

## DEVELOPMENT CONTROL COMMITTEE

*At a meeting of the Development Control Committee on Monday, 5 June 2017 at The Board Room - Municipal Building, Widnes*

Present: Councillors Nolan (Chair), Morley (Vice-Chair), J. Bradshaw, Gilligan, R. Hignett, June Roberts, Thompson, Woolfall and Zygadlo

Apologies for Absence: Councillors Cole and C. Plumpton Walsh

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, A. Plant, J. Eaton and P. Peak

Also in attendance: Councillor Wainwright and 10 members of the public

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

*Action*

DEV1 MINUTES

The Minutes of the meeting held on 8 May 2017, 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 - 17/00193/FUL - PROPOSED SINGLE STOREY SIDE EXTENSION, SINGLE STOREY REAR INFILL EXTENSION, INCLUDING THE RAISING OF THE ROOF TO FACILITATE A LOFT CONVERSION INCLUDING DORMER WINDOWS TO THE FRONT AND REAR ELEVATIONS AT JAMAR, HALTON STATION ROAD, RUNCORN, CHESHIRE, WA7 3EL

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

Officers presented the item and referred Members to the update list which advised that since the report was

written, an additional 47 representations had been received objecting to the proposal and two received in support. It was noted that the majority of the issues raised had already been addressed in the Officer's report. Additional points were made and addressed by Officers as stated in the update list.

The Committee was addressed by Mr Wainwright, a neighbouring resident, who objected to the proposal for the following reasons:

- The falsification of land ownership certificate by the applicant;
- There was no mention of his name on the land ownership certificate;
- The application should have been invalid as the land ownership was incorrect;
- He did not receive a statutory Notice One form from the applicant;
- His annexed land was included in the application which Officers were aware of;
- It did not comply with the Town and Country Planning Act 1990, Section 65;
- The development had commenced without the benefit of planning permission.

The objector also tabled an extract from the Town and Country Planning Act 1990 (Notice of applications for planning permission) which was highlighted on numbers 5 and 6 of Section 65.

Ms Jo Pickstock then addressed the Committee on behalf of the applicants. She stated that she was asked to speak by her brother and sister-in-law as they had suffered harassment from the objector, which left them feeling too intimidated to represent themselves.

She advised the Committee that they were surprised that the application had been called in by Councillor Rowe as he was not a Beechwood Ward Councillor. Further they had not had the opportunity to meet with Councillor Rowe to discuss his concerns and although the applicant was willing to work with neighbours, in particular Mr Wainwright as the adjacent property owner, they had chosen not to engage with them.

She made the following points with regards to the application:

- There was a mixture of bungalows and houses on Halton Station Road of varying build types. She

handed out a booklet that presented photographs of some of the existing properties to demonstrate their different styles and characteristics;

- The allegation that an annexe of land existed was unfounded;
- The boundaries and hedgerows were the same as they had been for 17 years;
- The argument that the extension would overlook, block views and cause traffic issues were unfounded;
- All neighbours were consulted by Officers as per the procedure.

She also stated that the family just wanted to convert their house to a family home and looked forward to doing this and living in Halton Station Road, close to other family members who lived in Runcorn.

Officers read out a letter from a solicitor which had been sent to the Council on behalf of an objector. Reference was also made to the Title Deeds and Plan which had been submitted by an objector and that they reflected the boundary shown on the location plan by the applicant.

The Council's Legal Advisor confirmed that the issue around the annexation of land, if it existed, would not be material to the consideration of a planning application. He also confirmed that the allegation of falsification of documents was defamatory.

After taking the Officer's recommendations and representations made today into consideration and the feedback from a site visit made by one Member, the Committee agreed that the application be approved, subject to the conditions listed below.

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

- 1) Time limit – full permission;
- 2) Approved plans; and
- 3) External facing material (BE1);

*In order to avoid any allegation of bias, Councillor Thompson did not take part in discussions or vote on the following item, as he had previously made public disclosures concerning the development and made representation to the Secretary of State.*

DEV4 - 17/00209/P3JPA - PROPOSED CHANGE OF USE FROM OFFICE BUILDING TO 241 NO. RESIDENTIAL UNITS (12 NO. STUDIOS, 184 NO. 1 BED UNITS AND 45 NO. 2 BED UNITS) AT CASTLE VIEW HOUSE, EAST LANE, RUNCORN, CHESHIRE

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

Members were advised that this was not a full planning application and that a change of use from Class B1 (a) offices to Class C3 (dwellinghouses) was permitted development under Part 3, Class O, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended).

The instances where this change of use was not permitted development were set out in the report and Members noted that none of the instances applied to this proposal. The proposal was therefore permitted by Class O subject to the condition that before beginning the development, the developer shall apply to the Local Planning Authority (LPA) for a determination as to whether the prior approval of the LPA would be required with regards to:

- a) Transportation and highways impacts of the development;
- b) Contamination risks on the site;
- c) Flooding risks on the site; and
- d) Impacts of noise from commercial premises on the intended occupiers of the development.

The report provided commentary on the above areas of consideration and the proposal was recommended to be acceptable; so prior approval was not required. The Committee agreed with the Officer's recommendation and that prior approval for the change of use from Class B1 (a) to Class C3 was not required. It was noted that development under Class O was permitted subject to the condition that it must be completed within a period of 3 years starting from the prior approval date.

**RESOLVED:** Prior approval for the change of use from Class B1 (a) offices to Class C3 (dwellinghouses) was not required.

*Meeting ended at 7.00 p.m.*