

## DEVELOPMENT CONTROL COMMITTEE

*At a meeting of the Development Control Committee on Monday, 7 August 2017 at The Board Room - Municipal Building, Widnes*

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

Apologies for Absence: Councillor Gilligan

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, A. Plant, G. Henry, R. Bradshaw and P. Peak

Also in attendance: None

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

		<i>Action</i>
DEV5	MINUTES  The Minutes of the meeting held on 5 June 2017 having been circulated, were taken as read and signed as a correct record.	
DEV6	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.	
DEV7	LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS  The Committee was advised that a matter had arisen which required immediate attention by the Committee (Minute 10 refers), therefore, pursuant to Section 100 B (4) and 100 E and due to the need to allow the maximum time for a considered response by Members as early as possible in the consultation process, the Chairman ruled that the item be considered as a matter of urgency.	

DEV8 - 17/00291/FUL - PROPOSED PARTIAL DEMOLITION AND DEVELOPMENT OF A TWO STOREY THEATRE BUILDING WITH EXTENSION TO EXISTING BRASSERIE IN THE REAR ELEVATION AT WIDNES SIXTH FORM COLLEGE, CRONTON LANE, WIDNES

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

Officers presented the item to Members who agreed that the application could be approved subject to the relative conditions.

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

1. Time limit;
2. Drawing numbers (BE1 and BE2);
3. Site levels (BE1);
4. Surface water drainage details required (BE1 and PR16);
5. Phase 2 Ground Contamination Report required (PR14 and CS23);
6. Breeding birds' protection (GE21);
7. Hours of construction (BE1);
8. Construction Management Plan (Highways) (BE1);
9. Reasonable avoidance measures – bats (GE21);
10. Site Waste Management Plan (WN8); and
11. Electric vehicle charging points (CS19)

DEV9 - 17/00194/FUL - FULL PLANNING PERMISSION FOR 9200 SQ METRE INDUSTRIAL UNIT FOR B1, B2 AND B8 USE INCLUDING NEW ACCESS OF A533 ON LAND BETWEEN ASTON FIELDS ROAD AND NORTHWICH ROAD, RUNCORN

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

Following the Officer's presentation, the following updates were noted:

- a full impact assessment had now been received regarding associated ecological implications and the numbers of trees that would be lost;
- the Council's Open Spaces Officer had confirmed that he raised no objection subject to adequate mitigation for the loss of trees as outlined in the update;

- the applicant would submit a bat survey prior to the felling of any trees which would be secured by condition; and
- a further condition was recommended requiring the development to be carried out in accordance with the Arboricultural Impact Assessment and tree protection measures within it.

Clarity was also provided to Members over queries relating to the impact of the development on the proposed Junction 11a and HGV access to the site from the nearest roundabout on the A533. It was confirmed that Highways England had been consulted on the proposal and raised no objections.

**RESOLVED:** That the application be approved subject to the additional conditions discussed above and conditions relating to the following:

1. Standard 3 year timescale for commencement of development;
2. Specifying approved and amended plans;
3. Requiring submission and agreement of a Construction Environmental Management Plan;
4. Materials condition(s) requiring the submission and approval of the materials to be used with the exception of external cladding and brick which shall be carried out as approved (BE2);
5. Landscaping condition, requiring submission and approval both hard and soft landscaping (BE1/2);
6. Submission and agreement of boundary treatment including retaining walls (BE2);
7. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
8. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties / commencement of use (BE1);
9. Grampian style planning condition relating to off-site tree management to include selective felling/pruning and replanting (BE1);
10. Requiring submission and agreement of cycle parking details (TP6);
11. Requiring submission and agreement of electric vehicle parking and charging point(s) details (NPPF);
12. Requiring retention of the approved overflow car park for the life of the use (TP12);
13. Conditions relating to further detailed site investigation / mitigation / verification (PR14/15);
14. Conditions relating to / requiring submission and agreement of detailed foul surface water / highway

- drainage scheme including attenuation (BE1 / PR5);
15. Requiring submission and agreement of a green travel plan (TP16);
  16. Requiring submission and agreement of site and finished floor levels with finished floor levels to be a minimum of 300 mm above estimated flood levels (BE1);
  17. Submission and agreement of Site Waste Management Plan (WM8);
  18. Submission and agreement of a sustainable waste Management plan (WM9);
  19. Requiring submission and agreement of a car park management plan (Tp12);
  20. Requiring submission and agreement of entrance feature detail (BE2);
  21. Submission of a bat survey prior to the felling of any trees; and
  22. A condition requiring the development to be carried out in accordance with the Arboricultural Impact Assessment and tree protection measures within it.

*In order to avoid any allegation of bias, Councillor Thompson did not take part in discussions or vote on the following item due to his involvement in challenging matters concerned with business rates to the premises.*

DEV10 - 17/00375/P3JPA - PROPOSED CHANGE OF USE FROM OFFICE BUILDING TO 248 NO. RESIDENTIAL 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.

The Committee was reminded that two similar prior approval applications had been made for this site. 15/00520/P3JPA which proposed a change of use from office to 188 residential units; and more recently 17/00209/P3JPA which proposed a change of use from office to 241 residential units. This application, to convert the same building, proposed an increase of 7 units, making a total of 248 residential units.

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.

Representations had been received from Cheshire Fire Authority recommending the use of sprinklers and an objection had been received from a resident expressing concern over the size of the units and squeezing people in. Councillor Woolfall raised concerns over the level of car parking to be provided.

**RESOLVED:** Delegated Authority be given to the Operational Director – Planning, Policy and Transportation to determine this prior approval for the change of use from Class B1 (a) offices to Class C3 (dwellinghouses) following the expiry of the publicity and the consideration of any representations received.

*Meeting ended at 6.50 p.m.*