

## DEVELOPMENT CONTROL COMMITTEE

*At a meeting of the Development Control Committee on Monday, 6 August 2018 at The Board Room - Municipal Building, Widnes*

Present: Councillors Nolan (Chair), Morley (Vice-Chair), Carlin, R. Hignett, V. Hill, J. Lowe, C. Plumpton Walsh, Thompson, Woolfall and Zygadlo

Apologies for Absence: Councillor June Roberts

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, P. Shearer, L. Wilson-Lagan and P. Peak

Also in attendance: 14 Members of the public

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

*Action*

#### DEV5 MINUTES

The Minutes of the meeting held on 2 July 2018, 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.

*The Chair advised that all three applications would be considered together as both applicants were working in partnership to deliver the three schemes and they were all for the same site.*

#### DEV7 - 18/00083/FUL - FULL APPLICATION FOR DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 71 DWELLINGS WITH ASSOCIATED ACCESS, LANDSCAPING AND ANCILLARY WORKS AT FORMER WAREHOUSE, HALTON COURT, RUNCORN, WA7 5XS

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

Officers advised that since the publication of the

agenda, a revised National Planning Policy Framework (NPPF) had been published on 24 July 2018, which replaced the existing one. It was noted that there were no significant changes that were applicable to the applications before the Committee, however a small number of specific references within the reports required updates; these were explained in the published supplementary information; AB update list.

Further, Members were provided updates in relation to:

- Comments received from a local resident from Halton Road and two residents from Halton Court, objecting to the amount of traffic that would be using Halton Court and the impact this would have on the junction with Halton Road; they requested a third access point from Halton Road;
- Further comments received from the Council's Ecological Consultants in relation to bats, breeding birds, recreational pressure on designated sites and waste (further information was awaited for the latter two);
- The initial observations of the Traffic Assessment. This was still being considered by the Local Authority; and
- An additional condition was required for the submission of a Construction Management Plan, to be submitted before commencement and to include any demolition works.

The Committee was advised that the applicant had agreed to a condition to provide electric vehicle charging points and had confirmed that Natural England's comments had been addressed in the latest Preliminary Ecological Appraisal (PEA) report and further assessment of this would be provided by Merseyside Environmental Advisory Service (MEAS). Members were also advised of a letter of complaint regarding previous and ongoing poor management of the Windmill Hill Estate by *Onward Homes* (joint applicant for 18/00142/FUL and 18/00143/FUL).

The Committee was addressed by Mr Taylor, who was a Windmill Hill resident with experience of dealing with the developer *Onward Homes*. He did not object to house building but advised that Windmill Hill had been and was subjected to negligence by them. He complained of rubbish and broken furniture being left around the Estate for months; dangerously loose pathway stones; and anti-social behaviour issues. He also advised that the open spaces

were not taken care of, for example minimal grass cutting, badly fitted gutters that were always blocked and chopped down trees and turf just left littering the area.

Mrs Hutchinson then addressed the Committee on behalf of local residents, objecting to the applications. She stated that house numbers 114 – 121 on the plan would lead to parking problems and congestion in Stonehills Lane and that numbers 38 – 46 would not be able to access their driveways as the road was very narrow. Further, there would be limited on street parking because of this. She suggested that property numbers 114 – 121 be turned around to face the other way to alleviate this and suggested it be for pedestrian access only. She also referred to a previous application on this site which had different conditions. Mrs Hutchinson outlined the residents' objections to the applications as follows:

- There would be environmental consequences of the development in an area where there was an abundance of wildlife;
- There would be a loss of trees;
- Properties adjacent to the site were purchased with a green outlook which would be lost;
- The number of properties being proposed would have a detrimental effect on the whole area and there would be a big increase in the volume of traffic, which had already increased since the opening of the Mersey Gateway Bridge;
- The construction phase would also cause traffic congestion and pollution; and
- The residents felt they were not being heard as there had been no changes to the plans since their feedback was provided; she requested that the developers mediate with the residents.

Finally the Committee was addressed by Mr Griffiths, who represented the applicants. He advised that the development site was a derelict overgrown area that had previously been marketed by the Council for commercial use; however there had been no interest. The developers were proposing good quality affordable family accommodation which would result in an investment in the Borough of £13-£14m. Additionally the scheme would employ local construction companies so Halton would benefit from locally sourced labour and materials.

In response to the comments made by Mr Taylor about *Onward Homes*, it was noted that the regulation of Registered Social Landlords was carried out by the Homes

and Communities Agency and that a response to Mr Taylor had been provided that outlined the process of complaint about the social housing provider. The following information was provided in response to Mrs Hutchinson's comments:

- All construction vehicles would access via Halton Court;
- MEAS had advised that there was no evidence of habitat but advised a precautionary condition should any habitat be found;
- The Local Planning Authority (LPA) had dealt with the layout as submitted and had worked with the application from the original submitted scheme which had a through-route. Given the layout as it stood, the LPA had no planning reason to require amendments to 'turn around' the houses facing onto Stonehills Lane. The Local Highway Authority had raised no objection to this; and
- The ecological habitat surveys submitted were found acceptable by MEAS but a lighting condition was included in relation to the open space adjacent.

The Highways Officer responded to residents' concerns regarding vehicle access and advised of the initial observations of the revised Traffic Assessment. He made the comparison with the levels of use that could come forward from the existing site. The following was clarified following Members' queries:

- It was confirmed that the manoeuvring measurements for parking onto the driveways on Stonehills Lane were sufficient;
- The Trip Rate Information Computer System (TRICS) database was used to calculate the number of vehicle movements. This was a nationally set formula and standard;
- The site already had outline approval for residential development;
- These schemes did not cover the whole of the development site available and although this may have been preferable, there were no policies relevant that could have prevented these sites coming forward in isolation; and
- The Council's Land Contamination Officer was satisfied that the land could be remediated satisfactorily and that this would be incorporated into the Section 106 Agreement, so that it would be delivered comprehensively.

After considering the application before them,

including the updated information provided at the meeting, and after hearing the speakers' comments, the Committee agreed to approve the application subject to the conditions listed below.

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

- a) The applicant entering into a legal agreement in relation to the payment of a commuted sum for offsite open space; the provision of internal highway linkages; demolition and land decontamination.
- b) Conditions relating to the following:
  1. Standard 3 year condition (BE1);
  2. Plans condition listing relevant drawings eg. site location / red edge (BE1, BE2 and TP17);
  3. Prior to commencement the submission of a full drainage strategy for the site (BE1, PR5 and PR16);
  4. Prior to commencement full details of ground contamination risk and scheme of decontamination where necessary (PR14);
  5. Prior to commencement submission of levels (BE1 and TP17);
  6. Prior to commencement submission of materials (BE2 and CS11);
  7. Prior to commencement details of surface water drainage (BE1 and TP17);
  8. Conditions(s) for submission of materials (BE1 and BE2);
  9. Prior to commencement scheme of off-site highway works to be agreed and implementation before development begins (BE1 and TP17);
  10. Prior to commencement submission of a scheme for the treatment of the north site boundary with particular regard to the north facing impact (BE2 and BE22);
  11. Prior to commencement submission of a construction / traffic management plan which will include wheel cleansing details (TP17);
  12. Avoidance of actively nesting birds (BE1 and GE21);
  13. Prior to commencement details of on-site biodiversity action plan for measures to be incorporated in the scheme to encourage wildlife (BE1 and GE21);
  14. Prior to commencement details of a landscape proposal and an associated plant to be submitted

- and approved (BE1 AND GE21);
15. Prior to commencement details of boundary treatments, including emergency access details (BE22);
  16. Prior to commencement details of surfaces within dwelling curtilages (BE1 and TP17);
  17. Prior to commencement details of a lighting scheme (GE21);
  18. Provision of a Site Waste Management Plan (WM8);
  19. Provision of separate foul and waste water system (PR5);
  20. Provision of bins (WM9);
  21. Construction hours (BE1);
  22. Class A and E permitted development removed on plots 1-10 (BE1);
  23. Windows permitted development removed on plots 1-10 (BE1); and
  24. Provision of electric vehicle charging points.

- c) That if the legal agreement was not executed within a reasonable period of time, authority is delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair to refuse the application on the grounds that it failed to comply with UDP Policy S25 Planning Obligations.

DEV8 - 18/00142/FUL - FULL APPLICATION FOR DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 39 DWELLINGS WITH ASSOCIATED ACCESS, LANDSCAPING AND ANCILLARY WORKS AT FORMER WAREHOUSE, HALTON COURT, RUNCORN, WA7 5XS

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

Officers advised that since the publication of the agenda, a revised National Planning Policy Framework (NPPF) had been published on 24 July 2018, which replaced the existing one. It was noted that there were no significant changes that were applicable to the applications before the Committee, however a small number of specific references within the reports required updates; these were explained in the published supplementary information; AB update list.

Further, Members were provided updates in relation to:

- Comments received from a local resident from Halton Road and two residents from Halton Court, objecting to the amount of traffic that would be using Halton Court and the impact this would have on the junction with Halton Road; they requested a third access point from Halton Road;
- Further comments received from the Council's Ecological Consultants in relation to bats, breeding birds, recreational pressure on designated sites and waste (further information was awaited for the latter two);
- Initial observations of the Traffic Assessment. This was still being considered by the Local Authority; and
- An additional condition was required for the submission of a Construction Management Plan, to be submitted before commencement and to include any demolition works.

The Committee was advised that the applicant had agreed to a condition to provide electric vehicle charging points and had confirmed that Natural England's comments had been addressed in the latest Preliminary Ecological Appraisal (PEA) report and further assessment of this would be provided by Merseyside Environmental Advisory Service (MEAS). Members were also advised of a letter of complaint regarding previous and ongoing poor management of the Windmill Hill Estate by *Onward Homes*. Cheshire Constabulary had no objections to the revised scheme but recommended a lighting scheme condition and additional comments received from the re-consultation on the amended plans were summarised in the AB update list.

The Committee was addressed by Mr Taylor, who was a Windmill Hill resident with experience of dealing with the developer *Onward Homes*. He did not object to house building but advised that Windmill Hill had been and was subjected to negligence by them. He complained of rubbish and broken furniture being left around the Estate for months; dangerously loose pathway stones; and anti-social behaviour issues. He also advised that the open spaces were not taken care of, for example minimal grass cutting, badly fitted gutters that were always blocked and chopped down trees and turf just left littering the area.

Mrs Hutchinson then addressed the Committee on behalf of local residents, objecting to the applications. She stated that house numbers 114 – 121 on the plan would lead to parking problems and congestion in Stonehills Lane and that numbers 38 – 46 would not be able to access their driveways as the road was very narrow. Further, there

would be limited on street parking because of this. She suggested that property numbers 114 – 121 be turned around to face the other way to alleviate this and suggested it be for pedestrian access only. She also referred to a previous application on this site which had different conditions. Mrs Hutchinson outlined the residents' objections to the applications as follows:

- There would be environmental consequences of the development in an area where there is an abundance of wildlife;
- There would be a loss of trees;
- Properties adjacent to the site were purchased with a green outlook which would be lost;
- The number of properties being proposed would have a detrimental effect on the whole area and there would be a big increase in the volume of traffic, which had already increased since the opening of the Mersey Gateway Bridge;
- The construction phase would also cause traffic congestion and pollution; and
- The residents felt they were not being heard as there had been no changes to the plans since their feedback was provided; she requested that the developers mediate with the residents.

Finally the Committee was addressed by Mr Griffiths, who represented the applicants. He advised that the development site was a derelict overgrown area that had previously been marketed by the Council for commercial use; however there had been no interest. The developers were proposing good quality affordable family accommodation which would result in an investment in the Borough of £13-£14m. Additionally the scheme would employ local construction companies so Halton would benefit from locally sourced labour and materials.

In response to the comments made by Mr Taylor about *Onward Homes*, it was noted that the regulation of Registered Social Landlords was carried out by the Homes and Communities Agency and that a response to Mr Taylor had been provided that outlined the process of complaint about the social housing provider. The following information was provided in response to Mrs Hutchinson's comments:

- All construction vehicles would access via Halton Court;
- MEAS had advised that there was no evidence of habitat but advised a precautionary condition should any habitat be found;

- The Local Planning Authority (LPA) had dealt with the layout as submitted and had worked with the application from the original submitted scheme which had a through-route. Given the layout as it stood, the LPA had no planning reason to require amendments to 'turn around' the houses facing onto Stonehills Lane. The Local Highway Authority had raised no objection to this; and
- The ecological habitat surveys submitted were found acceptable by MEAS but a lighting condition was included in relation to the open space adjacent.

The Highways Officer responded to residents' concerns regarding vehicle access and advised of the initial observations of the revised Traffic Assessment. He made the comparison with the levels of use that could come forward from the existing site. The following was noted following Members' queries:

- It was confirmed that the manoeuvring measurements for parking onto the driveways on Stonehills Lane were sufficient;
- The Trip Rate Information Computer System (TRICS) database was used to calculate the number of vehicle movements. This was a nationally set formula and standard;
- The site already had outline approval for residential development;
- These schemes did not cover the whole of the development site available; and although this may have been preferable, there were no policies relevant that could have prevented these sites coming forward in isolation; and
- The Council's Land Contamination Officer was satisfied that the land could be remediated satisfactorily and that this would be incorporated into the Section 106 Agreement, so that it would be delivered comprehensively.

After considering the application before them, including the updated information provided at the meeting, and after hearing the speakers' comments, the Committee agreed to approve the application subject to the conditions listed below.

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

- a) The applicant entering into a legal agreement in relation to the payment of a commuted sum for offsite

open space; the provision of internal highway linkages; demolition and land contamination.

b) Conditions relating to the following:

1. Standard 3 year condition (BE1);
2. Plans condition listing relevant drawings e.g. site location / red edge (BE1, BE2 and TP17);
3. Prior to commencement the submission of a full drainage strategy for the site (BE1, PR5 and PR16);
4. Prior to commencement full details of ground contamination risk and scheme of decontamination where necessary (PR14);
5. Prior to commencement submission of levels (BE1 and TP17);
6. Prior to commencement details of surface water drainage details (BE1 and TP17);
7. Prior to commencement submission of materials (BE1 and CS11);
8. Prior to commencement scheme of off-site highway works to be agreed and implemented before development begins (BE1 and TP17);
9. Condition(s) for submission of hard and soft landscaping (BE1 and BE2);
10. Prior to commencement submission of a scheme for the treatment of the north site boundary with particular regard to the north facing impact (BE2 and BE22);
11. Prior to commencement submission of a construction / traffic management plan which will include wheel cleansing details (TP17);
12. Avoidance of actively nesting birds (BE1 and GE21);
13. Prior to commencement details of on-site biodiversity action plan for measures to be incorporated in the scheme to encourage wildlife (BE1 and GE21);
14. Prior to commencement details of a landscape proposal and an associated plan to be submitted and approved (BE1 and GE21);
15. Prior to commencement details of boundary treatments, including emergency access details (BE22);
16. Prior to commencement details of surfaces within dwelling curtilages (BE1 and TP17);
17. Prior to commencement details of a lighting scheme (GE21);
18. Provision of a Site Waste Management Plan (WM8);

19. Provision of separate foul and waste water system (PR5);
20. Provision of bins (WM9);
21. Construction hours (BE1);
22. Windows permitted development removed on plots 114-121 (BE1);
23. Class C removed on plots 114-121 (BE1); and
24. Provision of electric vehicle charging points.

- c) That if the legal agreement was not executed within a reasonable period of time, authority is delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair to refuse the application on the grounds that it failed to comply with UDP Policy S25 Planning Obligations.

DEV9 - 18/001143/FUL - FULL APPLICATION FOR DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 11 DWELLINGS WITH ASSOCIATED ACCESS, LANDSCAPING AND ANCILLARY WORKS AT FORMER DEPOT, STONEHILLS LANE, RUNCORN, WA7 5XS

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

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- two);
- Initial observations of the Traffic Assessment. This was still under consideration by the Local Authority; and
- An additional condition was required for the submission of a Construction Management Plan, to be submitted before commencement and to include any demolition works.

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- The construction phase would also cause traffic congestion and pollution; and
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- The site already had outline approval for residential development;
- These schemes did not cover the whole of the development site available; and although this may have been preferable, there were no policies relevant that could have prevented these sites coming forward in isolation; and
- The Council's Land Contamination Officer was satisfied that the land could be remediated satisfactorily and that this would be incorporated into the Section 106 Agreement, so that it would be delivered comprehensively.

After considering the application before them, including the updated information provided at the meeting, and after hearing the speakers' comments, the Committee agreed to approve the application subject to the conditions listed below.

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

- a) The applicant entering into a legal agreement in relation to the payment of a commuted sum for off-site open space; the provision of internal highway linkages; demolition and land decontamination.
- b) Conditions relating to the following:
  1. Standard 3 year condition (BE1);
  2. Plans condition listing relevant drawings e.g. site location / red edge (BE1, BE2 and TP17);
  3. Prior to commencement the submission of a full drainage strategy for the site (BE1, PR5 and PR16);

4. Prior to commencement full details of ground contamination risk and scheme of decontamination where necessary (PR14);
5. Prior to commencement submission of levels (BE1 and TP17);
6. Prior to commencement submission of surface water drainage details (BE1 and TP17);
7. Prior to commencement a noise report shall be submitted indicating that the internal noise levels of the properties closest to the Puritan Buildings (plots 88-93) can comply with the standards in BS8233:2014 (PR2);
8. Prior to commencement scheme of off-site highway works to be agreed and implemented before development begins (BE1 and TP17);
9. Prior to commencement submission of materials (BE1 and CS11);
10. Condition(s) for submission of hard and soft landscaping (BE1 and BE2);
11. Prior to commencement submission of a scheme for the treatment of the north site boundary with particular regard to the north facing impact (BE2 and BE22);
12. Prior to commencement submission of a construction / traffic management plan which will include wheel cleansing details (TP17);
13. Avoidance of actively nesting birds (BE1 and GE21);
14. Prior to commencement details of on-site biodiversity action plan for measures to be incorporated in the scheme to encourage wildlife (GE21);
15. Prior to commencement details of a landscape proposal and an associated plan to be submitted and approved (BE1 and GE21);
16. Prior to commencement details of boundary treatments, including emergency access details (BE22);
17. Prior to commencement details of surfaces within dwelling curtilages (BE1 and TP17);
18. Prior to commencement details of a lighting scheme (GE21);
19. Provision of a Site Waste Management Plan (WM8);
20. Provision of separate foul and waste water system (PR5);
21. Provision of bins (WM9);
22. Construction hours (BE1); and
23. Provision of electric vehicle charging points.

- c) That if the legal agreement was not executed within a reasonable period of time, authority is delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair to refuse the application on the grounds that it failed to comply with UDP Policy S25 Planning Obligations.

*Meeting ended at 7.05 p.m.*