

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 9 August 2010 at Civic Suite, Town Hall, Runcorn

Present: Councillors Thompson (Vice-Chairman), J. Bradshaw, Hignett, Hodgkinson, Leadbetter, McInerney, Morley and Osborne

Apologies for Absence: Councillors Nolan, P. Blackmore and E. Cargill

Absence declared on Council business: None

Officers present: P. Watts, M. Simpson, J. Farmer, A. Jones, A. Plant, P. Shearer and J. Tully

Also in attendance: 15 Members of the Public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

Action

DEV12 MINUTES

The Minutes of the meeting held on 5 July 2010, having been printed and circulated, were taken as read and signed as a correct record.

DEV13 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.

DEV14 - 10/00029/FUL - PROPOSED NEW RESIDENTIAL DEVELOPMENT OF 6 NO. SEMI DETACHED HOUSES ON THE LAND AT LODGE FARM, NORTON VILLAGE, NORTON, RUNCORN, WA7 6PZ

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

Councillors Austin and Lloyd Jones addressed the Committee and spoke against the application, raising the following areas of concern:

- Loss of a unique character building which was part of the village atmosphere;
- The new development would be out of character;
- The development would have a detrimental effect on house prices;
- Wildlife would be threatened;
- Traffic volume would be increased;
- Safety of the site and surrounding area;
- Contractor adherence to the building rules;
- Completion of a summer survey in relation to wildlife; and
- The application be deferred in order to consider all options for the future use of the site.

Mr Fred Dipnall addressed the Committee and spoke against the application, tabling a presentation for reference. His objections included:

- Unsuitable infrastructure of road networks;
- Access issues in terms of there only being one entrance and exit road;
- The dangers of there being only one pavement and having no curb stones; and
- Importance of retaining the character of the village.

In response it was reported that the building was not Listed nor was it included on the Council's list of historical buildings. Advice had been sought from the Conservation Consultant to clarify this. It was further noted that the building did not justify any protected status under the 'principles of selection' for agricultural buildings built around the turn of the 19th Century, produced by the English Heritage.

It was further noted that an additional condition was recommended to ensure the full protection of the sandstone dwarf wall adjacent to the Norton Village Highway.

RESOLVED: That the application be approved subject to entering into a Section 106 agreement for a financial contribution towards off-site public open space, and the following conditions:-

1. Standard 3 year permission (BE1);
2. Amended and approved plans (BE1, BE2 & GE27);
3. Before development details of the footway alongside Highgate Close shall be submitted to and approved in writing. To be implemented to an agreed timetable and no later than first occupation of the dwellings

Strategic Director
- Environment
and Economy

- (BE1);
4. Before development begins submission of a ground investigation (PR14);
 5. Before development begins submission and approval of a Biodiversity action plan and implementation prior to occupation (BE1);
 6. Before development begins submission of details of Tree Protection (GE27);
 7. Before development begins submission of a landscaping scheme incorporating the required replacement tree planting (GE27);
 8. Construction management plan;
 9. Before development begins submission of archaeological investigation for approval and implemented in accordance with LPA requirements (BE6);
 10. Before development begins submission of full schedule of materials (BE2);
 11. Before development begins submission of boundary treatment details (BE22);
 12. Before development begins submission of existing and proposed site levels of development and adjacent land (BE1);
 13. Before development begins submission of details of wheel wash facilities including method statement and site plan for use during construction (BE1);
 14. Retention of visibility splay (BE1);
 15. No planting higher than 600mm or otherwise agreed in writing within the visibility splay (BE1);
 16. Restricted times of deliveries (BE1);
 17. Restriction to development avoiding nesting birds (BE1);
 18. Pd removed for A and E and porches (BE1 and BE2);
 19. Pd removed for additional windows/dormers (BE1 and BE2); and
 20. Pd removed for fences/walls (BE1 and BE22).

An additional condition was agreed as follows:

21. Full protection of the sandstone dwarf wall adjacent to the Norton Village highway.

DEV15 - 10/00124/FUL - PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 39 NO. DWELLINGS AND ASSOCIATED WORKS ON LAND TO REAR OF 6-42 NORLANDS LAND AND 31-51 CRONTON LANE, WIDNES, CHESHIRE

The consultation procedure undertaken was outlined

in the report together with background information in respect of the site. An amended site plan and red line site boundary had been received since the original report, removing a small area in the north east corner of the site, which was formally used for a substation. This did not alter the scheme that was already consulted on.

It was reported that one further representation had been received from the resident of 25 Norlands Lane, which raised concerns in relation to potential contamination, specifically from the former substation land, and potential linkage through proposed pond.

Conditions were recommended for further site investigations and mitigation measures to be submitted and agreed prior to commencement; and for construction details of the pond to be approved, along with full details of drainage and landscaping agreed prior to commencement.

Councillor Murray addressed the Committee and spoke against the application and raised concerns regarding the use of green field site, flood risk dangers and the safety of pedestrians around the shops and junctions, and that highway alterations should be implemented before works commence on site. Cllr Murray made reference to emails from the Councils Highways department and the issues around the junction of Norlands and Cronton Lane. In response it was reported that although all the issues raised in the email were valid issues they had been correctly answered by the Planning Officer.

Mr Jonathan Chapman, acting for the applicant, addressed the Committee and spoke in favour of the application, stating that the development was in keeping with local architectural styles and that developer would be prepared to invest in local road developments in partnership with the Council.

In response to the concerns raised it was reported that flood risk assessments had been submitted and there were three conditions covering issues around flooding. It was further noted that the road collision history did not merit highway amendments at this current time. However the Committee was advised that plans had been drafted for highway improvements in the area concerned although a definite date had not been set for commencement of such works.

Members suggested an increase in police presence in the area to tackle the congestion issues and illegally

parked cars by the shops on Cronton Lane and agreed that a pedestrian crossing would be required in the area. Officers confirmed that planning for this was already at the consultation stage and could be prioritised subject to sufficient funding. The Committee stressed the need for early implementation of the highway improvements for obvious safety reasons.

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

Strategic Director
- Environment
and Economy

(a) The entering into a Legal Agreement for the provision of a financial contribution towards off-site public open space and off site highways works, and;

(b) The following conditions,

- 1 Time limit for the commencement of development; (in accordance with the Town & Country Planning Act 1990);
- 2 Amended and approved plans Drawing List (BE1, BE2);
- 3 No development shall begin until the provision of pre-development site levels and proposed finished floor levels and adjacent land levels; (BE1);
- 4 Prevention of any tree/hedge felling without consent; (BE1 and GE27);
- 5 Submission and implementation of detailed landscaping scheme (BE1 and GE27);
- 6 Replacement of any damaged or dying trees within 3 years of completion (BE1 and GE27);
- 7 Replacement tree planting protected for 5 years following planting to be replaced with agreed species (BE1 and GE27);
- 8 Prior to commencement a scheme of protective measures for wildlife in accordance with the ecological survey to be submitted, approved and implemented; (BE1, GE21 and GE25);
- 9 Condition for the provision of bird nesting boxes (BE1, GE21 and GE25);
- 10 Condition relating to work to be carried out outside of the bird nesting season (BE1 and GE21);
- 11 Prior to commencement submission of a biodiversity action design plan to show how features within the house design will encourage wildlife to the scheme; (BE1 and GE21);
- 12 Prior to commencement ground investigations for potential pollutants and remediation

- scheme where necessary; (BE1 and PR6);
- 13 Environment Agency condition relation to the submission of a revised remediation strategy should unexpected contamination be encountered;
 - 14 Prior to commencement full details of boundary treatment (BE22);
 - 15 The development to be carried out in accordance with the approved Flood Risk Assessment and the mitigation measures as detailed within; (BE1 and PR16);
 - 16 Prior to commencement provision of a surface water drainage scheme to be submitted and approved; (BE1);
 - 17 Condition restricting the discharge rates from the site as recommend by United Utilities ;
 - 18 Prior to commencement provision and use of wheel cleansing facilities during course of construction to be submitted and approved; (BE1);
 - 19 Prior to the commencement of development submission and approval of materials (BE2);
 - 20 Prior to the commencement final details of the access onto Norlands Lane to be submitted (BE1);
 - 21 Prior to occupation laying out of approved vehicle access, service and parking areas and retained as such (BE1);
 - 22 Restricted hours of development and deliveries related to development during construction period; (BE1);
 - 23 Provision of required refuse and recycling storage facilities for all individual dwellings at developer's expense (BE1);
 - 24 Remove permitted development rights for hard surfacing front (BE1);
 - 25 Restriction on the conversion of garages;
 - 26 Remove permitted development for Class A and E (extensions and outbuildings) (BE1 and BE2);
 - 27 Remove permitted development for fences/walls front of building line (BE1); and

Additional conditions were reported as follows:

- 28 Further site investigations and mitigations measures to be submitted and agreed prior to commencement;
- 29 Construction details of the pond to be approved;

30 Full details of drainage and landscaping agreed; and
31 Condition relating to the removal of Japanese Knotweed.

c) 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).

DEV16 - 10/00150/FUL - THE ERECTION OF 20 NO. TWO AND THREE BEDROOM HOUSES WITH ASSOCIATED LANDSCAPING ON THE LAND OFF RIVENMILL CLOSE, WIDNES, CHESHIRE

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was reported that this application had been to an earlier Committee with a recommendation for refusal due to the loss of employment land. However further evidence had been submitted in relation to the concerns of the officers regarding allocated employment land and it is now recommended for approval.

Since the publication of the report one further condition was recommended for surface water drainage details to be submitted for approval prior to commencement.

It was further reported that additional comments had been received from a resident relating to disturbance and disruption of construction, development of commercial buildings would be quicker than residential, property devaluation, quietness of commercial property compared to residential, threat to quality of life and possible theft and increase in traffic.

Mr Sean Taylor addressed the Committee on behalf of the applicant and spoke in favour of the application commenting that the scheme complies with the national strategy for housing development.

Mr Peter McGarry addressed the Committee against the application raising concerns in relation to the potential anti social behaviour issues that affordable housing could attract, and the lack of nearby facilities for children.

In response officers commented that developing the site would be a big improvement from its present state. Speculating on the type of owners/tenants was not a condition of approval. It was confirmed that the Police received the Councils list of applications, so were aware of this application, and had not raised any objections,

RESOLVED: That the application be approved subject to S.106 for off-site public open space and the following conditions:-

Strategic Director
- Environment
and Economy

- 1 Standard 3 year permission (BE1);
- 2 Plans and amended plans (BE1, BE2);
- 3 Before development begins submission of a ground investigation (PR14);
- 4 Before development begins submission of a landscaping scheme incorporating the required replacement tree planting (GE27);
- 5 Before development begins submission of a construction management plan (BE1);
- 6 No development shall begin until the Council inspects the site markings to establish individual building locations of plots 3 and 4, the development to be constructed in accordance with the locations as approved on site ; (BE1);
- 7 Before development begins submission of full schedule of materials (BE2);
- 8 Before development begins submission of boundary treatment details (BE22);
- 9 Before development begins submission of existing and proposed site levels of development and adjacent land (BE1);
- 10 Provision of thermal glazing to the kitchen and habitable room windows of the dwellings (BE1);
- 11 Before development begins submission of details of wheel wash facilities including method statement and site plan for use during construction (BE1);
- 12 Retention of visibility splay (BE1);
- 13 No planting higher than 600mm or otherwise agreed in writing within the visibility splay (BE1);
- 14 Restricted times of deliveries (BE1);
- 15 Restriction to development avoiding nesting birds (BE1);
- 16 Pd removed for A and E and porches (BE1 and BE2);
- 17 Pd removed for additional windows/dormers (BE1 and BE2);
- 18 Pd removed for fences/walls (BE1 and BE22); and
- 19 Pd removed for any hard surfacing within dwelling plots (BE1).

An additional condition was reported as follows:

- 20 The submission of details of how surface water is to be drained.

DEV17 - 10/00157/COU - CHANGE OF USE FROM PUBLIC HOUSE & MANAGERS ACCOMMODATION/SIX LETTING ROOMS TO SINGLE RESIDENTIAL DWELLING HOUSE ON GROUND FLOOR & SIX LETTING ROOMS ON FIRST FLOOR AT THE QUEENS ARMS SITE, MOOR LANE, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was reported that the Council had received a written objection from one local resident, which had been supported by a 12-person petition. Details of the objections were outlined in the report for information.

The Committee was advised that the change of use to residential was acceptable in principle and there was a concurrent planning application for the whole of the building to be converted to a dwelling which is acceptable. However this particular proposal raised issues which were felt would result in an unacceptable impact on the amenity of the existing residential occupiers.

In particular this relates to the provision of car parking on site. For a family dwelling and six single bed units, the Council required the provision of 8 car parking spaces on site. It was reported that the proposal could provide only 2 spaces on site. This would result in an under provision of 6 spaces and would mean future residents parking on the adjacent highway of Rose Street. There were already highway restrictions in front of the public house on Rose Street which would serve to exacerbate this situation.

Councillor Horabin addressed the Committee and spoke against the application on behalf of the residents on Smith Road, Rose Street and Caldwell Road, Widnes.

RESOLVED: The application be refused as the proposal failed to provide the appropriate levels of off-street car parking. This would result in a detrimental and harmful impact on the amenity of the adjacent residential area, particularly those occupiers of Rose Street. As such the proposal failed to comply with Policies BE1 and TP12 of the Halton Unitary Development Plan.

DEV18 - 10/00214/FUL & 10/00215/S73 - PROPOSED ERECTION OF MEZZANINE SALES FLOOR AND ASSOCIATED INTERNAL AND EXTERNAL WORKS; AND PROPOSED REMOVAL OF CONDITION NO 4 ON PLANNING CONSENT 02//00630/FUL TO ALLOW FOR UPLIFT IN THE NET RETAIL FLOOR SPACE AT WIDNES ROAD, WIDNES, WA8 6AF

The Committee was advised that this application had been deferred as the applicant had not yet agreed the heads of terms for a S.106 Agreement

DEV19 MISCELLANEOUS ITEMS

The Committee was advised that appeals had been received following the Council's refusal of the following applications:-

10/00176/TEL Prior notification of telecommunications development for the installation of a radio base station consisting of a 12.5m high streetworks monopole housing 3 No. O2 antennas, 3 No. Vodaphone antennas and 2 No. ground based equipment cabinets on Footpath at Junction of Hale Road and Crossway, Widnes Cheshire

10/00193/TPO Proposed crown thinning/lifting of 2 No. Sycamore trees at 18A Hough Green Road Widnes

An appeal had been received against an Enforcement Notice for the following enforcement case :-

10/00044/COUGEN Depositing Of Building Material in Open Space at Sandy Lane Preston Brook Runcorn

It was further noted that an appeal was lodged following the Council's refusal of the following application:-

A decision had been received as follows :-

09/00511/COU Proposed change of use of ground floor office to 3 No. residential care bedsits at 1 Peelhouse Lane Widnes.

This appeal was allowed

This application was reported to the January Development Control Committee and the application was refused on the basis that the proposal would create an environment in which anti social behaviour could result and a perception of fear and concern because of the likelihood of increased crime and disorder. The Inspector stated that the he did “not consider the risk of additional criminal and anti-social behaviour as a consequence of the small development proposed, which in any event is intended as a means of facilitating progression to responsible citizenship, to be so great as to significantly harm the living conditions of local residents and thereby outweigh the need for it and the advantages of utilising for that purpose an existing building in an accessible and sustainable location.”

Meeting ended at 7.57 p.m.