

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 9 March 2015 at the Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Morley (Vice-Chairman), Cole, R. Hignett, S. Hill, June Roberts, Rowe, J. Stockton, Thompson, Wainwright, Woolfall and Zygadlo

Apologies for Absence: Councillor C. Plumpton Walsh

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, M. Noone, A. Plant, G. Henry, P. Shearer and J. Farmer

Also in attendance: Three members of the public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

DEV45 MINUTES

The Minutes of the meeting held on 9 February 2015, having been circulated, were taken as read and signed as a correct record.

DEV46 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE

The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.

DEV47 - 14/00613/FUL - PROPOSED DEVELOPMENT OF AN INCINERATOR BOTTOM ASH RECYCLING FACILITY AT JOHNSONS LANE, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

Members were advised that further information had been received with regards to the control of dust. The applicant had submitted a Fugitive Emissions Management

Action

Plan, which demonstrated that through the consideration of risks and implementation of mitigation measures there would be no unacceptable adverse environmental effects arising from fugitive emissions, and no consequential detriment (including airborne dust) reaching any nearby sensitive receptors as a result of the proposed development operations. However, Officers recommended an additional condition for the submission of an amended fugitive emissions management plan that included a monitoring scheme to be agreed and a review mechanism.

Further, it was noted that condition 5 on page 15 of the agenda provided a condition for a management plan to control dust and debris and to prevent it from being tracked into the public highway.

RESOLVED: That the application be approved subject to the following conditions:

1. Time limit on commencement of development;
2. Condition listing approved plans and document – (BE1);
3. Development shall be carried out and operated in accordance with the submitted floor risk assessment (PR16);
4. Development shall be carried out and operated in accordance with the submitted noise risk assessment (PR2);
5. Condition for dust management plan to ensure prevention and control of any mud or debris tracked offsite (PR1);
6. Condition requiring submission of building materials (BE2);
7. Condition requiring the submission of details of drainage condition(s) (BE1);
8. Boundary treatments (BE22);
9. Submission and agreement of finished floor and site levels (BE1);
10. Construction of Traffic Management Plan (BE1);
11. Condition in relation to breeding birds (GE21);
12. Condition requiring the submission of a Construction Management Plan (BE1);
13. Condition requiring the submission of details of secure covered cycle parking (TP6);
14. Condition restricting use to the operation of an Incinerator Bottom Ash Recycling Facility (BE1, WM1 and WM13);
15. Condition limiting stockpile heights to a maximum of 12 m (BE1);
16. Condition stating no substances / material shall be

- burnt on site (PR1);
- 17. Condition controlling hours of operation (BE1); and
- 18. Condition(s) relating to submission of landscaping and habitat mitigation (BE1 and GE1); and
- 19. Amended fugitive emissions management plan.

DEV48 - 14/00658/FUL - PROPOSED CONSTRUCTION OF INDUSTRIAL / STORAGE BUILDING (USE CLASSES B2 AND B8) ASSOCIATED PARKING, SERVICING AREAS, PLANT AND BUNDS, FENCING, LANDSCAPING AND ANCILLARY WORKS ON LAND NORTH OF BOWMANS CHEMICAL WORKS, GORSEY LANE, WIDNES, WA8 0YZ

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

The Committee was advised that with regards to Section 6.3 of the report (Highways), the applicant had now provided acceptable amended plans moving the southern access further north away from the existing office building so as to improve highway visibility. The access had also been widened, and tracking of HGV's provided to demonstrate that it would be acceptable. The Highways Engineer had now confirmed that the proposal was now acceptable.

RESOLVED: That the application be approved subject to the following conditions:

1. Time limit on commencement of development;
2. Approved plans (BE1);
3. Materials (BE2);
4. Drainage condition(s) (BE1);
5. Boundary treatments (BE22);
6. Submission and Agreement of finished floor and site levels (BE1);
7. Construction Traffic Management Plan (BE1);
8. Condition(s) in relation to details of off-site highways works including making good of existing vehicle access crossings, and bus stop relocation;
9. Nesting birds conditions (GE21);
10. Condition to provide details of bird and bug boxes (GE21);
11. Details of secure covered cycle storage (TP6);
12. Condition restricting external storage (E3 and E5); and
13. Condition(s) in relation to contaminated land and remediation (PR14 and CS23).

DEV49 - 14/00665/FUL - PROPOSED DEMOLITION OF EXISTING BUILDINGS AND DEVELOPMENT COMPRISING 18 NO. DWELLINGS, ASSOCIATED ACCESS AND OPEN SPACE AT MANOR FARM, MANOR FARM ROAD, RUNCORN, WA7 1TE

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

The Committee was provided with the following updates since the publication of the agenda:

- Ecology and woodland – Further submissions of the following were received: Preliminary Ecological Appraisal; Bat Scoping Survey and Great Crested Newt Method Statement. The Council's Open Spaces Officer had confirmed that the mitigation measures contained within these reports were acceptable.
- Officers advised that although an ideal buffer between the development and the woodland would be 5m, it was considered, given the previous permission for residential, which did not contain this, and that there was no statutory requirement for any buffer provision, the 2m proposed was considered acceptable. The 2m buffer would be planted with dense spiny native understory mix to maximise the function of the 2m strip. The applicant also provided clarification on the future management of the 2m buffer zone between the site and the wood, which would be a management agreement and was contained within the submitted Landscape Strategy.
- Boundary Treatments – The applicant had provided further drawings which sought to minimise disturbance to existing boundary treatment whilst ensuring that the western end of the site was secure and would result in no significant impact on the privacy of existing residents. Appendix 1 attached to the update list provided drawings and photographs to enable members to understand the arrangement of the boundaries on this part of the site, where it affected in the main, existing residents. It was considered that the applicant had provided a satisfactory form of a mix of boundary treatments which addressed the individual concerns of the existing residents whilst maintaining acceptable visual amenity standards and in doing so complied with

policies BE1, BE2 and BE22 of the Halton UDP. Officers recommended a condition for the maintenance of these approved boundaries throughout the lifetime of the development.

Officers advised that representations had been received from the owners of properties adjacent to the site: numbers 1, 14 and 15 Manor Farm Mews in relation to the treatment of the boundaries. Their comments on the latest amended boundary drawings were summarised for Members.

Mr Tim Sly, the owner of a site opposite the application site, addressed the Committee on behalf of the residents of Manor Farm Mews. He raised concerns around the boundary treatment of the site, the removal of the existing wall and the raising in height of the new wall; concerns that the green screen would be inadequate as a replacement for the wall; responsibility for future maintenance of the green screen; the proximity of the ground works to residents properties; potential for root damage in the future; and loss of privacy for existing residents. Mr Sly also suggested that there would be disruption to local businesses during demolition and that asbestos was in the farmhouse wall; he requested additional conditions with regards to controlling noise and dust. He also queried the Traffic Management Plan for construction traffic at peak times and requested further conditions enforcing the flow of this.

The Committee was then addressed by Alison Freeman, the applicant, who stated that they had worked very closely with the Planning Officer on the boundary treatments. Further she advised that the scheme had been amended to include a 1.5m 'living fence' (green screen). She confirmed that the fence would not touch the boundary of existing residents' properties and that it would be maintained and managed by the applicant as explained in the updates above.

Members discussed the application and were satisfied that the concerns of the residents had been dealt with and were subject to conditions already listed in the report. It was noted that the demolition of the site and related safety matters would be dealt with by the Health and Safety Executive.

An additional condition was requested in relation to tactile crossings and the maintenance of the boundary treatment.

RESOLVED: That the application be approved subject to a Section 106 Agreement for a contribution towards off site open space and the following conditions:

- 1) Time limit – full permission;
- 2) Approved plans (BE1 and BE2);
- 3) Legal agreement with Woodland Trust for tree works in woodland adjacent to the site (BE1 and GE27);
- 4) Submission of existing site levels and proposed site and finished floor levels (BE1);
- 5) Facing materials (BE1 and BE2);
- 6) Landscaping (BE1);
- 7) Boundary Treatments Scheme (BE22);
- 8) Tree protection measures (BE1 and GE27);
- 9) Breeding birds protection (GE21);
- 10) Recording and analysis of farmhouse and buildings (BE1);
- 11) Submission of a revised wildlife mitigation strategy (GE27);
- 12) Removal of Permitted Development Class A and E – Plots 3; 6; and 7 (BE1);
- 13) Hours of construction (BE1);
- 14) Submission of a Construction Management Plan (Highways) (BE1);
- 15) Ground contamination (PR14);
- 16) Provision and retention of parking (BE1);
- 17) Drainage strategy (PR16);
- 18) Submission of details of street lighting (BE1);
- 19) Provision of tactile crossings; and
- 20) Maintenance of the boundary treatment.

DEV50 - 15/00015/FUL - PROPOSED DEVELOPMENT OF 4 NO. THREE BEDROOM HOUSES, 2 NO. TWO BEDROOM BUNGALOWS AND 6 NO. ONE BEDROOM FLATS, ACCESS ROAD, CAR PARKING, CYCLE PARKING AND LANDSCAPING ON LAND AT CROSSWAY, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

Officers referred to the representations made against the proposal, in particular to the 'loss of a public right of way'. It was reported that those referred to were not formally designated as rights of way and therefore did not materially affect the determination of the planning application. However, the designated public right of way to the north connecting eastway to Hale Road was retained.

It was noted that the site was not currently owned by

a registered provider (RSL previously) so in order to secure compliance with Core Strategy Policy CS13, an additional condition securing affordable housing provision was recommended. A condition relating to submission and agreement of cycle shelter details was also recommended.

The Committee was addressed by Mrs Andrea Young, a neighbouring resident who objected to the proposal. She argued that there would be a loss of greenspace; that the proposed flats would overlook the existing houses; and there would be an increase in traffic in the area.

Members considered the application and agreed to approve subject to the conditions listed below.

RESOLVED: That the application be approved subject to:

- a) entering into a Legal Agreement or other agreement for the provision of a financial contribution towards off-site public open space.
- b) conditions relating to the following:
 - 1) Standard 3 year permission (BE1);
 - 2) Condition specifying plans/amended plans (BE1);
 - 3) Materials condition, requiring the submission and approval of the materials to be used (BE2);
 - 4) Landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting (BE2);
 - 5) Boundary treatments including retaining walls to be submitted and approved in writing (BE2);
 - 6) Submission and agreement of a scheme of ecological enhancement features (GE21);
 - 7) Submission and agreement of a Construction Environmental Management Plan (BE1);
 - 8) Wheel cleansing facilities to be submitted and approved in writing (BE1);
 - 9) Submission and agreement of finished floor and site levels (BE1);
 - 10) Construction and delivery hours to be adhered to throughout the course of the development (BE1);
 - 11) Vehicle access, parking and servicing to be constructed prior to occupation of properties/commencement of use (BE1);
 - 12) Conditions relating to restriction of permitted development rights relating to extensions and outbuildings and boundary fences etc (BE1);

- 13) Site investigation, including mitigation to be submitted and approved in writing (PR14); and
- 14) Securing replacement tree planting in accordance with a scheme to be submitted and agreed (BE1)

- c) and, that if the Section S106 Agreement or alternative arrangements were not executed within a reasonable period of time, authority be delegated to the Operation Director – Policy, Planning and Transportation, in consultation with the Chairman or Vice Chairman of the Committee to refuse the application on the grounds that it failed to comply with Policy S25 (Planning Obligations).

Councillor Cole declared a Disclosable Other Interest in the following item as he is a Board Member of Halton Housing Trust. To avoid any allegation of bias he did not take part in the debate and did not vote on the item.

DEV51 - 15/00028/FUL - PROPOSED DEMOLITION OF EXISTING PCT BUILDING AND DEVELOPMENT OF 10 NO. DWELLINGS CONSISTING OF 6 NO. TWO BEDROOM HOUSES AND 4 NO. ONE BEDROOM FLATS AT CASTLEFIELDS PCT BUILDING, CHESTER CLOSE, CASTLEFIELDS, RUNCORN

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

Officers presented the Committee with an update since the publication of the agenda. One letter of representation had been received commenting on the disruption of the building works and potential for anti-social behaviour and damage to cars. A telephone call had also been received requesting that the construction access be moved to an adjoining close, to minimise noise and dust. It was not considered that refusal of planning permission or additional conditions could be justified on these grounds.

It was noted that the site was not yet owned by the applicant so to secure compliance with Core Strategy Policy CS13, an additional condition was recommended to secure affordable housing provision.

RESOLVED: That the application be approved subject to the following conditions:

- 1) Standard 3 year permission (BE1);
- 2) Condition specifying plans/amended plans (BE1);

- 3) Submission of a detailed asbestos report and demolition method statement prior to demolition (BE1);
- 4) Submission of report of on-site inspection for bats carried out prior to/during demolition (GE21);
- 5) Materials condition, requiring the submission and approval of the materials to be used (BE2);
- 6) Landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting (BE2);
- 7) Boundary treatments including retaining walls to be submitted and approved in writing (BE2);
- 8) Submission and agreement of a scheme of ecological enhancement features (GE21);
- 9) Submission and agreement of a Construction Environment Management Plan (BE1);
- 10) Wheel cleansing facilities to be submitted and approved in writing (BE1);
- 11) Submission and agreement of finished floor and site levels (BE1);
- 12) Construction and delivery hours to be adhered to throughout the course of the development (BE1);
- 13) Vehicle access, parking and servicing to be constructed prior to occupation of properties/commencement of use (BE1);
- 14) Conditions relating to the agreement and implement of bin and cycle parking provision (BE1/TP6);
- 15) Conditions relating to restriction of permitted development rights relating to extensions and outbuildings and boundary fences etc (BE1);
- 16) Site investigation, including mitigation to be submitted and approved in writing (PR14);
- 17) Conditions relating to tree protection during construction (BE1); and
- 18) Grampian style condition securing replacement tree planting in accordance with a scheme to be submitted and agreed (BE1).

Meeting ended at 7.10 p.m.