DEVELOPMENT MANAGEMENT COMMITTEE

At a meeting of the Development Management Committee on Monday, 7 August 2023 at the Civic Suite, Town Hall, Runcorn

Present: Councillors S. Hill (Chair), Leck (Vice-Chair), Bevan, Carlin, Davidson, C. Loftus, Philbin, C. Plumpton Walsh, Polhill, Thompson and Woolfall

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, A. Plant, A. Evans, G. Henry, L. Wilson-Lagan, I. Dignall and J. Farmer

Also in attendance: 18 Members of the public and Councillors M. Ryan, N. Plumpton Walsh and K. Loftus

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

Action

DEV11 MINUTES

The Minutes of the meeting held on 3 July 2023, having been circulated, were taken as read and signed as a correct record.

DEV12 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.

DEV13 21/00679/FUL - PROPOSED ERECTION OF THREE AGRICULTURAL BUILDINGS WITH ACCESS TRACK AND ANCILLARY CONCRETE APRON ON LAND TO THE EAST OF RAMSBROOK LANE AND ADJACENT TO CLAMLEY PARK PLANTATION, HALE

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

Officers advised of a correction to the table on page 10 of the agenda, which should state that two representations had been received. Since the publication of the agenda it was confirmed that Natural England had no objections to the application.

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

1. Standard time limits condition;
2. Plans condition listing approved drawings (GR1);
3. External facing materials (GR1);
4. Access provision (C1);
5. Existing and proposed site and finished floor levels (GR1);
6. Submission and agreement of drainage scheme (HE9);
7. Construction Environmental Management Plan (HW1, HE9);
8. Details in relation to wildlife protection (HE1);
9. Protection of nesting birds (HE1);
10. Reasonable Avoidance Measures (RAMs) for amphibians / reptiles and hedgehogs (HE1); and
11. Site waste management (WM8).

DEV14 22/00462/FUL - PROPOSED ERECTION OF 59 NO. AFFORDABLE RESIDENTIAL DWELLINGS WITH ACCESS; LANDSCAPING AND ASSOCIATED WORKS ON LAND AT WOODALLS FARM, STOCKHAM LANE, RUNCORN

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

Officers advised of a correction to the table on page 20 of the agenda, which should state that 7 representations had been received.

Following publication of the AB Update List, it was noted that the Lead Local Flood Authority (LLFA) has now confirmed that they agree with the principles of the Flood Risk Assessment (FRA) and discussed drainage strategy but required modelling of the watercourse prior to commencement, as detailed in the update. They also requested that an updated drainage strategy be submitted prior to commencement, based on those principles discussed, as detailed in the update. It was noted that this response has removed the requirement for Officer delegation for this issue.

Officers highlighted the objection made by the Health and Safety Executive (HSE), which was due to the site falling within the inner/middle hazardous zone of the Sabic Trans Pennine Ethylene Pipeline, but the objection was not in relation to housing. The HSE 21 day call in notice was explained.

It was noted therefore that Officer delegation was requested in relation to the HSE call in procedure.

The Committee was addressed by Mr Dixon, a representative of the Applicant. He stated the following *inter alia*:

- The scheme of 59 affordable dwellings would provide a valuable contribution to Halton's housing needs;
- Modern methods of construction would be used; contributing to reduced living costs for residents;
- A native planting scheme and natural play areas will be incorporated, adding a sense of community;
- The site was adjacent to the Town Hall Park;
- The scheme is led by the landscape of the park and includes hedgerows and natural habitats in line with policy requirements;
- The scheme was carefully designed to include landscaped areas; and
- The scheme will consist of 100% affordable housing.

Further clarity was given regarding the HSE's response to the proximity of the pipeline.

The Committee agreed that the application be approved.

RESOLVED: That authority is delegated to the Operational Director – Planning, Policy and Transportation, to determine the application in consultation with the Chair or Vice Chair of the Committee, following the satisfactory resolution of the outstanding issues relating to the HSE call in procedure.

Upon satisfactory resolution, the application is to be approved subject to the following:

a) S106 Agreement that secures affordable housing;

b) schedule of conditions set out below; and

c) that if the S106 Agreement is not signed within a reasonable period of time, authority is given to refuse

this planning application.

Recommended conditions as follows with any additional conditions recommended through the resolution of the flood and drainage strategy to be added to the list below:

1. Standard 3 year permission;
2. Condition specifying plans;
3. Bird nesting boxes scheme;
4. Ecological conditions (such as RAMS and hedgehog highway);
5. Construction Environment Management Plan (CEMP);
6. Lighting scheme;
7. Vehicle access and parking to be constructed prior to commencement of use;
8. External materials;
9. Drainage condition(s) to include culvert survey, ownership details, drainage calculations, verification of Sustainable Drainage System (SuDS) implementation, maintenance and management;
10. Hard and soft landscaping;
11. POS implementation and management;
12. Waste audit;
13. Site investigation, remediation and mitigation;
14. Landscape and ecological /habitat management plan;
15. Removal of permitted development rights for extensions;
16. Hard and soft landscaping;
17. Construction of emergency access;
18. Submission and agreement of boundary treatments
19. Securing ecological and habitat protection through a Construction and Environmental Management Plan;
20. Restriction construction and delivery hours; and
21. Requiring implementation of scheme of noise mitigation.

An adjournment was requested by the Legal Advisor so that advice could be provided to Councillor Davidson, regarding her declarations.

Councillor Davidson did not take part in the debate or vote on the following item as she has campaigned against further development in the area prior to being elected as a Councillor and had addressed the Committee as a speaker in opposition of the application. Following her address she moved to the public gallery.

DEV15 22/00543/OUTEIA - APPLICATION FOR OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED (EXCEPT MEANS OF ACCESS) FOR

RESIDENTIAL DEVELOPMENT COMPRISING UP TO 250 DWELLINGS, ELECTRICITY SUB STATIONS, ALONG WITH RECREATIONAL OPEN SPACE, LANDSCAPE AND OTHER RELATED INFRASTRUCTURE AT SANDYMOOR SOUTH PHASE 2, WINDMILL HILL AVENUE EAST, RUNCORN

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

Councillor Leck advised the Committee that in her capacity as a colleague of Mike Amesbury MP, she had attended meetings as a note taker where the application was discussed but would make her decision on the planning merits, after hearing all the evidence and without bias or predetermination.

Since the publication of the agenda one further letter of representation had been received relating to access to the site and who would make the decision on this – these were addressed in the report. The Applicant had provided clarification on the statement made on page 87 regarding the adverse impact on primary school places – this is provided in the published AB Update List.

It was noted that condition number 17 had been updated to: *Submission and implementation of a scheme detailing bridleway provision including crossing points, to connect with, and complete, existing infrastructure provision as per the Sandymoor SPD*. Officers advised of a correction to the report – reference to access parameters plan at varying parts of the report should be Rev Q throughout and not Rev N.

Mr Cove, representative for Homes England, addressed the Committee. He advised that Homes England (HE) was the Government's housing regeneration Agency. He added *inter alia* that:

- Homes England's investment was historic and this development was a long standing priority;
- Public consultation had been carried out and HE had addressed concerns raised where possible, which had been documented in the Officer's report;
- This application was outline with reserved matters;
- The proposal would provide 250 high quality sustainable homes making a significant contribution to Halton's housing needs;
- The proposal would provide new public open spaces;

- £220k S106 monies were agreed for indoor sports provision; and
- The scheme complied with all planning policies.

Councillor Davidson then addressed the Committee in her capacity as Daresbury, Moore and Sandymoor Ward Councillor. She spoke of concerns raised by local residents in relation to the proposals as follows *inter alia*:

- Climate change was a big issue and should be taken into consideration;
- Green spaces should be protected and brownfield sites developed instead;
- The area was used by walkers, cyclists and contained a variety of habitats and wildlife;
- The plans would see an increase in traffic volume and there was only one road in and one road out of the site;
- There would be an increased demand for school places and NHS services; and
- The proposal was unsuitable in an already developed area.

During debate the following areas of concern were raised and responded to:

- The withdrawal of the Sandymoor bus service – S106 money will be available to 'kickstart' a bus service but it was up to the operator to continue with this;
- Primary School provision – a Primary School is included on the Masterplan for Sandymoor; the need for this has to be demonstrated;
- Flood risks in the area being exacerbated by further development – a Flood Risk Assessment has been carried out, this was explained;
- The railway crossing in relation to pedestrians and cyclists and responsibilities of Network Rail – discussions were ongoing with Network Rail but the Council did not support the closure of this;
- Speeding traffic on Windmill Avenue East and the impact of this development on the volume of traffic on it – speed assessments were already taking place; a Traffic Impact Assessment has been carried out which concluded that there would be a 10% increase in volume for Sandymoor;
- Active travel routes – this was briefly outlined but would be provided in detail when the reserved matters application is submitted;
- Climate change – page 93 of the report outlined

mitigation measures which will be conditioned; and

- S106 requests for emergency services – these were not justified under the legal test set out in the CIL Regulations, as had been discussed on other similar application requests.

In conclusion Members agreed that they would like the application for the reserved matters to come to Committee for determination.

RESOLVED: That the application is approved subject to the following:

a) entering a legal agreement under Section 106 Town and Country Planning Act 1990 with the Council land relating to:

   - Affordable housing; and
   - Indoor sports contribution

b) conditions relating to the following:

   1. Time limit – outline permission;
   2. Submission of reserved matters;
   3. Development parameters;
   4. Implementation of the access arrangements;
   5. Submission and implementation of a public open space / provision for children and young person's management plan;
   6. Submission and implementation of lighting scheme to protect ecology;
   7. Hours of construction;
   8. Submission and implementation of Construction Environmental Management Plan;
   9. Submission and implementation of homeowner's information pack – information on responsible use code and available Sustainable Alternative Natural Greenspace;
   10. Submission of a Biodiversity Net Gain Assessment (including undated metric);
   11. Submission and implementation of a full Landscape and Habitat Management Plan;
   12. Submission and implementation of a scheme should there be the requirement to remove and reinstate sandstone edging blocks along the canal edge to facilitate the growth of Freiburg's screw-moss;
   13. Implementation of breeding birds protection;
   14. Submission of copy of a licence issued by Natural England or Impact Assessment and Conservation

Payment Certificate in relation to Great Crested Newts;

15. Submission and implementation of an Arboricultural Impact Assessment and Arboricultural Method Statement;
16. Submission and implementation of scheme detailing structural work of New Norton Bridge and embankment, to accommodate highway widening – including AiPs/adoption;
17. Submission and implementation of a scheme detailing Bridleway provision;
18. Submission and implementation of a scheme detailing cycle routes and footpath provision to incorporate the principles of Active Design;
19. Submission and implementation of a scheme detailing access and gating provision in relation to rail arch arrangements of Bridge 63 Wharford Farm Bridge;
20. Submission and implementation of a scheme detailing bus infrastructure provision;
21. Submission and implementation of a scheme detailing phasing, construction traffic routing and management;
22. Submission and implementation of travel plan;
23. Implementation of Site Investigation and Remediation Strategy / Verification Reporting as required;
24. Submission and implementation of a detailed noise mitigation scheme;
25. Reserved matters shall include detailed modelling of Sandymoor Brook, detailed culvert and crossing design, site and finished floor levels, blockage scenarios and flood routing plan;
26. Implementation, maintenance and management of the detailed sustainable drainage scheme in accordance with the Sustainable Drainage System (SuDS) hierarchy;
27. Verification report confirming that the SuDS system has been constructed in accordance with the approved design drawings;
28. Submission and implementation of a scheme detailing protection of United Utilities water Main;
29. Submission and implementation of a utilities strategy to consider potable water needs and associated water efficiency measures;
30. Archaeological investigations to be carried out to establish whether remains of the houses east of Norton Bridge survive. Should those works establish that the remains survive and that they are of sufficient significance, then further

investigation should be undertaken to record the remains prior to their destruction;

31. Submission and implementation of a Water Vole Mitigation and Monitoring Strategy;
32. Submission and implementation of an operational energy scheme to demonstrated reduction in both energy consumption and carbon; and
33. Submission and implementation of a Site Waste Management Plan.

In order to avoid any allegation of bias, Councillor Thompson did not take part in the debate or vote on the following item as he has met with both the applicant and objectors to the proposals and is also the local Ward Councillor for Halton Lea. He moved to the public gallery.

Councillor Davidson did not take part in the debate or vote on the following item as she has previously met with residents and campaigned against the proposals prior to being elected as a Councillor. She removed to the public gallery.

DEV16 23/00128/FUL - PROPOSED DEMOLITION OF EXISTING BUILDINGS; THE INFILLING OF THE EXISTING SUBWAY; THE CONSTRUCTION OF A NEW LOCAL CENTRE; A REPLACEMENT CHURCH / COMMUNITY FACILITY (USE CLASS F1/F2/E); THE CHANGE OF USE OF THE RETAINED TRICORN PUBLIC HOUSE AND ASSOCIATED STABLES INTO 10 DWELLINGS; THE ERECTION OF A FURTHER 59 DWELLINGS TOGETHER WITH IMPROVED PUBLIC REALM, PLAY FACILITIES, IMPROVEMENTS TO OPEN SPACE, HAND AND SOFT LANDSCAPING WORKS; AND OTHER ASSOCIATED INFRASTRUCTURE AND WORKS

AND

23/00129/LBC - APPLICATION FOR LISTED BUILDING CONSENT FOR THE PARTIAL DEMOLITION OF THE FORMER TRICORN PUBLIC HOUSE AND WORKS REQUIRED TO FACILITATE THE CONVERSION OF THE RETAINED BUILDING AND ASSOCIATES STABLES INTO 10 DWELLINGS (USE CLASS C3) INCLUDING INTERNAL AND EXTERNAL ALTERATIONS TO THE BUILDINGS - BOTH ON LAND WITHIN, ADJACENT TO AND SURROUNDING THE UPLANDS AND PALACEFIELDS, RUNCORN

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

Councillor Leck advised the Committee that in her capacity as a colleague of Mike Amesbury MP, she had attended meetings as a note taker where the application was discussed but would make her decision on the planning merits, after hearing all the evidence and without bias or predetermination.

Councillor Chris Loftus advised the Committee that although his wife, Councillor Kath Loftus, was speaking on the application today, he would determine the application on the planning merits, after hearing all the evidence and without bias and predetermination.

Since the publication of the agenda a request to speak had been received – the points of objection were outlined in the published AB Update List. Members noted the corrections, one for each application, on pages 406/407 and on page 414 – also detailed in the AB Update List. There were also changes to recommendations for each application and two additional conditions for 23/00128/FUL – all detailed on the AB Update List.

The Committee was addressed by Mr Davidson, a resident of The Uplands for 40 years, who spoke in objection to the application for the following reasons:

- He objected to the relocation of Palacefields Community Centre and the demolition of the Bethesda Church and the proposal that they are replaced by a joint/shared church and community centre building;
- The Community Centre is at the heart of the community and is used by a wide range of groups;
- The current Community Centre has a large outdoor space for children and activities to take place such as the summer fete; this would be lost;
- Bethesda Church is a consecrated building and provides worshipers with a weekly service as well as conducting weddings, funerals and hosts a food bank;
- The activities currently held at the Church could not take place in a shared facility;
- Some people have reservations about entering a Church that will be used for community purposes; and
- Riverside had promised that they were going to build a replacement church first before demolishing the current one; however, it appears that this is not the case so people would have no place to worship.

Mr Pemberton, a representative of the Applicant, then addressed the Committee, he provided the following

information *inter alia*:

- The Riverside Group was a Charity Status Housing Association and explained its strategy to transform the wider Palacefields Estate;
- A description of the site and full planning application before the Committee;
- Details of the listed buildings proposals – which were agreed with Historic England and the Council's Conservation Officer;
- Proposals to acquire the heritage assets which are currently in a dangerous condition and encouraged anti-social behaviour;
- The development would enhance the visual and landscape setting of the listed buildings which would included a new play and public space at the heart of the new community;
- Details of the replacement Church and the benefits it will offer;
- Details of the proposed dwellings (mix of types and sizes), including specialist housing such as veterans apartments;
- The development will utilise low-carbon, energy efficient measures to promote environmental sustainability;
- The development will make a significant contribution towards meeting affordable housing needs in the area;
- Despite the loss of a small amount of poor quality open space, the scheme will deliver significant quality improvements to the retained open space; and
- Details of highway network improvements to reduce congestion; this will retain access to the Primary School.

In summary he stated that the scheme would support the renewal and transformation of this part of the Palacefields Estate and create an attractive neighbourhood that would deliver positive social and environmental change. It would also improve accessibility to high quality housing and help reduce levels of deprivation, unemployment and crime within the local community. Further, two listed buildings that are on the Risk Register would also be brought back in to use.

The Committee was then addressed by Councillor Kath Loftus, local Ward Councillor for Halton Lea. She supported the scheme in principle, noting that this first phase did not detail the removal of the Palacefields Community Centre. Also a positive of the scheme would

bring use to the long term derelict Tricorn Pub site, which is a blight on the local community in its current condition. She commented that although the subway being closed was a positive, consideration needed to be given to alternative routes with an emphasis on school walking routes for local children and pedestrian access across the busway.

Cllr Kath Loftus noted that the existing Church was in a poor state of repair so the community would benefit from its removal and replacement. She felt that the plans were good, bringing new facilities to the community including a new extra care facility and it would be easy for residents to get around which would benefit the local community.

Members debated the proposal and discussions / concerns were raised on the following:

- The shared facility arrangements may cause difficulties between some community groups who were less accepting of the beliefs of others;
- The administration of the shared facility;
- Active travel plans; and
- School places provision.

In response to concerns over school places provision Officers advised they had liaised with the Education Authority and provision in this area was confirmed to be sufficient. The joint use of the proposed church was a matter for future consideration, should an application come forward to demolish the Palacefields Community Centre. In response to the active travel queries, it was commented that the proposed scheme improved site permeability, comprising combined cycle and pedestrian routes that preserves access to schools. In addition, the scheme would connect to the future aspirations for active travel use of the existing busway adjacent to the application site, improving access to Halton Lea and the surrounding area. Details regarding a crossing over the busway would be dealt with as a S278 application under the Highways Act.

After taking into consideration the speakers' comments, Officer responses and reports/information before them, the Committee agreed that the application be approved, subject to the conditions listed below.

RESOLVED: That each application is approved as follows:

Planning Application 23/00128/FUL

Authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair, to determine subject to:

a) a suitable mechanism to secure compliance with DALP Policy RD4;

b) conditions considered necessary to ensure policy compliance;

c) the resolution of the outstanding matter of green space contributions;

d) S106 agreement that secures off site financial contribution toward off site green space improvements as required;

e) the schedule of conditions set out below; and

f) that if the S106 Agreement is not signed within an appropriate period of time, authority is given to refuse the planning application.

Conditions

1. Time limit – full permission;
2. Approved plans;
3. External facing materials;
4. EV charge parking spaces to be detailed;
5. Construction management plan including avoidance measures re habitat / mammal / bird nesting / amphibians;
6. Construction waste audit;
7. Construction management plan;
8. Landscape and environmental management plan;
9. Hedgehog highway network measures;
10. Lighting scheme to limit impact on nocturnal species;
11. Ecological protection strategy;
12. Ecological habitat management plan;
13. Bat licence;
14. Bat mitigation;
15. Bird and bat boxes details;
16. Domestic refuse storage details;
17. SuDS verification report;
18. Removal of GPDO Schedule 2, Part 1, Class F – no fences forward of front elevation;
19. Removal of permitted development rights for all dwellings on the site of the Tricorn buildings and car

park;
20. LLFA – sustainable drainage details;
21. LLFA – validation report;
22. Prior to development a noise impact assessment;
23. Contaminated land survey;
24. Contaminated land validation report;
25. Contaminated land unforeseen contamination strategy;
26. Landscape management plan;
27. Archaeology;
28. Demolition strategy
29. Local centre external plant details;
30. Construction operating hours;
31. Dust mitigation strategy;
32. Wetland planning scheme;
33. BNG no net loss off site delivery;
34. Boundary treatment details;
35. Updated condition survey;
36. Detailed structural survey;
37. Building record (level 3);
38. Detailed technical drawings;
39. Schedule of existing and replacement features including windows and doors;
40. Schedule of existing and replacement materials and finishes;
41. Detailed schedule of works;
42. Any necessary structural designs and reports for interventions such as retaining steelwork or portal frames;
43. Method statements for all proposed development works;
44. Tricorn urgent stabilisation works to take place prior to development commencing.
45. Prevention of the existing Church demolition until such time that the new Church is developed and ready for use; and
46. Securing the use of the replacement church for the purposes of a church, community centre and café and for no other purpose.

Planning Application 23/00129/LBC

Authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair, to determine subject to:

a) the referral to Secretary of State in relation to heritage objection;

b) conditions considered necessary to ensure policy

compliance; and

c) the schedule of conditions outlined below:

Conditions

1. Time limit – full permission;
2. Approved plans;
3. Boundary treatment details;
4. Updated condition survey;
5. Detailed structural survey;
6. Building record (level 3);
7. Detailed technical drawings;
8. Schedule of existing and replacement features including windows and doors;
9. Schedule of existing and replacement materials and finishes;
10. Detailed schedule of works;
11. Any necessary structural designs ad reports for interventions such as retaining steelwork or portal frames; and
12. Method statements for all proposed development works.

DEV17 MISCELLANEOUS ITEMS

The following Appeals had been received / were in progress:

22/00019/PLD
Application for a Lawful Development Certificate for a proposed use of development for the installation of a solar farm (ground mounted solar photovoltaic panels) at Liverpool John Lennon Airport, land bounded by Dungeon Lane, Hale Road and Baileys Lane, to the East of Liverpool John Lennon Airport Speke, Liverpool, L24 1YD.

21/00016/OUT
Outline application, with all matters other than access reserved for the erection of two semi-detached dwellings and four detached dwellings on the existing church field and the retention of the existing scout hut at Hough Green Scout and Guide Group Hall and Church Field, Hall Avenue, Widnes.

The following Appeals had been determined:

22/00285/ADV & 22/00284/FUL
The retrospective application for planning consent for the installation of a car park management system on existing car

park comprising 4 no. pole mounted automatic number plate recognition (ANPR) cameras and 6 no. park and display machines at Car Park at Green Oaks Shopping Centre, Widnes, WA8 6UA – **Appeals allowed**

Meeting ended at 8.10 p.m.