

DEVELOPMENT MANAGEMENT COMMITTEE

At a meeting of the Development Management Committee on Tuesday, 18 January 2022 at the Halton Stadium, Widnes

Present: Councillors S. Hill (Chair), Leck (Vice-Chair), Abbott, J. Bradshaw, Carlin, Hutchinson, A. Lowe, Philbin, Polhill, J. Stockton and Thompson

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, A. Plant, P. Peak, K. Thompson and R. Cooper

Also in attendance: 32 members of the public, Councillors A. McInerney and V. Hill and one member of the press

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

	<i>Action</i>
DEV29 MINUTES	
<p>The Minutes of the meeting held on 7 December 2021, having been circulated, were taken as read and signed as a correct record.</p>	
DEV30 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 below.</p>	
DEV31 19/00391/WST - PROPOSED CONSTRUCTION OF WASTE TRANSFER BUILDING, CHANGE OF USE TO COMMERCIAL AND INDUSTRIAL WASTE TRANSFER STATION AND ANCILLARY DEVELOPMENT AT ASH WASTE LTD, MACDERMOTT ROAD, WIDNES	
<p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p>	
<p>Local Ward Councillor Wallace, requested her statement against the application be read out to Members, as she was unable to attend the meeting.</p>	

In response to her comments regarding odours, Officers advised that there was a specific condition added (top of page 20 of the report), which would restrict the type of waste being received and minimise the risk of odour from the site.

The Committee was addressed by Mr Hassle, the Agent acting on behalf of the Applicant. He provided some background information in respect of the Applicants, who were a family run business. He stated that:

- The company worked with local businesses, charities and local authorities;
- They employed 250 people and hoped to create 15-20 new jobs with this proposal, which would also secure 25 existing jobs;
- The company was a Band A site operator and ran the top 5% sites in the Country;
- No objections had been received;
- The waste collected would not include food waste;
- They would be regulated by the Environment Agency;
- All planning policies regarding waste had been met;
- New waste sites were needed in line with the Climate Change agenda; and
- The proposal did not affect the businesses in the surrounding area and no changes to the roads were required.

Members discussed the concentration of waste transfer sites in the West Bank area, the odour problems, accidental contamination from food waste and their compliance. It was noted following queries that waste companies were regulated by the Environment Agency, not the local authority. Officers also confirmed that the Applicant would be applying for a bespoke Environmental Permit (as discussed on page 18), as this was required by law.

The Committee agreed to approve the application, 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. Requiring submission and agreement of a

- Construction Environmental Management Plan to include wheel wash and construction hours;
4. Materials condition(s), requiring submission and agreement of building external finishing materials (BE2);
 5. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties / commencement of use (BE1);
 6. Requiring submission and agreement of cycle parking details (TP6);
 7. Condition restricting waste throughput to 75,000 tonnes per annum;
 8. Condition(s) restricting waste types accepted / processed;
 9. Condition(s) restricting external storage processing;
 10. Condition(s) requiring waste to be delivered / exported in sealed / covered wagons (BE1);
 11. Protecting nesting birds (GE21);
 12. Restricting penetrative / piled foundations (PR25);
 13. Submission and agreement of solar panel details (BE1/2);
 14. Condition relating to contamination / ground investigation / remediation (PR14/15);
 15. Conditions relating to / requiring submission and agreement of detailed surface water / highway drainage scheme including attenuation / interceptors (BE1/PR5); and
 16. Submission and agreement of Site Waste Management Plan (WM8).

In order to avoid any allegation of bias, Councillor Thompson took no part in the debate and did not vote on following item as he had made earlier objections in the media on the dereliction of this site.

DEV32 21/00161/FUL - PROPOSED DEMOLITION OF THE EXISTING VACANT OFFICE BUILDING AND THE ERECTION OF APARTMENT BLOCK AND TOWNHOUSES TALLING 153 NO. DWELLINGS (USE CLASS C3) A 66 NO. BEDROOM CARE HOME (USE CLASS C2) AND AN 85 NO. BEDROOM HOTEL (USE CLASS C1) WITH ASSOCIATED HARD AND SOFT LANDSCAPING AND PARKING AT EAST LANE HOUSE, EAST LANE, RUNCORN, WA7 2UR

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

Since the publication of the report one additional objection had been received, this was read out to the

Committee. The applicant had confirmed that the off-site payment relating to open space and affordable housing was accepted by them. It was noted that Natural England (NE) had been notified of the Applicant's agreement to the obligation and a response was awaited. Therefore, delegated authority was requested to issue the decision following confirmation that NE has no objections to the proposal.

The Committee was addressed by Ms Goff, the Agent representing the Applicant, who spoke of the benefits to the proposal. These included *inter alia*:

- the site had been vacant for 12 years and had a detrimental impact on the area;
- the proposal provided an opportunity to develop high quality dwellings which would contribute to the housing targets in the Borough;
- the proposal included a 25% affordable housing ratio;
- a Section 106 contribution would be made for open space improvements;
- no objections were received from statutory consultees;
- positive feedback had been received from publicity given to the application; and
- the scheme would have economic, social and environmental benefits, providing employment and attracting investment and economic growth in the Borough.

Clarification was provided for Members over condition (c). The Committee agreed that the application be approved subject to the response from Natural England.

RESOLVED: The Committee agreed that the application be approved subject to the conditions listed below and receipt of confirmation of no objections from Natural England.

- a) a Legal or other appropriate agreement relating to securing financial contributions to open space;
- b) conditions relating to the following:
 1. Time limit – full permission;
 2. Approved plans;
 3. Restriction of use;
 4. Submission of Proposed Site Levels (BE1);
 5. Submission of Facing Materials (BE1 and BE2);

6. Submission of Soft Landscaping Scheme and subsequent maintenance (BE1);
7. Implementation of Submitted Boundary Treatments Scheme and subsequent maintenance (BE1);
8. Breeding Birds Protection (GE21 and CS20);
9. Submission of Bird Boxes Scheme (GE21 and CS20);
10. Lighting Scheme to protect ecology and to consider safety (GE21 and CS20);
11. Hours of construction (BE1);
12. Electric Vehicle Charging Points Scheme (CS19);
13. Noise condition in respect of implementing recommendations in the report (PR8);
14. Implementation of Remediation Strategy and submission of Validation Report (PR14 and CS23);
15. Implementation of off site highway works (BE1);
16. Provision and retention of parking and servicing including Electric Vehicle spaces (BE1 and TP12);
17. Cycle parking scheme to be implemented (BE1 and TP6);
18. Implementation of travel plan (TP16);
19. Implementation of a Drainage Strategy, including SUDS and verification report (PR16 and CS23);
20. Found and surface water on a separate system (PR16 and CS23);
21. Waste audit (WM8);
22. Requiring the climate change standards to be met;
23. Resident information pack in relation to impacts on protected sites;
24. Provision of the appropriate bat licence;
25. Submission of CCTV scheme;
26. Provision and implementation of car club;
27. Implementation of a car parking management plan; and
28. Construction phase management plan.

And

- 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.

DEV33 21/00408/FUL - PROPOSED CHANGE OF USE FROM CARE HOME (C2) TO 3 NO. SELF-CONTAINED HMO'S (SUI GENERIS) WITH ASSOCIATED INFILL EXTENSION,

LAYOUT OF CAR PARK AND LANDSCAPING AT 61
DERBY ROAD, WIDNES, WA8 9LG

This item was deferred by Development Management Committee Members at the November 2021 Committee meeting to allow for a site meeting to be carried out by Committee Members; this took place on 29 November 2021.

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

The Chair advised Members that the representations made by all parties verbally at the last meeting still stood for consideration today.

Since the publication of the agenda, an additional representation had been received from the residents of the neighbouring property and a brief statement received from the Applicant; these were all forwarded to Members via email in advance of the meeting. In addition, it was confirmed by the Applicant that the landowner was not the Applicant and the correct certificate has now been served. It was noted that due to this any decision by the Committee could not be issued for 21 days from service of this notice.

Members referred to their site visit and discussed the application, raising concerns over insufficient parking on the site, difficulties with access and egress for the site, existing congestion in the area and along Derby Road, neighbouring residents rights to privacy and access to amenities, inappropriate assumptions of car ownership and impacts on road safety.

One Member moved a motion to refuse the application on highway safety grounds and insufficient parking provision. This was seconded and the Committee voted to refuse the application.

RESOLVED: That the application is refused due to:

1. the proposed change of use to 3 separate Homes of Multiple Occupation (HMO) would impact negatively on highway safety and congestion in the vicinity of the site, due to the lack of off street parking provision. This under provision would lead to further antisocial parking in an area that was already congested and would result in an unacceptable impact on highway safety;

2. the use of the side door to gain main access to the (HMO) and impact of the extension that is adjacent to No. 59 Derby Road is considered to be detrimental to the amenity of the occupiers of neighbouring properties; and
3. as a result the proposal conflicts with the saved Policies BE1 'General Requirements for Development', and the Design of Residential Development Supplementary Planning Document and Paragraph 111 of the National Planning Policy Framework.

DEV34 21/00498/FUL - PROPOSED ERECTION OF INDUSTRIAL / STORAGE BUILDING FOR USE CLASS B2 / B8 PURPOSES, PARKING AND SERVICING AREAS, BUNDS, FENCING, LANDSCAPING, ANCILLARY WORKS AND RETROSPECTIVE PERMISSION FOR THE RETENTION OF PREVIOUSLY INSTALLED BUNDS AT BOWMAN WORKS, GORSEY LANE, WIDNES, WA8 0YZ

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

The Committee agreed that the application be approved.

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

1. Standard time limits condition (BE1);
2. Plans condition listing approved drawings (BE1);
3. External facing materials (BE1 and BE2);
4. Conditions covering ground investigation report and remediation strategy, implementation and validation (PR14 and CS23);
5. Detailed access design drawings (BE1);
6. Parking, access and servicing provision (BE1);
7. Electric Vehicle Charging Points Scheme (CS19);
8. Cycle parking (TP6);
9. Existing and proposed site and finished floor levels (BE1);
10. Conditions for the submission and agreement of drainage scheme, implementation and validation (PR16 and CS23);
11. Foul and surface water on a separate system (PR16 and CS23);
12. Protection of nesting birds (GE21, CS20);
13. Provision of insect boxes (GE21, CS20);

14. Site waste management (WM8);
15. Details of piling and foundation designs (PR14 and CS23); and
16. No drainage systems for the infiltration of surface water (PR14 and CS23).

Meeting ended at 7.40 p.m.