundary.

### Breeding Birds

Built features and vegetation on site may provide nesting opportunities for breeding birds, which are protected and Local Plan Core Strategy Policy CS20 applies. No tree felling, scrub clearance, vegetation management or building works are to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, 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. These measures should form part of the CEMP for the site (see Paragraph 22).

### Invasive Species

Japanese knotweed, cotoneaster and yellow archangel are located in the northern part of the application site. These species are listed on Schedule 9 of the Wildlife and Countryside Act and national Planning Policy Guidance applies<sup>2</sup>. The stands of

invasive species are located outside of the main residential construction area, but could be impacted by the proposed reconfiguration of the remaining golf course.

The applicant has submitted an invasive species method statement detailing measures that will be employed on site to prevent the spread of invasive species, and control measures where necessary (UES, Invasive Species Method Statement – Widnes Golf Course, 1<sup>st</sup> July 2020). The measures outlined in the method statement are acceptable. The implementation of the invasive species method statement should be secured by an appropriately worded condition.

### Habitat Compensation & Enhancement

The proposed development will result in the loss of trees and other habitats from the site, including potential habitat for protected/priority species, and Local Plan Core Strategy Policy CS20 applies. The applicant has submitted a Landscape and Ecological Management Plan (LEMP) which details habitat compensation and enhancement proposals for the site (UES, Landscape & Ecological Management Plan – Widnes Golf Course, 13<sup>th</sup> July 2020).

New habitat creation proposals are shown in Appendix 1 and 2 of the LEMP. New habitat creation includes:

- New native tree planting in the northern part of the site, garden areas and new public open spaces.
- Species rich grassland areas in the northern part of the site (approximately 2200 square metres).
- A new pond to be created in the northern part of the site (approximately 200 metres square in area, equivalent to Pond 1 which will be lost).
- A new hedgerow to be planted along the boundary between the development area and the retained golf course to the north (approximately 500 metres in length, equivalent to the hedgerow that will be lost on the southern site boundary). The LEMP recommends that this should be a native hedgerow if possible, I advise that the new hedgerow should comprise native species only.
- The proposed development will result in the loss of potential bat roosting features in buildings and trees. Appendix 2 of the LEMP details the number and positions of the new bat boxes to be installed on site to compensate for this loss. A total of 11 new bat boxes are proposed, including boxes with suitability for the species of bat most widely recorded foraging and commuting. A new bat shelter will also be created in the northern part of site.
- The proposed development will result in the loss of bird breeding habitat. Appendix 2 of the LEMP details the number and positions of new nest boxes to be installed on site in order to compensate for this loss. A total of 20 new nest boxes are proposed, including nest boxes with suitability for priority species such as starling and house sparrow.
- The fences that will form the boundaries of the new properties could restrict the movement of hedgehogs across the site. Appendix 2 of the LEMP details the specifications and locations of proposed 'hedgehog highways' to be installed in new boundary fences and three new hedgehog refuge areas to be created within the retained woodland copse on site.

The LEMP includes outline management proposals for new and retained habitats on site.

These include:

- Management of retained woodland areas, including thinning of trees
- Mowing regimes for new species rich grassland areas
- Management of the proposed new pond in order to create favourable conditions for biodiversity
- Roles and responsibilities, including the appointment of a management company

An updated LEMP, which includes native species information for the proposed new hedgerow on site, should be submitted to the local authority for approval. The implementation of the LEMP should be secured by a suitably worded condition.

### Construction Environmental Management Plan (CEMP)

I advise that a Construction Environmental Management Plan (CEMP) should be produced for the works. This document should set out precautions required to protect habitats and species during the construction stage. The CEMP as a minimum should contain the following:

- A toolbox talk for all site personnel prior to the start of works
- Identification of sensitive areas
- Practical measures (both physical measures and sensitive working practices) to reduce impacts during construction. This should include measures to prevent pollution of features such as retained ponds and protection of retained woodland areas and trees.
- The location and timing of sensitive works to avoid harm to biodiversity features, including timing restrictions in respect of breeding birds
- Avoidance measures for species including badger, hedgehog and bats
- The times during construction when specialist ecologists need to be present on site to oversee works
- Responsible persons and lines of communication
- Use of protective fences, exclusion barriers and warning signs.

The production of the CEMP should be secured by an appropriately worded condition with the completed CEMP being submitted to the local authority for approval prior to the commencement of works on site.

### Part Two

#### European Protected Species (EPS)

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

### APPENDIX 1

#### Three Tests Assessment (Habitats Regulations)

1. The three tests are set out in Regulation 55 of the Habitats Regulations 2017:

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”

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

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”

## 2. Test 1: Overriding public interest

The proposals will create 249 new residential dwellings. The Halton draft Local plan has highlighted the need for 8,050 new houses to be built in Halton by 2037 to accommodate an expanding population. This proposal will contribute towards this target. The proposals will also include 25% affordable homes, in line with policy CS13 of the Halton local plan core strategy. The 2016 Halton Strategic Housing Market Assessment has identified a shortfall in supply of affordable housing relative to need in the area.

## 3. Test 2: No satisfactory alternative

The applicant has identified that the 18 hole golf course is surplus to requirements in the area, with a number of alternative golf courses being located nearby. The facilities have also considered to be out of date for modern golfing needs. Assessment of the availability of services and transport routes in the area has identified the site as being suitable and sustainable for a residential development of this size.

4. The bat activity survey report (Nocturnal Bat Survey & Mitigation Strategy – Newstead Farm, Enviro Solution, June 2020) provides indicative mitigation proposals for the development in section 4.3. The main components of the mitigation proposals are:

- Provision of a two woodcrete 2F bat boxes in advance of works on retained mature trees on site. These bat box will act as a receptor for any bats discovered during works on site and as long term new roosting provision for bats.
- A suitably qualified ecologist (SQE) will undertake a toolbox talk for all site staff.
- The SQE will supervise works in areas which could be used by bats, including removal of fascias. Any bats discovered will be taken by hands to the receptor bat boxes.
- Where bats are discovered at any other time during works all works will cease and the ecologist will be contacted.

The mitigation/compensation measures outlined above are considered to be sufficient in order to ensure that the favourable conservation status of bats locally will not be impacted by the proposals.

5. The assessment of the proposals against the Three Tests is to determine the likelihood of the proposals being granted a licence prior to determination of the

planning application. As the proposals in this case are considered to meet the requirements of Tests 1, 2 and 3 a licence is likely to be granted.

### THIRD CONSULTATION RESPONSE

#### Ecological Information

The applicant has submitted the following additional/updated ecological reports in accordance with Local Plan Core Strategy policy CS20:

- UES, Landscape & Ecological Management Plan – Widnes Golf Course, Ref: UES02361/10, Version 2, 29<sup>th</sup> October 2020
- UES, Bat Activity Survey – Widnes Golf Course, Ref: UES02361/07, Version 2, 3<sup>rd</sup> November 2020
- UES, Bat Tree Assessment – Widnes Golf Course, Ref: UES02361/13, Version 2, 25<sup>th</sup> August 2020

I advise that the reports are acceptable.

#### Bats

A ground level assessment has been undertaken of the trees on site in respect of their potential to support roosting bats. Further aerial inspections have also been completed of all trees classed as having Moderate or High potential for bats following the ground level assessment (UES, Bat Tree Assessment – Widnes Golf Course, Ref: UES02361/13, Version 2, 25<sup>th</sup> August 2020).

Trees T2, T4, T5, T6, T7 and T24 have been assessed as having low potential for roosting bats following both ground level and aerial inspections. As a precaution I advise that works to these trees are undertaken using reasonable avoidance measures for bats, including supervision by a licensed bat ecologist and soft felling. Avoidance measures for bats should form part of the CEMP for the site.

Trees T9 and T11 have been assessed as having moderate potential for bats. These trees are outside of the development area, but could be subject to disturbance as a result of works on site. As a precaution a buffer zone of 10 metres should be established around these trees and marked with temporary fencing during construction works in order to prevent accidental damage or disturbance. Measures to protect trees T9 and T11 should form part of the CEMP for the site.

Bat activity transect surveys of the site have been completed in June, July and September 2020 (UES, Bat Activity Survey – Widnes Golf Course, Ref: UES02361/07, Version 2, 3<sup>rd</sup> November 2020). The surveys did not identify any of the linear habitat features that will be lost as part of the proposals as being significant commuting routes for bats. Bat foraging activity was identified around the woodland copse located outside of the northern boundary of the construction area. Lighting for the development may affect the use of this area. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the important habitat in line with NPPF (paragraph 180). This can be secured by a suitably worded planning condition. New external lighting should also be avoided adjacent to the proposed new hedgerow and tree planting on the northern boundary of the construction area as this

new habitat feature will have good suitability for foraging and commuting bats. It would be helpful for the applicant to refer to Bat Conservation Trust website <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>.

A new hedgerow and tree planting will take place along the northern boundary of the development area and this new habitat creation should compensate for any minor impacts as a result of the loss of the vegetation along the southern site boundary.

### Habitat Compensation & Enhancement

The proposed development will result in the loss of trees and other habitats from the site, including potential habitat for protected/priority species, and Local Plan Core Strategy Policy CS20 applies. The applicant has submitted an updated Landscape and Ecological Management Plan (LEMP) which details habitat compensation and enhancement proposals for the site (UES, Landscape & Ecological Management Plan – Widnes Golf Course, Ref: UES02361/10, Version 2, 29th October 2020).

The updated LEMP includes native species composition of the proposed new hedgerow that will divide the new development from the retained golf course area. Proposed planting species include blackthorn, hazel, holly and dog rose. The proposed species composition is acceptable, and the updated LEMP should be secured by condition.

## 9. Sport England

### FIRST CONSULTATION RESPONSE

**Summary:** Non statutory objection as the Needs Assessment does not demonstrate the golf course land that would be lost (approximately 11ha) is surplus to requirement when assessed against paragraph 97 of the NPPF and Sport England's Planning Policy Objectives. The Golf Course is currently operational with the capital receipt required to improve the remainder of the course. Further information is required to better understand the mitigation proposed and how it can be secured.

An assessment of the proposal and further information required is set out below.

### **Sport England – Non Statutory Role and Policy**

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications: <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space#open-space-sports-and-recreation-facilities>

This application falls within the scope of the above guidance as it relates to: loss of, or loss of use for sport, of any major sports facility.

Sport England assesses this type of application in light of the National Planning Policy Framework (NPPF) and against its own planning objectives, which are Protect - To

protect the right opportunities in the right places; Enhance - To enhance opportunities through better use of existing provision; Provide - To provide new opportunities to meet the needs of current and future generations. Further information on the objectives and Sport England's wider planning guidance can be found on its website:

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport>

The occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facilities Strategy, Playing Pitch Strategy or other relevant needs assessment. Although the number of dwellings proposed falls below the advisory requirement to consult of 300 dwellings, as advised in the Planning Practice Guidance, Sport England considers 255 dwellings is a significant number which is likely to generate additional demand for sport. Sport England has a number of strategic planning tools using evidence from adopted and emerging sport related strategies that can be used to help estimate the additional level of demand for each pitch sport type. Please contact the undersigned for further information and assistance with this aspect.

### **The Proposal and Assessment against Sport England's Objectives and the NPPF**

The proposal is for the reduction in size of the Golf Course from 18 hole to 9 hole as a result of housing development of 255 dwellings. This will result in the loss of approximately 11ha of currently functional golf course land.

A Needs Assessment has been prepared and submitted as part of the planning application, as Appendix 1 of the Planning Statement. Although there is a considerable amount of information that sets out the supply and demand for the golf courses in the area there is no clear assessment of what the supply/demand balance is in land use terms. Instead the conclusions and options are based around viability:



## Conclusion

- ◀ KKP considers that the investment is required in the ancillary facilities at Widnes Golf Club in order to maintain the viability of the Club. This will result in better **quality** facilities which will better be able to service the needs of the local community, club and improve the financial sustainability of the Club.
- ◀ The joint ownership and management of Blundell's Hill and Widnes golf clubs should lead to an improved player pathway for all levels of golfer.
- ◀ The proposed 9 hole course at Widnes Golf Club is in line with Golf England's drive to offer shorter and quicker versions of the sport, in order to attract new participants. It will, however, also cater for the existing and ageing current membership.
- ◀ There is still a requirement for an aggressive marketing and golf development campaign to ensure the benefits are understood by the wider community and to help drive participation across all market segments.

The main option put forward for mitigating the loss is:

1. The purchase of Blundells Hill Golf Club which is an 18 hole Golf Course in St Helens. The aim is to jointly manage both golf courses so that those members currently playing 18 hole golf at Widnes Golf Club still have the opportunity to play, albeit in a different Local Authority area and 4.5 miles from the Widnes course. Although that intention seems to make sense on the face of it there is no business case/feasibility study that shows this could work in practice. At present that intention appears to be aspirational as the purchase of Blundells has not been progressed at the time of writing so there is no certainty this element can be delivered.
2. The use of some of the capital receipt to upgrade the remaining golf course including a new clubhouse.

### Consultation with England Golf

England Golf are aware of the proposal and provided KKP with their Facility Planning Report for Widnes Golf Club. Parts of this have then been used within the Golf Needs Assessment.

With respect to the proposal as a whole England Golf say:

*“Looking at the local facility and club data, there is a lack of stand-alone 9-hole provision in the area. We consider a combination of 18 and 9-hole facilities and offers, as well as driving ranges and practice facilities all an important part of the mix, providing variety to suit a range of participants’ golf needs and the modern way in which the game is being consumed.*

*Our view in general is that we want to see golf provision protected and preserved where possible, but with the understanding that this needs to also be based on a financially viable and sustainable operating model.*

*As detailed above, a 9-hole facility could add variety to existing local provision. More intriguing to us would be the current membership base and how potential loss of*

*members would be mitigated in the short and long term given the significant change of provision to the existing course set-up."*

### St Michaels Golf Course

Although not directly related to this planning application, the Consultants working on behalf of the applicant raise the issue of the potential reopening of the nearby St Michaels Golf Course. This is an existing course which closed in 2004 and is located within a mile of Widnes Golf Course. Reopening is a Council led project and plans are advanced although no planning application has been submitted to bring the course back into use as a 9 hole course at the time of writing. The Consultants acknowledge that St Michaels would be Council led but if Widnes Golf Course reduced in size there would be the threat of competition between the two. At the moment the current 18 hole and proposed 9 hole at St Michaels would appear to be complementary. That said England Golf acknowledge "*facilities of the same course / hole length can provide very different offers and experiences to golfers*". However, both Sport England and England Golf require a better understanding of how the Widnes Golf Course would operate once reduced to a 9 hole course and the plans for reopening St Michael's to see if the two offers would be complementary or competitive. Importantly would reducing Widnes Golf Course to a 9 hole provide a facility that would be benefit the current membership and potential new members from the local community.

### **Conclusion**

The Needs Assessment does not conclude reduction of the Golf Course is surplus to requirement when assessed against paragraph 97 of the National Planning Policy Framework and Sport England Planning Policy Objectives. It only concludes that from a financial perspective this could provide the money the Club needs to improve the course and facilities although no business case/feasibility study has been put forward to evidence that.

It is clear this is enabling development which does not meet policy requirements.

The proposal needs to meet one of the following exceptions to paragraph 97 of the NPPF:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless

a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location;

As there is no clear evidence the area of golf course land to be lost is surplus to requirement, especially as the current course is operational and the finance from the housing development is required to improve the Golf Club, then mitigation is required that is deliverable and that can be secured via condition or s106 agreement.

#### Further Information Required

1. Assessment of the current membership base and how potential loss of members would be mitigated in the short and long term given the significant change of provision to the existing course set-up.
2. Further information to explain how the mitigation proposed would be delivered and secured through the planning system, whilst taking into account point 1.

In light of the above and the lack of evidence of any exceptional circumstances Sport England objects to the application.

The objection may be withdrawn if the further information requested above is submitted to the satisfaction of Sport England.

If this application is to be presented to a Planning Committee, Sport England would like to be notified in advance of the meeting date(s) and the publication of any agenda(s) and report(s). Sport England would also like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

#### SECOND CONSULTATION RESPONSE

Thank you for consulting Sport England on the additional information in support of this application.

Sport England requested further information to assist with assessing the proposal against paragraph 97 of the NPPF:

3. Assessment of the current membership base and how potential loss of members would be mitigated in the short and long term given the significant change of provision to the existing course set-up.
4. Further information to explain how the mitigation proposed would be delivered and secured through the planning system, whilst taking into account point 1.

A Golf Business Plan has been submitted as part of the Planning Statement Addendum. After consultation with England Golf point 1 above has been adequately addressed.

With respect to point 2 it is clear there are contracts being prepared to deliver the mitigation. However, those contracts fall outside of the planning system and therefore cannot be enforced if the mitigation is not implemented. A s106 agreement or Unliteral Undertaking is required to secure the mitigation and timeframe for implementation which is:

3. The purchase of Blundells Hill Golf Club which is an 18 hole Golf Course in St Helens to be jointly managed so that those members currently playing 18 hole golf at Widnes Golf Club still have the opportunity to play, albeit in a different Local Authority area and 4.5 miles from the Widnes course.
4. The use of some of the capital receipt to upgrade the remaining golf course including a new clubhouse.

Although details of the clubhouse have been submitted, there is no Agronomy Report provided to show what works are required to upgrade the remainder of the Golf Course and whether those works would require planning permission in their own right since the upgrade does not form part of this application. The requirement to ensure an Agronomy Report and specification can be dealt with via condition, if approved, and the following condition is suggested. However, any legal agreement would need to specify a timeframe by which planning permission and implementation of those works are to be secured:

- (a) *No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:*
  - (i) *A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the Golf Course which identifies constraints which could adversely affect Golf Course construction and quality; and*
  - (ii) *Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect Golf Course quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.*

- (b) *The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for Golf Course use in accordance with the scheme.*

*Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy [insert relevant local plan policy] and paragraph 97 of the NPPF.*

*Informative: The applicant is advised that the scheme should comply with the relevant industry Technical Guidance, including guidance published by National Governing Bodies for Sport, in this case England Golf.*

Sport England **maintains the objection** until a mechanism to secure the mitigation through the planning system is agreed. This could be a s106 agreement if one is already required to secure other elements of the proposal, or a Unilateral Undertaking. Sport England would wish to be consulted on the drafting of the mechanism in order to ensure the mitigation is adequately secured within an appropriate timeframe.

## 10. Environment Agency

### **Environment Agency Position**

Whilst we have no objections to this application, we would like to draw your attention to the following informative comments:

### **Advice to Applicant**

If materials that are potentially waste are to be used on-site, you will need to ensure you can comply with the exclusion from the Waste Framework Directive (WFD) (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc...' in order for the material not to be considered as waste. Meeting these criteria will mean waste permitting requirements do not apply.

Where you cannot meet the criteria, you will be required to obtain the appropriate waste permit or exemption from us.

A deposit of waste to land will either be a disposal or a recovery activity. The legal test for recovery is set out in Article 3(15) of WFD as:

- any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.
- We have produced guidance on the recovery test which can be viewed at <https://www.gov.uk/guidance/waste-recovery-plans-and-permits#waste-recovery-activities>.

You can find more information on the Waste Framework Directive here: <https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-framework-directive>

More information on the definition of waste can be found here: <https://www.gov.uk/government/publications/legal-definition-of-waste-guidance>

More information on the use of waste in exempt activities can be found here: <https://www.gov.uk/government/collections/waste-exemptions-using-waste>

Non-waste activities are not regulated by us (i.e. activities carried out under the CL:ARE Code of Practice), however you will need to decide if materials meet End of Waste or By-products criteria (as defined by the WFD). The 'Is it waste' tool, allows you to make an assessment and can be found here: <https://www.gov.uk/government/publications/isitwaste-tool-for-advice-on-the-by-products-and-end-of-waste-tests>

If you require any local advice or guidance please contact your local Environment Agency office: [SPPlanning.RFH@environment-agency.gov.uk](mailto:SPPlanning.RFH@environment-agency.gov.uk)

## 11. Cheshire Police

There are no specific crime issues in this area although on road bikes do cause antisocial behaviour issues across Widnes.

It is good to see the Building 4 Life criteria have been considered.

The plan aim to promote accessibility and permeability - while this is good for resident, can also be good for offenders and does need to be managed.

The green corridor needs to be managed and it needs to be ensured this is not wide enough to facilitate criminal activity.

There is talk of cars not dominating the street scene and this being addressed by the use of high quality planting, this planting should still allow good natural surveillance across the site.

There are a number of ambiguous green spaces round the development which need some ownership and definition to prevent them becoming a hotspot for ASB.

The housing fronts streets providing good surveillance.

There is limited natural surveillance of the affordable house parking areas which may result in them being used for inappropriate activities.

It is good to see there are plans to reinforce the fencing of the properties backing on to the public areas with defensible planting.

The NEAP is very easily accessible and I would recommend reducing the paths into a maximum of 2 to control the area a little more.

ADQ covers the requirements of building regulations, however I would recommend that doors and windows comply to PAS 24:2016 and not PAS 24:2012. Anwyl should also give some consideration to gaining Secured by Design National Building Approval.

## 12. Natural England

### FIRST CONSULTATION RESPONSE

Habitat Regulations Assessment (HRA) Screening required

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

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

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

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

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

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

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

## SECOND CONSULTATION RESPONSE

Natural England has previously commented on this proposal, and made comments to the authority in our email dated 15 April 2020.

The advice provided in our previous response applies equally to this re-consultation.

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

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

### 13. National Grid

### 14. Network Rail

### 15. United Utilities

#### Drainage

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a



separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

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

#### Condition 1 – Surface water

The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 6297/R1 - Dated February 2020 which was prepared by Lees Roxburgh. No surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

#### Condition 2 – Foul water

Foul and surface water shall be drained on separate systems.

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

The applicant can discuss any of the above with Developer Engineer, Matthew Dodd, by email at [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk).

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

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

## Management and Maintenance of Sustainable Drainage Systems

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

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

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

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

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

## Water Supply

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

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

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk)

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

#### United Utilities' Property, Assets and Infrastructure

According to our records there are easements in the vicinity affected by the proposed development site which is in addition to our statutory rights for inspection, maintenance and repair. The easements dated 29/01/1963 & 15/12/1964 UU Refs:W188 & W231 has restrictive covenants that must be adhered to. It is the responsibility of the developer to obtain a copy of the document, available from United Utilities Legal Services or Land Registry and to comply to the provisions stated within the document. Under no circumstances should anything be stored, planted or erected on the easement width. Nor should anything occur that may affect the integrity of the pipe or United Utilities legal right to 24 hour access.

We recommend the applicant contacts our Property Services team to discuss how the proposals may interact with the easement. They should contact [PropertyGeneralEnquiries@uuplc.co.uk](mailto:PropertyGeneralEnquiries@uuplc.co.uk)

A water main crosses the North of the site. As we need unrestricted access for operating and maintaining it, we will not permit development over or in close proximity to the main. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which is enclosed.

The applicant must comply with our 'Standard Conditions' document. This should be taken into account in the final site layout, or a diversion may be necessary. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion required as a result of any development will be at the applicant's expense. If considering a water mains diversion, the applicant should contact United Utilities at their earliest opportunity as they may find that the cost of mains diversion is prohibitive in the context of their development scheme.

The Water Industry Act 1991 affords United Utilities specific rights in relation to the maintenance, repair, access and protection of our water infrastructure;

- Sections 158 & 159, outlines the right to inspect, maintain, adjust, repair or alter our mains. This includes carrying out any works incidental to any of those purposes. Service pipes are not our property and we have no record of them.
- Under Section 174 of the Act it is an offence to intentionally or negligently interfere with any resource main or water main that causes damage to or has an effect on its use or operation.

It is in accordance with this statutory provision that we provide standard conditions to assist developers when working in close proximity to our water mains.

Both during and post construction, there should be no additional load bearing capacity on the main without prior agreement from United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles.

The applicant should be aware of water mains in the vicinity of the proposed development site. Whilst this infrastructure is located outside the applicant's proposed red line boundary, the applicant must comply with our 'Standard Conditions for Works Adjacent to Pipelines'. We provide this information to support the applicant in identifying the potential impacts from all construction activities on United Utilities infrastructure and to identify mitigation measures to protect and prevent any damage to this infrastructure both during and after construction. This includes advice regarding landscaping in the vicinity of pipelines.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. We recommend the developer contacts United Utilities for advice on identifying the exact location of the water main.

A public sewer crosses this site and we may not permit building over it. We will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with our Developer Engineer at [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk) as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

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

Water assets – [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk)

Wastewater assets – [WastewaterDeveloperServices@uuplc.co.uk](mailto:WastewaterDeveloperServices@uuplc.co.uk)

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

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

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

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

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>