

## DEVELOPMENT CONTROL COMMITTEE

*At a meeting of the Development Control Committee on Tuesday, 2 March 2021 held remotely*

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: None

Officers present: A. Jones, T. Gibbs, A. Plant, J. Eaton, G. Henry, P. Peak, K. Thompson, L. Woodward and R. Cooper

Also in attendance: Councillor Wall, one member of the press and the Committee meeting was streamed via You Tube

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

*Action*

#### DEV31 MINUTES

The Minutes of the meeting held on 1 February 2021, having been circulated, were taken as read and signed as a correct record.

#### DEV32 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.

#### DEV33 20/00153/FUL - PROPOSED DEVELOPMENT COMPRISING 249 DWELLINGS, RECONFIGURATION OF GOLF COURSE, DEMOLITION OF EXISTING CLUBHOUSE AND ASSOCIATED BUILDINGS AND ERECTION OF NEW CLUBHOUSE AND GREENKEEPERS STORE, CREATION OF NEW VEHICULAR ACCESSES, ROADS, CAR PARKING & ANCILLARY DEVELOPMENT AT WIDNES GOLF CLUB, HIGHFIELD ROAD, WIDNES, WA8 7DT

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

The Case Officer advised that since the publication of the AB Update List one more representation had been received. This raised issues relating to the traffic survey undertaken as well as drainage and increased flood risk which were already dealt with in the Committee Report. Following presentation of the application it was explained why it was recommended for refusal and the fundamental issues with the proposal were described, as outlined in paragraph 8 of the report relating to the following:

- Greenspace / Strategic Greenspace / Potential Greenway / Green Infrastructure / Health and Wellbeing;
- Highways / Transportation;
- Flood Risk/Drainage; and
- Trees / Landscaping / Landscape Impacts

The Committee was addressed by Mr Peter Hurst, who as a long-standing member of the Golf Club, spoke in support of the application. He explained how the Club was once thriving with people of all social backgrounds offering various recreational activities to Members. Unfortunately, in recent times the membership at the Club had declined to a point where its existence was now threatened; he gave examples of reasons why this had happened. He argued that the Club would prosper if the application was approved as new membership would be encouraged by the new facilities. He also added that:

- It was not unusual for a town's golf club to be situated outside its boundary;
- Widnes Golf Club was currently private land so there was no direct benefit to the public as open space;
- The proposal would benefit existing and future residents of the Borough with its high quality design and landscaping;
- It was in a sustainable location;
- It would bring affordable housing to the area and local investment; and
- It would relieve pressure to develop other green spaces in the Borough.

In conclusion, he added that improvements in the sport's technology had changed the game over the past 60 years and the Club needed to respond to this.

Mr Morris, the applicant, then addressed the Committee. He had been a member of Widnes Golf Club for many years and now spoke as a Board Member in support

of the application. He recognised the concerns made by the public over the proposals in relation to the loss of green space. He advised that the Club was in financial difficulty and if the development did not go ahead the Club faced an uncertain future and the facility could be lost altogether. He explained the problems with the existing substandard 18 hole course in relation to quality and drainage and how this had affected its appeal and that improvements needed to be made. The Club had seen a reduction in membership numbers over the years and now found itself in a challenging position, being unable to maintain the Club or invest in its future. He added that:

- The current course was now too small and sub-standard;
- There was no policy requirement for Widnes to have an 18 hole golf club;
- Players were prepared to travel to golf courses elsewhere;
- Sports England and England Golf raised no objections to the proposals;
- A high quality 9 hole course together with an improved club house was better for the Town;
- The Club would offer flexibility to the communities of Widnes offering memberships to all; and
- The proposals were in a highly sustainable location.

Mr Morris concluded, requesting that the Committee approve the application based on the following:

- 1) The development would secure the future of Widnes Golf Club;
- 2) The proposal would ensure that the current substandard 18 hole course would be replaced with a superior high quality 9 hole course with better facilities, offering long term sustainability;
- 3) The site is sustainably located and would relieve pressure on Green Belt land elsewhere in the Borough;
- 4) The technical issues outlined earlier, could be adequately addressed via conditions; and
- 5) The proposal was acceptable as there was a presumption in favour of sustainable development within the National Planning Policy Framework (NPPF).

The Committee was then addressed by Councillor Wall who spoke on behalf of local residents in objection to the proposals. She began by providing some background to

the history of Widnes in relation to its industrial heritage, in particular with the chemical industry and the environmental consequences of this on the Town over the years. She stated also that the land had been bought by the chemical industry and gifted to the Club for the benefit of local residents.

She added that the numbers in opposition to this development were in the thousands, local people did not want a housing estate to take away the greenspace which was in the heart of Widnes. It was noted that Derek Twigg MP had raised his objections to the proposal. She argued that:

- The site benefits residents' wellbeing;
- The site was part of the green network;
- The site was home to a variety of wildlife;
- The site was prone to flooding;
- There were many TPO's in place and these would be lost as well as many other unprotected trees;
- The road network and traffic at junctions in the area were already at full capacity and this development would exacerbate the problem;
- Children would be at risk walking to school;
- Local schools were already oversubscribed;
- The proposal was against planning policies;
- The Golf Club would be the only beneficiary from the development; and
- Golfers would use neighbouring Boroughs' courses to play 18 holes, thus diverting money and investment away from Halton.

Councillor Wall added that the Officer's recommendation was to refuse the application and she urged the Committee to agree with this.

Committee Members discussed the proposal after hearing the speakers' comments and the Officer's presentation. Officers made clear during the discussion that the application was compliant in respect of affordable housing policy requirements and that this together with the availability of school places was addressed in the Committee report.

Members discussed the unfortunate situation the Club was in; the fact that the popularity of golf itself as a sport was in national decline; the possibility of future opportunities for grant funding for the Club, the loss of protected trees; loss of recreational space, increased traffic volumes in the locality: road safety; and the danger of flood

risk to the site and other residential accommodation. The recommendation to refuse was moved and seconded and the Committee voted to refuse the application for the reasons stated below.

RESOLVED: That the application be refused for the for the following reasons:

- 1) The proposed development would compromise many of the amenity values of this designated Greenspace and would segregate the inter-connecting Greenspaces forming part of the wider Strategic Greenspace identified on the Halton Core Strategy Local Plan Key Diagram.

The applicant's golf needs assessment does not demonstrate that the existing 18-hole golf course is surplus to requirements. The proposed development would not result in replacement provision which is equivalent or better in terms of quantity and quality nor does the development provide alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. The proposed improvements at the Widnes Golf Course site including the building of a new purpose-built clubhouse and ancillary building forming a greenkeepers store do not go anywhere near raising the overall amenity value of the greenspace to justify the 11ha of residential development being sought by this application nor would it enhance and expand the green infrastructure network.

Whilst the proposed residential development would create an environment for future residents that would be both of a high quality, a healthy environment and would provide diversity in housing typologies, the proposed development would have a negative impact on the wider population in terms of impact on both local green-infrastructure, designated green space and golfing provision in the locality.

To allow the proposed development is therefore considered to be contrary to the provisions of Policies GE6 and GE10 of the Halton Unitary Development Plan, Policies CS1, CS21 and CS22 of the Halton Core Strategy Local Plan and Paragraph 97 of the NPPF.

- 2) The proposed development would result in a significant and unacceptable residual cumulative

impact on the operational capacity of the adopted highway network in the area due to the increased number of vehicle movements generated by the proposal particularly at the traffic signals junctions to the east and west of the site.

The proposed residential layout along the frontage of Liverpool Road would also create significant road safety issues and is therefore considered to be unacceptable.

To allow the proposed development is therefore considered to be contrary to the provisions of Policies BE1, TP14, TP15 and TP17 of the Halton Unitary Development Plan and Paragraphs 108 and 109 of the NPPF.

- 3) The applicant has demonstrated through the hydraulic assessment and modelling the site is at risk of flooding from Moss Brook during events with the same or greater magnitude to the 1% Annual Exceedance Probability (AEP) event. Paragraph 033 of the Environment Agency (EA) Flood Risk and Coastal Change Guidance (Reference ID: 7-033-20140306) and Paragraph 155 to 158 of the NPPF indicate that although the Sequential and Exceptions tests would not normally be necessary to be applied to development proposals in Flood Zone 1, however they should if other more recent information, indicates there may be flooding issues now or in the future. Therefore a sequential test should have been applied.

The sequential approach to locating development in areas at lower flood risk should be applied to all sources of flooding and inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 163 of the NPPF goes on to state 'Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk'. The proposed development of 'More Vulnerable' infrastructure within the modelled flood extent of Moss Brook shown in Annex E of the Flood Risk Assessment (FRA) is not considered to be acceptable, particularly when there is a significant area of the site which does not lie within the modelled flood extents and would be more

suitable for development of residential dwellings.

No compensatory storage analysis has been provided along with the proposal to raise land levels. The site is 25ha, with the majority of the site in fluvial flood zone 1 and outside of the modelled 1 in 1000 year flood outline for the ordinary watercourse, therefore the residential development, as the most vulnerable infrastructure, should have been placed in the area of lowest risk and should not require a raised platform.

The proposed development would result in an increased flood risk for properties on Woodland Avenue which is unacceptable and clearly does not follow NPPF or EA guidance by the proposed development increasing flood risk elsewhere.

With regard to alterations to the watercourse, the site is 25ha and there is clearly sufficient land to otherwise place the development and provide the space for a 1 in 3 slope for the watercourse.

The 'Surface Water Drainage Strategy' plan shows development is proposed within 8m of a watercourse which is against standard drainage bylaws and not considered to be acceptable.

The applicant has not applied the Drainage Hierarchy adequately as there have been no site specific infiltration testing undertaken prior to discarding infiltration.

No detail has been provided as to how riparian responsibilities would work as dwellings are proposed above a culverted watercourse.

In respect of flood risk and drainage, to allow the proposal would be contrary to the provisions of Policy PR16 of the Halton Unitary Development Plan, Policy CS23 of the Halton Core Strategy Local Plan and the National Planning Policy Framework.

- 4) The proposed development would destroy many trees including some of those forming part of the recently made Tree Preservation Order which provide significant amenity value as well as other individual trees and tree groups covering a significant area of the site. The proposed development also has the potential to impact existing trees which would remain and therefore compromise tree cover further. The

proposed replacement planting scheme would have a negative residual effect in respect of tree cover and the proposal is not considered to reflect the essential character of this designated Greenspace.

The site forms part of the Mersey Forest with the focus being on landscape improvements. This proposed development would result in the loss of a significant amount of trees with the proposed replacement planting scheme having a negative residual effect in respect of tree cover thus not representing a landscape improvement.

The proposal also fails to enhance and restore the Ball O'Ditton Parkland Character Area by virtue of the amount of residential development proposed on the existing golf course as well as the loss of the key woodland belts which are key characteristics.

In respect of trees, landscaping and landscape impacts, the proposed development is considered to be contrary to the provisions of Policies BE1, GE27 and GE28 of the Halton Unitary Development Plan, Policy CS20 of the Halton Core Strategy Local Plan and Paragraph 170 of the National Planning Policy Framework.

DEV34 20/00636/OUT - OUTLINE APPLICATION WITH LANDSCAPING RESERVED, FOR PROPOSED DEVELOPMENT OF 26 NO. APARTMENTS AND GROUND FLOOR RETAIL UNIT FOR BOOKMAKERS WITH ASSOCIATED PARKING AND ANCILLARY SPACE AT SPORTING FORD, 164 HOUGH GREEN ROAD, WIDNES, WA8 4PG

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 publication of the agenda and as per the published AB Update List, Highways Authority had responded to the amendments and were now satisfied with the layout subject to the additional conditions for car parking management plan, offsite highways works relating to the access and removal of a taxi rank, and a condition restricting the use of the retail unit to a bookmakers.

Further comments had also been received from a local Ward Councillor raising the following matters:



- The height of the building and requested a condition so that it could not be increased;
- Securing and controlling provision of car parking;
- A condition that materials, boundary treatments and landscaping were submitted and approved; and
- The need for further site investigations.

Members were advised that the scale and appearance of the building had been submitted in full detail and a condition was recommended so that it would be built in accordance with the submitted plans, this would control the height of the building. The Ward Councillor also wanted to be sure that any cladding used was fire safe and that the building had suitable means of escape, both of these matters would be dealt with under the Building Regulations for the project.

The Committee was advised that the consultation period was due to expire the following day and that delegated authority was therefore sought to determine the application, in consultation with the Chair, once the consultation had expired and considering any further comments received.

The recommendation was moved and seconded and the Committee agreed to approve the application, subject to the conditions listed below which include the additional conditions discussed above.

**RESOLVED:** That authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair, to determine the application, subject to any consultation responses and to the following:

- a) a legal or other appropriate agreement relating to securing financial contributions for open space;
- b) conditions relating to the following:
  1. Outline planning permission conditions setting out time limits and reserved matters (BE1);
  2. Condition specifying approved and amended plans (BE1);
  3. Requiring submission and agreement of a Construction Management Plan including vehicle access routes and construction car parking (BE1);
  4. Materials condition, requiring the submission and approval of the materials to be used (BE2);
  5. Landscaping condition, requiring the submission

- and approval of landscaping details (BE2);
6. Boundary treatments to be submitted and approved in writing (BE1);
  7. Wheel cleansing facilities/strategy to be submitted and approved in writing (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 of properties/commencement of use (BE1);
  10. Condition relating to the implementation of bin store provision (BE1);
  11. Requiring submission and agreement of site and finished floor and site levels (BE1);
  12. Site investigation, including mitigation/validation to be submitted and approved in writing (PR14);
  13. Condition relating to the implementation of cycle store provision in accordance with details to be submitted and approved (TP6);
  14. Submission and agreement of biodiversity enhancement features including bird/bat boxes, insect/hedgehog houses etc (BE1 and GE21);
  15. Requiring submission and agreement of foul and surface water drainage including attenuation (PR16);
  16. Submission and agreement of Site Waste Management Plan (WM8);
  17. Requiring submission and agreement of electric vehicle parking and charging point(s) details (NPPF);
  18. Grampian style condition requiring removal of taxi rank;
  19. Details of offsite highways works to be submitted and approved prior to commencement, and completed prior to first occupation (BE1);
  20. Car parking management plan to be submitted and approved prior to commencement and implemented prior to first occupation (BE1);
  21. Condition restricting the use of ground floor bookmakers/betting shop.
- c) that if the S106 Agreement or alternative arrangement was not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair of the Committee, to refuse the application.

*Meeting ended at 7.22 p.m.*