

## DEVELOPMENT CONTROL COMMITTEE

*At a meeting of the Development Control Committee on Monday, 9 June 2008 in the Civic Suite, Town Hall, Runcorn.*

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

Apologies for Absence: Councillors Leadbetter

Absence declared on Council business: None

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

Also in attendance: Mrs D Houghton, Mr S. Aspinall, Councillor Wainwright and 24 members of the public.

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

		<i>Action</i>
DEV7	MINUTES  The Minutes of the meetings held on 19 <sup>th</sup> May 2008, having been printed and circulated, were taken as read and signed as a correct record.	
DEV8	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.	
DEV9	- PLAN NO. 08/00173/FUL - PROPOSED 4 BED DETACHED DORMER BUNGALOW WITH INTEGRAL DOUBLE GARAGE TO THE LAND ADJACENT TO 18A HOUGH GREEN ROAD, WIDNES.  The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was reported that five letters of objection had been received from adjoining residents, details of which	

were outlined in the report. It was noted that an additional neighbour letter of objection had been received based on the submitted amendments that earlier stated objections still stand.

The Committee was advised that the Council's Trees and Woodlands Officer had confirmed that he raised no objections and that the existing trees were capable of not being adversely affected subject to conditions.

Tabled at the meeting was a copy of amended elevations and layout.

Mrs D Houghton addressed the Committee and spoke in favour of the application.

Mr S Aspinall addressed the Committee and spoke against the application.

Councillor Wainwright addressed the Committee and put forward constituents views with regard to the site being over populated, raised concerns in relation to the cherry tree and suggested that the item be deferred in order to clarify issues involving the cherry tree.

The Committee discussed the proposal and noted that should the applicant make any changes they would be subject to future application and consultation with neighbours. Members raised concerns in relation to the cherry tree and felt that the proposal may not fit with the character of the area and the site could be over populated. It was agreed that the item be deferred for a site visit.

RESOLVED: That the item be deferred for a site visit.

DEV10 - PLAN NO. 08/00217/FUL - PROPOSED 3-STOREY RESIDENTIAL HOME FOR THE ELDERLY TO THE LAND AT 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 no objections had been received from United Utilities.

The Committee was advised that the Health and Safety Executive did not wish to call in the application and that the proposal complied with the risk policy PR12 of the Council as the likely level of risk was not considered to be

significant.

It was reported that concerns were raised by local ward Councillors during the application process with regard to the height of the building nearest to the residential properties. Negotiations undertaken had achieved amendments to the building height in that location.

It was reported that the incorrect version of the elevations and layout were included in the Committee Plans booklet, therefore tabled at the meeting was a supplementary addendum of amended plans.

The new plan displayed an alteration to the north eastern corner of the building and resulted in a stepped design with a single storey at a maximum height of 4.4m closest to the rear boundaries of the properties on Deacons Road. This would then step to a 2 storey at a maximum height of 8.4m at the ridge and 5.4 at the eaves which would leave the 3 storey element, 10m from the nearest rear boundary of the residential properties. It was noted that this would also improve the mass of the building in the area. It was further advised on the basis of new amendments received it was considered that the proposal was acceptable with the impact on the nearest occupiers addressed through amended plans.

The Committee noted that the applicant had produced a tree survey and two conditions were to be added to ensure that the development was undertaken with the recommendation of the report and to provide a scheme of replacement planting.

Members held a wide ranging discussion regarding the type of user of the facility, parking facilities, travel plans and stressed the importance that the facility be used for no other purpose than to care for the elderly.

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

1. Amended Plans (BE1 and BE2)
2. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order as amended, the use of the building hereby approved shall be as a care home for the elderly and for no other purposes within C2 of this Order (BE1)
3. Prior to the commencement of development the provision of amended plans addressing alterations to the internal car parking layout and provisions of

- footways (BE1 and BE2)
4. Prior to the commencement of development the provision of a Travel Plan, incorporating a nominated Travel Plan Co-Coordinator and detailed action plan (TP12 and TP16)
  5. Prior to commencement approval of materials (BE2)
  6. Prior to commencement of development Ground Investigation (PR14)
  7. Prior to commencement of development provision of surface water regulation system (BE1)
  8. Prior to commencement of development agreement of boundary treatment (BE22)
  9. 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)
  10. Landscaping Scheme conditions (3) (BE1)
  11. Existing tree protection (BE1)
  12. Prior to commencement of development details of wheel cleansing including method statement for provision (BE1)
  13. Prior to commencement of development provision of existing land levels on and adjacent to the site and finished floor levels to be agreed (BE1)
  14. Prior to commencement details of windows to be approved which are capable of providing 16dB attenuation (BE1)
  15. Prior to commencement details of scheme of ventilation to habitable rooms (BE1)
  16. Prior to commencement details of obscure glazing to all stairwell and landing windows on north and northeast facing elevations (BE1 and BE2)
  17. Height restriction of frontage boundary wall/fence to 600mm (TP17)
  18. Provision and retention of visibility splay shown facilitating entrance to the site (TP17)
  19. Layout of all access, car parking and service areas as agreed and shown on approved amended plans (BE1, TP6, TP7, TP12)
  20. Construction Hours restriction (BE1)

Additional conditions were reported as follows:

21. Ensure that the development is undertaken with the recommendation of the report; and
22. Provision of a replacement planting scheme.

DATA CENTRE EXTENSION AT THE BABBAGE CENTRE,  
THE HEATH, 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 details of which were outlined in the report.

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

1. Standard condition relating to timescale and duration of the permission;
2. Landscaping condition, requiring the submission of both hard and soft landscaping (BE2)
3. Materials to be submitted and approved in writing (BE2)
4. Boundary treatments to be submitted and approved in writing (BE1)
5. Wheel cleansing facilities to be submitted and approved in writing (BE1)
6. 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)
7. Construction hours to be adhered to throughout the course of the development (BE1)
8. Restriction of the use (BE1)
9. Details of proposed noise and the details of noise attenuation (PR2)
10. Details of screening around external compound areas (BE1)
11. Delivery hours to be adhered to throughout the life of the permission (BE1)
12. Subject to a travel plan being submitted and approved in writing (TP16)
13. No lighting to be installed within the site or on the building without further approval from the Local Planning Authority (Policy BE1 and PR4)
14. Restricting the hours of testing of back up generators (PR2)

DEV12 - PLAN NO. 08/00258/FUL - PROPOSED AMENDMENTS TO PART OF EARLIER APPROVED PLANNING PERMISSION (06/00971/FUL) TO MOVE 12 NO. PREVIOUSLY APPROVED FLATS WITH RELATED ALTERATIONS TO PARKING TO THE LAND AT CEASARS CLOSE, CASTLEFIELDS, RUNCORN.

The consultation procedure undertaken was outlined

in the report together with background information in respect of the site. It was reported that one letter of objection had been received relating to potential overlooking of existing properties and residents opinions not being taken into account.

The Committee was further advised that United Utilities and National Grid had confirmed that they raised no objection to the proposal.

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

1. Materials condition, requiring the submission and approval of the materials to be used (BE2)
2. Landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting (BE2)
3. Boundary treatments including retaining walls to be submitted and approved in writing (BE2)
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. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use (BE1)
7. Conditions relating to the agreement and implementation of bin stores cycle parking provision (TP6)
8. Submission and agreement of finished floor and site levels (BE1)
9. Condition relating to restriction of permitted development rights relating to boundary fences etc (BE1)
10. Condition relating to drainage (BE1)
11. Site investigation, including mitigation to be submitted and approved in writing (PR14)
12. Conditions relating to tree protection during construction (BE1)
13. Agreement of details and construction design of all retaining walls (BE1)
14. Provision of bins / stores (BE1)

DEV13 - PLAN NO. 08/00262/FUL - PROPOSED NEW NO. 2 MEAL STORE AT PDM GRANOX, DESOTO ROAD, WIDNES.

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

of the site. It was reported that Natural England, The Environment Agency and North West Regional Development Agency had confirmed that they raised no objections to the proposal.

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

1. Materials condition, requiring the submission and approval of the materials to be used (BE2)
2. Landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting (BE2)
3. Boundary treatments including retaining walls to be submitted and approved in writing (BE2)
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. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use (BE1)
7. Submission and agreement of finished floor and site levels (BE1)
8. Site investigation, including mitigation to be submitted and approved in writing (PR14)
9. Restriction of external lighting (PR4)
10. Securing provision of high speed access doors (BE1)

**NB: COUNCILLOR THOMPSON DECLARED A PERSONAL INTEREST IN THE FOLLOWING ITEM DUE TO BEING A MEMBER OF LIVERPOOL JOHN LENNON AIRPORT CONSULTATIVE COMMITTEE.**

DEV14 APPLICATION TO BE DETERMINED BY ADJOINING AUTHORITY

The Committee considered an adjoining authority consultation by Liverpool City Council for the erection of a multi storey car park (871 spaces over 5 levels) and hotel (157 bedrooms) rising to 11 storeys in height with covered bridge link to terminal building, creation of additional surface car parking and reconfiguration of existing parking and access roads (part alternative to planning permission 06F/1713 currently under construction to the land at Liverpool John Lennon Airport.

It was advised that this application was an amendment to the approved scheme for a 5 storey 869

spaces multi storey car park and 11 storey 155 bedroom hotel which was currently under construction. It was noted that Halton's Development Control Committee on 14<sup>th</sup> August 2006 resolved to make no objections to this adjoining authority consultation (06/00479/ADJ).

RESOLVED: That Halton Borough Council have no objections to the amended scheme and supports the expansion of this regionally important facility.

#### DEV15 MISCELLANEOUS ITEMS

It was reported that the following applications had been withdrawn:

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| 08/00151/FUL | Proposed construction of 2 No. flats and use of first floor of existing shop as self contained flat at 135 Lower House Lane Widnes   |
| 08/00171/FUL | Proposed two storey side extension at 143 Barrows Green Lane Widnes  |
| 08/00182/FUL | Proposed single storey side / rear extension at 7 Whitby Road Runcorn  |
| 08/00185/FUL | Proposed single storey development with brick / cladded façade incorporating two storey offices, 2 No. disabled w.c's, mess room and workshop area at 3 Alexandra Street Widnes  |
| 08/00195/FUL | Proposed redevelopment of garage, filling station, former drill hall and adjacent land to develop / provide 47 No. apartments (up to 6 storeys) at Surrey Street Garage, Adjacent land and garages, Surrey Street Runcorn. |

**NB: Councillor P. Blackmore remained at the table during the following item but took no part in the discussion.**

The Committee considered additional information regarding application No. 07/00068/ELC in respect of BERR notification at INEOS Chlor.



It was reported that further correspondence had been received from the Department for Business Enterprise and Regulatory Reform (BERR) following the earlier receipt of this Committee's comments.

Members raised concerns that no evidence had been provided as yet that the Secretary of State was fully satisfied that the proposal would not have any adverse health impacts on the Borough's residents.

The Committee discussed various issues such as the possible increase in rail traffic movements, whether the "Best Available Technique" was sufficient for the minimization of dioxin and furan emissions and whether the health issues would be addressed satisfactorily.

Members were referred to the original resolution from July 2007 as follows:

"This application raises a number of important and complex issues. The Council and its consultees, including the Primary Care Trust, have given due consideration to these issues and the views of local residents. The Council would wish the Secretary of State to address the issues raised within the attached report and ask that the Secretary of State is fully satisfied that the proposal will not have any adverse impacts upon the health of the Borough's residents before authorising the proposal. Particular attention is drawn to the observations of the Director of Public Health and the request for further information made therein. Unless all of these matters are satisfactorily addressed by the Secretary of State, the Council would wish to object to the granting of permission

In relation to the 2nd draft set of conditions, the Committee, although acknowledging that there would be elements of duplication, emphasised that they did not agree with their originally requested conditions being relaxed or materially changed. It was the view of the Committee that the conditions requested were required, as they did not believe that the control of operations and process available under the PPC regime was adequate.

*Meeting ended at 7.31 p.m.*