

## DEVELOPMENT CONTROL COMMITTEE

*At a meeting of the Development Control Committee on Monday, 13 February 2012 at Civic Suite, Town Hall, Runcorn*

Present: Councillors Thompson (Vice-Chairman, in the Chair), Balmer, J. Bradshaw, A. Cole, Hignett, Hodgkinson and T. McInerney

Apologies for Absence: Councillors Nolan, Gilligan and Leadbetter

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, M. Noone, A. Plant, J. Farmer, R. Cooper and G. Hawkesford

Also in attendance: 9 Members of the Public

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

#### DEV40 MINUTES

The Minutes of the meeting held on 9 January 2012, having been printed and 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 - 11/00231/OUT - OUTLINE APPLICATION FOR THE ERECTION OF RETAIL WAREHOUSING (USE CLASS A1) INCLUDING SURFACE LEVEL CAR PARKING, NEW VEHICLE AND PEDESTRIAN ACCESS AND HIGHWAY WORKS (WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE MATTERS RESERVED) AT TANHOUSE YARD, TANHOUSE LANE, WIDNES, CHESHIRE

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

*Action*

Officers reported that since the publishing of the agenda a letter had been received from Frost Planning dated 8 February, this was appended to the amendments list. It raised various queries which had been responded to by officers and noted on the amendments list.

It was reported that a further representation had been received from Morbaine (on 9 February) objecting to the application on the grounds that in their opinion the highway implications of the development had not been properly addressed, this letter was also appended to the amendments list.

It was noted that further clarification had been provided in relation to Conditions 16, 17, 18, 19, 20 and 21 and that clarification had been provided on the hours of opening to the public and restrictions relating to delivery hours, as recommended by the Environmental Health Officer.

The Committee was addressed by Mr Nick Sewell, of New River Retail, who objected to the application on the grounds that it would affect the health and vitality of the Town Centre and would entice existing tenants to move from the Town Centre. Mr Sewell also stated that his organisation was planning to invest further in Widnes Town Centre and that this application would undermine his proposals.

Members debated the modifications proposed to the gyratory system, a map of which was tabled by officers for reference. It was noted that a financial contribution would be made by the applicant for the modifications needed to the system. Members' consensus was that competition was healthy for the Borough and that the positives of this development outweighed the negatives.

**RESOLVED:** That delegated authority is given to the Operational Director Policy, Planning and Transportation, in consultation with the Chair and Vice Chair, to approve subject to points (a) and (b) below (legal agreement and conditions) and the application not being called in by the Secretary of State.

- a) The entering into of a Legal Agreement for the provision of a financial contribution towards the gyratory improvements, town centre connectivity, town centre management, local bus transport improvements and entering into highways agreements as necessary, including access rights for

construction/maintenance of the proposed road bridge and road link. If the S106 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 on the grounds that it failed to comply with Policy S25 (Planning Obligations).

b) And the following conditions:

1. Standard Outline conditions for time limits and reserved matters (BE1);
2. No development shall begin until written details of a construction management plan, including routing of traffic has been approved in writing (BE1);
3. Materials condition, requiring the submission and approval of the materials to be used (BE2);
4. Landscaping conditions, requiring the submission of both hard and soft landscaping (BE2);
5. Condition for the submission of details of boundary treatments to be submitted and approved in writing (BE2);
6. Prior to commencement the submission of details of any retaining walls to be submitted and approved in writing (BE2);
7. Prior to commencement wheel cleansing facilities 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. Conditions relating to the agreement and implementation of bin stores provision (BE1);
10. Conditions relating to the agreement and implementation of cycle storage provision (TP6);
11. Conditions relating to the agreement and implementation of electric car charging points;
12. Submission and agreement of finished floor and site levels (BE1);
13. Six Environment Agency conditions in relation to the provision of a surface water regulation system; a scheme for the management of overland flow; a scheme to treat and remove suspended solids from surface water run-off during construction; a scheme to dispose of foul and surface water and installation of oil separators; and conditions for ground contamination and remediation, verification and monitoring (PR14, PR16);
14. Prior to occupation design of off-site highway works to Page Lane to be agreed, works to be

carried out before occupation.

15. Prior to occupation submission of a travel plan including routing of delivery vehicles (TP16);
16. Condition(s) restricting a maximum of overall gross internal floor space of 15,455 sqm and no further additional mezzanine extensions above this maximum gross internal floor space without consent;
17. Condition restricting the floorspace approved shall be for the retail use (A1) of non-food or comparison goods only with not less than 30% of the floorspace (GIA) being restricted for the sale of bulky goods;
18. Condition(s) restricting hours of opening to the public between 0700 and 2100 hours and; delivery hours be restricted between 0700 and 2100 hours; and
19. Restriction for minimal average floor space of units to 929 sqm.

DEV43 - 11/00368/OUT - OUTLINE APPLICATION (WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE MATTERS RESERVED) FOR DEMOLITION OF ALL EXISTING STRUCTURES AND THE CONSTRUCTION OF A NEW NON-FOOD RETAIL DEVELOPMENT (A1 USE CLASS), WITH ASSOCIATED ACCESS, PARKING AND SERVICING FACILITIES AT FRANK ARMITT AND ADJOINING UNITS, VICTORIA STREET, WIDNES, CHESHIRE, WA8 7UE

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

It was reported that Frost Planning, the agent for Vector Investments had submitted further objections to the application in a letter dated 8 February, which was appended to the amendments list.

It was noted that clarification had been provided to the applicant in relation to Conditions 16, 17, 18, 19, 20 and 21 and that clarification had been provided on the hours of opening to the public and restrictions relating to delivery hours, as recommended by the Environmental Health Officer.

The Committee was addressed by Mr Nick Sewell, of New River Retail, who objected to the application on the grounds that it would affect the health, vitality and integrity of the Town Centre and entice existing tenants to move from

the Town Centre. Mr Sewell also stated that his organisation was planning to invest further in Widnes Town Centre and that this application would undermine his proposals.

Mr Gary Brooks then addressed the Committee on behalf of the applicant in support of the application, stating that an investment of £20m would create 100 construction jobs and 200 jobs thereafter. He further stated that the development would claw back some £18m from competitors such as Speke Retail Park, as the site was well located for local people and would attract custom from surrounding towns, therefore providing a boost to the local economy.

Members debated the application and were of the consensus that a local retail park would be good for residents and that competition would be good for the Borough.

**RESOLVED:** That delegated authority is given to the Operational Director Policy, Planning and Transportation, in consultation with the Chair and Vice Chair, to approve subject to points (a) and (b) below (legal agreement and conditions) and the application not being called in by the Secretary of State.

- a) The entering into of a Legal Agreement for the provision of a financial contribution towards the gyratory improvements as necessary. If the S106 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 on the grounds that it failed to comply with Policy S25 (Planning Obligations).
- b) Conditions relating to the following:
  - 1. Standard Outline conditions for time limits and reserved matters (BE1);
  - 2. No development shall begin until written details of a construction management plan including the routing of vehicles has been approved in writing (BE1):
  - 3. Materials condition, requiring the submission and approval of the materials to be used (BE2);
  - 4. Landscaping conditions, requiring the submission of both hard and soft landscaping (BE2);
  - 5. Condition for the submission of details of

- boundary treatments to be submitted and approved in writing (BE2);
6. Prior to commencement the submission of details of any retaining walls to be submitted and approved in writing (BE1);
  7. Prior to commencement, wheel cleansing facilities 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. Conditions relating to the agreement and implementation of bin stores provision (BE1);
  10. Conditions relating to the agreement and implementation of cycle storage provision (TP6);
  11. Conditions relating to the agreement and implementation of electric car charging points;
  12. Submission and agreement of finished floor and site levels (BE1);
  13. Six Environment Agency conditions in relation to the provision of a surface water regulation system: a scheme for the identification and provision of safe route (s) into and out of the site; scheme to ensure finished floor levels are set no lower than 10.79 above Ordnance Datum (AOD); a scheme for the provision of compensatory flood storage on /or in vicinity of the site to a 1 in 100 year standard; a scheme for contaminated land site investigations, risk assessment, remediation and validation; and approval of any piling or any other foundation design (PR14, PR16);
  14. Prior to commencement condition for off-site highways improvements;
  15. Condition restricting maximum of overall gross internal floor space of 2880 sqm;
  16. Use restriction to retail (A1) non-food or comparison goods only;
  17. Restriction for no additional mezzanine extensions above the maximum gross internal floor space of 2880 sqm without consent;
  18. Restriction for minimum average floor space of individual units to 929 sqm;
  19. Prior to the occupation of the units the provision of a travel plan including routing of deliveries (TP16); and
  20. Condition restricting hours of deliveries to be between 0700 and 2300 hours (to clarify no restrictions on opening hours to the public) (BE1).

DEV44 - 11/00396/EIA - PROPOSED NEW BUILDING TO HOUSE A THIRD ALUMINA FIBRE PRODUCTION LINE, ELECTRICAL SWITCH ROOM AND PROCESS PLANT AT SAFFIL LTD, TANHOUSE LANE, WIDNES, CHESHIRE, WA8 0RY

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

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

1. Time limit for the commencement of development; (in accordance with the Town & Country Planning Act 1990);
2. List of approved plans, amended plans and documents (BE1, BE2);
3. Prior to the commencement of development submission and approval of external materials (BE2);
4. Prior to the commencement provision and use of wheel cleansing facilities during course of construction to be submitted and approved (BE1);
5. Condition(s) in relation to the submission of a ground investigations and remediation strategy to be submitted to and approved by contaminated land and environment agency (PR14, PR15);
6. Condition for verification report (PR14, PR15);
7. No development shall begin until the provision of pre-development site levels and proposed finished floor levels and adjacent land levels (BE1);
8. Prior to occupation of the buildings laying out of approved vehicle access, service and parking areas and to be retained as such (BE1);
9. Prior to commencement condition relating to the disposal of foul and surface water (PR5);
10. Prior to commencement provision of a surface water management scheme to be submitted and approved (BE1);
11. Prior to the occupation of building details of external lighting shall be submitted and approved in writing. This should include details Lux levels and light spill diagrams (BE1 and PR4); and
12. Condition that no demolition or site clearance works are carried out during bird nesting season – 1 March to 31 August (GE21).

DEV45 MISCELLANEOUS ITEMS

**The following applications had been withdrawn:-**

11/00364/AGR	Application for prior notification of agricultural or forestry development for proposed building at Daresbury Fruit Farm, Newton Lane, Daresbury, Warrington.
11/00378/FUL	Proposed new vehicle access onto busway at Unit 1 Zip56, Aston Fields Road, Runcorn, Cheshire.
11/00379/ADV	Proposed signage to promote sale of new houses under development at Bellway Homes Development, Hanging Birches Farm, Norlands Lane, Widnes.
11/00380/ADV	Proposed signage to promote sale of new homes at Bellway Homes Development, Derby Road, Widnes.
12/00014/TPO	Proposed works to 2 no. Ash trees including removal of deadwood, crown lifting to 5 metres and crown reduction, on the street side only, of overhang where suitable growth points are available at 83 Prescott Road Widnes.
11/00186/COND	Application pursuant to condition 57 (permission granted by Secretary of State) asking Halton Borough Council for agreement in writing, to increase the quantity of refuse derived fuel delivered to the energy from waste power station by road from 85,000 tonnes to 480,000 tonnes per annum at INEOS Chlor Ltd



Energy From Waste Generating  
Station South Parade Runcorn.

**The following applications had gone to appeal: - NONE**

**Planning Appeal Decisions: - NONE**

**The Localism Act 2011:-**

Information was provided which clarified the rules on predetermination advice accompanying the *Localism Act 2011*.

**Relocation of Planning Team:-**

A number of Members of the Committee commented on the difficulties experienced recently when trying to contact Planning Officers following the relocation of staff from Rutland House to the Municipal Buildings. It was agreed that the operational Director – Policy, Planning and Transportation, would discuss the concerns of Members with the Strategic Director, Policy and Resources.

*Meeting ended at 7.20 p.m.*