

## DEVELOPMENT MANAGEMENT COMMITTEE

*At a meeting of the Development Management Committee on Monday, 15 January 2024 at the Civic Suite, Town Hall, Runcorn*

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

Apologies for Absence: Councillors S. Hill, Philbin and C. Plumpton Walsh

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, A. Plant, M. Webster, G. Henry, L. Wilson-Lagan, A. Blackburn and L. Crampton, C. Sturdy and C. Nixon

Also in attendance: Councillors Wallace, Wall, Wharton and Hutchinson, one member of the press and 33 members of the public

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

*Action*

#### DEV33 MINUTES

The Minutes of the meeting held on 5 December 2023, having been circulated, were taken as read and signed as a correct record.

#### DEV34 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.

#### DEV35 22/00423/OUTEIA - PROPOSED HYBRID PLANNING APPLICATION COMPRISING: FULL PLANNING PERMISSION FOR THE CONSTRUCTION OF THE PRIMARY ACCESS POINTS, PRIMARY INTERNAL LINK ROAD AND SITE ENABLING WORKS, INCLUDING SITE LEVELLING AND OUTLINE PLANNING PERMISSION, WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS, FOR THE CONSTRUCTION OF UP TO 500 RESIDENTIAL DWELLINGS (USE CLASS C3), LATER LIVING UNITS (C2), A NEW PRIMARY SCHOOL, A LOCAL CENTRE (USE CLASS E) AND ASSOCIATED INFRASTRUCTURE AND OPEN SPACE, ON LAND OFF HALE GATE ROAD, WIDNES

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

The following updates were provided by the Case Officer:

- Heritage update – as presented in detail in the published AB Update List;
- Cheshire Police had not responded in relation to the request for further information and justification for their request for financial contributions;
- NHS Property Services letter sent to Members of the Committee on Friday – Officers were of the same position as set out in the Committee report, in that the request for financial contributions did not meet the relevant tests of the Community Infrastructure Levy Regulations and was not therefore proposed to be secured in a S106 Legal Agreement;
- There were minor changes to the list of conditions set out in the report – conditions 4 and 5 had been combined, conditions 12 and 13 had been combined and a condition had been added in relation to energy and sustainability;
- The Council's Highway Authority had formally removed their objection; and
- The Council's Highway's Officer advised the Committee that following discussions with *Arriva* regarding bus provision into the site, a service diversion was currently cost prohibitive/operationally ineffective and an unreasonable ask of the developer given the amounts required. It was noted that the site accesses were designed to accommodate potential future bus services into the site, should a bus service become available in the future.

Mr Anderton, a resident of Halebank since birth and Parish Councillor for 6 years, addressed the Committee on behalf of local residents objecting to the proposals. He stated, *inter alia*, that:

- The Halebank community felt that the addition of 500 houses would impact greatly on the existing population;
- The infrastructure of the area was insufficient to cope with this number of additional houses;
- He referred to an Executive Board report from 2016 which raised concerns back then over the 'pinch point' on Ditton railway bridge;
- HBC should contact Network Rail to conduct a

- structural survey of the bridge;
- The application was non compliant;
  - All local Ward Councillors were opposed to the application;
  - Halebank Parish Council had been successful with 3 judicial reviews on planning approvals previously; and
  - The application was not in accordance with the Delivery and Allocations Local Plan (DALP).

He concluded by urging the Committee to refuse the application or at least defer its decision to a later date.

The Committee was then addressed by Ms Landor, a Planning Consultant representing Halebank Parish Council. She commented, *inter alia*, that:

- 50% of the site was in the Green Belt so this was a departure;
- The owner of the site did not own all of it;
- There was policy conflict regarding the school (this was described) which was underplayed;
- Roads were not tree lined as required;
- The proposed open space provision was disjointed;
- The Highways Authority were unhappy with the proposal; and
- The scheme was not in accordance with policy and we disagree with the officer recommendations to approve.

Ms Smith, the Planning Agent for the applicant, then addressed the Committee and stated the following:

- The strategic site would ensure comprehensive development of an allocated site;
- It was noted that the primary school was shown in a different location but the quantum of the school site was the same;
- A safe off road path leading to the school was included;
- Key design principles had been included despite being an outline application;
- A comprehensive suite of technical assessments had been carried out;
- There had been no objections from statutory consultees;
- Off-site improvements would be secured by conditions;
- Financial contributions requests from the Police and NHS had not met the relevant tests;

- 106 Agreements were in place for school land and open space improvements;
- The application would bring affordable open market housing; and
- The application was wholly in compliance with planning policies.

Members discussed the application, highlighting concerns over the safety of Ditton railway bridge; the increase in population that would occur and the pressures that would be put on health services because of this; and the provision of outdoor sports facilities.

The Highways Officer responded that the Public Right of Way has a condition which ensures its consideration is integral in the design process and which could provide enhancements to it. Also, that other, off-site conditions would similarly ensure improvements for sustainable travel routes and connections to the site, including up to the Ditton railway bridge.

It was confirmed that the bridge was adopted, so HBC was the Highways Authority for the bridge. Officers clarified the ownership of the bridge and it was reported that Network Rail did not have any concerns about the safety of the bridge and had no objection to the proposed development.

It was commented that this application was an outline application, so matters relating to some issues listed by Hale Parish Council, health services provision and outdoor sports provision would be dealt with in detail in the full application, when this came forward.

One Member moved an amendment to the recommendation and requested a deferral, but this was not supported.

The original recommendations were then moved and seconded and the Committee voted, which resulted in 4 voting For and 4 voting Against; the Chair voted For, so the vote to approve the application was carried.

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

- a) a Section 106 Agreement;
- b) schedule of conditions set out below:

1. Standard outline conditions for the submission of reserved matters application;
2. Condition setting our parameters of the permission;
3. Condition for phasing plan;
4. Plans condition listing relevant drawings;
5. Implementation of access arrangement;
6. Site levels;
7. Public open space management plan;
8. Lighting scheme to protect ecology;
9. Hours of construction;
10. Construction Environmental Management Plan (CEMP);
11. Homeowners information pack;
12. Biodiversity Net Gain (BNG) updated metric;
13. BNG Assessment;
14. Landscape and habitat management plan;
15. Breeding birds protection;
16. Arboricultural Impact Assessment and Arboricultural method Statement;
17. Scheme for cycle routes and footpath provision for Active Design;
18. Bus infrastructure provision;
19. Travel plan;
20. Site investigation, remediation and verification;
21. Noise mitigation scheme;
22. Site Waste Management Plan;
23. Archaeological works;
24. Landscape Ecological Management Plan (LEMP);
25. Sustainable Drainage Systems (SuDS);
26. SuDS validation;
27. Waste water;
28. Hard and soft landscaping; and
29. Off-site highway works.

And

- c) if the S106 Agreement is not signed within a reasonable period of time, authority is given to refuse this planning application.

DEV36 23/00349/COU - PROPOSED CHANGE OF USE OF DWELLING AND HOTEL INTO 6 APARTMENTS AT 15(A) - 19 MAIN TOP HOTEL, MERSEY ROAD, WIDNES, WA8 0DG

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

The Case Officer advised that the requirement for a legal agreement, referred to in the report and recommendations (a) and (c), had been removed and the issue would now be secured by conditions.

She also advised that 22 neighbour objections had been received believing that the application was for homes of multiple occupation (HMO's); she confirmed that the application was for 6 self-contained apartments and should be determined as such. She also provided updates in relation to car parking and it was noted that the Highways Officer raised no objection. He did suggest additional condition/s to make good the redundant dray delivery hatch to the former beer cellar; these would be added.

The Committee was addressed by West Bank Ward Councillor Wallace, who, supported by her Ward colleague Councillor Hutchinson, spoke in objection to the application on behalf of residents.

Councillor Wallace began by distributing a page of photographs taken of parking in the area, which it was noted were taken on a Saturday at 1pm. She gave the Committee some historical and background information on West Bank. As a born and bred resident of West Bank herself, she had witnessed the area thrive under the chemical industry in the 1960's and had seen its decline over the years. She mentioned anti-social behaviour, gangs, drugs and drug use, the increase of HMO's, fly tipping and parking issues. She also commented on the influx of landlords buying properties who were not from the area and had no interest in the community of West Bank. She had also spoken to all residents regarding this and advised it was having a negative impact of the community, as it was felt local people were being pushed out of the area.

She also highlighted problems already being experienced with highways and cleansing. Emergency vehicles and bin trucks were being blocked by cars parking on streets so were prevented from reaching properties. She cited that a development such as this would exacerbate the situation.

She concluded by advising that Derek Twigg MP had previously raised concerns about the numbers of HMO's in West Bank. She urged the Committee to help the community of West Bank to stop the saturation of the area with properties of this nature, and the one being applied for today.

Councillor Wallace's objections could also be found in detail on pages 75 and 76 of the agenda.

Members discussed the application, raising concerns over the lack of parking spaces for 6 flats (they stated potentially 12 cars) and the problems that emergency vehicles, cleansing trucks and buses already had with access to the area. It was commented that to make an analysis and comparisons with hotel parking requirements and residential parking requirements was not a fair one, especially as the building was used as a hotel many years ago. The consensus was that it was wrong to assume that residents of apartments did not own vehicles because some did. It was agreed that in this case the development would have a cumulative impact on parking in the area, as no parking spaces were provided for the residents.

The Committee proceeded to a vote on the application and it was unanimously refused.

RESOLVED: That the application be refused for the following reasons:

- 1) the application is contrary to Policies C1 and C2 of the DALP, as it does not include on-site parking provision; and
- 2) this lack of provision would exacerbate current problems with congestion and the availability of on-street parking. The cumulative impact of this would be harmful to the street scene, parking standards and highway safety in the surrounding area.

*Meeting ended at 8.20 p.m.*