

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Tuesday, 4 March 2008 in the Civic Suite, Town Hall, Runcorn

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

Apologies for Absence: Councillors P. Blackmore and Morley

Absence declared on Council business: None

Officers present: L. Beard, L. Capper, J. Farmer, A. McNamara, A. Pannell, M. Simpson, A. Plant, D. Tierney and P. Watts

Also in attendance: 17 members of the public and Inspector R. Hill.

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

DEV90 MINUTES

The Minutes of the meeting held on 11th February 2008, having been printed and circulated, were taken as read and signed as a correct record.

DEV91 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.

DEV92 - 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 the Health and Safety Executive (HSE) and British Waterways had raised no

Action

objection. United Utilities and the Environment Agency had no objection in principle but had requested conditions relating to contaminated land and drainage.

It was reported that two residents had commented on the application, details of which were outlined in the report.

The Committee was advised that a wildlife survey had been submitted and the site where the construction work would be carried out was 450 metres away from a known breeding ground for Great Crested Newts. The Council's Conservation Officer raised no objections.

The issue of Japanese Knotweed could be conditioned on approval.

Members raised concerns regarding the condition of the water in the canal behind the development and it was discussed whether a stipulation could be made to clean the water.

In response it was noted that this could not be controlled by condition however the Authority was in talks with Peel Holdings regarding other matters and it was possible that the cleaning of the canal could be weaved into that piece of work.

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

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. Provision of oil interceptors and soak away system to vehicle parking areas (PR5);
5. Prior to commencement of development a scheme for the storage, handling, loading and unloading of fuels, oils, chemicals or effluents shall be submitted and approved (BE1);
6. Landscaping condition, requiring the submission of both hard and soft landscaping (BE2);
7. Access to the site via approved plan from Gate No.2 (BE1);
8. Site Investigation, including mitigation to be submitted to and approved in writing (PR14);
9. Contractor's laydown area to be removed and land restored to its former condition prior to occupation

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- (BE1);
10. Requiring specified bunding of any fuel/chemical storage (PR5);
 11. Wheel cleansing facilities to be submitted and approved in writing and used during construction (BE1);
 12. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
 13. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use (BE1);
 14. Requiring implementation of agreed Travel Plan (TP16); and
 15. Prior to the commencement a plan showing the appropriate control and management of invasive plant, such as Japanese Knotweed shall be submitted and approved and adhered to throughout the period construction (BE1).

DEV93 - PLAN NO. 07/00807/FUL - PROPOSED STAND ALONE HIGH BAY WAREHOUSE WITH TWO STOREY OFFICES WITHIN BUILDING CURTILAGE TO THE LAND AT MANOR PARK 3, OFF GREENWOOD DRIVE, RUNCORN.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was noted that three letters of objection had been received details of which were outlined in the report. Information was also provided in respect of an additional objection from the Woodland Trust.

It was reported that the Environment Agency had formally confirmed that they raised no objections to the scheme subject to additional conditions as detailed below.

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

1. Specifying amended plans (BE1);
2. Restrict use to Use Class B8 with ancillary offices (E1);
3. Materials condition, requiring the submission and approval of the materials to be used (BE2);
4. Submission, agreement and implementation of site and finished floor levels (PR16);
5. Submission, agreement and implementation of scheme for drainage (BE1);
6. Provision of oil interceptors to vehicle parking areas (PR5);

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7. Landscaping condition, requiring the submission of both hard and soft landscaping (BE2);
8. Submission, agreement and implementation of habitat protection plan including protection of water courses and retained habitat during construction (GE19);
9. Submission, agreement and implementation of biodiversity design plan including bird nesting features, native planting and habitat enhancement (GE19);
10. Conditions relating to protection of trees (BE1);
11. Boundary treatments to be submitted and approved in writing (BE2);
12. Wheel cleansing facilities to be submitted and approved in writing and used during construction (BE1);
13. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
14. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use (BE1);
15. Agreement and implementation of cycle parking provision (TP6);
16. Requiring submission and implementation of Travel Plan (TP16);
17. Restricting external lighting (BE1);
18. Restricting external storage (E5);
19. Submission and agreement of additional details relating to screening to refuse and recycling areas; and
20. Amended plans.

Additional conditions were reported as follows:

21. Minimum levels for finished floor and road / parking / pedestrian areas;
22. Agreement and implementation of a surface water regulation system;
23. Drainage and flood prevention measures;
24. Protection of watercourses throughout development; and
25. Planting scheme to ditches.

DEV94 - PLAN NO. 07/00924/HBCFUL - PROPOSED GYPSY / TRAVELLER TRANSIT SITE WITH SINGLE STOREY AMENITY BLOCKS TO THE LAND AT WARRINGTON ROAD, RUNCORN.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was reported that a petition with 516 signatures and seven letters of objection had been received, details of which were outlined in the report.

Additional objections had been received as follows:

- Issues of conflict and nuisance;
- Lack of consultation for residents;
- Where there appropriate sites elsewhere?;
- The possibility of attracting more travellers; and
- Proximity to boundary;

Mr Bryan addressed the Committee and spoke against the application and queried why work had already started on the land when the application had not been approved as yet.

In response it was agreed that the issue would be raised with the applicant. Any work that had been carried out so far would be done so at the applicant's risk. Should the planning permission not be granted then the applicant would have to return the land back to its original state.

Ward Councillor Bradshaw addressed the Committee and spoke against the application. Concerns were also raised as to whether Councillors who were on the Urban Renewal Policy and Performance Board and the Executive Board should have declared an interest as the Transit Traveller Site had been discussed at previous meetings of both Boards.

However it was noted that these had been general discussion separate to the decision the Committee was now being requested to take. Therefore, the legal advise was that those Members had no interest to declare under the Council's Code of Conduct.

Cllr Bradshaw also raised issues in relation to the consultation not being carried out thoroughly. The case officer for the application replied to say all adjacent properties were notified and properties throughout the whole of Astmoor had letters delivered by hand. Adjoining sites were also consulted. Site and press notices were posted.

Cheshire Police Inspector Richard Hill addressed the Committee and explained the issues from a policing perspective. The Committee was advised that the transit

site would allow management powers under the Criminal Justice Public Order Act No. 62.

A PCSO had been allocated to the site and worked closely with the residents ensuring the site would be kept to a good standard.

Rules had been implemented that travellers paid for their toilets and were required to maintain the site to an acceptable standard. Should travellers be found elsewhere in the Borough they would be ordered to move to the Transit Site. Travellers were allowed to stay on the site for period of 13 weeks after that they would be asked to move on could not return within a certain number of weeks.

Should the site reach full capacity travellers would be asked to move out of the Borough in search of another site.

Members also discussed the possible implications of highway safety as the site was on a main road. In response it was noted that the junction had been assessed as it was on a bend and a visibility splay had been added as an extra condition.

Issues in relation to fly tipping were also discussed and it was reported that the site would be observed on a daily basis and any offenders would be prosecuted.

Members queried whether a condition could be added to ensure that residents conduct themselves and behave in an appropriate manner whilst on site. In response it was noted that this could not be added as a condition but an obligation to that effect could be drawn up.

The Committee was advised that management of the site would be undertaken by Halton Borough Council in conjunction with Cheshire Police.

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

1. Standard Condition relating to timescale and duration of the permission;
2. Landscaping condition, requiring the implementation of both hard and soft landscaping (BE2);
3. Prior to the commencement of development a wildlife protection plan shall be submitted and approved (GE19);
4. Prior to the commencement of development off site mitigation shall be agreed along with a time table for

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- the provision of the mitigation (GE19);
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. Details of the colour scheme for the proposed fencing shall be agreed (BE22);
 9. A check shall be made for ground nesting birds, if any nests are found a 4 metre exclusion zone shall be maintained around the nest (GE21); and
 10. The site shall be used as a transitional/traveller site only (BE1).

(NB: Councillor T. Sly requested that his vote against the application be recorded in accordance with Standing Order 16.2)

DEV95 - PLAN NO. 08/00001/FUL - PROPOSED STOREY REAR EXTENSION, ALTERATIONS TO LINK BUILDING ROOF (INCLUDING DORMER AND VELUX WINDOWS) AND CONVERSION OF ROOF SPACE TO 36 HALTON ROAD, RUNCORN.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. A petition containing 18 signatures, objecting to the car park had been received in addition to 43 objections, details of which were outlined in the report.

Mr Cowen addressed the Committee and spoke against the application. It was also suggested that construction hours be limited from 9.00 – 5.00 Monday to Friday.

Mr Davies addressed the Committee and spoke in favour of the application. It was noted that the parking would be off road parking and sound insulation would be installed as per the building control conditions.

Councillor Bryant addressed the Committee raising concerns in relation to egress from the top floor flats in the event of a fire.

The Building Control and Enforcement Manager responded to say that the plans were compliant with the

Disability Discrimination Act (DDA). In addition fire tight cells would be introduced which provided fire resistance for one hour. A fire alarm detection system would be installed that would be sounded in all flats. In the corridors there would be an emergency lighting system and self closing fire doors.

Clarification was sought on the escape means from the loft space. It was reported that there would be compartmentalisation in the loft space therefore there was a protected route, due to double doors being within the staircase.

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

1. Standard condition relating to timescale and duration of the permission;
2. Submission of materials (BE2);
3. Site investigations and remediation required (PR14);
4. Conditions specifying construction hours (BE1);
5. Provision of bin storage and bin provision (BE1);
6. Adequate visibility splays (BE1);
7. Submission details of boundary treatment (BE22); and
8. Parking to be surfaced and maintained (BE1).

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DEV96 - PLAN NO. 08/00024/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.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was reported that no letters on objection had been received from neighbouring properties and the Environment Agency had withdrawn their objection.

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

1. Reserved matters condition, for the submission and approval prior to the commencement of development;
2. Time limit for the submission of reserved matters;

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3. Materials condition, requiring the submission and approval of the materials to be used (Policy BE2);
4. Drainage condition, requiring the submission and approval of drainage details;
5. Landscaping condition, requiring the submission of both hard and soft landscaping details (BE1 and BE2);
6. Boundary treatments, to be submitted and approved in writing;
7. Wheel cleansing facilities to be submitted and approved in writing;
8. Conditions to ensure parking and servicing areas are 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);
9. Environment Agency conditions relating to submitted flood risk assessment and minimum floor level, surface water drainage, storage, handling, loading and unloading of fuels, oils, chemicals or effluents, and ground investigation. (PR14 and PR16);
10. Condition for the submission and approval in writing of ground investigation and remediation/mitigation (PR14); and
11. Condition to control hours of opening (BE1).

DEV97 - PLAN NO. 08/00026/FUL - PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 10 NO. SEMI-DETACHED DWELLINGS AND 2 NO. DETACHED DWELLINGS TO THE LAND OFF WARRINGTON ROAD, GREENOAKS FARM INDUSTRIAL ESTATE, WARRINGTON ROAD, WIDNES.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was reported that the Environment Agency had raised no objection in principle, however had recommended a condition relating to the installation of a surface water regulation system.

The Committee was advised that United Utilities had raised no objection. The Health and Safety Executive had advised against the initial response. Consultant advice in relation to risk advised that there were no grounds for refusing the proposal under Policy PR12 of the UDP.

It was suggested that an additional condition was to be added to include the landscaping to be dealt with prior to

the commencement of development.

The Committee was advised that the Health and Safety Executive had withdrawn their objection regarding a visibility splay.

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

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1. Legal Agreement to be entered into for a financial contribution towards off-site public open space (H3);
2. Amended plans for highway delineations (BE1 and BE2);
3. Prior to commencement approval of materials (BE2);
4. Prior to commencement of development Ground Investigation (PR14);
5. Prior to commencement of development provision of surface water regulation system (BE1);
6. Prior to commencement of development agreement of boundary treatment (BE22);
7. Prior to commencement of development agreement of noise mitigation boundary treatment incorporating an acoustic barrier of no less than 2m along the western boundary of the site, to be implemented prior to occupation (BE1);
8. Landscaping Scheme conditions (3) (BE1);
9. Existing tree protection (BE1);
10. Prior to commencement of development details of wheel cleansing including method statement for provision (BE1);
11. Prior to commencement of development provision of existing land levels on and adjacent to the site and finished floor levels to be agreed (BE1);
12. Prior to commencement details of windows to be approved which are capable of providing 16dB attenuation (BE1);
13. Prior to commencement details of scheme of ventilation to habitable rooms (BE1);
14. Layout of all access, car parking and service areas as agreed and shown on approved plans (BE1, TP6, TP7, TP12);
15. Construction Hours restriction (BE1);
16. Provision of individual dwellings refuse bins (BE1);
17. Withdrawal of permitted development for extensions (BE1);
18. Inclusion of the frontage landscaping to be dealt with prior to the commencement of development.

It was reported that an appeal had been received following the Council's refusal of the following application:

07/00748/FUL Proposed enlargement of existing porch and garage, partition to rear of garage to extend current kitchen and creation of second storey above garage at 7 Coniston Close Runcorn Cheshire

It was reported that the following applications had been withdrawn:

07/00840/PLD Application for Certificate of Lawfulness for proposed extension of caravan park at Promenade Caravan Park Moss Lane Moore

07/00881/FUL Proposed two storey side / rear extension at 115 Derby Road Widnes Cheshire

07/00888/FUL Proposed single storey rear extension at 4 Park Avenue Widnes Cheshire

07/00898/OUT Outline application (with appearance and landscaping matters reserved) for erection of 3 No. detached bungalows on Land to the rear of 106 Ivy Street Runcorn Cheshire

07/00914/FUL Proposed two / three storey side extension and single storey rear extension at 7 Pepper Street Hale

Meeting ended at 7.45 p.m.