

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 12 January 2009 at Civic Suite, Town Hall, Runcorn

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

Apologies for Absence: Councillors Polhill

Absence declared on Council business: None

Officers present: P. Watts, M. Simpson, A. Jones, R. Cooper, A. Pannell, A. Plant, P. Shearer, J. Tully and R. Wakefield

Also in attendance: Two members of the public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

	<i>Action</i>
DEV63 MINUTES	
<p>The Minutes of the meeting held on 8 December 2008, having been printed and circulated, were taken as read and signed as a correct record.</p>	
DEV64 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p>	
DEV65 - 08/00579/COU - PROPOSED CHANGE OF USE OF COMMERCIAL PROPERTY INTO 4 NO DWELLINGS AND 1 NO RETAIL UNIT WITH 1 NO FLAT OVER	
<p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p>	

It was noted that further plans and amendments, shown as Revision B, had been submitted to improve the internal access to the bin storage areas for the 1st floor flat above the retail unit and the retail unit itself. Both these and the first unit on Foster Street share the same internal bin storage area, which would improve the overall development.

No further comments had been received.

It was noted that statements on car ownership of future occupiers should not be made. Following a query with regards to the intended type of retail the unit would be, it was confirmed that this would be general retail.

RESOLVED: That plan No 08/00579/COU be approved subject to the following conditions:

1. Condition specifying amended plans (BE1)
2. Materials condition, requiring the submission and approval of the materials to be used (BE2)
3. Window details to be submitted prior to commencement (BE1)
4. Wheel cleansing facilities to be submitted and approved in writing prior to commencement. (BE1)
5. Travel Plan to be submitted prior to occupation.
6. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
7. Provision of detailed bin storage/provision of bins for the whole development prior to commencement (BE1 and BE2)
8. Provision and implementation of cycle parking provision prior to commencement (TP6); and
9. Conditions relating to restriction of permitted development rights relating to windows (BE1)

DEV66 - 08/00586/FUL - PROPOSED WASTE TRANSFER STATION

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

It was noted that one objection had been received from nearby occupiers as mentioned in the report. Since the report was written the following responses had been received; The Manchester Ship Canal Company (Peel Holdings) had no objection, United Utilities had no objection, English Heritage had no objection.

Following consultation with Environmental Health, additional conditions are recommended, which are listed from No's 18 to 23 below.

RESOLVED: That application 08/00586/FUL be approved subject to the following conditions:

1. Condition relating to time limits
2. Condition for amended plans (BE1 and BE2)
3. Materials condition, requiring the submission and approval of the materials to be used (BE2)
4. Wheel cleansing facilities during construction to be submitted and approved in writing prior to commencement. (BE1)
5. Permanent wheel cleansing facilities during construction to be submitted and approved in writing prior to commencement. (BE1, MW7)
6. Condition relating to scheme and programme for dust suppression (PR1, MW7)
7. Provision and implementation of cycle parking provision prior to commencement (TP6)
8. Condition relating to parking, servicing and turning area to be laid out in accordance with plans (BE1, BE2)
9. Conditions relating to landscaping and final site levels
10. Condition to restricting external storage, and site operations (BE1, MW7 and E3)
11. Condition requiring further site investigations (PR14)
12. Conditions relating to disposal of foul and surface water drainage (BE1)
13. Condition relating to treatment of surface water run-off (BE1)
14. Condition relating to details and installation of oil and fuel interceptors (BE1, MW7)
15. Condition relating to scheme for roof drainage.
16. Conditions relating to the implementation of the tree survey report recommendations (BE1, BE2)
17. Grampian condition for off site highways work to realign the kerb line at the access on Brindley Road (BE1, BE2)
18. Condition that all waste to be stored indoors or undercover on hard surfaced ground, no sorting or operating outside (BE1, MW7)
19. Condition restricting location and heights of stored skips
20. Condition to specify the type of waste to be stored (as given in application)
21. Condition to ensure site is kept tidy and no wind blown litter/dust (BE1, MW7)
22. Condition ensuring all plant, equipment and other

machinery used in connection with the operations and maintenance of the development should be equipped with effective silencing (BE1, MW7); and
23. Condition for details of boundary treatments.

DEV67 - 08/00608/FUL - PROPOSED EXTERNAL ALTERATIONS TO PLANNING APPROVAL 05/00903/FUL

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

It was noted that this application had been previously refused in September 2008 due to a proposed change of use of the site, and nothing to do with the design or physical impact of the application. It was noted that the proposed alterations would not cause any adverse visual impacts upon the surrounding area.

RESOLVED: That application No 08/00608/FUL be approved subject to the following conditions:

- 1 Relation to submitted and approved plans:-
0832 AB-EX-001 (Site Plan);
0832 AB-L-001 (Location Plan – As Built);
0867 AB-A-001 (Building A as built);
0867 AB-B-001 (Building B as built);
0867 AB-C-001 (Building C as built);
0867 AB-D-001 (Building D as built);
0867 AB-E-001 (Building E as built)
Schedule of Amendments (Policy BE1 and BE2)
- 2 Permission relates to the use of the site as approved by the decision of the Secretary of State reference APP/D0650/X/08/2068530 (Policy BE1)

DEV68 - 08/00593/HBCFUL, 08/00594/HBCFUL, 08/00595/HBCFUL, 08/00584/HBCFUL AND 08/00609/HBCFUL

PROPOSED ERECTION OF 2M HIGH ALLEYGATES BETWEEN No 10-12 WAVERTREE AVE AND 9-11 SQUIRES AVE, WIDNES, No 21-23 SQUIRES AVE AND 22-24 WAVERTREE AVE, WIDNES, No 52 AND 53 BRUNNER ROAD, AND 34 AND 36 WAVERTREE AVE, WIDNES, CHESHIRE.

THE ERECTION OF TYPE 3 VEHICULAR ACCESS

GATES (TO BLOCK ENTRY TO ALLEY WHICH IS PARELLEL TO OLLIER STREET AND THOMAS STREET) TOGETHER WITH FENCING AND TYPE 3 GATES TO BLOCK OFF THE ALLEY RUNNING BETWEEN OLLIER STREET AND THOMAS STREET.

PROPOSED ERECTION OF 2 No TYPE 1 PEDESTRIAN ALLEY GATES TO BLOCK OFF ALLEY BETWEEN HADDON DRIVE AND TIVERTON CLOSE.

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

RESOLVED: That application No's 08/00593/HBCFUL, 8/00594/HBCFUL, 08/00595/HBCFUL, 08/00584/HBCFUL and 08/00609/HBCFUL be approved subject to the following conditions:-

1. Standards time limit for implementation, and
2. Requiring colour coating Dark Green BE22.

DEV69 MISCELLANEOUS ITEMS

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

An appeal was lodged following the Council's refusal of the following application:

08/00219/FUL Proposed detached garage at Land to the West of 54 Lunts Heath Road Widnes

A decision has been received as follows: -

07/00510/ELD Application for a Certificate of Lawfulness for proposed use of site as a secure residential care and treatment facility at Bennetts Lane Widnes Cheshire

This appeal was allowed

The application for the Certificate of Lawfulness was refused

in August 2007. The application was submitted following the Council's conclusion that the original application for the site did not allow for the facility to be used as a secure residential care and treatment facility. The Council asserted that the proposed use was a new proposed use for the development, that the new proposed use is a Class C2A use and that the proposed Class C2A use would be a change of use from the permitted Class C2 use. The Inspector considered that it is reasonable that C2 uses would include elements of security that would not make them secure institutions under C2A. The Inspector concluded that the development at Bennetts Lane is significantly less than that which would be required for it to become, for instance, a prison or detention centre. The Inspector found as a matter of fact and degree the proposed use is not a Class C2A use but a Class C2 use for the provision of residential accommodation and care to people in need of care. Therefore the proposed use, given the approved planning permission, is lawful.

It was noted that the following application has been withdrawn: -

08/00519/FUL Retrospective application for retention of
2 No. first floor balconies to rear
elevation at 7 Cannonbury Close
Runcorn Cheshire

RESOLVED: That the information be noted.

Meeting ended at 6.48 p.m.