

APPLICATION NO:	24/00243/FUL
LOCATION:	Greenoaks Farm Industrial Estate, Warrington Road, Widnes, Cheshire, WA8 0SY
PROPOSAL:	Proposed nursing care home (Use Class C2: Residential Institution), associated access and parking
WARD:	Halton View
PARISH:	None
APPLICANT:	Mr. David Wormald Care Developments (Norther West) Ltd
AGENT:	Mrs Debbie Hume Strathmore Estates
DEVELOPMENT PLAN:	ALLOCATIONS:
Halton Delivery and Allocations Local Plan (2022)	Residential Development Allocation W31
Joint Merseyside and Halton Waste Local Plan (2013)	
DEPARTURE:	No
REPRESENTATIONS:	No representations have been received from the publicity given to the application.
KEY ISSUES:	Principle of development, requirement for residential care accommodation, design, amenity, access, parking and servicing.
RECOMMENDATION:	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 updated comments from MEAS.

SITE MAP:



1. APPLICATION SITE

1.1 The Site

The site subject of the application is the Former Greenoaks Farm Industrial Estate located on Warrington Road in Widnes.

The application site is allocated for residential development (allocation W31) on the Halton Delivery and Allocations Local Plan Policies Map and measures approximately 0.3 hectares of vacant brownfield land.

The site comprises a triangular area of derelict, scrub land fronting Warrington Road. It is bounded by residential properties on all three sides; Gregson Road to the north, Vineyard Way to the west and properties adjacent to the site on Warrington Road.

The site is located within Flood Zone 1 where there is a low probability of flooding and it is not situated within a Critical Drainage Area.

1.2 Planning History

The site has been subject to a number of planning applications, those of relevance are set out below:

08/00026/FUL - Proposed residential development comprising 10 No. semi-detached dwellings and 2 No. detached dwellings – Granted 07.03.2008.

08/00217/FUL - Proposed construction of three storey residential home for the elderly – Granted 10.06.2008.

11/00200/FUL - Application for a new planning permission to replace extant planning permission 08/00217/FUL, for proposed construction of three storey residential home for the elderly – Granted 13.09.2011.

14/00166/DEM - Proposed demolition of Industrial buildings – Granted 21.05.2014.

14/00269/S73 - Application under Section 73 of the Town and Country Planning Act to vary condition no.2 of Planning Permission 11/00200/FUL to replace approved drawings B09/0738-01 Rev B, 0738-02 Rev A, 0738-03 Rev B, 0738-04 Rev B, 0738-05 Rev A, 0738-06 Rev A, by amended drawings B09/0738-01 Rev C, 0738-02 Rev B, 0738-03 Rev C, 0738-04 Rev C, 0738-05 Rev B & 0738-06 Rev B to incorporate amendments to parking layout, internal alterations and additional/repositioned windows on NW, NE and SE elevations – Granted 10.09.2014.

21/00001/FUL - Proposed erection of three storey 20 bed specialist unit and 2 no. two storey 4 bed step down houses with associated parking and site improvements – Granted 06.09.2021.

2. THE APPLICATION

2.1 The Proposal

Proposed nursing care home (Use Class C2: Residential Institution), associated access and parking.

The accompanying Planning Statement states that this application is not speculative and has been designed specifically to meet the specifications of an established regional nursing care home operator.

2.2 Documentation

The planning application is supported by the following documents:

- Associated plans (All viewable through the Council's website)
- Planning Statement
- Design & Access Statement
- Transport Statement
- Arboricultural Impact Assessment
- Tree Survey & Tree Protection Plan
- Ecology Appraisal & Habitat Survey Map
- BNG Metric Calculation & BNG Assessment
- Drainage Statement
- Phase II Ground Conditions Investigation
- Carterwood 15 min Drive Time Analysis
- Demand Statement

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)12 Housing Mix and Specialist Housing;

- 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;
- RD5 Primary Residential Areas;
- 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

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.

Supplementary Planning Documents (SPD)

Design of Residential Development Supplementary Planning Document

MATERIAL CONSIDERATIONS

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

3.3 Nations Planning Policy Framework

The National Planning Policy Framework (NPPF) was first published in 2012 and updated 19 December 2023 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

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 surrounding residents were also notified by letter on 27.06.24.

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 condition and informative.
- **Merseyside Environmental Advisory Service**
No objection subject to the amendment of the submitted BNG Metric and accompanying information. This has been submitted by the

applicant and is under review by MEAS. An update will be provided at committee meeting.

- **Halton View Councillors**
No comments received to date
- **HBC Drainage**
No objection, suggested conditions.
- **HBC Highways**
No objection, suggested conditions and informative.
- **HBC Environmental Protection**
No objection subject to conditions
- **HBC Contaminated Land**
No objection, subject to conditions
- **HBC Open Spaces**
No objection subject to conditions
- **HBC Waste Services**
No comments received to date

5. REPRESENTATIONS

The application has been advertised by 43 neighbour notification letters sent on the 27th June 2024. No representations have been received.

6. ASSESSMENT

6.1 Principle of Development

Policy RD1 of the Halton Delivery and Allocations Local Plan indicates that the application site is designated as a residential development allocation (allocation W31) and sits within a wider primarily residential area. It is noted from the planning history set out at section 1.2 of this report that there have been a variety of residential uses approved at this location including the construction of a three storey residential home for the elderly in 2008 & 2011 and the construction of a three storey specialist unit in 2021.

It is considered that a residential development of this nature would be sympathetic to surrounding land uses and has historically been approved at this site. The principle of development is therefore acceptable in accordance with policies CS(R)3, RD1 and RD5 of the Delivery and Allocations Local Plan.

6.2 Specialist Housing and Locational Priorities

Policy CS(R)12 of the Halton Delivery and Allocations Local Plan relates to Housing Mix. It states that proposals for new specialist housing for the elderly, including extra-care and supported accommodation will be encouraged in suitable locations, particularly those providing easy access to local services and community facilities. The policy also goes on to state that

there will be a presumption against further Residential Care Accommodation resulting in or exacerbating an oversupply.

The application is supported by a Demand Statement prepared by Carterwood Analytics for a 15 minute drivetime catchment of the application site. The Statement analyses the catchment population demographics and provides a detailed analysis of the existing care home provision.

The Demand Statement confirms there is a significant demand for care homes, particularly nursing care homes within this catchment area. The report indicates that there is an undersupply of circa 245 nursing care beds. The report goes on to state that of the existing care bed spaces, only 65% of these have en-suite facilities and only 20% of these have full wet room facilities concluding that there is also a lack of quality bed spaces to meet current standards, as well as quantity.

Based on the submitted information, it is considered that the proposed development would not result in or exacerbate an oversupply of specialist housing and the development is acceptable in accordance with Policy CR(R)12 of the Halton Delivery and Allocations Local Plan. The site is in a sustainable location in relative close proximity to Widnes Town Centre and is accessible to local services and facilities.

6.3 Highways, Transport and Accessibility

The application is accompanied by a Transport Statement and Technical Note 1. The Highway Officer has noted that the principle of residential use on the site is considered to be acceptable as the site benefits from good links to sustainable modes of travel.

The latest layout has addressed previous concerns with regards to parking arrangements and quantity and the site layout now shows 29 car parking spaces on site with additional space for motorcycles and improved pedestrian access and routing.

The Highways Officer has advised that given the widening of the entrance, it is considered that the pedestrian crossing should be in the form of a continuous kerb type arrangement, on the desire line, to give priority to this mode as well as providing a traffic calming feature about the access arrangement. Detail for this can be dealt with under a s278 Agreement.

It should be noted that pedestrian accessibility to and from the site is stymied by a lack of dropped crossings, with tactile paving, along Warrington Road on both sides of the road at nearby junctions. The provision of off-site highway works can be secured by suitably worded conditions.

The Highway Officer has requested that a condition be attached securing the submission of a construction management plan. This is an issue for the

applicant to manage accordingly and it is considered reasonable to deal with this by way of an informative relating to the Considerate Contractors Scheme.

It is however considered reasonable to attach conditions which secure the implementation and maintenance of the car parking and servicing, cycle parking, electric vehicle charging provision and associated off-site highway works.

Based on all the above, the proposed development is considered to be acceptable from a highways perspective in compliance with Policies CS(R)15, CS(R)19, C1 and C2 of the Halton Delivery and Allocations Local Plan.

6.4 Flood Risk and Drainage

The application is accompanied by a Drainage Statement including a proposed drainage layout and SuDS maintenance requirements which has been reviewed by the Lead Local Flood Authority (LLFA).

The site is only 0.3ha in area, located in Flood Zone 1 (low probability of flooding) and not within a Critical Drainage Area. On this basis, a Flood Risk Assessment was not a requirement with this application.

The Lead Local Flood Authority consider that the applicant has adequately assessed the site with regards to the drainage hierarchy and agree with the assessment of flood risk to and from the site. The applicant has provided a clear drainage strategy and the LLFA have no objection to the proposed development subject to a number of conditions relating to SuDS implementation and management.

United Utilities have no objection to the proposed development subject to similar conditions suggested by the Lead Local Flood Authority.

The attachment of the suggested conditions would ensure that the proposal is acceptable from a flood risk and drainage perspective in compliance with Policy CS23 and HE9 of the Halton Delivery and Allocation Local Plan.

6.5 Noise

The application is not accompanied by a Noise Assessment, however the Environmental Health Officer notes that this is a brownfield site in a primarily residential area of the borough and is satisfied that the development can come forward in acceptable manner from a noise perspective and notes that the acoustic report for the adjacent residential development required a scheme of mitigation for the properties that faced out onto Warrington Road.

Based on the above, the Environmental Health Officer raises no objection to the proposed development subject to an acoustic assessment in respect of road traffic noise and implement any recommended mitigation measures

accordingly to ensure that the sound levels specified in BS BS8233:2014 are met which can be secured by condition.

The Environmental Health Officer has also suggested a condition restricting construction hours which is considered reasonable.

Subject to the suggested conditions, the proposal is considered acceptable from a noise perspective in compliance with Policies CS23, GR2 and HE7 of the Halton Delivery and Allocations Local Plan.

6.6 Ground Contamination

The application is accompanied by a Phase II Ground Condition Investigation Report.

This has been reviewed by the Contaminated Land Officer and they consider the report and its recommendations which include a remediation strategy to be acceptable. They advise that a condition should be attached which secures the implementation of the remediation strategy and the submission of a verification report on completion of the works.

The attachment of the suggested condition above will ensure compliance with Policies CS23, HE7 and HE8 of the Halton Delivery and Allocations Local Plan.

6.7 Ecology

The applicant has submitted an ecology report in accordance with DALP policy HE1, which meets BS 42020:2013 and is accepted. A Biodiversity Net Gain (BNG) assessment report has also been submitted which has minor limitations, however these do not affect the conclusions of the report and the report is accepted by the Council's Ecology Advisor: MEAS.

The BNG calculation for the application site has achieved 12.32% net gain, which is in excess of the required 10%, however the Biodiversity Metric provided cannot be accepted at this time due to a number of limitations, and discrepancies between the metric and the baseline Condition Assessment.

An amended Metric and Condition Assessment are required prior to determination. This amended information has been provided by the applicant and comments are awaited from MEAS. An update will be provided to the Committee at the meeting.

A number of suggested conditions have been provided to be attached to any subsequent planning permission. The conditions relate to breeding bird protection, bird and bat boxes and reasonable avoidance measures for

terrestrial mammals. Additional conditions may be recommended following the final comments from MEAS.

The attachment of the suggested conditions above will ensure compliance with Policies CS(R)20, CS(R)21, HE1 and HE4 of the Halton Delivery and Allocations Local Plan.

6.8 Trees

The application is accompanied by an Arboricultural Impact Assessment, Tree Survey and Protection Measures.

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

The proposal would result in the loss of some existing trees located on the site, however it is considered that a replacement planting scheme would mitigate for their loss. An indicative scheme is shown on the site plan, however the submission of a detailed scheme, its implementation and maintenance should be secured by condition. The trees that are to be removed along the site frontage are done so to enable the creation of satisfactory visibility splays from the site access. There is scope to plant new trees along the site boundary to compensate for their loss (which has already been established as acceptable by historic planning applications for the site).

For the existing trees which are to be retained, it is considered reasonable to attach a condition which secures appropriate tree protection measures throughout the construction phase.

Based on the above, the proposal is considered acceptable from a tree perspective in compliance with Policy HE5 of the Halton Delivery and Allocations Local Plan.

6.9 Layout

The proposed site layout is considered to provide active frontages, appropriate relationships with existing dwellings in the locality and sufficient parking provision.

The layout provides separation in accordance with the privacy distances for residential development set out in the Design of Residential Development Supplementary Planning Document and so the proposed development would not result in a detrimental impact on the residential amenity or privacy enjoyed by existing surrounding properties.

It is considered that an acceptable scheme having regard for the site's topography can be achieved. A condition securing the submission of proposed site levels and their subsequent implementation is suggested.

With regard to private outdoor space, it is considered that reasonable private garden space for use by the residents is provided for the specialist accommodation proposed.

It is noted that the surrounding area includes a variety of property types including terraced houses, semi-detached houses and apartment blocks. It is considered that the proposed development would have regard for and respect the site surroundings.

The site plan details an appropriate range of boundary treatments according to their location within the scheme. A condition is suggested which secures the implementation and subsequent maintenance.

The layout of the proposed development is considered to be acceptable and compliant with Policies CS(R)18, RD5, GR1, GR2 and GR3 of the Halton Delivery and Allocations Local Plan.

6.10 Scale

The proposed building would be three storey in height. The principle of this height has been established by past planning permissions approved for this site and so the three storey building is considered to be acceptable in principle. There is a three storey building to the west of the application site on the corner where Warrington Road meets Page Lane and so a building three stories in height would not appear incongruous. Having regard for the scale of the buildings in the surrounding area the proposed development is considered to be acceptable in respect of scale.

The proposal is considered to be acceptable in terms of scale and compliant with Policy RD5 and GR1 of the Halton Delivery and Allocations Local Plan.

6.11 Appearance

The submitted elevations show that the proposed building would be of an appropriate appearance with some variety in materials to add interest to the overall external appearance. The submission of precise external facing materials should be secured by condition along with implementation in accordance with the approved details. This would ensure compliance with Policies CS(R)18, RD5, GR1 and GR2 of the Halton Delivery and Allocations Local Plan.

6.12 Open Space

The proposed development is for a privately run, 60 bed nursing care home for the frail elderly, with associated communal and staff facilities to support 24/7 round the clock, nursing care for elderly residents. Based on the proposed use and the level of care proposed, it is not considered that the residents using the proposed development would create or exacerbate a projected quantitative shortfall of greenspace. The requirements of Policy RD4 therefore do not apply. It is considered that the proposed development will provide reasonable private garden space for use by the residents.

6.13 Sustainable Development and Climate Change

Policy CS(R)19 of the Halton Delivery and Allocations Local Plan outlines some principles which will be used to guide future development.

The supporting text for policy CS(R)19 states that new development will be encouraged to incorporate current best practice in sustainable design and construction. In achieving this, development proposals must offer an integrated approach to sustainable development incorporating climate change resilience and carbon management measures.

Policy GR1 also states that all major development proposals involving the construction of new buildings must demonstrate how sustainable design and construction methods will be incorporated to achieve resource efficiency and resilience to climate change in accordance with policy CS(R)19 taking into account the site specific viability of the development, where appropriate. The attachment of a condition securing the submission of a scheme detailing such matters along with their subsequent implementation will ensure compliance with Policy CS(R)19 and GR1 of the Halton Delivery and Allocations Local Plan.

6.14 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 the developer would be required to produce a Site Waste Management Plan. The submission of a waste audit should be secured by condition. In terms of on-going waste management, there is sufficient space within the development to deal with this as demonstrated by the proposed site layout.

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.

7. CONCLUSIONS

Based on the above assessment, it is considered that the proposed scheme would not have an adverse impact that would outweigh its benefits through the delivery of residential accommodation on this vacant site in a manner which would be sympathetic to surrounding land uses. The proposed development would also create employment opportunities with the peak full time staffing number being 53.

The proposed development would deliver residential development in a residential allocation (W31) sat within a wider primarily residential area, as designated on the Delivery and Allocations Local Plan Policies Map.

The development of this site would result in the only vacant site in the immediate locality being brought back to use in line with the desire to make effective use of previously developed land.

The applicant has demonstrated the need for this type of development and this is considered to be acceptable in accordance with Policy CS(R)12 of the Delivery and Allocations Local Plan.

The proposed site layout is considered to provide active frontages, appropriate relationships with existing dwellings in the locality. A reasonable private garden space for use by the residents would be provided and it is considered that an appropriate soft landscaping scheme including replacement tree planting can be achieved.

The application site provides an opportunity for regeneration as it currently comprises a vacant, derelict, demolished urban site, detracting from the appearance of the surrounding area. This is a highly sustainable, brownfield site surrounded by residential development. The proposal is considered to be acceptable and the application is recommended for approval subject to conditions.

8. RECOMMENDATION

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 updated comments from MEAS. Additional conditions may be recommended subject to comments from MEAS.

9. CONDITIONS

1. Time limit
2. Approved plans
3. Restriction on use
4. Submission of proposed site levels

5. Submission of facing materials
6. Boundary treatment details
7. Submission of soft landscaping scheme
8. Tree protection measures
9. Breeding bird protection
10. Submission of Bird and Bat boxes scheme
11. Hours of construction
12. Submission of an acoustic report
13. Implementation of remediation strategy and submission of validation report
14. Surface water SuDS
15. SuDS verification report
16. United utilities surface water drainage
17. Off-site highways works
18. CEMP – include rams
19. SWWMP
20. Sustainable development and climate change

Informatives

1. Considerate Constructor Scheme Informative
2. United Utilities Informative
3. Highway drainage
4. Highways informative
5. Japanese Knotweed Monitoring

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 (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.