



Development Control Committee

Monday, 14 August 2006 6.30 p.m.
Civic Suite, Town Hall, Runcorn

A handwritten signature in black ink, appearing to read 'David W R'.

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Paul Nolan (Chairman)
Councillor Dave Thompson (Vice-Chairman)
Councillor Sue Blackmore
Councillor Ron Hignett
Councillor Keith Morley
Councillor Dave Leadbetter
Councillor Shaun Osborne
Councillor Rob Polhill
Councillor Colin Rowan
Councillor Tim Sly
Councillor Ian Whittaker

*Please contact Michelle Simpson on 0151 424 2061 Ext. 1126 or
michelle.simpson@halton.gov.uk for further information.
The next meeting of the Committee is on Monday, 11 September 2006*

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.	Page No.
1. MINUTES	
2. DECLARATION OF INTERESTS	
Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda, no later than when that item is reached and (subject to certain exceptions in the Code of Conduct for Members) to leave the meeting prior to discussion and voting on the item.	
3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	1 - 23
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In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REPORT TO: Development Control Committee

DATE: 14 August 2006

REPORTING OFFICER: Operational Director – Environmental Services and Regulatory

SUBJECT: Planning applications to be determined by the Committee.

The following applications for planning permission are submitted to the Committee for consideration with a recommendation in each case. Those applications marked * are considered to have significant employment implications.

An Amendments List, containing the categorisation of planning applications, additional information and amendments to recommendations, will be circulated to Committee Members before the meeting together with plans showing the location of each application site. Those applications now before the Committee, where the planning issues are considered clear by the Chairman, will be included in List A. Unless a Member considers that additional information is required on a particular application in List A it is **RECOMMENDED** that each of the applications be determined (whether for approval or for refusal) in accordance with the conditions or the reasons printed in the Agenda and in the Amendments List previously circulated.

The remaining applications are included in List B. Together with those applications about which Members require further information, List B applications will be considered following determination of applications remaining in List A.

PLAN NUMBER: 05/00887/FUL

APPLICANT: St.Modwen Properties PLC

PROPOSAL: Proposed single storey non-food retail unit comprising 41,000sq.ft floorspace (including 10,000 sqft garden centre and 11,000 sqft mezzanine) plus a second single storey non-food retail unit comprising 9,203 sq ft floorspace, access road from Daresbury Expressway and related parking/servicing areas.

ADDRESS OF SITE: The Bridge Retail Park, Okell Street, Runcorn

WARD: Mersey

SUMMARY RECOMMENDATION:

Approve.

PURPOSE OF REPORT:

To consider and decide on amendments to proposed conditions to be attached to the planning permission for the above proposal

OBSERVATIONS:

This application was originally approved by Committee, on 18th January 2006, subject to conditions. Amendments were given further consideration at the 15th March 2006 meeting and approved. Planning permission has not yet been issued and has been pending the resolution of various highway and layout issues and their impact on the Section 35 Highways Adoption Agreement and Section 106 Agreement. A draft decision notice has been prepared and reflects the resolution of the Committee at the January and March meetings. Members will recall that various conditions were, for the avoidance of doubt, set out in full and recorded as such in the minutes of the March meeting. The remaining conditions, have in accordance with normal practice, been drafted in full by officers, and where relevant, take careful account of the need to safeguard the residential amenity of neighbouring residents.

Since the March meeting, the applicant and end user have considered the draft decision notice and the precise wording of conditions and their impact on the operational requirements of the occupier. The applicant and occupier have requested that a number of conditions are varied. One condition relates to goods to be sold and the full wording of this condition is recorded in the minutes. Other conditions, though not set out in full at the January or March meetings relate to the extension of various hours and amenity issues. Any variation of the goods to be sold condition requires the express permission of the Committee. The other conditions and proposed variations to the draft notice prepared by officers are brought to the attention of the Committee, given the proximity of housing to the development and local sensitivities, which were reported at the previous meetings. The conditions under consideration are as follows:

Goods to be sold.

The applicant has requested that this condition be varied as it would not enable the end users to retail their full product range. That range includes lighting and kitchenware. The applicant considers that the issue could be addressed by including the wording "*and ancillary products thereto*" in the condition. Your officers consider that the definition is too imprecise and would be unenforceable. The words "*lighting and kitchenware*" could, however, be added as the sale of these additional goods is unlikely to have a detrimental

impact on the vitality and viability of nearby town centres. The condition as amended would read as follows:

The retail units hereby permitted shall be used only for the sale of building and DIY supplies, garden centre goods, furniture, carpets and floor coverings, household textiles and wall coverings, lighting, kitchenware, electrical goods, computers and ancillary personal computer accessories and software, boating and caravanning and camping equipment, bicycles, auto parts and accessories, office furniture and office equipment (excluding stationery) and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Opening Hours

The specified opening hours on the application were 0900-2000. Subsequently, the applicant has requested that the hours be amended to 0800-2200 Monday to Saturday, Sunday trading hours and standard opening hours, ie. 0800 –2200, on Bank/Public Holidays. Your officers consider that given the proximity of the Expressway and background noise levels, there is unlikely to be any significant additional impact arising out of the store opening one hour earlier at 0800. In the evening, however, with lower background noise levels, noise and disturbance from the store is likely to be more apparent. Nearby residents will have a reasonable expectation in relation to peace and quiet in the evening and your officers consider that residential amenity could not be guaranteed if the store closes at 2200. This is a late evening hour when children in particular would be settling down for the night and any disturbance would be unacceptable. Given the likely low volume of visitors to the store in the later evening, it is considered that trading up 2100 would be acceptable. The proposed store trading hours, as amended, are therefore as follows:

0800-2100 Monday - Saturday and Bank/Public Holidays and Sunday trading hours, ie any six hours between 1000-1800.

Delivery hours.

The end user has indicated that due to operational requirements, deliveries are required on Sundays and Bank/Public holidays. Deliveries also take place at either end of the day. Given that a Bank/Public holiday is a normal trading day, it would be unduly restrictive to prevent deliveries. Sunday is however the traditional day of rest and it would be unreasonable to allow deliveries, particularly as they precede, store opening hours. Proposed delivery hours are therefore as follows:

Deliveries shall be restricted to between the hours of 0730 and 2100 hours Monday to Friday and on Bank/Public Holidays and 0730- 1800 Saturday, with no deliveries permitted on Sundays.

Delivery doors.

This condition requires delivery doors to be closed at certain times to minimise nuisance from noise and to safeguard residential amenity. As this condition relates to noise levels, which are dealt with by separate conditions relating to the closure of all doors at certain times and to a boundary noise level condition, it results in unnecessary duplication. See 'closure of all doors' and 'maximum boundary noise levels' below

It is recommended that the delivery doors condition be deleted as the remaining conditions referred to above will provide appropriate protection and safeguards.

Running of engines by waiting vehicles.

This condition requires that there shall be no waiting of delivery vehicles or running of engines in the service yards or on the service road. Members will be aware that the service road has now been deleted (amendment at the March meeting). The applicant considers that preventing vehicles waiting in the service yards is unduly restrictive, as it would result in delivery vehicles waiting elsewhere, ie. on the access road. This could be detrimental to highway safety. The applicant/end user is, however, prepared to accept no running of engines. After further consideration, your officers consider that it would be appropriate to amend the condition as follows:

There shall be no running of engines by waiting vehicles in the service yards.

Closure of all doors at specified times.

Following further discussion with the applicant/end user and clarification of operational requirements, it is considered that this condition should reflect store delivery hours Monday to Saturday and Sunday trading hours. It is recommended that the condition be worded as follows:

All doors shall be kept closed except for essential access and egress outside approved delivery hours and outside Sunday trading hours.

Restriction on fork lift truck movements.

Following further discussion with the applicant/end user and clarification of operational requirements, it is considered that fork lift truck movements should be allowed outside the building within store delivery and Sunday trading hours. This will allow for the movement of goods from deliveries as well as for the general movement of goods from the service yard into the store. It is recommended that the condition be worded as follows:

Fork lift truck movements shall be restricted to inside the buildings outside approved delivery hours and outside Sunday trading hours.

Maximum boundary noise levels.

Discussions are ongoing with the applicant's noise consultant to clarify and agree noise levels, their source and location and to agree a workable condition. The outcome will be reported at the meeting.

Rubber seals to loading bay doors

On further consideration of operational requirements, ie. end user delivery lorries are side loading, this condition is unworkable.

It is recommended that the condition requiring rubber seals to loading doors is deleted.

Outside storage.

Due to operational requirements there is a need to store products in the main service yard. Following negotiation, your officers agree that this restriction is too onerous and that storage with height limitations and a requirement to keep an undesignated area free for vehicle turning, offers a balanced solution to meeting the operational needs of the end user, overcoming highway safety concerns and safeguarding residential amenity. It is considered that restricting the height of storage in the service yard to the height of the acoustic boundary fencing will minimise any visual impact from neighbouring dwellings. The end user has reservations about the height limit as storage racking can be up to 5m high. Your officers consider that residential amenity remains a key consideration and that any storage visible over the fence at ground level would be unreasonable, given the proximity of neighbouring houses. It is recommended that the condition be worded as follows:

Sufficient space shall be made available for an articulated vehicle to turn within the main service yard at all times to enable the vehicle to leave the main service yard in forward gear. There shall be no outdoor storage of equipment, goods, plant or materials in the smaller service yard, without the prior written approval of the Local Planning Authority. The maximum storage height shall be limited to the approved height of the acoustic fence on the southern boundary.

Construction work audible at the site boundary.

The purpose of this condition is to restrict construction work audible at the site boundary to specified hours. The draft condition allows such work between 0730 and 1900 hours Monday to Friday 0730 to 1300 hours Saturdays, with no operations on Sundays or Bank/Public Holidays. The applicant/end user would like a degree of flexibility to undertake internal fitting out works outside the above hours. The fitting out phase will be over a short period of time towards the end of the construction period. Discussions are still ongoing on this matter and the outcome will be reported orally at the meeting.

Boundary treatment.

This condition includes reference to the acoustic fence. In line with the acoustic consultants recommendation, the minimum height of the acoustic fence for noise mitigation purposes is 3m. The rear gardens of residential properties will be at a slightly higher level, by up to about 1.2m above service yard and fence level. The impact of the fence will therefore be mitigated and should not therefore differ substantially to existing residential boundary wall and fence heights, which are at around about 2m high. Anything over 3m will have a visible impact when viewed from residential properties. In this context, your officers consider that the maximum height of the acoustic fence should be 3m.

It is recommended that the maximum height of the acoustic fence from ground level should be set at 3m and that this is reflected in the wording of boundary treatment condition.

Conclusion.

The above proposed amendments have been given careful consideration in the context of safeguarding the vitality and viability of town centres and achieving and maintaining an acceptable level of residential amenity for residents living adjacent to the development site. You officers recommend them accordingly. For clarification, all the other conditions approved by Committee at the January and March 2006 meetings remain unaltered.

RECOMMENDATION:

- a) that the conditions be varied or deleted as outlined in the report, and
- b) that all other conditions referred to in the minutes of the January and March meetings still remain applicable to this application.

PLAN NUMBER:	06/00370/FUL
APPLICANT:	Gladman Developments Ltd
PROPOSAL:	Proposed erection of a 33,556 sq m distribution warehouse development (B8) and associated office space, parking, landscaping and infrastructure.
ADDRESS OF SITE:	Manor Park 3- Sector D, Eastgate Way, Runcorn
WARD:	Daresbury
SUMMARY RECOMMENDATION:	

Approve subject to conditions

CONSULTATION AND REPRESENTATION:

Adjoining business premises have been notified and the application advertised by means of site and press notices.

The Council's Highways, Environmental Health and Nature Conservation Officers have been consulted as have Moore Parish Council, The Environment Agency, Health and Safety Executive, Huntsman Petrochemicals Ltd, Shell UK Ltd, United Utilities, Manchester Ship Canal Co and Transco.

One letter of objection has been received from the Chair of Halton Natural Environment Round Table relating to the loss of wildlife habitat and inadequate compensatory provision, suggesting use of a green roof and other environmental measures including water recycling and sustainable urban drainage systems, potential light pollution.

Any significant issues and comments raised are covered later within this report.

SITE/LOCATION:

Land within the existing Manor Park 3 site adjoining the earlier Lidl and Hagermeyer developments. The Manchester Ship Canal lies to the North beyond a substantial linear bund.

RELEVANT HISTORY:

The site is on land benefiting from an existing Section 7(1) authorisation under the New Towns Act 1981 for employment use. No permissions of direct relevance relating to this development although permission has been previously approved for an albeit smaller industrial/ warehouse unit with 3 storey ancillary offices etc. on an adjoining site (05/00524/FUL) which is currently nearing completion.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as a Proposed Employment Development Site for uses B1, B2 and B8 in the Halton Unitary Development Plan. Policies E1: Local and Regional Employment Land Allocations and E5: New Industrial and Commercial Development are of particular relevance. Supplementary Planning Document: Design of New Commercial and Industrial Development is also of relevance.

OBSERVATIONS AND ISSUES

The application seeks permission for the erection of an industrial building and ancillary three storey offices, parking, servicing and landscaping within the established Manor Park 3 employment area.

The main warehouse building will be approximately 272m x 12m with a height of approximately 18.88m providing 32,512sq.m of warehouse space. The proposal also includes an attached three-storey building to the front providing 1,044 sq.m for offices. Two separate access' are proposed from Eastgate Way and the existing Manor Park highway network.

The main industrial building will be constructed predominantly of profiled metal cladding with flat panel cladding and glazed areas to the main entrance and office elevations. Space is shown within the scheme for car parking to the front and loading and servicing flanking either side of the building.

The scheme as currently proposed raises a number of key issues which may be summarised as follows:

Drainage and Flooding

The proposed development is within an area liable to flooding. United Utilities and the Environment Agency have however confirmed that they raise no objections in principle with regard to issues of drainage and flooding subject to conditions including submission and agreement of a final drainage scheme and finished floor levels to provide an adequate standard of protection to occupants. Conditions are also proposed to require adequate oil interceptors and bunding to fuel/ chemical storage tanks to protect surrounding watercourses.

Highways

It is considered that adequate provision can be made within the scheme for access, parking and servicing, The application is also supported by a draft Travel Plan. Whilst relatively minor amendments have been required to the layout and travel plan, the councils Highway Engineer have confirmed that traffic levels are likely to be within acceptable levels in terms of the earlier traffic impact assessment for the wider Manor Park area and as such are not considered likely to save significant issues with regard to the wider highway network. The Councils Highways Engineer and Travel Plan Coordinator have confirmed that they raise no objections subject to conditions to adequately secure their implementation.

Pipelines and Safety

The site is constrained by a number of pipelines which skirt the edges of the site. The Health and Safety Executives advice system has advised that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission in this case. They did not however advise against the granting for similar development on an adjoining site which is similarly constrained and have therefore confirmed that they would do not wish to

pursue this matter further if the Council were to resolve to approve the application. The pipeline operators have confirmed that they do not object to the proposals. In this context and given the allocation of the site for employment purposes and previous permission 05/00524/FUL it is not considered that refusal on safety grounds could be justified in this case.

Wildlife and Nature Conservation

The Council's Nature Conservation Officer and the Environment Agency had objected to the scheme as originally submitted due to the likely impact on surrounding watercourses and water vole habitat which are protected under the Wildlife & Countryside Act 1981, and the loss of habitat for ground nesting and over wintering birds. Amendments have been made to the scheme to provide adequate buffer zones to affected watercourses and to exclude an area to the west of the site adjoining Oxmoor Local Nature Reserve designated for "promotion of ecology".

The site is allocated for development within the Halton Unitary Development Plan and it is considered that the sites habitat value for birds is in itself not considered sufficient grounds to refuse the application. Based on the amended scheme the Environment Agency and the Council's Nature Conservation Officers have confirmed that they withdraw their objections subject to conditions to adequately protect existing features, implementation of an agreed habitat management plan for the area to be retained for ecology/ nature conservation and inclusion of nesting features for swifts within the building.

Summary and Conclusions

The proposed uses are considered to be in accordance with UDP Policy E1. The proposed building is substantial but of a scale, character and quality considered to be in keeping with adjoining earlier developments and of the wider Manor Park employment area. The building will be set against a high landscaped linear bund which follows the line of adjoining pipelines and as such is substantially screened from the Manchester Ship Canal to the North.

It is considered that all substantive matters have been adequately resolved through amendments to the original scheme and that all outstanding matters can be adequately controlled by condition. On that basis, the application is recommended for approval.

RECOMMENDATION:

Approve subject to 19 No. conditions relating to the following:

1. Specifying amended plans (BE1)
2. Materials condition, requiring the submission and approval of the materials to be used (BE2)

3. Submission, agreement and implementation of site and finished floor levels and requiring minimum floor levels to be set at 5.8 m AOD (PR16)
4. Submission, agreement and implementation of scheme for drainage (BE1)
5. Provision of oil interceptors to vehicle parking areas (PR5)
6. Landscaping condition, requiring the submission of both hard and soft landscaping. (BE2)
7. Submission, agreement and implementation of habitat management plan (GE19)
8. Submission, agreement and implementation of bird nesting features for swifts within the building (GE19)
9. Protection of water courses and retained habitat during construction (GE19)
10. Requiring specified bunding of any fuel/chemical storage (PR5)
11. Boundary treatments to be submitted and approved in writing. (BE2)
12. Wheel cleansing facilities to be submitted and approved in writing and used during construction. (BE1)
13. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
14. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use. (BE1)
15. Agreement and implementation of cycle parking provision (TP6)
16. Requiring implementation of agreed Travel Plan (TP16)
17. Restricting external lighting (BE1)
18. Restricting external storage to that shown on plan (E5)
19. Agreement of colour coating for fuel tanks (BE1)

PLAN NUMBER: 06/00435/FUL

APPLICANT: St Modwen Developments

PROPOSAL: Proposed erection of 6 no B1/B2/B8 commercial units with appropriate parking, access roads and hard & soft landscaping

ADDRESS OF SITE: Site Adjacent To Phase 1 Heron Business Park, Tanhouse Lane, Widnes

WARD: Halton View

SUMMARY RECOMMENDATION:

Approve with Conditions

CONSULTATION AND REPRESENTATION:

The site has been advertised by way of a site notice and in the press. The neighbouring commercial premises have also been consulted.

The Health and Safety Executive, Environment Agency and United Utilities have been consulted. The Council's Environmental Health Officer, Highways Engineer, Landscape Officer and Trees and Woodlands Officer have also been consulted. Any significant issues and comments raised are covered later within this report.

SITE/LOCATION:

The site is 17698 m² in area and is a vacant area of land located in Widnes Waterfront Economic Development Zone (EDZ) adjacent to Phase 1 of Heron Business Park, Tanhouse Lane.

RELEVANT HISTORY:

There is no planning history for this area of land but is Phase 2 of the Heron Business Park as highlighted in the Widnes Waterfront Supplementary Planning Document.

DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as Primarily Employment Area where policy E3 Primarily Employment Area in the Halton Unitary Development Plan (UDP) is of relevance. The site is within the Widnes Waterfront EDZ area.

The other key policies of relevance are BE1 General Requirements for Development, BE2 Quality of Design, E5 New Industrial and Commercial Development, TP6 Cycle Provision as Part of New Development, TP7 Pedestrian Provision as Part of New Development, TP12 Car Parking, and TP16 Green Travel Plans. Supplementary Planning Document: Design of New Commercial and Industrial Development is also of relevance.

OBSERVATIONS AND ISSUES:

The proposal is for 6 units for B1 (office), B2 (general industrial) and B8 (storage & distribution) use.

Policy

The proposal is for B1, B2 and B8 uses which comply with the allocation as a Primarily Employment Area in the Unitary Development Plan.

Design and Character of the Area

The site is within the area covered by the Supplementary Planning Document, and is a prominent site. The applicants have provided a supporting design statement for the application which makes reference to the Phase 1 of Heron

Business Park and used this as a basis in developing the design of the scheme.

The units are of varying sizes which can be adapted internally for each end user. These are split into two separate areas and will be accessed from different access points. The units are arranged with a central courtyard areas, where all parking and servicing will be located.

The units will be steel portal frame buildings with metal cladding to the walls and roof in silver, white and Goosewing Grey. There is an element of buff brickwork to be provided on the plinths. This is to match in with Phase 1 which are near completion.

Landscaping

The Council's Trees and Woodland Officer has no objection to the row of Poplars being felled as they are in poor structural condition, providing that replacement planting is provided. This will be conditioned accordingly. The semi-mature Maples, on the corner of Tanhouse Lane, Moss Road and Cornubia Road would be better to be retained, as opposed to replacing with smaller specimens. It is suggested that an additional condition is attached requiring a comprehensive landscaping scheme to be provided.

The Council's Landscape Officer has raised the issue that the proposal will need to tie in with the Tanhouse Lane landscape strip and cycleway (application 06/00251/HBCFUL). The landscape strip has been shown on the plans but there are no details of the levels. A condition will be required to ensure these details are provided prior to the commencement of development.

The boundary treatment has been shown as indicative only and no details have been provided therefore a condition is required to provide details for this prior to any development commencing.

Highway Safety

There are two access points proposed. The new access road built as part of Phase 1 and a new access on Brown Street. The visibility splay to the left of this access is sub standard and amended plans have been requested to show that the suitable visibility splay can be accommodated.

There are no details for the retaining walls or barriers provided as part of the application which are required for the highways works. A condition can be added that the detailed design is required prior to the commencement of development.

The parking layout shows 126 spaces are to be provided and this equates to 1 space per 50 square metres of floorspace which complies with the parking standards as outlined in the Unitary Development Plan.

There is pedestrian access shown from Mossbank Road and areas for cycle parking are shown. A pedestrian entrance from Tanhouse Lane, between units B and D is also required to be shown on amended plans.

Due to the size of the development a Green Travel Plan will be requested. As there are no end users at present then a condition will be added to require that this should be provided prior to occupation and updated accordingly.

Ground Conditions

A ground investigation was carried out in April 2005, which covered both Phase 1 and this area. However, it does not form part of the application. The Environmental Health Officers raise the issue that the report revealed an area of galligu and an in-situ stabilisation technique was proposed to treat the galligu although further trial pitting will first be required to fully delineate the extent of the material.

Although the ground conditions are not favourable they are unlikely to represent any major problems with respect to the proposed industrial development, provided the galligu waste can be effectively treated. Basic gas protection measures and sulphate resistant concrete will be required in the construction. Therefore a condition is required to ensure that further investigations are undertaken and any mitigation/remediation measures are carried out prior to commencement of development.

Hazardous Risk

The site is within a Control of Major Accident Hazards (COMAH) zone and the Health and Safety Executive have been consulted through the PADHI+ system and do not advise, on safety grounds, against the granting of planning permission in this case.

Summary and Conclusions

The proposal is within the Widnes Waterfront Area and is covered by the adopted SPD. The applicant's have looked at and considered the objectives of the SPD when designing the scheme.

The design of the units match in with Phase 1 of Heron Business Park which is of good quality. The proposal meets the Council's employment policies and regeneration ambitions for the area. The proposal will enhance the image of the area and boost confidence in the EDZ for further investment. The proposal is therefore recommended for approval subject to the appropriate conditions:-

RECOMMENDATION:

Approve subject to the following 13 conditions listed below: -

1. Standard condition relating to timescale and duration of the permission;
2. Specifying amended plans (BE1).

3. Ground investigation study required prior to the commencement of development (PR14).
4. Wheelwash condition required for construction phase (BE1).
5. Parking conditions (2 separate conditions) to ensure parking is provided and maintained at all times. The use of the premises shall not commence until the vehicle access and parking has been laid out (TP12 & E5).
6. Landscaping condition is required to ensure comprehensive details are provided prior to the commencement of development (BE2 & E5).
7. Replacement tree planting condition (BE2).
8. Boundary treatment condition is required to ensure details are provided prior to the commencement of development (BE2 & E5).
9. Condition to show the levels details for the proposal and how it links in with the adjoining cycleway/landscape strip (BE1).
10. Visibility splay condition for access onto Brown Street to ensure that this is maintained at all times (BE1).
11. Details of the design of the bin storage (BE2 & E5).
12. Storage condition to ensure no outside storage (E5).

4. MATTER RELATING ADJOINING AUTHORITY CONSULTATIONS

PLAN NUMBER: 06/00172/ADJWST & 06/00173/ADJELC

APPLICANT: Peel Environmental Ince Ltd

PROPOSAL: Adjoining Authority Consultation by Cheshire County Council for the construction and operation of an Integrated Waste Management Facility (IWMF) and Environmental Technologies Complex (ETC), including landscape/ ecological mitigation and vehicular access from Kamira Road, water access via an upgraded berth facility on the Manchester Ship Canal and rail access via an existing rail spur and construction of a proposed Refuse Derived Fuel (RDF) Plant on Land Adjacent To Manchester Ship Canal Ince Cheshire.

ADDRESS OF SITE: Land adjacent to the Manchester Ship Canal at Ince Marshes

WARD: N/A

SITE/LOCATION:

The proposed Resource Recovery Park is situated on land in an area known as Ince Marshes, lying to the east of the village of Ince and to the north east of Elton, Cheshire. The site is situated in an area of low-lying flat marshland reclaimed from the River Mersey following construction of the ship canal. The

site lies within the jurisdiction of Ellesmere Port and Neston Borough Council and Cheshire County Council.

OBSERVATIONS AND ISSUES:

The proposal is an adjoining authority consultation by Cheshire County Council on an outline application for an Integrated Waste Management Facility (IWMF) and Environmental Technologies Complex (ETC). It comprises a number of elements made in varying levels of detail. An adjoining authority consultation regarding a licence for a Refuse Derived Fuel (RDF) Plant and ancillary/ associated development has also been received. This application has been made to the Department of Trade and Industry, under Section 36 of the Electricity Act 1989 and is proposed in full detail.

The site in total comprises approximately 100 hectares of which it is proposed to develop 58 hectares, the remainder and some additional areas being utilised for landscape and habitat creation works.

There are 13 separate elements proposed as part of the development, which include:-

- Canal berthing and rail head buildings including associated storage and loading/unloading areas.
- Soils treatment facility, a regional facility to treat contaminated soils
- Waste and Electronic Reprocessing Plant, to reprocess waste electrical goods on a regional/national scale
- Wood and Timber Reprocessing facility on a regional scale to recycle waste wood/timber
- Integrated Waste management Facility
- Plastics Village of regional scale to reprocess waste plastics from a variety of sectors
- Water Treatment Plant to provide for the water treatment needs of the entire RRP
- Refuse Derived Fuel (RDF) Plant
- Ethanol Production Facility, a regional scale facility to produce bio ethanol from waste
- Resource Recovery Business Centre
- Commercial Waste Transfer System

- Resource Recovery Village
- Block making facility, to produce construction blocks from inert bottom ash (produced by burning RDF)

In total 180,899 sq metres of floor space is to be provided in a range of buildings the majority of which range between 10 and 16 metres in height. The exception to this is the RDF plant, which includes a 60-metre high combustion facility and a 100m high stack.

It is proposed that the overall RRP would be a regional/ national facility.

The Integrated Waste Management Facility (IWMF) has four elements, which are required to be integrated and located together, both with each other and the remainder of the RRP. The four elements are the Industrial/ Commercial Waste Transfer Station (WTS), the in Vessel Composting Facility (IVC), the Materials Recovery Facility (MRF) and the Mechanical Biological Treatment (MBT) Plant.

The Refuse Derived Fuel (RDF) Plant comprises of five buildings. The RDF Plant is designed to generate over 95MW of electricity for export to the national grid and has the potential to produce Combined Heat and Power for the entire RRP. It will benefit from cooling water from the Manchester Ship Canal to produce this energy, it will combust approximately 600,000 tonnes per annum (tba) of non-hazardous refuse derived fuel which might otherwise be sent to landfill. This fuel will be sourced from the Mersey Belt area utilising railroad and water. The plant is approximately 60% renewable due to the properties of the fuel.

Planning Policy

Planning Policy Statement 10 – Planning for Sustainable Waste Management is of relevance to this scheme.

PPS10 was published in July 2005 and promotes a very significant shift in waste planning policy. PPS10 builds upon the approach in Waste Strategy 2000 and shifts the emphasis in assessing transport from purely distance to the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery, seeking when practicable and beneficial to use modes other than road transport. PPS10 also emphasizes the concept of regional solutions and indicates that there may be a need for management capacity on a regional or sub-regional scale. This is consistent with the removal of the objective to manage waste as near as possible to its source.

The facilities associated with non RDF handling, such as Waste Electrical Electronics Equipment treatment, plastics recycling, soil recovery and wood recycling are likely to be the most labour intensive processes.

PPS 10 (P2) states that the planning system has an important part to play in the delivery of sustainable waste management by "...providing sufficient opportunities for new waste management facilities of the right type, in the right place and at the right time".

Regional Spatial Strategy (2003) and Regional Waste Strategy (2004) are also of relevance.

The current RSS advocates a regional approach to waste management and states that the Regional Waste Strategy (RWS) will inform the provision of future waste management facilities within the region.

The RSS states that due to rapidly diminishing landfill capacity, waste-planning authorities should work with all stakeholders to significantly reduce the volume of all biodegradable waste. Waste minimization policies and options should be determined through the principles of waste hierarchy, best practicable environmental option, regional self-sufficiency and the 'proximity' principle.

The RSS states that new major waste management proposals are required to adopt the sequential approach. Wherever possible they should be accessible by rail or by water, with existing railheads protected.

Transport

The proposal is not expected to have a significant traffic or transportation impact on Halton. However, there is insufficient information in the report to clarify what the impact on the Borough's roads will be and whether any additional public transport services are required to enable residents of Halton to access the employment opportunities offered.

Environmental Health

The health issues arising from the application have recently been considered by a multi-agency group made up of Local Directors of Public Health, Health Protection Agency experts, University experts and Environmental Health Officers.

The group considered the most appropriate way to address health questions, both positive and negative, arising from the planning application

The application has generated health concerns and questions amongst members of the local community, particularly with respect to the pollution potential and impacts from air emissions on the health of the local communities. The multi agency group considered these questions, and wider impacts on health of the local communities. The wider aspects included employment, waste generation and disposal, psychological and social issues. The group will continue to work together to give the best advice to Cheshire County Council, the Environment Agency and the Department of Trade and Industry on how health effects of the proposals should be considered. These comments will be forwarded to the decision making bodies separately.

Other Assessment

The Merseyside Environmental Advisory Service (EAS) have undertaken an environmental assessment of the Resource Recovery Park proposal on behalf of the Merseyside authorities including Halton. They have made the following comments:

The Environmental Statement (ES) (including the Sustainability Appraisal) does lack detail, especially in terms of background/ baseline data. An application of this size should include a greater level of information relevant to the impact assessment to aid transparency of decisions.

The following was highlighted as the main areas that required further work to be undertaken prior to determination of the application.

- Some of the survey work carried out, e.g. soil and land quality survey, and is limited in its scope, including over reliance upon previous investigations and desktop research.
- There is clearly a high groundwater table within the alluvial/ tidal deposits, which could feasibly be in continuity with the underlying Sandstone (major aquifer). There is limited site-specific data (groundwater quality, levels and flow) to establish an accurate understanding of the groundwater regime and geology onsite (including the influence of the fault present across the site). A good understanding is required to ensure the design of the facility is appropriate.
- The main NVC survey was undertaken in December 2004 with a follow up survey in May 2005. Full details must be submitted to verify the conclusions of the Ecology chapter of the Environmental Statement.

The report identified a need to ensure the material used to raise the elevation of the land is suitable for use. Where possible this material should be sourced from onsite and details should be provided as to whether this is feasible. If a shortfall of material is identified then consideration should be given to use of locally derived imported compost and subsoil manufacture suitable topsoil.

Conclusion:

The Environmental Statement lacks detail and there is insufficient information in the report to clarify what the impact on the Borough's roads will be and whether any additional public transport services are required, as well as a number of other site specific detailed matters. As a consequence it is considered that at this stage there is no real alternative but to deposit an objection in response to the consultation.

RECOMMENDATION:

That Cheshire County Council and the DTI, be advised that Halton objects to the proposal due to the lack of information provided within the submission.

PLAN NUMBER: 06/00479/ADJ

APPLICANT: Liverpool City Council Plc

PROPOSAL: Adjoining authority consultation by Liverpool City Council to erect multi storey car park 869 spaces over 5 levels and hotel 155 bedrooms up to 11 storeys in height with covered bridge link to terminal building and creation of additional surface car parking, reconfiguration of existing parking and access roads.

ADDRESS OF SITE: Land at Liverpool John Lennon Airport

WARD: N/A

SUMMARY RECOMMENDATION:

No objections

SITE/LOCATION:

The proposed hotel and car parking is situated on land at Liverpool John Lennon Airport opposite the terminal building.

OBSERVATIONS AND ISSUES:

The proposal is an adjoining authority consultation by Liverpool City Council. In respect of a full planning application for a 155 bedroom hotel in a building up to 11 storeys in height and 869 car parking spaces.

Application Context

Liverpool John Lennon Airport is an increasing important gateway to the region and subsequently a significant employer in its own right.

The airport has been considering future development needs over the medium and longer term, in accordance with the Department for Transport guidance, with the draft Master Plan published in July. This looks at expansion plans until 2030. The Master Plan considers the expansion of the terminal, extension of the runway, development of new cargo handling and aircraft maintenance facilities and provision of upgraded surface access from the east.

In the meantime development needs to continue to be made to enable Liverpool John Lennon Airport to make best use of its current infrastructure

and continue to meet airline and passenger expectations to extend its range of services.

The main infrastructure, such as the terminal building, aircraft stands, piers and gates can serve the throughput of around 6 million passengers per annum. This meets the airports needs to 2009. The most pressing need in the meantime is a need for additional car parking.

Need for Car Parking Provision

As the passenger throughput increases there is a need to enhance provision for the public transport to Liverpool John Lennon Airport. The airport has worked with public transport providers to improve bus services at the airport and manages the provision of car parking in accordance with targets for modal shift, which are set out in the Airport Surface Access Strategy, which is agreed annually by the Airport Transport Forum.

The forecast growth in passengers and staff means that the amount of car parking provision will need to be increased but at a gradually reducing rate in accordance with the targets in the Airport Surface Access Strategy.

Demand for Hotel Provision

The airport is also aware of increasing demand for hotel accommodation associated with the growth of Liverpool John Lennon Airport. The airport is a major supporter of Liverpool's Capital of Culture and will be the point of arrival for the many overseas visitors who are expected to visit the City in the preparation for and celebration of Capital of Culture (around 11 million visits to the City Region are expected, including about 700,000 overseas staying visits, during the Capital of Culture Year many of whom will travel by air). This means there is a significant demand for hotel accommodation close to Liverpool John Lennon Airport.

The current application is for the next phase of managed passenger and staff car parking, which will include the reorganisation of the area in front of the terminal and to improve public transport accessibility and the development of a 3 star hotel to provide high quality hotel accommodation with direct access to the terminal.

Design

The multi storey car park has been designed so that the car park is masked behind an extensive metal finished canopy with signage and part glazing. This masks the car park elevation on this sensitive part of the proposal but also houses the pedestrian walkway from the car park to the bridge level to the terminal. In addition there is scope for the lower levels to be converted into retail/A3 units, which again would enhance the activity at this level, subject to future planning approvals.

The hotel is designed to fit in with the car park below it, with the use of similar material treatments. The main entrance of the hotel at level 5 has a direct relation to the hotel level of parking.

The bridge link is designed to fit in with the both the hotel and terminal building, and links into the terminal where the stairs and escalators are located. The bridge is a thin structure and reflects the undulating roof of the terminal. Again it is a mix of glazing and cladding.

The scheme has been designed so as to fit with the existing terminal and has not been designed with a glass façade as this would reduce the strength/impact of the airport terminal itself.

The landscaping is to be designed to a high quality around the public areas and terminal buildings, using motif hard materials and species found within the most attractive parts of the surrounding Mersey estuary landscapes. The boundary treatment will complement the adjacent areas and provide screening and enclosure of the site.

The works are an interim step towards long term expansion plans which are set out in the Master Plan. The proposed parking and hotel development would not compromise the opportunities to increase capacity and as such are fully consistent with the Master Plan.

Conclusions

The Council actively supports the work with the airports to deliver sustainable surface access, as highlighted in the Local Transport Plan. It also takes an active role in the Liverpool John Lennon Airport Transport Forum alongside other representatives.

This proposal is an interim step towards the long term expansion plans and it is recommended that a letter is sent to Liverpool City Council supporting the proposal.

RECOMMENDATION:

Halton Borough Council have no objections to the development and supports the expansion of this regionally important facility.

REPORT TO: Development Control Committee

DATE: 14 August 2006

REPORTING OFFICER: Operational Director – Environmental Services and Regulatory

SUBJECT: Planning applications to be determined by the Committee.

1) Appeals have been received following the Council's refusal of the following applications:-

- 05/00932/FUL Retrospective application for retention of boundary fencing (to replace damaged section) at Selwyns Travel Ltd, Cavendish Farm Road, Runcorn, Cheshire, WA7 4LU
- 06/00180/FUL Proposed two storey side/rear extension to form bedroom, bathroom, garage and kitchen at 18 Kingsley Road, Runcorn, Cheshire, WA7 5PL

2) An appeal was lodged following the Council's refusal of the following application:-

A decision has been received as follows :-

- 05/00874/OUT Proposed alterations to and conversion of Nos 179- 181 to 4 No. apartments, with new garage block, erection of 5 No. two storey mews dwellings, new double garage to No. 177 and related access improvements (design/ external appearance and landscaping reserved) at 177-181 Heath Road, Runcorn, Cheshire, WA7 4XG

This appeal was allowed

3) The following applications have been withdrawn :-

- 06/00260/REM Proposal for 45 No. 2.5 storey dwellings with associated car parking and landscaping at DATS Holdings, Nicolford Hall, Norlands Lane, Widnes, Cheshire
- 06/00343/FUL Proposed two storey three bedroom detached dwelling at Land Adjacent To 1 Breck Road, Widnes, Cheshire, WA8 6HH
- 06/00347/FUL Proposed residential development comprising 4 No. two storey detached dwellings at Land Off Eltham Walk, Weates Close, Widnes, Cheshire
- 06/00362/TEL Application for prior approval of telecommunications development comprising of a 15m high Flexicell 2 (Type E) column, 3 No. antennas, 2 No. equipment cabinets and associated development at Land Off Bennetts Lane, Widnes, Cheshire

- | | |
|--------------|--|
| 06/00381/FUL | Proposed single storey and two storey extension to rear of 74
Dorchester Park, Runcorn, Cheshire, WA7 1QB |
| 06/00388/FUL | Proposed extension to existing car park on to previously
grassed area to front of lower wing building to provide up to 50
No. spaces at Wade Deacon High School, Birchfield Road,
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