

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 5 February 2018 at The Board Room - Municipal Building, Widnes

Present: Councillors Nolan (Chair), Morley (Vice-Chair), J. Bradshaw, Gilligan, R. Hignett, June Roberts, Thompson, Woolfall and Zygadlo

Apologies for Absence: Councillor C. Plumpton Walsh

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, A. Plant, Evans, P. Shearer and J. Farmer

Also in attendance: 13 Members of the public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

Action

DEV28 MINUTES

The Minutes of the meeting held on 8 January 2018, having been circulated, were taken as read and signed as a correct record.

DEV29 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.

In order to avoid any allegation of bias, Councillor R. Hignett did not take part in the debate or vote in the following item as he sits on the JV Board at Daresbury Sci-Tech.

In order to avoid any allegation of bias, Councillor Morley did not take part in the debate or vote on the following item as he is a member of the Bridgewater Canal Trust.

DEV30 - 16/00495/OUTEIA - RESUBMISSION OF OUTLINE PLANNING APPLICATION 15/00266/OUTEIA BY APPLICATION FOR OUTLINE PLANNING PERMISSION (WITH ALL MATTERS OTHER THAN ACCESS RESERVED) FOR MIXED USE DEVELOPMENT COMPRISING: UP TO 550 RESIDENTIAL DWELLINGS;

UP TO 15,000SQM OF EMPLOYMENT FLOORSPACE (USE CLASS B1); NEW LOCAL CENTRE OF UP TO 3,000 SQM (USE CLASSES A1 - A5 AND D1 - DUAL USE); PROVISION OF INFRASTRUCTURE INCLUDING A NEW JUNCTION ONTO A558 DARESBURY EXPRESSWAY AND DETAILS OF ACCESS ON LAND AT DELPH LANE, DARESBURY;

- 17/00406/FULEIA - RESUBMISSION OF APPLICATION 14/00539/FULEIA FOR THE ERECTION OF 295 RESIDENTIAL DWELLINGS WITH ASSOCIATED LANDSCAPING AND SITE INFRASTRUCTURE, CONSTRUCTION OF A NEW ROAD JUNCTION ONTO DARESBURY EXPRESSWAY (A558), INSTALLATION OF A SIGNALISED JUNCTION TO DELPH LANE, PROVISION OF OPEN SPACE AND PLAY FACILITIES AND ASSOCIATED WORKS; AND

- 17/00407/OUTEIA - RESUBMISSION OF APPLICATION 13/00206/OUTEIA HYBRID PLANNING APPLICATION FOR UP TO 300 RESIDENTIAL DWELLINGS COMPRISING: FULL PLANNING APPLICATION FOR 122 RESIDENTIAL DWELLINGS (MIX OF 2, 3 AND 4 BEDROOM HOUSES), NEW SPINE ROAD, TURNING HEAD TO THE EAST OF DELPH LANE CANAL BRIDGE, NEW JUNCTION BETWEEN THE PROPOSED SPINE ROAD AND THE A56, PEDESTRAIN / CYCLE ROUTES AND ASSOCIATED WORKS (PHASE A); AND OUTLINE PLANNING APPLICATION FOR UP TO 178 RESIDENTIAL DWELLINGS (ALL MATTERS RESERVED) (PHASE B)

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

The Committee was advised that since the publication of the agenda, correspondence had been received from Peel Holdings focussing on the need for a marina and improvements to the Bridgewater Canal, as stated in the published supplementary information update list. It was noted that this correspondence added details in relation to the improvements to the Canal that were covered in the original objection, as detailed in the report.

In addition it was reported that Network Rail had provided a number of recommendations, which would be attached to the relevant planning permissions; one was concerning boundary treatment details along the development boundary of the West Coast Mainline. A further condition was recommended to application

17/00407/OUTEIA for the treatment and eradication of Japanese Knotweed.

The Committee was addressed by Mr Thompson who was a representative from the Bridgewater Canal Company. He stated that the proposals did not pay enough attention to what was a 250 year old leisure, tourist and wildlife facility and had played a role in shaping the region. He argued that the fact that there was no mention of a marina or linear country park alongside the Canal was contrary to the Core Strategy. He felt the Canal had not been embraced and criticised the lack of consideration given to enhancing it in the proposed development. He did not object in principle to the development but urged that the Canal be integrated more into the proposals and that funding be made available for this.

Mr Page, a representative of the applicant, then addressed the Committee. He stated that this site was of strategic importance to the Borough and the Core Strategy showed the whole site was allocated for primarily residential and employment development, reflecting the uses suggested by the planning applications. He outlined the social benefits to the scheme and employment benefits considering the neighbouring site Sci-Tech Daresbury. He also stated that the proposals would bring an improvement in local services and open spaces. In response to the comments made regarding the inclusion of a marina in the proposals, he referred to paragraphs 9.9 to 9.15 of the Officer's report and stated the applicant shared the concerns in relation to this.

Councillor J. Bradshaw raised concerns over the narrow access to the site through Delph Lane and the fact that Keckwick underbridge would be closed to the public thus impacting on local residents accessing Moore Village. In response it was confirmed that the underbridge would be closed to motor vehicles and only a small number of them used the underbridge each day as more of a 'cut through', so it was an on balance decision made to include a high quality path instead. Regarding the narrowness of Delph Lane, Officers advised that this would be widened to construct a proper carriageway.

Discussions around the viability and planning obligations from the development pursued and what funding was / could be used for improvements to the Bridgewater Canal, a new canal crossing and affordable housing.

RESOLVED: That all applications be approved

subject to the following:

- a) a planning obligation and/or other appropriate agreement relating to securing matters as set out in Section 10 of this report;
- b) that if the Section 106 Agreement or alternative arrangement was not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair of the Committee to refuse the application.
- c) delegated authority be given to the Operational Director – Policy, Planning and Transportation, to determine and agree the terms of all matters to be included in the planning obligation and/or other appropriate agreement and the conditions mentioned below; and
- d) conditions relating to the following:

16/00495/OUTEIA Conditions

- 1. Reason for decision;
- 2. Approved plans;
- 3. Standard materials;
- 4. Minimum employment density condition;
- 5. Vertical and horizontal alignment (all applications);
- 6. Restriction on motor vehicles Keckwick Lane underbridge;
- 7. Emergency access condition;
- 8. Construction Phase management plan;
- 9. CEMP recommendations;
- 10. Site access condition – no development until final access arrangements have been constructed to satisfaction of the Local Highway Authority;
- 11. Final surface water drainage details condition;
- 12. Greenway routing;
- 13. Standard outline applications;
- 14. Open Space – Delivery of the amount;
- 15. Open Space – formal play provision and standard;
- 16. Boundary treatments;
- 17. Site levels;
- 18. Ground investigation;
- 19. Retained tree and hedgerow protection measures;
- 20. Ground nesting birds;
- 21. Remove Permitted Development;
- 22. Standard foul and surface water drainage;
- 23. Grampian style condition for the employment access

northern parcel from Keckwick Lane over the Cheshire Line concerning improvements to (16/00495/OUTEIA);

24. Noise condition;
25. Archaeological / heritage watching brief;
26. Keckwick Lane Railway Overbridge accessibility improvements approval of vertical and horizontal alignment of new highway;
27. Works to create greenway at Poplar Farm underpass and route to / from highway;
28. Development levels / retaining wall details and necessary changes to layout final;
29. Construction Environment Management Plan including low bridges;
30. Location / provision of bus stops / infrastructure;
31. Diversion / stopping up of highways and Public Rights of Way;
32. Traffic restrictions and walk / cycle improvement details at Keckwick Lane rail underbridge including appropriate turning provision;
33. Traffic restrictions and walk / cycle improvement details at Delph Lane canal overbridge including appropriate turning provision;
34. Final vehicle tracking plots;
35. A558 access and bridge details approval including design departures (S278);
36. Emergency access additional details were not shown in applications;
37. Electric vehicle charging provision;
38. Details and programme of implementation for signalised two way traffic improvement scheme at Delph Lane rail underbridge;
39. Section 38/278 Agreements – including visibility splays to be within proposed highway;
40. Greenway provision;
41. Management remit plan;
42. Boundary treatment / deed clause adjacent to cycleways;
43. Priority habitat hedgerow and ponds;
44. Bat mitigation measures proposed in Section 6 of Appendix 5D (TEP, Bat Activity Appendix 2017 Appendix 5d, 6343.011, version 4 September 2017);
45. Site waste management plan (WM8);
46. Household waste storage and collection (WM9);
47. Bat mitigation measures proposed in Chapter 5 (paragraph 5.103 to 5.107) and Section 6 of Appendix 5D (TEP, Bat Activity Appendix 2017 Appendix 5d, 6343.011, version 4 September 2017);
48. Standard outline conditions; and
49. Network Rail suggested conditions.

17/00406/FULEIA Conditions

1. Reason for decision;
2. Approved plans;
3. Vertical and horizontal alignment
4. Restriction on motor vehicles Keckwick Lane underbridge;
5. TRO condition on Delph Lane Bridge;
6. Emergency access condition;
7. Construction Phase Management Plan;
8. CEMP recommendations, compliance thereof;
9. Site access condition – no development until final access arrangements have been constructed to satisfaction of the Local Highway Authority;
10. Final surface water drainage details condition;
11. Open space – standard landscaping scheme;
12. Boundary treatments;
13. Site levels;
14. Ground investigation;
15. Retained tree and hedgerow protection measures;
16. Ground nesting birds;
17. Remove Permitted Development;
18. Noise condition;
19. Standard of foul and surface water drainage;
20. Approval of vertical and horizontal alignment of new highway;
21. Works to create greenway at Poplar Farm underpass and route to / from highway;
22. Development levels / retaining wall details and necessary changes to layout;
23. Final Construction Environment Management Plan including low bridges;
24. Location / provision of bus stops / infrastructure;
25. Diversion / stopping up of highways and Public Rights of Way;
26. Traffic restrictions and walk / cycle improvement details at Keckwick Lane rail underbridge including appropriate turning provision;
27. Traffic restrictions and walk / cycle improvement details at Delph Lane canal overbridge including appropriate turning provision;
28. Final vehicle tracking plots;
29. A558 access and bridge details approval including design departures (S278);
30. Electric vehicle charging provision;
31. Details and programme of implementation for signalised two way traffic improvement scheme at Delph Lane rail underbridge;
32. Section 38/278 Agreements – including visibility splays to be within proposed highway;

33. Greenway provision;
34. Management remit plan;
35. Boundary treatment / deed clause adjacent to cycleways;
36. Archaeological / heritage watching brief;
37. Bat mitigation measures proposed in Chapter 5 (paragraph 5.103 to 5107) and Section 6 of Appendix 5D (TEP, Bat Activity Appendix 2017 Appendix 5d, 6343.011, Version 4, September 2017) Attenuation pond design and planting scheme;
38. Waste audit (WM8);
39. Household waste provision (WM9); and
40. Network Rail suggested conditions.

17/00407/OUTEIA Conditions

1. Reason for decision;
2. Approved plans;
3. Standard materials;
4. Vertical and horizontal alignment;
5. TRO condition on Delph Lane Bridge;
6. Emergency access condition;
7. Construction Phase management plan;
8. CEMP recommendations, compliance thereof;
9. Site access condition – no development until final access arrangements have been constructed to satisfaction of the Local Highway Authority;
10. Final design of T shaped cul-de-sac;
11. Final surface water drainage details condition;
12. Greenway routing to JF to populate;
13. Standard outline applications;
14. Open space – delivery of the amount;
15. Open space – formal play provision and standard;
16. Standard landscaping scheme;
17. Boundary treatments;
18. Site levels;
19. Noise condition;
20. Ground investigation;
21. Retained tree and hedgerow protection measures;
22. Ground nesting birds;
23. Remove Permitted Development;
24. Standard foul and surface water drainage;
25. Archaeological / heritage watching brief;
26. Keckwick Lane Railway Overbridge accessibility improvements;
27. Approval of vertical and horizontal alignment of new highway;
28. Works to create greenway at Popular Farm underpass and route to / from highway;
29. Development levels / retaining wall details and

- necessary changes to layout;
30. Final Construction Environment Management Plan including low bridges;
 31. Location / provision of bus stops / infrastructure;
 32. Diversion / stopping up of highways and Public Rights of Way;
 33. Traffic restrictions and walk / cycle improvement details at Delph Lane canal overbridge including appropriate turning provision;
 34. Final vehicle tracking plots;
 35. A56 Access, Spine Road and existing Delph Lane connection / turning head details and timing, including extent of reconstruction on A56 (S278/38);
 36. Emergency access additional details were not shown in applications;
 37. Electric vehicle charging provision;
 38. Details and programme of implementation for signalised two way traffic improvement scheme at Delph Lane rail underbridge;
 39. Section 38/278 Agreements – including visibility splays to be within proposed highway;
 40. Greenway provision;
 41. Management remit plan;
 42. Boundary treatment / deed clause adjacent to cycleways;
 43. Bat mitigation measures proposed in Chapter 5 (paragraph 5.103 to 5.107) and section 6 of Appendix 5D (TEP, Bat Activity Appendix 2017 Appendix 5d, 6343.011, version 4 September 2017) Attenuation pond design and planting scheme;
 44. Waste Audit (WM8);
 45. Household waste provision (WM9);
 46. Standard outline conditions; and
 47. Network Rail suggested conditions.

In order to avoid any allegation of bias, Councillor R. Hignett did not take part in the debate or vote on the following item as he sits on the JV Board at Sci-Tech Daresbury.

DEV31 - 17/00556/FUL - PROPOSED ERECTION OF 3 NO. OFFICE BUILDINGS EACH WITH 3 FLOORS PLUS PLANT LEVEL WITH ASSOCIATED PARKING, ACCESS, LANDSCAPING, SUBSTATION AND ANCILLARY DEVELOPMENTS AT DARESBUY SCIENCE PARK, KECKWICK LANE, DARESBUY, WA4 4FS

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

It was reported that since the report was published there were conditions recommended to be re-worded from requiring 'submission' to requiring 'approval' as stated in the update list. Additionally, the applicant had responded to the technical highway issues resulting from the gradient of Keckwick Lane and had amended the scheme in accordance with the advice from the Local Highway Authority. It was noted that a further amendment was required to ensure appropriate planting was undertaken adjacent to the adopted highway and that conditions were recommended in relation to this.

The Committee agreed that the application be approved subject to the addition of the conditions discussed above and the conditions listed in the report.

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

1. Standard 3 year implementation period (BE1);
2. Amended plans and DAS (BE1 and TP17);
3. Prior to commencement submission of levels (BE1);
4. Prior to commencement submission of a highway signage scheme to be approved and implemented prior to occupation (TP17);
5. Prior to commencement submission of additional cross sections through the north of the site along the access road and car park (TP17);
6. Prior to commencement submission of an updated tracking scheme in relation to vehicle movements within the scheme and on Keckwick Lane, for approval and implementation prior to occupation (TP17);
7. Prior to commencement details of the access tie-ins onto Keckwick Lane shall be provided. Any required improvements shall be undertaken prior to occupation (TP17);
8. Prior to commencement an amended layout to show prevention methods for inappropriate parking along the access into the site from Keckwick Lane. Such details as approved to be implemented prior to occupation (TP17);
9. Prior to commencement a scheme of Electric Vehicle charging points to be approved and implemented prior to occupation (NPPF);
10. Prior to commencement a Travel Plan to be submitted and approved and implemented on occupation and updated on an agreed timetable with the LPA (TP16);
11. Prior to commencement submission of surface and

- other drainage (BE1);
12. Prior to commencement submission of materials (BE1 and CS11);
 13. Prior to commencement submission of hard and soft landscaping including use of native species for replacement tree and new shrub planting phase; planting of a native hedgerow along the proposed southern access road, creation of a pond and/or linear features using locally native planting; in accordance with the submitted Landscaping Masterplan and to mitigate for this loss of habitat on the site (BE1);
 14. Prior to commencement submission of construction management plan (TP17);
 15. Prior to commencement submission of wheel cleansing details (TP17);
 16. The 3m cycle and footway on Keckwick Lane shall be provided prior to the occupation of the buildings (TP17 & TP6);
 17. The development shall be carried out in accordance with report includes mitigation, section 4.4 – Extended Phase 1 Habitat Survey, Sci-Tech Daresbury (West) – Extended Phase 1 Habitat Survey, Sci-Tech Daresbury (East) – which set out proposals to avoid and mitigate impacts on the local bat population (GE21);
 18. Precautions to be taken to protect badgers prior to the construction phase (GE21);
 19. Avoidance of actively nesting birds, no tree felling, scrub clearance, hedgerow removal or vegetation management is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub and hedgerows are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present (BE1);
 20. Precautions to protect hedgehogs during the construction phase and throughout the development in accordance with paragraph 4.4 of the submitted Extended Phase 1 Habitat Surveys (West and East) (GE21);
 21. Precautions shall be taken to protect amphibians during the construction phase and throughout the development in accordance with paragraph 4.4 of the submitted Extended Phase 1 Habitat Surveys (West and East) (GE21);
 22. Prior to the commencement of development details of bird nesting boxes (eg. number, type and location, on an appropriately scaled plan) that will be erected on

the site shall be provided for agreement with the Council (GE23);

23. Prior to the commencement of development as waste audit or similar mechanism shall be submitted to and approved in writing by the LPA, demonstrating the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal (WM8);
24. Prior to the commencement of development a lighting scheme shall be submitted to and approved in writing by the LPA and implemented in accordance throughout the development lifetime (BE1 and GE1);
25. Prior to commencement details of bin store and service areas (BE1 and BE2);
26. Prior to commencement details of secured cycle storage (TP6); and
27. Prior to commencement details of boundary treatment (BE22).

DEV32 - 17/00565/FUL - PROPOSED CONSTRUCTION OF EXTENSION TO THE EXISTING PRODUCTION FACILITY AND WAREHOUSE AT TEVA PHARMACEUTICALS, ASTON LANE NORTH, RUNCORN

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

Since the publication of the agenda it was reported that detailed section drawings had now been supplied by the applicant to demonstrate that the existing mound would not be significantly impacted on by the proposed development and this would be retained as a barrier between adjoining residential properties. It was confirmed that the height of the bund would remain the same and Officers provided a drawing for Members to see, which explained this. It was noted that following receipt of a Flood Risk Assessment, a condition requiring the development be carried out in accordance with the assessment was recommended, in lieu of condition 8 within the recommendation.

The Committee agreed that the application be approved subject to the conditions listed.

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

1. Standard 3 year timescale for commencement of development;

2. Specifying approved/amended plans;
3. Requiring submission and agreement of a Construction Environmental Management Plan;
4. Materials condition, requiring materials to match existing/accord with submitted details (BE2);
5. Landscaping condition, requiring submission and approval of both hard and soft landscaping including replacement/enhanced landscaping of the mound (BE1/2);
6. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
7. Submission and agreement of detailed lighting scheme (PR4/GE1);
8. Submission and agreement of detailed drainage scheme / to be carried out as approved (PR16);
9. Vehicle access, parking, servicing etc, to be constructed prior to occupation of properties / commencement of use (BE1);
10. Requiring submission and agreement of an updated green travel plan (TP16);
11. Requiring submission and agreement of finished site levels / to be carried out as approved (BE1);
12. Submission and agreement of Site Waste Management Plan (WM8);
13. Submission and agreement of a sustainable waste management plan (WM9); and
14. Requiring submission and agreement of onsite waste storage (WM9).

DEV33 - 17/00571/CAAD - APPLICATION FOR CERTIFICATE OF APPROPRIATE ALTERNATIVE DEVELOPMENT FOR RESIDENTIAL AT THE FORMER DRAY, MULLION CLOSE, BROOKVALE, RUNCORN

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

Members approved the request for a Certificate of Appropriate Alternative Development for Residential Development.

RESOLVED: That a certificate be issued, pursuant to Section 17 of the Land Compensation Act 1961, that permission would have been granted for residential development on the land shown on the plan received on 16 November 2017, subject to the following:

1. Compliance with the Council new Residential Design Guidance;

2. Submission of surveys in relation to contaminated land and trees; and
3. Compliance with the Council's Affordable Housing Policy.

DEV34 MISCELLANEOUS ITEMS

The following application had been withdrawn:

17/00558/LBC

Application for Listed Building Consent for the installation of 6 non-illuminated advertising displays at Widnes Railway Station, Victoria Avenue, Widnes, Cheshire, WA8 7TJ.

The following application had gone to appeal:

17/00199/FUL

Proposed erection of 1 single storey detached dwelling with new vehicular access at 149 Main Street, Runcorn, Cheshire, WA7 2PP.

Meeting ended at 7.15 p.m.