

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 7 January 2019 at Civic Suite - Town Hall, Runcorn

Present: Councillors Nolan (Chair), Morley (Vice-Chair), Carlin, R. Hignett, V. Hill, J. Lowe, 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 and P. Peak

Also in attendance: Councillor Joe Roberts and 10 Members of the public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

	<i>Action</i>
DEV21 MINUTES	
<p>The Minutes of the meeting held on 5 November 2019, having been circulated, were taken as read and signed as a correct record.</p>	
DEV22 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p>	
DEV23 - 18/00285/WST - PROPOSED CHANGE OF USE TO WASTE TRANSFER AND TREATMENT FACILITY, CONSTRUCTION OF WASTE TRANSFER BUILDING AND ANCILLARY DEVELOPMENT INCLUDING WEIGHBRIDGE, WELFARE FACILITIES, STORAGE BAYS AND FENCING AT FORMER J BRYAN (VICTORIA) LTD, PICKERINGS ROAD, WIDNES	
<p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p>	

Since the publication of the agenda Officers advised the Committee of the following updates:

- A further two letters of objection had been received raising concerns already addressed in the report;
- Safeguarding issues and suggested conditions had been discussed with Liverpool Airport, who were satisfied that the issues relating to bird hazard management and construction cranes could be adequately addressed by informative attached to any planning permission;
- With reference to objections made by Halebank Parish Council (HBPC), it was confirmed that the proposal was in accordance with Waste Policy WM5 as the site was within the vicinity of the area for search;
- The Council's retained adviser had confirmed that they considered that sufficient information had been provided to demonstrate compliance with the Waste Local Plan;
- Further to the claims made by HBPC that the proposals contradicted Waste Plan Policy S06; Members were referred to their comments and the Policy extract on page 17 of the report. It was noted that the proposals were considered consistent with the Policy and that the issues and impacts identified for consideration within the Policy were addressed in the report ;
- The Environmental Health Officer had confirmed that they raised no objections; and
- By way of clarification, the reference within the highways considerations to comparisons with the site being brought back into lawful use was an error, and the comparisons were made with a general industrial use; the results of these comparisons and advice of the Highways Officer were as stated within the report.

The Committee was addressed by Mr Bain, a Halebank resident since the 1960's, who spoke in objection to the application. He commented that Halebank was now thriving with successful industries and commercial facilities; however he stated that this application would not be good for Halebank. He argued that this type of industry would affect residents in the area and asked the Committee to consider the children and future of the area; referring to a quote from the World Health Organisation.

A further objector then addressed the Committee, Mr John Anderton, a Halebank Parish Councillor, who had been a resident in the area since birth. His objections relating to

noise, odour, pollution and traffic were addressed in the report. He argued that the application was not in an allocated site (referring to Policy WM1 of the Joint Waste Management Plan) and was not a site within an area of search; both of these matters were addressed in the report. He also commented that the site would be accessed through a residential area using heavy industrial vehicles which would impact on the residents. He advised the Committee that if a decision was made to approve the application the HBPC would challenge this.

Mr Bridgewood then addressed the Committee on behalf of the applicant and addressed the objectors' concerns relating to noise, odour and traffic. He stated that this site would be one of 350 sites all over the UK, which were run very effectively by the applicant.

Councillor Joe Roberts, a Ward Councillor for Ditton, then addressed the Committee in support of the objectors and also on behalf of his Ward colleagues. He raised concerns over the application as there were similar sites in Halton that had problems relating to odour, dust, noise, infestation due to food waste, and increased traffic. He stated that Hale Road was already polluted by traffic and this application would only add to the problems. He had concerns over the proximity of the site to a housing estate and that it would have a negative effect on future house building in the area. He urged the Committee to refuse the application.

Members discussed the application and requested clarification of the objectors' comments with regards to noise and odour; increased traffic into the area; suitability of the site in Ditton and how the figure of 85,000 tonnes was derived.

As stated in the report it was noted that the application had been determined in accordance with the Halton Unitary Development Plan, Halton Core Strategy Local Plan and the Joint Waste Local Plan (JWLP). Officers advised that Policy WM5 within the JWLP addressed areas of search, (which included areas within the vicinity of the industrial areas of Ditton). In relation to noise and odour, it was reported that the Environmental Health Advisor had stated this would be minimal so raised no objections. Officers advised that the tonnage of 85,000 was not large in comparison with larger sites, so this amount was consistent with a smaller sized operation as this was, so was considered acceptable.

In response to traffic and highway concerns, the Highways Officer explained the breakdown of movements of vehicles resulting from the 85,000 tonnes and advised that the increase in traffic on Hale Road would not be significant enough to have an impact, so they raised no objections to the application.

Members requested the advice of the Council's Legal Advisor in relation to potential legal challenges made by HBPC should the application be approved; and made by the applicant should the application be refused. He advised that a judicial review in the instance of a challenge made by HBPC made on the ground put forward that evening (namely, that Policy WM5 of the JLWMP did not apply because the application site was not in the vicinity of an area of search and that it was an unallocated site) was unlikely to be successful. If the Council was to refuse the application on the basis of the issues discussed during the debate, a public inquiry would most certainly go in favour of the applicant – no evidence having been put forward to dispute the technical evidence included within the agenda.

After taking into consideration the application before them including updates and after hearing the speakers' objections and comments and responses provided, the Committee voted on the application which was approved by majority, subject to the conditions listed below.

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 to include wheel wash and construction hours;
4. Materials condition(s), requiring submission and agreement of building external finishing materials (BE2);
5. Condition requiring submission and agreement of details of weighbridge office;
6. Boundary treatment condition(s) requiring replacement entrance gates/fencing to be colour coated with colour to be agreed (BE2);
7. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/commencement of use (BE1);
8. Grampian style condition relating to off-site highway works to facilitate parking provision (TP12);

9. Requiring submission and agreement of cycle parking details (TP6);
10. Condition restricting waste throughput to 85,000 tonnes per annum;
11. Condition restricting waste types accepted/processed;
12. Condition restricting hours of waste delivery, processing and export;
13. Condition(s) restricting external storage locations, height and processing;
14. Condition(s) requiring waste to be delivered/exported in sealed/covered wagons (BE1);
15. Condition relating to contamination/requiring development be carried out in accordance with the approved plan for unexpected contamination (PR14/15);
16. Conditions relating to/requiring submission and agreement of detailed surface water / highway drainage scheme including attenuation / interceptors (BE1/PR5); and
17. Submission and agreement of Site Waste Management Plan (WM8).

DEV24 MISCELLANEOUS ITEMS

The following Appeals had been received / were in progress:

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| 18/00282/FUL | Proposed new boundary wall to front and side at 112 Lunts Heath Road, Widnes, Cheshire, WA8 5BA. |
| 18/00363/OUT | 18/00363/OUT Application for outline planning permission with appearance, landscaping and scale reserved for single two storey dwelling in side garden area at 3 Nickleford Hall Drive Widnes. |

The following Appeals had been determined:

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| 18/00005/REFUSE | 18/00001/FUL Proposed single storey rear extension with rear /side facing balcony over at 6 Walsingham Drive Runcorn. |
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Appeal Dismissed

18/00008/REFUSE 18/00282/FUL Proposed new boundary wall to front and side at 112 Lunts Heath Road Widnes.

Appeal Dismissed

17/00548/FUL Proposed demolition of existing stables building and construction of 1 no. single storey detached dwelling with access from Chester Road at land to the North of Junction between Keckwick Lane and Chester Road, Daresbury, Warrington, Cheshire.

Appeal allowed

The following Appeals had been withdrawn:

16/00495/OUTEIA Resubmission of outline planning application 15/00266/OUTEIA by application for Outline planning permission (with all matters other than access reserved) for mixed-use development comprising: up to 550 residential dwellings; up to 15,000 sq m of employment floorspace (Use Class B1); new local centre of up to 3,000 sq m (Use Classes A1 - A5 and D1 - dual use); provision of infrastructure including a new junction on to A558 Daresbury Expressway and details of access at Land Adjacent To Delph Lane.

17/00406/FULEIA Resubmission of application 14/00539/FULEIA for the erection of 295 residential dwellings with associated landscaping and site infrastructure, construction of a new road junction onto Daresbury Expressway (A558), installation of a signalised junction to Delph Lane, provision of public open space and play facilities and associated works on Land adjacent to Delph Lane.

17/00407/OUTEIA Resubmission of application 13/00206/OUTEIA hybrid planning application for up to 300 residential dwellings comprising: full planning

application for 122 residential dwellings (mix of 2, 3 and 4 bedroom houses), new spine road, turning head to the east of Delph Lane canal bridge, new junction between the proposed spine road and the A56, pedestrian/cycle routes and associated works (Phase A); and outline planning application for up to 178 residential dwellings (all matters are reserved) (Phase B) at land adjacent to Delph Lane West.

The following Applications had been withdrawn:

- 16/00347/S73** Application under Section 73 of the Town and Country Planning Act to vary Condition 1 of permission 15/00286/FUL to amend the house design in respect of Plot 1 by the inclusion of a new drawing RG-PL-001.1 on land between the Old Post Office and Rock Garth, Chester Road, Daresbury, Warrington, Cheshire.
- 17/00606/FUL** Proposed erection of substation at Fresenius Kabi, Cestrian Court, Eastgate Way, Runcorn, Cheshire, WA7 1NT.
- 18/00482/S73** Application under Section 73 of the Town and Country Planning Act to vary condition 2 of permission 15/00430/FUL substituting approved plans BHNW/028-01G, 028-11F and 028-13B for 028-O1L, 028-11F and 028-13F to amend the layout at The Former Marley Eternit Site, Derby Road, Widnes, Cheshire, WA8 9NQ.
- 18/00495/FUL** Proposed extension to side, replacement of roof with higher roof to incorporate bedroom with Juliette balcony to rear elevation at 33 Swynnerton Way, Widnes, Cheshire, WA8 9RX.
- 18/00497/PDE** Proposed single storey rear extension projecting from the rear wall by 3.8 metres the extension has a maximum height of 2.9 metres and an eaves

height of 2.1 metres at 19 Catford Close, Widnes, Cheshire, WA8 4GG.

New Listed Building

Council had been notified that Pius X Church had been listed at Grade II. The reasons for designation are set out below.

Reasons for Designation

The former Roman Catholic Church of St Pius X, including the attached campanile, is listed at Grade II for the following principal reasons:

Architectural interest:

- * it is an architecturally bold example of a relatively small-scale mid-C20 Roman Catholic Church;
- * the Church and campanile have a well-executed overall design, to create a successful stripped-back and free interpretation of a traditional architectural style;
- * internally the main worship space demonstrates an impressive simplicity and is unified through the dramatic full-height pointed arches to the nave which are echoed in the side windows, niches for the altars and the entrances to the confessionals.

Historic interest:

- * FA Kelly was part of Jones and Kelly, a prominent Irish architectural firm responsible for several ecclesiastical buildings in the C20; this Church is one the few identified examples of the firm's work in England.

DEV25 ENVIRONMENTAL FUND MANAGEMENT MINUTES

The minutes from the Environmental Fund Management Board's meeting held on 25 July 2018 were submitted to the Committee for information.

RESOLVED: That the minutes be noted.

Meeting ended at 7.17 p.m.