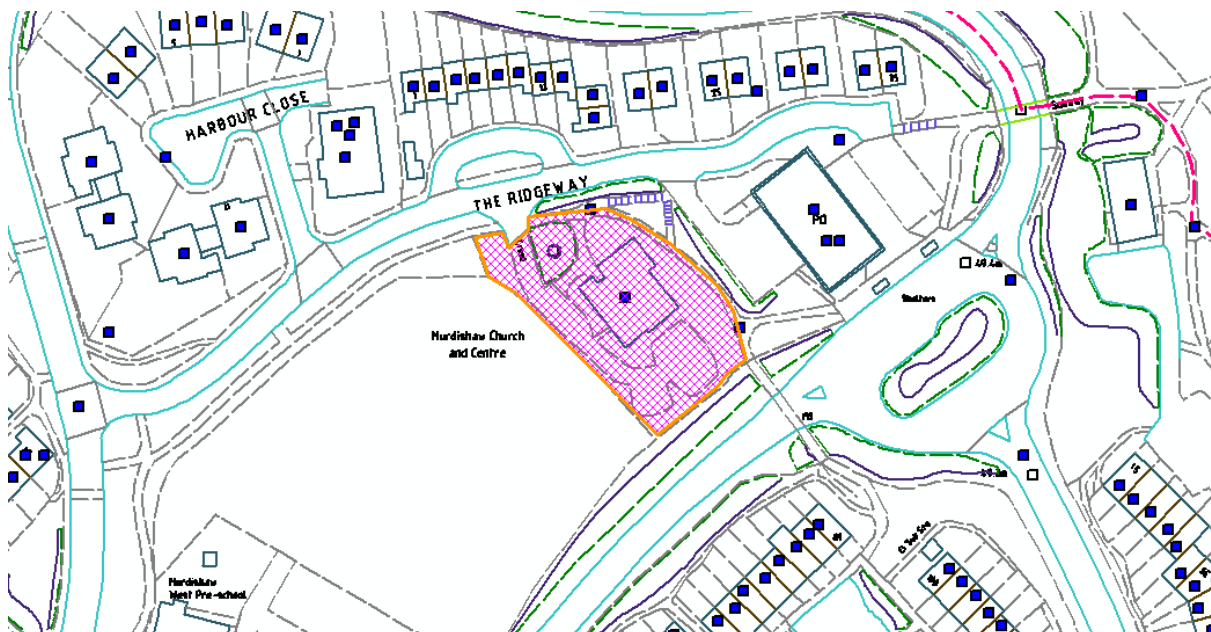


| | |
|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| APPLICATION NO: | 23/00452/FUL |
| LOCATION: | Vacant Land, The Ridgeway, Runcorn |
| PROPOSAL: | Proposed construction of apartment block consisting of 12 units with associated landscaping and parking facilities |
| WARD: | Norton South & Preston Brook |
| PARISH: | None |
| APPLICANT: | Mr Richard O'Neill Onward Homes Watson Building 4 Renshaw Street Liverpool L1 2SA |
| AGENT: | Mr Alex Brooke John McCall Architects No1 Arts Village Henry Street Liverpool L1 5BS |
| DEVELOPMENT PLAN: | ALLOCATIONS: |
| Halton Delivery and Allocations Local Plan (2022) | Primarily Residential |
| Joint Merseyside and Halton Waste Local Plan (2013) | |
| DEPARTURE | No. |
| REPRESENTATIONS: | No |
| KEY ISSUES: | Highways, Principle of Development, Ecology, Affordable Housing, Climate Change, Open Space, Trees, Residential Amenity and Design |
| RECOMMENDATION: | Grant planning permission subject to conditions. |
| SITE MAP | |



1. APPLICATION SITE

1.1 The Site

The site subject of the application consists of a parcel of land located within Murdishaw, Runcorn. The site runs along The Ridgeway which connects to Barnfield Avenue.

The site is previously developed land. A place of worship was previously on the site but has since been demolished. The site is now rough and overgrown and bordered by trees. The site is surrounded by a secure boundary fence with a graffiti style mural on it.

The site sits on a slightly elevated part of The Ridgeway. To the north lies some recently developed residential two storey houses that are a mix of terraces and semi-detached. To the east lies The Co-op convenience store which includes a post office (area allocated as a Local Centre in DALP). To the south lies the Halton Busway and bus stops near to the Co-op. There is a footbridge behind the site which crosses the busway. To the west lies the playing field belonging to Murdishaw West Community Primary School.

The site is allocated as a Primarily Residential area on the Halton Delivery and Allocations Local Plan Policies Map.

1.2 Planning History

A demolition notice for the place of worship was submitted in 2019. Earlier in 2023 the applicant sought preapplication advice on the site for eight 3 bed roomed houses. It was advised that an apartment scheme may be more acceptable on the site.

2. THE APPLICATION

2.1 The Proposal

Permission is sought for the erection of an apartment block consisting of 12 units with associated landscaping and parking facilities.

The units will consist of:

- 9 x 1 bed apartments (50m²)
- 3 x 2 bed apartments (61m²)

All of the apartments will be affordable rent to buy tenure.

The existing road access will be utilised from The Ridgeway which will lead to a parking court (12 spaces) to the rear of the apartment block with room for a full turning head within the space. The proposals also include provision for 16 bikes to be stored.

Materials used will include render and red brick with grey roof tiles and casement windows but final details will be secured by condition.

The site is currently surrounded by shrubs and trees, none of which are subject to a TPO. Some trees will be removed and some new trees will be planted as shown on the submitted landscape plan.

2.2 Documentation

The application is accompanied by the associated application forms and plans in addition to

- Design and Access Statement
- Phase 1 Preliminary Risk Assessment
- Phase 2 Ground Investigation
- Extended Phase One Habitat Survey (Preliminary Ecological Statement)
- Tree Survey and Constraints Report
- Bat Roost Assessment
- Noise Impact Statement – No recommended mitigation above Building Regulations Approved Document F
- Drainage Technical Note
- Infiltration (Soakaway) Testing

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 Delivery and Allocations Local Plan (2022)

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

- CS(R)3 Housing Supply and Locational Priorities;
- CS (R) 7 Infrastructure Provision
- 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;
- CS23 Managing Pollution and Risk;
- C1 Transport Network and Accessibility;
- C2 Parking Standards;
- HE1 Natural Environment and Nature Conservation;
- HE4 Greenspace and Green Infrastructure;
- HE5 Trees and Landscaping;
- HE8 Land Contamination;
- HE9 Water Management and Flood Risk;
- GR1 Design of Development;
- GR2 Amenity
- RD1 Residential Development Allocations
- RD 5 Primary Residential Areas
- GR3 Boundary Fences and Walls

Supplementary Planning Documents (SPD)

Design of Residential Development SPD

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.

MATERIAL CONSIDERATIONS

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

3.3 National Planning Policy Framework

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

3.4 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.

3.5 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. CONSULTATIONS SUMMARY – FULL RESPONSES CAN BE LOCATED AT APPENDIX 1

4.1 Highways and Transportation Development Control

The Highway Authority offer support subject to conditions and informatives, following significant collaboration with the applicant's representatives and subsequent amendments and additional information.

The conditions relate to the need for a Construction Management Plan, off site highway works (S278).

4.2 Lead Local Flood Authority

The LLFA agrees with the submitted flood risk assessment and drainage strategy and therefore has no objection to the proposed development subject to conditions relating to the implementation of a SuDS scheme and a verification report.

4.3 Contaminated Land Officer

No response was received at the time of writing this report. Should a response be forthcoming it will be relayed via an update to Committee.

4.4 Open Spaces

No objection subject to condition. Following the Officer's initial response, a tree removal plan was submitted and it is considered that a tree protection methodology can be conditioned prior to construction.

4.5 Merseyside Environmental Advisory Service – Ecology and Waste Advisor

No objection to the proposed development subject to conditions relating to bat and bird boxes, lighting scheme, breeding birds and timings of tree removal, RAMS relating to badger and hedgehog, cotoneaster removal and a waste audit.

4.6 United Utilities

No objection to the proposed development subject to a condition requiring the drainage to be carried out in accordance with the submitted information.

5 REPRESENTATIONS

The application has been publicised by 40 neighbour notification letters sent on 09/11/23. Site notices were also posted in the vicinity of the site. The application was also advertised in the Local Press.

No representations have been received.

For information, the applicant states that they undertook their own public consultation with a letter drop in 2023 and that the scheme was generally well received with only a few official comments recorded via the online site.

6 ASSESSMENT

6.1 Principle of Development / DALP Allocation

The site is identified as Primarily Residential on the Halton DALP.

Policy RD5 therefore applies which states that within Primarily Residential Areas, residential development of an appropriate design, scale, type, location and nature, that is in line with other relevant local plan policies and SPD's will be supported.

The principle of residential development in this proposed location is considered to be acceptable subject to acceptable detail.

The material planning considerations associated with the development are outlined below.

6.2 Design

Policy GR 1 states:

"The design of all development must be of a high quality, and must demonstrate that it is based upon the following principles: a. A clear understanding of the characteristics of the site, its wider context and the surrounding area; b. Efficient and effective use of the site; and c. The creation of visually attractive places that are well integrated with the surrounding buildings, streets and landscapes"

Policy CS(R)18: High Quality Design states:

"The design of places and spaces can have a profound effect on the way that we live, how we understand an area, the way that we treat an area and the way that we move through it. It is crucial for development design in Halton to be of a high quality, build upon an area's character, be adaptable to changing situations, and provide safe, healthy and accessible environments for all members of society."

The site is slightly elevated and has the potential to be a landmark development therefore creating an attractive building that also complements the streetscene is important.

The three storey apartment block is situated to the north of the site to provide a frontage to The Ridgeway as much as possible.

The design includes distinctive floor to ceiling corner windows and protruding brickwork, detailing and different colours and materials to break up the stretch of brickwork. This accords with the palette for the area which is mostly red brick with some render/clad facades as well as simple brick detail.

The roof structure has been designed to lower the feel of the roof visually by having chamfered ceilings in the top floor apartments and bringing the whole building closer to the ground to create an active frontage.

The Council generally agrees with the materials indicated but did request that the applicant choose a brick in a similar colour to the existing houses and Co-

op building. Submission of final materials will be secured by way of planning condition.

6.3 Amenity

When considering residential amenity Policy GR2 is applicable. The impacts of the proposed development upon the amenity of neighbours must be considered as must the levels of amenity afforded to future occupants of the proposed dwellings.

In terms of the quality of accommodation provided the new dwellings will provide future occupiers with more than acceptable levels of amenity. This assessment is based upon the dwellings providing future occupiers with adequate levels of internal space with habitable rooms benefiting from natural light and policy compliant privacy levels. The proposed dwellings also benefit from landscaped surroundings and in curtilage parking. Parking provision accords with Council Policy. There is no outdoor amenity space on site for residents however, having regard to the constrained nature of the development and availability of green space in the area, it is not considered that refusal of planning permission is justified in this case.

With regard to the amenity of existing residents on The Ridgeway, the applicant has provided cross sections between the proposed building and existing housing to demonstrate that all window to window separation distances comply with the distances contained within the Design of Residential Development SPD. This renders the development acceptable with regard to window to window privacy levels.

It is not considered that the proposed dwellings will have a negative impact upon the amenity of neighbours in terms of loss of daylight or that the proposals constitute an over dominant form of development. This is due to the spacing between the proposed and existing dwellings and the scale of the proposed apartments which are compliant with the character of the locale.

In comparison with the existing vacant use of the land the proposed development of the site will increase noise and potential disturbance to neighbours. However given the residential character of the site and the proposed use for solely residential purposes, additional noise is likely to be minimal. Potential disturbance resulting from the construction process will be mitigated by planning condition limiting site operation times.

The proposals are not considered to be significantly harmful to the amenity of neighbours.

6.4 Highways, Transport and Accessibility

The applicant has entered into detailed discussions with the Council's Highways Officer. Following the submission of amended plans the Highway Officer is now satisfied and recommends that the application is approved subject to necessary highways conditions. Conditions will include the need for

a Construction Management Plan to mitigate the impacts of the construction process as it is a constrained site and securing off-site Highway works encompassing the pedestrian crossing points; namely about the site access, to the other side of the Ridgeway, and also across the entrance bellmouth, such that a level/DDA compliant route between the site and local shops, bus interchange etc. is afforded given the existing alternative ramped/stepped pedestrian routes about the site.

It is proposed to use the existing access from The Ridgeway to lead into a parking court to the rear of the apartment block with room for a full turning head within the space.

The scheme proposes 12 parking spaces including 2 disabled spaces. The site also provides 2 EV charging bays, one of which doubles up with a disabled bay to allow for accessible EV charging. There will also be ducting provided to increase EV charging in the future, should there become a need. The scheme also includes 12 covered and secure bicycle parking spaces for residents and an additional 4 for visitors.

In strict accordance with Policy C2, the scheme should provide 15 car parking spaces, however, the 12 proposed are deemed acceptable due to the mitigating circumstances such as the sustainable location of the site, being walking distance to an allocated Local Centre and bus stop, offering a total of 16 cycle parking bays, and the fact that these will be managed units and the allocation of parking bays can be managed via sale/tenancy agreement.

These levels of parking conform to DALP policy negating concerns relating to the potential to increase demand for on street parking and promoting sustainable travel.

6.5 Ecology

The site is not a designated Ecological Area and does not contain any TPO trees.

The applicant has carried out Ecological Appraisals of the site in order to ascertain if the proposals will be harmful in terms of Ecological impacts. The applicant submitted the following ecological information in accordance with Local Plan policy CS(R)20:

- Extended Phase One Habitat Survey (Preliminary Ecological Appraisal), Version One. The Ridgeway Murdishaw, ref: 10906 PEA-SB-V1-03.03.23 (Amenity Tree, March 2023)
- Bat Roost Assessment (BRA), The Ridgeway Murdishaw, Version 1 (Amenity Tree, March 2023)

MEAS has advised that both reports are acceptable, considers the development does not warrant a Habitats Regulations Assessment and is exempt from consideration under recreational pressure impact.

MEAS have advised that any ecological impacts associated with the proposed development can be mitigated by conditions relating to bat and bird boxes, lighting scheme, breeding birds and timings of tree removal, RAMS relating to badger and hedgehog, cotoneaster removal and a waste audit.

Following a request from the Trees and Woodlands Officer, the applicant submitted a plan to clearly show which trees on site would be retained and what would be removed. The applicant proposes to replant on a 2 for 1 basis. The Trees and Woodlands Officer has advised that this is acceptable and it is agreed that a tree protection methodology for the retained trees be secured by condition in addition to the standard conditions relating to British Standard 3998:2010 "Recommendations for Tree Work" to safeguard the health and visual amenity of the tree and not carrying out tree work between April and July.

6.6 Affordable Housing

Whilst the proposal is for more than 10 homes, it is a brownfield site and therefore exempt from the requirements of Policy CS(R)13 – Affordable Homes.

Notwithstanding this, the applicant is a housing association and will be providing 100% affordable homes on the site. We have been informed by the applicant that they will be affordable rent to buy tenure.

6.7 Open Space

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:

"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 of the starting points in drawing up the design of a new development. However, it should be noted that not all residential development will create a need for all types of open space and the type and amount will be guided by site specific circumstances."

Using the Open Spaces Calculator, there is a deficit in the general area for open space provision for children and young people. There are two playgrounds within the accessibility standard set out in Policy RD4 (800m).

Both are 482m away, one to the north and one to the south of the site. The playground to the south of the site is owned and maintained by the applicant, Onward.

It has been agreed with the applicant that improvements to this playground can be made by way of a Grampian Condition. The applicant is willing to provide a scheme of works which can be agreed prior to the discharge of the condition.

6.8 Drainage and Flood Risk

The site is located in Flood Zone 1 which is the lowest risk. The LLFA offer no objection and are satisfied conditions can be applied that will mitigate the potential for additional water run off created by the development of the site.

United Utilities have made observations in relation to drainage and have suggested conditions that mirror those recommended by the LLFA.

6.9 Ground Contamination

The application was accompanied by a Phase 1 and 2 Ground Investigation which demonstrated low to very low risk of ground contamination and ground gas migration and inhalation from soils. On that basis the report makes basic recommendations in relation to engineering solutions, contractor safety and welfare and advice should unexpected contamination be encountered.

At the time of writing, no response was received by the Contaminated Land Officer. It is considered that a planning condition can be attached to any decision in relation to unidentified contamination. An update will be provided at Committee should a consultation response be received.

6.10 Waste Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, the developer would be required to produce a Site Waste Management Plan which can be secured by condition.

In terms of on-going waste management, there is sufficient space within the site to allow for this.

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

6.11 Climate Change

Policy CS(R)19 recognises that the deployment of renewable and low carbon energy and the design and construction of future development has a central role in delivering sustainable growth, contributing to the mitigation and adaptation of climate change and ensuring energy security.

In response to Policy CS(R)19, the applicant states that the orientation of the building is designed to suit the site and allows the majority of the units to maximise its use of windows to provide enough natural light into the spaces whilst reducing the potential overheating in the units. Whilst the exact type of heating system is not known at this point, the intention is to use a combination of a well-sealed external fabric of the building coupled with some form of mechanically driven air exchanger (MVE or MVHR) to regulate the temperature within the units and reduce heat loss. The system will be explained to the residents giving them easy access to adjust their units to suit their needs via a Home User Guide to educate on how to best use the technology. Space on the roof also makes use of the scheme orientation to maximise production through PV panels to help offset the costs for the building. Final details of the measures to be employed can be secured by planning condition.

7. CONCLUSIONS

The proposed development is considered acceptable and is compliant with the Halton DALP allocation of the site for residential development.

8. RECOMMENDATION

Grant planning permission subject to conditions and legal agreement.

9. CONDITIONS

1. Time Limit
2. Plans
3. Materials to be agreed (Policy RD3 and GR1)
4. Submission of Existing and Proposed Site Levels (Policy GR1)
5. Tree Protection Measures – (Policy HE5)
6. Submission of Bird and Bat Box Scheme – (Policies CS(R)20 and HE1)
7. RAMS for badger and hedgehog during construction (Policies CS(R)20 and HE1)
8. Lighting scheme (Policies CS(R)20 and HE1)
9. No tree works between April and June (Policies CS(R)20 and HE1)
10. Methodology statement for the removal of Cotoneaster (Policies CS(R)20 and HE1)
11. Electric Vehicle Charging Points Scheme (Policy C2)
12. Ground Contamination - (Policies CS23 and HE8)
13. Submission of a Sustainable Urban Drainage Scheme – (Policies CS23 and HE9)
14. Verification of the Sustainable Urban Drainage Scheme – (Policies CS23 and HE9)
15. Sewage disposal (Policy HE9)
16. Construction Management Plan (Policy C1)
17. Limited Construction Hours (Policy GR2)
18. Detail Hard Standing agreed (Policy C2 and HE9)

19. Landscaping and management (Policy GR1, GR3 and HE5)
20. Grampian style condition relating to off-site playground improvement (Policy RD4)
21. Grampian style condition relating to off-site highway works (C1)
22. Energy efficiency (Policy CS(R)19)

Informative – Cheshire Constabulary standard advice

Highway Authority advice

The conditions above have been agreed with the applicant.

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 at the Council's premises at Municipal Building, Kingsway, Widnes, WA8 7QF in accordance with Section 100D of the Local Government Act 1972.

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.

APPENDIX 1 – FULL CONSULTATION RESPONSES