

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 4 July 2016 at Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chair), J. Bradshaw, Cole, Gilligan, R. Hignett, C. Plumpton Walsh, June Roberts, Thompson and Woolfall

Apologies for Absence: Councillor Zygadllo

Absence declared on Council business: Councillor Keith Morley

Officers present: A. Jones, J. Tully, T. Gibbs, M. Noone, A. Plant, J. Eaton, R. Cooper and J. Farmer

Also in attendance: Councillors Rowe, N. Plumpton Walsh and G. Stockton and 27 members of the public.

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

		<i>Action</i>
DEV5	MINUTES	
	<p>The Minutes of the meeting held on 6 June 2016, having been circulated, were taken as read and signed as a correct record.</p>	
DEV6	PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
	<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p>	
DEV7	- 15/00563/OUT - OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF UP TO 53 DWELLINGS WITH ASSOCIATED ACCESS, LANDSCAPING AND ANCILLARY WORKS AT FORMER WAREHOUSE, HALTON COURT, RUNCORN, WA7 5XS	
	<p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p>	

RESOLVED: That the application be approved subject to:

- a) The applicant entering into a legal agreement in relation to the payment of a commuted sum for off-site open space; and
- b) Conditions relating to the following:
 1. Standard outline conditions for the submission of reserved matters applications x 3 conditions (BE1);
 2. Plans condition listing relevant drawings i.e. site location/red edge (BE1 and TP 17);
 3. Prior to commencement, the submission of a reserved matters proposal which incorporates a full proposal for drainage of the site (BE1);
 4. Prior to commencement, submission of levels (BE1);
 5. Prior to commencement, submission of materials (BE1 and CS11);
 6. Condition(s) for submission of hard and soft landscaping (BE1);
 7. Prior to commencement, submission of a construction/traffic management plan which will include wheel cleansing details (TP17);
 8. Avoidance of actively nesting birds (BE1);
 9. Prior to commencement, details of on-site biodiversity action plan for measures to be incorporated in the scheme to encourage wildlife (GE21);
 10. Prior to commencement, details of a landscape proposal and an associated management plan to be submitted and approved (BE1, GE21);
 11. Prior to commencement, details of boundary treatments (BE22);
 12. Provision of a Site Waste Management Plan (WM8); and
 13. Provision of bins (WM9).

In order to avoid any allegation of bias Councillor Cole did not take part in the debate or vote on the following item as he is a Board Member of Halton Housing Trust.

In order to avoid any allegation of bias Councillor Carol Plumpton Walsh did not take part in the debate or vote on the following item due to a recent press release on the development which included a comment she made.

DEV8 - 16/00069/FUL - PROPOSED DEVELOPMENT OF 22 NO APARTMENTS AND 6 NO HOUSES INCLUDING CHANGE OF USE OF EXISTING BUILDING, SELECTIVE DEMOLITION AND ASSOCIATED LANDSCAPING AT VICTORIA HOUSE, HOLLOWAY, RUNCORN, CHESHIRE

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

Members were referred to the Update List where an additional representation had been made since the publication of the Committee report by Victoria Jones, objecting to the scheme.

The Committee was then addressed by Victoria Jones who reiterated the objections set out in the Update List on behalf of the neighbouring residents arguing that the views of the local community had not been taken into consideration. She tabled several photographs and annotated plans which were passed around for Members to see.

Mr James Nicholls, the architect representing on behalf of the applicant, then addressed the Committee. He advised that they had submitted a revised scheme after hearing the residents comments from the last meeting, and this included the removal of the 4th floor. He reminded all that Halton Housing Trust was a not for profit organisation which had been awarded a grant from the Homes and Communities Agency (HCA) for the development of the site. Conditions were attached to this with regards to the timing of the development which meant that it would have to be completed within two years otherwise the funding would be lost. He advised that the parking and highways issues had been resolved; the historic original features would be reinstated; and revisions were made to the side extension, roof shapes, materials to be used and windows. Further the development complied with all planning policies of the Council and would consist of high quality affordable homes, having a positive impact on the environment and local economy.

The Committee was then addressed by the Heath Ward Councillor Rowe. He stated that the residents understood the need for new homes and did not object to the development, but he stated that despite the amendments to the scheme there were still a number of concerns with the design:

- The development being out of character, too big and too tall;
- Too modern;
- Existing properties would be overlooked;
- Not sympathetic to the area;
- Not in keeping with surrounding properties;
- Privacy issues;
- Burland Close and Holloway properties affected;
- Guidelines still not met;
- Loss of sunlight;
- Insufficient parking (already problems in the area due to the Railway Station);
- Flooding issues not being addressed (reference to recent flooding in Burland Close in the past 10 years);
- Measurements were not true;
- Smells from pumping station;
- Loss of greenspace and trees;
- Site too small for number of properties proposed;
- Traffic noise during construction; and
- Lack of consultation by HHT on the amended plans.

Officers advised that the above concerns were addressed in the report and update list. The distances between the properties was clearly explained and it was clarified that Officers' recommendations were based on guidelines within the *Design of Residential Development Supplementary Planning Document* and where necessary, Officer judgement.

With regards to comments made regarding the recent flooding in Burland Close, the Highways Officer advised Members that the latest plans recommended a gravity system be used in place of the *soakaways* which were not suitable for this development. The implementation of an appropriate surface water regulatory system would be secured by condition.

Officers also explained that the payment of a commuted sum in lieu of on-site open space provision was not possible on this scheme, as it would compromise the viability of the scheme.

After taking the Officer report, representations, amended plans and updates into consideration, the Committee decided to approve the application subject to the conditions below.

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

1. Time limit – full permission;
2. Approved plans;
3. Implementation of proposed site levels (BE1);
4. Facing materials to be agreed (BE1 and BE2);
5. Submission of detailed soft landscaping scheme, implementation and subsequent maintenance (BE1);
6. Implementation of submitted hard landscape and boundaries layout and subsequent maintenance;
7. Breeding birds protection (GE21);
8. Submission of a swift nesting boxes scheme, implementation and subsequent maintenance (GE21);
9. Retention of trees (GE21);
10. Submission of a lighting scheme designed to protect ecology – (GE21);
11. Hours of construction (BE1);
12. Removal of permitted development – all dwellings (BE1);
13. Submission of a construction management plan (BE1);
14. Provision and retention of parking for residential development (Curtilage) (BE1);
15. Provision and retention of parking for residential development (not in curtilage) (BE1);
16. Submission of cycle parking scheme for apartments and subsequent implementation (BE1);
17. Implementation of access and servicing provision (BE1);
18. Implementation of off-site highway works (site access points from Penn Lane) (BE1);
19. Submission of a parking management plan and subsequent implementation (BE1);
20. Submission of a surface water regulatory system for approval and subsequent implementation (PR16);
21. Foul and surface water on separate systems (PR16);
22. Ground contamination – remediation strategy and site completion report (PR14);
23. Submission of a waste audit (WM8); and
24. Submission of a scheme for the provision of future charging points of ultra-low emission vehicles (CS19).

DEV9 - 16/00144/FUL - PROPOSED PHASED REDEVELOPMENT OF EXISTING HIGH SCHOOL COMPRISING PROVISION OF SEPARATE CONSTRUCTION AND SCHOOL ACCESSIBLE ZONES, DEVELOPMENT OF NEW SCHOOL BUILDINGS, DEMOLITION OF REDUNDANT BUILDINGS, HARD AND

SOFT LANDSCAPING AND PROVISION OF SPORTS FACILITIES AT THE HEATH TECHNOLOGY COLLEGE, CLIFTON ROAD, RUNCORN

The Committee was advised that the original planning application was submitted in 2013 for a 1650 pupil high school and recommended for approval at Development Control Committee on 4 November 2013. Although the proposal was in accordance with the Council's Policies that dealt with risk, the Health and Safety Executive (HSE) advised against the application due to its proximity to the INEOS site and the potential associated risks in the event of a chlorine gas release. Following the Committee's decision to approve the application the HSE requested the Secretary of State to call the application in, triggering a public inquiry.

It was reported that this public inquiry was never held as the application was eventually withdrawn by the applicant following discussion between the HSE, the School and the Education Funding Agency.

It was highlighted that the application before the Committee was a new scheme that sought to deal with the issues that were raised in objection to the earlier scheme.

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

It was reported that since writing the Committee report the updates had been received from Natural England; Merseyside Environmental Advisory Service, HBC's Open Spaces Division and Sport England, all of which were detailed in the published update list. Members were also advised of one further representation from a local resident regarding the changes made to relocate the bin store and water tank.

It was noted that the condition recommended by network rail from a vibro-impact assessment should be removed as it was not necessary. Also, further conditions were recommended for the detail of surface water drainage and for an updated construction traffic management plan.

Members were advised that very careful consideration had been given to the advice provided by the HSE and their position which was to 'advise against the grant of planning permission on grounds of public safety'. These matters were considered in the context of the Core Strategy and Unitary Development Plan policies, together

with the Planning for Risk Supplementary Planning Document.

Members were advised that if they were minded to approve the application, the HSE would need to be given formal notification and provided 21 days for them to decide whether or not they would like to request the application to be called-in by the Secretary of State. Officers would require delegated authority to issue the decision following their response.

The Committee received speaker Andy Young, a local resident, who did not object to the School itself, but objected to the position of the buildings. He stated that the scheme could be improved simply by relocating the footprint and argued that the School building and the industrial tank were both too close to residents. He referred to the HSE decision regarding the previous application and its proximity to INEOS and the dangers and that this application proposed to increase pupil numbers and therefore increasing the risk. He also stated that the scheme was overbearing and unneighbourly and would result in noise and nuisance; as well as loss of privacy and amenity for surrounding residents. He questioned why the School was next to the residential area when there was such a big field that could be made use of.

The Committee was then addressed by Ward Councillor Gareth Stockton, who spoke on behalf of the local residents. He said the residents understood the need to update the School but felt that it was on top of them with it being so close to the houses. He stated that there would be privacy issues from the main school building and questioned why it could not be relocated on such a large plot of land.

Members discussed the HSE's response detailed on page 47 of the report and Officers provided clarity over the assessments made and how the risk of death was determined by them and how it was determined using the Council's policy.

After taking the Officers report, the updates provided and the representations into consideration, the Committee voted to approve the application.

RESOLVED: That the application be approved subject to conditions and the amendments to the conditions stated above and the application not being called in by the Secretary of State:

1. Time limits condition;
2. Approved plans (BE1);
3. Materials (BE2);
4. Drainage condition(s) (BE1);
5. Submission and agreement of existing and finish site levels and floor levels of building (BE1);
6. Vehicle access, parking, servicing;
7. Condition(s) relating to full details of hard and soft landscaping, including planting scheme, maintenance, and replacement planting (BE1);
8. The hours of demolition/construction of building onsite shall be restricted to 0700 hours to 1800 hours Monday to Friday, 0730 hours to 1400 hours on Saturday with no work at any other time including Sundays and Public Holidays (BE1 and BE2);
9. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, or removed without the prior written consent of the Local Planning Authority (BE1 and BE2);
10. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced (BE1 and BE2);
11. Hedge or tree removal shall be undertaken outside the bird nesting season; where this was not possible an ecologist to inspect prior to works taking place (GE21);
12. The development shall be carried out in accordance with the mitigation measures outlined in the submitted ecological surveys (GE21);
13. The development shall be carried out in accordance with the proposed construction management/phasing plans submitted with the application unless otherwise agreed in writing by the Local Planning Authority;
14. The Travel Plan shall be updated and reviewed in accordance with current guidelines with appropriate new targets and measures set. It should be regularly monitored in accordance with the timescales set out in the plan with the results being submitted to the Local Planning Authority;
15. Full details of surface water drainage; and
16. Submission of an amended construction traffic management plan.

DEV10 MISCELLANEOUS ITEMS

The following applications had been withdrawn:

16/00041/FUL	Proposed demolition of existing dwelling and erection of replacement detached dwelling with two bedrooms in the roof space at 153 Pit Lane, Widnes, Cheshire, WA8 9HR.
16/00122/TCA	Proposed works to trees in conservation area as follows: T14, Sycamore, over hanging bow to be cut back, T16, Sycamore, remove, T17, Holly, remove, T19, Field Maple, remove, T20, Common Juniper, remove or relocate, Group 3, Leylandii, remove, all at 5 Weston Road, Runcorn, Cheshire, WA7 4JU.
16/00134/PDE	Proposed single storey rear extension projecting from the rear wall by 4.25 metres, the extension has a maximum height of 3 metres and an eaves height of 2.5 metres at 27 Weston Road, Runcorn, Cheshire, WA7 4JX.
16/00063/TPO	Proposed pruning / maintenance work to trees T1 to T5 inclusive as detailed in the accompanying plan and schedule and covered by Tree Preservation Order 038 of 1989 on Land between 82 and 92 Moorfield Road and 7 and 10 Romney Close, Widnes, Cheshire, WA8 3JA.

Meeting ended at 7.45 p.m.