

## DEVELOPMENT CONTROL COMMITTEE

*At a meeting of the Development Control Committee on Monday, 7 October 2013 at the Civic Suite, Town Hall, Runcorn*

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), Baker, Cole, R. Hignett, S. Hill, C. Loftus, A. McInerney, T. McInerney, Morley, Osborne, C. Plumpton Walsh and Rowe

Apologies for Absence: None

Absence declared on Council business: None

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

Also in attendance: Councillor N Plumpton Walsh and 14 Members of the Public

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

*Action*

DEV30 MINUTES

The Minutes of the meeting held on 9 September 2013, having been printed and circulated, were taken as read and signed as a correct record.

DEV31 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.

DEV32 - 13/00229/FUL - PROPOSED DEVELOPMENT AND OPERATION OF A TIMER DRYING FACILITY AT STOBART PARK / 3MG, FORMERLY WEST BANK DOCK COMPRISING LAND TO THE EAST OF DESOTO ROAD EAST AND TO THE WEST OF FOUNDRY LANE, WIDNES

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

This was one of two applications on the agenda for the Stobart Park site. This one was for a timber drying plant

receiving roundwood logs which were then debarked, shredded and dried to create wood shavings which were baled and sold as horse and cattle bedding. It was reported that all of the processing would be enclosed within a building which would have four stacks associated with the dryer which would protrude 2.5m from the roof of the building.

Officers provided information on the drying process and the use of heat from the Biomass plant which would be used for this. It was noted that the development covered only a very small area of the wider Stobart Park site which had permission for warehouse, distribution and associated uses and therefore Policy CS8 was not applied. It was reported that the applicant had agreed to use reasonable endeavours to utilise transportation by rail, however it was highlighted that the baled product was unlikely to be moved by rail due to the location of their customers.

Officers requested that, due to some amendments that were required resulting in a re-consultation and the need to update the Habitats Regulations Assessment (HRA), authority be delegated to approve the scheme subject to the listed conditions, additional conditions restricting use and requirement of the provision of dust control measures for the drying plant and any additional conditions arising as a result of the re-consultation and HRA.

Members agreed with Officers' recommendations and request for the delegation of authority and approved the scheme subject to the conditions listed below.

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

1. Standard time limit condition requiring that the permission be implemented within 3 years.
2. Specifying approved/amended plans.
3. Materials condition, requiring the submission and approval of the materials to be used (BE2);
4. Construction Environmental Management Plan including wheel cleansing facilities to be submitted and approved in writing (BE1);
5. Submission and agreement of foundation/piling design and risk assessment restricting use of penetrative piling or foundation methods (PR15);
6. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
7. Vehicle access, parking, servicing to be constructed prior to commencement of use (BE1);
8. Requiring finished floor and site levels be carried out

- as approved (BE1);
9. Restriction of external lighting (PR4);
  10. Submission and agreement of a programme of archaeological work (BE6);
  11. Securing maintenance of site entrance sight lines (BE1);
  12. Securing cycle parking in accordance with a scheme submitted to and agreed in writing (TP6);
  13. Securing over-spill / shift change car parking (TP12);
  14. Restricting external storage (E5);
  15. Requiring debarking, shaving and drying plant to be installed and maintained in accordance with manufacturers details to be submitted and agreed (PR1/2/3);
  16. Submission and agreement of scheme to manage surface water run off (PR5/16);
  17. Submission and agreement of scheme to risk of flooding from overland flow (PR16); and
  18. Submission and agreement of a scheme to dispose of foul and surface water (PR15).
  19. Restricting use (CS8); and
  20. Requiring provision of dust control measures (PR1).

DEV33 - 13/00274/FUL - PROPOSED DEVELOPMENT AND OPERATION OF EXTERNAL STORAGE AREA FOR ROUNDWOOD LOGS AND PALLETISED BALED WOOD SHAVINGS AT STOBART PARK / 3MG, FORMERLY WEST BANK DOCK COMPRISING LAND TO THE EAST OF DESOTO ROAD EAST AND TO THE WEST OF FOUNDRY LANE, WIDNES

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

Officers advised that this was the second application for the Stobart Park site; an open storage area for the logs and for the baled products (discussed on the previous application).

Officers requested that to avoid delay in coming back to Committee, authority be delegated to approve the scheme subject to the listed conditions below and any additional conditions restricting the use.

Members agreed with Officers' recommendations and request for the delegation of authority and approved the scheme, subject to the Conditions listed below.

RESOLVED: That the application be approved

subject to conditions listed below:

1. Standard time limit condition requiring that the permission be implemented within 3 years;
2. Specifying approved/amended plans;
3. Landscaping condition, requiring the submission and approval of the screen/structural landscaping/tree planting to be used (E5);
4. Construction Environmental Management Plan including wheel cleansing facilities to be submitted and approved in writing (BE1);
5. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
6. Vehicle access, parking servicing etc to be constructed prior to commencement of use (BE1);
7. Requiring submission and agreement of finished site levels/to be carried out as approved (BE1);
8. Restriction of external lighting (PR4);
9. Securing maintenance of site entrance sight lines (BE1);
10. Securing cycle parking in accordance with a scheme submitted to and agreed in writing (TP6);
11. Restricting maximum height, locations and types of materials to be externally stored (E5);
12. Requiring storage and circulation areas to be hard surfaced with brushed concrete or other agreed material prior to use (BE1/PR14); and
13. Restricting use (CS8).

DEV34 - 13/00280/FUL - PROPOSED DEMOLITION OF EXISTING BUILDING AND ERECTION OF 10 NO DWELLINGS AND ASSOCIATED WORKS AT VICTORIA ROAD, HIGHER RUNCORN

*(NB. To avoid any suggestion of bias or predetermination, Councillor Chris Loftus left the room during consideration of the following item as he was a personal friend of the objector, Mr Dixon, who addressed the Committee).*

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

Officers reported that since the publication of the report the Council had received no response from Natural England, although the Council's Nature Conservation Consultant had agreed with the submitted ecological report and the mitigation proposed. He had also confirmed that on the basis of the information submitted the proposal was

likely to be sufficient for a Natural England licence application to be successful. Officers requested however, delegated authority from Members to await the response from Natural England prior to issuing a decision.

It was also reported that the Council's conservation consultant had raised concerns regarding the potential loss of an important local building and the fact that the applicant had not, at the time of writing the report, submitted a heritage appraisal. Following receipt of the appraisal, the Council's conservation consultant had confirmed that the building was worthy of retention and potential protection either through a Listed Status or by a locally approved list. It was noted that English Heritage had declined the request for listing, however it was stated that the building was undoubtedly of local interest and an asset to the streetscape, and as such was a good candidate for local listing.

It was recommended therefore that the application be refused on the basis that a heritage appraisal was required and it was confirmed that the building of St Johns Presbyterian Church was considered to be a structure of local architectural and historical interest.

The Committee was addressed by Mr Dixon, who objected to the proposal on behalf of local residents. He provided an overview of the building's history since it was built in 1904 which included details of a previous planning application. Mr Dixon stated that he lived next door to the site and argued that the development was too close to the boundary of his house and raised concerns over the structure of the fence itself. He also argued that there would be a loss of privacy, issues with residents' parking and nearby school parking.

Mr Pemberton, a representative of the Client – *Eccleston Homes*, then addressed the Committee. He stated that the heritage value of the property was raised late in the day, after preparation works had already been carried out on the building. Further, he stated that as English Heritage did not award the building a 'Listing' then it did not warrant this status. They accepted it was a prominent local feature but argued that this did not make it a heritage site.

Councillor Norman Plumpton Walsh addressed the Committee opposing the application. He reminded all of the objections received from local residents and questioned the applicant's claims that they were not aware of the heritage value of the property. He stated that the building was

undoubtedly historic and made from sandstone with an attractive spire. He also raised car parking issues with the proposal. He commented that residents did not object to developing the building in principle, but that it was important to keep it as it was.

Members debated the application taking into consideration the representations made to them by the speakers and Officers updates. It was agreed that the application be refused as the building of St Johns Presbyterian Church was considered to be a structure of local architectural and historical interest and should be locally listed.

RESOLVED: That the application be refused as the building of St John's Presbyterian Church was considered to be a structure of local architectural and historical interest. The proposed development would therefore result in the loss of a valued local heritage asset, and as such failed to comply with Policy CS20 of the Halton Core Strategy and the National Planning Policy Framework.

DEV35 - 13/00310/FUL - PROPOSED CONSTRUCTION OF TWO UNITS. 1 NO FOR D2 USE CLASS (ASSEMBLY AND LEISURE) AND 1 NO FOR A1/A3 USE CLASSES (SHOPS, RESTAURANTS AND CAFES) ON LAND OFF EARLE ROAD

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

*(NB. Councillor Hignett requested confirmation on whether he had a disclosable interest due to his involvement with selecting the developer for the site, which was owned by the Council. The Legal Officer confirmed the interest was not required to be disclosed).*

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

1. Time limits condition;
2. Approved plans (BE1);
3. Materials (BE2);
4. Drainage condition(s) (BE1);
5. Boundary treatments (BE22);
6. Submission and agreement of finished floor and site levels (BE1);
7. Prior to commencement bin storage facilities to be submitted and agreed (BE1);

8. Condition restricting outdoor storage (BE1 and E5);
9. Travel plan (TP16);
10. Vehicle access, parking and servicing to be constructed prior to occupation of properties/commencement of use (BE1);
11. Condition(s) relating to full details of hard and soft landscaping, including planting scheme, maintenance, and replacement planting (BE1);
12. Condition for details of any external plant or flues (BE1, BE2); and
13. Condition for the management of servicing and deliveries (BE1).

#### DEV36 MISCELLANEOUS ITEMS

**The following Appeal Decisions had been made:**

**12/00343/COND**

**APP/D0650/A/13/2191269** - The appeal relates to the Council's non-determination of an application submitted to discharge planning conditions 15, 29, 52 and 62 attached to the deemed grant of planning permission granted pursuant to the section 36 Electricity Act 1989 (Ref 01.08.10.04/8C) consent to the construction of a combined heat and power energy from waste fuelled generating station at Runcorn in Cheshire, and to the operation of that generating station at Runcorn Energy from Waste Facility, Barlow Way, Runcorn, Cheshire

**Allowed – The submitted programme for the monitoring of noise would meet the requirements of the condition and the reason for which it was imposed, without harm to the living conditions of residents in the surrounding area.**

**The submitted scheme for monitoring of air pollution would meet the requirements of the condition and the reason for which it was imposed, without harm to living conditions of residents in the surrounding area.**

**13/00022/GNWORK**

**APP/D0650/C/13/2197680** - The construction of an area of a hard-standing (including scraping of topsoil and deposit of material) at Land at Sandy Lane, Preston Brook, Runcorn, Cheshire, WA7 3AW.

**Allowed - Enforcement Notices have been re issued**

**The following Appeals had been received / are in progress:**

**13/00011/S73**

**APP/D0650/A/13/2201280** - Proposed variation of condition 57 of BERR permission 01.08.10.04/8C (Halton Ref 07/00068/ELC) to vary (by increase) the maximum amount of Refuse Derived Fuel (RDF) which may be transported by road to the energy from waste facility (EfW) from 85,000 tonnes per annum up to 480,000 tonnes per annum at Ineos Chlor South Parade, Runcorn. And to place an obligation on the operator of the EfW facility to report annually to Halton Borough Council the actions taken to secure the delivery of RDF by rail and or water over the previous 12 month period together with recommendations for the year ahead at Runcorn Energy From Waste Facility, Barlow Way, Off Picow Farm Road, Runcorn, Cheshire, WA7 4HG.

Inquiry to be held in January

**13/00061/FUL**

**APP/D0650/A/13/2201486** - Proposed erection of 2 metre high vehicle entrance gates to replace existing gates and provision of a pedestrian gate at entrance to Ponderosa Caravan Park on Ponderosa Caravan Park, Chester Road, Runcorn, Cheshire, WA4 4BE.

**12/00428/S73**

**APP/D0650/A/13/2196163** - Proposed removal of condition 1 from Planning Permission APP/D0650/C/10/2126943 to allow the permanent retention of a mixed use for the keeping of horses and a residential gypsy caravan site at Land south-west of junction between, Newton Lane and Chester Road, Daresbury, Warrington, Cheshire, WA4 4AJ.

Inquiry to be held in November

**12/00444/FUL**

**APP/D0650/A/13/2195692** - Resubmission of planning application 11/00429/FUL for part demolition of existing building and change of use of site to metal recycling facility, including construction of a two storey office building, siting of weighbridge and associated cabin, erection of various 6m, 7m, and 8m high boundary treatments and siting of external plant and machinery and associated works at land at Everite Road, Widnes, WA8 8PT.

Hearing has taken place – awaiting decision

*Meeting ended at 7.10 p.m.*