

DEVELOPMENT MANAGEMENT COMMITTEE

At a meeting of the Development Management Committee on Monday, 9 May 2022 at the Civic Suite - Town Hall, Runcorn

Present: Councillors S. Hill (Chair), Carlin, Hutchinson, A. Lowe, Philbin, Polhill and Thompson

Apologies for Absence: Councillors Abbott and J. Bradshaw

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, A. Plant, J. Eaton, G. Henry, L. Wilson-Lagan, K. Thompson and I. Dignall

Also in attendance: Councillors Woolfall, Fry, Goodall and Bevan and 38 members of the public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

DEV40 MINUTES

The Minutes of the meeting held on 1 March 2022, having been circulated, were taken as read and signed as a correct record.

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 20/00164/WST - PROPOSED CHANGE OF USE OF LAND TO WASTE TRANSFER STATION INCLUDING OFFICE BUILDING, WEIGHBRIDGE, MATERIALS BAY AND FENCING ON SITE B, JOHNSONS LANE, WIDNES, WA8 0SJ

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

Since the publication of the agenda an additional

Action

condition was recommended on the clarification of use and types of materials to be used. Clarity was provided to Members over drainage for the site – conditions relating to this were included.

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

1. Time limit – full permission;
2. Approved plans;
3. Hours of operation (GR2);
4. External facing materials (GR1);
5. Sustainable Urban Drainage Scheme (S23 and HE9);
6. Sustainable Drainage Management and Maintenance Plan (CS23 and HE9);
7. Foul and surface water shall be drained on separate systems (CS23 and HE9);
8. Off-site highway works (C1);
9. Parking and servicing provision (C1 and C2);
10. Cycle parking (C2);
11. Electric vehicle charging point scheme (C2);
12. Construction Environmental Management Plan (C1, HE1 and GR2);
13. Boundary treatments scheme (GR2 and GR3);
14. Utilisation of broadband / white noise reversing alarms (GR2);
15. Implementation of Dust Management Plan (GR2);
16. Provision of an adequate water supply (GR2);
17. Crusher and screener shall not operate without the water supply referenced in condition number 16 (GR2);
18. Installation of a windsock to guide operations undertaken on site (GR2);
19. Maintenance procedures for stockpiles (GR2);
20. Breeding bird protection (CS(R) 20 and HE1);
21. Bird boxes scheme (CS(R)20 and HE1);
22. Protection of swale/pond/wildlife corridor during construction period (CS(R)20 and HE1);
23. Lighting scheme to protect ecology (CS(R)20 and HE1);
24. Reasonable avoidance measures – amphibians (CS(R)20 and HE1);
25. Reasonable avoidance measures – hedgehogs (CS(R)20 and HE1);
26. Implementation and maintenance of wildflower meadow (CS(R)20 and HE1); and
27. 10m height restriction on any stockpiles (GR1).

ERECTION OF TWO SEMI-DETACHED DWELLINGS AND FOUR DETACHED DWELLINGS ON THE EXISTING CHURCH FIELD AND THE RETENTION OF THE EXISTING SCHOOL HUT AT HOUGH GREEN SCOUT AND GUIDE GROUP HALL AND CHURCH FIELD, HALL AVENUE, WIDNES

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

Mr Walker addressed the Committee, as an objector to the proposal on behalf of local residents. He argued *inter alia*, that:

- This site was part of the community and used for recreational purposes, as well as craft fairs, military style events, fates and so on, contradicting the claim that it was surplus to requirements and infrequently used;
- It is a designated Asset of Community Value used throughout the year and to sell it would be letting down future generations;
- Under the new Local Plan the land is designated as green space and not for development;
- A dangerous precedent would be set if this application was approved;
- Traffic volume and parking issues would be increased; and
- 244 objections to the proposals had been received.

Ms Eren was invited to address the Committee, speaking in support of the application on behalf of local residents. She stated *inter alia* that:

- St Michael's Church was much more than a Church; it was an important community resource that welcomed and supported people of all faiths;
- The Church was well used and supported, with much of the work of the Vicar going unnoticed;
- Foodbank parcels were prepared there and distributed within the community;
- Christmas and Easter activities were provided for the community;
- Other groups such as the LGBT group and the childhood bereavement group met at the Church;
- If refused young people in the community would not have access to the support she had received; and
- St Michael's was the very best example of a community Church in Widnes and to refuse this

application would mean the end of the Church.

The Committee was then addressed by Ms Paul, who spoke on behalf of the applicant. She started by saying that this application was all about the survival of the Church. She advised that:

- The Diocese had advised them that the Church had to pay its way or close, so they needed funding to pay expenses;
- Despite fundraising, the Church was struggling to pay its expenses due to rising costs;
- One of the Church's only assets is the Church field bought in 1925;
- They wanted to do the best for the community and local groups who used the facilities – to lose the Church would have a significant impact on the local community;
- Halton has seen a 27% increase in the number of older people in the population and the Church was an important meeting place for them;
- The Church held large scale community events and has strong links with local schools – examples were given of community work carried out; and
- This type of outreach could not continue if the field cannot be sold.

After hearing the speakers' arguments Members discussed the application, taking into consideration the comments made by them and Officer's responses to queries raised by the Committee. Some Members of the Committee were unfamiliar with the site, so requested a deferral so that a site visit could be conducted before making a decision. A motion for a deferral was proposed and seconded, so the motion for a deferral was carried.

RESOLVED: That the application be deferred to enable Committee Members to make a site visit.

DEV44 21/00102/FUL - PROPOSED DEMOLITION OF EXISTING FACILITIES AND DEVELOPMENT OF NEW CLUBHOUSE INCORPORATING CHANGING FACILITIES, GYM, SOCIAL AREAS AND GROUND FLOOR BOAT AND CANOE STORAGE AT THE BOAT HOUSE, CHOLMONDELEY ROAD, RUNCORN, WA7 4XT

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

As reported in the published AB Update List, Members attention was drawn to the text from paragraph 5.16 of the Planning for Risk SPD and officers' commentary regarding this.

The Committee agreed that the application be approved.

RESOLVED: That the application be approved subject to it not being called in by the Secretary of State following referral to the Health and Safety Executive; and the following conditions:

1. Time limit – full permission;
2. Approved plans;
3. Submission of existing and proposed site levels (GR1);
4. Submission of external facing materials (CS(R)18 and GR1);
5. Submission of landscaping scheme and subsequent maintenance (GR1);
6. Breeding birds protection (CS(R)20);
7. Submission of bird boxes scheme (CS(R)20);
8. Lighting scheme to protect ecology (CS(R)20);
9. Construction Environmental Management Plan (CS(R)20);
10. Electric vehicle charging points scheme (C2);
11. Ground contamination (CS23 and HE8);
12. Parking and servicing provision (C1 and C2);
13. Submission of a Cycle Parking Scheme (C2);
14. Flood resilience measures (CS23 and HE9);
15. Submission of a sustainable urban drainage scheme (CS23 and HE9);
16. Verification of the sustainable urban drainage scheme (CS23 and HE9);
17. Submission of a package treatment plant scheme (PR16 and CS23);
18. Sustainable development and climate change scheme (CS(R)19); and
19. Waste audit (WM8).

DEV45 21/00629/COU - PROPOSED CHANGE OF USE FROM DWELLING (USE CLASS C3) TO DENTAL PRACTICE (USE CLASS E (E)) WITH ONSITE PARKING PROVISION FOR 8 VEHICLES AT 34 CRONTON LANE, WIDNES, WA8 5AJ

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

Ms Ray, the applicant, addressed the Committee. She commented that there was a need for a private dentistry service in the area as there were none currently. She advised that by nature private dental practice saw reduced numbers of patients throughout the day due to appointments generally taking between 30-45 minutes each. She also advised Members of a new NHS service that would offer advanced dentistry practice, with referrals being made to the private sector, so they would be available for local patients referred in this way. She had worked closely with planners and the proposal was policy compliant.

Councillor Woolfall addressed the Committee in his capacity as local Ward Councillor for Birchfield, objecting to the proposal.

He questioned whether Halton needed another private dentist at this time. He circulated a newspaper article to the Committee where it stated that Halton was the eighth worst Borough in the Country for shortage of dentists. He argued that:

- The property was in a small residential area where 100 objections to the proposal had been received;
- Private dentists earned double that of NHS ones;
- A bungalow dwelling would be taken out of use which were highly sought after in the Borough;
- Out of 8 parking bays four of these would be used by staff;
- The property was on a busy junction and cars would have to reverse out onto the road to exit;
- There were parking issues already with Cronton College students parking on the road due to Hillcrest Hotel now charging for parking; and
- The proposal was contrary to Article 8 of the Human Rights Act 1998.

In conclusion he stated that Halton needed NHS dentists but in the right locations and that the applicant did not have a contract with the NHS. He urged the Committee to refuse the application due to insufficient parking and highway safety issues.

Members debated the proposal and raised concerns over residential properties being turned into businesses and the impact this has on nearby residents. Officers responded to questions over the potential for breaches of Human Rights and the loss of a bungalow dwelling, in relation to appealing.

Concerns were also raised in relation to highway safety and the potential for increased on-street parking and congestion around the junction at Cronton Lane and Hill View. Members also noted the comments made by Cheshire Police in relation to parking complaints already being received around the shops. Questions were also raised over the number of parking spaces and the fact that at least four of these would be used by staff and therefore occupied throughout the day.

Officers advised that the Council's Highway's Officer had conducted surveys at different times of the day and concluded that traffic did fluctuate at peak times but was not congested.

One Member proposed a motion to refuse the application based on highway safety concerns and insufficient parking as described above. This was seconded and the motion to refuse was carried.

RESOLVED: That the application is refused as the proposed development would not provide sufficient parking provision. This would result in on-street parking that would be detrimental to highway safety and pose a danger to pedestrians, particularly with on-street parking close to the junction of Hill View and Cronton Lane and on-street parking in Tynwald Crescent.

Councillor Philbin declared an Other Registerable Interest in the following item as there was potential for a relative to be employed at the proposed School. Councillor Polhill declared an Other Registerable Interest in the following item as he had previously met with the applicant and the objectors. Both Members left the room prior to the start of the item and did not participate in the debate or vote.

DEV46 22/00004/FUL - PROPOSED DEVELOPMENT OF A TWO STOREY SPECIAL EDUCATION NEEDS AND DISABILITY SCHOOL (SEND) (USE CLASS F), AS WELL AS HARD AND SOFT LANDSCAPING, MULTI-USE GAMES AREA (MUGA) AND SPORTS PITCHES, CREATION OF ON-SITE CAR PARKING AND CREATION OF NEW VEHICULAR ACCESS ON LAND AT NAYLOR ROAD, WIDNES, WA8 0BS

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

Since the publication of the agenda the applicant had provided updated plans that showed minor alterations

around the site entrance on Naylor Road, as described in the published AB list. It was noted that the sports/recreational facilities were to be designed to the Department for Education's standards, rather than Sports England's requirements, as these would need to be designed to meet the requirements of a SEND school.

The Committee was addressed by Mr Doyle, who spoke on behalf of the local community. He stated that the community were not objecting to the School itself but the location of it. He also advised the Committee that:

- The local community had been ignored by the applicant and they were left bemused by the poor conduct of them, having no regard for local residents and their requests for meetings;
- He claimed that the applicant displayed a lack of respect and regard for the planning process and this Committee, as they had already set up a website and recruited staff for the School, thus predetermining the decision of the Committee;
- Development of this land would result in the loss of green space and the loss of a field used by local communities;
- Councillor Wall had made objections; he quoted these;
- The application was contrary to planning policies;
- No consideration has been given to alternative Council owned land sites such as the St John Fisher School field;
- Road safety would be impacted; and
- The access to the nursery car park would be affected.

He requested that the Committee ask for the application plans and traffic plans be reviewed before making a decision.

Members were addressed by Mr Spencer from Nexus Planning Ltd, the agents for the Department for Education. He emphasised the need for an educational facility for children with special needs in the area. He stated that:

- The School would offer 64 places and a range of facilities including a games/sports hall;
- No objections had been received during the consultation period;
- NPPF added great weight to the need to create schools;
- This application was policy compliant and all technical considerations had been met;

- Although the land was currently left open it was private land;
- There were other nearby parks for communities to use; and
- The environmental management plan ensured that the School building position was set back from residents' properties and the playing fields were at the rear of the site.

Clarity was provided to Members on the potential for revision of plans and traffic capacity within the area. It was commented that the boundaries for the proposal were fixed and the Local Development Plan allocated this site for educational purposes. Highway safety was looked at in detail, taking into consideration how a SEND school would operate; officers provided details.

After debating the application, hearing speakers' comments and officers' responses to questions, the Committee agreed that the application be approved.

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

1. Standard 3 year permission;
2. Condition specifying plans (GR1 and GR2);
3. Bird nesting boxes scheme (CS(R)20 and HE1);
4. CEMP and additional reasonable avoidance measures (GR2, CS(R)20 and HE1);
5. Lighting scheme (GR2, CS(R)20 and HE1);
6. Implementation of cycle parking provision (C1 and C2);
7. Electric vehicle charging points scheme (C1 and C2);
8. Vehicle access and parking to be constructed prior to commencement of use (C1 and C2);
9. Method statement for invasive species (CS(R)20 and HE1);
10. Tree report and tree protection measures (CS(R)20 and HE1);
11. Foul and surface water on a separate system (HE9);
12. Drainage condition(s) to include culvert survey, final drainage strategy and validation (HE9);
13. Levels (GR1);
14. Landscaping condition(s) including replacement tree planting (GR1); and
15. Waste audit (WM8).

Meeting ended at 8.30 p.m.