

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 16 June 2014 at the Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Morley (Vice-Chairman), Cole, R. Hignett, S. Hill, C. Plumpton Walsh, June Roberts, Rowe, J. Stockton, Thompson, Wainwright, B. Woolfall and Zygadlo

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, M. Noone, A. Plant, P. Shearer, J. Farmer and W. Watson

Also in attendance: 6 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 12 May 2014, having been 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	- 12/00429/OUT - OUTLINE APPLICATION FOR THE ERECTION OF UP TO 32 DWELLINGS WITH MAIN ACCESS FROM DERBY ROAD WITH ALL OTHER MATTERS RESERVED, ON LAND AT DERBY ROAD, WIDNES The consultation procedure undertaken was outlined in the report together with background information in respect of the site. Members were advised that the proposed	

development was consistent with the aims of national and local policies relative to the site, subject to a Section 106 Agreement for biodiversity off-set payment; off-site public open space contribution and compensation for loss of greenspace; and conditions relating to drainage, landscaping and residential amenity.

If Members approved the application today, they were requested to delegate the final decision to the Operational Director – Planning, Policy and Transportation, in consultation with the Chairman or Vice Chairman, once further ground investigations had been undertaken.

It was reported that since the publication of the report one further objection had been received from a local resident as stated in the update list.

It was noted that the sentence on page 25 of the report “and a contribution towards a drainage scheme should future reserved matters drainage details be adopted” should be removed from the recommendations.

The Committee was addressed by Mr Frazer Sandwith, agent for the applicant. He commented the scheme would provide high quality family homes which would contribute to addressing the housing shortfall in Halton. He stated that all statutory consultation had been completed and there was no evidence that the scheme was unacceptable in any way.

Having considered the information before them and the representations made, Members voted to approve the application.

RESOLVED: That the application be approved subject to the following conditions and subject to a S106 Agreement for: a financial biodiversity off-set payment in lieu of site mitigation for the loss of part of a local Wildlife Site; off-site public open space; loss of an area of Greenspace:

1. Standard outline conditions for the submission of reserved matters application x 3 conditions (BE1);
2. Amended plans (BE1 and TP17);
3. Prior to commencement the submission of a reserved matters proposal which incorporates a full proposal for drainage of the site (BE1);
4. Prior to commencement submission of levels (BE1);
5. Prior to commencement submission of cross sections/calculations in association with achieving the access to the site from Derby road (BE1);

6. Prior to commencement submission of materials (BE1 and CS11);
7. Prior to commencement submission of hard and soft landscaping (BE1);
8. Prior to commencement submission of construction management plan (TP17);
9. Prior to commencement submission of a construction management plan which will include wheel cleansing details (TP17);
10. Avoidance of actively nesting birds (BE1);
11. Prior to commencement details of on-site biodiversity action plan for measures to be incorporated in the scheme to encourage wildlife (GE21);
12. Prior to commencement details of a landscape proposal and an associated management plan to be submitted and approved (BE1 and BE2);
13. Prior to commencement details of bin store and service areas (BE1 and BE2);
14. Prior to commencement details of secured cycle storage (TP6);
15. Prior to commencement details of boundary treatment (BE22);
16. The reserved matters application shall include a layout drawing showing how proposed dwellings/plots respect the Council's adopted interface standards and guidance of 21m between habitable room windows and 13m between habitable room windows and blank elevations. Where a dwelling is positioned at an oblique angle to an existing dwelling, the interface distance will need to be met (BE1);
17. The development hereby permitted shall not be commenced until such time as, a scheme demonstrating that finished floor levels of all proposed residential dwellings are to be set at a minimum of 36.66m OAD, has been submitted to and approved in writing by the local planning authority (BE1, PR16, CS2, CS19, CS23);
18. The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by the local planning authority (BE1, PR16, CS2, CS19, CS23);
19. The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the local planning authority (BE1, PR16, CS2, CS19, CS23);
20. No development shall take place until a scheme for

the provision and management of an 8 metre wide buffer zone alongside the Bowers Brook watercourse and floodplain shall be submitted to and agreed in writing by the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The scheme shall include:

- Plans showing the extent and layout of the buffer zone;
- Details of any proposed planting scheme (for example, native species);
- Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan;
- Details of any proposed footpaths, fencing, lighting;
- Where a green roof is proposed for use as mitigation for development in the buffer zone, ensure use of appropriate substrate and planting mix.

Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority (BE1, PR16, CS2, CS19, CS23).

21. No development shall take place until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following elements:

- Protective provisions for the Bowers Brook watercourse/pond/wetland;
- Detail extent and type of new planting (NB planting to be of native species);
- Details of maintenance regime;
- Details of any new habitat created on site;
- Details of treatment of site boundaries and/or buffers around water bodies; and
- Details of management responsibilities.

22. No development shall take place until a detailed method statement for removing or the long term management/control of Japanese Knotweed on the site has been submitted to and approved in writing by

the local planning authority. The method statement shall include measures that will be used to prevent the spread of Japanese Knotweed during any operations eg. Mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/root/stem of any invasive plant listed under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement (BE1);

23. The future reserved matters proposal shall incorporate a provision for on-site play space (BE1);
24. The future reserved matters proposal shall result in development of no greater than 28 dwellings per hectare (BE1);
25. The future reserved matters proposal shall incorporate a buffer area of at least 15m (from the edge of the woodland and the Brook) to be retained and incorporated within a new boundary of the Local Wildlife Site. This may include areas where ponds could be located providing that a 6m undisturbed margin is left by the edge of the Brook and woodland (BE1, GE19, CS20);
26. No development shall begin until details of a wildlife mitigation scheme, resulting in a site with significant wildlife value, has been submitted to and approved (BE1, GE19, CS20); and
27. No development shall begin until details of a long term management plan for the future management and maintenance of the Brook and any ponds or features for the benefit of wildlife, has been submitted to and approved (BE1, GE19, CS20).

Councillor Cole declared a Disclosable Other Interest in the following item as he was a Board Member of Halton Housing Trust so took no part in the debate or voting.

DEV4 - 14/00075/FUL - PROPOSED DEMOLITION OF EXISTING INDUSTRIAL WAREHOUSE UNIT AND CONSTRUCTION OF 21 NO TWO BED FOUR PERSON HOUSES AND AN APARTMENT BLOCK COMPRISING 9 NO TWO BED THREE PERSON APARTMENTS AND 9 NO ONE BED TWO PERSON APARTMENTS ON LAND TO THE NORTH EAST OF JUNCTION BETWEEN WARRINGTON ROAD AND PAGE LANE, WIDNES, CHESHIRE

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

Members were advised that the proposed site layout had been amended to improve visibility adjacent to Page Lane at the request of the Highway Officer. Also, an additional informative relating to the stopping up of an area of adopted highway should be attached.

It was noted that discussions regarding the viability of the scheme as a result of the commuted sum in lieu of on-site open space provision, had resulted in the Council's Principal Surveyor concluding that the payment of the commuted sum would not render the scheme unviable and the recommendation remained unaltered.

RESOLVED: That the application be approved subject to the signing of a Section 106 agreement securing a commuted sum in lieu of on-site open space provision, and the following conditions:

1. Time limit – full permission;
2. Approved plans;
3. Site levels (BE1);
4. Facing materials to be agreed (BE1 and BE2);
5. Landscaping and boundary treatments scheme (scheme to be agreed);
6. Breeding birds protection (GE21);
7. Protection of trees – construction phase (BE1);
8. Hours of construction (BE1);
9. Dust suppression during construction (BE1);
10. Construction management plan (Highways) (BE1);
11. Wheel wash (BE1);
12. Removal of permitted development – all dwellings (BE1);
13. Provision of affordable housing (CS13);
14. Implementation of recommendations in Environmental and Intrusive Noise Study (PR2);
15. Ground contamination (PR14);
16. Visibility splay (vehicles) – junction with Page Lane (BE1);
17. Provision and retention of In Curtilage Parking – dwellings – plots 19-39 – (BE1);
18. Provision and retention of parking – apartments – plots 1-18 (BE1);
19. Provision of cycle parking (BE1);
20. Disposal of surface water to be agreed (PR16)
21. Japanese knotweed; and
22. Biodiversity enhancements (GE21).

WITH ASSOCIATED INFRASTRUCTURE AND
LANDSCAPING ON LAND OFF BEECHWOOD AVENUE,
RUNCORN, CHESHIRE

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

Since the report was published further ecological information had been submitted to accompany the application. Cheshire Wildlife Trust had considered this and had requested that some further information be provided, however the recommendation as set out in the report remained unaltered.

RESOLVED: That the application be approved subject to:

- a) delegated powers being given to the Operational Director – Policy, Planning and Transportation, in consultation with the Chairman or Vice Chairman of the Development Control Committee to make the decision once the details have been received and consulted on AND the application has been referred to the Health and Safety Executive to request whether or not they wish the application to be called in by the Secretary of State;
- b) any additional conditions required in relation to biodiversity and the signing of a Section 106 agreement securing a commuted sum in lieu of on-site open space provision; and
- c) the following conditions:
 1. Time limit – full permission;
 2. Approved plans;
 3. Site levels (BE1);
 4. Facing materials to be agreed (BE1 and BE2);
 5. Landscaping and boundary treatments scheme (scheme to be agreed);
 6. Breeding birds protection (GE21);
 7. Protection of trees – construction phase (BE1);
 8. Hours of construction (BE1);
 9. Dust suppression during construction (BE1);
 10. Construction management plan (highways) (BE1);
 11. Wheel wash (BE1);
 12. Removal of permitted development – all dwellings (BE1);
 13. Provision of affordable housing (CD13);

14. Ground contamination (PR14);
15. Visibility splay (vehicles) – junction with Beechwood Avenue (BE1);
16. Provision and retention of In Curtilage Parking (BE1);
17. Off-site highway works – footway from Wood Lane to bus stop to the North West of Cherry Blossom Avenue (BE1);
18. Carriageway, footway and highway verge to eastern boundary (BE1);
19. Surface water drainage scheme (PRE16);
20. Foul drainage scheme (PR16); and
21. Biodiversity enhancement (GE21).

DEV6 - 14/00151/FUL - SITING OF A MODULAR BUILDING TO PROVIDE A GP SURGERY FOR A FURTHER TEMPORARY PERIOD OF 3 YEARS ON LAND AT WINDMILL HILL COUNTY PRIMARY SCHOOL, NORTON HILL, RUNCORN

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

RESOLVED: That the application be approved, subject to officers writing to the Secretary of State providing him with 21 days to consider whether the application should be called in. If the application is not called in, the decision notice is to be issued subject to the following conditions:

1. Time limits – 3 year temporary period;
2. Condition in relation to reinstatement of the pitch; and
3. Restoration of the site back to playing field following the cessation of use and the removal of the building.

DEV7 - 14/00162/FUL - PROPOSED RESIDENTIAL DEVELOPMENT OF 13 DETACHED HOUSES, ASSOCIATED GARAGES, PRIVATE OPEN SPACE AND PRIVATE ACCESS ROAD AT FORMER DAWSONS DANCE CENTRE, LUNTS HEATH ROAD, WIDNES

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

Members were advised that the site was located within the Green Belt and was identified as such in Policy GE1 of the UDP. It did not therefore accord with the current

adopted development plan policy so was advertised as a departure.

The updated report advised that the recommendation for a Section 106 Agreement for the establishment of a management company to maintain the amenity space and the private road and pond was no longer necessary, as these were matters that could be adequately controlled through planning conditions. Three further planning conditions were therefore required as follows:

- A landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (including hard and soft landscaping and the pond), other than small, privately owned, domestic gardens, shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for permitted use. The landscape management plan should be carried out as approved;
- No dwelling shall be occupied until the access and car parking has been laid out in accordance with the approved plans; and
- Approved plans.

RESOLVED: That the application be approved subject to the following conditions, the inclusion of the three conditions mentioned above, and subject to the application being referred to the Secretary of State:

1. Standard condition relating to timescale and duration of the permission;
2. Wheel wash condition required for construction phase (BE1);
3. Parking conditions (2 separate conditions) to ensure access and parking is provided and maintained at all times. The use of the premises shall not commence until the vehicle access and parking has been laid out (TP12);
4. Landscaping condition(s) is required to ensure comprehensive development of the site (BE2);
5. Drainage condition, requiring the submission and approval of drainage details (BE1);
6. Construction hours to be adhered to throughout the course of the development (BE1);
7. Delivery hours to be adhered to throughout the

- course of the development (BE1);
8. Materials condition, requiring the submission and approval of the materials to be used (BE2);
 9. Remediation Strategy to be submitted and approved in writing (PR14);
 10. A condition and removing permitted developments from the property including extension, detached buildings, porches, boundary treatments, hard standing, roof alterations and garage conversions (BE1);
 11. Details of off-site highway works, to include a refuge island and an extension to the ghost island, to be submitted to, agreed and constructed prior to commencement of development (BE1); and
 12. Plans condition.

Councillor Cole declared a Disclosable Other Interest in the following item as he was a Board Member of Halton Housing Trust so took no part in the debate or voting.

DEV8 - 14/00168/FUL - PROPOSED ERECTION OF 10 1 BEDROOM APARTMENTS WITH INDIVIDUAL ACCESS DOORS ARRANGED IN 2 NO TWO STOREY HEIGHT BLOCKS WITH ASSOCIATED LANDSCAPING AND PARKING ON LAND TO THE WEST OF 19 CROW WOOD LANE, WIDNES

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

Members were advised that the report outlined the requirement for a Section 106 agreement to secure a commuted sum in lieu of on-site open space provision. The applicant had recently submitted a financial viability assessment in an attempt to demonstrate that the payment of the commuted sum would render the scheme unviable. This was currently under consideration. It was noted that to allow time for this to take place, it was considered appropriate to amend the recommendation to the following:

- 'It was therefore requested that the delegated powers are given to the Operational Director – Policy, Planning and Transportation in consultation with the Chair or Vice Chair of the Development Control Committee to make the decision once the financial viability assessment has been considered'.

The application therefore was recommended for approval subject to conditions and the signing of a Section 106 agreement securing a commuted sum in lieu of on-site open space provision unless the financial viability assessment demonstrated that the scheme would be unviable if this was paid.

RESOLVED: That the application be approved subject to the signing of a Section 106 agreement securing a commuted sum in lieu of on-site open space provision and the following conditions:

1. Time limit – full permission;
2. Approved plans;
3. Site levels (BE1);
4. Facing materials to be agreed (BE1 and BE2);
5. Landscaping and boundary treatments scheme (scheme to be agreed);
6. Breeding birds protection (GE21);
7. Protection of trees – construction phase (BE1);
8. Hours of construction (BE1);
9. Dust suppression during construction (BE1);
10. Construction management plan (Highways) (BE1);
11. Wheel wash (BE1);
12. Provision of affordable housing (CS13);
13. Ground contamination (PR14);
14. Visibility splay (vehicles) – junction with Crow Wood Lane (BE1);
15. Provision and retention of parking (BE1);
16. Provision of cycle parking (BE1); and
17. Disposal of surface water to be agreed (PR16).

DEV9 - 14/00192/FUL - PROPOSED ERECTION OF STEEL FRAMED BUILDING ON EXISTING CONCRETE BASE AT INEOS CHLOR VINYLs, CASTNER KELLNER, RUNCORN

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

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

1. Standard condition relating to time limit for commencement;
2. Condition listing all relevant plans / amended plans

- (BE1);
- 3. Wheel wash condition required for construction phase (BE1);
- 4. Submission of a construction traffic management plan (BE1);
- 5. Condition requesting submission and approval of materials (BE2); and
- 6. Condition(s) in relation to contaminated land (PR15).

DEV10 MISCELLANEOUS ITEMS

The following applications had been withdrawn:

14/00082/COU

Proposed change of use of first floor from offices to residential apartment at 2 Midland Street Widnes Cheshire WA8 6JZ.

14/00126/FUL

Proposed single storey rear and two storey side extensions incorporating dormer window to rear roof elevation at 15 Nightingale Close Runcorn Cheshire WA7 3JJ.

14/00156/PLD

Application for Certificate of Proposed Lawful Development for single storey side and rear extension at 2 Heath Road Widnes Cheshire WA8 7NQ.

14/00180/TPO

Proposed works to reduce crown of tree in rear garden of 11 Lawson Road, Runcorn, Cheshire, WA7 4RH.

13/00445/ADJ

Adjoining Authority consultation by St Helens Council for the construction of a 2.7km long 3m wide foot/cycle path along the former Runcorn Gap Railway from the Dream Sculpture at Sutton Manor to Bold Bridge, Warrington Road and then onwards to Mill Lane Widnes at Dismantled Railway from The Dream To Bold Bridge, Warrington Road Bold Heath.

13/00411/TPO

Proposed crown reduction by 50% of 2 No. Sycamore trees reducing height to around 6 metres at 36 Abbots Close, Runcorn, Cheshire, WA7 4UZ.

14/00124/FUL

Proposed two storey rear extension at 201 Moorfield Road, Widnes, Cheshire, WA8 3HQ

14/00147/FUL

Proposed single storey rear extension at 12 Pump Lane
Runcorn Cheshire WA7 2BA

The following Appeals had been received / were in progress:

12/00428/S73

APP/D0650/A/13/2196163 - Proposed removal of condition 1 from Planning Permission APP/D0650/C/10/2126943 to allow the permanent retention of a mixed use for the keeping of horses and a residential gypsy caravan site at Land south-west of junction between, Newton Lane and Chester Road, Daresbury, Warrington, Cheshire, WA4 4AJ.

Inquiry has been held, currently awaiting decision of the Secretary of State.

13/00022/GNWORK (APP/D0650/C/13/2207343) - Enforcement notice issued for the construction of the area of hard-standing on land at Sandy Lane, Preston Brook, Runcorn, Cheshire, WA7 3AW.

Appeal Dismissed and Enforcement Notice upheld.

13/00278/FUL – (APP/D0650/V/14/2212165) Proposed redevelopment of existing high school comprising new school building, provision of new tennis courts, relocation of playing fields, new car parking and associated hard and soft landscaping and demolition of the existing school buildings at The Heath Specialist Technology College.

The Secretary Of State has called the application in for his consideration. This will now be heard by a public Inquiry later in the year.

14/00003/REFUSE – (APP/D0650/A/14/2213060) Outline application (with appearance, landscaping, layout and scale reserved) for erection of 4 No. detached dwellings on Land At Rose View Avenue, Widnes.

Appeal Allowed.

14/00002/REFUSE – (APP/D0650/A/13/2210716) Proposed demolition of existing building and erection of 10 No. dwellings with associated works at Site Of St Johns Presbyterian Church, Victoria Road, Runcorn.

Appeal Dismissed.

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Meeting ended at 6.45 p.m.