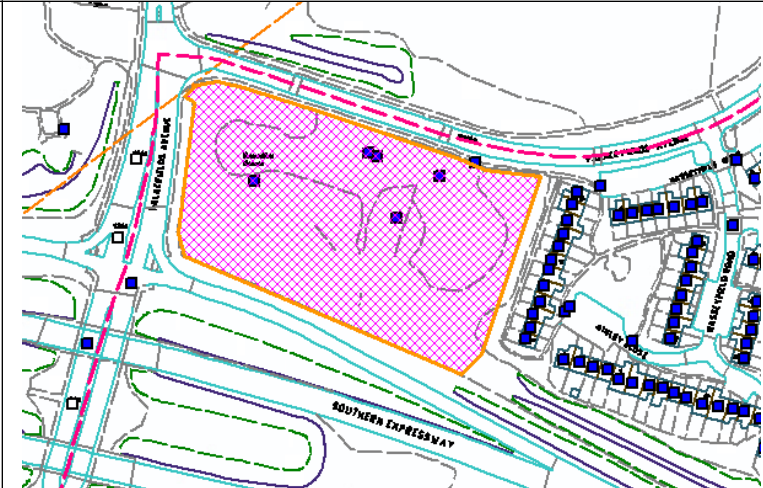


<b>APPLICATION NO:</b>	22/00005/FUL
<b>LOCATION:</b>	Site of Former Lord's Taverners Youth Centre and adjacent land, Palacefields Avenue, Brookvale, Runcorn, WA7 2PG.
<b>PROPOSAL:</b>	Proposed residential development comprising 38 dwellings and associated roads and open spaces.
<b>WARD:</b>	Norton South & Preston Brook
<b>PARISH:</b>	None
<b>AGENT(S)/APPLICANT(S):</b>	Mersey Regeneration / Cass Associates
<b>DEVELOPMENT PLAN ALLOCATION:</b>	National Planning Policy Framework (2023) Delivery and Allocations Local Plan ('DALP') (2022).  Allocated Residential Site Ref: R50  Joint Merseyside and Halton Waste Local Plan (2013)
<b>DEPARTURE:</b>	No
<b>REPRESENTATIONS:</b>	2 Representations have been received
<b>KEY ISSUES:</b>	Principle of development, trees, ecology & biodiversity, highway considerations, drainage, noise and contaminated land.
<b>RECOMMENDATION:</b>	Approve Subject to Conditions
<b>SITE MAP:</b>	

## 1. APPLICATION SITE

### 1.1 The Site

The application site is allocated for residential development (allocation R50) on the Halton Delivery and Allocations Local Plan Policies Map and measures approximately 1.3 hectares comprising mixed greenfield and previously developed land.

The site is bound by Palace Fields Avenue to the north and west, with the A533 Southern Express Way to the south and existing residential properties to the east.

The site is largely located within Flood Zone 1 and is at the lowest risk of flooding.

In the wider context, the application site is located at the southern edge of Runcorn, on the boundary of Norton South & Preston Brook and Halton Lea.

## 1.2 Planning History

**8518947F** – Change of use of existing temporary premises from Youth Club store to offices workshop and storage accommodation for Atvo MSC Scheme. **Approved 1985**

**02/00840/HBC** – Proposed multi-use games area, comprising goal end, skateboard ramp and shelter with tarmac playing surface. **Approved 2003**

**18/00582/DEM** – Prior notification of proposed demolition of former youth club. **Approved 2018**

## **2. THE APPLICATION**

### 2.1 The Proposal

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

*Proposed residential development comprising 48 houses and associated roads and open spaces.*

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

*Proposed residential development comprising 38 dwellings and associated roads and open spaces.*

### 2.2 Documentation

The planning application is supported by the following documents:

- Associated plans (all viewable through the Council's
- Planning Statement
- Arboricultural Impact Assessment and Method Statement
- Phase 1 Desk Study Report

- Geoenvironmental Report
- Design and Access Statement
- Noise Impact Assessment
- Ecological Scoping Assessment
- Biodiversity Metric
- Transport Statement
- Flood Risk Assessment and Drainage Strategy

### **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)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
- 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
- HE1 Natural Environment and Nature Conservation
- 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

## **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 December 2023 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.

### 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 06.01.22.

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

- **HBC Highways**  
See assessment section below
- **HBC Environmental Protection**  
No objection, suggested conditions
- **HBC Contaminated Land**  
See assessment section below
- **HBC Open Spaces**  
See assessment section below
- **Lead Local Flood Authority**  
See assessment section below
- **Norton South & Preston Brook Councillors**  
No comments received
- **Merseyside Environmental Advisory Service**  
See assessment section below
- **Natural England**

- No comments to make
- **Scottish Power**  
No comments received
- **Sabic UK**  
No comments received
- **United Utilities**  
No objection, suggested conditions
- **Environment Agency**  
No comments received

## 5. REPRESENTATIONS

Two representations have been received as a result of the publicity undertaken for the application, the details of which are summarised below:

- The proposal will take up valuable green space
- Much needed youth club should be re-opened
- Health and wellbeing of the people of the Borough
- Is the development solely social housing or private
- Requests for certain trees to be felled

## 6. ASSESSMENT

### 6.1 Principle of Development

The application site is designated as a 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 Housing Allocations (identified in Policy RD1) as identified on the Policies Map. The application site consists of the residential allocation R50. 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 R50 in the list of allocations.

Where a site does not have a current planning permission, an indicative 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. The NPPF states that local authorities should set their own approach to housing density to reflect

local circumstances. Halton considered that the seeking of 30 dwellings per hectare as a minimum will aid in the efficient use of land, whilst promoting increased density around town, district or local centres or transport interchanges will help to promote redevelopment.

The site allocated as R50 covers approximately 1.3 Ha and has a notional capacity of 35 units/dwellings. The original submission of the proposed development consisted of 48 houses, which exceeded the notional capacity for the site and suggested overdevelopment. The scheme has been amended to reduce the number of proposed units to 38, however based on the housing mix and house types, the proposed development would have a footprint of 33 dwellings, through the inclusion of apartments, which is considered to be appropriate and within the parameters set out in the allocation. The principle of the proposed development 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 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 38 new dwellings with the following breakdowns:

- 1 bed units – 10
- 2 bed units – 4
- 3 bed units – 16
- 4 bed units – 8

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%	10 (26.3%)	45.4%
2 bedroom	4 (10.5%)	30.4%	0	27.2%
3 bedroom	16 (42.1%)	52.7%	0	24.8%
4 bedroom	8 (21.1%)	10.5%	0	2.6%
Total	28	100%	10	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 10 of the units for affordable rent (26.3%) which represents a large contribution to the above mentioned need, identified within the SHMA.

It is considered that the proposed housing mix put forward as part of the application is acceptable given the scheme will provide units for affordable rent and will 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 a non-compliance with Policies CS(R)3 and CS(R)12, however based on the provision of affordable units, there is not considered to be sufficient grounds to warrant the refusal of the application on the basis of housing mix alone.

### 6.3 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.
- b. Greenfield Development: Will be required to deliver 25% affordable housing requirement.

The application site is allocated as a residential allocation on the DALP policies map (not a strategic housing site), and comprises a mix of greenfield and previously developed land.

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 proposed development would offer 10 of the units for affordable rent, equating to 26% of the scheme as a whole. Affordable housing would be secured by means of suitably worded clauses within an accompanying S106 agreement.

It is the applicant's intention to offer the 10 no. 1 bedroom units as the affordable homes, reasoning "it will be easier for a housing association to take the block as a whole".

It has been demonstrated that the proposed development would deliver affordable housing in excess of the 25% requirement which meets the broad requirements of policy CS(R)13 of the Halton DALP. Although the proposed development does not meet the percentage split in the type of affordable housing units, it is not considered that this would warrant a refusal of the application given the overall provision percentage.

### 6.4 Residential Site Layout and Residential Amenity

The proposed residential layout generally follows good urban design principles. The proposed layout is considered to provide active frontages which is assisted through the use of dual aspect properties on corner plots.

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.

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 and amended so that it accords with this standard and would ensure that each property has a usable private outdoor space.

The scheme comprises a range of property types including terraced dwellings, 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. There is minimal space for soft landscaping to the front of properties however use of materials will soften the appearance of the street scene. 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.

## 6.5 Appearance

The submitted plans show that the proposed dwellings would be of an appropriate appearance with variety in materials included on the elevations to add interest to the overall external appearance of the scheme.

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.

A condition requiring the submission of material details will be added to any subsequent planning decision if the development were to be approved.

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.

#### 6.6 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.*

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 proposing to provide 3,316 SqM of natural & semi-natural space. In total, open space extends to 25% of the 1.3Ha site area.

The site lies within Area Forum 4, which is identified as having deficiencies in the provision for children & young people and allotments. Whilst the scheme includes provision for natural & semi-natural space on-site, a minor deficiency remains for provision for children and young people and allotments. These will be 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.

### 6.7 Trees, Ecology and Biodiversity

Policy HE5 of the Halton Delivery and Allocations Local Plan states that woodlands, trees and hedgerows are an important visual and ecological asset as they provide a significant contribution to areas distinctiveness as well as playing an important role in mitigating and addressing climate change.

There are no trees afforded statutory protection at this location, and the site is not situated within a Conservation Area. However, the existing woodland on the site was evaluated with the Tree Evaluation Method for Preservation Orders (TEMPO) and received a score which lies within the bracket of 'TPO Defensible'.

The proposed development also lies within the Liverpool City Region (LCR) Ecological Network, area code: NIA09 – Woodland and Wetland. The primary focus of this network is the preservation and enhancement of existing habitats and creating new natural assets.

The original submission of the development proposed to remove an extensive amount of the trees and woodland already on the site. The Council's Open Spaces Officer advised that the substantial removal of the woodland habitat on the site would compromise the objectives of the LCR Ecological Network.

The application site is located within a Nature Improvement Area and Core Biodiversity Area as identified on the Halton Delivery and Allocation Local Plan Policies Map. The removal of such a large amount of trees and woodland was not considered to be acceptable given the land allocations and impact on the LCR Ecology Network.

Extensive discussion and collaborative work has gone into amending the proposed development to retain as much of the existing woodland and trees as possible.

Based on the amended scheme, the Council's Open Spaces Officer has provided the following updated comments:

*The proposed development will result in a loss of 0.465ha woodland habitat, whilst 0.2676ha of woodland will be retained on site along with further woodland habitats beyond the site perimeter. The retention of areas of woodland will likely allow the continued function of the wildlife corridor around the site boundaries.*

*The Ecological Scoping Assessment recommendations (5.2.1) the Developer produce a woodland/habitat management plan in order to enhance biodiversity value of retained woodland. The management plan should include recommendations for further planting, selective thinning, the retention of dead wood habitats and the creation of habitat piles.*

*It would not be possible to compensate for loss of woodland and other habitats on site, therefore mitigation habitat would need to be located offsite.*

Advice from the Council's Ecology Advisor (MEAS) confirms that the application site is located near to the following designated sites:

- The Glen LWS – ancient woodland (440m west)
- Southern verge embankment LWS (150m south and south of A533)
- Clough wood LWS – ancient woodland (230m south and S of A533)
- Beechwood LWS – ancient woodland (330m south and S of A533)
- Flood Brook Wood SSSI and LWS – ancient woodland (500m south and S of A533)

There are unlikely to be any significant impacts on these sites on this occasion due to the distance and intervening built and road development.

As stated earlier in the report, the layout of the proposed development has been amended extensively in line with officer and consultee comments. The final layout shows a greater depth of retained woodland which is welcomed and will retain biodiversity on site. Retained woodland along the southern boundary will maintain better linkages between woodlands within the wider area.

The following updated ecological reports and DEFRA metric have now been provided:

- Defra Metric 4.0, Palace Fields, Runcorn, dated 4 May 2023, Version 2
- Updated Ecological Scoping Assessment, Richard Roe, 4 May 2023.

The metric shows that the revised scheme will result in the loss of 5.28 habitat units from the site. This compares to a previous loss of 6.21 habitat units, and so is considered to be an improvement. Trading rules haven't been met through on-site habitat creation with a loss of:

- 0.15 HU of other neutral grassland,
- 0.63 HU of bramble scrub and
- 3.91 HU of other woodland: broadleaf.

These habitats are of medium distinctiveness. To meet trading rules off site habitat provision is required with the same broad habitat types, woodland, scrub and grassland.

The MEAS ecologist has advised that this should focus on providing additional woodland and scrub planting within the Bridgewater Canal, Kekwick Brook and Runcorn Ancient Woodland Nature Improvement Area (NIA), particularly within the area surrounding the proposed development site. Alternatively/in combination, existing woodlands could also be enhanced to improve their condition.

Off-site provision will be secured through S106 agreement, in the form of monies paid to the Council to provide the equivalent lost habitat units. As a result of the amendments made to the layout of the scheme, the proposed development is considered to be acceptable and in accordance with Policy CS(R)20, HE1 and HE4 of the Halton Delivery and Allocations Local Plan.

### 6.8 Highway Considerations

The Council's Highways Officer has reviewed the application and provided the following comments:

*The submitted plan shows a 6m carriageway access road, a 5m subsidiary road with associated 2m footways serving the site throughout which would be acceptable dimensions for a development of this scale.*

*The site access is located within 400m distance of bus services on Palacefields Avenue. We would, however, wish to see greater pedestrian and cycle connectivity from the site into the existing highway network from the north or east of the site onto Palacefields Avenue which encourages and supports walking and or cycling.*

*It will also be necessary for additional crossing points on the northern section of Palacefields Avenue and close to the existing bus stop. This would be to improve pedestrian connectivity from the site linking safely toward the nearest bus stop on Palacefields Avenue. At present it would be necessary to cross Palacefields Avenue three times to access the bus service which presents highway safety concerns at a busy highway intersection.*

*The proposed parking arrangements are in compliance with the Council's parking standards set out in the Delivery and Allocations Local Plan. Plot 37 provides a parking arrangement which is remote from the property (to the rear). It is, however, considered that there is a sufficient level of natural surveillance from the adjacent properties (plots 21 and 22) to justify this arrangement.*

*Properties 5-16 and 19-30 present excessive runs of dropped crossing along the footway. The maximum allowable width of any one access at any one location is 6.4m (2 transition kerbs and 5 dropped kerbs). This makes it difficult and uncomfortable for pedestrians using the footway especially push*

*chairs and the disabled. We would wish to see a greater mix to allow a more comfortable and usable pedestrian footway.*

*The applicant has agreed to a single level road and footway to negate the need for dropped kerbs. The road and footway will be identified by demarcation and difference in materials.*

*The development's highway design should be such that it designs in features that will deter speeds in excess of 20mph. These features should be wherever possible horizontal feature, e.g. straight runs with a maximum 60m distance unrestrained, which avoids the need for vertical speed restraining features such as traffic calming humps (which would be required to be shown on layouts to prevent difficulties at S38/278 for driveways).*

*Tracking details for larger HBC 10m, 3 axel, 26 tonne refuse vehicles will be necessary. And details of cycle parking provision across the site will be required.*

It is anticipated that these outstanding details can be secured by appropriately worded conditions. The proposed development is considered to be acceptable with consideration given to policies CS(R)15, C1 and C2 of the Delivery and Allocations Local Plan.

#### 6.9 Flood Risk and Drainage

The application site is located within Flood Zone 1 and the Halton SFRA identifies that the site is within a critical drainage area. The proposed development comprises residential dwellings that would be classified as more vulnerable with regards to flood risk and the application is supported by a Flood Risk Assessment (FRA). The Council's Lead Local Flood Authority has advised that surface water flood risk is reported to vary from low (1 – 0.1% AEP) to very low (less than 0.1% AEP) across the site. The LLFA is satisfied that the proposed buildings will likely not be at risk of groundwater flooding.

Since the LLFA provided initial comments on the proposed development, the scheme has been amended to reduce the number of units proposed, and a change to the layout has been made. Updated drainage information has not been provided at this point, however it is considered reasonable to condition the submission of an updated drainage strategy.

Based on the above, the proposal is considered able to demonstrate compliance with Policies CS23 and HE9 of the Delivery and Allocations Local Plan and can ensure that the site is adequately drained.

#### 6.10 Ground Contamination

The application is supported by a Phase 1 Desk Study Report (ref.CCG-C-19-11411) and a Geo-environmental Report (ref.CCG-C-21-12427). 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 supporting documents cover a preliminary risk assessment based on a desk study and site walkover, and a follow on site investigation. The site investigation identified some significant pollutant linkages associated with contaminants in the near surface soils (made ground), and there is an outline remedial strategy that recommends the removal of all made ground in areas that will be gardens/open space.*

*The report does have limitations. At the time of the investigation roughly half the site was inaccessible, and there is an outline scope presented for further works to fully characterise the site, which would include the area of an infilled pond, a potentially significant source of contamination. Additionally, only the first round (of six) of the ground gas monitoring is reported. The outline remedial strategy may not be practical given the amount of retained trees in the scheme, so this would also need to be reconsidered in light of the revised layout and the findings of any additional site investigation.*

*I would recommend that the additional information be the subject of conditions on any planning permission issued.*

Based on the above, the proposal is considered able 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.

#### 6.11 Noise

The application is supported by an acoustic report (Ref. NALPRO080221). The Council's Environment Health Officer has reviewed the application and has provided the following comments:

*Environmental Health has considered the application in relation to noise both during the construction and operational phases.*

*The applicant has submitted an acoustic report reference NALPRO080221, dated 02/10/2021 in support of the application. The impact of existing sources of noise that may affect the development site are assessed in order to ensure that sound levels specified in BS 8233:2014 Guidance on Sound Reduction for Buildings can be achieved at all properties within the development site. This is an agreed assessment methodology.*

*The report discusses that due to road traffic noise, several proposed properties along the Southern Expressway and Palacefields Avenue will need upgraded levels of glazing and ventilation. The acoustic report also discusses the potential benefits of installing a continuous acoustic fence adjacent to the Southern Expressway to reduce noise levels within gardens.*

*This report and its conclusions are accepted.*



*Noise generated during the construction phase of the development has not been discussed within the report, although this can be dealt with by an hours of work condition. Environmental Health has no objection to the application, subject to suitably worded conditions relating to noise mitigation measures and hours of construction, being attached to any subsequent planning permission.*

The layout of the proposed development, together with the number of units proposed, has been amended since these initial comments were provided. It is considered appropriate to condition the submission of an acoustic report addendum, to update the assessment of the noise impacts and subsequent mitigation measures. It is anticipated that given a larger corridor of the existing woodland is to be retained along the site boundary, less mitigation may be required.

The proposed development can demonstrate compliance with Policies CS23 and HE7 of the Halton Delivery and Allocations Local Plan.

#### 6.12 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 not been provided, details of this 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.

#### 6.14 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.

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.

Section 6.19 of the Design and Access Statement (*Cass Associates Report Ref: DA-001 dated December 2021*) refers to sustainable construction methods using good standards of insulation and air tightness to reduce energy consumption. Electric vehicle charging points will also be included. Details and the implementation of low carbon and renewable energy proposals can be secured by a suitably worded planning condition.

The proposal is considered to give appropriate consideration to Policies CS(R)19 and GR5 of the Halton Delivery and Allocations Local Plan.

## **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.

The proposed development would provide residential development on an allocated housing site in a sustainable location, contributing to housing need in the Borough.

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**

The application is to be approved subject to the following:

- a) S106 agreement relating to Open Space, Affordable Housing and habitat loss compensation.
- 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.

## **9. CONDITIONS**

1. Standard 3 year permission
2. Condition specifying approved plans
3. Levels
4. External Materials & surface materials
5. Boundary treatment details
6. Site investigation, remediation and mitigation
7. Any unidentified contamination
8. Affordable housing plan
9. Tree protection and Arb Method Statement
10. Woodland Management Plan for minimum 30 years

11. Site Waste Management Plan
12. Site Bin storage, servicing plan and tracking
13. Details of noise mitigation measures
14. Hours of construction
15. Recreational Pressure Home leaflet
16. Ecology lighting scheme for bats
17. Bird and Bat boxes
18. Breeding birds
19. RAMs/CEMP/agreement of ecological enhancement features
20. Drainage Strategy
21. Drainage Verification
22. Pedestrian and cycle links
23. Palacefields crossing points (Grampian)
24. scheme of speed calming measures
25. Cycle parking
26. Vehicle access and parking constructed prior to commencement of use
27. Details and implementation of measures for low carbon and renewable energy proposals
28. Removal of permitted development rights

## **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 (2023);
- 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.