

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 8 December 2008 at Civic Suite, Town Hall, Runcorn

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

Apologies for Absence: None

Absence declared on Council business: None

Officers present: P. Watts, L. Cairns, A. Jones, K. Sparks, A. Plant, J. Tully, J. Farmer, E. Latham and J. White

Also in attendance: None

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

DEV57 MINUTES

Action

The Minutes of the meeting held on 10 November 2008, having been printed and circulated, were taken as read and signed as a correct record, subject to the following changes in Dev 52:

- 1) 'additional safety measures with it being a school'

be changed to:

'additional safety measures with it being near a residential area and on the school access route';
and

- 2) 'In response it was noted that safety measures would be met due to Construction Design Management (CDM) regulations'

be changed to:

'In response it was noted that safety measures would be complied with due to Construction Design Management (CDM) regulations'

DEV58 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.

DEV59 - PLAN NO. 08/00459/FUL - PROPOSED 74 NO. NEW DWELLINGS FOR RENT AND SHARED OWNERSHIP COMPRISING A MIX OF APARTMENTS, BUNGALOWS AND 2, 3 AND 4 BED HOUSES.

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

It was noted that 3 letters of representation had been received as mentioned in the report.

Further to the report and discussions the following issues were raised:

- the reference made to car ownership in the social housing sector;
- emergency vehicle, waste collection and recycling vehicle access, as Barnfield Avenue only had one access road;
- safety concerns due to the proximity of the busway and the railway;
- the relationship with the Woodland Trust; and
- whether the scheme was compliant in terms of minimum privacy distances and garden provision.

In response it was noted that the maximum standard in relation to car parking was two cars per dwelling. However, the Registered Social Landlords (RSL's) had requested that policies be applied at the lower standard to reflect the needs of their tenants. In this instance, the allocation was 1.5 per household and Officers were looking at revisions to the layout to maximise this.

With regards to waste and recycling vehicle access, the department concerned has been liaised with. In

addition, discussions were ongoing with the developer regarding traffic restrictions along Barnfield Avenue and it was agreed that the possibility of extending these into the estate be raised.

It was confirmed that a boundary condition has been applied with regards to the busway, which would be discharged, in relation to the comments made by the Committee. In addition, discussions with the Woodland Trust had confirmed that there was only agreement in relation to specific trees. Therefore, the layout would be amended to ensure they were all properly protected and enhanced the development.

RESOLVED: That authority be delegated to the Operational Director – Environmental and Regulatory Services, in consultation with the Chairman, to determine the application or resubmission there of and attach any appropriate conditions and a legal agreement.

(NB. Councillor Leadbetter declared that he was a Councillor from the same Ward as the applicant to avoid any allegations of pre-determination or bias).

DEV60 - PLAN NO. 08/00534/COU - APPLICATION FOR PROPOSED CHANGE OF USE OF VACANT LAND TO RESIDENTIAL GARDEN AND ERECTION OF BOUNDARY FENCE

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

It was noted that since the report one petition had been received and three additional objections had been received. Additional comments have been received from the original objector who feels that Halton Housing Trust have not fully consulted the local community or taken into account past requests about selling the land for extra parking. The objector has also confirmed that the petition is not in any way an act of maliciousness to the applicant.

In relation to concerns expressed regarding the fence and the height of the kerb, it was advised that, providing the fence was behind the cobbled strips, any problems should be avoided. It was agreed that it be clarified with the applicant that the fence must be located at the rear of the cobbles, by way of a condition.

RESOLVED: That Plan No. 08/00534/COU be approved subject to the following conditions:

1. Standard condition relating to timescale and duration of the permission;
2. Within three months of its installation, the timber fence panels shall be painted dark brown to match the existing building and maintained to the satisfaction of the Local Planning Authority (BE2).
3. Prior to commencement of development, site investigation, including mitigation to be submitted and approved in writing. (PR14).
4. Additional location that the fencing shall be located behind the existing cobbles adjoining the boundary of the parking area.

DEV61 - PLAN NO. 08/00537/COU - APPLICATION FOR PROPOSED CHANGE OF USE FROM RETAIL TO HOT FOOD TAKEAWAY

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

It was noted that two objections had been received from the public and one from the Environmental Health Officer, details of which were provided in the report. Since writing the report, additional comments have been received from the objector re-iterating their grounds of objection with regard to litter and anti-social behaviour problems and that there are already enough takeaway premises in the area.

Following the discussions that took place, it was noted that further to the objection from the Environmental Health Officer on the grounds of the property's size, the applicant would have to demonstrate the suitability of the premises for food preparation and proposed methods preventing cross contamination. Furthermore, condition 7 required that details of internal floor layouts and plans be provided. The Committee requested that this condition be strengthened to make it clear that, if the applicant could not comply with this condition, the use should not commence.

In relation to the potential to refuse the application due to health implication, it was noted that relevant policies must first be in place. This was not an option in this instance at the present time. However, existing policies were being reviewed in order to tighten up this area to drive forward to the health agenda.

The Committee was also advised that, from 16 December 2008, a new litter prevention policy would be in force whereby enforcement notices could be served resulting in an immediate £30 fine. Areas that were considered to be hotspots would be patrolled.

Finally, Members requested that a further condition be added limiting the opening hours to 1700 hours to 2355 hours every day.

RESOLVED: That Plan No. 08/00537/COU be approved subject to the following conditions:

1. Standard condition relating to timescale and duration of the permission,
2. Prior to commencement, details of the provision of filtration, including odour filters to suppress odour produced by cooking and food preparation shall be submitted and approved (BE1 and PR3),
3. Prior to commencement, details of the location and noise levels emitted by the fan and motor of the extract system prior to its installation shall be submitted and approved (BE1 and PR2),
4. The extract system should extend at least 1.5m above the eaves of the building and/or the nearest openable window (TC11 and PR3),
5. The extract shall not be impeded by use of a 'Chinaman's hat' or cowl (TC11 and PR3),
6. Details of the provision of a receptacle for use by customers of the premises for the deposit of discarded food wrapping to be submitted to and approved in writing and maintained thereafter (TC11),
7. Details of internal floor layouts and plans are submitted for approval,
8. Opening hours limited to 1700 hours to 2355 hours every day.

DEV62 MISCELLANEOUS ITEMS

It was noted that the following applications had been withdrawn: -

08/00479/OUT Outline application (with landscape matters reserved) for proposed erection of 15 No. dwellings, provision of access and associated works at Eight Towers, Weates Close, Widnes, Cheshire

08/00506/FUL Proposed two storey side extension at 13 Deirdre Avenue, Widnes, Cheshire, WA8 6PA

The following applications had been returned: -

08/00495/FUL Proposed conservatory to rear of 9 Millwood, Runcorn, Cheshire, WA7 6UN

08/00512/FUL Proposed single storey side extension at Hideaway, 5 Cheshyres Lane, Runcorn, Cheshire, WA7 4LG

08/00545/FUL Proposed single storey rear extension at 23 Kensington Close, Widnes, Cheshire, WA8 3BA

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

A decision had been received as follows:-

08/00294/FUL Proposed two-storey side extension at 35 Whernside, Widnes

In addition the Committee was advised that, following the Inspector's decision in relation to Bennetts Lane, that Class C2 use could include medium to secure facilities, the Council was considering whether or not there were grounds for further appeal.

RESOLVED: That the information be noted.

Meeting ended at 7.10 p.m.