

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 8 November 2010 at Civic Suite, Town Hall, Runcorn

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

Apologies for Absence: Councillor Morley

Absence declared on Council business: None

Officers present: J. Tully, G. Henry, A. Plant, J. Farmer, P. Shearer and A. Jones

Also in attendance: 25 Members of the Public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

Action

DEV27 MINUTES

The Minutes of the meeting held on 13th September 2010, having been printed and circulated, were taken as read and signed as a correct record.

DEV28 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.

NB. Councillor Dave Thompson did not partake in the following discussion/item due to him being absent from part of the officer's presentation.

DEV29 - 10/00109/COU - PROPOSED CHANGE OF USE OF AGRICULTURAL LAND TO CREATE A BIKE TRAIL, CONVERSION/REDEVELOPMENT OF EXISTING BUILDINGS (TO FORM RECEPTION/CAFE, BIKE PREP STATION, SECURE STORAGE/WORKSHOP, TOILET FACILITIES AND OFFICE) TOGETHER WITH CAR PARKING, NEW VEHICULAR/PEDESTRIAN ACCESS AND

ANCILLARY DEVELOPMENT AT HILL TOP FARM, WINDMILL LANE, PRESTON-ON-THE-HILL, RUNCORN

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

Jane Sampson addressed the Committee and spoke against the application in her capacity as a resident, on behalf of the residents of Preston-on-the-Hill.

Residents concerns included noise from increased traffic from visitors to the facility and from the bike trail itself; damage to the character of the village; damage to wild life; inappropriate use of 'Grade 3A' agricultural land; the narrowness of Hill Top Road in relation to its proposed use and that the project was not in keeping with a character assessment carried out by Halton Borough Council in 2009. A petition of 60 signatures had been submitted previously to the planning department against the application.

Mr Stuart Rutter, the applicant, addressed the Committee and spoke in favour of the application.

In response to the noise concerns, he stated that the bike trail would use electric bikes which do not make any noise. He stated that during an 8 month consultation period, no requests had been received from residents to trial the bikes. He confirmed that parking for the facility would be away from the village and that the whole site would be screened with trees so it would not be seen from the village. He summarised by commenting that the facility would provide a high quality outdoor activity, which had the support of the relevant Government bodies in England.

In response to the quality of the agricultural land being developed, it was commented that there was no evidence of it being 'Grade 3A'. Officers confirmed that the potential of tyre and traffic noise had been investigated by Environmental Health Officers who had raised no objections. The access road 'Hill Top Road', leading to the parking area, had also been to consultation with the highway engineers, who had raised no objections.

Councillor Bradshaw raised his concerns over the proposed development, particularly with the narrowness of the access road to the site and the potential for residents to experience parking problems. In response it was noted that in the future the Highways Department would see if the road could be widened to allow more space for residents parking

and ease the passing traffic accessing the site.

Councillor Bradshaw wished to record his objections to the application.

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

- a) The adjoining site owner entering into a Section 106 Agreement relating to securing sight lines across land not within the ownership of the applicant;
- b) The applicant entering into a Section 106 Agreement relating to (1) securing sight lines across his land and (2) restricting the type of vehicles to be used on the land;
- c) Conditions relating to the following:
 1. Submission and agreement of a timetable and phasing plan relating to the proposed demolition of buildings and implementation of planting and landscape works including pond creation. (BE1);
 2. Submission and agreement of a construction environmental management plan and plan for the control of routeing and access/ egress of all construction traffic. (BE1);
 3. Wheel cleansing facilities to be submitted and approved in writing. (BE1);
 4. Securing a scheme of archaeological works. (BE6);
 5. Materials condition, requiring the submission and approval of the materials to be used. (BE2);
 6. Landscaping condition, requiring the submission of detailed hard and soft landscaping to include tree planting. (BE2);
 7. Boundary treatments to be submitted and approved in writing. (BE2);
 8. Construction and delivery hours to be adhered to throughout the course of the development. (BE1);
 9. Submission and agreement of detailed construction of ponds. (GE21);
 10. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1);
 11. Requiring provision and maintenance of access visibility splay. (BE1);
 12. Conditions relating to the agreement and implementation of bin stores cycle parking provision. (GE15 and TP6);

13. Submission and agreement of finished floor and site levels. (BE1);
14. Conditions relating to tree protection during construction (BE1);
15. Restricting external lighting. (PR4);
16. Restricting external working and storage. (E5);
17. Submission and agreement of ecology/ habitat enhancement features including bird/ bat boxes. (GE21);
18. Submission and agreement of a woodland and pond management plan. (GE21);
19. Restricting all riders to those on a pre-booked basis and prohibiting race events. (BE1);
20. Restricting all bikes to those which are electric powered only and noise emissions with the exception of those for track maintenance unless otherwise agreed. (PR2);
21. Restricting width and areas for track creation/ layout including location, construction methods and height of any jumps or other obstacles. (PR2);
22. Restricting use of tannoy or public address systems. (PR2);
23. Restricting use of facilities building to floor space and uses as detailed. (GE5);
24. Submission and agreement of detailed dust suppression methodology. (BE1);
25. Submission and agreement of a detailed travel plan including visitor transfer. (TP16);
26. Restricting hours of use. (BE1); and
27. Restricting maximum numbers of bikes on the track to 25 at any time. (BE1)

- d) That if the S106 Agreement(s) or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director – Environmental 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).

DEV30 - 10/00320/FUL - PROPOSED DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF 14 NO. NEW AFFORDABLE DWELLINGS WITH ASSOCIATED ACCESS ROAD AT WIDNES TIMBER, FOUNDRY LANE, WIDNES

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

Since the publication of the report amended plans had been received in relation to car parking restrictions and one additional condition had been received relating to the submission of retaining wall details.

RESOLVED: That the application be approved subject to the following conditions and a S106 in relation to HGV and relief route.

1. Requiring the development to be carried out in accordance with the approved;
2. Materials condition, requiring the submission and approval of the materials to be used. (BE2);
3. Landscaping condition, requiring the submission of both hard and soft landscaping to include 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. Submission and agreement of finished floor and site levels. (BE1);
7. Construction and delivery hours to be adhered to throughout the course of the development. (BE1);
8. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1);
9. conditions relating to restriction of permitted development rights relating to extensions and outbuildings and boundary fences etc. (BE1);
10. Site investigation, including mitigation to be submitted and approved in writing. (PR14);
11. Noise survey and mitigation to be submitted (BE1);
12. Management plans for shared areas to be submitted and approved.
13. Adequate visibility splays to be maintained (BE1);
14. Proposal to be carried out in accordance with the submitted flood risk assessment; and
15. Cycle parking to be provided in accordance with details submitted. (BE1)

Additional conditions are as follows:

16. Condition relating to submission of retaining wall details; and
17. Amended plans.

DEV31 - 10/00366/COU - PROPOSED CONVERSION & 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.

Since the report was published there had been a number of amendments to the application:-

- The submission of a Structural Report examining the health and capacity of the building in order for its conversion without significant demolition and rebuild. It concluded that the property was considered to be structurally sound and suitable for conversion;
- The Council had been asked for comments in relation to the current planning application with Cheshire West & Chester Council;
- Shell UK had no comments to make on the application;
- Dutton Parish Council had raised an objection on the basis that the public house should be preserved as a valuable community resource used by ramblers using canals and cyclists; opposed to more living accommodation within the village, particularly on this part of the road; and the position of the proposed entrance; and
- Five further objections from residents had been received relating to: misleading information within the submitted Design and Access Statement in relation to the regularity of bus service and value of its proximity to the village; Bowling Pavillion was used as a venue hire and a sports bar; no liaison with the local community to find ways to protect the future use of the public house; it was a viable business; the increase in traffic; issues and difficulties with viewing application information; the loss of a valuable stopping point by boaters; loss of public house within walking distance of Preston Brook; impact on Apec Taxi Association which cites that the public house generates £10,000 p.a. of business for them each year and access to the Borough periphery for work; the loss of another public house in Runcorn area which generates income for this firm.

Mr Lynas addressed the Committee speaking against the application as a resident of Dutton.

He commented that the public house was the social hub of the village supporting its own social and sports clubs. It also acted as village hall as it was used as a venue for family celebrations and events. He further commented that the pub had recently been taken over by new management and it was hoped that the financial situation would soon improve. He also commented that the application was contrary to Policy Planning Statement (PPS) 7 – Sustainable Development in Rural Areas.

Following Members debate and comments made with reference to various planning policies including PPS 7, it was decided to defer the application, so that Members could receive more information with regards to this, and therefore be better informed so that a decision could be reached.

RESOLVED: That the application be deferred to the next meeting, for further information and clarification on relevant Planning Policies.

DEV32 MISCELLANEOUS ITEMS

The following applications had been withdrawn:-

10/00299/FUL	Proposed two storey extension to rear of 15 Whitby Road, Runcorn Cheshire
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The following applications had gone to appeal:-

10/00310/FUL	Proposed conservatory to side of 11 Sefton Avenue, Widnes, Cheshire
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10/00077/COU	Proposed conversion of existing dwelling into 2 No. residential dwellings at 161 Greenway Road, Widnes
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10/00279/FUL	Proposed development of 18 No. courtyard houses, detached garages, private access road and
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private open space at Former
Dawson's Dance Centre, Lunts
Heath Road, Widnes, Cheshire

Planning Appeal Decisions:-

09/00404/OUT

Outline application (with
appearance, landscaping,
layout and scale matters
reserved) for residential
development (up to 5 No.
dwellings) on Land to rear of 8
Moughland Lane, Runcorn –
DISMISSED

09/00459/FUL

Proposed first floor side
extension and single storey rear
extension at 7 Lessingham Road,
Widnes, Cheshire – **SPLIT
DECISION – DISMISSED IN
RELATION TO FIRST FLOOR
SIDE EXTENSION**

Meeting ended at 7.38 p.m.