

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 13 October 2008 at Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), P. Blackmore, S. Blackmore, J. Bradshaw, Hignett, Hodgkinson, Leadbetter, Morley and Polhill

Apologies for Absence: Councillors Thompson and Osborne

Absence declared on Council business: None

Officers present: G. Cook, G. Henry, A. Pannell, A. Plant, M. Simpson, K. Sparks, J. Tully, R. Wakefield and P. Watts

Also in attendance: 18 Members of public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

DEV43 MINUTES

The Minutes of the meeting held on 15th September 2008, having been printed and circulated, were taken as read and signed as a correct record, subject to it being noted that Councillor Hignett's apologies be recorded as "absence declared on Council business".

DEV44 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.

DEV45 - PLAN NO. 04/01064/FUL AND 04/01065/LBC - APPLICATION FOR PART DEMOLITION, RESTORATION AND CONVERSION OF HALL AND OUTBUILDINGS INTO 22 NO. RESIDENTIAL UNITS AND ERECTION OF 9 NO. HOUSES (31 NO. RESIDENTIAL UNITS IN TOTAL). PLAN NO. 05/00274/FUL - APPLICATION FOR ALTERATIONS AND EXTENSION TO MANAGERS HOUSE AT DARESBUY HALL, DARESBUY LANE, DARESBUY.

Action

The Committee considered the above mentioned proposals as one item as they all related to Daresbury Hall, Daresbury.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. Comments received as a result of the consultation were detailed in the report for consideration.

The Board was advised that the Health and Safety Executive had confirmed that they did not wish to call the application in and no objections had been received from United Utilities. It was reported that an additional letter of objection had been received from Nathaniel Lichfield which detailed the following:

- it was felt that the applications did not overcome the objections raised in the past;
- loss of character to Daresbury Hall as it would appear to be a large house next to a housing estate;
- the Hall would no longer be a dominant feature in the grounds;
- if the application was refused it should be followed up by an Urgent Works or a Repairs notice;
- it was felt that costs were over estimated; and
- the benefits of the scheme would not amount to special circumstances to justify inappropriate development of the Green Belt.

Ms Chris Marsh addressed the Committee on behalf of Lord Daresbury and spoke against the applications.

The Committee raised concerns in relation to the property falling into disrepair and the need for prevention of this happening to be included in conditions.

RESOLVED: That application No's 04/01064/FUL and 04/01065/LBC be referred to the Secretary of State with a recommendation to approve subject a legal agreement and conditions as follows:

1. Standard condition relating to timescale and duration of the permission;
2. Specify plans (BE1);
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. Submission and agreement of wheel cleansing (BE1);
 7. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use (BE1);
 8. Submission of drainage (PR5);
 9. Submission of lighting details (BE1);
 10. Details of hard surfacing to be submitted (BE1);
 11. Update arboricultural report and method statement to be submitted (BE1);
 12. Tree protection conditions (BE1);
 13. Removal of permitted development rights (BE1);
 14. Conditions relating to the finishing details of windows, doors and gate piers (BE1);
 15. Works to be carried out in accordance with the Bats Survey (GE21);
 16. Works to the pond to be carried out in accordance with approved details (GE25);
 17. Visibility splay in accordance with plans (BE1); and
 18. restriction of satellite dishes (BE10).

The listed building consent conditions as follows:

1. Standard condition relating to timescale and duration of the permission;
2. Specify plans (BE1);
3. Materials condition, requiring the submission and approval of the materials to be used (BE2);
4. A number of conditions relating to the finishing details (both internal and external of windows, doors, fire places, coving etc (BE1);
5. Works to be carried out in accordance with the Bats Survey (GE21);
6. Update of schedule of repairs external and internal to be submitted (BE1);
7. Details of paint finishes (BE9);
8. Drainage works (PR5); and
9. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use (BE1).

Application No. 05/00274/FUL be referred to the Secretary of State with a recommendation to approve, subject to the following:

1. Standard condition relating to timescale and duration of permission;
2. Materials condition, requiring the submission and approval of the materials to be used (BE2);

3. Landscaping condition, requiring the submission of both hard and soft landscaping to include tree planting (BE2);
4. Boundary treatments to be submitted and approved in writing (BE2);
5. Wheel cleansing facilities to be submitted and approved in writing and used (BE1);
6. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use (BE1);
7. Protection of trees (BE1);and
8. Restricting permitted development rights relating to extensions, outbuildings and addition of windows and dormers (BE1);

Note: Councillor S. Blackmore requested that her vote against the above decision be recorded in accordance with Standing Order 16.2

DEV46 - PLAN NO. 08/00215/OUT - OUTLINE APPLICATION (WITH APPEARANCE, LANDSCAPING, LAYOUT AND SACLE MATTERS TO BE RESERVED) FOR THE ERECTION OF THREE STOREY OFFICE ACCOMMODATION WITH ASSOCIATED CAR / CYCLE PARKING TO THE LAND ADJACENT TO /ADJOINING KECKWICK LANE, DARESURY.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. Comments received as a result of the consultation were outlined in the report for consideration.

It was reported that three letters of objection had been received, details of which were detailed in the report.

It was advised that a legal agreement would be required for offsite highway improvements.

Arising from the discussion Members raised issues in relation to potential traffic problems at the roundabout and the appearance of the building from the main road. It was requested that a suggestion be forwarded to the developers to graduate the height level of the property working with the different ground levels present. It was felt this would minimise the visual impact.

RESOLVED: That the application be approved subject to the following

1) a legal agreement and conditions relating to the following:

1. Conditions on the time limits on submission of reserved matters;
2. Requiring submission and agreement of materials (BE2);
3. Requiring submission and agreement of boundary treatments (BE22);
4. Requiring implementation of detailed landscape works (BE2);
5. Vehicle access, parking, servicing etc to be constructed prior to occupation / commencement of use;
6. Requiring implementation of a travel plan;
7. External lighting;
8. Landscaping (BE1);
9. Restriction of the use (E1) ;
10. Submission and agreement of finished ground/ floor levels (BE1);
11. Provision of cycle parking (TP6);
12. Requiring wheel cleansing facilities throughout construction phase (BE1);
13. Restricting construction and delivery hours (BE1);
14. Details of bin storage (BE2);
15. Conditions relating to tree protection measures (BE1); and
16. Condition for nature conservation measures (GE21).

Additional conditions were reported as follows:

17. Restriction of floor space and height;
18. Drainage to be submitted and approved; and
19. Condition relating to implementation of access and highway works.

- 2) That if the S106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director - Environmental and Regulatory Services in consultation with the Chairman of Vice Chairman of the Committee to refuse the planning application on the grounds that it fails to comply with Policy S25 (Planning Obligations).
- 3) Comments be forwarded to the developers in relation to graduation the height levels of the building.

NB: Councillor Polhill declared a personal and prejudicial interest in the following items due to being a Chair of the 3MG Executive Sub Board and left the room during its discussion.

DEV47 - PLAN NO. 08/00422/FUL - PROPOSED ERECTION OF DISTRIBUTION WAREHOUSE (USE CLASS B8), EXTERNAL STORAGE AND ASSOCIATED PARKING TO LAND AT WIDNES INTERMODAL FREIGHT TERMINAL, WEST BANK DOCK ESTATE WIDNES AND PLAN NO. 08/00449/FUL PROPOSED REMEDIATION OF SITE AND CONSTRUCTION OF A MODERN, PURPOSE BUILT DISTRIBUTION CENTRE IN TWO PHASES. PHASE ONE TO INCLUDE A 38,861SQ M DISTRIBUTION CENTRE WITH ASSOCIATED RECYCLING SERVICES UNIT (RSU), VEHICLE AND CAR PARKING, SERVICE YARDS, LANDSCAPING AND ALL ASS

The Committee agreed to consider the above applications as one item. The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

It was reported that tight deadlines were to be adhered to and to avoid delay it was requested that authority be delegated to the Operation Director – Environmental and Regulatory Services with the Chairman or Vice Chairman. It was advised that additional conditions were required.

The Committee welcomed the improvements.

RESOLVED: That :-

PLAN No. 08/00422/FUL be approved subject to conditions relating to the following:

1. Specifying Amended Plans (BE1);
2. Specifying approved use (E7);
3. Materials condition, requiring the submission and approval of the materials to be used (BE2);
4. Implementation of site and finished floor levels in accordance with approved plans (BE1);
5. Boundary treatments to be submitted and approved in writing including screening of external storage areas (BE2);
6. Wheel cleansing facilities to be submitted and approved in writing and used during construction (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/ commencement of use (BE1);
9. Agreement and implementation of cycle parking provision (TP6);
 10. Requiring submission and implementation of agreed Travel Plan (TP16);
 11. Requiring any external lighting to be installed in accordance with the guidelines of the Institute of Lighting Engineers (BE1);
 12. Restricting height and locations of external storage (E5)
 13. Screening of external bins/ skips (E5);
 14. Conditions required by the Environment Agency relating to drainage and protection of watercourses (BE1/ PR5);
 15. Submission and agreement of landscaping (BE1);
 16. Ground Investigation and mitigation (PR14);

PLAN NO. 08/00449/FUL

- 1) That the application be approved subject to:
 - a) the applicant entering into a legal or other appropriate agreement for a developer contribution towards highway improvements, public transport provision, landscaping / habitat works and / or upgrading of watercourses as required.
 - b) Conditions relating to the following:
 1. Requiring the development to be carried out in accordance with the approved phasing plan and requiring conditions for each phase to be discharged in accordance with the specified timescale for each phase (BE1);
 2. Specifying the approved use(s) (E3);
 3. Requiring submission and agreement of materials (BE2);
 4. Requiring submission and agreement of boundary treatments (BE22);
 5. Requiring submission and agreement of detailed landscape works (BE2);
 6. Restricting areas and height of external storage (E5);
 7. Control of installation/maintenance of external lighting (PR4);
 8. Ground Investigation and mitigation (PR14);
 9. Requiring development be carried out in

- accordance with agreed site and finished floor and ground levels (BE1);
10. Laying out of access/parking and servicing (BE1);
 11. Securing provision of bus lay-by (TP1);
 12. Securing screening of vehicle wash and fuel island (TP10);
 13. Drainage and protection of watercourses (PR5);
 14. Submission and agreement of details relating to bin storage (BE1);
 15. Provision of cycle parking (TP12);
 16. Requiring wheel cleansing facilities throughout construction phase (BE1);
 17. Restricting construction and delivery hours (BE1);
 18. Agreement and implementation of travel plan (TP16); and
 19. Grampian conditions securing works to upgrade Marsh Brook and associated landscaping/ habitat creation, highway works and pedestrian/ cycle works.

DEV48 APPLICATION TO BE DETERMINED BY ADJOINING AUTHORITY

The Committee considered an adjoining authority consultation by St Helens Council for proposed extraction of 1.06 million cubic metres of sand / sandstone to a depth of 15 metres above ordnance datum; and progressive restoration with non-polluting construction, demolition and excavation materials to the original topography for use in agriculture and as woodland to the land at Bold Health Quarry, Mill Green Lane, Bold Health, St Helens.

It was advised that a further 125 objections had been received from local residents in addition to a letter from Friends of the Earth. The objections raised issues detailed within the report.

The Committee raised concerns in relation to the previous time permission was given for a similar project and nobody monitored the site with regards to the conditions stated. It was suggested that the message be taken back to St Helens Council expressing Members and residents concern with the proposal.

It was felt that the applicant had not fully justified why the inert waste materials proposed should be disposed of by

landfilling and there were doubts over the need for the site for the disposal of inert waste and whether or not the required volumes of inert fill would be available over the specified time period.

Concerns were raised regarding the potential for the type and amount of inert waste to run out due to increased technology for re-use and recycling.

Members also commented on the increase in traffic caused by more intensive working of the site and importation of inert construction wastes associated with the progressive restoration of the side that could lead to significant highway problems and amenity impacts on residents of Derby Road.

RESOLVED: That the Borough Council objects to the proposal for the reasons outlined above and Members and residents comments be forwarded to St Helens Council expressing concerns raised above.

DEV49 MISCELLANEOUS ITEMS

It was reported that appeals had been lodged following the Council's refusal of the following applications:-

Decisions had been received as follows :-

07/00899/COU Proposed demolition of existing dwelling and erection of new two storey dwelling at 13 Baileys Lane, Hale Heath, Hale Village

This appeal was dismissed

08/00086/FUL Proposed part conversion of existing garage, first floor extension to form play room with loft above at 9 Linacre Lane, Widnes, Cheshire

This appeal was dismissed

The following applications had been withdrawn: -

08/00308/FUL Proposed first floor extension at 80 Coroners Lane, Widnes, Cheshire

08/00334/FUL Proposed extension and

conversion of existing detached garage and construction of new identical detached garage at 16 Islington Green, Widnes, Cheshire

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

08/00248/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

Members considered a list of topics for future training events and were asked to comment on the same.

APPLICATION FOR CONSENT TO CONSTRUCT AND OPERATE AN ENERGY FROM WASTE COMBINED HEAT AND POWER (CHP) GENERATING STATION AT RUNCORN CHESHIRE.

The Committee was advised of the decision made by the Secretary of State and discussed the letter received which was detailed in the report.

Members discussed the letter that had been sent to the Secretary of State following the meeting held on 28 July 2008. It was advised that this action had been taken in accordance with normal procedures and the Council's Constitution.

Meeting ended at 7.25 p.m.