

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Tuesday, 19 April 2011 at Civic Suite, Town Hall, Runcorn

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

Apologies for Absence: Councillor Osborne

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, M. Noone and A. Plant

Also in attendance: None

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

DEV69 MINUTES

The Minutes of the meeting held on 14 March 2011, having been printed and circulated, were taken as read and signed as a correct record.

DEV70 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.

DEV71 - 10/00180/S73, 10/00181/S73 & 10/00182/S73

10/00180/S73 – APPLICATION TO EXTEND TIME LIMIT OF EXISTANT PLANNING PERMISSION 98/00253/OUT BY A FURTHER 10 YEARS (OUTLINE APPLICATION (WITH ALL MATTERS RESERVED) FOR USE OF LAND FOR EMPLOYMENT PURPOSES (CLASSES B1 (a) AND (b) ON PLOTS 6 – 10 (INCLUSIVE) AND RETAIL PURPOSES ANCILLARY TO THE BUSINESS PARK ON PLOT 2a);

10/00181/S73 – APPLICATION TO EXTEND TIME LIMIT

OF EXTANT PLANNING PERMISSION 01/00356/OUT BY A FURTHER 10 YEARS (OUTLINE APPLICATION (WITH ALL MATTERS RESERVED) FOR 2/3 STOREY OFFICE BUILDINGS (40,000 SQM) AND OFFICE PARK AMENITY/CAFE BUILDING); AND

10/00182/S73 – APPLICATION TO EXTEND TIME LIMIT OF EXTANT PLANNING PERMISSION 02/00054/OUT BY A FURTHER 10 YEARS (OUTLINE APPLICATION (WITH ALL MATTERS RESERVED) FOR USE FOR USE OF LAND FOR EMPLOYMENT PURPOSES (USE CLASSES B1(a) AND B1(b) WITH ASSOCIATED LANDSCAPING AND PARKING) ALL AT LAND AT DARESURY PARK, OFF CHESTER ROAD, RUNCORN.

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

Planning Application 10/00180/S73

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

1. Reserved matters condition, for the submission of and approval prior to the commencement of development;
2. Time limit for the submission of reserved matters;
3. Time limit for the commencement of development;
4. Reserved matters to be submitted and carried out as approved;
5. Restricting development density (E1);
6. Requiring provision of bus stops, bus lay-bys and cycle paths to the internal road layout (TP15);
7. Restricting floor space completion subject to off-site highway works (BE1);
8. Conditions relating to restriction of access to and protection of the M56 motorway (BE1);
9. Requiring development to satisfy the standards and guidance of the Local Planning Authority (BE1);
10. Materials condition, requiring the submission and approval of the materials to be used (BE2);
11. Drainage conditions, requiring the submission and approval of drainage details/oil interceptors (BE1);
12. Restricting use to class B1a and B1b and ancillary amenity or retail floorspace to 1000 sqm (E1);
13. Requiring agreement of construction traffic routes (BE1);
14. Requiring the development be in accordance with the recommendations of the submitted or any

- superseding ecological survey (GE21);
15. Landscaping condition, requiring the submission of both hard and soft landscaping (BE2);
 16. Requiring a full tree and hedgerow survey and protection/enhancement plan (BE1);
 17. Boundary treatments including retaining walls to be submitted and approved in writing (BE2);
 18. Wheel cleansing facilities to be submitted and approved in writing (BE1);
 19. Restricted external storage (BE1);
 20. Details of disabled access and parking to be submitted and approved in writing (BE2);
 21. Construction and delivery hours to be adhered to through out the course of the development (BE1);
 22. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/commencement of use (BE1);
 23. Agreement and implementation of cycle parking provision (TP6);
 24. Submission and agreement of finished floor and site levels (BE1);
 25. Restricting external lighting (PR4); and
 26. Site investigation, including mitigation to be submitted and approved in writing (PR14).

Planning Application 10/00181/S73

RESOLVED: That the application be approved subject to:

- (a) The entering into of a Legal Agreement for the provision of a financial contribution towards rail crossing or other non vehicular rights of way improvement, greenspace provision and development density restriction; and
- (b) Conditions relating to the following:
 1. Reserved matters condition, for the submission of and approval prior to the commencement of development;
 2. Time limit for the submission of reserved matters;
 3. Time limit for the commencement of development;
 4. Reserved matters to be submitted and carried out as approved;
 5. Requiring development to satisfy the standards and guidance of the Local Planning Authority (BE1);

6. Materials condition, requiring the submission and approval of the materials to be used (BE2);
 7. Drainage condition, requiring the submission and approval of drainage details (BE1);
 8. Restricting use to class B1a and B1b and ancillary amenity or retail floorspace to 1000 sqm (E1);
 9. Requiring agreement of construction traffic routes (BE1);
 10. Requiring the development be in accordance with the recommendations of the submitted or any superseding ecological survey (GE21);
 11. Landscaping condition, requiring the submission of both hard and soft landscaping (BE2);
 12. Restricting external storage (BE1);
 13. Requiring a full tree and hedgerow survey and protection/enhancement plan (BE1);
 14. Boundary treatments including retaining walls to be submitted and approved in writing (BE2);
 15. Wheel cleansing facilities to be submitted and approved in writing (BE1);
 16. Details of disabled access and parking to be submitted and approved in writing (BE2);
 17. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
 18. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/commencement of use (BE1);
 19. Agreement and implementation of cycle parking provision (TP6);
 20. Submission and agreement of finished floor and site levels (BE1);
 21. Restricting external lighting (PR4): and
- (c) That if the S106 Agreement or alternative arrangement was not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chairman or Vice Chairman of the Committee to refuse the application on the grounds that it failed to comply with Policy S25 (Planning Obligations).

Planning Application 10/00182/S73

RESOLVED: That the application be approved subject to:

- a) The entering into of a Legal Agreement for the provision of a financial contribution towards rail

crossing or other non-vehicular rights of way improvement, greenspace provision and development density restriction; and

b) Conditions relating to the following:

1. Reserved matters condition, for the submission of and approval prior to the commencement of development;
2. Time limit for the submission of reserved matters;
3. Time limit for the commencement of development;
4. Reserved matters to be submitted and carried out as approved;
5. Requiring development to satisfy the standards and guidance of the Local Planning Authority (BE1);
6. Materials condition, requiring the submission and approval of the materials to be used (BE2);
7. Drainage condition, requiring the submission and approval of drainage details (BE1);
8. Restricting use to class B1a and B1b and ancillary amenity or retail floorspace to 1000sq.m (E1);
9. Requiring agreement of construction traffic routes (BE1);
10. Requiring the development be in accordance with the recommendations of the submitted or any superseding ecological survey (GE21);
11. Landscaping condition, requiring the submission of both hard and soft landscaping (BE2);
12. Requiring a full tree and hedgerow survey and protection/ enhancement plan (BE1);
13. Boundary treatments including retaining walls to be submitted and approved in writing (BE2);
14. Wheel cleansing facilities to be submitted and approved in writing (BE1);
15. Restricting external storage (BE1);
16. Details of disabled access and parking to be submitted and approved in writing (BE2);
17. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
18. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use (BE1);
19. Agreement and implementation of cycle parking provision (TP6);
20. Submission and agreement of finished floor and site levels (BE1);
21. Restricting external lighting (PR4); and
22. Site investigation, including mitigation to be submitted and approved in writing (PR14).

- (c) That if the S106 Agreement or alternative arrangement was not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation in consultation with the Chairman or Vice Chairman of the Committee to refuse the application on the grounds that it failed to comply with Policy S25 (Planning Obligations).

DEV72 - 10/00316/S73 - RENEWAL OF PLANNING PERMISSION
07/00072/FUL - 79-83 HIGH STREET, RUNCORN

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

It was reported that the Health and Safety Executive's initial comments advising against the application would be removed, as the original Tessengerlo facility referred to had since been demolished to make way for 3MG developments, so this was no longer considered to be a critical issue. A request was made to delegate the decision to the Operational Director, subject to the application not being called in by the Health and Safety Executive.

In response to Members queries, it was noted that since the original application was made, legislation had changed with regards to the renewal of building applications. It was confirmed that applicants would now be allowed only one renewal. This information would be conveyed to the developer. Issues of vandalism and the neglect of the site were raised. It was confirmed that other legislation dealt with these issues so it was agreed that this would be referred to the relevant departments.

RESOLVED: That Authority be delegated to Operational Director in consultation with the Chair/Vice Chair, subject to further consultation with the Health and Safety Executive:

The application be approved subject to:

- a) The applicant entering into a legal agreement in relation to the payment of a commuted sum for the:
1. Provision and improvement of off-site open space;
 2. Provision for Bridgewater Way towpath improvement scheme;
 3. Provision of off-site local tree planting scheme;
- and

4. Provision of off-site highway and streetscape works.

There will also be a requirement by means of a legal agreement to secure the removal, repair, storage and subsequent relocation of the La Scala cupola.

b) Conditions relating to the following:

1. Condition specifying amended plans (BE1);
2. Materials condition, requiring submission and approval of materials to be used (BE2);
3. Provision of appropriate waste and recycling bins for use by the occupiers and facilitation of recycling through the provision of recycling separation bins within every kitchen (BE1);
4. Submission and agreement of both a hard and soft landscaping scheme including replacement trees (BE2);
5. Submission and agreement of an external lighting scheme (BE2);
6. No development to take place until a noise survey shall be submitted with appropriate remediation measures and approved by the Council (BE1);
7. No installation of satellite dishes or other antenna without further approval (BE2);
8. Vehicular entrance gates must be set back at least 5.5 metres from the carriageway edge and electrically operated by remote control (TP17);
9. Construction traffic wheel cleansing facilities to be submitted and approved in writing (BE1);
10. Reconstruction of main highway following drainage and utilities connection to satisfaction of the Council (TP17);
11. Dropped crossings with tactile paving should be installed at all appropriate desire line points to the satisfaction of the Council (TP17);
12. Submission and agreement of shop front façade, including standardised advertisement design, and incorporation of internal see-through lath shutters (BE2);
13. Boundary Treatments will be submitted and approved in writing (BE22);
14. No development to take place until details of structural elements of the scheme which may have an implication for the integrity of the Highway is subject to HBC's formal process for the technical approval of highways structures (TP17);
15. No development to take place until the Council has sight of and opportunities to comment on, the

protective measures to be undertaken by the developer in respect of the canal and its towpath during demolition and construction and in the longer term (GE29);

16. No development undertaken until details of secure cycle parking have been submitted and approved in writing (TP6);
17. No development undertaken until details of existing and finished site levels, finished floor and ridge levels of building and finished external surface levels have been submitted and approved in writing (BE1 and BE2);
18. Restriction of Retail (A1) to sale of non-food goods only (TC10 and TP17);
19. Restriction of Business (B1) to B1a only (BE1);
20. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
21. Submission and approval of a sustainable design and construction method statement demonstrating how the Sustainability Statement set out with Appendix A of the Design and Access Statement has been incorporated at the detailed design stage (BE2);
22. No development to take place until details of construction and delivery route to be agreed with the Local Planning Authority (BE1);
23. Residential car parking to be provided on an allocated basis, one per dwelling, and the dwellings marketed as such (TP12);
24. No development to take place until a scheme of building recording of 79 High Street is undertaken to the satisfaction of the Local Planning Authority (BE1);
25. Site investigation for contamination, including mitigation to be submitted and approved in writing by the Council (PR14);
26. Surface water drainage from car park areas shall pass through a suitable oil interceptor. Roof water shall not pass through the interceptor (GE29);
27. No development to take place until submission and approval of a scheme for the disposal of foul and surface water (BE1);
28. Laying out of vehicle access, service and parking areas to the satisfaction of the Council (T11 and TP17);
29. Restricted commercial units opening times between 08.00 and 21.00 hrs Mon to Sun including Public and Bank Holidays (BE1); and
30. Restricted commercial units receipt of deliveries not outside 08.00 and 21.00 hrs Mon to Sun

including Public and Bank Holidays (BE1).

- (c) That if the S106 Agreement or alternative arrangement was not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation in consultation with the Chairman or Vice Chairman of the Committee to refuse the application on the grounds that it failed to comply with Policy S25 (Planning Obligations).

DEV73 - 11/00030/FUL - PROPOSED CONSTRUCTION OF NEW PORTAL FRAMED BUILDING TO PROVIDE FOR ADDITIONAL STORAGE AT HOWDEN JOINERY LTD, ASTMOOR ROAD, ASTMOOR INDUSTRIAL ESTATE, RUNCORN, WA7 1PQ

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

RESOLVED: Approve subject to conditions relating to the following:

1. Standard condition for time limits of commencement (BE1);
2. Condition listing the approved plans;
3. Condition specifying that this is a phased development, and that any pre-commencement conditions shall be met prior to the commencement of either stage;
4. Restrict use to ancillary with the existing factory (E1);
5. Materials condition, requiring the submission and approval of the materials to be used (BE2);
6. Submission, agreement and implementation of site and finished floor levels (BE1);
7. Requiring submission and implementation of an updated Travel Plan (TP16);
8. Site investigation, including mitigation to be submitted and approved in writing (PR14); and
9. Conditions relating to the submission of foul and surface water drainage, to be submitted and approved in writing prior to commencement.

DEV74 - 11/00038/FUL - APPLICATION FOR A NEW PLANNING PERMISSION TO REPLACE AN EXTANT PLANNING PERMISSION IN ORDER TO EXTEND TIME LIMIT FOR IMPLEMENTATION ON 07/00923/FUL AT 21-25 HALE ROAD, WIDNES, CHESHIRE

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

It was noted that an objection had been received from the resident of number 27 Hale Road, citing the same objections he did when the original application was made.

It was further noted that an additional condition would be added stating that demolition must commence within 12 months of this decision.

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

- a) The entering into a Legal Agreement for the provision of a financial contribution towards off-site public open space, and demolition of the existing building within 12 months of the decision.
- b) Conditions relating to the following:
 1. Standard condition relating to timescale and duration of the permission;
 2. Condition relating listing plans and amended plans (BE1 and BE2);
 3. Condition stating shall be carried out in accordance with approved materials (BE2);
 4. Provision of recycling separation inside each apartment (BE1);
 5. Access and parking/layout, cycle parking provision (BE1);
 6. Condition stating shall be carried out in accordance with site investigations and remediation plan (PR14);
 7. Condition stating shall be carried out in accordance with details of drainage (BE1);
 8. Condition stating shall be carried out in accordance with details of landscaping scheme (BE1);
 9. Conditions specifying construction hours and hours of deliveries for building materials (BE1);
 10. Condition stating shall be carried out in accordance with approved details of wheel wash facilities (BE1);
 11. Grampian off-site highways condition (BE1);
 12. Condition stating shall be carried out in accordance with final site levels (BE1);
 13. Provision of bin storage and bin provision (BE1);
 14. Condition relating to cycle storage; and
 15. Condition in relation to boundary treatment and

pedestrian visibility (BE1 and BE2).

- c) That if the S106 Agreement or alternative arrangement was not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation in consultation with the Chairman or Vice Chairman of the Committee to refuse the application on the grounds that it failed to comply with Policy S25 (Planning Obligations).

DEV75 - 11/00067/FUL - APPLICATION FOR A NEW PLANNING PERMISSION TO REPLACE EXTANT PLANNING PERMISSION 08/00220/FUL, PROPOSED TWO STOREY DATA CENTRE EXTENSION AT THE BABBAGE CENTRE, THE HEATH, 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 relating to the following:

1. Standard condition relating to timescale and duration of the permission;
2. Landscaping condition, requiring the submission of both hard and soft landscaping (BE2);
3. Materials to be submitted and approved in writing (BE2);
4. Boundary treatments to be submitted and approved in writing (BE1);
5. Wheel cleansing facilities to be submitted and approved in writing (BE1);
6. 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);
7. Construction hours to be adhered to throughout the course of the development (BE1);
8. Restriction of the use (BE1);
9. Details of proposed noise and the details of noise attenuation (PR2);
10. Details of screening around external compound areas (BE1);
11. Delivery hours to be adhered to throughout the life of the permission. (BE1);
12. Subject to a travel plan being submitted and approved in writing (TP16);
13. No lighting to be installed within the site or on the

building without further approval from the Local Planning Authority (Policy BE1 and PR4); and
14. Restricting the hours of testing of back up generators (PR2).

Meeting ended at 6.45 p.m.