

## DEVELOPMENT MANAGEMENT COMMITTEE

*At a meeting of the Development Management Committee on Tuesday, 5 December 2023 at the Civic Suite, Town Hall, Runcorn*

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

Apologies for Absence: Councillors Bevan, Davidson and C. Plumpton Walsh

Absence declared on Council business: None

Officers present: A. Jones, A. Plant, A. Evans, G. Henry, L. Wilson-Lagan, A. Blackburn and L. Crampton

Also in attendance: Councillor Ryan, 16 members of the public and one member of the press

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

	<i>Action</i>
DEV27 MINUTES	
The Minutes of the meeting held on 2 October 2023, having been circulated, were taken as read and signed as a correct record.	
DEV28 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.	
DEV29 20/00476/FUL - PROPOSED REFURBISHMENT OF EXISTING CARNEGIE LIBRARY BUILDING TO PROVIDE A NEW COMMUNITY HUB, DEMOLITION OF WATERLOO CENTRE, ERECTION OF NEW BUILD DEVELOPMENT OF 29 ONE BEDROOM SUPPORTED LIVING/EXTRA CARE APARTMENTS WITH ANCILLARY FACILITIES, PROVISION OF ACCESS, PARKING AND LANDSCAPING AND 20/00477/LBC - APPLICATION FOR LISTED BUILDING CONSENT FOR PROPOSED REFURBISHMENT OF EXISTING CARNEGIE LIBRARY BUILDING TO PROVIDE A NEW COMMUNITY HUB, DEMOLITION OF WATERLOO CENTRE AND REMEDIAL	

WORKS TO ADJACENT LISTED BUILDING. BOTH AT WATERLOO CENTRE & CARNEGIE LIBRARY, EDGERTON STREET, WATERLOO ROAD, RUNCORN, WA7 1JL

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

Since the publication of the agenda a further 24 objections had been received for application 20/00476/FUL, citing issues that were addressed through the report.

Members were informed of a correction to the report which referred to the 2015 Direction on arrangements for dealing with heritage applications which should refer to the 2021 Direction, but was not considered to affect the assessment contained within the report. Members were also reminded of the provisions of paragraph 196 of the Framework which provides that:

*“Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision”.*

Members were advised that the loss of the non-designated heritage asset building results in a negative factor which must be considered in the overall balance of the decision, however, as stated within the report, that would be outweighed by the outlined benefits.

The Committee was addressed by Mr Goodwin, the Applicant, who introduced Signature Housing Group as a not-for-profit organisation, operating a number of sites in the Country. In respect of application 20/00476/FUL, he commented that:

- The proposal made use of a derelict brownfield site;
- It would provide much needed supported living accommodation, in particular for dementia patients, and includes a community garden;
- The proposal complied with the policies relating to the development;
- The site was sustainable, with good public transport links and near the town centre;
- In its present condition, the Waterloo Centre was not viable and considered to be beyond repair, so should be demolished for safety reasons;
- In its present state the Waterloo Centre was a risk to

- the adjoining building, Carnegie Library; and
- The Council had also determined that due to the dangerous condition of the building, demolition was the only viable option to remove the danger.

In respect of application 20/00477/LBC, he stated that:

- The refurbishment of the existing Carnegie Library would bring an unused listed building back into use;
- It would provide a new community hub, housing 3 meeting rooms;
- The Council's Conservation Officer has considered the proposal and agreed that was acceptable and *'would bring the long term vacancy of the building to an end and create a vibrant community hub'*; and
- The scheme will generate a range of benefits for the local community, community groups and individuals.

Members considered the Applications and shared the opinion that it was sad to see the dereliction of the site, considering its history. They agreed that it would be good for the community to have the Carnegie Library restored so that it could be brought back into public use.

Questions relating to unmet demand for this type of accommodation and lift provision were responded to. Members were referred to the plans where the location of the lift was clarified. It was noted that although there was no evidence of unmet demand, Policy CS(R)12 (2) of the DALP, states that *proposals for new specialist housing for the elderly, including extra-care and supported accommodation, will be encouraged in suitable locations, particularly those providing easy access to local services and community facilities.*

Officers confirmed that the application was for supported living / extra care accommodation and this being changed in future to HMO accommodation would not be allowed under current permitted development rights. Questions relating to the conservation adviser responses and parking concerns were also addressed by Officers.

Both Applications were moved and seconded and the Committee agreed to approve them, subject to the conditions listed.

RESOLVED: That the applications be approved subject to the following conditions:

20/00476/FUL

1. Time limit;
2. Approved plans;
3. Use restriction – Community Hub – Use Class F2(b) – Hall of meeting places for the principal use of the local community;
4. Existing and proposed elevation drawings to show areas of repair and change. Including elevation drawing of the infill section where link removed between the Carnegie Library and Waterloo House;
5. Elevation and section of no more than 1:20 of proposed new window to infilled section of the Carnegie Library;
6. Building recording – Waterloo House;
7. Archaeological watching brief;
8. External facing materials;
9. Implementation of tree protection measures;
10. Boundary treatments scheme;
11. Soft landscaping scheme;
12. Off site highway works;
13. Parking and servicing provision;
14. Electric vehicle charging point scheme;
15. Cycle parking scheme;
16. Construction management plan;
17. Construction hours;
18. Site waste management plan/audit;
19. Demolition between November – February or licensed bat ecologist present;
20. Bat box scheme;
21. Lighting scheme to protect ecology;
22. Breeding bird protection;
23. Bird nesting box scheme;
24. Biodiversity net gain plan;
25. Additional site investigation / Remediation Strategy / Verification reporting;
26. Drainage strategy;
27. Separate system for foul and surface water drainage;
28. Acoustic risk assessment; and
29. Sustainable development and climate change scheme.

20/00477/LBC

1. Time limit;
2. Approved plans;
3. Existing and proposed elevation drawings to show areas of repair and change. Including elevation drawing of the infill section where link removed between the Carnegie Library and Waterloo House;

4. Updated and detailed schedule of works for each area of work in the Carnegie Library including photographs and methodology;
5. Elevation and section of no more than 1:20 of proposed new window to infilled section of the Carnegie Library;
6. Details and drawing of new gate to top of spiral stair and fencing to Egerton Street elevation;
7. Details of secondary glazing to all windows;
8. Details of any new doors to be added (internal or external); and
9. Methodology for vegetation removal.

DEV30 22/00493/OUT - OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS, FOR RESIDENTIAL DEVELOPMENT (USE CLASS C3) OF 17 DWELLINGS ON LAND AT SUMNERS FARM, EAST OF BARKERS HOLLOW ROAD, PRESTON ON THE HILL, WA4 4AZ

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

Officers advised that neighbouring and Parish Council objections related to a misunderstanding about the allocation of the land and highway safety. It was confirmed that the site is located within the Primarily Residential Area and was not Green Belt or Safeguarded Land. With regards to access, the Applicant had worked with the Highway's Officer and the means of access was now deemed acceptable, with suggested conditions being in the interests of highway safety.

The Committee was addressed by Mr Harris, the Agent acting on behalf of the Applicant. He stated that:

- The site was now designated within the Local Plan for development;
- The proposal is for 17 homes, which include 4 affordable;
- All outline matters had been agreed;
- Ecology and trees issues were to be secured by conditions; and
- The proposal was in accordance with the Council's policies and National Planning and Policy Framework (NPPF).

The proposal was moved and seconded and the Committee agreed that it be approved.

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

a) entering a Legal Agreement, under Section 106 of the Town and Country Planning Act 1990, with the Council land relating to:

- i. Affordable housing;
- ii. Off-site public open space contribution; and
- iii. TRO contribution to extend the 30mph zone.

b) conditions listed below:

1. Time limit – outline permission;
2. Submission of reserved matters;
3. Development parameters;
4. Breeding birds protection (HE1);
5. Bird boxes (HE1);
6. Hours of construction (GR2);
7. Implementation of site access (C11);
8. Parking and servicing (C1 and C2);
9. Visibility splays on Barkers Hollow Lane (C1);
10. Construction Environmental Management Plan (CEMP) including reasonable avoidance measures – common amphibians;
11. Ecologically sensitive lighting scheme (GE21);
12. Drainage strategy/verification (HE9);
13. Ground contamination (site investigation, risk assessment, remediation strategy, validation report) (HE8);
14. Submission of a Biodiversity Net Gain Assessment (including updated metric);
15. Securing off-site highway works;
16. Arboricultural survey and methodology report (HE5);
17. Waste management plan (WM8 and WM9); and
18. Submission and implementation of an operational energy scheme to demonstrate energy consumption/carbon reduction.

c) that if the S106 Agreement or alternative arrangement was not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair of the Committee to refuse the application.

DEV31 22/00638/FUL - PROPOSED DEVELOPMENT OF 13 DWELLINGS (USE CLASS C3) WITH ASSOCIATED LANDSCAPING, ACCESS/EGRESS, PARKING AND

## ASSOCIATED WORKS ON LAND BOUNDED BY CHURCH END AND TOWN LANE, HALE, L24 4AX

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

The published AB list referred to two corrections in the report; these were noted by Members. Also, the following additional conditions were to be added to the recommended schedule of conditions as follows:

- Hedgehog highway details;
- Carbon reduction scheme;
- Construction dust mitigation scheme;
- Unsuspected contamination condition; and
- Contaminated land remediation verification condition.

Officers clarified two points, one relating to the matter of two trees, which are proposed to be removed. The other relating to the values of Section 106 Agreements, which were omitted from the report. The values were confirmed as being £3,617.38 towards recreational pressure and £17,587.14 towards off site open space.

It was also reported that one further objection had been received since the publication of the agenda; the points raised in the objection are summarised as:

- Proposal is for 13 dwellings, guideline states 12 dwellings;
- How can Halton need more 4 bed roomed dwellings;
- There is a need for affordable homes;
- There is a need for properties to cater for older residents;
- Danger of a road next to a school; and
- The ancient duck pond is not preserved.

Responses were provided to each by the Case Officer in the following terms:

- The DALP allocation carried a notional indicative capacity of 12 units;
- The strategic housing needs of the local housing market were set out in the report. Page 159-162 of the agenda;
- The scheme is contributing three affordable housing units as part of the proposal;
- There is no requirement of the site allocation to cater

- for a specific demographic of the population;
- A grant of planning permission would see the development proposal implemented in accordance with building regulations that require non discriminatory provisions such as level access, downstairs toilets etc;
  - A pond feature is present on site, a recent visit found it to contain water. There are no records of Great Crested Newts within 1km of the site boundary. The pond was recorded as dried up during a contaminated land survey. Recent observations recorded that a large portion of the pond had paddock grass growing at its centre, supporting earlier recordings of it being dried up. Given the lack of maintenance of the pond and its present condition, it is considered to be of low quality and low grade. Removal of the pond would not cause harm to biodiversity that would justify refusal pursuant to paragraph 180a of the NPPF or Policy HE1 of the Halton Delivery and Allocations Plan. The pond is located in the area where three affordable properties are proposed to be built. Page 163 of the agenda notes the precarious viability of the scheme. Further erosion of the viability with regard to the loss of developable land is a material consideration. The delivery of three affordable residential units is of materially greater worth than the retention of the pond; and
  - Concerns of highways safety were addressed by the Council's Highways Officer, who commented that full consideration had been given to the impact of the development upon the adjacent school access point.

The Application was moved and seconded and the Committee approved it, subject to the conditions listed below with the addition of the 5 additional conditions mentioned above.

**RESOLVED:** That authority be 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 HRA (Habitats Regulations Assessment) compliance. Upon satisfactory resolution that the Application be approved subject to the following:

- a) Section 106 Agreement that secures the terms set out in the Legal Agreement section of the report;



b) schedule of conditions set out below and recommended conditions that follow with any additional conditions recommended through the resolution of the HRA compliance issue to be added:

1. Time limit;
2. Plans;
3. Materials to be agreed (RD3 and GR1);
4. Submission of existing and proposed site levels (GR1);
5. Tree protection measures (HE5);
6. Submission of bird box scheme (CS(R)20 and HE1);
7. Protection of mammals during construction (CS(R)20 and HE1);
8. Electric vehicle charging points scheme (C2);
9. Ground contamination (CS23 and HE8);
10. Visibility splays (C1 and C2);
11. Submission of a cycle parking scheme (C2);
12. Verification of the Sustainable Urban Drainage Scheme – CS23 and HE9);
13. Waste management plan (WM8);
14. Sewage disposal (HE9);
15. Construction management plan (C1);
16. Limited construction hours (GR2);
17. Detail hard standing agreed (C2 and HE9);
18. Access constructed prior to occupation (C1);
19. Landscaping (GR1, GR3 and HE5);
20. Hedgerows retained or mitigation (CS(R)20 and HE1);
21. Acoustic mitigation (GR2);
22. Hedgehog highway details;
23. Carbon reduction scheme;
24. Construction dust mitigation scheme;
25. Unsuspected contamination condition; and
26. Contaminated land remediation verification condition.

c) that if the S106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair of the Committee to refuse the application.

## DEV32 MISCELLANEOUS ITEMS

The following appeals had been received / were in progress:

**22/000304/FUL**

Proposed demolition of existing garage and erection of two storey side extension and single storey front and rear extensions at 9 Windermere Avenue, Widnes.

The following appeals had been determined:

**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, Hare Road and Baileys Lane to the east of Liverpool John Lennon Airport, Speke, Liverpool, L24 1YD – Allowed

*Meeting ended at 7.30 p.m.*