

## **DEVELOPMENT CONTROL COMMITTEE**

*At a meeting of the Development Control Committee on Monday, 10 January 2011 at Civic Suite, Town Hall, Runcorn*

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

Apologies for Absence: Councillors Leadbetter and Morley

Absence declared on Council business: Councillor John Bradshaw

Officers present: P. Watts, T. Gibbs, R. Wakefield, M. Noone, J. Tully and A. Jones

Also in attendance: 2 Members of the Public

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

	<i>Action</i>
DEV43 MINUTES	
The Minutes of the meeting held on 6 December 2010, having been printed and circulated, were taken as read and signed as a correct record.	
Members were informed that application 10/00254/FUL, which was considered and resolved to be approved at the last meeting, had not progressed as the Council had not yet received an acceptable draft agreement from the applicant.	
DEV44 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.	
DEV45 - 01/00349/S73 - 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 LAND TO REAR OF 353-363 HALE ROAD, HALEBANK, WIDNES

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

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

- 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; and
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 failed to comply with UDP Policy S25 Planning Obligations.

DEV46 - 10/00368/S73 - 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 88A - 92 ALBERT ROAD, WIDNES

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

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

- 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); and
  18. Provision of bin storage and bin provision (BE1).
- c) That if the legal agreement was 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 failed to comply with UDP Policy S25 Planning Obligations.

DEV47 - 10/00451/OUT - OUTLINE APPLICATION FOR 22 NO DWELLINGS WITH ACCESS AT THE FORMER COCK & TRUMPET PUBLIC HOUSE, HALEBANK ROAD, HALEBANK, WIDNES

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

Members were advised that two objections had been received from local residents regarding the style of the proposed dwellings as well as boundary and ownership issues.

In response it was noted that the applicant had submitted additional plans showing a more accurate application site, which overcame the potential of land encroachment across adjoining boundaries. Furthermore, as the application was outline only, the appearance and scale of the dwellings would be subject to future approval.

RESOLVED: That the application be approved 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); and
- 20) Bin Provision.

- c) That if the legal agreement was 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 failed to comply with UDP Policy S25 Planning Obligations.

DEV48 - 10/00467/S73 - APPLICATION TO ALLOW EXTENSION OF TIME LIMIT FOR PERMISSION 07/00616/FUL (PROPOSED ERECTION OF 15 NO. RESIDENTIAL DWELLINGS AND ASSOCIATED ACCESS ROAD) AT 177-181 HEATH ROAD, 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 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); and
  - 20) Submission and agreement of finished floor and site levels. (BE1)
- c) That if the legal agreement was not executed within a reasonable period of time, authority was 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 failed to comply with UDP Policy S25 Planning Obligations.

DEV49 - 10/00494/OUT - EXTENSION OF TIME LIMIT FOR IMPLEMENTATION OF EXISTANT PLANNING PERMISSION 08/00024/OUT (ERECTION OF BUILDING FOR SELF STORAGE USE) AT LAND OFF HUTCHINSON STREET, WIDNES

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

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

1. 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); and
11. Condition to control hours of opening (BE1).



DEV50 MISCELLANEOUS ITEMS

**The following applications had 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 had 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

*Meeting ended at 6.38 p.m.*