

APPLICATION NO:	25/00107/OUT
PROPOSAL:	Outline planning application for up to 94 dwellings with all matters reserved except for access at Land At Hilltop Farm Windmill Lane Preston On The Hill WA4 4AZ
WARD:	Norton South & Preston Brook
PARISH:	Preston Brook
APPLICANT:	Messrs M And S Rutter
AGENT:	Emery Planning
DEVELOPMENT PLAN: Halton Delivery and Allocations Local Plan (2022) Joint Merseyside and Halton Waste Local Plan (2013)	ALLOCATIONS: Residential Allocation P1 Visitor Attractions
DEPARTURE:	No
REPRESENTATIONS:	34 Objections
KEY ISSUES:	Principle of development, highways, drainage, ecology, developer contributions, residential amenity, affordable housing, contaminated land, open space provision, noise, design
RECOMMENDATION:	Approve subject to condition and legal agreement.

SITE MAP



1. APPLICATION SITE

1.1 The Site

The site subject of the application comprises 3.31Ha of land most recently in use as an electric motorcross facility. The site is currently vacant

The application site forms Residential Allocation P1 within Policy RD1 as defined within the Halton Delivery and Allocations Local Plan policies map.

The site is located east of the A56 Chester Road, access is gained to the south off Hill Top Road and it is proposed to form an access to the east off Windmill Lane, between Hill Top Farm and Hill Top Cottage

The site is significantly higher at the eastern boundary on Windmill Lane than the western boundary at Chester Road.

Planning History

10/00109/COU- (PER) -Proposed change of use of agricultural land to create an electric bike trail, conversion/redevelopment of existing buildings (to form reception/cafe, bike prep station, secure storage/workshop, toilet facilities and office) together with car parking, new vehicular/pedestrian access and ancillary development at

17/00018/FUL- (PER) -Proposed demolition of existing barns and erection of replacement building to provide workshop, storage and office space at

25/00107/OUT- (PCO) -Outline planning application for up to 94 dwellings with all matters reserved except for access at

2. THE APPLICATION

2.1 The Proposal

Permission is sought for the erection of up to 94 dwellings, served by two separate accesses, one off Hill Top Lane and one off Windmill Lane. The application is made in outline form with access details submitted for approval and all other matters (scale, layout, appearance, landscaping) reserved for subsequent assessment.

A pedestrian and cycle link would be provided between the site and onto the A56 Chester Road to provide improved pedestrian and cyclist links to the nearby canal.

2.2 Documentation

The application is supported by the following documentation:

Planning Application Forms

Planning Statement

Location Plan

Indicative Layout showing proposed access points and cycle/pedestrian link

Indicative Masterplan

Add list can be forms plans and the following documents desnt have to be too detailed

3. POLICY CONTEXT

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

3.2 Halton Delivery and Allocations Local Plan (2022)

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

CSR1 - Halton's Spatial Strategy

CSR12 - Housing Mix and Specialist

CS(R)3 Housing Supply and Locational Priorities;

CS(R)7 Infrastructure Provision;

CS(R)12 Housing Mix and Specialist Housing;

CSR13 - Affordable Homes

CSR21 - Green Infrastructure

HC10 Education

RD1 - Residential Development Allocation

RD4 - Greenspace Provision for

RD5 - Primarily Residential Areas

C1 - Transport Network and Accessibility

C2 – Parking Standards

HE1 - Natural Environment

HE4 - Greenspace and Green Infrastructure

HE5 - Trees and Landscaping

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;

3.3 Supplementary Planning Documents (SPD)

Design of Residential Development SPD

Designing for Community Safety (2005)

Draft Open Spaces Supplementary Planning Document (2007)

3.4 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.

4. MATERIAL CONSIDERATIONS

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

4.2 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was updated in December 2024 to set out the Government's planning policies for England and how these should be applied.

4.3 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.

4.4 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.

5. CONSULTATIONS

The application has been advertised via the following methods: A press advert in the Widnes and Runcorn Weekly News on 20th March 2025, site notices posted near to the site on 13th March 2025 and on the Council's website. Neighbour consultation letters were sent to 116 neighbouring properties on 13th March and 1st October 2025.

34 letters of objection were received as a result of this publicity.

The objections relate to:

- Position of cycle route
- Overlooking and loss of privacy
- Unsafe access arrangements
- Increase in traffic
- Flooding
- BNG

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

Bridgewater Canal Trust

No comments received

Environment Agency

No comments received

Highways

Following receipt of amended plans, no objections subject to conditions.

The difference in topography of the site would dictate development of two separate parcels of land. Each of the proposed accesses would utilise existing infrastructure which is sustainable and accessible.

The sustainable link to the south is necessary and is considered acceptable.

The proposal would not present a severe detrimental impact on the immediate or local network in terms of traffic generation.

LLFA

The submitted flood risk assessment is acceptable however further information is required in relation to the drainage strategy of the site to ensure that there would be no increase in flood risk following development of the site. The LLFA is satisfied that this can be dealt with by condition.

Environmental Protection

A scheme of acoustic mitigation would be required to ensure that the development would not be subject to unacceptable noise levels.

As the application is made in outline form, this would be dealt with by a condition with details required to be submitted as part of a future Reserved Matters application.

No objections subject to conditions relating to acoustic mitigation, hours of construction, and a dust and air quality assessment being submitted.

Contaminated Land Officer

The application has been accompanied by a Phase II investigation and a ground gas addendum.

No objections subject to conditions relating to remediation and validation methodology and a verification report on completion of the works.

Open Spaces

There are a number of TPOs adjacent the site, these trees must be protected by development works. No objections subject to conditions relating to tree protection and protection of small mammals during construction.

Open Spaces Design and Development

The landscaping banks shown on the indicative masterplan are of concern in terms of maintenance and security issues and should be removed from the development.

A Landscape and Ecological Management Plan will be required to be submitted, this can be dealt with by condition.

As the application is in outline form with only Access details submitted for approval, it is not deemed necessary to require a revised layout as the masterplan will not form an approved plan and is indicative only.

MEAS

The BNG information submitted demonstrates a net loss, as such, off site mitigation must be achieved and the standard mandatory condition can be imposed.

A Habitat Management and Monitoring plan is required, however this can be dealt with by condition.

Cheshire Police

The site will be bounded by trees and hedges which helps limit routes an offender could take. Permeability is not excessive.

Comments were made relating to the development being designed to offer natural surveillance and it would be fully assessed upon submission of a future Reserved Matters application.

Preston Brook Parish Council

No comments received

United Utilities

No objections subject to conditions relating to separate foul and surface water systems.

6. REPRESENTATIONS

6.1 Consultation letters were sent to 116 neighbouring properties, 2 site notices were posted and the development was advertised in the local press. 34 letters of objection were received as a result of this publicity.

The objections relate to:

- Position of cycle route
- Overlooking and loss of privacy
- Unsafe access arrangements
- Increase in traffic
- Flooding
- BNG

7. ASSESSMENT

7.1 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 P1. 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 W4 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 P1 covers approximately 4.89 Ha and has a notional capacity of 117 units/dwellings. The current application relates to 3.31Ha and proposes outline provision of up to 94 dwellings on the site, the Council's Highways Engineers are satisfied that the access can accommodate the development, it is considered that the principle of the proposed development therefore accords with Policy RD1 of the Delivery and Allocations Local Plan.

In line with the DALP, the site was considered capable of providing a density of 23.9 dwellings per hectare, which is below the minimum 30 dwellings per hectare set out in Policy CS(R)3, however given the site context and topography it was considered the site would be unable to offer the 30 dwellings per hectare. The indicative masterplan includes the provision of 1 bedroom dwellings which demonstrate that the site can offer a density of 28.4 dwellings per hectare would be considered acceptable in this instance, given that it is an increase in the notional number indicated in the DALP and closer to the minimum 30 dwellings per hectare that the DALP seeks to achieve.

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.

7.2 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 bedroomed. 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 current application is made in Outline only with all matters other than access reserved for a subsequent application, however it is anticipated that the developer will offer a suitable mix of house types.

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.

7.3 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 Councils ambition for affordable housing delivery, at 74% social rent and 26% intermediary. Notwithstanding this detail, the Government published updated national guidance on the delivery of First Homes since the DALP examination in public.

The applicant proposes to provide 20% Affordable Housing, to be detailed within a legal agreement which will include the 74% affordable rent and 26% intermediary tenure split in order to comply with Policy CS(R)13

6.4 Residential Site Layout and Residential Amenity

The layout on the indicative masterplan 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. Although the landscaping between dwellings would not be considered appropriate, given the masterplan is indicative only, full consideration will be given to the design and layout of the site at Reserved Matters stage.

The proposed development will be expected to comply 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.

It is expected that the Reserved Matters scheme will be designed to accord with this standard and would ensure that each property has a usable private outdoor space.

With regard to the amenity of the occupiers 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.

Given the site topography, a condition requiring submission of site and finished floor levels will be imposed to ensure the development is of an appropriate character and does not compromise residential amenity.

On this basis, the proposal 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.

7.5 Appearance

Appearance will be dealt with at Reserved Matters stage, however it is expected that 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.

The Reserved Matters application will be expected to be of a design to respect the character of surrounding properties in order to comply with Policies CS(R)18 and GR1 of the Halton Delivery and Allocations Local Plan.

7.6 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 of the starting points in drawing up the design of a new development.

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 (m²/person) and considering the quantity and proximity of existing supply within the area.

The application is made in outline form, as such, provision of open space will be dealt with under a legal agreement to ensure sufficient provision either on site or off site through the payment of a commuted sum for off-site provision.

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

6.8 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.

The application is accompanied by a tree survey and ecological assessment. There are a number of protected trees adjacent the site and protection measures will be required to be secured by condition prior to any development taking place.

The Council's Open Spaces and trees Officer are satisfied that the development can be carried out without significant loss of trees and habitat and recommend conditions to ensure no significant harm is caused.

Comments are awaited from the Council's ecology adviser on the recent updated submission. Members will be updated.

7.8 Highway Considerations

There are considerable topographical constraints i.e. level differences. This has effectively dictated development of two separate parcels of land.

Each parcel offers an all mode access about a priority junction with existing infrastructure; both are considered satisfactorily sustainable and accessible.

The southern parcel offers an additional sustainable link, which is considered necessary (see off-site works condition) albeit erroneously titled 'potential' in the submission drawing SCP/220857/D01 Rev E, titled Visibility Splays and Potential Active Travel Link,

The two parcels are illustrated to be linked, though above mentioned topography constraints preclude this from meeting inclusivity standards throughout, this is satisfactory..

Whilst the application is Outline with all matters reserved, expect for access, considerable work has been undertaken to offer a site layout and internal highway arrangement that meets acceptability in terms of gradients etc.

The traffic generation is not considered to present a severe detrimental impact on the immediate, or local network. Further, the application is for 94No houses against a notional capacity of 117 for the allocated site.

Highways raise no objections, subject to conditions.

Offsite highways works are required comprising:

- Onward connection of the sustainable -3m shared pedestrian cycle path – link (between the development's spine road and the A56 about the rear of the Chapel House Option B3 Internal Active Travel Link Dwg SEA358-XX-BET-XX-XX-XX-C-

B3 Rev A) to the junction with Hill Top Road. This should be 3m in width, wherever possible, to provide continuance of the pedestrian cycle shared path.

- Crossing and receptors across the junction of Hill Top Road to provide continuance of the above mentioned provision towards Preston on the Hill, with transition feature for bikes to (re)join carriageway (southwards), as mentioned in the Road Safety Audit, and in accordance to LTN 1/20 and local standards.
- A suitable (signal) controlled crossing, across the A56, location and detail to be decided by analysis, review and agreement with HBC Highways. This might require additional footway width; to safely and comfortably accommodate those waiting to cross without obstruction to those traveling past.

The position/type of the crossing will likely require repositioning of the speed limit extent, and associated signage and TRO, at the applicant's expense.

- Suitable crossing points/receptors for pedestrians about the Windmill Lane access to facilitate all movement directions.
- Signing and lining, if applicable, associated with any of the above, as well as TRO amendments.

The Council's Highway Officer has requested that a condition be attached securing the submission of a Construction Management Plan (CMP) to address construction phase impacts of the scheme. The National Planning Policy Framework makes clear that planning conditions should be kept to a minimum and only used where they satisfy 6 tests. Planning Practice Guidance also makes clear that conditions requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning. It is considered that likely construction phase impacts are largely covered by other legislation. Experience has demonstrated that this requirement also raises unrealistic expectations about the enforceability of such conditions. This is considered an issue for the developer to manage, and it is considered reasonable to deal with this by way of an informative relating to the Considerate Contractors Scheme.

7.9 Flood Risk and Drainage

- The site is described as 3.310ha and is considered to be a Greenfield site.
- The proposed development is classified as more vulnerable to flood risk as is defined within Planning Practice Guidance.
- A Flood Risk Assessment and Drainage Schematic Drawing have been prepared in support of the application.

The LLFAs comments on the Flood Risk Assessment are:

- Fluvial / tidal flood risk
 - o The nearest watercourse to the site is Keckwick Brook which is located approximately 300m southwest of the site.
 - o The Mersey Estuary is the closest tidal source and is located 7km west of the site.
 - o The entire site is located within Flood Zone 1.
 - o The proposed residential development is appropriate for Flood Zone 1.
 - o The LLFA are satisfied with this assessment.
- Surface water flood risk
 - o This assessment indicates that the development site is entirely at very low risk of surface water flooding based on the EA surface water flood risk map extract.
 - o An assessment of levels has determined that there is no risk of overland flows entering the site from the residential properties to the east, with the site generally falling steeply to the west.
 - o The site is on a steep slope and any overland flows from the proposed development must be carefully controlled to avoid increasing flood risk on or off site.
 - o The LLFA would require exceedance flow plans showing how overland flow routes are managed on site.
 - o The LLFA is satisfied with this assessment.
- Groundwater
 - o Groundwater flooding is not considered to be a major risk according to the HBC SFRA.
 - o It is proposed that FFLs are elevated above external levels.
 - o The LLFA is satisfied that the proposals with regards to groundwater flooding.
- Flooding from artificial sources.
 - o The LLFA is satisfied that due to the topography of the site the risk from artificial sources such as sewers, canals and reservoirs would be low for the site.

Drainage Strategy

- Discharge location
 - o The site comprises a Greenfield land classification.

- o It is noted on the GA drawing that infiltration has been discounted at this stage although no reasoning has been provided. Falling head tests undertaken as part of the GI have suggested some potential for infiltration so soakaway testing to BRE365 will be required to fully discount infiltration as an option.

- o It is proposed that surface water runoff discharges into the Bridgewater Canal 50m west of the site via an existing outfall pipe.

- o If infiltration is confirmed as not viable then the LLFA approve of this approach to surface water discharge however proof of an agreement to discharge into the Bridgewater Canal with the owners Peel is required.

- Assessment of SuDS

- o During the pre-application stage work was undertaken by the applicant to show the potential for surface-based SuDS systems on site. It was confirmed that due to the steep topography of the site providing a large surface-based SuDS system such as a pond is not viable.

- o Evidence of this work identifying and discounting SuDS on the site should be included within an updated drainage strategy.

- o The current proposal shows that attenuation is provided in a combination of geocellular storage and oversized pipework.

- o Based on the work undertaken at the pre-app stage the LLFA find this approach acceptable.

- Runoff Rates

- o It is proposed that the discharge rate is limited to the greenfield runoff rate, calculated as 12.7l/s.

- o It is noted that the calculated greenfield runoff rate is based on the entire site area and not just the contributing impermeable area of the site. The LLFA would require the greenfield runoff rate to be adjusted based on the impermeable area.

- o If infiltration is confirmed as not viable on site, then the LLFA agree with the proposal to discharge at the greenfield runoff rate but would require this to be recalculated as outlined above.

- Drainage Performance

- o The FRA suggests that 1213m³ – 1625m³ of attenuation is required for the 1 in 100 year +45% rainfall event.

- o However, no MicroDrainage calculations have been provided to confirm there is no flooding from the drainage system for the 1 in 100 year +45% for climate change return period.

- o The LLFA finds the 45% allowance for climate change acceptable but require hydraulic modelling calculations to confirm the performance of the drainage system.
- o Flood exceedance and overland flow routes have been considered in the FRA however no drawings have been provided showing the proposed routes.
- Maintenance and management
 - o There is no mention in the FRA or on the drainage drawing indicating who will be responsible for the future ownership/management of the proposed drainage system or any maintenance strategies.

In summary, the LLFA agrees with the assessment of existing flood risk to the site, however further information will be required to confirm there is no increase in flood risk from the development of the site. In addition, the applicant has not provided a drainage strategy which will be required by condition.

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.

7.10 Ground Contamination

The application was accompanied by a site investigation report, which has been assessed by the Council's Contaminated Land Officer. The Contamination Officer is satisfied that the development can be carried out subject to a further site investigation and a watching brief condition being imposed.

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.

7.11 Noise

The application is supported by an acoustic report. The Council's Environment Health Officer recommended conditions to ensure that the new dwellings have suitable noise mitigation measures, details of which will be required under the subsequent Reserved Matters application.

A condition is also required relating to construction timings, and dust during construction. The proposed development can demonstrate compliance with Policies CS23, HE7 and GR2 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 or under a future Reserved Matters application.

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.

7.14 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.

Electric vehicle charging points and inclusion of low carbon and renewable energy proposals can be secured by a suitably worded planning condition or detailed within a subsequent Reserved Matters application

As such, the proposal is considered to accord with Policies CS(R)19 and GR5 of the Halton Delivery and Allocations Local Plan.

8 PUBLIC OPEN SPACE, AFFORDABLE HOUSING AND GREEN BELT COMPENSATION

The DALP, in accordance with NPPF 2021 requires that developments on land released from the Green Belt:

“Provides new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.”

The NPPF has since had several updates and the latest 2024 NPPF states that developments on land released from the Green Belt:

“Provides new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a

short walk of their home, whether through onsite provision or through access to offsite spaces.”

The updated NPPF is therefore the most recent Policy which developments should be assessed against. In this case, the proposed development would provide a new pedestrian/cycle path which would directly link the proposed development to adjoining green space, including the adjacent canal network. This element of the proposal will form part of the approved plans and will be conditioned to ensure its implementation.

As the application is made in Outline format, provision of Public Open Space would be secured by a legal agreement, in which it would set out financial contributions for off-site Public Open Space where it cannot be provided on-site. Full details would be considered under a future Reserved Matters application.

The proposed development would fully comply with the requirements for provision of Green Belt compensation, Public Open Space and Affordable Housing provision on site.

9. CONCLUSIONS

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.

9. RECOMMENDATIONS

The application is to be approved subject to the following:

- a) S106 agreement relating to off-site highway works, Open Space, Affordable Housing, habitat loss compensation and Green Belt 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 Outline Condition
- 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. Finished Floor Levels
16. Breeding birds
17. Drainage Strategy
18. Drainage Verification
19. Pedestrian and cycle links
23. scheme of offsite highway works

11.BACKGROUND PAPERS

The submitted planning applications are background papers to the report. Other background papers specifically mentioned and listed within the report are open to inspection by contacting dev.control@halton.gov.uk

12.SUSTAINABILITY STATEMENT

As required by:

- The National Planning Policy Framework (2024);
- 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