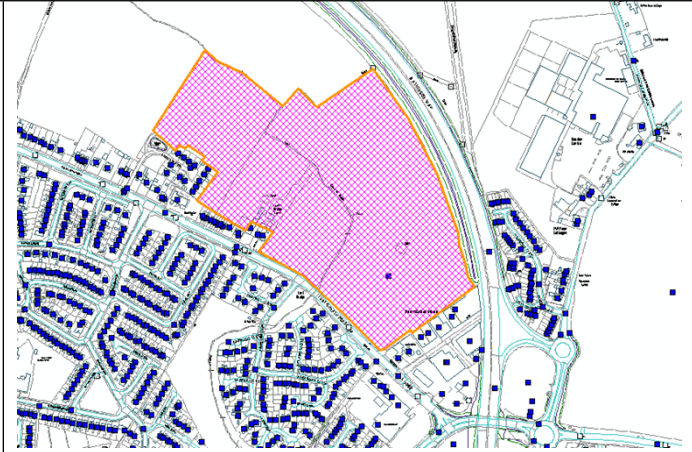


<b>APPLICATION NO:</b>	22/00318/FUL
<b>LOCATION:</b>	Land North of Lunt's Heath Road, Widnes
<b>PROPOSAL:</b>	Proposed development comprising 328 dwellings including a mix of 1, 2, 3, 4 and 5-bedroom units, affordable housing provision, creation of two new access points from Lunt's Heath Road and associated landscaping, open space, play space and parking provision.
<b>WARD:</b>	Farnworth
<b>PARISH:</b>	None
<b>AGENT(S)/APPLICANT(S):</b>	NJL Consulting/Miller Homes
<b>DEVELOPMENT PLAN ALLOCATION:</b>	National Planning Policy Framework (2021) Delivery and Allocations Local Plan ('DALP') (March 2022).  Allocated Residential Site Ref: W49  Joint Merseyside and Halton Waste Local Plan (2013)
<b>DEPARTURE:</b>	No
<b>REPRESENTATIONS:</b>	Public Representations received: 71 Representations Registered for the original submission.  17 Representations Registered for the revised scheme.
<b>KEY ISSUES:</b>	Principle of development, affordable housing, connectivity, layout, highway impact, residential privacy and overlooking, ecology, access, drainage, compensatory measures for former Green Belt site.
<b>RECOMMENDATION:</b>	That authority be delegated to the Operational Director – Planning, Policy and Transportation, to determine the application in consultation with the Chair or Vice Chair of the Committee, following the satisfactory resolution of the outstanding issues relating to minor highway amendments and updated comments from the LLFA and MEAS.

## SITE MAP:



## 1. APPLICATION SITE

### 1.1 The Site

The application site is allocated for residential development as a strategic housing allocation (allocation W49) on the Halton Delivery and Allocations Local Plan Policies Map and measures approximately 16 hectares of undeveloped, predominantly arable farmland.

The site is bound by Lunt's Heath Road to the south and the junction of Watkinson Way (A557), with the dual carriageway to the north of the site providing access to the M62 motorway network. To the western boundary is a Scheduled Ancient Monument, The Cranshaw Hall Moated Site, with the farm house and barns associated with Cranshaw Farm, which are in residential use.

The site is largely located within Flood Zone 1 and is at the lowest risk of flooding. (This is with the exception of Bowers Brook which bisects the site).

In the wider context, the application site is located at the northern edge of Widnes, beyond that of the existing residential development on Lunt's Heath Road.

### 1.2 Planning History

The site is an undeveloped greenfield site allocation and has not been subject to any planning applications previously and therefore has no relevant planning history.

## **2. THE APPLICATION**

### **2.1 The Proposal**

The original planning application was submitted with the following description of development:

*Proposed development comprising 317 dwellings including a mix of 1, 2, 3 and 4-bedroom units, affordable housing provision, creation of two new access points from Lunts Heath Road and associated landscaping, open space, play space and parking provision.*

The proposed development has since been revised, and description of development now reads:

*Proposed development comprising 328 dwellings including a mix of 1, 2, 3, 4 and 5-bedroom units, affordable housing provision, creation of two new access points from Lunt's Heath Road and associated landscaping, open space, play space and parking provision.*

### **2.2 Documentation**

The planning application is supported by the following documents:

- Associated plans (all viewable through the Council's Website)
- Planning Statement
- Design and Access Statement
- Transport Assessment including Travel Plan
- Highways Technical Note
- Tree Survey
- Arboricultural Impact Assessment and Method Statement
- Landscape & Visual Impact Assessment
- Ecology Assessment
- Preliminary Assessment of Biodiversity Net Gain & DEFRA Metric
- Archaeological – WSI Statement
- Flood Risk Assessment
- Drainage Strategy
- Ground Investigation Report
- E.I.A Screening Opinion Report
- Air Quality Report and Statement
- Noise Impact Assessment
- Energy Statement
- Health Impact Assessment
- Statement of Community Involvement

### **3. POLICY CONTEXT**

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

#### **3.1 Halton Delivery and Allocations Local Plan (DALP) (2022)**

The following policies contained within the Halton Delivery and Allocations Local Plan are of relevance:

- CS(R)1 Halton's Spatial Strategy
- CS(R)3 Housing Supply and Locational Priorities (including Trajectory)
- CS(R)6 Green Belt
- CS(R)7 Infrastructure Provision
- CS(R)12 Housing Mix and Specialist Housing
- CS(R)13 Affordable Homes
- CS(R)15 Sustainable Transport
- CS(R)18 High Quality Design
- CS(R)19 Sustainable Development and Climate Change
- CS(R)20 Natural and Historic Environment
- CS(R)21 Green Infrastructure
- CS(R)22 Health and Well-being
- CS23 Managing Pollution and Risk
- CS24 Waste
- RD1 Residential Development Allocations
- RD4 Greenspace Provision for Residential Development
- C1 Transport Network and Accessibility
- C2 Parking Standards
- HC10 Education
- HE1 Natural Environment and Nature Conservation
- HE2 Heritage Assets and the Historic Environment
- HE4 Greenspace and Green Infrastructure
- HE5 Trees and Landscaping
- HE7 Pollution and Nuisance
- HE8 Land Contamination
- HE9 Water Management and Flood Risk
- GR1 Design of Development
- GR2 Amenity
- GR3 Boundary Fences and Walls
- GR5 Renewable and Low Carbon Energy

#### **3.2 Joint Merseyside and Halton Waste Local Plan (2013)**

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

- WM8 Waste Prevention and Resource Management;

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

### 3.3 Supplementary Planning Documents

- Design of Residential Development (2012)
- Designing for Community Safety (2005)
- Draft Open Spaces Supplementary Planning Document (2007)

## **MATERIAL CONSIDERATIONS**

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

### 3.4 National Planning Policy Framework

The last iteration of the National Planning Policy Framework (NPPF) was published in July 2021 and sets out the Government's planning policies for England and how these should be applied.

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

Paragraph 81 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

### 3.5 National Planning Practice Guidance (NPPG)

Together, the National Planning Policy Framework and National Planning Practice Guidance set out what the Government expects of local authorities. The overall aim is to ensure the planning system allows land to be used for new homes and jobs, while protecting valuable natural and historic environments.

### 3.6 Other Considerations

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's 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.

### 3.7 Equality Duty

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

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

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

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

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

## 4. CONSULTATIONS

The application has been advertised via the following methods: A press advert in the Widnes and Runcorn Weekly News, site notices posted near to the site and on the Council's website. Surrounding residents were also notified by letter on 23.06.22.

Following the receipt of amended plans and information, neighbour consultation letters were sent to surrounding residents and contributors on 20.01.2023.

Following the Applicant's modification of the scheme a follow up 21-day consultation exercise was issued to neighbours, contributors and statutory consultees on 11.05.23.

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

- **United Utilities**  
No objection, suggested conditions
- **Environment Agency**  
No objection – suggested conditions
- **Merseyside Environmental Advisory Service**  
No objection, see section below

- **Natural England**  
No objection
- **Scottish Power**  
No comments to make on application
- **National Highways**  
No objection – see sections below
- **Cheshire Police**  
No objection – see section below
- **National Grid**  
No comments received

#### Council Services

- **HBC Highways and Transport**  
See section below
- **HBC Environmental Protection**  
No objection
- **HBC Contaminated Land**  
No Objection
- **HBC Open Spaces**  
No objection
- **Lead Local Flood Authority**  
See section below
- **HBC Planning Policy**  
No objection
- **HBC Waste Management Services**  
No comments received
- **HBC Public Health**  
No objection
- **HBC Farnworth Ward Councillors**  
No comments received
- **Cheshire Archaeology**  
No objection

## **5. REPRESENTATIONS**

A number of representations have been received as a result of the publicity undertaken for the application, the details of which are summarised below.

### GROUPS OF OBJECTION

- Loss of Green Belt land
- No mitigation for loss of Green Belt land
- Loss of green space
- Brownfield sites should be used first for development
- Industry land should be used first
- Impact on ecology, wildlife and habitats

- Impact on climate change
- Increased carbon footprint
- Increased noise and air pollution
- Loss of trees
- Too many affordable homes being provided in the borough
- Not enough affordable housing
- Affordable homes are not affordable
- No need for more housing
- Too many houses proposed
- Housing targets have been surpassed
- Not a sustainable housing stock
- Will Widnes people even live here, Widnes has enough houses, not bought by Widnes people.
- Are there enough employment opportunities in the area or will people need to travel for work
- Unacceptable impact on local amenities – school places, GP and Dentist appointments etc.
- Unacceptable impact on the road network
- Increased traffic and congestion
- Cumulative highway impact of multiple housing schemes in the area and strain on infrastructure
- No bus facilities directly into Widnes or train station
- Area is not pedestrian or bike friendly
- Impact on highway safety and road traffic accidents
- Access in and out of Finsbury Park is already difficult
- Need updated road markings
- Development will impact street parking on Lunt's Heath Road, need to ensure each new home has sufficient parking spaces
- Impact on junctions at Derby Road/Peel House Lane
- Altering the road layout will ruin the aesthetic of the area
- The site contains a water course – flood risk concerns
- Destructive site investigations have already taken place
- Consultation feedback has been ignored and an increase in number of houses has been proposed
- Request for a reduction in council tax
- The Council are profiting from new houses at the expense of Widnes Green Belt
- Impact on health, mental and physical wellbeing
- Development will lead to an increase in anti-social behaviour, too many youths and not enough policing
- Need a new park for children
- Impact on fire safety, reducing access for emergency services to the rear of existing homes
- Bland, poor design housing not in keeping with the surrounding estate



- Sprawling housing estates will impact the character of the area and a loss of the rural feeling
- No 5 bedroom houses are proposed
- Overlooking into existing gardens and windows – impact on human rights article
- Loss of light
- Decrease in property values

### GROUNDS OF SUPPORT

- More homes in this area are needed for first time buyers
- Fully support new homes in this desirable area
- House prices are so high and it's difficult to get on to the housing ladder – developers offer a much easier route to buying a home and are involved in a number of schemes for buyers
- Lovely estate with high quality houses for the area
- Great opportunity and reinvestment into the local area
- Plans look fabulous and very green and open
- Support in principle
- The development will bring business and investment into the area

Following the Applicant's modification of the scheme a follow up 21-day consultation exercise was issued to neighbours and contributors. A number of representations have been received as a result of the re-consultation exercise, the details of which are summarised below.

- Loss of Green Belt land
- No mitigation for loss of Green Belt land
- Loss of green space
- Shortfalls in open space provisions
- Brownfield sites should be used first for development
- Impact on ecology, wildlife and habitats
- Impact on climate change
- Increased noise and air pollution will affect home workers
- Loss of trees
- Housing targets have been surpassed
- Unacceptable impact on local amenities – school places, GP and Dentist appointments etc.
- Unacceptable impact on the road network
- Increased traffic and congestion
- Cumulative highway impact of multiple housing schemes in the area and strain on infrastructure
- Access in and out of Finsbury Park is already difficult
- Impact on health, mental and physical wellbeing

- Development will lead to an increase in anti-social behaviour, too many youths and not enough policing
- Overlooking into existing gardens and windows – impact on human rights article
- Loss of light and outlook
- Impact on character of the area – especially three storey dwellings
- Development is not in the interest of the existing residents

## 6. ASSESSMENT

### 6.1 Principle of Development

The application site is designated as a Strategic Housing Location and Residential Allocation on the Halton Delivery and Allocations Local Plan Policies Map.

Policy CS(R)3 of the Delivery and Allocations Local Plan states that during the plan period (up to the year 2037) provision will be made for the development of **at least** 8,050 (net) additional dwellings at an average of 350 dwellings (net) each year. The total of 8,050 new homes will be delivered from a variety of sources, one being via strategic residential locations as identified on the Policies Map. The application site forms part of the Strategic Residential Location ‘SRL7: North East Widnes’. The principle of residential development in this location is therefore policy compliant and acceptable in accordance with Policy CS(R)3 of the Delivery and Allocations Local Plan.

Policy RD1 of the Delivery and Allocations Local Plan lists the Residential Allocations and the Strategic Housing Locations, and states that these allocations will assist in the delivery of the above requirements set out in Policy CS(R)3. The application site sits within the area referenced as W49 in the list of allocations.

Where a site does not have a current planning permission, an indicative notional capacity has been provided within Policy RD1 based on assessment of a suitable density that takes into consideration the location and context of the site and any other uses that are proposed on the site. Policy CS(R)3 states that to ensure the efficient use of land, a minimum density on individual sites of 30 dwellings per hectare will be sought. In more accessible locations such as those close to town, district or local centres or transport interchanges the presumption will be for developments achieving densities of 40 dwellings per hectare or greater.

The site allocated as W49 covers approximately 18.13 Ha and has a notional capacity of 381 units/dwellings as identified in Policy RD1 of the DALP. The application site covers approximately 16Ha of W49 (88% of the strategic allocation) and the proposed development consists of 328 units/dwellings which is within the parameters set out in the allocation (notional capacity of 335 dwellings) and therefore accords with Policy RD1 of the Delivery and Allocations Local Plan.

Based on the above, it is considered that the principle of residential development in this location is acceptable in line with Policies CS(R)3 and RD1 of the Delivery and Allocations Local Plan, subject to acceptable details assessed against policies contained within the development plan and material planning considerations.

## 6.2 Released Green Belt Land

Halton's Spatial Strategy, set out in Policy CS(R)1 of the Delivery and Allocations Local Plan, is focused around delivering development through a balanced mix of prioritised urban regeneration, supported by appropriate levels of greenfield expansion. For North Widnes, this spatial strategy will be delivered by greenfield expansion and further extension to the urban area. The policy justification explains that despite the priority to renew and improve the Borough's urban landscape through new development, it is apparent that not all future development can be delivered on brownfield land. Much of the remaining previously developed land is highly constrained through contamination or other factors which affect development viability, reducing the amount of brownfield land which can realistically be brought back into beneficial use.

Policy justification for CS(R)6 of the Delivery and Allocations Local Plan states that:

*The Green Belt in Halton has been very successful in containing the expansion of the urban areas and encouraging the re-use of brownfield land. However, the remaining supply of brownfield land is no longer sufficient to meet the development needs for Halton over the Plan period. This led the Examination into the Core Strategy Local Plan (in 2011) to conclude that there was insufficient identified developable land within Widnes to meet future development requirements and as such identified the need to undertake a review of Halton's Green Belt.*

Greenbelt Exceptional Circumstances Paper EL001 Dec 2017 summarises the steps that the council had undertaken to review all available land options before deciding that there are exceptional circumstances to release green belt land to meet housing needs. It concludes that the land available through all these options is not sufficient to meet the Borough's housing requirements and so there are exceptional circumstances to release land from the green belt to meet housing needs.

The allocation of site W49 (the application site) is the result of extensive assessment and the consideration of alternative options by the Council in accordance with the NPPF (paragraph 137), to reach the conclusion that there is a demonstrable need to release Green Belt land and that the land at Lunt's Heath Road is a suitable location to release land for residential development.

Policy CS(R)6 of the Halton Delivery and Allocations Local Plan states that development proposals for the sites removed from the Green Belt and

allocated or safeguarded in this plan should include compensatory improvements to the environmental quality and accessibility of remaining Green Belt land to offset the impact of the removal of the land from the Green Belt.

Under point 7.71 of this policy, it is set out that compensatory improvements could include new or enhanced green infrastructure, woodland planting, landscape and visual enhancements, improvements to biodiversity, new or enhanced walking or cycling routes and improved access to new, enhanced or existing recreational and playing field provision.

The compensatory improvements as detailed above have been incorporated into the proposed scheme as follows:

- Bower's Brook (an important natural feature) is made to be a key feature within the site. The watercourse is set in a wide corridor and flanked by formal and incidental open space. The proposal allows direct access to this area and includes substantial new planting and landscaping to strengthen it as a landscape feature.
- Designated play spaces are located within the greenspace with connecting footpaths meaning those living both within and outside of the application boundary can easily access the space.
- Existing ponds are retained within the greenspace to promote biodiversity and habitat creation.
- A proposed new SUDs basin will provide a functional use whilst also creating opportunities for biodiversity to thrive in this location.
- A significant buffer along the north-western edges to provide a landscaped edge with houses backing onto these areas having longer gardens to allow sufficient offset. The planting area will be outside of their ownership and so will be retained long term and maintained accordingly.
- Clearly defined walking routes are included to encourage pedestrian movement through "safe and pleasant routes" and provide direct access to green space.

In light of the above, it is considered that the proposed development demonstrates compliance with Policy CS(R)6 of the Halton Delivery and Allocations Local Plan. The proposed development encourages accessibility where possible and promotes a high environmental quality and thus provides sufficient compensatory improvements throughout the scheme to offset/mitigate the impact of the removal of the land from the Green Belt.

### 6.3 Housing mix

Policy CS(R)3 of the Halton Delivery and Allocations Local Plan states that 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. Policy CS(R)12 echoes this housing mix requirement.

The Mid-Mersey Strategic Housing Market Assessment (SHMA) 2016 set out the demographic need for different sizes of homes, identifying that the majority of market homes need to provide two or three bedrooms, with more than 50% of homes being three bed roomed. However, it is recognised that a range of factors including affordability pressures and market signals will continue to play an important role in the market demand for different sizes of homes.

The SHMA assessment also identified that, relative to England and Wales, there is a below average representation of homes with four or more bedrooms within the Housing Market Area (HMA). Considering this shortfall, there is a need for 4+ bedroom houses within Halton to serve identified forecasted needs.

The housing type profile in Halton currently differs from the national pattern with higher proportions of medium/large terraced houses and bungalows than the average for England and Wales. Consequently there is an under provision of other dwelling types, namely detached homes and also to a certain extent, flatted homes.

The Liverpool City Region SHELMA (Strategic Housing and Employment Land Market Assessment) shows an above average representation of detached and semi-detached sales however does not breakdown for bedroom requirements. In Halton this is due to a particularly high proportion of new build sales that upwardly skew the figures for detached and semi-detached sales.

Alongside delivering the right quantity of new homes, it is equally important that the right type of housing is provided to meet the needs of Halton's existing population, address imbalances in the existing housing stock and ensure the homes provided can adapt to changing demographics.

The proposed development comprises 328 new dwellings with the following breakdowns:

- 1 bed units – 12
- 2 bed units – 39
- 3 bed units – 165
- 4 bed units – 101
- 5 bed units – 11

For clarity, the table below sets out the proposed unit mix against the requirement set out in the Local Plan.

Unit size	Proposed quantum and % of market units	Halton Requirement	Proposed quantum and % of affordable units	Halton requirement
1 bedroom	0	6.5%	12 (18%)	45.4%
2 bedroom	21 (8%)	30.4%	18 (27%)	27.2%
3 bedroom	129 (49%)	52.7%	36 (55%)	24.8%
4 bedroom	101 (39%)	10.5%	0	2.6%
5 bedroom	11 (4%)		0	
Total	262	100%	66 (20%)	100%

The proposed development would deliver an under provision of some of the specific percentages indicated in the table above containing data from 2016, and an over provision in some of the other percentages.

Policy CS(R)12 of the Delivery and Allocations Local Plan states “the mix of new property types delivered are encouraged to contribute to addressing identified needs as quantified in the most up to date SHMA”. The purpose of this policy is to guide future housing mix within the borough and not intended to be imposed rigidly to fit the identified need.

The proposed development would deliver 50.3% as 3-bedroom houses which represents a significant contribution to the above mentioned need, identified within the SHMA. The proposed provision of larger market homes is also considered to be an acceptable distribution of the proposed housing mix.

Relative to England and Wales, there is a below average representation of homes with four or more bedrooms within the Housing Market Assessment. Considering this shortfall, there is a need for larger 4+ bedroom houses within Halton to serve identified forecasted needs. The proposed development would deliver 34% as 4+bedroom market homes and therefore would significantly address this shortfall.

There is demand for 2 and 3 bedroom family homes within the Housing Market Assessment. The market housing provision of the proposed development comprises 8% 2-bedroom and 49% 3-bedroom units and the affordable housing comprises 55% 3-bedroom units. Given the deficit of 4-bedroom homes in the borough, the proposed provision of larger market homes is considered an acceptable distribution of the proposed housing mix and, on balance, makes up for the shortfall of 3-bedroom dwellings against the policy requirement.

It is considered that the proposed housing mix put forward as part of the application is appropriate and provide houses which will meet some of the identified needs within Halton.

Whilst the mix of property types is not neatly aligned to the 2016 SHMA, the policy requirement encourages proposals to contribute to addressing identified needs and is more advisory than a prescriptive requirement. Given the contrast of the housing mix proposed when compared to the 2016 SHMA,

there is considered to be a non-compliance with Policies CS(R)3 and CS(R)12, however based on the justification provided by the applicant and the assessment set out, there are not sufficient grounds to warrant the refusal of the application on the basis of housing mix.

#### 6.4 Affordable Housing

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

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

The application site is designated as a Strategic Housing Location on the Halton Delivery and Allocations Local Plan Policies Map, and as such 20% of the proposed units should be delivered as affordable housing.

Paragraph 2 of CS(R)13 sets out the Council's ambition for affordable housing delivery, at 74% social rent and 26% intermediary. Notwithstanding this detail, the Government published updated national guidance on the delivery of First Homes since the DALP examination in public. The Applicant has offered a proportion of first homes as part of the proposed affordable housing delivery.

First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes. First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations. First homes are required to fulfil the following nationally set criteria:

- Must be discounted by a minimum of 30% against the market value
- Sold to persons meeting the first homes eligibility criteria
- On their first sale will have a restriction registered on the Land Registry title to ensure that other restrictions are passed on at each subsequent title transfer
- A market price cap of £250,000 is applied
- Purchasers of a First Home should have a combined household income not exceeding £80,000 in the tax year immediately preceding the year of purchase
- A purchaser of a First Home should have a mortgage or home purchase plan to fund a minimum of 50% of the discounted purchase price

The proposed development would deliver 66 affordable homes units, which equates to 20% of the overall scheme. The table below shows the breakdown of the affordable homes provision.

<b>Housetype</b>	<b>No. of units</b>
1 bed	12
2 beds	18
3 beds	36
4 beds	0

The affordable housing will be delivered in the following terms:

<b>First Homes</b>	32 units
<b>Affordable Rented</b>	21 units
<b>Shared Ownership</b>	13 units
<b>Total</b>	66

Concerning affordable housing, the Applicant has proposed a mix of property types and delivery mechanisms that adequately addresses the affordable housing need as part of a wider strategic housing site delivery.

First Homes account for at least 25% of all affordable homes in accordance with national policy with the applicant intending to provide 48% of the affordable homes for the Government's preferred discounted market tenure. The remaining affordable homes would be split between affordable rented (32%) and shared ownership (20%).

There is a policy requirement for the affordable housing to be fully integrated into the development site so as to avoid the over concentration of affordable homes in any particular location and in order to achieve a seamless design. It is considered that the proposed development achieves this requirement, given the proposed locations of the affordable homes within the development.

Affordable housing would be secured by means of suitably worded clauses within an accompanying S106 agreement. First homes eligibility criteria would also form part of the S106 wording with a requirement for criteria to be entered into the title deeds to ensure market discount is retained in perpetuity.

It has been demonstrated that the proposed development would deliver the 20% affordable housing requirement which meets the broad requirements of planning policy CS(R)13 of the Halton DALP. It is not considered that the percentage split in the type of affordable housing units would warrant the refusal of the application given that over 20% can be delivered.

#### 6.5 Residential Site Layout and Residential Amenity

The proposed residential layout generally follows good urban design principles and where possible avoids exposed rear boundaries. The proposed 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.

A number of objections have been received from existing properties adjacent to the application site with regards to interfacing distances. The proposed development is compliant with the separation distances set out within the Design of New Residential Development Supplementary Planning Document which sets out the following interfacing distance standards:

- Where a principal window directly faces a principal window of another neighbouring property, a minimum distance of 21 metres must be maintained.
- Where principal windows directly face a blank elevation, a minimum distance of 13 metres must be maintained.

21m would be retained between the proposed new dwellings and existing properties on Lunt's Heath Road. 15.5m would be retained between the proposed dwellings and no.10 Church View Close and 22m would be maintained between No.5 Church View Close. It has been highlighted that a 4m extension to the rear of no.5 Church View Road has not been shown on the plans, however this is outside of the red line application site and in addition to this, the proposed interfacing distances are still policy compliant when taking into consideration the existing extension. It is noted that the properties on Church View Close will face blank gable elevations of the proposed new units, as such, 13m separation is required and achieved and in addition to this there will be no direct overlooking into the gardens of the properties on Church View Close.

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 however a small number of plots (10% of the scheme) fall short of this standard. It is not considered that this small percentage will be significant to the detriment of residential amenity or the quality of the overall scheme, which

would warrant the refusal of the application. Just because the gardens would be modest, it does not follow that unacceptable harm would necessarily be caused to future occupiers. The gardens would provide sufficient space for sitting out, hanging laundry and for children to play. The proposed ratio of garden to space per plot would appear proportionate.

The scheme comprises a range of property types including mews, 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 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.

With regard to the amenity of the proposed development, it is considered that the proposals would provide for an appropriate form of development that would not impact unduly on existing residents and that sufficient regard has been had for the amenity of future occupiers.

On this basis, the proposed layout and resultant residential amenity is considered to be acceptable and compliant with policies CS(R)18, C2, GR1, GR2 and GR3 of the Halton Delivery and Allocations Local Plan.

#### 6.6 Appearance

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 scheme. The development comprises a visually attractive layout with good quality design of the Applicant's line of housing that is consistent with the appearance of other Miller Homes schemes. Whilst this is undoubtedly a significant change from the undeveloped appearance on site at present, the proposed development is consistent with that envisaged by the DALP land allocation. The final appearance will result in a well-designed expansion to the northerly boundary of the Widnes town suburb.

The application is accompanied by material layouts which specify external facing materials which are considered acceptable and can be secured by condition if the development were to be considered acceptable.

Based on the above, the proposal is considered acceptable in respect of external appearance in compliance with Policies CS(R)18 and GR1 of the Halton Delivery and Allocations Local Plan.

#### 6.7 Open Space, Green Space and Green Infrastructure

Policy CS(R)21 of the Halton Delivery and Allocations Local Plan highlights that Halton's green infrastructure network will be protected, enhanced and

expanded, where appropriate, and sets out how the delivery and maintenance of green infrastructure will be achieved. The policy states this will be achieved by ensuring that new development maximises opportunities to make provision for high quality and multifunctional green infrastructure taking account of deficiencies and the standards for green space provision.

Policies RD4, HE4 and HE5 of the Halton DALP set out the Council's expectations for the provision of open space and green infrastructure in new developments. Policy RD4 underlines the importance at para 9.18 of the DALP where it states:

*The provision of greenspace underpins people's quality of life. The Council views such provision as being important to individual health and wellbeing, and to the promotion of sustainable communities.*

Paragraph 9.23 of the DALP goes on to say:

*The provision of attractive and functional open space has an important role to play in ensuring a satisfactory housing estate design. It is vital that it should be considered as an integral element of the overall residential layout. The type, location and amount of areas of open space must be one.*

It is proposed that a central green area will be retained around Bowers Brook, which bisects the site, to provide publicly accessible open space. Within this area, children's play spaces are proposed. These areas will be joined by a pedestrian footpath to ensure permeability of the site and open space. A mixture of formal and informal natural play spaces are also proposed to complement the existing features.

Policy RD4 'Greenspace provision for residential development', states; all residential development of 10 or more dwellings that create or exacerbate a projected quantitative shortfall of greenspace or are not served by existing accessible greenspace will be expected to make appropriate provision for the needs arising from the development, having regard to the standards detailed in table RD4.1 The Halton Open Space Study 2020 (OSS) forms the evidence base for this policy.

Policy RD4 seeks to ensure that new housing development does not create or exacerbate shortages of five different types of open space. Demand arising from new development is assessed by calculating potential population on site and applying a quantitative standard per person (m<sup>2</sup>/person) and considering the quantity and proximity of existing supply within the area.

The application is providing 29,523 SqM of natural & semi-natural space, and 3,004 SqM for children and young people including one local area for play (LAP), one informal play area and two local equipped areas for play (LEAP). In total open space extends to 3.252 Ha or 20% of the 16 Ha site area.

The site lies within Area Forum 3, which is identified as having deficiencies in the provision of natural and semi-natural open space, provision for children and young people and allotments. The site has access to existing provision for all of these typologies within the distances set out in policy RD4.

Whilst the scheme includes provision for two of these typologies on-site, a minor deficiency remains for provision for children and young people and allotments. There remains a deficiency of natural and semi-natural also. These are being addressed through the payment of a commuted sum for off-site provision.

On this basis the proposals are considered acceptable in this regard and in compliance with Policies CS(R)21, RD4, HE4 and HE5 of the Halton Delivery and Allocations Local Plan.

### 6.8 Landscaping and Trees

Policy HE5 of the Halton Delivery and Allocations Local Plan, sets out requirements for landscaping in new developments. The application is supported by a Landscape and Visual Impact Appraisal together with a landscaping strategy which is considered to be acceptable.

In addition to the above, the application is also supported by an Arboricultural Impact Assessment. There are no Tree Preservation Orders in place within the site, nor is the site located within a conservation area. The proposed development seeks to retain as many existing trees as possible and incorporate measures to enhance tree cover throughout the development. A number of new trees are proposed to be planted as shown on the submitted landscaping masterplan, which is considered to be acceptable. It is considered that the proposed development can demonstrate compliance with Policies CS(R)20 and HE5 of the Delivery and Allocations Local Plan.

### 6.9 Ecology & Biodiversity

Advice from the Council's Ecology Adviser (MEAS) confirms that the application site is located near to a number of designated sites which are protected under the Conservation of Habitats & Species Regulations 2017 (as amended): Mersey Estuary SPA AND Mersey Estuary Ramsar site.

Due to the development sites proximity to the international sites, recreational pressure has been identified as a likely significant effect of the proposals. To mitigate for this, the Applicant has agreed to subscribe to the Halton recreational management Interim approach (HRMIA). On this basis, it is considered that the potential impacts as a result of recreational pressure have been addressed.

The consulted Ecologist from MEAS has requested a number of amendments to the proposed mitigation measures following updates to the proposed development. Their comments have been relayed to the applicant and it is anticipated these amendments can be resolved prior to the committee meeting. The Council's Ecology advisor has recommended a series of planning conditions to be attached to a grant of planning permission.

Under the Environment Act 2021, all planning permissions granted in England (with a few exemptions) will be required to deliver at least 10% biodiversity net

gain from November 2023. Until this legislation comes in to effect (November this year) current national policy sets out that planning should provide biodiversity net gains where possible and no net loss as a minimum.

The application is supported by a Preliminary Assessment of Biodiversity Net Gain (BNG) Report. The report has been assessed by the Merseyside Environmental Advisory Service Ecologist who has provided the following comments:

*The BNG report confirms areas on site to be retained and enhanced habitat features, namely: majority of Bowers Brook to be retained and enhanced with vegetated buffers; grassland habitats brought from low to medium condition; tree lines 1 & 2, ponds 1 & 2; SUDs with wetland planting; wildflower strips; two woodland pockets to be created; native shrub and hedgerow planting.*

*Best practice guidance for assessing urban trees, residential vegetated gardens and other habitat types have been appropriately followed and referenced.*

*The submitted DEFRA Metric v3.1 shows a pre-development baseline of 28.24 HU (Habitat Units) (13 Ha, of which over 10 Ha is modified grassland), 4.66 linear units and 1.12 river units. Post development habitat values, including enhancement and creation create an increase of 40.07% HU, 106.37% linear units (mixed native and ornamental hedgerows) and 0% change in river units. Trading rules for trees and grassland are satisfied and provide the largest area of BNG, but 3.36 HU of bramble scrub and mixed scrub are set to be lost without adequate mitigation. I advise landscaping buffers maintained with led intensive mowing can reduce the impact of these losses to invertebrates.*

*I advise that the proposed measures for habitat losses, retention, enhancement and creation are acceptable and can be provided in more detail within a Landscape Ecological Management Plan with a minimum 30 year management period, which can be secured by planning condition (in line with paragraph 5.6 of the BNG report).*

The submitted Biodiversity Net Gain Report demonstrates that the proposed development can deliver in excess of the 10% Biodiversity Net Gain requirement for the site which is considered to be acceptable and in accordance with Policy CS(R)20, HE1 and HE4 of the Halton Delivery and Allocations Local Plan.

## 6.10 Highway Considerations

This application is one of a number of residential housing proposals being brought forward as a result of the Land Allocations Delivery Plan's publication. Given the scale of the potential for new housing in the north of Widnes the Council's Highways Officer has advised that it was necessary for developers to consider their sites in context with all of the neighbouring plots in order that a comprehensive assessment of the future highway circumstances can be best assessed. Further submissions have been made in this regard. The Highway Officer has commented as follows:

## *Cumulative Development*

*Applications 22/00178/FUL & 22/00179/FUL by Redrow submitted an additional sensitivity test report with traffic impact assessments which identified that certain junctions in the proximity to the development would be at or near to capacity in future year models. These junctions included Derby Road, Lunts Heath Road as well as Wilmere Lane and the A5080 Cronton Lane junction with Norlands Lane.*

*The introduction of improved, LTN compliant and high-quality active travel measures would allow for greater access to sustainable and healthy travel choices. This would create the space along a traffic heavy corridor with excess of 7000 vehicle movements per day, for people to walk and cycle safely to local facilities. It also provides the opportunity for a modal shift on shorter journeys to promote health, well-being and positively contribute to the Liverpool City Regions ambitions to reduce the dependency on car borne trips.*

*Mott McDonald were commissioned to review i-transport proposals for active travel measures along the northern corridor in Widnes from the Sixth Form College to the borough boundary on South Lane and down to Farnworth Village. These measures included segregated cycleways, kerb realignments, the raising of junction levels and improved crossing points. In addition to this, the capacity at junctions for vehicular traffic was also addressed to allow for more efficient movements of vehicles and mitigate against queuing. This included kerb realignment and the addition of MOVA to signal operations.*

*The proposed active travel route will allow for improved pedestrian and cycle access along Cronton Lane. These measures tie into existing facilities at the Black Horse roundabout to link to an LTN compliant two-way cycle lane along the southern side of Lunts Heath Road. From here the route continues onto Derby Road on its northern side to meet with Redrow's 3m frontage cycle lane before extending eastwards to the borough boundary. New crossing points are proposed at the junction of Cronton Lane close to Norlands Lane and on Lunts Heath Road to connect the Miller Homes development to public right of way Widnes No.5 which is a well-used traffic free route to school and local facilities in Farnworth.*

*These measures should contribute significantly to an improvement in travel choices in the north of Widnes whilst aiming to mitigate against the cumulative effect of residential development in the north of Widnes as well as complimenting existing active travel schemes currently being delivered.*

*Contribution toward improved bus services were considered as part of the overall package. The 26 and 26a serve this area however frequency is limited. Additional services and a route extension was considered here however, given that the vast majority of the Redrow site falls within the required 400m of a bus service it was agreed that the proposals were potentially cost prohibitive and could not be justified. As a result, the most effective solution would be to provide a free bus pass to each household for the period of one*

*year. This will have the benefit of improving resident's awareness to the service as well as potentially increasing its benefit to local people.*

*The contribution toward this scheme would be split pro-rata between the north Widnes developments on a per unit basis.*

The Highways Officer has made the following comments with regards to the layout of the scheme as follows:

*The latest design submission provides a crossing of the brook which passes through the site. This is a welcome addition to the overall design.*

*It was agreed through discussion with the applicant that pedestrian and cycle movements from the development crossing Lunts Heath Road could be considered as part of a developer contribution to off-site works. The nearest designated crossing points presently are, to the west and east, a maximum of approximately 400m from the furthest site access in each direction. The site directly faces Widnes footpath number 5 on the opposite side of Lunts Heath Road. This public right of way provides a direct traffic free route to Farnworth Village and Lunts Heath Primary School. We would wish to see the inclusion of a signalised Toucan crossing to accompany the site to provide safe and commodious access as per LTN 1/20 guidance.*

*Improvements to the overall design in regard to connectivity have been made. There are however other matters in regard to the site layout that would still need to be addressed.*

These other matters are considered to be minor internal alterations and it is anticipated that these outstanding matters indicated above can be resolved prior to the Development Committee Meeting, and as such, members will be updated at Committee.

#### 6.11 Impact on Local Services

A number of the representations received as part of the public consultation undertaken, have raised concerns regarding the impact the proposed development would have on local amenities such as school places, dentists and doctors capacities.

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

**HEALTH SERVICES** - No request for additional funding finance has been received from any public body as a result of this application or in response to the Council's allocation of residential sites by the DALP. The concerns raised in response to the public consultation exercise relate to existing service levels,

such objections are based on an existing situation albeit one that additional households borne from the development would marginally worsen. Notwithstanding, no policy justification or scheme exists to justify mitigation or financial contributions in this regard and it is not considered sufficient reason for refusing a grant of planning permission for residential development on a strategic housing site.

Potential impacts of the proposed development on Police Services has been assessed later in the report.

#### 6.12 Flood Risk and Drainage

The application site is located predominantly within flood zone 1. However, areas of flood zone 2 and 3 have been identified associated with Bowers Brook. This runs through the centre of the site and is classified as an ordinary watercourse upstream of Lunt's Heath Road where it runs through the site.

The flood risk associated with Bowers Brook has been assessed through analysis of an existing hydraulic model which was developed on behalf of the Environment Agency (EA) in 2018. Model results are reported to demonstrate that during the 1% AEP +70% flood event flows remain within the channel of the watercourse and pass freely through the 3.3 x 1.3m culvert which carries Lunt's Heath Road across Bower's Brook. This matches the flood extents shown on the Flood map for planning which identifies a narrow floodplain extent associated with flood zone 3.

The assessment concludes that the likelihood of a blockage within the Lunt's Heath Road culvert is unlikely due to its large cross section. However, analysis of blockage scenarios have been undertaken and indicate that the consequences of a blockage during a 1% AEP +44% flood event, would be largely limited to flooding of open space with only three properties within the predicted flood extent. These three properties would remain safe from flooding through as finished floor levels would be significantly above the predicted flood levels.

The submitted Flood Risk Assessment assesses all other sources of flood risk and concludes that the risk is low. Mitigation of residual risks is proposed to be managed through the raising of finished floor levels to at least 39.68m AOD or at least 150mm above wider ground levels. This would provide 300mm of freeboard above the 1% AEP +44% flood level. It is noted that finished floor levels are confirmed on the Engineering Appraisal drawings submitted with the application.

The layout of the proposed development avoids all areas of flood zone 3 and 2 with the exception of a proposed crossing of the Brook. Therefore, the location of the development is considered to be appropriate

There appears to be sufficient standoff between the proposed development and Bowers Brook to enable an 8m easement. It is noted that any development within 8m of the top of bank of the watercourse would require an Ordinary Watercourse consent.



Since these comments have been received from the Lead Local Flood Authority, there has been a change to the layout of the proposed development and as such the LLFA have been re-consulted for updated comments. These comments are awaited at the time of writing the committee report and therefore a verbal update can be provided at a subsequent committee meeting.

### 6.13 Ground Contamination

The application is supported by a Desk Study and Ground Investigation Report. The report presents the results of a desk study (historical map and data review) and a site investigation with resulting risk assessment.

The Council's Contaminated Land Officer has reviewed the submitted information and has provided the following comments:

*The site has been largely open agricultural land with some infilled ponds. Part of the former Lunts Bridge Farm is present close to Lunts Heath Road. Part of the site was formerly the recreation grounds associated with the Turner's Social Club, which included a bowling green. A UXO report concluded that a small area of the site was high risk as a result of a recorded abandoned unexploded anti-aircraft shell. A geophysical survey was conducted on site within the high hazard and adjacent areas, with no materials relating to UXOs observed.*

*The site investigation revealed very little in the way of significant contamination, the majority of investigation points showing uncontaminated natural soils overlying glacial clay deposits. Some contamination was noted in two locations, arsenic and asbestos being the contaminants of concern. Elevated ground gas concentrations were recorded in the locations of former ponds. The report makes recommendation for remedial measures to deal with the soil contamination, either source removal or a cover system, and for the ground gases, either source removal or protection measures for the impacted plots. Overall I am satisfied that the submitted information is suitable to demonstrate that the site is suitable for use, with the implementation of the outline remedial measures. However, there are a couple of areas that I would recommend require further investigation:*

- The small, adjacent development of Church View Close was formerly the site of the Turner Brothers Social Club, which was heavily impacted by asbestos contamination due the fabric of the original buildings and the use of ACM in hardstanding and the infilling of an on-site pond. TP 35 is close to the boundary of the site and is the location impacted by asbestos, I would therefore recommend that additional samples are analysed for asbestos along the perimeter of the development site and the former club location.*
- Also associated with the club is a former bowling green, which I don't think has been targeted by the investigation. Historically, the development of bowling greens has frequently identified a contaminated ash/clinker*

*drainage layer beneath the turf. This area should be targeted for additional sampling and analysis.*

- *The final point associated with that part of the site is the historical recreation ground, which may have land drains, which given the ownership and close proximity to the asbestos cement works, may be asbestos cement pipes. This is a point of note to be included as part of the watching brief for the development.*
- *Part of the former Lunt's Bridge Farm is included with the development area, I recommend that additional investigation is undertaken once the on-site buildings have been cleared.*

*I believe that it would be reasonable to require the above points to be addressed as part of the implementation of the remediation strategy that will be required to be submitted in advance of development commencing.*

*Therefore I have no objection to the application subject to conditions requiring a remedial strategy and verification reporting to be submitted (that includes addressing the specific points above).*

Since receiving these comments, the applicant has submitted a remediation strategy up front to negate the need for the submission of one to be conditioned. This strategy is under consideration by the Contaminated Land Officer and comments are awaited at this time. Members will be updated accordingly.

Based on the above, the proposal is considered to demonstrate compliance with Policies CS23 and HE8 of the Delivery and Allocations Local Plan and can ensure that any ground contamination is dealt with appropriately.

#### 6.14 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 and Green Belt Land with some commercial/industrial uses immediately adjacent to the south east site boundary. The main noise source in the area both day and night is from traffic on Watkinson Way (A557).

Road traffic sound measurements have been undertaken for Watkinson Way (A557) and Lunt's Heath Road (A5080). In addition to this, an attended commercial sound survey was conducted along the south eastern boundary adjacent to the commercial/industrial premises, however no commercial sound was noted. The report states that the commercial premises seem to be mostly redundant.

The assessment has recommended a number of mitigation measures in the form of acoustic barriers in order to control road traffic sound and achieve the lowest practicable noise levels in accordance with BS 8233. Furthermore, higher specification glazing is required for plots fronting Watkinson Way.

The assessment concludes that with mitigation in place, no adverse impact is predicted day or night at the receptors due to road traffic sound.

The Council's Environmental Health Officer has advised that, whenever possible, they would like to see the sound levels in BS 8233 to be achievable with windows open, however it is appreciated that for this development it may not be realistic for this site at all new properties given the proximity to Watkinson Way.

It is considered that the implementation of the proposed mitigation measures can be secured by condition and that the proposed development demonstrates compliance with Policies CS23 and HE7 of the Halton Delivery and Allocations Local Plan.

#### 6.15 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 associated highways.

The report states that the impacts associated with dust and fine particulate matter released during the construction phase of the development were assessed in accordance with guidance from the Institute of Air Quality (IAQM).

The construction phase assessment determined that the risk of dust soiling effects was high for earthworks, construction and trackout. The risk of human health effects was classed as low for earthworks, construction and trackout. With the site-specific mitigation measures identified in Section 5.1 of the Air Quality Report in place, the dust and fine particulate effects from earthworks, construction and trackout is considered to be "not significant" in accordance with IAQM guidance.

The air dispersion model ADMS-Roads was used to assess the potential air quality impacts associated with development-generated road traffic emissions. As per the criteria outlined in the guidance from Environmental Protection UK (EPUK) and IAQM, the assessment predicted that the development would have a negligible impact on concentrations of nitrogen dioxide.

Predicted pollutant concentrations within the development are predicted to be below the relevant annual mean objectives and limit values, with the development in place. The report concluded that the effect of the proposed development on sensitive human receptors is therefore considered to be "not significant".

The impact of the proposed development is predicted to be "not significant", however mitigation measures will assist in reducing any potential impact and general best practice measures in relation to air quality could be implemented.

The Air Quality Assessment demonstrates that the proposed development will accord with all relevant national planning policy and will not lead to an unacceptable risk from air pollution. 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.

A number of objections have raised concerns regarding the impact of the development on the air quality of the immediate surrounding area. 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 CS23 and HE7 of the Halton Delivery and Allocations Local Plan.

#### 6.16 Archaeology

The application is supported by a Written Scheme of Investigation for Archaeological Evaluation, prepared by Lanpro Services. Cranshaw Hall, a scheduled moated site (NHLE 1011888) is situated over 200m to the north west of the application site. The moated site is occupied by farm buildings constructed in the 19<sup>th</sup> and 20<sup>th</sup> centuries, although it is understood that the moat dates to around 1400.

Following consultation with the Cheshire Archaeological Planning Advisory Service (CAPAS), a programme of evaluation has been agreed to comprise of two trial trenches targeting an area that has potential to have medieval origins and therefore is of archaeological interest. The submitted Written Scheme of Investigation provides detailed methodology for undertaking the programme of archaeological trial trenching and states that a formal report on the results of this work will be produced.

The Council's Development Management Archaeologist has reviewed the submitted information and has advised that the document outlines an appropriate scheme of works which will allow the recognition and recording of any archaeological deposits present on site.

There is, therefore, no objection to the start of development, subject to the enactment of the agreed mitigation set out within the Scheme of Investigation and the production of a formal report on the results of this work, which can be secured via planning condition.

The proposed development demonstrates compliance with Policy HE2 of the Halton Delivery and Allocations Local Plan and is therefore considered to be acceptable.

## 6.17 Health and well-being

Policy CS(R)22 of the Halton Delivery and Allocations 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. It concludes that the overall health impact of the proposed development would be positive and the potential adverse impacts arising from the construction and development of this site are likely to be minimal given the location of the site.

The assessment 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.

It is considered that the proposed development can demonstrate compliance with Policy CS(R)22 of the Halton Delivery and Allocations Local Plan.

## 6.18 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 Delivery and Allocations Local Plan.

In terms of waste prevention, construction management by the applicant will deal with issues of this nature and based on the development size, the developer would be required to produce a Site Waste Management Plan to deal with waste during the construction period. The submission of a Waste Audit/Site Waste Management Plan should be secured by condition.

Information relating to household waste storage and access for refuse collection vehicles has been provided and is considered to be acceptable. Its implementation can be secured by condition.

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 Delivery and Allocations Local Plan.

## 6.19 Designing Out Crime

Policy GR1 (2g) of the Halton Delivery and Allocations Local Plan states that the Council will consider whether the design of proposed development is appropriate in reducing the fear of crime by promoting safe and connected environments. The application has been reviewed by the Designing Out Crime Officer at Cheshire Constabulary.

The scheme has been designed to be forward facing, creating outlook for new residents and improving natural surveillance.

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.

Recommendations have been received that doors and windows should comply to PAS 24:2016 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.

The proposed development layouts adequately address the requirements of the Design of Residential Development SPD (the SPD) and follows good urban design principles with complementary plot layouts that ensure good natural surveillance and convey a pedestrian and community safe sense of place. The Council has consulted Cheshire Police as part of the applications determination, a response has been returned raising no issues with regard to designing out crime.

In terms of crime prevention, the proposed residential development is considered to accord with Policy GR1 (2g) of the Halton Delivery and Allocations Local Plan and the Designing for Community Safety Supplementary Planning Document.

Comments have also been received from a Principle Planner at Cheshire Constabulary stating that given the scale, nature and significance of the development proposals and associated demands it will place on Cheshire Constabulary, the force considers it appropriate for the applicant to contribute towards the provision of police infrastructure by way of a S106 contribution to mitigate the impacts of the development. The state that:

*The proposed development of 328 dwellings has the potential to increase the population of the site by 1044 persons. Consequently, the development will place an additional demand on police services and infrastructure capacity that does not currently exist.*

The Constabulary's Designing Out Crime Officers encourage the incorporation of physical designing out crime measures within schemes to promote safety and security and reduce the propensity for crime and disorder. However, in isolation, they do not remove the need for operational police service deployment for new developments.

A sum of £79,691.19 is sought from this development to mitigate its impacts on Cheshire Constabulary infrastructure. The contribution is itemised in the table below identifying the infrastructure necessitated by the proposed development.

Infrastructure requirement	Area	Total cost	Timing of delivery
Staff set up	Widnes and Runcorn LPUs and Winsford HQ	£12,486.10	TBC
Vehicles	Widnes and Runcorn LPUs	£7,583.94	TBC
Premises	Widnes LPU	£59,621.15	TBC
<b>Total</b>		<b>£79,691.19</b>	

In light of this request for sums, The Council have sought advice from Counsel who support the below position and the arguments which have been put forward:

The Council do not agree that the evidence provided by the Cheshire Constabulary in support of their request meets the 3 tests set out in s.122 of the Community Infrastructure Levy Regulations 2010

The contribution is not justified by the Halton Delivery and Allocations Local Plan 2022 (“DALP”) or its evidence base. It is accepted that Policy CS(R)7 of the DALP supports the principle of developer contributions funding police infrastructure. However, it is for the Council to determine the appropriate level of infrastructure and whether a contribution or mitigation is necessary. As set out in the IDP, the Council has already considered the level of police infrastructure, in consultation with the Cheshire Constabulary, and concluded that further collaborative work is required before infrastructure requirements can be justified. It is further envisaged that such contributions would be set out in future planning documents.

It is not evident that a funding gap exists. Cheshire Constabulary state that the link between Police funding and population growth is not a simple one and an increase in population in an area does not lead to an overall increase in central government grant. However, no further information has been provided on how grant funding is distributed and the formula that has been used to calculate the amount of infrastructure contribution is based on population.

The Council’s research suggests that the police allocation formula used by the Home Office to distribute central funds is based on various data sources, including population density. The formula itself appears to still use population estimates from 2013 and given that population rates in Cheshire have risen at a lower rate than the national average, this suggests that there may be a potential overfunding in the central government grant for the Cheshire area. According to figures produced by the Office of National Statistics, the estimated population in Cheshire in 2013 was 1,037,327 or 1.82% out of an estimated population of 56,948,229 in England and Wales. In 2020, the estimated population in Cheshire was 1,071,666 or 1.79% out of an estimated population of 59,719,724. If the 2013 estimated population figures are indeed used, Cheshire is potentially being funded for an additional 16,145 people that it does not have.

Equally, the evidence fails to take into account the increase in revenue which will be generated by the development in Council tax precept.

If a funding gap exists, it is not clear that the alleged impact is caused by the development as opposed to some other reason, such as a systemic problem in the way funding is distributed or the Government's austerity programme. Whilst it is stated that Cheshire Constabulary will receive funding for an additional 240 officers by the end of 2024 to address the reduction in officer numbers in preceding years caused by austerity and that this is earmarked for existing settlements rather than in response to population growth, it is impossible to determine what the previous impact of austerity has had on the deficiencies within the police budget from the evidence that has been provided.

The assumption that 100% of the population for the housing development will be 'new' to the area thereby resulting in population growth of 1,044 people is incorrect. There will be an element of migration within the borough and the wider Cheshire area. The Census from 2011 shows that 9,326 people living in Halton had a different address to that the year before and that, of these, 7,720 (83%) had moved from an address within Cheshire. The Council therefore dispute the alleged level of impact on police resources that would be caused by the development.

In respect of the request for funding for additional accommodation, it is not clear how this will be used given that both police stations are at full capacity and accommodation is only required for an additional 1.6 staff. No detail is provided as to where they will be accommodated or whether there are plans to extend current premises.

Therefore, as applications have to be determined in accordance with the Local Plan and material considerations, on this basis the Council concluded that the tests had not been met and therefore intend to determine the application accordingly.

## 6.20 Sustainable Development and Climate Change

Policy CS(R)19 of the Halton Delivery and Allocations Local Plan states that all new development should be sustainable and be designed to have regard to the predicted effects of climate change including reducing carbon dioxide emissions and adapting to climate conditions. The policy sets out a number of principles to be used as a guide for future development.

The application is supported by an Energy and Sustainability Statement. The proposals within this statement demonstrate that the required reduction of 15% from the Target Emission Rate (TER) as set out in Part L of the Building Regulations (2013) has been met and it is expected the site will achieve an average reduction of 35.05% carbon emissions (kgCO<sub>2</sub>/year).

Policy GR5 of the Halton Delivery and Allocations Local Plan states that the incorporation of renewable and low carbon energy into developments will be encouraged, particularly as part of major schemes. The proposed



development would follow the energy hierarchy focusing on a fabric first approach and in addition to this, the following technologies have been deemed suitable for this development:

- Air Source Heat Pump (ASHP)
- Photovoltaic (PV) Technology
- Flue Gas Heat Recovery System (FGHRS)
- Waste Water Heat Recovery System (WWHRS)

An analysis of the various low carbon and renewable energy proposals has been undertaken by the Merseyside Environmental Advisory Service and is considered to be suitable. These measures are welcomed and demonstrate consideration of policies CS(R)19 and GR5 of the Halton Delivery and Allocations Local Plan. The provision of these technologies can be secured by a suitably worded planning condition.

#### 6.21 Issues raised in representations

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

### 7. **CONCLUSIONS**

Whilst there is an element of non-compliance detailed in relation to housing and affordable housing tenure mix, this is not considered to be contrary to the development plan as a whole.

Subject to resolution of the outstanding Highways amendments and the receipt of updated comments from the LLFA and MEAS, based on the above assessment and subject to the proposed to be issued with a planning approval conditions and legal agreement provisions, the proposal is deemed acceptable. The proposed development would provide residential development on an allocated housing site in a sustainable location, contributing to housing need in the Borough and delivery of high quality development and on site open space provision.

When assessed against the policies in the NPPF taken as a whole, taking into account the details of the scheme and any material planning considerations, the proposal is thus sustainable development for which the NPPF carries a presumption in favour.

As such, the proposal is considered to accord with the Development Plan and national policy in the NPPF.

### 8. **RECOMMENDATIONS**

That authority be delegated to the Operational Director – Planning, Policy and Transportation, to determine the application in consultation with the Chair or Vice Chair of the Committee, following the satisfactory resolution of the

outstanding issues relating to highways amendments, updates in line with comments from MEAS and updated comments from the LLFA.

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

- a) S106 agreement
- b) Schedule of conditions set out below
- c) That if the S106 agreement is not signed within a reasonable period of time, authority given to refuse this planning application.

Recommended conditions as follows with any additional conditions recommended through the resolution of the Highways amendments, updates in line with comments from MEAS and updated LLFA comments to be added to the list below:

## **9. CONDITIONS**

1. Standard 3 year permission
2. Condition specifying plans
3. Levels
4. External materials
5. Hard and soft landscaping
6. POS implementation and management
7. Waste audit/site wide waste management plan
8. Household waste in accordance with approved plan
9. Noise mitigation measures in accordance with noise report
10. Air quality mitigation measures in accordance with report
11. Soft tree felling measures
12. Tree protection
13. Landscape Ecological Management Plan
14. Bird and bat boxes scheme
15. Construction Environmental Management Plan
16. Natural England Bat Licence
17. Reasonable avoidance measures for amphibians, terrestrial mammals and hedgehogs
18. Breeding birds protection
19. Japanese knotweed method statement & validation report
20. Site remediation and mitigation
21. Relating to unidentified contamination
22. Implementation of measures for reducing carbon emissions and adapting to climatic conditions
23. Archaeological mitigation and results report
24. Lighting scheme
25. Vehicle access and parking to be constructed prior to commencement of use
26. Removal of permitted development rights
27. Boundary treatments
28. Restriction of construction and delivery hours
29. Implementation of play facilities
30. Traffic calming measures
31. Cycle parking

32. Tactile crossings and dropped kerbs at junction crossing points

## **10. 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)

## **11. SUSTAINABILITY STATEMENT**

As required by:

- The National Planning Policy Framework (2021);
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

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