

## DEVELOPMENT CONTROL COMMITTEE

*At a meeting of the Development Control Committee on Monday, 15 September 2008 at Civic Suite, Town Hall, Runcorn*

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

Apologies for Absence: Councillors Hignett and Morley

Absence declared on Council business: None

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

Also in attendance: Councillors McInerney and Parker and 18 members of public

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

	<i>Action</i>
DEV34 MINUTES	
The Minutes of the meeting held on 18 August 2008, having been printed and circulated, were taken as read and signed as a correct record.	
DEV35 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.	
<b>NB. ALTHOUGH COUNCILLOR POLHILL HAD NO PERSONAL INTEREST IN THE FOLLOWING 3 APPLICATIONS, TO AVOID ANY SUGGESTION OF BIAS HE DECIDED TO TAKE NO PART IN THE CONSIDERATION OR VOTING ON THE ITEM.</b>	
DEV36 - PLAN NO. 08/00367/COU - PROPOSED USE OF EXISTING BUILDING FOR SECURE CARE AND TREATMENT OF MEDIUM AND LOW SECURE MENTALLY ILL PATIENTS (25 NO. MEDIUM SECURE	

AND 50 LOW SECURE) USE CLASS C2A AT MEADOW LODGE, BENNETS LANE, WIDNES. PLAN NO. 08/00368/COU - PROPOSED USE OF EXISTING BUILDING FOR SECURE CARE AND TREATMENT OF LOW SECURE MENTALLY ILL PATIENTS (MAXIMUM 75 PATIENTS) USE CLASS C2A AND PLAN NP. 08/00382/FUL PROPOSED EXTERNAL ALTERATIONS TO PLANNING APPROVAL 05/00903/FUL TO MEADOW LODGE BE

The Committee considered the above mentioned proposals as one item as they all related to Meadow Lodge Bennets Lane Widnes.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was reported that 84 letters of objection had been received and a further 85 letters were received which did not identify a specific planning reference number, details of which were outlined in the report.

The Committee considered a letter of support that had been received from LMMC (a company working for the applicant) which stated that 75% of job posts created would be filled locally contributing £8million to the local economy and could be included within a Section 106 Legal Agreement. The letter also stated that the site would be regulated by the Healthcare Commission – an independent watchdog of healthcare in England, the facility was likely to become centre of mental healthcare excellence and emergency evacuation would be regulated and approved through the Healthcare Commission.

It was advised that an additional letter of objection had been received from a member of the Halton View Action Group stating that Halton and Cheshire had more than adequate provision for mental health patients and concerns were raised regarding the recent news report of 116 escapes from medium secure units in the last 12 months.

Members were informed of comments received from Ward Councillor Parker as follows:

- Applicant could not give guarantees as they would not be the end user;
- The company took a long time to discover the previous end user as Priory Group of Mental Healthcare Clinics;
- Concerns as the company omitted low / medium secure unit from the application at the time the

previous permission was granted for the residential care home, this was deceptive; and

- Allowing a change in the use of this building would result in an unwelcome precedent in the entire Borough.

Mr Pope from Halton View Residents Group addressed the Committee and spoke against the applications.

Ward Councillor McInerney also addressed the Committee and spoke against the applications.

The Committee was advised as per report that application numbers 08/00367/COU and 08/00368/COU be recommended for refusal on the basis of the following:

- the use is incompatible with the surrounding uses, in particular the nearby residential area as it would result in a perception of an increase in crime and harm to public safety within the existing local community;
- the employment creation and the wider need for this type of this facility would not outweigh the resulting harm from the perceived fear of the local residents;
- there is no proven need for the facility in this location or indeed with the wider PCT boundaries and as such and unsustainable end use would result; and
- the proposals would fail to comply with Policy BE1 of the Halton Unitary Development Plan.

The Committee was advised that application number 08/00382/FUL be recommended for refusal due to it being intrinsically linked to the Council's consideration of the two concurrent applications listed above. It was noted that given that the first two applications were recommended for refusal, it was recommended that this application also be refused in the interests of retaining the approved use of the building for a residential care home, and for no further use as a secure facility.

RESOLVED: That application numbers 08/00367/COU, 08/00368/COU and 08/00382/FUL be refused.

**NB: COUNCILLOR POLHILL DECLARED A PERSONAL AND PREJUDICIAL INTEREST IN THE FOLLOWING ITEM DUE TO BEING THE CHAIR OF 3MG EXECUTIVE SUB-BOARD AND LEFT THE ROOM DURING ITS**

## **CONSIDERATION.**

DEV37 - PLAN NO. 08/00031/HBCFUL - PROPOSED NEW LINK ROAD AND LANDSCAPING TO THE LAND OFF NEWSTEAD ROAD, DITTON STRATEGIC RAIL FREIGHT PARK, HALEBANK ROAD, WIDNES.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. One letter of objection had been received, details of which were outlined in the report.

It was noted that mitigation could be adequately secured through appropriate conditions detailed in the report and with time and maturity of associated landscaping, the proposals would become an accepted part of the landscape. The Committee was advised of an amendment to one of the existing conditions for the need to re-design the overspill pond into two ponds with foraging habitat.

The Committee raised concerns in relation to large volumes of traffic queues and requested that a letter be sent to Knowsley Borough Council asking them to mitigate effects of large traffic flows to the southern end of the expressway.

**RESOLVED:** The application be approved subject to the following conditions:

1. Specify amended plans (BE1);
2. Submission and agreement of construction code of practice (BE1);
3. Submission and agreement of lighting (PR4);
4. Submission and agreement of construction environmental management plan including noise and dust suppression (PR1);
5. Submission and agreement of acoustic barriers (PR2);
6. Scheme of 'low noise' wearing course (PR2);
7. Securing provision of replacement pond(s) and terrestrial habitat including toad spawn translocation (GE25);
8. Restricting noise levels during construction phase unless otherwise agreed (PR2);
9. Restricting working and delivery hours unless otherwise agreed (BE1);
10. Requiring that the development be designed and implemented in full accordance with the submitted/approved details unless otherwise agreed (BE1);
11. Implementation of a surface water regulation

- system in accordance with details to be submitted and agreed (PR16);
12. Requiring water vole, bat and black poplar tree surveys prior to commencement and agreement of appropriate mitigation as required (GE21);
  13. Securing programme of archaeological work (BE6);
  14. Submission and agreement of drainage details (PR16);
  15. Mitigation scheme for barn owls, swallows, house martins (GE21);
  16. Implementation of agreed landscaping scheme unless otherwise agreed (BE1);
  17. Agreement of finished site levels (BE1);
  18. Submission and agreement of wheel cleansing (BE1); and
  19. Routing of traffic and vehicles during construction phase to be agreed BE1);

DEV38 - 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, details of which were outlined in the report. The Committee was advised that a further letter of objection had been received raising issues regarding the impact on trees and wildlife.

It was reported that following detailed measurement and discussion from a site visit including the Council's Tree Officer, amended plans had been supplied reducing the footprint of the dwelling slightly and to accurately show current locations of trees and proposed relocation of one tree.

It was noted that Council Officers were now satisfied with the latest amended plans and that the dwelling could be built to meet the Council's current guidance.

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

1. Condition specifying amended plans (BE1);
2. Requiring the applicant to enter into a Section 106 or other appropriate agreement in relation to the

- payment of a commuted sum for the provision and establishment of off-site open space (H3/ S25);
3. Materials condition, requiring the submission and approval of the materials to be used (BE2);
  4. Landscaping condition, requiring the submission of both hard and soft landscaping to include tree planting (BE2);
  5. Boundary treatments to be submitted and approved in writing (BE2);
  6. Wheel cleansing facilities to be submitted and approved in writing and used (BE1);
  7. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
  8. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use (BE1);
  9. Submission and agreement of finished floor and site levels (BE1);
  10. Site investigation, including mitigation to be submitted and approved in writing (PR14);
  11. Protection of trees (BE1);
  12. Restricting permitted development rights relating to extensions, outbuildings and addition of windows and dormers (BE1); and
  13. Bin/ Store Provision (BE1).

DEV39 - PLAN NO. 08/00344/FUL - PROPOSED INSTALLATION OF SINGLE STREAM FLUIDIZED BED COMBUSTOR TO PRODUCE RENEWABLE ENERGY, RAISING HEIGHT OF EXISTING BUILDING FRO 8.8M TO 20M WITH NEW STEEL PORTAL FRAME TO ACCOMMODATE FUIDIZED BED COMBUSTOR AND WASTE HEAT RECOVERY BOILER, EXTERNAL EQUIPMENT INCLUDING DEDICATED 30M CHIMNEY , AIR COOLED CONDENSER, BRICK BUILDING ACCOMMODATING STEAM TURBINE, AIR POLLUTION ABATEMENT EQUIPMENT, ASH LOADING FACILITIES AND ANCILLARY DEVELOPMENT AT GRANOX (PDM) LTD, DESOTO R

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 representation was originally received from an adjoining business raising no objection providing improvements were made to current odour problems and no additional odour was created as a result of the operation. It was noted that three additional letters of representation had been received details of which

were outlined in the report. The Committee was also advised of one further letter of objection which raised issues of air pollution and HGV movement.

Miss L Taberer from PDM Ltd, addressed the Committee and spoke in favour of the application.

Arising from the discussion the Committee noted the following:

- the potential that the proposal will destroy current odours;
- control issues, staff training and conditions; the minor increase in ground-level concentration of some pollutants associated with emissions from the proposal; and
- the location of where the produced ash would be landfilled.

The Committee was advised that as per previous deferment of this application a bat survey was due to be carried out and an appropriate assessment screening was being undertaken. It was reported that this work was not 100% completed but was considered to be sufficiently progressed to give confidence that legislation could be complied with. To avoid further delay, it was requested that authority be delegated to the Operational Director Environmental and Regulatory Services in consultation with the Chair or Vice Chair, to approve the scheme once this work had been satisfactorily completed.

RESOLVED: that

A. the application be approved subject to the following conditions:

1. Requiring submission and agreement of materials (BE2);
2. Requiring submission and agreement of boundary treatments (BE22);
3. Requiring implementation of detailed landscape works (BE2);
4. Restricting external storage (E5);
5. Control of design/ installation/maintenance of external lighting (PR4);
6. Survey/ protection of nesting birds (GE19);
7. Submission and agreement/ implementation of Environmental/ Construction Management Plan (BE1);
8. Ground Investigation and mitigation (PR14);

9. Submission and agreement of pile design to show no perforation of boulder clay/ aquifer;
10. Requiring development to be carried out in strict accordance with all approved documents and associated supporting information submitted in support of the application including implementation of all mitigation measures unless otherwise agreed;
11. Submission and agreement of finished ground/ floor levels (BE1);
12. Laying out of access/parking and servicing BE1);
13. Drainage (PR5);
14. Conditions relating to storage, handling etc of fuels, chemicals etc (PR5);
15. Provision of cycle parking (TP6) ;
16. Requiring wheel cleansing facilities throughout construction phase (BE1);
17. Restricting construction and delivery hours (BE1);
18. Securing provision of airlocks to external doors (BE1);  
and

B. that authority be delegated to the Operational Director Environmental and Regulatory Services in consultation with the Chair or Vice Chair, to approve the scheme once the bat survey and appropriate assessment screening work has been satisfactorily completed.

DEV40 - PLAN NO. 08/00363/FUL - PROPOSED NEW UNIT (1,1613SQ.M) WITH ASSOCIATED OFFICES, CAR PARKING AND SERVICING TO THE LAND AT CANALSIDE, 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 the Environment Agency had been consulted who had responded with no objection but with a suggested condition requesting a ground investigation and any necessary remediation was carried out.

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

1. Standard condition relating to timescale and duration of the permission;
2. Prior to commencement, materials and colours to be submitted for approval (Policy BE2);
3. Prior to commencement details of external lighting to be submitted for approval (Policy BE2);



4. Prior to commencement details of hard and soft landscaping to be submitted for approval (Policies BE1, BE2 and E5);
5. Prior to commencement details of soft landscaping to be submitted for approval (Policy BE1);
6. Prior to commencement details of boundary treatment to be submitted for approval (Policy BE22);
7. No outside storage of plant, good or materials without prior written consent (Policy BE1 and E5);
8. Prior to commencement details of wheel wash facility during construction phase to be submitted for approval (Policy BE1);
9. Prior to commencement details of bin storage to be submitted for approval (Policy BE1 and E5);
10. Prior to commencement details of cycle storage to be submitted for approval (Policy TP6);
11. Prior to occupation vehicle parking and servicing areas laid out (Policy TP12);
12. Construction hours condition (Policy BE1);
13. Delivery hours condition (Policy BE1);

DEV41 - PLAN NO. 08/00383/FUL - RETROSPECTIVE APPLICATION FOR THE DEMOLITION OF ELDERLY PERSONS HOME AND THE PROPOSED CONSTRUCTION OF 5 TWO STOREY BLOCKS, ACCOMMODATING 28 TWO BED APARTMENTS (TO BE SOCIAL RENTED) TO OAK LODGE, RICHARDS CLOSE, RUNCORN.

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

It was reported that one neighbour objection had been received, details of which were outlined in the report and was considered that the applicant had provided a satisfactory response which addressed the issues raised.

The Committee was advised that amended plans had been received which addressed highways comments and required additional conditions as listed in the resolution.

It was advised that amended plans to accurately plot trees to be felled or retained had been received in addition to details of protection measures for the trees to be retained.

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

1. Standard full permission;
2. Subject to amended plans to address Highway and tree issues (Policies BE1, TP7, TP17);
3. Prior to commencement the submission of material samples for approval (Policy BE2);
4. Details of tree protection measures and tree replacement (Policy BE1);
5. No trees shown to be retained shall be damaged in any way as a result of the development (Policy BE1);
6. Prior to commencement the submission of all boundary treatments for approval (Policy BE22);
7. Prior to commencement the submission of details of a hard and soft landscaping scheme (Policy BE1);
8. Prior to commencement the submission of detailed species of soft landscaping for approval (including replacement tree planting) (Policy BE1);
9. Prior to commencement the submission of details of bin and cycle stores to be secured for approval (Policy BE2);
10. Prior to commencement the submission of details of sub station to be secured for approval (Policy BE2);
11. Prior to commencement the submission of a ground investigation and undertaking any remedial works if required (Policy PR14);
12. Prior to commencement the submission of existing ground levels and finished floor levels / ground levels for approval (Policy BE1);
13. Prior to commencement details of wheel wash to be used throughout the course of the construction period (Policy BE1);
14. Access, roads, car parking and service areas to be laid out prior to occupation of premises (Policies BE1, TP6, TP7, TP12 and TP17);
15. No lighting to be installed within the site without further approval from the Local Planning Authority (Policies BE1 and PR4);
16. Restricted hours of construction (Policy BE1);
17. Restricted hours of delivery (Policy BE1); and
18. The provision of bins for each residential unit prior to occupation. (Policy BE1).

Additional conditions were agreed as follows:

19. submission and agreement of details relating to any necessary retaining walls and temporary footpaths;
20. proposed bin collection point;

21. on-site parking for site vehicles during construction; and
22. a grampian condition relating to off site highway works.

#### DEV42 MISCELLANEOUS ITEMS

It was reported that no appeals had been lodged following the Council's refusal of an application.

The Committee was advised that the following applications had been withdrawn:-

08/00336/CAC      Application for Conservation Area Consent for conversion of chapel and attached hall into 2 No. dwellings, together with erection of a detached two storey dwelling with parking area, incorporating the demolition of the existing cottage at Moore Methodist Church & Hall, Runcorn Road, Moore

08/00375/FUL      Proposed two storey side extension and internal alterations at 33 Addingham Avenue, Widnes, Cheshire

08/00402/FUL      Proposed part rendering of external elevations at Aldi Foodstore Ltd, Lugsdale Road, Widnes

*Meeting ended at 7.25 p.m.*