

## DEVELOPMENT CONTROL COMMITTEE

*At a meeting of the Development Control Committee on Monday, 9 April 2018 at The Board Room - Municipal Building, Widnes*

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

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, A. Plant, G. Henry, P. Peak and L. Wilson-Lagan

Also in attendance: 7 Members of the public

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

*Action*

#### DEV39 MINUTES

The Minutes of the meeting held on 6 March 2018 having been circulated, were taken as read and signed as a correct record.

#### DEV40 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS

The Committee was advised that two matters had arisen which required immediate attention by the Committee (Minutes 44 and 45 refer). 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 (44) and time constraints due to a public Inquiry (45), the Chairman ruled that the items be considered as a matter of urgency.

#### DEV41 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.

DEV42 - 18/00018/FUL - PROPOSED DEMOLITION OF EXISTING BUILDINGS AND ERECTION ON A NEW WAREHOUSE / MANUFACTURING FACILITY (USE CLASS B1/B2/B8) WITH ASSOCIATED CAR PARKING AND SERVICE ROAD AT MANOR PARK INDUSTRIAL ESTATE, STUART ROAD, RUNCORN

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

Since publication of the agenda it was reported that issues raised as a result of the original submission had been fully addressed. Additionally the applicant had provided a detailed response to queries raised regarding surface water attenuation, to the satisfaction of the Council's Highways Officer. Members were advised that an additional condition was recommended requiring the implementation of the footpath link in accordance with the approved plans, prior to occupation.

The Committee agreed that the application be approved subject to the conditions listed and the addition of the condition mentioned above.

**RESOLVED:** That the application be approved subject to 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, including wheel wash;
4. Materials condition(s) requiring the submission and approval of the materials to be used (BE2);
5. Landscaping condition, requiring submission and approval both hard and soft landscaping (BE1/2);
6. Submission and agreement of boundary treatment including gates/barriers (BE2);
7. Submission and agreement of scheme of biodiversity features including bat and bird boxes;
8. Condition requiring development be carried out in accordance with the approved Ecological Appraisal and bat survey reports and recommendations, mitigation and avoidance measures contained therein (GE21);
9. Condition restricting construction and delivery hours audible at site boundary (BE1);
10. Submission and agreement of detailed lighting

- scheme including measures to minimise impacts on foraging and commuting bats (PR4/GE1);
11. Detailed site investigation, including mitigation to be submitted and approved in writing (PR14);
  12. Submission and agreement of detailed retaining wall design and special working methods to minimise bank excavation/loss of trees/vegetation;
  13. Conditions relating to tree protection during construction (BE1);
  14. Vehicle access, parking servicing etc to be constructed prior to occupation of properties/commencement of use (BE1);
  15. Requiring submission and agreement of cycle parking details (TP6);
  16. Requiring submission and agreement of electric vehicle parking and charging points(s) details (NPPF);
  17. Condition relating to discovery of unidentified contamination (PR14);
  18. Condition requiring surface water/highway drainage be carried out as approved (BE1/PR5);
  19. Requiring development be carried out in accordance with the approved site and finished floor levels (BE1);
  20. Submission and agreement of Site Waste Management Plan (WM8);
  21. Submission and agreement of a sustainable waste management plan (WM9);
  22. Requiring submission and agreement of onsite waste storage (WM9);
  23. Conditions restricting external storage and working (E5); and
  24. Prior to occupation the implementation of the footpath link in accordance with the approved plans.

DEV43 - 18/00021/FUL - PROPOSED DEVELOPMENT OF 28 NO. APARTMENTS IN 3 STOREY BLOCKS WITH ASSOCIATED CAR PARKING AND ANCILLARY DEVELOPMENT AT SPORTING FORD, 64 HOUGH GREEN ROAD, WIDNES

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

The Committee was advised that since the publication of the report the outstanding issues relating to bin storage, parking and servicing had been resolved by amendment to the scheme, which had altered the mix of apartments to 16 two bedroom apartments and 12 one bedroom apartments. Delegated authority was requested to

approve the scheme subject to the listed conditions and receipt of minor amendments relating to door sizes of bin stores and cycle shelter design, and the agreement of a legal agreement as set out in the conditions.

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

- a) A legal or other appropriate agreement relating to securing financial contributions to Open Space.
- b) Conditions relating to the following:
  1. Standard 3 year permission to commence development (BE1);
  2. Condition specifying approved and amended plans (BE1);
  3. Requiring submission and agreement of a Construction Management Plan including vehicle access routes and construction car parking (BE1);
  4. Materials condition, requiring the submission and approval of the materials to be used (BE2);
  5. Landscaping condition, requiring the submission and approval of landscaping details (BE2);
  6. Boundary treatments to be submitted and approved in writing (BE2);
  7. Wheel cleansing facilities/strategy to be submitted and approved in writing (BE1);
  8. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
  9. Vehicle access, parking, servicing etc, to be constructed prior to occupation of properties/commencement of use (BE1);
  10. Condition relating to the implementation of bin store provision (BE1);
  11. Requiring submission and agreement of site and finished floor and site levels (BE1);
  12. Site investigation, including mitigation/validation to be submitted and approved in writing (PR14);
  13. Condition relating to the implementation of cycle store provision in accordance with details to be submitted and approved (TP6);
  14. Submission and agreement of biodiversity enhancement features including bird/bat boxes, insect/hedgehog houses etc (BE1 and GE21);
  15. Requiring submission and agreement of foul and surface water drainage including attenuation (PR16);
  16. Submission and agreement of Site Waste Management Plan (WM8);

17. Requiring submission and agreement of electric vehicle parking and charging point(s) details (NPPF); and
18. Grampian style condition requiring removal of taxi rank.

c) That if the Section 106 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 Chairman or Vice Chairman of the Committee to refuse the application.

DEV44 - 18/00132/FUL - PROPOSED EXTERNAL ALTERATIONS TO INSERT NEW WINDOWS AND ENTRANCE DOORS AND FOUR PRIOR APPROVAL APPLICATIONS AT VICTORIA BUILDINGS, HIGH STREET, RUNCORN;

18/00129/P3JPA – PRIOR NOTIFICATION FOR PROPOSED CHANGE OF USE OF FIRST AND SECOND FLOOR FROM OFFICES (USE CLASS B1) TO 16 NO. STUDIO APARTMENTS (USE CLASS C3);

18/00130/P3MPA – PRIOR NOTIFICATION FOR PROPOSED CHANGE OF USE OF PART OF GROUND FLOOR FROM FORMER BANK (USE CLASS A2) TO 4 NO. STUDIO APARTMENTS (USE CLASS C3);

18/00131/P3PPA – PRIOR NOTIFICATION FOR PROPOSED CHANGE OF USE OF BASEMENT FROM STORAGE AND DISTRIBUTION (USE CLASS B8) TO 5 NO. STUDIO APARTMENTS (USE CLASS C3);

18/00133/PDJPA – PRIOR NOTIFICATION FOR PROPOSED CHANGE OF USE OF GROUND FLOOR FROM OFFICES (USE CLASS B1) TO 4 NO. STUDIO APARTMENTS (USE CLASS C3).

Members were advised that all five applications related to the same building and were to be determined by the Development Control Committee due to the cumulative number of residential units being proposed. Four of the five applications are prior approval applications under Schedule 2, Part 3, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended). The fifth application was a full planning application for the external changes required to facilitate the changes of use proposed. Due to the related nature of the applications, they were presented in one report.

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

The Committee was advised that since the publication of the report, amended plans had been received which addressed the issue with the alterations not respecting the character of the building. This amendment limited the alterations required to the outward facing elevations and Officers now considered all the applications to be acceptable and recommended approval of all five.

It was noted that two representations had been received from Councillors Norman Plumpton Walsh and Sinnott, who raised concerns about the small size of the bedsits, the lack of availability for parking, access to the building and the lack of natural light in the basement.

It was reported that due to the need to issue a decision within a 56 day period on prior approval applications, delegated authority was requested for the Operational Director – Planning, Policy and Transportation, to determine the applications following the expiry of the publicity. Also to consider any representations received which were relevant to the considerations of the applications as set out in the report and consideration of any amended plans received which attempted to address the issues raised.

Members discussed all applications and considered the updated Officer's recommendations relating to 18/00130/P3MPA and 18/00132/FUL, where the plans had been amended. They considered that the limiting of the alterations on these two applications to the outside of the building did not go far enough to maintain the strong design features and detail of the outward facing elevations. The Committee made the decisions described below, for each application.

RESOLVED: That

- a) delegated authority is given to the Operational Director – Planning, Policy and Transportation, to issue a decision within a 56 day period as required on prior approval applications, following the expiry of the publicity; and
- b) the delegated power be exercised along the following line:

### **18/00129/P3JPA & 18/00133/P3JPA**

That prior approval for the change of use from Class B1(a) (offices) to Class C3 (dwellinghouses) was not required; and

Development under Class O is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.

### **18/00130/P3MPA**

Delegated authority is granted, to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair, to determine the application following clarification of the implications in relation to the external alterations.

### **18/00131/P3PPA**

That prior approval for the change of use from class B8 (storage or distribution centre) to Class C3 (dwellinghouses) was not required; and

Development under Class P was permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.

### **18/00132/FUL**

The application was refused as the proposed external alterations would result in the conversion of existing windows into entrance doors in the main outward facing elevations to both High Street and Devonshire Place, which would not respect the character of the building and adversely affect the streetscene. So the proposal was contrary to the provisions of Policy BE2 of the Halton Unitary Development Plan.

## **DEV45 LAND AT DELPH LANE ETC, DARESBUY**

The Committee was advised that an e-mail had been received from the Planning Inspectorate on 9 April 2018, relating to the Redrow appeals on the above site.

Officers requested delegated authority is granted to the Operational Director – Policy, Planning and Transportation, so that the requests from the Inspector (and any other matters) can be complied with before the completion of the Inquiry.

RESOLVED: That authority is delegated to the Operational Director – Planning, Policy and Transportation, to answer the requests of the Planning Inspectorate and to decide on all matters arising in connection with the upcoming appeals.

*Meeting ended at 6.55 p.m.*