

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 5 November 2018 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, Woolfall and Zygadlo

Apologies for Absence: Councillor Thompson

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, A. Plant, G. Henry, M. Pagan and P. Peak

Also in attendance: 17 Members of the public and Councillors J. and M. Bradshaw

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

Action

DEV14 MINUTES

The Minutes of the meeting held on 3 September 2018 were taken as read and signed as a correct record.

DEV15 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.

DEV16 - 18/00289/FUL - PROPOSED ERECTION OF DWELLING WITH ACCESS FROM MOSS LANE WITHIN REAR GARDEN AREA AT IVY COTTAGE, 106 RUNCORN ROAD, MOORE

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

The Case Officer advised Members that since the publication of the agenda the requested changes to the house design listed on page 17 of the report, to amend some of the windows, remove timber cladding and a hoist bracket, and replace UPVC windows and fascias with

timber, had been agreed by the applicant and amended plans received. These plans were also considered to address all outstanding concerns of the Council's retained Heritage Adviser.

The Committee was addressed by Mrs Barbara Brown, who represented Moore residents objecting to the application. She argued *inter alia* that the Officer's report did not address the Greenbelt status of the land and that the Council should support residents with the protection of the Greenbelt. She also stated that the hedges would disappear and therefore have an impact on the historical status of the Village. Mrs Brown spoke about existing traffic hazards on Moore Lane and Moss Lane and the fact that the nursery and pre-school used these for access. She also raised construction impacts and that the development was not limited infilling. She concluded by saying that a large number of people would be affected by this proposal and urged the Committee to reject it.

Mr Craig Foster, a Moore Parish Councillor and resident, then addressed the Committee objecting to the application. He argued *inter alia* that the plans were contrary to the NPPF with regards to the type of development allowed in Greenbelt areas; that the development was not classed as infilling; and that Moore Village was a conservation area and any development should only be allowed if it made a positive contribution by enhancing the conservation status. He said that the impact on the heritage assets had not been properly addressed. He also highlighted that the access from Moss Lane was dangerous and unsuitable for the scheme and the application did not amount to affordable housing but was a speculative market proposal to make profit. He also raised issues over the use of modern building materials and the impacts on trees. He urged the Committee to refuse the application, as the Parish Council had done so.

Councillor John Bradshaw, HBC Daresbury Ward Councillor, then addressed the Committee also objecting to the proposal. He stated *inter alia* that the proposal should not be deemed to be 'infill' and there was no definition of this in the planning policies, as stated in the report. He stated that there was no demonstration of local need in Policy CS6. He also referred to the current unlawful existing access from Moss Lane and questioned why the highway standards had been relaxed in this case.

In response to the speakers comments Officers were able to clarify the following:

- The relationship between the Development Plan and national policy – specifically that the development plan should apply unless material considerations indicated otherwise and that national policy as such was a material consideration;
- The application had been assessed and considered against all relevant planning policies;
- The Council's retained Heritage Adviser had raised no objections and that the impact on the heritage assets had been properly assessed;
- The proposed materials were considered to be acceptable and would be subject to a condition;
- The impact of the proposed development of trees and hedgerows was considered to be acceptable;
- The proposed development was considered to constitute limited infill by Officers;
- The duty of the Members of the Development Control Committee was clarified as being to determine applications in accordance with planning policies;
- The profits being made by any developer was not a material consideration;
- The Council's Highways Officer had raised no objections to the application, following the completion of a traffic speed assessment of the proposed access from Moss Lane. The Highways Officer explained the standards that were used in making an assessment.

After hearing the speakers' comments and Officers' updates and responses, the Committee agreed that the application be approved, subject to the conditions listed in the report.

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

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; wheel cleansing facilities / strategy; construction and delivery hours (BE1);
4. Condition(s) requiring the submission and approval of the materials to be used (BE2);
5. Landscaping condition, requiring submission and agreement of hard and soft landscaping (BE2);
6. Condition(s) requiring submission and agreement of drainage details (PR16);

7. Boundary treatments including retaining walls to be submitted and approved in writing (BE2);
8. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties / commencement of use (BE1);
9. Requiring submission and agreement of site and finished floor (BE1);
10. Condition relating to discovery of previously unidentified contamination (PR14);
11. Condition(s) requiring replacement tree planting (BE1);
12. Condition(s) requiring submission and agreement of drainage details (PR16); and
13. Submission and agreement of Site Waste Management Plan (WM8).

DEV17 - 18/00364/FUL - PROPOSED DEMOLITION OF EXISTING 3 STOREY FLATS AND PUBLIC HOUSE AND CONSTRUCTION OF 16 NO. TWO BED HOUSES ON THE SITE AT TANHOUSE, RUNCORN

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

Officers advised that they were now able to confirm that there were 38 parking spaces on the plan. Also, it was noted that Condition number 9 of the report was added in error and should be removed from the list.

The Committee agreed that the application be approved, subject to the amendment mentioned above, and the conditions listed below.

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

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; wheel cleansing facilities / strategy; construction and delivery hours (BE1);
4. Condition(s) requiring the submission and approval of the materials to be used (BE2);
5. Landscaping condition, requiring submission and agreement of hard and soft landscaping (BE2);

6. Boundary treatments including retaining walls to be submitted and approved in writing (BE2);
7. Requiring development be carried out in accordance with the approved site and finished floor levels;
8. Vehicle access, parking, servicing etc, to be constructed prior to occupation of properties / commencement of use (BE1);
9. Condition relating to discovery of previously unidentified contamination (PR14);
10. Conditions relating to tree protection during construction (BE1);
11. Condition(s) requiring replacement tree planting (BE1);
12. Condition(s) requiring submission and agreement of drainage details (PR16);
13. Submission and agreement of Site Waste Management Plan (WM8);
14. Submission and agreement of a method statement for dealing with Cotoneaster and Rhododendron;
15. Submission and agreement of a Small Mammal Reasonable Avoidance Measures Statement (GE21);
16. Submission and agreement of biodiversity enhancement features including bird and bat boxes, insect and hedgehog houses (BE1 and GE21);
17. Site investigation, including mitigation to be submitted and approved in writing (PR14); and
18. Condition requiring submission and agreement of a scheme of bollards or other measures to protect footways from parked vehicles (TP17).

DEV18 - 18/00368/FUL - PROPOSED DEVELOPMENT OF THREE STOREY APARTMENT BLOCK COMPRISING 13 NO. APARTMENTS WITH ANCILLARY DEVELOPMENT AT FORMER ALBERT HOTEL, 160 ALBERT 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 amended plans had been received. The cycle and car parking details were now agreed. Officers described amendments made to the elevations of the proposals. Members noted that a condition relating to the archaeological recording of the building prior to demolition had been missed from the report. Further, an additional condition was recommended requiring submission and agreement of a mechanism to limit the opening of windows at ground floor level over the highway.

The Committee was addressed by Mr Richard

Scragg, a neighbouring resident. He had no objection to the proposal but was concerned that the party wall award had not been given to him and he requested that this be received before the commencement of work on site.

In response, the Council's Legal Advisor stated that the Party Wall Act 1996 was not a material consideration for planning permission so unfortunately it could not be added as a condition.

The Committee agreed to approve the application subject to the above additional conditions being added to the conditions listed.

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

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; wheel cleansing facilities / strategy; construction and delivery hours (BE1);
4. Condition(s) requiring the submission and approval of the materials to be used (BE2);
5. Vehicle access, parking servicing etc, to be constructed prior to occupation of properties / commencement of use (BE1);
6. Requiring submission and agreement of site and finished floor (BE1);
7. Securing implementation of cycle parking and bin storage (TP6 / BE1);
8. Condition relating to discovery of previously unidentified contamination (PR14);
9. Condition(s) requiring submission and agreement of drainage details (PR16);
10. Submission and agreement of Site Waste Management Plan (WM8);
11. Submission of archaeological recording of the building; and
12. Submission and agreement of the mechanism/other measures, to limit the opening of windows at ground level over the highway.

DEV19 - 18/00405/FUL - PROPOSED EXTENSION AND REFURBISHMENT OF EXISTING INDUSTRIAL UNIT WITHIN USE CLASSES B2/B8 TOGETHER WITH A NEW TWO STOREY OFFICE FACILITY AND ASSOCIATED EXTERNAL WORKS ON LAND TO EAST OF EVERITE RAOD, WIDNES

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

Members were referred to the supplementary information published in the AB Update List, explaining that the highways issues had now been resolved with the submission of an amended site plan and that a preliminary Roost Assessment had been submitted. The recommendation was amended to delete condition number 8 and add it as an informative to any permission, as the condition did not meet the relevant tests.

The Committee agreed that the application be approved subject to the Conditions outlined in the report.

RESOLVED: That the application be approved subject to:

- a) authority being delegated to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair of the Committee, to determine the application following receipt of an amended plan dealing with the highway issues outlined and the consideration of the likelihood of bats being present on the site along with necessary surveys / mitigation; and
- b) following this approval it would be subject to the following conditions, as well as additional conditions being added in relation to outstanding matters:
 1. Time limit – full permission;
 2. Approved plans;
 3. Implementation of proposed site levels (BE1);
 4. Implementation of external facing materials (BE1 and BE2);
 5. Soft landscaping scheme (BE1);
 6. Boundary treatments scheme and details (BE1 and BE2);
 7. Tree root protection measures (GE27);
 8. Ground contamination (PR14);
 9. Hours of construction (BE1);

10. Drainage strategy (PR16);
11. Foul and surface water of a separate system (PR16);
12. Construction management plan (Highways) (BE1);
13. Electric vehicle charging points scheme and implementation (CS19);
14. Cycle storage details and implementation (BE1);
15. Provision and retention of parking revised junction / access and pedestrian access constructed in accordance with approved plans (BE1);
16. Pedestrian access, steps, handrail and tactile paving details and implementation; and
17. Waste audit / site waste management plan.

DEV20 - 18/00434/FUL - PROPOSED CONSTRUCTION OF 9019 M2 INDUSTRIAL UNIT FOR USE CLASSES B1, B2 AND B8 ON LAND BETWEEN ASTON FIELDS ROAD AND NORTHWICH ROAD, RUNCORN

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 report an updated Sustainability Report had been received and outstanding queries relating to drainage were awaited; the applicant had agreed to submit these in accordance with Condition number 12.

The Committee agreed that the application be approved subject to the Conditions listed.

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

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 external finishing materials be carried out as approved (BE2);
5. Landscaping condition, requiring submission and approval both hard and soft landscaping (BE1/2);
6. Boundary treatment condition(s) requiring fencing etc be carried out as approved (BE2);
7. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties / commencement of use (BE1);

8. Requiring submission and agreement of cycle parking details (TP6);
9. Requiring submission and agreement of electric vehicle parking and charging point(s) details (NPPF);
10. Requiring retention of the approved overflow car park for the life of the use (TP12);
11. Conditions relating to further detailed site investigation / mitigation / verification (PR14/15);
12. Conditions relating to / requiring submission and agreement of detailed foul surface water / highway drainage scheme, including attenuation (BE1/PR5);
13. Requiring submission and agreement of a green travel plan (TP16);
14. Requiring submission and agreement of site and finished floor levels (BE1);
15. Submission and agreement of site waste management plan (WM8);
16. Submission and agreement of an Operational Waste Management Plan (WM9); and
17. Requiring submission and agreement of a car park management plan (TP12).

Meeting ended at 6.35 p.m.