

## DEVELOPMENT CONTROL COMMITTEE

*At a meeting of the Development Control Committee on Monday, 16 April 2007 at Civic Suite, Town Hall, Runcorn*

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), Blackmore, Hignett, Leadbetter, Morley, Osborne, Polhill, Rowan, Sly and Whittaker

Apologies for Absence: (none)

Absence declared on Council business: (none)

Officers present: P. Watts, A Farrell, P Baragwanath, R. Cooper, J. Farmer, A. Pannell, A. Plant, N Renison, J. Tully and L. Cairns

Also in attendance: Councillors Findon and Swift, and 10 Members of Public

### ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

#### DEV71 MINUTES

The Minutes of the meeting held on 14<sup>th</sup> March 2007, having been printed and circulated, were taken as read and signed as a correct record.

#### DEV72 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.

#### DEV73 - PLAN NO. 06/00950/HBCFUL - PROPOSED ERECTION OF GATES AT ENTRANCE TO ALLEYWAYS AT LAND ADJOINING 40/48 HIGHFIELD ROAD, 2/4/32/34 ADDISON SQUARE AND 128/130 LEIGH AVENUE, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that five letters of representation had been received, details of which were outlined in the report.

*Action*

The Committee was advised that Cheshire Fire Authority and United Utilities had confirmed that they raised no objections in principle to the proposal.

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

1. Specifying amended plans; and
2. Requiring colour coating Dark Green (BE22).

DEV74 - PLAN NO. 07/00072/FUL - DEMOLITION OF EXISTING BUILDINGS AND RE-DEVELOPMENT TO FORM MIXED-USE DEVELOPMENT COMPRISING 400 SQUARE METRES OF COMMERCIAL SPACE (A1/A2/B1 USE CLASSES) TOGETHER WITH 77 NO. ONE AND TWO BED APARTMENTS WITH CAR PARKING AND LANDSCAPING TO 79-83 HIGH STREET, RUNCORN

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that the Environment Agency had no objections, in principle to the proposed development and recommended conditions relating to

- a) contaminated land desk survey;
- b) drainage (two conditions); and
- c) demolition.

United Utilities had confirmed that they raised no objections to the proposals.

A letter of objection had been received from a neighbour, details of which were outlined in the report. In addition, it was advised that the Theatre Trust; Cinemas Association; and the Manchester Ship Canal Co. had also objected. Mr Diggle, the applicant's agent, attended the meeting and spoke in favour of the proposal.

Mr Renison, Senior Planning Officer, confirmed that the Manchester Ship Canal Co's concerns had been addressed by the proposed condition 15. In addition, it was advised that the developer had undertaken a survey of the façade and it had been concluded that to maintain it would be complex and could not be guaranteed. Although some Members expressed their disappointment in this, it was noted that the previous proposal was no longer before the Committee and it was considered that the current proposal would continue the renovation of the canal side.

*(NB Councillor Morley requested that it be minuted that he*

*was a Member of the Bridgewater Canal Trust. Councillor Morley was advised by the Legal Officer present that he did not need to declare a personal interest in this respect.)*

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

A) The applicant entering into a legal agreement in relation to the payment of a commuted sum for the:

1. Provision and improvement of off-site open space;
2. Provision of Bridgewater Way towpath improvement scheme;
3. Provision of an off-site local tree planting scheme; and
4. Provision of off-site highway and streetscape works.

B) Conditions relating to the following:

1. Condition specifying amended plans (BE1);
2. Materials condition, requiring submission and approval of materials to be used (BE2);
3. Provision of appropriate waste and recycling bins for use by the occupiers and facilitation of recycling through the provision of recycling separation bins within every kitchen (BE1);
4. Submission and agreement of both a hard and soft landscaping scheme including replacement trees (BE2);
5. Submission and agreement of an external lighting scheme (BE2);
6. Prior to commencement a noise survey shall be submitted with appropriate remediation measures and approved by the Council (BE1);
7. No installation of satellite dishes or other antenna without further approval (BE2);
8. Vehicular entrance gates must be set back at least 5.5 metres from the carriageway edge and electrically operated by remote control (TP17);
9. Construction traffic wheel cleansing facilities to be submitted and approved in writing (BE1);
10. Reconstruction of main highway following drainage and utilities connection to satisfaction of the Council (TP17);
11. Dropped crossings with tactile paving should be installed at all appropriate desire line points to the satisfaction of the Council (TP17);
12. Submission and agreement of shop front façade, including standardised advertisement design, and

- incorporation of internal see-through lath shutters (BE2);
13. Boundary Treatments will be submitted and approved in writing (BE22);
  14. Prior to commencement structural elements of the scheme which may have an implication for the integrity of the Highway is subject to HBC's formal process for the technical approval of highways structures (TP17);
  15. Prior to commencement the Council requires that they have sight of, and opportunities to comment on, the protective measures to be undertaken by the developer in respect of the canal and its towpath during demolition and construction and in the longer term (GE29);
  16. Restriction of Retail (A1) to sale of non-food goods only (TC10 and TP17);
  17. Restriction of Business (B1) to B1a only (BE1);
  18. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
  19. Submission and approval of a sustainable design and construction method statement demonstrating how the Sustainability Statement set out with Appendix A of the Design and Access Statement has been incorporated at the detailed design stage (BE2);
  20. Prior to commencement construction and delivery route to be agreed with the Local Planning Authority (BE1);
  21. Prior to commencement a scheme of building recording of 79 High Street is undertaken to the satisfaction of the Local Planning Authority (BE1);
  22. Site investigation for contamination, including mitigation, to be submitted and approved in writing by the Council (PR14);
  23. Surface water drainage from car park areas shall pass through a suitable oil interceptor - roof water shall not pass through the interceptor (GE29);
  24. Prior to commencement submission and approval of a scheme for the disposal of foul and surface water (BE1);

C) That if the legal agreement is not executed within a reasonable period of time, authority is delegated to the Operational Director - Environmental and Regulatory Services, in consultation with the Chairman or Vice Chairman, to refuse the application on the grounds that it fails to comply with UDP Policy S25 Planning Obligations; and

D) Extra conditions relating to:

- secure cycle spaces;
- provision of vehicle access;
- site level;
- opening hours;
- delivery hours;
- residential car parking - to be provided on an allocated basis, one per dwelling, and the dwellings marketed as such – to be included as part of the S106 agreement; and
- a Grampian condition regarding scheme/forecourt improvement.

DEV75 - PLAN NO. 07/00109/FUL - DEMOLITION OF EXISTING OFFICES AND ERECTION OF 1 NO. 3 STOREY AND 1 NO. 2 STOREY RESIDENTIAL BLOCK CONTAINING 38 NO. DWELLINGS TO THE LAND AT APPLETON VILLAGE, WIDNES

The Committee was advised that this application had been withdrawn.

DEV76 - PLAN NO. 07/00111/OUT - OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR THE DEVELOPMENT OF UP TO 320 RESIDENTIAL DWELLINGS TO THE LAND AT SANDYMOOR SOUTH, RUNCORN.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that comments had been received from residents, details of which were outlined in the report. In addition, it was reported that the Environment Agency had withdrawn its objection.

The Committee was advised that the application had to be referred to Government Office: subject to it not being called in, a decision notice would be issued.

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

1. Reserved matters condition for the submission of and approval prior to the commencement of development (in accordance with the Town & Country Planning Act 1990);
2. Time limit for the submission of reserved matters (in accordance with the Town & Country Planning Act 1990);

3. Time limit for the commencement of development (in accordance with the Town & Country Planning Act 1990);
4. Reserved matters to be submitted and carried out as approved (in accordance with the Town & Country Planning Act 1990);
5. The number of final dwelling dependant upon the scheme satisfying all the conditions and restrictions imposed on the outline permission (H2, BE1 and BE2 – New Residential Guidance and Sandymoor Masterplan SPD);
6. Prior to commencement the provision of an agreed traffic calming system to be provided along Walsingham Drive (BE1 and TP17);
7. Prior to commencement the details of vehicle access to be agreed (including off site works) (BE1 and BE2);
8. Prior to commencement written details and agreement of construction vehicle access routes and construction car parking (BE1);
9. Development to be in accordance with the approved design guide where this does not conflict with Council policy (H2, BE1 and BE2, New Residential Guidance and Sandymoor Masterplan SPD);
10. Suitable provision of car parking including disabled parking in accordance with Council policy (BE1 and BE2);
11. Prior to commencement provision of pre-development site levels and proposed finished floor levels (BE1);
12. Existing tree survey and measures for protection during construction (BE1 and GE27);
13. Prior to commencement detailed landscaping scheme to be submitted and approved (BE1 and GE27);
14. Prevention of any tree felling without consent (BE1 and GE27);
15. Prior to commencement terrestrial habitats survey and necessary mitigation measures (BE1, GE21 and GE25);
16. Prior to commencement a scheme of protective measures for wildlife during the course of construction to be submitted and approved (BE1, GE21 and GE25);
17. Prior to commencement a survey for ground nesting birds to be submitted and approved (BE1 and GE21);
18. Prior to commencement provision of a scheme showing 6m wide strip between the proposed

development and Sandymoor Main Ditch to be approved and implemented prior to commencement (BE1 and GE21);

19. Prior to commencement provision of scheme of boundary treatment and landscaping scheme to Sandymoor Main Ditch to be approved and installed prior to commencement on site (BE1 and GE21);
20. Prior to commencement provision of mitigation scheme for great crested newts to be implemented prior to commencement on site (BE1 and GE21);
21. Prior to commencement ground investigations for potential pollutants and remediation scheme where necessary (BE1 and PR6);
22. Prior to commencement provision of a drainage scheme to be submitted and approved (BE1);
23. Prior to commencement details of protection during development of adjacent woodland to be submitted and approved (BE1, GE21 and GE27);
24. Prior to commencement provision and use of wheel cleansing facilities during course of construction to be submitted and approved (BE1);
25. Restricted hours of development and deliveries related to development during construction period (BE1);
26. Provision of required bin storage facilities for all individual dwellings at developer's expense (BE1).

DEV77 - PLAN NO. 07/00132/FUL - PROPOSED ERECTION OF 3 NO. TWO STOREY UNITS MIXED USE (B1, B2 AND B8) HYBRID UNITS AND 7 NO. TWO STOREY UNITS (B1) OFFICE UNITS TO THE LAND TO THE SOUTH OF DENNIS ROAD AT JUNCTION WITH EARLE ROAD, WIDNES

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

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

1. Standard commencement condition;
2. Submission of good quality materials (Policy BE2);
3. Car parking and layout (Policy BE1);
4. Boundary treatment (Policy BE2);
5. Landscape details (Policy BE2);
6. Remediation plan following site investigation (PR14);

7. Provision of green travel plan (TP16);
8. Provision of bin storage/waste disposal (BE1);
9. Restriction on external storage (BE2);
10. Use restrictions (BE1);
11. Restriction on HGV's using certain areas of the site (BE1);
12. Use of wheelwash during construction (BE1).

DEV78 - PLAN NO. 07/00133/FUL - PROPOSED INSTALLATION OF 2 NO. (3M X 3M) JUMBRELLAS WITH EXTERNAL SMOKING AREA AND INSTALLATION OF NEW UP/DOWN LIGHTS TO THE MAIN FACADE AT THE UPTON TAVERN, UPTON LANE, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that 10 letters of objection had been received, details of which were outlined in the report. Since then, 3 further objections had been received, as well as a letter of objection from a Ward Councillor. Ms Wynne and Councillor Findon addressed the Committee against the proposal.

The Planning Officer advised that the use outside the building would not change: the application related to permanent structures. Therefore, although there were reservations over the noise this proposal would create, it was not considered to be more than would be caused if the application was refused. In addition, the Legal Officer confirmed that the licensed area was the footprint of the building, which meant that patrons could drink anywhere in that area within the licensed hours subject to the landlord/owner's consent.

The Committee noted that the officer recommendation was to grant conditional permission for a period of three years. It was confirmed that this timeframe was not dictated by planning law and could be amended by the Committee if so desired.

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

1. The floodlights shall at no time exceed the Institution of Lighting Engineers guidance (PR4);
2. The floodlights shall be removed within one month of them no longer being required (BE1); and
3. The structure shall be removed after a period of 12 months.



DEV79 MISCELLANEOUS ITEMS

It was reported that the following applications had been withdrawn:

06/00455/HBCFUL	Proposed single storey modular office building (canteen/showers/kitchen), single storey maintenance garage and outside storage bays at Landscape Services New Depot, Ditton Road, Widnes, Cheshire, WA8 0TH
06/00693/COU	Proposed change of use of first floor to 1 No. bedsit accommodation and 1 No. flat and alterations to shop front at 71 - 71A Albert Road, Widnes, Cheshire, WA8 6JS
06/00700/FUL	Proposed installation of 2 No. air conditioning units at Holiday Inn, Wood Lane, Beechwood, Runcorn, Cheshire, WA7 3HA
06/00707/FUL	Proposed first floor rear extension at 149 Birchfield Road, Widnes, Cheshire, WA8 9EG
06/00850/S73	Application to remove condition No.2 on original planning permission to include A5 (i.e from A3 to A5) at 8 Church Street, Runcorn, Cheshire, WA7 1LT
06/00959/HBCFUL	Proposed new multi use games area with fencing and hardstanding at Castle Rise Park, Castle Rise, Runcorn, Cheshire
07/00009/COU	Proposed change of use and alteration to mixed use (offices and residential) at Former Job Centre, 5 Widnes Road, Widnes, Cheshire, WA8 6AB
07/00015/FUL	Proposed two storey side extension/single storey garage

and demolition of existing garage  
at 33 Regency Park, Widnes,  
Cheshire, WA8 9PH

07/00075/FUL

Proposed single storey side/rear  
extension at 62 Holloway,  
Runcorn, Cheshire, WA7 4TQ

*(NB At the close of the meeting, the Chairman reported that this was  
to be Councillor Whittaker's last meeting and thanked him for his work  
on the Committee.)*

*Meeting ended at 7.23 p.m.*