



Development Control Committee

Monday, 10 January 2011 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 John Bradshaw
Councillor Ellen Cargill
Councillor Ron Hignett
Councillor Mike Hodgkinson
Councillor Dave Leadbetter
Councillor Tom McInerney
Councillor Keith Morley
Councillor Shaun Osborne
Councillor Linda Redhead

*Please contact Ann Jones on 0303 333 4300 Ext. 1179 or
ann.jones@halton.gov.uk for further information.
The next meeting of the Committee is on Monday, 14 February 2011*

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

Part I

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1. MINUTES	1 - 16
2. DECLARATIONS OF INTEREST	
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, with personal and prejudicial interests (subject to certain exceptions in the Code of Conduct for Members), to leave the meeting prior to discussion and voting on the item.	
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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.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 6 December 2010 at Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), J. Bradshaw, E. Cargill, Hignett, Leadbetter, McInerney, Morley and Redhead

Apologies for Absence: Councillors Hodgkinson and Osborne

Absence declared on Council business: None

Officers present: P. Watts, J. Tully, A. Plant, J. Farmer, P. Shearer, R. Cooper and A. Jones

Also in attendance: Councillors Loftus, A Lowe & Parker and 27 Members of the public

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

Action

DEV33 MINUTES

The Minutes of the meeting held on 8 November 2010, having been printed and circulated, were taken as read and signed as a correct record.

DEV34 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.

DEV35 - 10/00254/FUL - REDEVELOPMENT OF SITE FOR THE ERECTION OF AN A1 FOOD STORE (1710 SQM GEA), 2 NO. A1 NON FOOD RETAIL UNITS (1784 SQM GEA) AND AN A4 FAMILY PUB/RESTAURANT (697 SQM GEA), WITH ASSOCIATED PARKING, RECONFIGURED VEHICULAR SITE AND PEDESTRIAN ACCESS AND LANDSCAPING AT VESTRIC HOUSE, WEST LANE, HALTON LEA, RUNCORN, WA7 2PE

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

The Committee was addressed by Mr Justin Paul who spoke in support of the application on behalf of Opus Land. He stated that they were keen to invest in Halton and after consulting 300 residents within the immediate area, had received 296 responses that were all in support of the development. He went on to state that benefits would include job opportunities, a total investment of £5 million, the regeneration of the area, and new uses for the site which would include a family pub and bulky goods warehouses. He further stated that the company had provided evidence as to why the Halton Lea and Trident Park sites were not suitable for the development.

The Committee was also addressed by Councillor Loftus who spoke in support of the application on behalf of the residents. She commented that this quality development would be beneficial to the local people from a jobs perspective and that a family pub would be a welcome facility for the area.

It was reported that since the publication of the application, the Council had received an objection from the representative of Fordgate, the owners of Trident Park and Halton Lea Management, on the basis of the following:-

- a) There was no quantitative or qualitative need for additional convenience floor space on this edge of the Centre site and as such it fails to meet the test of Policy TC1 of the UDP;
- b) The applicant had not taken into account the existing vacant units within the shopping centre in undertaking a sequential assessment;
- c) The applicant had failed to take into account the extant permission on East Lane;
- d) Proposal was a stand alone development, physically separated from Halton Lea and would not facilitate any pedestrian linked trips to Halton Lea;
- e) The provision of floorspace outside the Centre would further threaten its vitality and viability and divert trade and associated footfall;
- f) It would have a significant adverse impact upon in-centre trade and turnover due to the extent of diversion from the Centre;
- g) Potential impact on Fordgate's planned private investment in the Centre;
- h) Insufficient evidence to show compliance with the sequential approach;
- i) There was sufficient evidence to refuse the application; and
- j) It was contrary to the policies contained in PPS4.

It was also reported that the Council had received an anonymous letter of objection from the 'parents and partners' of Lidl workers referring to the poor reputation of the Company in the area of employee law and staff relations.

The Committee were not convinced that the applicant had failed the sequential test required by PPS4 nor that there would be a significant adverse impact on the Halton Lea Centre if the development was approved.

Following debate, Members commented that although the recommendation was to refuse the application, there was a strong argument for the benefits that such a development would bring to the Borough. Members considered the application, further comments made and amendments to the application and agreed that it would be in the interests of both local residents and Halton if this development was approved.

RESOLVED: That

- 1) the application be approved due to there being significant benefits from the proposal which outweighed policy objections;
- 2) Delegated Authority be given to the Operational Director, Environment and Regulatory Services, in consultation with the Chair or Vice Chair, to take into consideration additional information and/or amendments to the scheme and to approve subject to conditions and any planning obligation which may be deemed to be required or appropriate.
- 3) That if the S106 Agreement or alternative arrangement is not excluded within a reasonable period of time, authority be delegated to the Operational Director – Environment and Regulatory Services in consultation with the Chairman or Vice Chairman of the Committee to refuse the application on the grounds that it fails to comply with Policy S25 (Planning Obligations).

DEV36 - 10/00366/COU - PROPOSED CONVERSION AND ALTERATIONS TO FORM 6 NO. ONE AND TWO BEDROOM APARTMENTS AT THE TUNNEL TOP PUBLIC HOUSE, NORTHWICH ROAD, RUNCORN, WA7 6PE

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 the Council had received an objection from Cheshire West and Chester Council as follows: -

- a) The proposal, with appropriate landscaping to the car parking area, would not result in any harm to the openness of the Green Belt. PPS4 stated that 'local planning authorities should take into account the importance of the shop, leisure facility or service to the local community to the economic base of the area, if the proposal would result in its loss or change of use, and refuse planning applications which failed to protect existing facilities which provided for peoples' day to day needs';
- b) Whilst not an essential community facility, the public house was currently operating and is therefore a valuable social asset and its loss should be resisted;
- c) There were no other public houses within easy walking distance of Dutton; and
- d) Although the applicant stated the business was operating at a loss, the application does not detail what measures, if any, the applicant had introduced to increase local support.

It was also noted that a further four objections had been received from Runcorn residents commenting on the loss of the public house.

Mr Lynas addressed the Committee and spoke against the application reiterating points mentioned above, adding that the property was purchased as a public house without the option to change its use and requested the Committee to reject due to it being contrary to PPS4 and PPS7.

Mr Say, the applicant addressed the Committee in support of his application. He commented that he had owned the pub for the past 12 years and it had seen twelve previous owners to him, who had all experienced the same problems he was experiencing presently. He further stated that there were not enough people in the surrounding areas to support the viability of the pub and feared for the future of it, even with the efforts of the new tenants.

Councillor Roy Peters addressed the Committee on behalf of Preston Brook Parish Council objecting to the proposal, citing that it was contrary to PPS4, in particular

policies EC6.2, EC7.1 and EC13.

Because the proposal would have led to the loss of a leisure facility, the Committee took into account the importance of the leisure facility to the local community. The Committee concluded that the existing use constituted an important leisure facility to the local community and that the proposal failed to protect an existing facility which provided for people's day to day needs.

Following Members debate and consideration of the further comments made and amendments to the application, the Committee voted by a show of hands and it was noted that 6 members voted against the application and 2 voted for the application, therefore the application was refused.

RESOLVED: That the application be refused due to it being contrary to the advice within PPS4, Policy EC13.1 (b).

DEV37 - 10/00369/FUL - PROPOSED DEMOLITION OF EXISTING DWELLINGS AND ERECTION OF 12 NO. DETACHED DWELLINGS WITH ASSOCIATED INFRASTRUCTURE AT 177-181 HEATH ROAD, RUNCORN

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

It was commented that since the publication of the report three further objections had been received from neighbours in relation to the loss of existing houses and the destructive nature of the proposal. These objections included further comments received from the owner of number 175 following amendments to the scheme, regarding the design and appearance of plot 1 and the potential impact on the boundary and drainage, matters which had already been addressed in the report.

The Committee was addressed by Mrs Davis, who spoke on behalf of Lisa Richards (owner of house number 175) who was unable to attend. She reiterated the comments above and stated the Mrs Richards had requested a further amendment.

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

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

provision and improvement of off-site open space, replacement tree planting.

2) Conditions relating to the following;

- 1) Standard commencement condition;
- 2) Condition listing approved plans and amended plans;
- 3) Prior to commencement details of materials to be submitted for approval (BE2);
- 4) Condition restricting hours of construction and deliveries (BE1);
- 5) Prior to commencement details of wheel cleansing facilities to be submitted and approved in writing. (BE1);
- 6) Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use (BE1);
- 7) Appropriate visibility splays to be retained (BE1);
- 8) No conversion of garages (TP12);
- 9) Prior to commencement details of boundary treatments to be submitted and approved in writing. (BE2);
- 10) Prior to commencement detailed site investigation, including mitigation to be submitted and approved in writing. (PR14);
- 11) Condition(s) for landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting. (BE2);
- 12) Conditions relating to tree protection during construction and lifetime of development (BE1);
- 13) Condition replacement tree planting of any of those shown to be retained if lost during construction;
- 14) Prior to commencement a method statement shall be submitted for working methods around those trees to be retained at the access on Heath Road (BE1);
- 15) Condition replacement planting if lost within first five years (BE1);
- 16) Drainage condition, requiring the submission and approval of drainage (BE1);
- 17) Submission and agreement of finished floor and site levels (BE1);
- 18) Condition removing permitted development rights for classes A, B and E (BE1 and BE2); and

19) Condition preventing fences and walls being erected between the dwellings and the new highway (BE1);

- 3) 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.

DEV38 - 10/00400/FUL - PROPOSED TWO STOREY COMMUNITY CENTRE AND CENTRE FOR EXCELLENCE FOR AUTISM, ASSOCIATED ACCESS AND CAR PARKING ON LAND AT HALLWOOD PARK AVENUE, RUNCORN

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

The Committee was addressed by Councillor Alan Lowe, who spoke in support of the application. He stated that it was a well thought out project that would serve the community and had the full support of the nearby residents who had all been consulted.

RESOLVED: That Delegated Authority be given to the Operational Director Environment and Regulatory Services, in consultation with the Chair or Vice Chair, to take into consideration additional information and/or amendments to the scheme and to approve subject to conditions (including the need to add conditions as required) relating to the following:

1. Amended plans condition (BE1);
2. Materials condition, requiring the submission and approval of the materials to be used (BE2);
3. Landscaping conditions, requiring the submission of both hard and soft landscaping and replacement tree planting. (BE2);
4. Boundary treatments including retaining walls to be submitted and approved in writing. (BE2);
5. Wheel cleansing facilities to be submitted and approved in writing. (BE1);
6. Construction and delivery hours to be adhered to throughout the course of the development. (BE1);
7. Vehicle access, parking, servicing etc to be

constructed prior to occupation of properties/
commencement of use. (BE1);

8. Agreement and implementation of cycle parking, bin store details (TP6);
9. Submission and agreement of site and finished floor levels (BE1);
10. Requiring submission and agreement of Travel Plan (TP16);
11. Restricting external lighting (PR4); and
12. Conditions relating to protection of trees and woodland management (BE1).

DEV39 - 10/00407/FUL - DEMOLITION OF EXISTING BUNGALOW AND THE CONSTRUCTION OF 1 NO. REPLACEMENT DWELLING AT 14 BEAUFORT CLOSE, RUNCORN

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 conditions:

1. Time limit for permission (BE1);
2. Amended plans (BE2);
3. Materials submission (BE2);
4. Ground Investigation (PR12);
5. Velux windows (RW1 - 8) to be fixed closed (BE1);
6. A minimum of 2 off street car parking spaces to be provided throughout lifetime (BE1);
7. Restricted hours of construction and deliveries (BE1); and
8. Wheelwash (BE1)

DEV40 - 10/00419/OUT - OUTLINE APPLICATION FOR A PROPOSED CLASS A1 FOODSTORE, PETROL FILLING STATION AND ASSOCIATED PARKING AND SERVICING FACILITIES AT ASHLEY RETAIL PARK, LUGSDALE ROAD, WIDNES

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

RESOLVED: That

- 1) Delegated Authority is given to the Operational Director Environment and Regulatory Services, in

consultation with the Chair or Vice Chair, to approve subject to conditions and legal agreement and the application not being called in by the Secretary Of State.

- 2) Should the application be approved the approval shall include conditions relating to the following:
 1. Outline time limits;
 2. Submission of reserved matters;
 3. Wheel cleansing facilities to be submitted and approved in writing and used during construction;
 4. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use;
 5. Requiring implementation of Travel Plan;
 6. External lighting;
 7. Conditions relating to drainage details including oil interceptor;
 8. Submission and implementation of landscaping details;
 9. Details of carbon reduction measures for the store and delivery vehicles;
 10. Modifications to the Lugsdale Road / Greenoaks Way roundabout;
 11. Cycle, motorcycle, disabled parking and taxi rank provision;
 12. Travel Plan;
 13. Parking management plan including commitment to Parking Partnership;
 14. Monitoring and alteration to service access if appropriate;
 15. Induction loops to signal approach outside of highway boundary;
 16. Retaining walls;
 17. Submission of a construction management plan;
 18. Construction and delivery traffic to access routes to be agreed;
 19. Details of materials;
 20. Amended plans condition;
 21. Boundary treatment details to be submitted;
 22. Highway works and parking area to be provided prior to opening of the store;
 23. Condition the net sales area;
 24. Opening hours and hours of delivery;
 25. Noise conditions;
 26. Submission of piling works;
 27. Site investigation and remediation plan; and
 28. Flood risk assessment.

DEV41 - 10/00446/EIA & 10/00305/FUL - PROPOSED DEVELOPMENT AND OPERATION OF WASTE RESOURCE PARK TO ENABLE THE RECYCLING AND SORTING OF MUNICIPAL, COMMERCIAL AND INDUSTRIAL WASTE MATERIALS (MAXIMUM THROUGHPUT OF 200,000 TONNES PER ANNUM), INCLUDING THE PRODUCTION OF COMPOST AND THE PRODUCTION OF REFUSE DERIVED FUEL; AND PROPOSED USE OF PRIVATE ROAD AND CONSTRUCTION OF NEW ROAD TO PROVIDE ACCESS TO LAND AT THE FORMER ICI PILKINGTON WORKS SITE AT WIDNES WATERFRONT, SOUTH OF MOSS BANK ROAD, WIDNES

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

It was reported that this application was a re-submission as it had been presented previously to the Committee in June 2010. It had now been amended reducing the throughput from 400,000 tpa to 200,000 tpa and access to the site had also been relocated 90m north, up Tan House Lane.

Mr Ted Besinski addressed the Committee and spoke in support of the application. He referred to the amendments mentioned above, and the access road alterations, which were referred to in the report under a separate application 10/00305/FUL, which was being considered with this report. He further stated that there had been a positive response from a public consultation of 3000 residents.

Councillor Parker then addressed the Committee and spoke against the application. He cited that there would be an increase in traffic which would come through the Town Centre itself, the waste material would produce acid water into the River Mersey and that Halton View residents had not been included in the consultation procedure.

The following additional comments had also been received since the report was published:-

Environment Agency – stated that this would be acceptable provided conditions are attached in relation to the following: being implemented in accordance with the flood risk assessment; surface water regulation; further details on contamination and remediation strategy;

verification report on remediation; long term monitoring; maintenance and contingency for remediation; scheme to treat and remove solids from surface water run-off during construction work; scheme for foul and surface water drainage including oil and petrol interceptors; trapped gullies and roof drainage sealed at ground level.

Further advice was provided as an informative to the applicant in relation to water abstraction licenses and Environmental Permits, and the requirement for site waste management plans.

It was noted that further comments had been provided in relation to lighting and soft boundary screening treatment along the St Helens Canal, and that landscaping schemes would include native planting.

Natural England – had noted that the site is close to the Mersey Estuary Ramsar, Special Protection Area, and site of special scientific interest. It was their opinion that the proposal would not significantly affect this.

They noted that the proposal included remediation of the site that would significantly improve quality of the shallow ground waters, removing direct discharges to controlled waters, and were pleased that this work was being carried out in consultation with the Council's Contaminated Land Officer and the Environment Agency. It was noted that they had asked that a relevant condition be attached to control this.

They had further commented that the air quality impact on the River Mersey SPA had not been assessed, but taking into account the type of the development and the assessment/surveys carried out as part planning application, they do not consider the proposal would have a significant impact on the river Mersey designated site relating to air quality.

It was noted that the ecological surveys concluded that no protected species would be affected. However in the event that any were found, they would stop until further surveys were carried out until suitable mitigation measures were put in place.

Northwest Regional Development Agency (NWDA) – The proposal fell outside the scope that the NWDA would statutorily be consulted upon. They had noted that the site was within the Widnes Waterfront EDZ and that the number of jobs that would be generated was generally low compared

to the size of the development. It was noted that they wished to be assured that the proposal would not impact on the future development potential of the wider EDZ area. They had looked to the Council to assess the impact of the proposal including the traffic movements. If the proposal was approved, they commented that it should be satisfactorily landscaped and operated in accordance with current best practice.

British Waterways – The proposal did not lie within the consultation zone of any waterway, reservoir, canal, feeder, channel, water course, let off or culvert owned or managed by British Waterways, therefore they had no comment.

United Utilities – Had no objection provided the site was drained on a separate system with foul drainage only connected to the foul sewer. They noted that the overall regeneration of the Widnes Regeneration Area required a significant amount of water and the existing network would not support the total demand. Work was currently underway to provide a new connection of the large diameter main. Further information would be required from the developer before they knew if the local mains could support this. The development could only be supplied once reinforcement had been installed.

Knowsley Council – Had no objection subject to Halton being satisfied that the proposal met its own policy requirements and noted the comments of MEAS in that the application was the same as the previous in that it sought permission for a Mechanical Biological Treatment (MBT) and a Vessel Composting (IVC) facility. The difference being that the throughput was now reduced to 200,000 tpa and the access had been amended.

It was also reported that since the report was published three further representations had been received from local residents and businesses concerning the following:

- The traffic would have a detrimental impact on the Town causing congestion which would impact on the operation of existing businesses;
- Concerns raised that perception of the waste resources park would have an impact on investment. Companies, including Forward Partnership had invested in developing new office units which were vacant; the new proposal would further prevent

business wanting to move into the units; and

- The proposal was contrary to the commitments of the Widnes Waterfront Masterplan which seeded high quality mixed uses, including offices business parks and residential leisure and retail;

Finally, it was reported that additional conditions were required in relation to:-

- a) Contamination and remediation strategy;
- b) Submission of a verification report on remediation;
- c) Submission of a long term monitoring, maintenance and contingency plan for the remediation;
- d) Submission of a scheme to treat and remove solids from surface water run-off during construction work;
- e) Submission of a scheme for foul and surface water drainage including oil and petrol interceptors, trapped gullies and roof drainage sealed at ground level;
- f) Details of permanent wheel cleaning facilities at the site for during operation; and
- g) Condition specifying and restricting the types of waste to be processed at the site.

RESOLVED: That application **10/00446/EIA** be approved subject to:-

- 1) The entering into a Legal Agreement for the provision of a financial contribution towards Environmental Matters, and the provision of a bus service to the site for employees.
- 2) The following conditions:
 - 1 Time limit for the commencement of development; (in accordance with the Town & Country Planning Act 1990);
 - 2 List of approved plans and documents (BE1, BE2);
 - 3 Prior to the commencement of development submission and approval of materials (BE2) ;
 - 4 Prior to commencement provision and use of wheel cleansing facilities during course of construction to be submitted and approved; (BE1);
 - 5 Conditions for prior to commencement approval of detailed landscaping scheme including hard and soft landscaping and planting and cultivation (BE1 and GE27);
 - 6 Condition that any planting lost within the first five years following completion be replaces;

- 7 Prior to commencement approval of fencing and boundary treatment details (BE22);
- 8 Condition(s) in relation to the submission of a ground investigations and remediation strategy to be submitted to and approved by contaminated land and environment agency. This shall include the monitoring maintenance and any contingency final report demonstrating that all long-term site remediation criteria;
- 9 No development shall begin until the provision of pre-development site levels and proposed finished floor levels and adjacent land levels; (BE1);
- 10 Prior to the commencement final construction details of the access road and the point of access onto Tan House Lane to be submitted for approval (BE1);
- 11 Prior to occupation of the buildings laying out of approved vehicle access, service and parking areas and to be retained as such (BE1);
- 12 Condition limiting the throughput of material to 200,000 tpa;
- 13 Prior to commencement condition relating to the disposal of foul and surface water (PR5);
- 14 Condition relating to installation of oil and petrol separators (PR5);
- 15 Condition relating to the installation of trapped gullies (PR5);
- 16 Condition relating to the installation of roof drainage-sealed at ground level;
- 17 The development to be carried out in accordance with the approved Flood Risk Assessment and the mitigation measures as detailed within; (BE1 and PR16);
- 18 Prior to commencement provision of a surface water regulation scheme to be submitted and approved; (BE1);
- 19 Prior to the commencement of development details of secure cycle parking (TP16);
- 20 Prior to the occupation of the buildings a framework travel plan shall be submitted for approval;
- 21 Condition restricting no external storage of materials (BE1 and RG3);
- 22 Condition preventing the unloading, loading or handling of waste associated with the facility shall take place outside the building (BE1, PR1 and PR3);

- 23 Condition ensuring the doors to the facility building shall be kept closed at all times except for essential access and egress to and from the building (PR1 and PR3);
 - 24 The waste reception hall, processing and composting buildings shall be held under negative pressure during operating hours (PR1 and PR3);
 - 25 Prior to commencement a scheme of noise attenuation is provided to demonstrate that noise levels from the proposed development can achieve 10dB(A) below background at the 'Routledge' site (PR2 and PR28);
 - 26 Prior to the commencement of development details of lighting shall be submitted to and approved in writing. This should include details Lux levels and light spill diagrams (BE1 and PR4);
 - 27 Prior to the commencement of development, details shall be provided to demonstrate how at least 10% of the proportion of the developments energy requirements can be secured through the provision of renewable, decentralised or low carbon sources. For implementation prior to occupation and operation of the development lifetime (RSS – EM18);
 - 28 Use restriction that the building shall only be used for B2 'General Industrial (BE1 and RG3); and
 - 29 Traffic Management Plan.
- 3) That if the S106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director – Environment & Regulatory Services in consultation with the Chairman or Vice Chairman of the Committee to refuse the application on the grounds that it fails to comply with Policy S25 (Planning Obligations).

RESOLVED: That application **10/00305/FUL** be approved subject to the following condition(s):

1. Time limit for the commencement of development; (in accordance with the Town & Country Planning Act 1990).

The following applications had been withdrawn :-

10/00298/FULTEL	Proposed replacement of existing flood lighting column with a 17.5m high telecommunications pole with attached floodlight, 3 No. antennas and equipment cabinets at ground level at Widnes Rugby Union Club, Heath Road, Widnes, Cheshire
10/00280/FUL	Proposed two storey office block and car park extension at Rushserve Ltd Waterloo Road, Widnes, Cheshire, WA8 0QR
10/00405/FUL	Proposed two storey rear and side extensions and single storey side extension at 18 Coronation Road, Higher Runcorn, Cheshire, WA7 5QD
10/00294/FUL	Proposed construction of detached two storey, two bedroom dwelling house at 8 Chapel Lane, Widnes, Cheshire, WA8 4NX

The following appeal had been withdrawn:-

10/00013/FUL	
10/00012/REFUSE	
APPEAL NUMBER	Proposed residential development comprising 18 No. courtyard houses, detached garages, private access road and private open space at Former Dawsons Dance Centre, Lunts Heath Road Widnes, Cheshire, WA8 5BG

Meeting ended at 8.17 p.m.

REPORT TO: Development Control Committee

DATE: 10 January 2011

REPORTING OFFICER: Strategic Director, Environment & Economy

SUBJECT: Planning Applications to be determined by the Committee

WARD(S): Boroughwide

PLAN NUMBER: 10/00349/S73

APPLICANT: CBJ Investments Limited

PROPOSAL: Application to extend time limit for implementation by a further 3 years (application 06/00571/FUL): - Proposed residential development comprising 24 No. two bedroom apartments in a three storey building with associated access, car parking and landscaping at

ADDRESS OF SITE: Land to Rear of 353-363 Hale Road, Halebank, Widnes

WARD: Ditton

SUMMARY RECOMMENDATION:

Approve subject to conditions and Section 106

CONSULTATION AND REPRESENTATION:

The application has been advertised in the local press and by a site notice displayed near to the site. The nearest affected occupiers of the adjacent and nearby residential and commercial properties were notified by letter. United Utilities, Environment Agency, the Health & Safety Executive and the Highway Authority were also consulted.

The Health & Safety Executive and United Utilities raise no objection to the proposal. The Environment Agency initially raised concerns that a flood risk assessment had not been submitted with the application. The applicant has since submitted a satisfactory flood risk assessment and the Environment

Agency now confirm that it has no objection subject to the imposition of conditions.

No further representations have been received

SITE/LOCATION:

The site is located on the former Car Sales site, which lies between the rear of the Cameron's site and Hale Road in Halebank. The access to the site is shown to be gained from Hale Road.

RELEVANT HISTORY:

The current site has a planning history relating to the existing commercial use and is not of particular relevance to the re-consideration of this current application.

DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is within the designated Action Area 5 – Halebank, in the Halton Unitary Development Plan (UDP) and the key policies, which relate to the development, are: -

Policy S1 - Regeneration
Policy S25 - Planning Obligations
Policy RG5 - Action Area 5 Halebank
Policy BE1 - General Requirements for Development
Policy BE2 - Quality of Design
Policy BE3 - Environmental Priority Areas
Policy PR12 - Development on Lane Surrounding COMAH Sites
Policy PR14 - Contaminated Land
Policy PR16 - Development and Flood Risk; TP16 Safe Travel for All
Policy H3 - Provision of Recreational Greenspace
Policy H4 - Design and Density of New Residential Development

The Council's Draft Supplementary Planning Document for Halebank Regeneration Action Area is also relevant to this application, as are the Supplementary Planning Guidance for New Residential Development and the Draft Design of New Residential Development Supplementary Planning documents.

OBSERVATIONS AND ISSUES:

This application seeks permission to renew planning permission 06/00571/FUL, which will allow a further 3 years for the commencement of development.

Application 06/00571/FUL was granted planning permission in October 2006 for 24 No. two bedroom apartments in a three storey building with associated access, car parking and landscaping on land to rear of 353-363 Hale Road, Halebank.

In considering this application regard should be had to any change in circumstance since the earlier grant of permission. In this particular case only one new issue has arisen, which is the requirement for the developer to carry out a flood risk assessment in compliance with PPS25.

All of the normal residential amenity, highway safety and matters of principle accepted when permission was first granted, remain unchanged. As such, these matters do not need to be re-considered.

As stated above, the Environment Agency initially raised concerns that a flood risk assessment in compliance with PPS25 'Development and Flood Risk' had not been submitted with the application. This is required as a consequence of PPS25 which was introduced in December 2006. The applicant has since submitted a satisfactory flood risk assessment and the Environment Agency has confirmed that it has no objection subject to conditions.

Conclusion

It was previously considered that the proposed development of 24 apartments was acceptable. The applicant has submitted a satisfactory flood risk assessment that complies with PPS25 and the Environment Agency has confirmed that it has no objection subject to conditions. No further new policies or material considerations have emerged that affect the original decision. The application to renew the permission is therefore recommended for approval.

RECOMMENDATION:

Approve subject to the following: -

A) The applicant entering into a Section 106 legal agreement in relation to the payment of a commuted sum for the provision and improvement of off-site open space, HGV relief road and free access through to the adjacent site without recourse to ransom.

B) Conditions relating to the following;

1. The entering into a Legal Agreement for off-site open space provision and allowing free access through site to adjacent land. (Policy RG5 and H3)
2. In accordance with amended plans (Policy RG5 and BE1).
3. Prior to commencement the applicant to install security gates for the access to the rear of 353-363 Hale Road following approval of details by the Local Planning Authority (Policy BE1).

4. Prior to commencement the submission of material samples for approval (Policy BE2).
5. Prior to commencement the submission of details of all boundary treatments for approval (Policy BE22).
6. Prior to commencement the submission of details of a hard and soft landscaping scheme (Policy BE1).
7. Prior to commencement the submission of detailed species of soft landscaping for approval (Policy BE1).
8. Prior to commencement the submission of details of bin and cycle stores, to be secured, for approval (Policy BE2).
9. Prior to commencement the submission of a ground investigation and undertaking of any remedial works where required (Policy PR14).
10. Prior to commencement the submission of existing ground levels and proposed finished floor/ground levels for approval (Policy BE1).
11. Prior to commencement the submission of drainage details for approval (Policy BE1).
12. Prior to commencement the submission of details of wheel wash to be used throughout the course of the construction period (Policy BE1).
13. Landscaping scheme to be implemented during the course of development or next available planting season (Policy BE1).
14. Access, roads, car parking and service areas to be laid out prior to occupation of premises (Policy BE1, TP6, TP7, TP12 and TP17).
15. Windows to north and east elevations to be installed with triple glazing and trickle vents (Policy PR7).
16. No lighting to be installed within the site or on the building without further approval from the Local Planning Authority (Policy BE1 and PR4).
17. Restricted hours of construction (Policy BE1).
18. Provision of domestic refuse bins.
19. Condition stating that the development shall be carried out in accordance with approved flood risk assessment

C) That if the legal agreement is not executed within a reasonable period of time authority is delegated to the Operational Director- Environment 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.

PLAN NUMBER:	10/00368/S73
APPLICANT:	Dreaming Spires Ltd
PROPOSAL:	Application to extend time limit for a further 3 years (application 07/00716/FUL) for proposed four storey mixed use development comprising 24 No. two bed apartments and 4 No. retail units at
ADDRESS OF SITE:	88A – 92 Albert Road, Widnes

WARD: Appleton

SUMMARY RECOMMENDATION:

Approve subject to conditions and legal agreement

CONSULTATION AND REPRESENTATION:

The application has been advertised in the local press and by a site notice displayed near to the site.

The Council's Highways and Environmental Health Officers, as well as the Health and Safety Executive and United Utilities have been consulted.

United Utilities has no objection in principle. The Health and Safety Executive has been consulted and do not advise against the proposal.

The Council's Environmental Health Officer has previously advised that the Phase 1 report is acceptable and that a Phase II report including remediation measures should be conditioned.

SITE/LOCATION:

Former petrol station on land between Albert Road and Cross Street.

RELEVANT HISTORY:

Various applications since 1979 relating to fencing, signage, use of premises for storage and workshop, use of site for hand car wash and valeting, 5 No. Class A1 retail units, proposed change of use to cyber café and use of site as A3 fast food drive thru restaurant (01/00660/OUT). The latter application was eventually refused permission on grounds of insufficient information to enable the proper assessment of the impact. 04/00468/OUT and 05/00290/REM – Similar application to the proposed development for a 4 storey development comprising up to 3 No. Class A1, A2 and A3 units at ground floor plus 5 No. C3 units at first, second and third floor levels (i.e. 15 apartments) plus associated car parking and servicing.

Planning permission 07/00716/FUL granted December 2007 for proposed four storey mixed use development comprising 24 No. two bed apartments and 4 No. retail units.

Planning permission 10/00078/OUT for proposed erection of four storey development consisting of 24 No. apartments and ground floor retail space granted permission in November 2010.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as the Widnes Secondary Shopping Area in the Halton Unitary Development Plan (UDP) and the key policies, which relate to the development, are:-

Policy BE1 General Requirements for Development

Policy BE2 Quality of Design

Policy TC5 Design of Retail Development

Policy TC8 Non- Retail Uses Within Primary and Secondary Shopping Areas

Policy H2 Design and Density of New Residential

Supplementary Planning Documents: New Residential Development
Guidance, Shop Fronts, Signage & Advertising.

OBSERVATIONS AND ISSUES:

This application seeks permission to extend the implementation time of planning permission 07/00716/FUL, granted in December 2007 for a further 3 years.

In considering the application regard should be had to any change in circumstance since the earlier grant of permission. In this particular case no new policy or other new material considerations have emerged that affect the original decision.

Summary and Conclusions

There have been no significant policy changes since the original approval in 2007 and the proposed uses are still considered to be in accordance with UDP Policy. The application to renew the permission is therefore recommended for approval.

As with the original permission conditions are recommended to control matters of detail.

RECOMMENDATION:

A) Approve subject to a legal agreement relating to provision/ improvement of open space.

B) Conditions relating to the following:

1. Standard Condition relating to timescale and duration of the permission;
2. Materials condition, requiring the submission and approval of the materials to be used (BE2);
3. Submission, agreement and implementation of scheme for drainage (BE1)

4. Landscaping condition, requiring the submission of both hard and soft landscaping. (BE2)
 5. Site Investigation, including mitigation to be submitted to and approved in writing. (PR14)
 6. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use. (BE1)
 7. Wheel wash condition required for construction phase (BE1).
 8. Parking conditions to ensure parking and servicing areas 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).
 9. Boundary treatment condition is required to ensure details are provided prior to the commencement of development (BE2).
 10. Construction hours to be adhered to throughout the course of the development. (BE1)
 11. Opening hours to be adhered to throughout the life of the permission. (BE1)
 12. Condition requiring the submission of any external flues on any units. (BE2)
 13. Condition requiring the submission and approval of shutters, shutters should not have projecting boxes and shall be perforated (BE2)
 14. Details of equipment to control the emissions of fumes shall be submitted and agreed in writing. (BE1 & PR3)
 15. Condition restricting the uses of the ground floor units (BE1)
 16. Noise levels in residential to comply with BS8233. (PR2)
 17. A scheme of sound installation to be submitted and agreed in writing (PR2)
 18. Provision of bin storage and bin provision (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.
-

PLAN NUMBER: 10/00451/OUT

APPLICANT: Quinton Investments

PROPOSAL: Outline application for 22 No. dwellings with access

ADDRESS OF SITE: Former Cock & Trumpet Public House, Halebank Road, Halebank, Widnes

WARD: Ditton

SUMMARY RECOMMENDATION:

Approve subject to conditions and section 106 agreement

CONSULTATION AND REPRESENTATION:

The application has been advertised by a site notice, press notice and the neighbouring properties and Ward Councillors were also consulted by letter. Halebank Parish Council was consulted. United Utilities, The Health & Safety Executive, Natural England, the Councils Highway Engineers and Environmental Health Officers have also been consulted.

The Health & Safety Executive do not advise, on safety grounds, against the granting of planning permission.

At the time of writing this report two objections have been received from local residents. These raise objection to the style of proposed dwelling believing that bungalows would be preferable on the site and also raise issues regarding property ownership/ position of boundary.

SITE/LOCATION:

The site consists of 0.2ha of land formerly occupied by the Cock & Trumpet Public House, which was demolished sometime ago. The site has access directly from Halebank Road and is bounded by residential properties and school to the west and north and by commercial land to the east.

RELEVANT HISTORY:

A planning application was submitted but withdrawn in 2009, REF: 09/00455/OUT for 32 dwellings. All previous planning permissions dating back to 1978 relate to minor and advertising applications for the former public house and are not relevant to the determination of this current planning application.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as within a residential area in the Halton Unitary Development Plan (UDP) and the key policies, which relate to the development, are: -

H2: Design and Density of New Residential Development

H3: Provision of Recreational Greenspace

BE1: General Requirements for Development

BE2: Quality of Design

TP12: Car Parking

The Council's New Residential Development Guidance Note, and Draft Design of New Residential Development SPD and Planning Policy Statement

1 (PPS1) Delivering Sustainable Development; Planning Policy Statement 3 (PPS3) Housing is also of relevance.

OBSERVATIONS AND ISSUES:

The application seeks outline planning permission for up to 22 dwellings (up to 4 beds in size and with 2 parking spaces) and access into the site.

The main planning issues arising from this proposal are highway safety, design and layout of the development and the protection of existing residential amenity.

Whilst the appearance, scale and layout of the dwellings and landscaping are matters to be approved within a later reserved matters application, the approval of access in this application dictates the eventual layout of the site to a large extent. As a consequence it is likely that a conventional 't' shape layout / cul de sac will result and indeed ensure the best use of land. This layout reflects the layout of the surrounding housing developments.

As the site is adjacent to a number of bungalows to the west and north, it is considered that in order to minimise the impact on the occupiers of those properties and to harmonise with the existing area character, that any dwellings on the application site should be no more than 2-storey in height. A condition is recommended to reflect this. On this basis the scheme meets the objectives of the Councils New Residential Development Guidance and is acceptable.

Comments received from two residents relate to a boundary issue and potential height of the dwellings. The applicant has provided an additional plan showing a more accurate application site, which overcomes the potential of land encroachment across the adjoining boundaries. Approval of the height of structures is not sought as part of this application, as it is outline only with appearance and scale reserved for future approval. However, given that the adjacent properties to the west are bungalows, it is felt only proper that dwellings on this site should not exceed two-storeys in height and as such a condition is recommended to restrict the height of the dwellings.

The nearest residential properties affected by the proposal are those of 22 Halebank Road; 11 and 12 Kenview; 26 and 28 Heathview. All of which have shared boundaries with the application site.

The indicative layout, as shown on the submitted plans meets the adopted standards of the Council and interface distances in relation to existing residential occupiers of 26 and 28 Heathview, 22 Halebank Road and 11 Kenview. The window to the side of 12 Kenview is obscured glazed. In this instance the 12.9m interface distance as shown is adequate, as the outlook of the occupiers of this property is not affected.

As the proposal is in outline, it is considered that this current proposal provides sufficient evidence to show that up to 22 dwellings can be accommodated on the site.

As there are several trees of varying maturity on the site, the application was supported by a Tree Survey. It is considered that the only tree of good health and worthy of protection in the development is the Norway Maple on the north boundary. This will be the subject of conditions to protect the root spread during the course of construction. The applicant has been requested to provide additional replacement small and medium tree planting within the scheme. Landscaping is to be considered, as a reserved matter and as such, the detail does not form part of this application. However, given that the loss of vegetation is a matter to be considered as part of the principle of whether or not the scheme is acceptable, a condition will be added to refer to the level of replacement planting expected when the application for reserved matters is submitted in the future.

The Council's Environmental Health Officer has commented that the proposal is particularly sensitive to contamination and as recommended in PPS23 the possibility of contamination should be assumed. These issues will be dealt with by way of conditions.

The proposal satisfies the Council's highway safety standards in terms of the access, required visibility splays and off street car parking provision for the proposed dwellings.

The proposal is acceptable and meets the requirements of Policies BE1 and TP12 of the UDP in this regard.

Conclusion

The proposed development is considered to be acceptable. The design of the new dwellings and landscaping are matters that will be dealt with in more detail on a future reserved matter application, but conditions are included to control storey height, impact on existing occupiers and replacement planting.

The application is recommended for approval.

RECOMMENDATION:

Approve subject to the following conditions: -

- A) The applicant entering into a legal agreement in relation to the payment of a commuted sum for the provision and improvement of off-site open space.
- B) Conditions relating to the following;
 - 1) Standard commencement condition.

- 2) Condition listing approved plans and amended plans (BE1, BE2, TP12)
- 3) Prior to commencement details of materials to be submitted for approval (BE2)
- 4) Condition restricting hours of construction and deliveries (BE1).
- 5) Prior to commencement details of wheel cleansing facilities to be submitted and approved in writing. (BE1)
- 6) Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
- 7) Appropriate visibility splays to be retained (BE1)
- 8) No hard surfacing of property frontages (TP12)
- 9) Prior to commencement details of boundary treatments to be submitted and approved in writing. (BE2)
- 10) Prior to commencement detailed site investigation, including mitigation to be submitted and approved in writing. (PR14)
- 11) Condition(s) for landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting. (BE1 and BE2)
- 12) Conditions relating to tree protection during construction and lifetime of development (BE1)
- 13) Condition replacement tree planting of any of those shown to be retained if lost during construction
- 14) Condition replacement planting if lost within first five years (BE1).
- 15) Prior to commencement details of a biodiversity plan containing measures for encouraging wildlife; birds and bats – within the construction of the dwellings to be approved in writing and implemented prior to occupation (BE1)
- 16) Drainage condition, requiring the submission and approval of drainage (BE1)
- 17) Submission and agreement of finished floor and site levels. (BE1)
- 18) The reserved matters application should meet the requirements of the Councils New Residential Development Guidance (both draft and adopted) (BE1 and BE2)
- 19) The dwellings shall be no more than two storey (BE1 and BE2)
- 20) Bin Provision

C) That if the legal agreement is not executed within a reasonable period of time authority is delegated to the Operational Director- Environment 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.

PLAN NUMBER: 10/00467/S73

APPLICANT: Rowland Homes

PROPOSAL: Application to allow extension of time limit for permission 07/00616/FUL (proposed erection of 15

No. residential dwellings and associated access road) at

ADDRESS OF SITE: 177-181 Heath Road, Runcorn.

WARD: Heath

SUMMARY RECOMMENDATION:

Approve subject to conditions and section 106 agreement

CONSULTATION AND REPRESENTATION:

The application has been advertised by way of a site notice, a press notice and the neighbouring properties and Ward Councillors were also consulted.

Following consultation on this renewal application (10/00476/FUL) and at the time of writing, one letter of objection has been received. This refers to the changes in government policy guidance and changes to PPS3, which no longer classifies gardens as brownfield land.

The Council's Highways Engineer, Environmental Health Officer, Trees and Woodland Officer, United Utilities and the Health and Safety Executive have also been consulted and any issues raised will be discussed in the Observations and Issues section of this report.

SITE/LOCATION:

The site consists of three existing dwellings, numbers 177-181 Heath Road, Runcorn. Each of these existing properties has extensive gardens, which are accessed from private drives off Heath Road.

RELEVANT HISTORY:

Planning permission was originally granted on appeal for the construction of 6 additional dwellings to the rear of number 177 and 181.

Planning permission 07/00616/FUL granted in 2007 for 15 detached dwellings and associated access (The subject of this renewal).

Planning permission granted for 12 dwellings at the December 6th Committee 2010.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is allocated as within a residential area in the Halton Unitary Development Plan (UDP) and the key policies, which relate to the development, are: -

H2: Design and Density of New Residential Development

H3: Provision of Recreational Greenspace
BE1: General Requirements for Development
BE2: Quality of Design
TP12: Car Parking

The Council's New Residential Development Guidance Note, Draft Design of New Residential Development Supplementary Planning Document, and Planning Policy Statement 3 (PPS3): Housing is also of relevance.

OBSERVATIONS AND ISSUES:

This application seeks permission to renew planning permission 07/00616/FUL to allow for a further 3 years for the commencement of development.

Application 07/00616/FUL was granted planning permission by in August 2007 for 15 detached, 4 bed roomed dwellings. The dwellings would be constructed on the site of three existing dwellings numbers 177 to 181 Heath Road, Runcorn, each of these houses have significant sized grounds. The total site area is 0.65 hectares.

The proposed development remains unchanged from that earlier approved which for Members convenience related to 15 dwellings, all of which were four bed, all two storey of varying floor areas, garden sizes and garage designs. The proposed houses are as they were previously of an attractive and high quality design, with generous garden sizes for a modern residential development. All houses would be detached and there would be a mix of styles, including double and single frontages, gabled roofs and hipped roofs, attached and detached garages. The buildings would be predominantly constructed of a brick construction, with tiled roofs. The colour style and type of these materials would be subject to a condition, should the proposal be approved in line with the recommendation.

It is proposed that two of the properties would be accessed from a single private drive off Heath Road, while the remaining properties would be accessed via a new road constructed to adoptable standards.

Following consultation on this renewal application (10/00476/FUL), at the time of writing one letter of objection has been received. This refers to a ministerial letter and changes to PPS3 which no longer classifies gardens as Brownfield land. Whilst this may be the case this scheme proposes the demolition of existing dwellings and the comprehensive redevelopment of the site, in this respect it is not considered to be back land garden development. Furthermore planning permission 10/00369/FUL for an alternative scheme was granted permission at the last Development Control Committee meeting in December and is therefore still extant.

Conclusion

It has previously been considered that new housing development on this site was acceptable. Since those decisions, the latest of which was in December 2010, there have been no material changes to the material considerations that affect those decisions. The application is therefore recommended for approval.

RECOMMENDATION:

Approve subject to the following: -

- A) The applicant entering into a legal agreement in relation to the payment of a commuted sum for the provision and improvement of off-site open space, and compensation for the loss of highway trees.
 - B) Conditions relating to the following;
 - 1) Standard commencement condition.
 - 2) Construction hours (BE1).
 - 3) Wheel cleansing facilities to be submitted and approved in writing. (BE1)
 - 4) Appropriate visibility splays (BE1)
 - 5) The provision of dropped crossings for pedestrians (TP7)
 - 6) Width off access road and turning to accommodate large vehicles (BE1)
 - 7) Grampian condition for off-site highways works – box junction (BE1)
 - 8) Agreement with Highway Authority for road adoption (BE1)
 - 9) No conversion of garages (TP12)
 - 10) No fences adjacent to the new highway (BE1)
 - 11) Condition relating to 20mph speed limit (TP17)
 - 12) Road safety audits and implementation of recommendations (BE1)
 - 13) Materials condition, requiring the submission and approval of the materials to be used (BE2)
 - 14) Boundary treatments to be submitted and approved in writing. (BE2)
 - 15) Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
 - 16) Site investigation, including mitigation to be submitted and approved in writing. (PR14)
 - 17) Landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting. (BE2)
 - 18) Drainage condition, requiring the submission and approval of drainage (BE1)
 - 19) Conditions relating to tree protection during construction and lifetime of development (BE1)
 - 20) Submission and agreement of finished floor and site levels. (BE1)
 - C) That if the legal agreement is not executed within a reasonable period of time authority is delegated to the Operational Director- Environment 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.
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PLAN NUMBER: 10/00494/OUT

APPLICANT: Smart Storage

PROPOSAL: Extension of time limit for implementation of extant planning permission 08/00024/OUT (erection of building for self storage use) at

ADDRESS OF SITE: Land off Hutchinson Street, Widnes.

WARD: Riverside

SUMMARY RECOMMENDATION:

Approve subject to conditions

CONSULTATION AND REPRESENTATION:

The application has been advertised by way of a site notice, a press notice and the neighbouring properties and Ward Councillors were also consulted.

The Environment Agency, United Utilities, Natural England, the Council's Highways Engineer and Environmental Health Officer have been consulted. Any issues raised will be discussed in the Observations and Issues section of this report.

No letters of objection have been received from neighbouring properties.

SITE/LOCATION:

The site is a triangular plot of land adjacent to the junction of Hutchinson Street and Cromwell Street, of some 0.33 acres in size. The vacant/derelict land is within an existing industrial area off Hutchinson Street, Widnes. The site is currently covered in soils and other debris and is generally untidy.

RELEVANT HISTORY:

The site forms part of land that was previously a copper refinery and later a scrap yard (Planning permission 15885F, granted September 1983). The land has been left vacant/derelict for some time.

An earlier planning application 07/00701/FUL, was withdrawn from the November 2007 Committee meeting, in order to address an objection from the Environment Agency in relation to flood risk.

Outline Planning permission granted March 2008 for erection of building for self storage use.

UNITARY DEVELOPMENT PLAN DESIGNATION, KEY POLICIES AND SUSTAINABILITY OBJECTIVES:

The site is designated as a regeneration action area Policy RG1 in the Halton Unitary Development Plan (UDP) and the key policies, which relate to the development, are: -

BE1: General Requirements for Development
BE2: Quality of Design
PR14: Contaminated Land
PR16: Development and Flood Risk
RG1: Regeneration Action Area
TP12: Car Parking

OBSERVATIONS AND ISSUES:

This application seeks to renew planning permission 08/00024/OUT, so as to allow for a further 3 years for the commencement of development.

Application 08/00024/OUT, which gave outline approval was granted planning permission in March 2008 (with appearance, scale and layout matters reserved) for erection of a building for self storage use including approval for siting and means of access on land to the south west of junction between Cromwell Street and Hutchinson Street, Widnes.

This application seeks to renew that permission.

The outline scheme originally granted approval sought permission for the erection of a building for self-storage, with associated car parking and service areas. The proposed building would provide 30,000 sq. ft of secure self-storage to the public.

It is still considered that the site, which is located within an area designated as a Regeneration Action Area in Policy RG1 of the Unitary Development Plan would benefit from the proposed development.

The surrounding area is predominately in employment use, and there are no residential properties within the area. The proposal would therefore be in keeping with the local area.

The applicant submitted a flood risk assessment with the previous application that complied with PPS25 and the Environment Agency previously confirmed that they have no objections subject to conditions.

It was previously considered that the proposed development of the self storage building was acceptable. No new policies or material considerations have emerged that affect that original decision. The application to renew the permission is therefore recommended for approval.

RECOMMENDATION:

Approve subject to the following conditions:

1. Reserved matters condition, for the submission and approval prior to the commencement of development.
 2. Time limit for the submission of reserved matters.
 3. Materials condition, requiring the submission and approval of the materials to be used (Policy BE2)
 4. Drainage condition, requiring the submission and approval of drainage details.
 5. Landscaping condition, requiring the submission of both hard and soft landscaping details (BE1 and BE2)
 6. Boundary treatments, to be submitted and approved in writing
 7. Wheel cleansing facilities to be submitted and approved in writing.
 8. Conditions to ensure parking and servicing areas are 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)
 9. Environment Agency conditions relating to submitted flood risk assessment and minimum floor level, surface water drainage, storage, handling, loading and unloading of fuels, oils, chemicals or effluents, and ground investigation. (PR14 and PR16)
 10. Condition for the submission and approval in writing of ground investigation and remediation/mitigation (PR14)
 11. Condition to control hours of opening (BE1).
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REPORT TO: Development Control Committee

DATE: 10 January 2011

REPORTING OFFICER: Strategic Director – Environment & Economy

SUBJECT: Miscellaneous Items

The following applications have been withdrawn :-

10/00432/ADV	Internally illuminated pole mounted display unit at Co-operative Retail Services Ltd, Liverpool Road, Widnes, Cheshire.
10/00387/COU	Change of use of vacant building to 1 No. bedroom dwelling at Land Adjacent To 147 Wilmere Lane, Widnes, Cheshire
10/00386/FUL	Garage conversion and single storey extensions at 47 Clinton View, Widnes, Cheshire

The following applications have gone to appeal:-

10/00321/FUL	Proposed two storey side, single storey rear and side garage extensions at 88 Hale Road, Hale Village, Cheshire
10/00167/FUL	Proposed first floor side extension at 1 Battersea Court Widnes, Cheshire