

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 18 May 2009 in the Council Chamber, Runcorn Town Hall

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

Apologies for Absence: Councillors Thompson, P. Blackmore, Hignett, Leadbetter, Morley and Osborne

Absence declared on Council business: None

Officers present: A. Jones, P. Watts, J. Farmer, A. Pannell, P. Shearer and J. Tully

Also in attendance: 10 Members of the public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

		<i>Action</i>
DEV1	MINUTES The Minutes of the meeting held on 16 March 2009, having been printed and circulated, were taken as read and signed as a correct record.	
DEV2	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.	
DEV3	- 09/00096/FUL - FULL APPLICATION FOR REDEVELOPMENT OF GARAGE/FILLING STATION/FORMER DRILL HALL AND ADJACENT LAND TO DEVELOP/PROVIDE 31 NO. APARTMENTS (UP TO 6 STOREYS) AT SURREY STREET GARAGE & GARAGES, SURREY STREET AND DRILL HALL, GREENWAY ROAD, RUNCORN The consultation procedure undertaken was outlined in the report together with background information in respect of the site.	

The Committee heard a representation from S. Howard, an objector to the scheme. She cited extra traffic, parking restrictions in an already crowded area, right to light, health and wellbeing of residents, nursery access and safety, and development not in keeping with surrounding Victorian terrace style houses as arguments against the application.

The below issues were also raised by local residents and commercial owners:

- car parking for business use – potential for existing garage use to generate far more on street car parking issues than proposed development – in the areas utilised by the development, provision made within the site for both replacement parking for garages to be removed and area to rear of Greenway Road to be gravelled and left essentially as it is in term of its access arrangements. Sufficient areas of on street car parking will remain.
- Access to the rear of Greenway Road – a condition was included in the proposed recommendation for the existing emergency access to the rear of Greenway Road to be maintained for residents and the nursery.
- Interfaced distances – report outlines how the assessment had been made particularly with the 6 storey building. The scheme satisfies the Council's requirements in adding 3m to the standard interface distances for 2-storey development.
- Character – the site was within a mature area of Runcorn, however the most open aspect to the development was to the north which opens out towards the Bridge approach from Runcorn. This was a subjective consideration. It was the officer's view that given the sites relationship with the highway network and nearby developments such as the Railway Station, a more modern design could be sustained. Whereas the replacement building for the Drill Hall itself replicates the existing character given that it was an infill site.
- Structural issues – the issues raised relating to the detachment of the Drill Hall itself and its replacement build were matters which were covered under alternative legislation in Building Regulations.
- Safety issues in the construction of the site are dealt

with through the Health and Safety Executive.

- An additional neighbour objection had been received relating to the loss of an attractive building as the Drill Hall.

The Committee received the following concerns/objections raised by the Manager of Busy Bee's Pre School outlined in the amendments list: Access during construction; access after construction; noise during construction; dust/debris during construction (several children with asthma); effects of demolition vibrations on pre school building; emergency evacuation currently taking place at rear of building and outdoor play area; amendments needed to Busy Bee's insurance policy; disruption to services during construction; loss of access to local park; unsure whether or not the pre-school would need to close during construction; blockage of pavement of Greenway Road would cause disruption; release of vermin during excavation work; disruption of current car parking provision off Albert Road.

The Committee also received and noted the additional conditions which had been amended to the application:

- a) Prior to commencement details to be submitted of existing site levels and adjacent land and proposed finished floor and site levels;
- b) Drainage details;
- c) Details to be submitted to comply with RSS policy EM 18 – renewable and low carbon energy; and
- d) A revised replacement garage/parking space layout which should include removal of the 1st access and widening of the footway leading to the Surrey Street building entrance.

Following the arguments from the public and Council responses, Members requested further information in the form of an artist impression/plans to allow them to see what the development would look like in relation to the existing surrounding buildings. It was agreed therefore that the application be deferred until the next meeting of the Development Control Committee on 8 June 2009.

RESOLVED: That application number 09/00096/FUL be deferred to the next meeting of the Development Control Committee on 8 June 2009, so that the information above can be provided for consideration.

DEV4 - 09/00102/COU - PROPOSED CHANGE OF USE FROM FABRIC SHOP TO ITALIAN TAKE AWAY AND INTERNAL ALTERATIONS, 83 VICTORIA ROAD, WIDNES

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

It was noted that revised comments had been received from Environmental Health with regard to hours of operation, as mentioned in additional condition number 11 below.

RESOLVED: That application number 09/00102/COU be approved subject to conditions relating to the following:

1. Standard condition relating to timescale and duration of the permission.
2. Prior to commencement, details of the equipment shall be submitted to and approved and be in full working order. (BE1, PR2 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 shall extend at least 1.5 metres above the eaves of the building and/or the nearest opening window. (TC11 and PR3)
5. The extract system shall not be impeded by use of a 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. The premises shall not be open for business between the hours of 02:00am and 10:00am. (BE1 and PR2)
8. Prior to commencement details of the perforated shutters showing the levels of perforation to be submitted and approved. (BE16)
9. Prior to commencement details of materials to be used in the proposed shop front to be submitted and approved. (BE2 and BE12)
10. Shutter housing shall remain hidden behind the fascia and shall not protrude from the main front elevation. (BE1 and BE16)
11. The premises shall be open for business between the hours of 10:00am and 2:00 am (Friday – Saturday) and 10:00am and midnight (Sunday – Thursday).

DEV5 - 09/00129/OUT - OUTLINE APPLICATION WITH ALL

MATTERS RESERVED FOR THE DEVELOPMENT OF UP TO 469 RESIDENTIAL DWELLINGS ON LAND AT SANDYMOOR SOUTH, RUNCORN

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

The following additional neighbour objections had been received:

1. Loss of wooded area; loss of skylark habitat; adverse impact on surrounding roads and Daresbury roundabout; houses would not be for first time buyers;
2. Loss of areas to walk dogs; building of flood plain; devaluation of existing houses; more unwanted buildings like offices at Daresbury; loss of views; should build on brownfield sites in borough;
3. Loss of canals countryside to more housing; need for petrol station and supermarket in Norton/Sandymoor area;
4. Increase in traffic and junction issues in relation to opening of new road onto Windmill Avenue;

It was noted that United Utilities responded with no objection and advised on access strips over existing public sewers.

The following additional conditions were noted as added to the amendment list:

1. Details to be submitted to comply with RSS policy EM18 – renewable and low carbon energy.
2. 4NW had raised no objection to the proposal.
3. The Environment Agency had raised no objections to the scheme but had recommended conditions relating to:
 - a) Development to be carried out in accordance with the approved FRA;
 - b) Completion of the approved ecological enhancement works prior to commencement of development;
 - c) Prior to commencement submission and approval of buffer zone alongside Sandymoor Brook; plus informative relating to sustainable drainage methods.
4. Prior to commencement details of a management plan in relation to provision and maintenance of landscape areas.

It was requested that Members approved the following additional conditions and minor changes to conditions on the recommendation in relation to phasing:

- a) Add the model condition in relation to phasing from Circular 11/95 (No.42);
- b) Additional wording to include reference to 'each phase' in the relevant conditions;
- c) 5 additional highway conditions in relation to details for the making up of the access way from Windmill Hill Avenue East and associated footways and footpaths to adoptable standards and future delivery of these infrastructure works as follows:-

1. Prior to commencement details shall be submitted showing works to bring the Windmill Hill Avenue East connection road up to an adoptable standard, including bend realignment, new footway and cycleway connections.

Reason:- In the interests of highway safety and to comply with Policies BE1 and TP17 of the Halton Unitary Development Plan.

2. Prior to the occupation of the 149th dwelling or within 4 years after the commencement of the development whichever is the sooner, the details as approved for works to bring the Windmill Hill Avenue East connection road up to an adoptable standard, including bend realignment, new footway and cycleway connections and assessment and any improvements necessary for the adoption of the Canal Bridge structure shall be implemented in full to the satisfaction of the Local Planning Authority.

Reason:- In the interests of highway safety and to comply with Policies BE1 and TP17 of the Halton Unitary Development Plan.

3. Prior to commencement details shall be submitted showing off-site works to the existing highway to add/upgrade footways/footpaths as agreed with the Local Planning Authority linking Windmill Hill Avenue East to the development sites, to be agreed in writing by the Local Planning Authority.

Reason:- In the interests of highway safety and to comply with Policies BE1 and TP17 of the Halton Unitary Development Plan.

4. Prior to the occupation of the 149th dwelling or within 4 years after the commencement of the development whichever is the sooner, the details as approved for off-site works to the existing highway to add/upgrade a footway/footpaths as agreed with the Local Planning Authority linking Windmill Hill Avenue East to the development sites shall be implemented in full to the satisfaction of the Local Planning Authority.

Reason:- In the interests of highway safety and to comply with Policies BE1 and TP17 of the Halton Unitary Development Plan.

5. Within 18 months of the commencement of development details shall be submitted of any improvements necessary for the adoption of the Canal Bridge structure.

Reason:- In the interests of highway safety and to comply with Policies BE1 and TP17 of the Halton Unitary Development Plan.

RESOLVED: That

- a) Application number 09/00129/OUT be approved subject to the decision being delegated to the Operational Director – Environmental and Regulatory Services, in consultation with the Chair or Vice Chair subject to the application not been called in by the Secretary of State;
- b) Sandymoor Section 106 agreement; and
- c) Conditions relating to the following and additional ones mentioned above:
 1. Reserved matters condition for the submission of and approval prior to the commencement of development; (in accordance with the Town & Country Planning Act 1990);
 2. Time limit for the submission of reserved matters; (in accordance with the Town & Country Planning Act 1990) up to a period of 10 years from the approval of outline planning permission;
 3. Reserved matters to be submitted and carried out as approved; (in accordance with the Town & Country Planning Act 1990)
 4. The number of final dwellings dependant upon the scheme satisfying all the conditions and

restrictions imposed on the outline permission;
(H2, BE1 and BE2 – New Residential Guidance
and Sandymoor Masterplan SPD)

5. Prior to occupation of the 149th dwelling constructed on the first phase of development, provision of an agreed traffic calming system to be provided for use by residential traffic only, along Walsingham Drive; (BE1 and TP17)
6. Prior to commencement the details of vehicle access to be agreed; (including off site works) (BE1 and BE2)
7. Prior to commencement written details and agreement of construction vehicle access routes and construction car parking; (BE1)
8. Development to be in accordance with the approved design guide where this does not conflict with Council policy; (H2, BE1 and BE2, New Residential Guidance and Sandymoor Masterplan SPD)
9. Suitable provision of car parking including disabled parking in accordance with Council policy; (BE1 and BE2)
10. Prior to commencement provision of pre-development site levels and proposed finished floor levels; (BE1)
11. Prior to commencement measures for protection of trees to be retained during construction to be submitted and approved and implement prior to commencement; (BE1 and GE27)
12. Development to be undertaken under the terms of the submitted Tree Survey, the principles and compensatory planting outlined in Drawing RSK/H/P40115/02/17/06/04/01;
13. Prior to commencement detailed landscaping scheme to be submitted and approved; (BE1 and GE27)
14. Prevention of any tree felling without consent; (BE1 and GE27)
15. Prior to commencement terrestrial habitats survey and necessary mitigation measures; (BE1, GE21 and GE25)
16. Prior to commencement a scheme of protective measures for wildlife during the course of construction to be submitted and approved; (BE1, GE21 and GE25)
17. Prior to commencement a survey for ground nesting birds to be submitted and approved; (BE1 and GE21)
18. Prior to commencement provision of a scheme showing 6m wide strip between the proposed

development and Sandymoor Main Ditch to be approved and implemented prior to commencement; (BE1 and GE21)

19. Prior to commencement provision of scheme of boundary treatment and landscaping scheme to Sandymoor Main Ditch to be approved and installed prior to commencement on site; (BE1 and GE21)
20. Prior to commencement provision of mitigation scheme for great crested newts to be implemented prior to commencement on site; (BE1 and GE21)
21. Prior to commencement ground investigations for potential pollutants and remediation scheme where necessary; (BE1 and PR6)
22. Prior to commencement provision of a drainage scheme to be submitted and approved; (BE1)
23. Prior to commencement details of protection during development of adjacent woodland to be submitted and approved; (BE1, GE21 and GE27)
24. Prior to commencement provision and use of wheel cleansing facilities during course of construction to be submitted and approved; (BE1)
25. Restricted hours of development and deliveries related to development during construction period; (BE1)
26. All construction traffic and construction delivery traffic shall access via Windmill Hill Avenue East and at no time via Walsingham Drive; (BE1)
27. Provision of required bin storage facilities for all individual dwellings at developer's expense. (BE1)

DEV6 - 09/00140/COU - PROPOSED CHANGE OF USE FROM UPHOLSTERY SHOP TO GROUND FLOOR CAFE (A3 USE CLASS) AND FIRST FLOOR FLAT AT 69 CHURCH STREET, RUNCORN

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

It was noted that amended plans had been received, removing the step in the middle of the floor, and providing an indicative seating/table plan layout.

RESOLVED: That application 09/00140/COU is refused as the proposed use was not considered to contribute to the vitality and viability of Runcorn Town Centre, nor add to the range and quality of shops. It was therefore considered that this proposal would be contrary to

the aims of the UDP for town centres and shopping.

DEV7 - 09/00135/ADJ - ADJOINING AUTHORITY CONSULTATION BY KNOWSLEY COUNCIL FOR RELOCATION OF EXISTING ACCESS AT CRONTON NURSERY, CRONTON ROAD, WIDNES

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

RESOLVED: That there is no objection to application 09/00135/ADJ and it was agreed that a letter be sent to Knowsley MBC stating that Halton Borough Council have no objections to the proposal, subject to Knowsley MBC being satisfied that the proposal satisfied best highway practice and is in line with the Knowsley Unitary Development Plan.

DEV8 MISCELLANEOUS ITEMS

It was noted that an appeal had been lodged following the Council's refusal of the following application:-

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

This appeal was dismissed

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

08/00367/COU Proposed use of existing building for secure care and treatment of medium and low secure mentally ill patients (25 No. medium and 50 No. low secure) Use Class C2 at Meadow Lodge Bennetts Lane Widnes

08/00368/COU Proposed use of existing building for secure care and treatment of low secure mentally ill patients (Maximum 75 patients) Use Class C2A at Meadow Lodge Bennetts Lane Widnes

08/00382/FUL External alterations to planning application 05/00903/FUL at Meadow

Lodge Bennetts Lane Widnes

08/00531/FUL	Proposed conversion of existing building to a single dwelling at Place Farm Warrington Road Rainhill Widnes
07/00340/FUL	Proposed single storey extension to south side of 48-49 The Croft Runcorn
08/00371/FUL	Proposed single storey side extension at 47 Russell Road Runcorn
08/00544/FUL	Proposed single storey /two storey rear extension and loft conversion with rear dormer at 16 Cartwright Street Runcorn
09/00015/OUT	Outline application with all matters reserved for proposed light industrial warehouse/office (up to 450sq.m. gross floorspace) on Land To East Of Okell Street Runcorn
09/00030/EDU	Proposed access ramp to link lower and upper school play grounds at West Bank Primary School Cholmondeley Street Widnes
09/00045/TPO	Proposed felling of 1 No Sycamore tree on Land To Rear Of 7 Main Street Runcorn
09/00048/FUL	Proposed single storey/two storey rear extension, front entrance porch and detached garage at 27 Norlands Lane Widnes
09/00085/FUL	Proposed amendment to car parking layout in relation to approval 07/00096/COU at Lunts Bridge Farm Lunts Heath Road Widnes
09/00090/FULTEL	Proposed Telefonica O2 UK Ltd base station at Highway Verge Hallwood Link

Road / Whitehouse Expressway
Junction, Runcorn

RESOLVED: That the information be noted.

Meeting ended at 7.05 p.m.