

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 10 February 2014 at the Civic Suite, Town Hall, Runcorn

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

Apologies for Absence: Councillors Thompson and S. Hill

Absence declared on Council business: None

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

Also in attendance: Councillors Jones and Philbin and 17 Members of the public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

Action

DEV52 MINUTES

The Minutes of the meeting held on 2 December 2013, having been printed and circulated, were taken as read and signed as a correct record.

DEV53 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.

DEV54 - 13/00356/FUL - PROPOSED DEMOLITION OF INDOOR TENNIS BUILDING AND ERECTION OF 5 NO DWELLINGS AND CONVERSION OF EXISTING OFFICES TO 5 NO DWELLINGS AT COMMONSIDE FARM, DARESBUY LANE, DARESBUY

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 was required to update the list of approved plans.

RESOLVED: That the application be approved

subject to the following conditions:

1. Time limit – full permission;
2. Site levels (BE1);
3. Facing materials to be agreed (BE1 and BE2);
4. Removal of Permitted Development – Extensions and Outbuildings (BE1 and BE2);
5. Landscaping and boundary treatments scheme (scheme to be agreed) (BE1 and BE2);
6. Removal of Permitted Development – Boundary Treatments (BE1 and BE2);
7. Construction Management Plan including wheel cleansing facilities (BE1);
8. Hours of delivery and construction (BE1);
9. Implementation of bin storage and recycling facilities (BE1 and BE2);
10. Implementation of timber storage sheds (BE1);
11. Permissive path linking the development with Daresbury Village (TP7);
12. Provision of bat boxes and bird nesting boxes (GE21);
13. Maintenance of habitat links (GE21);
14. Breeding birds protection (GE21);
15. Provision of parking (details submitted) (BE1);
16. Ground contamination (PR14); and
17. Update list of approved plans.

In order to avoid any allegation of bias, Councillor Cole declared a Disclosable Other Interest in the following item as he was a Board Member of Halton Housing Trust, who was a potential future RSL operator of the site. He did not take part in the debate or decision making.

DEV55 - 13/00372/FUL - PROPOSED DEVELOPMENT OF 34 NO. NEW DWELLINGS COMPRISING 24 NO. TWO BEDROOMED HOUSES AND 10 NO. ONE BEDROOM APARTMENTS ON LAND AT THE FORMER COCK AND TRUMPET PUBLIC HOUSE AND ADJOINING GARAGE, HALEBANK 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 number of concerns had been raised relating to the possibility that demolition waste on the site contained asbestos. The Council's contaminated Land Officer had visited the site and confirmed that he could find no visible signs of asbestos and that the waste was considered to pose very limited risk as it stood. It was noted

that the characterisation of the waste for its safe removal/re-use, together with measures for dealing with ground contamination, would be set out through detailed site investigation and a proposed remediation method statement secured by a planning condition.

The Committee was addressed by Halebank Parish Councillor Ian Hastie, who spoke in support of the application.

Members were satisfied with the addition of the above conditions and agreed that the application be approved.

RESOLVED: That the application be approved subject to:

- a) The entering into of a Legal Agreement or other agreement or condition for the provision of a financial contribution towards off site public open space and to secure a minimum of 25% of total residential units for affordable housing provision; and
- b) Conditions relating to the following:
 1. Standard 3 year permission to commence development (BE1);
 2. Condition specifying approved/amended plans (BE1);
 3. Materials condition, requiring the submission and approval of hard surface materials to be used (BE2);
 4. Materials condition, requiring the submission and approval of hard surface materials to be used (BE2);
 5. Requiring the submission of both hard and soft landscaping to include replacement tree planting (BE2);
 6. Boundary treatments to be carried out as approved prior to occupation (BE2);
 7. Submission of existing perimeter boundary condition survey and detailed upgrading/repair schedule to be submitted and agreed (BE2);
 8. Wheel cleansing facilities to be submitted and approved in writing (BE1);
 9. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
 10. Vehicle access, parking and servicing to be constructed prior to occupation of properties/commencement of use (BE1);
 11. Condition relating to the implementation of bin

- store provision (BE1);
12. Submission and agreement of finished floor and site levels (BE1);
 13. Site investigation, including mitigation to be submitted and approved in writing (PR14);
 14. Requiring implementation of cycle parking in accordance with details to be submitted and approved (TP6);
 15. Grampian style condition relating to off-site highway works (BE1); and
 16. Restricting permitted development rights relating to fencing, extensions, outbuildings, windows and dormers.

- c) That if the S106 Agreement or alternative arrangement was not executed within a reasonable period of time or condition imposed, 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).

DEV56 - 13/00381/COU - RETROSPECTIVE APPLICATION TO RETAIN CHANGE OF USE FROM OFFICES (USE CLASS B1) TO A CHEMIST/PHARMACY AND NEW SHOP (USE CLASS A1) AT WHITFIELD & BROWN, APPLETON VILLAGE, WIDNES

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

Members were informed of the history and status of the previous application relating to the site. They were advised that no weight must be given to the previous permission granted in July, since this was currently the subject of judicial review proceedings.

It was reported that additional objections to the application had been received citing the same issues discussed in the report.

It was also reported that an additional condition was needed relating to the car parking remaining as such throughout the lifetime of the development to the satisfaction of the Local Planning Authority. Members were advised that this was in the interests of highway safety and securing the site to comply with Policy BE1 of the Halton Unitary Development Plan.

The Committee was addressed by Ann Marie Sheridan, a local resident who objected to the proposal. She announced that there was local opposition to the scheme and a petition had been signed containing 877 signatures who wanted the pharmacy to close. She argued that there was an increase in traffic and illegal parking occurring daily since the pharmacy opened. She passed photographs of the area for Members to view. She also argued that the area was residential and was dangerous with potential for accidents both on the road and footpaths. She also referred to the dispensation of methadone and the potential for anti-social behaviour associated with this.

Mr Moorehouse, the Agent for the applicant, then addressed the Committee. He stated that the application was compliant with the National Planning Policy Framework (NPPF) document and had proved to be clear and transparent all through the application process. In response to congestion claims he disputed this advising the Committee that no one had been knocked over or suffered nuisance as a result of the pharmacy opening, which had been trading now for almost 6 months. He advised also that contrary to public perception, the methadone and needle exchange service had not been used.

Following Members' debate over traffic and illegal parking issues, it was confirmed that the Highways Department had raised no objections to the proposal and considered the area to be safe. It was commented that the congestion in the area occurred around school drop off and pick up times for the nearby school, and that vehicle movements associated with the pharmacy at any given time were not significant. It was also commented that the pharmacy had provided 10 car parking spaces on site, which was over the required amount of seven.

The comments regarding illegal parking in the area were acknowledged as officers had contacted the Police previously to address this issue. Officers had also worked closely with St Bede's Primary School in the past in an effort to encourage people not to use their cars. Members were advised that the Council would contact the Police again regarding this as illegal parking was a Police matter.

The Chairman moved to a vote on the application which was approved. Councillor Osborne abstained from voting and requested that this be recorded in the minutes.

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

1. Plans (BE1);
2. Hours of opening (BE1);
3. Doors adjacent to the emergency access on to alleyway to open inward throughout the lifetime of the development (BE1);
4. Improvements to vehicle access to remain throughout the lifetime of the development (BE1);
5. Restriction of gross area to 136 square metres (BE1, H8, TC6 and CS5);
6. Boundary treatment to rear of the site to remain throughout the lifetime of the development (BE1);
7. Cycle parking to remain throughout the lifetime of the development (TP7);
8. Refuse storage to remain throughout the lifetime of the development (BE1);
9. No deliveries to the site shall take place outside the permitted opening hours of 0700 to 2300 hours Monday to Friday; 0800 to 2200 hours Saturday; 1000 to 1600 hours Sunday (BE1);
10. Details of alarm and CCTV system to be submitted (BE1 and BE2);
11. All external lighting shall be compliant with the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light throughout the lifetime of the development (BE1 and PR4);
12. Prevention of public use of doorway to north onto alley (BE1); and
13. Building shown to be secured on the plans to remain secured for the lifetime of the development.

DEV57 MISCELLANEOUS ITEMS

The following applications had been withdrawn:

13/00476/FUL - Proposed construction of mezzanine floor at Denca Controls Ltd, Waterloo Road, Widnes, Cheshire, WA8 0QR.

13/00386/FUL - Proposed residential development of 13 No. detached houses with garages, private open space and private access road at Former Dawsons Dance Centre, Lunts Heath Road, Widnes, Cheshire, WA8 5BG.

13/00380/FUL - Proposed demolition of existing conservatory, two storey side and rear extension plus extension over existing garage at 4 Clanfield Avenue, Widnes, Cheshire, WA8 4LY.

13/00374/PDE - Proposed single storey rear extension projecting from the rear wall by 4.8 metres. The extension had a total height of 3.2 metres and the height of the eaves

was 2.2 metres at 5, Easenhall Close, Widnes, Cheshire, WA8 9WT.

13/00373/FUL - Proposed erection of a single storey storage building at Industrial Estate, Percival Lane, Runcorn, Cheshire.

13/00366/TPO - Proposed general maintenance work to trees as follows; T1, T2, T4, T7, Silver Birch, Crown Lift, T3, Willow, Crown Lift, T5, Silver Birch, Fell, T6 Oak, Crown Lift at Weston Angling Club, Rudheath Lane, Runcorn, Cheshire, WA7 1GB.

13/00363/COU - Proposed change of use from Electrical Wholesale (Use Class B2) to Soft Play Centre (Use Class D2) 3 Boleyn Court, Runcorn, Cheshire, WA7 1SR.

13/00348/S73 - Application to vary condition 10 of the Planning Permission 10/00279/FUL to permit creation of right turn lane from Lunts Heath Road prior to occupation of dwellings rather than prior to commencement of development at Former Dawson's Dance Centre, Lunts Heath Road, Widnes, Cheshire, WA8 5BG.

13/00347/FUL - Proposed erection of detached 2.5 storey dwelling in garden area at Highcroft, Delph Lane, Daresbury.

13/00311/FUL - Proposed two storey side extension at 2 Coombe Drive, Runcorn, Cheshire.

The following Appeal Decisions had been made:

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.

The appeal was dismissed.

12/00300/FUL (APP/D0650/A/ 12/2187532) – 9 Fernwood, Norton, Runcorn, Cheshire, WA7 6UT

The appeal was dismissed.

13/00243/FUL (APP/D0650/ D/13/2205325) – Proposed two storey pitched roof extension to rear/side at 6 Ladypool, Hale.

The appeal was dismissed.

13/00022/GNWORK (APP/D0650/C/13/2197680) –
Enforcement notice issued for the construction of the area of
hard-standing on land at Sandy Lane, Preston Brook,
Runcorn, Cheshire, WA7 3AW.

The enforcement notice had been quashed.

**The following Appeals had been received / were 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 held in January, currently awaiting decision of the
Secretary of State.

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.

Public Inquiry to be held on the 11th of February.

13/00022/GNWORK (APP/D0650/C/13/2207343) -
Enforcement notice issued for the construction of the area of
hard-standing on land at Sandy Lane, Preston Brook,
Runcorn, Cheshire, WA7 3AW.

In progress being dealt with by written representations.

13/00278/FUL – (APP/D0650/V/14/2212165) Proposed
redevelopment of existing high school comprising new
school building, provision of new tennis courts, relocation of
playing fields, new car parking and associated hard and soft
landscaping and demolition of the existing school buildings

at The Heath Specialist Technology College.

The Secretary of State has called the application in for his consideration. This will now be heard by a public Inquiry (no dates for this to be heard are known at this time).

Meeting ended at 7.30 p.m.