

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 19 November 2007 at Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), P. Blackmore, S. Blackmore, Hignett, Leadbetter, Morley, Polhill, Rowan and Sly

Apologies for Absence: Councillor Osborne

Absence declared on Council business: None

Officers present: P. Watts, M. Simpson, L. Beard, A. Pannell, A. Plant, J. Tully and R. Wakefield

Also in attendance: Cllr E. Cargill, M Ratcliffe and M Wright and 3 members of the public.

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

	<i>Action</i>
DEV53 MINUTES	
The Minutes of the meetings held on 22 nd October 2007, having been printed and circulated, were taken as read and signed as a correct record.	
DEV54 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.	
DEV55 - PLAN NO. 07/00585/FUL - PROPOSED DEMOLITION OF SINGLE STOREY BUILDINGS AND ERECTION OF PART TWO STOREY OFFICE BUILDING, WORKSHOPS, ACCESS ROADS, CAR PARKING AND ANCILLARY WORKS TO THE LAND AT INEOS CHLOR SOUTH PARADE, RUNCORN.	
The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was reported that United Utilities and the	

Environment Agency had no objection in principle but had requested conditions relating to contaminated land and drainage. Two residents had commented on the application details of which were outlined in the report.

Ward Councillor M. Ratcliffe addressed the Committee and spoke against the application. A section from a survey carried out by RPS was tabled at the Committee that identified a small breeding colony of Greater Crested Newts. In addition Japanese Knotweed was also discovered. Members felt that it was unclear which site the information related to and requested that the proposal be deferred to investigate the issue of Greater Crested Newts and Japanese Knotweed raised by Councillor M Ratcliffe. It was reported that when the Authority consulted the Nature Conservation Officer, no problems were raised.

RESOLVED: That the application be deferred to investigate the issue of Greater Crested Newts and Japanese Knotweed.

DEV56 - PLAN NO. 07/00681/OUT - OUTLINE APPLICATION (WITH ALL MATTERS RESERVED) FOR DEVELOPMENT OF SANDYMOOR LOCAL CENTRE INCLUDING UP TO 34 DWELLINGS AND UP TO 3,000SQ.M OF COMMERCIAL, RETAIL, HEALTH, RECREATION AND LEISURE FLOOR SPACE TO THE LAND OFF PITTS HEALTH LANE, RUNCORN.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was reported that two letters of objection had been received, the grounds of which were detailed in the report.

Mr Hasoun addressed the Committee and spoke against the application and raised concerns such as the design of the buildings being 2.5 to 3 storeys, the new access road causing noise nuisance and pollution, the felling of trees and whether there was a need for another public house.

In response it was noted that the noise and air quality can be adequately controlled by way of conditions, no trees were to be felled prior to the agreement and a replacement planting scheme was suggested.

It was reported that should planning permission be granted the developers, English Partnerships and the Authority would have a briefing session in order to discuss

the application in more detail.

RESOLVED: That subject to a planning brief 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. Requiring development to satisfy the standards and guidance of the Local Planning Authority and specifying maximum heights for the proposed buildings to 3 storeys and in accordance with the submitted heights schedule (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. Drainage condition, requiring the implementation of appropriate oil interceptor. (BE1)
9. Requiring agreement and implementation of a scheme of compensatory flood storage works (BE1)
10. Requiring ecological surveys of surrounding ponds and watercourses and appropriate mitigation and habitat protection as required (GE21).
11. Landscaping condition, requiring the submission of both hard and soft landscaping. (BE2)
12. Requiring a full arboricultural method statement and tree protection plan (BE1)
13. Tree protection and requiring that no trees be felled unless agreed through detailed submission (BE1)
14. Requiring a comprehensive landscaping plan including new and replacement tree planting. (BE1)
15. Site investigation, including mitigation to be submitted and approved in writing. (PR14)
16. Boundary treatments including retaining walls to be submitted and approved in writing. (BE2)
17. Wheel cleansing facilities to be submitted and approved in writing. (BE1)
18. Details of disabled access and parking to be submitted and approved in writing. (BE2)
19. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
20. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)

21. Agreement and implementation of cycle parking provision (TP6)
22. Restricting number of ground floor retail/ commercial units in non-retail (A1) use to no more than approximately 50 per cent. (TC9)
23. Requiring submission and agreement of details relating to external flues/ air conditioning or extraction units/ any other plant (BE1)
24. Specifying floor space limits for retail uses (TC4)
25. Submission and agreement of finished floor and site levels. (BE1)
26. Restricting opening hours in accordance with details to be agreed (BE1)
27. Restricting external lighting (PR4)
28. Requiring submission and agreement of details of ancillary development including recycling and refuse facilities, CCTV, substation etc (BE1)
29. Provision of re-cycling facilities and bin provision for each apartment.

DEV57 - PLAN NO. 07/00684/FUL - PROPOSED ERECTION OF 5 N. B1/B2/B8 COMMERCIAL UNITS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING TO THE LAND ON THE SITE ADJACENT TO PHASE 1 HERON BUSINESS PARK, TANHOUE LANE, WIDNES.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was reported that the authority was waiting for the final wording from the Environment Agency in relation to environmental conditions. It was noted that no objections had been received.

It was advised that authority be delegated to the Operational Director – Environmental and Regulatory Services to approve the application in consultation with the Chair or Vice Chair of the Committee.

RESOLVED: That authority be delegated to the Operational Director – Environmental and Regulatory Services to approve the application in consultation with the Chair or Vice Chair of the Committee subject to the following conditions:-

1. Standard condition relating to timescale and duration

- of the permission;
2. Specifying amended plans (BE1).
 3. Ground investigation study required prior to the commencement of development (PR14).
 4. Wheelwash condition required for construction phase (BE1).
 5. Parking conditions (2 separate conditions) to ensure parking 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).
 6. Landscaping condition is required to ensure comprehensive details are provided prior to the commencement of development (BE2 & E5).
 7. Replacement tree planting condition (BE2).
 8. Boundary treatment condition is required to ensure details are provided prior to the commencement of development (BE2 & E5).
 9. Condition to show the levels details for the proposal and how it links in with the adjoining cycleway/landscape strip (BE1).
 10. Visibility splay condition for access onto Brown Street to ensure that this is maintained at all times (BE1).
 11. Details of the design of the bin storage (BE2 & E5).
 12. Storage condition to ensure no outside storage (E5).
 13. Pedestrian access required to be provided from Tanhouse Lane (TP7).
 14. Details of retaining walls/barriers for any works to the highways (BE1 & BE2).
 15. Details of cycle parking to be provided prior to occupation (TP6).
 16. Details of disabled parking required prior to occupation (BE1).
 17. Travel Plan required prior to the occupation (TP16).
 18. Environment Agency conditions (BE1).

DEV58 - PLAN NO. 07/00692/FUL - PROPOSED DEMOLITION / REBUILDING OF EXISTING CANTEEN, REVISED ENTRANCE FOYER AND CAR PARKING, PROPOSED 2 NO. SECURITY LODGES, NEW TOILET BLOCK AND CYCLE SHELTER TO THE LAND AT DHL EXEL SUPPLY CHAIN, WHITEHOUSE INDUSTRIAL ESTATE, ASTON LANE NORTH, RUNCORN.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that no comments had been received from local residents. The landscaping officer

raised no objections on the basis that the applicant would provide compensation for any loss of internal landscaping in the form of tree planting off site through a financial contribution.

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

1. Three year commencement condition.
2. Provision of amended plans reworking car parking layout (BE1).
3. Submission of material samples prior to commencement (BE2).
4. Entering into a Legal Agreement for financial contributions towards replacement tree planting and passenger support improvements (S25).
5. Approval of additional boundary treatment (BE1 & BE2).
6. Approval of secure cycle store details prior to occupation (TP6).
7. Approval of details of gatehouse and security lodge to be agreed prior to commencement. Such details shall restrict the height of these buildings to no higher than 4.5m (BE1).
8. Approval of details of toilet block to be agreed prior to commencement. Such details shall restrict the height of these buildings to no higher than 4m (BE1).
9. Approval of details of any ancillary signalling, lighting and directional signage as a result of this development to be agreed prior to commencement (BE1 & BE2).
10. Approval of Structural Calculations required for any retaining wall within 4m of an existing public highway and which at any point is 1.5m above or below the level of the existing ground at that point prior to commencement. Details to be carried out in accordance with DfT's Design Manual for Roads and Bridges BD 2/05 Highway Bridge to satisfaction of LPA. 1. Approval in Principle (AIP) - for outline structural proposals (BE1).
11. Contractors' vehicles shall not park on the public highway during the course of construction (BE1).
12. Approval of any additional lighting to the external building elevations (BE1 & BE2).
13. Submission and approval of Travel Plan prior to use of the facilities. Including identification of Travel Coordinator and annual monitoring report commitment (TP16).
14. Vehicle, car parking and servicing to be laid out in

accordance with approved plans (BE1).
15. Wheel cleansing details and implementation (BE1).

DEV59 - PLAN NO. 07/00701/OUT - OUTLINE APPLICATION (WITH APPEARANCE, LANDSCAPING AND SCALE MATTERS RESERVED) FOR THE ERECTION OF BUILDING FOR SELF STORAGE TO THE LAND OFF HUTCHINSON STREET, WIDNES.

It was reported that this application had been withdrawn.

DEV60 - PLAN NP. 07/00716/FUL PROPOSED FOUR STOREY MIXED USE DEVELOPMENT COMPRISING 24 NO. TWO BED APARTMENTS AND 4 NO. RETAIL UNITS TO THE LAND AT 88A - 92 ALBERT ROAD, WIDNES.

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

Members raised concerns regarding ground contamination as the site was a former petrol station. It was reported that a ground survey had been carried out in the past. It was also noted that conditions could be added to speed up the process for commencement of the application.

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

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)
18. Provision of bin storage and bin provision (BE1).

Additional conditions were reported as follows:

19. Submission of details of pedestrian access on to cross street and off site highways works;
20. Entering into of a Section 106 agreement in relation to developer contributions for off-site open space.

DEV61 MISCELLANEOUS ITEMS

It was reported that appeals were lodged following the Council's refusal / non determination of the following applications:

Decisions had been made as follows: -

06/00666/FUL	Proposed first floor extension to rear and alteration of existing front dormer roof from flat to pitched at 2 Malin Close, Hale, Liverpool, L24 5RU
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This appeal was dismissed.

06/00958/OUT Outline application (with landscaping matters reserved) for erection of 14 No. one bedroom apartments with adjacent parking and amenity space at 24 - 30 Farnworth Street, Widnes, Cheshire

This appeal was allowed.

The main issues were whether adequate amenity space would be provided, and whether the proposed development would harm the living conditions of residents in the proposed apartments.

The Inspector had considered the main issue was the level of amenity space and open space within the proposed development. He then stated that with the chosen layout, for the development, it was difficult to see any practical way of providing 25m² open space per unit. With one bedroom flats on the site and therefore it seemed off site open space provision would be entirely acceptable.

The Inspector also points out that some of the open space provided recently for the nearby housing scheme is currently poorly maintained. He can see merit in providing minimal open space in locations such as the appeal site because of maintenance problems and the absence of need for such space by occupiers of 1 bed units.

Harm to the living conditions of residents in the proposed apartments was also considered by the Inspector. He stated that it was possible that residents in the apartments facing the rear car park could from time to time be disturbed by occasional movements of vehicles or pedestrians. It was not considered this would be materially different to disturbance experienced by existing residents living nearby in properties fronting Farnworth Street. The Inspector went on to say that this low level of disturbance was to be expected and would not seriously affect the amenity of residents in the new apartments.

The appeal was allowed with conditions on external materials, access and parking, ground levels, wheel cleansing, boundary treatment, landscaping, contamination, construction work hours and sewage and drainage arrangements.

06/00972/FUL Proposed residential development consisting of 40 No. dwellings at Former Fire Station, Heath Road, Runcorn,

This appeal was dismissed

Although the appeal was dismissed (the development not allowed) the Council had been ordered to contribute towards the appellants costs of the appeal proceedings and in particular the costs associated with information unnecessarily provided.

Members requested that the outcome of meetings proposed to discuss the claim for costs be reported back to the Committee.

2) The following applications had been withdrawn: -

07/00538/FUL Proposed minor alterations to planning approval 05/00903/FUL at Meadow Lodge, Bennetts Lane, Widnes, Cheshire, WA8 0GT

07/00622/FUL Proposed installation of new shop front at News & Food, 9 Albert Road, Widnes, Cheshire, WA8 6JA

07/00625/COU Proposed change of use from residential to hair & beauty salon at 18 South Road, Runcorn, Cheshire, WA7 4EY

07/00655/FUL Proposed garage conversion, single storey side/rear extension and enclosure of existing canopy to form front porch at 7 Aylsham Close, Widnes, Cheshire

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Meeting ended at 7.00 pm