

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 28 July 2008 in the Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), P. Blackmore, S. Blackmore, J. Bradshaw, Hignett, Hodgkinson, Leadbetter, Morley and Osborne

Apologies for Absence: Councillors None

Absence declared on Council business: None

Officers present: M. Baker, S. Baxter, G. Cook, D. Cunliffe, Eccles S, J. Farmer, C. Hall, M. Noone, A. Plant, M. Simpson, J. Tully, R. Wakefield and P. Watts

Also in attendance: A Fuller and S Wood from Urban Vision, Councillor A. Lowe and 15 members of the public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

Action

Councillor Polhill was not present at the meeting having declared a personal and prejudicial interest due to being a member of the Executive Board.

DEV24 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE

The Chairman welcomed everybody to the meeting and informed the Committee of the additional information tabled at the meeting, which provided an update and additional information in relation to the applications. It was reported that a further 398 letters of objections had been received, details of which were outlined in the report. A petition containing 85 signatures had also been received and an objection letter from Friends of the Earth.

The additional report set out a supplementary commentary for the Mersey Gateway Regeneration Strategy, a consultation update, editorial changes to the report, listed building application and comments on the TWA report.

The Committee received a presentation from Ms Claire Hall – Project Manager for Mersey Gateway which outlined the following:

- reassurance about the project;
 - no residential properties would be acquired;
 - piers or other structures would not be constructed in people's gardens;
 - a new elevated expressway would not be build through Runcorn, however there would be some local level increased at Lodge Lane Runcorn;
- a brief reminder of the history of the Mersey Gateway;
- the applications;
- project aims of the Mersey Gateway;
- benefits and disbenefits of the scheme and the proposed mitigation;
- strategic routes across the River Mersey;
- journey reliability;
- policy compliance; and
- evidence of support for the scheme.

Arising from the presentation Members raised concerns in relation to current images of the pedestrian footpaths across the Silver Jubilee Bridge (SJB) not having barriers. It was felt not separating pedestrians from the traffic could be dangerous. In response it was reported that the comments would be noted.

The Committee also discussed the possibility of light rail, it was noted that the design of the new crossing would allow for light rail but was not introduced at this stage as there was not a business case for it at the moment.

Members further discussed the potential for open road tolling with vehicle recognition systems. In response it was reported that at the moment it was felt that there was not a robust case for such systems.

Members also raised concern in relation to mustard gas being disturbed on Randall Island. In response it was reported that new routes would not lead through the Island as they would only go through the edge of Wigg Island. It was advised that contamination studies had been carried out and the Mersey Gateway Team had had dialogue with the Ministry of Defence in relation to these matters.

Ward Councillor A. Lowe addressed the Committee and stated that whilst in full support of the Mersey Gateway he did have concerns with regard to the exit roads on the

Runcorn side of the bridge. It was suggested that signs could be erected providing alternate routes to Manchester and North Wales.

Councillor Lowe also made representation in respect of excessive pollution, noise nuisance and risk of injury from vandals damaging cars from footbridges and confirmed that the was also speaking on behalf on Councillor Loftus.

Mr MacLoughlin addressed the Committee and spoke against the application raising issues such as lack of consultation, noise mitigation and the existing road infrastructure.

Miss McCarrick addressed the Committee and spoke against the application in respect of volumes of traffic using the Central Expressway.

Mrs Burns addressed the Committee and spoke against the application and raised concerns with regard to the impact on the flow of the river, underestimated costs of the scheme, how the concessionaire would handle waste and issues around tolling.

Miss Newman addressed the Committee and spoke against the application raising issues such as environmental assessments, toxic contamination and a requirement for a full health impact assessment.

The Committee held a wide ranging discussion in relation to the following points:

- temporary traffic measures during re-building of junctions;
- height of new junction at Halton Lodge;
- possibility of concessions of tolls for residents;
- whether caging of foot bridges could be implemented;
- importance of a signage strategy; and
- the need for a health impact assessment.

It was reported that any contaminated land issues would be properly addressed, issues of noise mitigation, signage and health impacts could be resolved by way of condition. Risk assessments would be carried out at various stages by contractors over the length of the project period.

It was advised that as both application no's 08/00200/FULEIA and 08/00201/FULEIA were bound up integrally with the Transport and Works Act (itself to be determined by the Secretary of State), it was appropriate for

those applications to be referred to the Secretary of State to determine them at the same time. It was therefore recommended, notwithstanding that the Committee were unanimously in support of these applications, that those applications be referred to the Secretary of State so that he could consider whether or not the applications should be "called in".

Following a lengthy debate, decisions made on the applications listed below were as follows:

Plan No. 08/00200/FULEIA: Part of the existing highway network within Runcorn, comprising the A533 Central Expressway from a point south of its junction with the A533 Bridgewater Expressway and the A558 Daresbury Expressway, and including the Central Expressway/Lodge Lane Junction and the Central Expressway/Weston Link Junction up to and including Junction 12 of the M56 Motorway; and

Plan No. 08/00201/FULEIA: Plan No. South of the Ditton Junction, the existing A533 Silver Jubilee Bridge into Runcorn and up to and including the on-slip road from the Weston Point Expressway, and off-slip road to the Bridgewater Expressway.

RESOLVED: That both applications listed above be referred to the Secretary of State with a recommendation that they be called-in and approved subject to the following conditions:

1. Time Limits 10 years;
2. Notification of Commencement;
3. Development to be carried out in accordance with approved details;
4. Phasing Programme;
5. Design, External Appearance and Materials;
6. Construction Environmental Management Plan;
7. Construction Transportation Management Plan;
8. Code of construction practice;
9. Travel Plan (including personnel travel and parking);
10. Landscaping – submission of scheme;
11. Landscaping - Maintenance of landscaping;
12. Street furniture street furniture;
13. Lighting details (Including toll booth lighting and design);

14. Permanent and temporary highway and footpath access, access, phasing and specification (including bridleways)
 - Highway access and junction improvements to serve construction works
 - Alternative access routes and diversions during construction works
15. Contaminated Land;
16. Surface Water Quality;
17. Drainage / Flood Risk (from the Environment Agency);
18. Terrestrial and Avian Ecology;
19. Noise Monitoring;
20. Archaeology;
21. Construction Compound;
22. Wheel Cleaning Facilities;
23. Implementation;
24. Conditions at end of the Environment Agency comments under contamination;
25. Signage Strategy (including speed limits);
26. Gantry Signing;
27. Abnormal load routing;
28. Requisite approvals, including Highway Authority as Technical Approval Authority; and
29. Extent and reinstatement of demolition/relocation works;

INFORMATIVE

1. Approval must be obtained from Network Rails Territory Outside Party Engineers from any works that may impact on, or be near close proximity to the operational railway.
2. The details of the development, including the position and height of the three towers of the crossing shall be supplied to the Defence Geographic Centre so that it may be included on civil aviation maps.
3. United Utilities Wastewater Adoption Engineer, Graham Perry should be contacted (01925 428 267) to arrange a sewer diversions.
4. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.
 - United Utilities will only consider the adoption of surface water sewer

draining to balancing ponds, providing the following criteria are met;

- The Local Authority take responsibility for the maintenance of the ponds;
- The freehold of the land on which the pond lies is transferred to the Local Authority;
- United Utilities is provided with a deed of "Grant of Rights" to discharge into the pond in perpetuity. Such a deed would necessarily contain provision against development within the balancing pond, and against altering its topography, or making connections to it;
- That measures have been taken to prevent flooding of properties; and
- That a legal agreement is in place between all parties.

5. A section 104 (Water Industry Act 1991) agreement for the surface water sewers draining to the balancing pond, will not be entered into until every condition described above has been met.
6. The applicant should check the location and conditions of any easement with United Utilities Facilities and Property Management Ltd, Coniston Buildings, Lingley Mere, Lingley Green Avenue, Great Sankey, Warrington. WA5 3UU. The route of the work covers a large area and will affect a number of our mains.
7. Written consent will need to be sought from the Environment Agency to culvert of Stewards Brook to the South Side of Speke Road, in accordance with the Water Resources Act 1991. The balancing pond outfalls are to be into Steward's Brook and prior written consent under the above Act will also be required for the headwall structures.
8. The Project will cross both legs of Bowers Brook and our prior written consent will be required for the proposals in accordance with the Water Resources Act 1991 and the Land Drainage Byelaws.
9. The proposals at the existing roundabout to

the north of the M56 Junction 12 may affect Flood Brook. The details of these should be submitted for comment and to determine whether our prior written consent is required in accordance with the Land Drainage Act 1991.

10. The Environment Agency advise that should the development involve the import or deposit of waste materials for the purpose of construction or landscaping, or if contaminated soils are treated on site the activity may require an Environmental Permit, or may require an exemption.
11. The Environment Agency advise that any hazardous waste which is removed from the site will need to be moved in accordance with the Hazardous Waste (England and Wales) Regulations 2005.
12. The applicant must submit details to, and seek approval from the Environment Agency for any intended abstraction of raw water, or impoundment of any watercourses.
13. The Environment Agency advise that it is the responsibility of the applicant to ensure that the development will not affect any water features (i.e. wells, boreholes, springs, streams or ponds) in the area, including licensed and unlicensed abstractions.
14. The Environment Agency advises that all breeding birds in the wild are protected under the Wildlife & Countryside Act (1981). It is therefore an offence to disturb or kill any wild bird while it is nest building, or at a nest containing eggs or young, or to disturb the dependent young of such a bird.
15. Should protected species be identified in Local Wildlife Sites and SSSI (Flood Brook) a Licence should be obtained to carry out the works in accordance with the Wildlife & Countryside Act (1981).

Should the Secretary of State decide not to call-in these applications both applications be approved subject to the conditions detailed above.

Plan No. 08/00211/HBCLBC – The A533 Silver Jubilee Bridge.

RESOLVED: That the application be referred to the Secretary of State with a recommendation that the Secretary of State approves the application subject to the following conditions.

1. Time Limit – 10 years
2. In accordance with the plans; and
3. Notwithstanding the submitted details
 - Colour of asphalt;
 - Design of proposed gating / railings; and
 - Plain colour finish

Plan No. 08/00325/TWA: South of Ditton Junction, Ditton Road, land north of Hutchinson Street, Victoria Road, Catalyst Trade Park, Ashley Way, St. Helens Canal, Widnes Warth, Runcorn Sands/River Mersey, Wigg Island, Astmoor Industrial Estate, the A533 Central Expressway with its junction with the A533 Bridgwater Expressway and the A558 Daresbury Expressway, and part of the A533 Central Expressway to Halton Brow

RESOLVED: that Halton Borough Council having regard to all the observations made and all the issues raised has no objection to the application, subject to the conditions accompanying the submission and the suggested changes or additions detailed below.

1. Time Limits 10 years;
2. Notification of Commencement;
3. Development to be carried out in accordance with approved details;
4. Phasing Programme
5. Design, External Appearance and Materials;
6. Construction Environmental Management Plan;
7. Construction Transportation Management Plan;
8. Code of construction practice;
9. Travel Plan (including personnel travel and parking);
10. Landscaping – submission of scheme;
11. Landscaping - Maintenance of landscaping;
12. Street furniture street furniture;
13. Lighting details (Including toll booth lighting

- and design);
14. Permanent and temporary highway and footpath access, phasing and specification (including bridleways);
 15. Highway access and junction improvements to serve construction works;
 16. Alternative access routes and diversions during construction works;
 17. Contaminated Land;
 18. Hydrodynamics;
 19. Removal of all temporary construction works;
 20. Morphological monitoring of the upper Mersey Estuary;
 21. Surface Water Quality;
 22. Drainage / Flood Risk (from the Environment Agency);
 23. Terrestrial and Avian Ecology;
 24. Aquatic Ecology;
 25. Noise Monitoring;
 26. Archaeology;
 27. Navigation;
 28. Construction Compound;
 29. Wheel Cleaning Facilities;
 30. Implementation;
 31. Conditions at end of the Environment Agency comments under contamination;
 32. Signage Strategy (including speed limits);
 33. Gantry Signing ;
 34. Mitigation for the culverting of Stewards Brook;
 35. Stones used to temporarily fill the St Helens Canal shall contain properties to prevent the release of fine pieces of material into the water course;
 36. Abnormal load routing;
 37. Requisite approvals, including Highway Authority as Technical Approval Authority;
 38. Extent and reinstatement of demolition/relocation works;

INFORMATIVES

1. Approval must be obtained from Network Rails Territory Outside Party Engineers from any works that may impact on, or be near close proximity to the operational railway.
2. The details of the development, including the position and height of the three towers of the crossing shall be supplied to the Defence

Geographic Centre so that it may be included on civil aviation maps.

3. United Utilities Wastewater Adoption Engineer, Graham Perry should be contacted (01925 428 267) to arrange a sewer diversions.
4. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.
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 - The Local Authority take responsibility for the maintenance of the ponds;
 - The freehold of the land on which the pond lies is transferred to the Local Authority;
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Meeting ended at 7.55 p.m.