

## DEVELOPMENT CONTROL COMMITTEE

*At a meeting of the Development Control Committee on Monday, 13 May 2019 at the Civic Suite - Town Hall, Runcorn*

Present: Councillors Nolan (Chair), Carlin, R. Hignett, V. Hill, J. Lowe, C. Plumpton Walsh, June Roberts, Thompson and Woolfall

Apologies for Absence: Councillor Zygadlo

Absence declared on Council business: Councillor Morley

Officers present: A. Jones, J. Tully, T. Gibbs, A. Plant, G. Henry, P. Shearer and I. Dignall

Also in attendance: 5 members of the public and one member of the press

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

*Action*

#### DEV39 MINUTES

The Minutes of the meeting held on 8 April 2019, having been circulated, were taken as read and signed as a correct record.

#### DEV40 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.

*To avoid any allegation of bias, Councillor Val Hill did not take part in the debate or vote on this item, as her husband Councillor Stan Hill, had made representations on the application relating to imposing certain conditions.*

DEV41 - 18/00567/FULEIA - PROPOSED DEMOLITION OF EXISTING WORKSHOP, LEAN-TO-SHED AND PICKING LINE ENCLOSURE, AND THE ERECTION OF 2 NO. BUILDINGS TO PROVIDE FOR THE STORAGE AND SORTING OF WASTE TOGETHER WITH EXTERNAL STORAGE BAYS AND ANCILLARY INFRASTRUCTURE INCLUDING SUBSTATION, WATER TANKS AND

WEIGHBRIDGE TO PROVIDE OPERATIONAL IMPROVEMENTS, ENVIRONMENTAL CONTROL AND AN INCREASE IN WASTE ACCEPTED FROM AN EXISTING 300,000 TONNES TO 450,000 TONNES PER ANNUM AT WSR RECYLING LTD, DITTON ROAD, WIDNES

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

The Committee was advised that since the report had been published a further objection had been received objecting to the application and raised concerns about odour being carried by wind; the site attracting flies and seagulls; lorries being backed up on Ditton Road; air quality; the site's proximity to residential area and cafes; and that the site should be shut down. Michael Gove MP had been sent a copy of the objection.

The Committee was addressed by Mr Glynn, a local resident who objected to the application. He argued that the local population had no control over this site and were subjected to many nuisances – air pollution; traffic density from HGV's from this site and other surrounding companies; smells being emitted; flies and seagulls were attracted by the thousands; local companies including food outlets were in close proximity to the site; Moor Lane housing estate was close to the site where the residents already suffered plagues of flies and have to use fly traps in their homes.

He concluded by suggesting that there would be a further increase in traffic when the Silver Jubilee Bridge reopened and advised the Committee that three fires had occurred in the past at similar sites. Mr Glynn objected to the location of the site for the reasons stated above, rather than the company operating it.

Members were then addressed by Mr Lawman, who spoke on behalf of the applicant. He advised that the proposed new buildings would better manage emissions from the site due to the improvements made to doors, odour controls and the use of an airtight exchange system. He also advised that boundary treatments were proposed to the front and rear of the site which would help with screening it from view and minimising noise levels.

Members queried how the site would be monitored, should the application be approved, and was there any recourse should the odour situation not be improved, as assured by the applicant with the development of the two

new buildings. In response it was reported that that monitoring of the site would be the responsibility of the Environment Agency who had the power to deal with this if the Environmental Permit conditions were breached. Members requested an additional condition in relation to the operation of the Building (TFS4).

Members agreed that the application be approved, subject to the conditions listed below.

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

1. Standard 3 year timescale for commencement of development;
2. Specifying approved and amended plans;
3. Grampian style condition relating to off-site highway works to facilitate parking provision and curb re-alignment (TP12);
4. Condition requiring a construction phasing plan – with works to be enabled to be carried out in any order (BE1);
5. Condition requiring submission and agreement of a Construction Environmental Management Plan as outlined in the submitted ES (BE1 and MW1);
6. Materials condition(s), requiring submission and agreement of building external finishing materials (BE2);
7. Condition requiring landscaping scheme (BE1, BE3 and MW1);
8. Condition requiring boundary treatments for north and south of the site (BE22);
9. Condition requiring treatment of the ground level enclosure to stack, fan; and carbon absorber; to the south of building TFS4, as shown on drawing 183131/WTS/OI/004 A (BE2);
10. Condition requiring vehicle access, parking, servicing etc, to be constructed prior to occupation of properties/commencement of use (BE1);
11. Condition requiring submission and agreement of cycle parking details (TP6);
12. Condition restricting waste throughput to 450,000 tonnes per annum (BE1 and MW1);
13. Condition restricting surface water run-off onto the adopted highway (TP17);
14. A condition requiring a site investigation scheme, remediation and verification plan (PR14);
15. No piling or other foundation design using penetrative methods unless demonstrated that there is no resultant unacceptable risk to groundwater (PR14);

16. Condition(s) restricting external storage locations, height, processing (BE1, PR16 and MW1);
17. Condition relating to/requiring submission and agreement of a sustainable drainage scheme (BE1 and PR5);
18. Submission and agreement of Site Waste Management Plan (WM8);
19. Submission of a Bird Hazard Management Plan (MW1);
20. Submission and agreement of a lighting scheme (BE1);
21. Submission and agreement of site and finished floor levels (BE1);
22. There shall be no external storage other than that as approved on drawing 183131/WTS/PL/004 A;
23. The materials stored in the external storage bays and area as shown on drawing 183131/WTS/PL/004 A, shall be stacked no higher than 4m (BE1 and MW1);
24. No materials, waste or otherwise shall be burnt on site (BE1 and MW1); and
25. Conditions relating to the operation of the building (TFS4).

DEV42 - 19/00080/FUL - PROPOSED ERECTION OF STORAGE WAREHOUSE (USE CLASS B8) ADJACENT TO EXISTING UNIT ON LAND AT EDISON ROAD, ASTMOOR INDUSTRIAL ESTATE, RUNCORN, CHESHIRE, WA7 1PT

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

Since the publication of the agenda, Officers advised Members that the response from the Lead Local Flood Agency had been received and they raised no objections. Conditions requested were covered by those included within the existing recommendation.

RESOLVED: That the application be approved subject to conditions outlined below:

1. Time limit – full permission;
2. Approved plans;
3. Proposed site levels (BE1);
4. External facing materials (BE1 and BE2);
5. Portakabin office / toilet scheme (BE1);
6. Boundary treatments scheme (BE1);
7. Breeding birds protection (GE21);
8. Hours of construction (BE1);
9. Visibility splays (BE1);

10. Construction Management Plan (Highways) (BE1);
11. Provision and retention of parking and servicing (BE1);
12. Cycle parking scheme (BE1);
13. Ground contamination (remediation and validation) (PR16);
14. Drainage strategy (PR16);
15. Foul and surface water on a separate system (PR16);  
and
16. Waste audit.

DEV43 - 19/00190/P3JPA - PROPOSED CHANGE OF USE FROM OFFICE BUILDING TO 26 NO. RESIDENTIAL UNITS AT AXIS HOUSE, TUDOR ROAD, MANOR PARK, RUNCORN, WA7 1BD

The Committee was advised that this application was not a full planning application but a change of use application. A change of use from Class B1(a) offices to Class C3 (dwellinghouses) was permitted development under Part 3, Class O, of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended).

Members were advised that there were a number of instances where a change of use was not permitted development by Class O; these were outlined in the report.

None of these instances applied to this proposal so it was considered permitted development by Class O, subject to the condition that before beginning the development, the developer shall apply to the Local Planning Authority for a determination as to whether the prior approval of the Authority would be required as to:-

- a) transport and highways impacts of the development;
- b) contamination risks on the site;
- c) flooding risks on the site; and
- d) impacts of noise from commercial premises on the intended occupiers of the development, and the provisions of paragraph W shall apply in relation to any such application.

The report provided commentary on the four considerations listed above.

The Committee was addressed by the Clerk to Sandymoor Parish Council, Ms Tarry, who raised concerns that a development of this type was not suitable for the area. It was next to industrial businesses and warehouses and

there were no local amenities for the people who would be living in the apartments. She also stated that parking on Tudor Road was already a problem and that future residents would be disturbed by noise from lorries leaving the surrounding businesses premises. The Committee thanked Ms Tarry for her representation but stated that at this stage the application must be determined with regards to the prior approval considerations (a) to (d), listed earlier.

Officers advised that the noise survey had now been provided, so the proposal was acceptable and prior approval would not be required (this was subject to the automatic condition that the development must be completed within a period of 3 years from the prior approval application date).

Members were advised that Natural England had provided an objection in regard to additional recreational pressure resulting on the Mersey Estuary. Officers advised that the comments did not take into account that the application was in relation to prior approval and the reasons why refusal could not be sustained on these grounds.

RESOLVED: That prior approval for the change of use from Class B1(a) offices to Class C3 (dwellinghouses) was not required.

#### DEV44 MISCELLANEOUS ITEMS

The following applications had been withdrawn:

##### **19/00005/FUL**

Proposed single storey side/rear extension together with first floor rear extension and alterations at 55 High Street, Hale, L24 4AE.

##### **19/00006/LBC**

Application for Listed Building Consent for proposed single storey side/rear extension together with first floor rear extension and alterations at 55 High Street, Hale, L24 4AE.

##### **17/00513/FUL**

Proposed development of new build warehouse with ancillary works at Hard Standing / Car Parking, Tudor Road, Runcorn, Cheshire, WA7 1TA.

### **19/00049/ADV**

Application for proposed corporate advertising scheme for store under consideration within application 19/00020/FUL, comprising 1 no. externally illuminated projector sign; 1 no. non-illuminated fascia sign; 3 no. internally illuminated 'Co-op' logos; 1 no. non-illuminated wall panel and 3 no. non-illuminated banner frames at proposed Co-op Store at land bounded by Pitts Heath Lane and Otterburn Street, Sandymoor, Runcorn, Cheshire, WA7 1XU.

### **19/00071/PDE**

Proposed single storey rear extension projecting from the rear wall by 8 metres. The extension has a maximum height of 4 metres and an eaves height of 2.9 metres at Lenox Farm, Ramsbrook Lane, Hale, Liverpool, L24 5RP.

### **18/00585/COU**

Proposed change of use from B1 (Business) to C2 (Residential Care Home) at Axis House, Tudor Road, Runcorn, Cheshire, WA7 1BD.

The following appeals had been received / were in progress:

### **Enforcement Notice**

Without planning permission, the change of use of an incidental residential annex to 256 Birchfield Road, Widnes, to a separate dwelling.

### **18/00363/OUT**

Application for outline planning permission with appearance, landscaping and scale reserved for single two storey dwelling in side garden area at 3 Nickleford Hall Drive, Widnes.

### **18/00526/COU**

Proposed change of use from pharmacy to hot food takeaway at Croft Pharmacy, 4 Danescroft, Widnes, Cheshire, WA8 4NS.

### **18/00218/FUL**

Proposed erection of 1 no. dwelling attached to the side of the existing property at 20 Maple Avenue, Runcorn, Cheshire, WA7 5LB.

**19/00010/COU**

Proposed change of use from former sandwich shop to hot food takeaway (use class A5) at 39 Bechers, Widnes, Cheshire, WA8 4TE.

**18/00117/FUL**

Proposed removal of the existing equine and WC building and erection of 1 no. residential static park home at 'Ponderosa' land to South West of junction between Newton Lane and Chester Road, Daresbury, Cheshire.

*Meeting ended at 7.08 p.m.*