

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 5 December 2011 at Civic Suite, Town Hall, Runcorn

Present: Councillors Thompson (Vice-Chairman), Balmer, J. Bradshaw, A.Cole, Gilligan, Hignett, Hodgkinson, Leadbetter and T McInerney

Apologies for Absence: Councillors Nolan and Osborne

Absence declared on Council business: None

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

Also in attendance: Councillor MacManus and 5 members of the public.

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

	<i>Action</i>
DEV31 MINUTES	
<p>The Minutes of the meeting held on 7 November 2011, having been printed and circulated, were taken as read and signed as a correct record subject to the following amendment:</p> <p>It was noted that Councillor Hignett's absence was '<i>Declared on Council Business</i>' and not as an '<i>Apology for Absence</i>'.</p>	
DEV32 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p> <p><i>Councillor Balmer declared an interest in the following item in order to avoid any allegation of bias, as he had previously attended a residents meeting concerning the proposal. He took no part in the debate and did not vote on the application.</i></p>	
DEV33 - 11/00184/FUL - PROPOSED ERECTION OF 143 NEW DWELLINGS WITH ASSOCIATED GARAGES, PARKING,	

HARD AND SOFT LANDSCAPING, WITH ON-SITE PROVISION OF OPEN SPACE AND GREEN LINK ON LAND BOUNDED BY WILMERE LANE/CRANSHAW LANE AND LUNTS HEATH ROAD, WIDNES

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

It was reported that a further amended plan had been received relating to the reorientation of plot 95, to minimise potential overlooking of adjoining land and to secure final amendments to the internal highway layout. These amendments were considered minor technical improvements to the scheme and not considered to raise any significant issues not previously addressed.

The Committee was advised that six further letters of representation had been received raising similar issues that were already addressed in the report. One reference had been made to a *'fault line on the proposed site'* which had resulted in previous refusals of planning permission. However it was noted that no evidence was presented regarding this fault line and no records were available for the earlier refusal of planning permission in this regard. An objection had been received from the adjacent land owner who had claimed the hedge boundary was his, which was disputed by the applicant. Details would be included in an additional condition.

Furthermore, the legalities of the right to provide access to Cranshaw Lane by Green Link had been raised. It was noted that the applicant had demonstrated control up to the boundary of the site with Cranshaw Lane which was dedicated as bridleway. Legal advice suggested that such highway connection could therefore be legally made.

It was also reported that an additional Grampian style condition was requested relating to off site highway / junction improvements to the junctions off Lunts Heath Road and Wilmere Lane to provide necessary flexibility if to be provided under Section 278 of the Highways Act, in lieu of a financial contribution by means of Section 106.

It was also recommended by officers that the entering into of the Legal Agreement (Condition a), should include a requirement to enter into a further agreement under Section 25 or Section 38 Highways Act 1980 as appropriate, and that Condition number 6 be deleted and replaced with the submission of a structure Management Plan instead.

The Committee was then addressed by Mr Harper who wished to object to the application. He questioned whether it was appropriate to approve another application for a development which was on Phase 3 land, as there had been several already approved in recent years and in the same area of Widnes, some of which were not selling. He further stated that one access road to the site would be insufficient and questioned the standard of the design of the roads in comparison with the other developments.

Councillor MacManus then addressed the Committee objecting to the proposal and spoke of the potential for the overstretching of GP and School services for local people, should the development be approved. Further he cited that there would be an increased flow of traffic in the area and requested that the Committee defer the application so that the above issues could be looked at further.

In response to the above comments officers stated that since 2005 the Council had an obligation to build 500 new dwellings per annum and to date a shortfall existed. In these circumstances therefore, it was considered appropriate to release this site for development. Further it was stated that new road improvements had been added to the scheme and a 30 mph speed limit had been introduced on Lunts Heath Road, which had already resulted in a reduction of accidents. Also, it was commented that this development would have a relatively small impact on the volume of traffic in an area that was already busy.

In response to the availability of local services, it was commented that this was not a reason for refusal of a planning application, as it was a matter for the agencies concerned to deal with, as was the non-sale of new houses for a developer to deal with.

RESOLVED: That the application be approved subject to:

- a) The entering into of a Legal Agreement for the provision of a financial contribution towards off-site public open space, greenway links (including a requirement to enter into a further agreement under Section 25 or Section 38 Highways Act 1980 as appropriate), public transport / bus stops and highway junction works;
- b) Conditions relating to the following:
 - 1) Condition specifying amended plans (BE1);
 - 2) Requiring that no development shall begin until

- written details and agreement of construction vehicle access routes and construction car parking and management plan (BE1);
- 3) Materials condition, requiring the submission and approval of the materials to be used (BE2);
 - 4) Landscaping condition, requiring the submission of both hard and soft landscaping to include tree and hedgerow planting (BE2);
 - 5) Boundary treatments including retaining walls to be submitted and approved in writing (BE2);
 - 6) Details of a construction management plan to be submitted including details of wheel cleansing;
 - 7) Construction and delivery hours to be adhered to throughout the course of the development (BE 1);
 - 8) Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/commencement of use (BE1);
 - 9) Submission and agreement of finished floor and site levels (BE1);
 - 10) Condition restricting permitted development rights relating to frontage boundary fences (BE1);
 - 11) Condition restricting permitted development rights relating to addition of windows/dormers (BE1);
 - 12) Condition restricting permitted development rights relating to extensions and outbuildings for plots 19, 22, 27, 28, 35, 36, 41, 86-88, 109,120,123-126 (BE1);
 - 13) Site investigation, including mitigation to be submitted and approved in writing (PR1);
 - 14) Submission and agreement of a scheme of biodiversity features including landscape planting, log piles, bat and bird boxes (BE1 and GE21);
 - 15) Conditions relating to tree and hedgerow protection during construction including special/construction working methods for driveways beneath trees (BE1);
 - 16) Submission and agreement of detailed construction of surface water detention pond (BE1);
 - 17) Survey for ground nesting birds to be submitted and approved (BE1 and GE21);
 - 18) Grampian conditions relating to off-site highway works to Lunts Heath Road entrance and to provide 3m wide cycle/footway to site frontage with Wilmere Lane up to junction with Lunts Heath Road (TP6 and TP9);
 - 19) Requiring properties be supplied with appropriate bins and recycling bins prior to occupation (BE1);
 - 20) Grampian conditions relating to off-site works replacement highway tree planting (BE1);

- 21) Specify house type in relation to plot 109 (BE1);
- 22) Requiring submission, agreement and implementation of detailed method statement for removal or long term management / eradication of Japanese knotweed (BE1);
- 23) Requiring the development be carried out in accordance with the approved PRA and appropriate mitigation measures (PR16); and
- 24) Submission, agreement and implementation of a surface water regulation scheme (PR16);
- 25) Phasing of the greenway; and
- 26) Details of the landscaping to be submitted and approved.

- 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).

DEV34 - 11/00395/FUL - PROPOSED CREATION OF ONE NEW BUILDING (B1(B) USAGE) WITH ASSOCIATED EXTERNAL WORKS AT THE HEATH BUSINESS AND TECHNICAL PARK, THE HEATH

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

It was reported that an additional condition, relating to the provision of a scheme for the preservation of the Great Crested Newt, would be included.

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

1. Time limit (BE1);
2. Specifying approved use (E3);
3. Tree protection conditions (BE1);
4. Routing for construction traffic (BE1);
5. Travel plan update (TP16);
6. Submission and agreement of materials (BE1);
7. Submission and agreement of external lighting details (GE21);
8. Construction management plan (BE1);
9. Requiring that the development be carried out in accordance with recommendations of the submitted

Ecological Assessment with regards to a watching brief for Great Crested Newts (GE21).

DEV35 MISCELLANEOUS ITEMS

The following applications had been withdrawn :-

08/00035/FUL Proposed two storey rear extension at Dale Engineering (adjacent To Plasmoor Site), Tanhouse Lane, Widnes.

The following application had gone to appeal:-

11/00161/TEL Prior notification of proposed telecommunications development including 15m dual user replica telegraph pole, equipment cabinet and electricity meter pillar at Corner Of Deacon Road And Appleton Village, Widnes Cheshire.

Planning Appeal Decisions:-

11/00100/OUT Proposed erection of one dwelling on at Land behind 33 Lilac Avenue, Widnes, Cheshire.

DISMISSED

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, Cheshire.

DISMISSED

Application for an award of costs had been

REFUSED

Meeting ended at 7.15 p.m.