

## DEVELOPMENT CONTROL COMMITTEE

*At a meeting of the Development Control Committee on Monday, 17 December 2007 at Civic Suite, Town Hall, Runcorn*

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

Apologies for Absence: None

Absence declared on Council business: None

Officers present: P. Watts, M. Simpson, R. Cooper, J. Farmer, G. Henry, A. Pannell, A. Plant and J. Tully

Also in attendance: Cllr Wallace and 5 members of the public

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

	<i>Action</i>
DEV62 MINUTES	
<p>The Minutes of the meetings held on 19<sup>th</sup> November 2007, having been printed and circulated, were taken as read and signed as a correct record.</p>	
DEV63 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.</p>	
DEV64 - PLAN NO. 07/00714/FUL - PROPOSED 3 STOREY BLOCK, WITH FOURTH STOREY ELEMENT, COMPRISING 20 NO. TWO BED APARTMENTS TO THE LAND AT RUNCORN SERVICE STATION, BRIDGE STREET, RUNCORN WA7 1BP	
<p>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 Peel Holdings had raised no objections to the proposal.</p>	

The Environment Agency had raised no objections in principle, but had recommended conditions in relation to surface water drainage and arrangements around investigation.

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

1. Entering into S.106 Agreement for financial contribution towards off-site open space (BE1 and S25).
2. Provision of amended plans addressing highway issues (BE1).
3. Structural calculations to be approved prior to commencement (BE1).
4. Ground investigation and required remediation prior to commencement (PR14).
5. Prior to commencement existing and proposed levels (BE1).
6. Submission of material samples prior to commencement (BE2).
7. Scheme of foul and surface water prior to commencement (BE1).
8. Car parking drainage passed through trapped gullies as approved (BE1).
9. Tree protection measures to be agreed prior to commencement and implemented (BE1).
10. Tree protection method statement (BE1).
11. Tree replacement scheme (BE1).
12. Approval of additional boundary treatment (BE22).
13. Approval of any additional lighting to the external building elevations (BE1).
14. Prior to occupation details of scheme of recycling separation within each kitchen of residential unit to be approved (BE1).
15. Provision of bin storage within the site (BE1).
16. Vehicle, car parking and servicing to be laid out prior to occupation (BE1).
17. Wheel cleansing details and implementation (BE1).
18. Hours of construction and deliveries (BE1).

DEV65 - PLAN NO. 07/00726/FUL - PROPOSED CONSTRUCTION OF 24 NO. DWELLINGS TOT HE LAND AT BROOKVALE AVENUE NORTH, RUNCORN

The consultation procedure undertaken was outlined

in the report together with background information in respect of the site. United Utilities had also been consulted and raised no objections.

It was reported that the Environment Agency raised no objections, however they did recommend conditions relating to the requirement for approval of a scheme for the disposal of foul and surface waters and that surface water drainage should be passed through trapped gullies to prevent pollution.

It was noted that three neighbour objections had been received details of which were outlined in the report.

Members raised issues relating to previous flood problems at properties near to the proposed development and the road safety around the busway. It was noted there would no issues in relation to flooding as these would be dealt with in the conditions. In addition should there have been any highway safety issues, the Council's Highways department would have objected to the proposal.

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

1. Standard commencement condition.
2. Condition specifying amended plans (BE1).
3. Construction hours (BE1).
4. 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. Materials condition, requiring the submission and approval of the materials to be used (BE2).
7. Boundary treatments to be submitted and approved in writing (BE2).
8. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties / commencement of use (BE1).
9. Details of traffic calming measures to be submitted and approved in writing prior to commencement (TP18).
10. Conditions relating to restriction of permitted development rights relating to boundary fences, extensions, enclosures and windows. ( BE1).
11. Site investigation, including mitigation and any remediation to be submitted and approved in writing (PR14).
12. Landscaping condition, requiring the submission of both hard and soft landscaping to include

- replacement tree planting (BE2).
13. Conditions relating to tree protection during construction and lifetime of the development (BE1).
  14. Condition relating to a financial contribution towards open space provision (H3).
  15. Drainage condition, requiring submission and approval of drainage (BE1).
  16. Submission and agreement of finished floor and site levels (BE1).
  17. Provision of bin storage and bin provision (BE1)

DEV66 - PLAN NO. 07/00739/FUL - PROPOSED DEVELOPMENT OF EXISTING BUILDINGS AND ERECTION OF NO. FIVE STOREY BUILDINGS (PIERS) COMPRISING 108 NO. ONE AND TWO BEDROOM APARTMENTS, LANDSCAPING, PARKING, BASEMENT PARKING AND WATERFRONT WALKWAY / CYCLEWAY STRUCTURE TO THE LAND AT RMC HOUSE, ST MARY'S ROAD, WIDNES.

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

The Committee was advised that two further letters of objection had been received which raised issues detailed in the report in addition to noise, location of bins and whether relevant conditions had been recommended. Concern had been raised that the underground area car park would be used for anti-social behaviour. It was noted that this area would be secure and it would not be accessible by non-residents. One anonymous letter of objection had been received that raised concerns with sewage, drainage, highways and the impact on television aerial reception.

It was reported that an objection had been received from the Health and Safety Executive of safety grounds and it was currently being discussed and was expected to be withdrawn.

Mr Wilkinson – Secretary of West Bank Boat Club addressed the Committee and spoke against the application raising concerns about the walkway and whether the navigation rights would be maintained.

Ward Councillor Wallace addressed the Committee and spoke on behalf of the West Bank residents raising

concerns regarding the height and the intrusiveness of the building, the problem of bins attracting vermin, parking and traffic, what design the building would be and issues with the footpath.

It was decided that as a result of the issues raised at the Committee that a site visit was required.

RESOLVED: That the application be deferred in order for Members of the Committee to visit the site.

DEV67 - PLAN NO. 07/00767/FUL - PROPOSED ERECTION OF 10 NO. NURSERY UNITS FOR B1 AND B8 USES ON THE LAND AT CATALYST TRADE PARK, WATERLOO ROAD, WIDNES.

It was reported that this item was withdrawn from the to enable further discussions with the Environment Agency to take place and the late representations could be considered.

DEV68 - PLAN NO. 07/00772/FUL - PROPOSED ERECTION OF 10 NO. SINGLE / PART TWO STOREY DETACHED AND SEMI-DETACHED INDUSTRIAL BUILDINGS (USE CLASSES, B1, B2 AND B8) AND UP TO 39 NO. OFFICE UNITS IN 5 NO. TWO STOREY BLOCKS (USE CLASS B1) ASSOCIATED EXTERNAL WORKS / STRUCTURES AND SUB STATION TO THE LAND AT BENNETFS LANE / DANS 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 minor amendment had been received.

RESOLVED That

- a) Authority be delegated to the Operational Director – Environment and Regulatory Services in consultation with the Chair or Vice-Chair to determine the application following confirmation from the Environment Agency that they have no objections to any other appropriately recommended conditions.
- b) Subject to the conditions listed below:

1. Materials condition, requiring the submission and approval of the materials to be used (BE2)
2. Specifying amended plans (BE1)
3. Requiring that the scheme be implemented in full accordance with the approved plans/ details unless otherwise agreed. (BE1)
4. Boundary treatments to be submitted and approved in writing. (BE2)
5. Wheel cleansing facilities to be submitted and approved in writing and used during construction. (BE1)
6. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
7. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use. (BE1)
8. Agreement and implementation of cycle parking provision (TP6)
9. Agreement and implementation of bins and recycling areas, feature shelter, seating, planters and other street furniture. BE2
10. Requiring implementation of Travel Plan (TP16)
11. Restricting external lighting (BE1)
12. Restricting external security shutters (BE1)
13. Restricting external storage and working. (BE1)
14. Site investigation, including mitigation to be submitted and approved in writing.(PR14)
15. Protection of trees (BE1)
16. Drainage (PR16)

NB. Although councillor Polhill had no personal interest in this application, to avoid any suggestion of bias he decided to take no part in the consideration or voting on the item.

DEV69 - PLAN NO'S 07/00490/FUL, 07/00791/LBC AND 07/00831CAC - PROPOSED DEMOLITION OF EXTENSIONS TO SOUTH OF SITE AND CONSTRUCTION OF REPLACEMENT TWO STOREY EXTENSION INCLUDING CHANGE OF USE TO MIXED USE INCLUDING HOTEL (C1), RESTAURANTS (A3) AND BARS (A4) TO THE LAND AT THE HALTON BUSINESS FORUM, VICTORIA SQUARE WIDNES.

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

It was reported that the proposal was for the conversion of the former Widnes Town Hall and Business

Forum to a mixed-use hotel including bars and restaurants. It was noted that demolition could be justified and the original Town Hall design could be retained.

RESOLVED: That

- a) Application 07/00790/FUL be approved subject to the following conditions relating to the following:
  1. Specifying amended plans (BE1)
  2. Materials condition, requiring the submission and approval of the materials to be used (BE2)
  3. Requiring that the scheme be implemented in full accordance with the approved plans/ details unless otherwise agreed. (BE1)
  4. Specifying the use to hotel (C1) with associated restaurants (A3) and bars (A4).
  5. Boundary treatments to be submitted and approved in writing. (BE2)
  6. Wheel cleansing facilities to be submitted and approved in writing and used during construction. (BE1)
  7. Requiring submission and agreement of ground and finished floor levels (BE1).
  8. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
  9. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use. (BE1)
  10. Agreement and implementation of cycle parking provision (TP6)
  11. Restricting external lighting (BE1)
  12. Restricting external storage and working. (BE1)
  13. Site investigation, including mitigation to be submitted and approved in writing. (PR14)
  14. Requiring additional details relating to any associated plant and related noise (PR2)
- b) Application 07/00791/LBC be approved subject to conditions relating to the following:

That Authority be delegated to the Operational Director – Environmental and Regulatory Services to approve the application subject to the Secretary of State not calling the application in and to conditions relating to the following:

1. Specifying amended plans (BE9)
2. Materials condition, requiring the submission and approval of the materials to be used (BE9)

3. Requiring that the scheme be implemented in full accordance with the approved plans/ details unless otherwise agreed. (BE9)
  4. Requiring submission and agreement of ground and finished floor levels (BE9).
- c) Application 07/00831/CAC be approved subject to conditions relating to the following:
1. Requiring that the demolition be implemented in full accordance with the approved plans/ details unless otherwise agreed. (BE13)

NB. Although councillor Polhill had no personal interest in this application, to avoid any suggestion of bias he decided to take no part in the consideration or voting on the item.

DEV70 - PLAN NO. 07/00815/FULEIA - PROPOSED DISTRIBUTION CENTRE AND ADDITIONAL WAREHOUSING FLOOR SPACE WITH ASSOCIATED ACCESS, VEHICLE PARKING, LANDSCAPING AND ANCILLARY DEVELOPMENT INCLUDING DIVERSION OF EXISTING WATERCOURSE TO THE LAND AT WIDNES INTERNATIONAL FREIGHT TERMINAL, WEST BANK DOCK ESTATE, WIDNES.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was reported that the North West Regional Assembly had confirmed "in principle" support for the scheme subject to the local authority satisfying itself that the prime purpose of the development was to facilitate rail freight and the provision of satisfactory travel plan arrangements.

It was reported that one letter of objection had been received which raised concerns regarding the visual impact the proposal would have and the noise and air quality. The Committee was advised that the Highways and Environmental Agency had raised no objections.

Members discussed the potential problem of the current access road exiting into Halebank. It was noted that this could be solved by way of a condition.

RESOLVED: That

- 1) That the application be approved subject to:



- a) the applicant entering into a legal or other appropriate agreement for a developer contribution towards off site highway improvements and public transport provision, off site landscaping/ habitat works and upgrade of watercourses and associated landscape/ habitats.
- b) The following conditions:
1. Specifying amended plans (BE1)
  2. Specifying approved use (E7)
  3. Requiring submission and agreement of materials (BE2)
  4. Requiring submission and agreement of boundary treatments (BE22)
  5. Requiring submission and agreement of street furniture, signage and equipment (BE2)
  6. Requiring submission and agreement of detailed landscape works (BE2)
  7. Requiring submission and agreement of landscaping and management plan including wildlife and habitat protection measures
  8. Restricting areas and height of external storage (E5)
  9. Control of installation/maintenance of external lighting (PR4)
  10. Protection of nesting birds (GE19)
  11. Agreement of waste management strategy (BE1)
  12. Ground Investigation and mitigation (PR14)
  13. Requiring implementation of an archaeological watching brief (BE6)
  14. Submission and agreement of cut and fill details and finished ground levels (BE1)
  15. Laying out of access/parking and servicing (BE1)
  16. Drainage (PR5)
  17. Submission and agreement of details relating to bin storage (BE1)
  18. Provision of disabled parking and cycle parking (TP6/ TP12)
  19. Requiring wheel cleansing facilities throughout construction phase (BE1)
  20. Restricting construction and delivery hours (BE1)
  21. Routing of traffic and vehicles during construction and operational phases to secure Foundry Lane access for staff and emergency use only (E7)

22. Agreement of details for reconfiguring/ rebuilding of bridge over Ditton Brook (BE1)
23. Agreement and implementation of travel plan (TP16)
24. Grampian condition/ method statement for securing and ensuring servicing by rail freight (E7)
25. Grampian conditions relating to agreement of details for upgrades to watercourse and associated landscaping/ habitat creation, off-site works to the Desoto Road Roundabout and off and on-site cycle and pedestrian works.

An additional condition was added as follows:

26. Restriction of HGV vehicle movements through the western access point.
  27. Conditions recommended by the Environment Agency.
- 2) That the Operational Director – Environmental and Regulatory Services be given delegated authority to negotiate an appropriate legal agreement in respect of improvements to March Brook and other watercourses, public transport / highway contributions and off site landscape and habitat works.
  - 3) That if the S106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director – Environmental and Regulatory Services in consultation with the Chairman or Vice Chairman of the Committee to refuse the application on the grounds that it fails to comply with Policy S25 (Planning Obligations).

#### DEV71 MISCELLANEOUS ITEMS

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

Decisions had been made as follows:

- |              |   |
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| 06/00939/COU | Proposed change of use of car wash into take away (Class A5) at Halton Brow Service Station Halton Brow Runcorn |
|--------------|---|

**This appeal was dismissed**

07/00275/FUL Proposed demolition of rear existing annexe/workshop and erection of two storey side/single storey rear extension with balcony at 35 Runcorn Road Moore

**This appeal was allowed**

It was noted that the following applications had been withdrawn:

07/00087/COU Proposed conversion of existing flat over shop to commercial storage and alterations to existing shop frontage at 33-35 Alforde Street Widnes

07/00435/OUT Outline application (with all matters reserved) for residential development of up to 38 No.two storey houses on Land off Hallwood Link Road Runcorn

07/00575/FUL Proposed 6ft fence to side boundary at 11 Aster Crescent Runcorn

07/00665/FUL Proposed single storey rear extension at 109 Heath Road Widnes

07/00701/OUT Outline application (with appearance,landscaping and scale matters reserved) for erection of building for storage use including approval of siting and means of access on Land at Junction of Cromwell Street and Hutchinson Street Widnes

07/00709/FUL Proposed residential development comprising 7 No. two storey dwellings, with curtilage parking and hard/soft landscaping on Land to the rear of 82 Halton Road Runcorn

It was noted that a petition had been received on the following application:-

07/00068/ELC – A petition has been received from a number residents (54 names). The petitioners object to the proposed incinerator being built by INEOS Chlor.

This petition received after the 31 July 2007 and was forwarded to the Secretary of State for their information.

*Meeting ended at 7.05 p.m.*