

DEVELOPMENT MANAGEMENT COMMITTEE

*At a meeting of the Development Management Committee on Monday, 3 October 2022
at the Civic Suite - Town Hall, Runcorn*

Present: Councillors S. Hill (Chair), Leck (Vice-Chair), Abbott, Carlin, Hutchinson, A. Lowe, Philbin, Polhill, Thompson and Woolfall

Apologies for Absence: Councillor J. Bradshaw

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, A. Plant, G. Henry, L. Wilson-Lagan, K. Brindley, D. Halliburton and A. Blackburn

Also in attendance: 21 members of the public, Councillors Jones and A. Teeling and one member of the press

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

	<i>Action</i>
DEV15 MINUTES	
The Minutes of the meeting held on 8 August 2022, having been circulated, were taken as read and signed as a correct record.	
DEV16 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.	
DEV17 22/00101/FUL - THE RE-FENESTRATION OF EXISTING FACADE TO MAIN BUILDING TO CREATE ENGINEERING WORKSHOPS AND CLASSROOMS, PLUS SUB-STATION TO THE WEST OF THE SITE AT RIVERSIDE COLLEGE, KINGSWAY, WIDNES	
The consultation procedure undertaken was outlined in the report together with background information in respect of the site.	

The Chair advised that this item had been moved from column A to column B of the update list, because an update was required.

Officers reported that there was an omission of the four story element in the description of the development on the top of the Committee report, however this was contained in the body of the report under *principle of development* and was evident throughout the plans and report, and was included in the description when advertised. In addition, the wording on conditions on page 16 required rewording in the final decision notice.

Further to the update on contaminated land referred to in the report, the Contaminated Land Officer had stated that he was in agreement with the findings and recommendations and did not object to the application, but recommended that any permission be conditioned to require site investigation, updated risk assessment and if necessary, remediation and verification reporting.

The Committee was satisfied with the updates and agreed that the application be approved.

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

1. Time limit – full permission;
2. Approved plans;
3. Implementation of external facing materials (CS(R)18 and GR1);
4. Electric vehicle charging points scheme (C2);
5. Parking and servicing provision (C1 and C2);
6. Cycle parking details (C2);
7. Car park management plan (C2);
8. Implementation of cycle parking scheme (C2);
9. Travel Plan (CS(R)15 and C1);
10. Drainage strategy (CS23 and HE9);
11. Site waste management plan/waste audit (WM8);
12. Sustainable development and climate change scheme (CS(R)19); and
13. Contaminated land conditions.

DEV18 22/00130/FUL - THE DEMOLITION OF AN EXISTING BUILDING AND THE ERECTION OF UP TO 66 INDEPENDENT LIVING APARTMENTS WITH ANCILLARY SUPPORT SERVICES AND COMMUNAL FACILITIES, TOGETHER WITH ASSOCIATED LANDSCAPING AMENITY SPACES AND CAR PARKING ON LAND AT 81 HIGH STREET, RUNCORN, CHESHIRE

The Committee was advised that the Applicant had withdrawn this application from the Committee agenda, so consideration was not required today.

In order to avoid any allegation of bias, Councillor Philbin did not take part in the debate and did not vote on the following item, as the site in question was part of the Ward he represented.

In order to avoid any allegation of bias, Councillor Hutchinson removed himself from the meeting before the following item, as he had dealt with the applicant previously and since the introduction of the car parking charges.

DEV19 22/00284/FUL - RETROSPECTIVE APPLICATION FOR PLANNING CONSENT FOR THE INSTALLATION OF A CAR PARK MANAGEMENT SYSTEM ON EXISTING CAR PARK COMPRISING 4 NO. POLE MOUNTED ANPR CAMERAS AND 6 NO. PARK AND DISPLAY MACHINES AND 22/00285/ADV - APPLICATION FOR ADVERTISING CONSENT FOR THE INSTALLATION OF 74 NO. POLE MOUNTED NON ILLUMINATED SIGNS FOR CAR PARK MANAGEMENT SYSTEM ON EXISTING CAR PARK

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

Officers advised the Committee that since the publication of the agenda a further seven letters of objection had been received, outlining issues already reported. They also advised that the principle planning consideration for the proposals were the scale and design of the proposed infrastructure and signage. It was noted that although concerns had been raised regarding the displacement of parking related to the introduction of a maximum stay period on the car park, it was important to note that planning permission is not required for the owners of the land to introduce a maximum stay period or car parking charges. The land is owned privately so it was at the owner's discretion as to how the parking was managed on their car park and the Council could not intervene in this.

Objections had been received regarding the charging for car parking and the impact on the Town Centre. Whilst the Council was opposed to the principle of charging for parking and sympathetic to the reported impacts on local business and the community, the amount of parking charge was not a material consideration for the Committee or was it

within the control of the Planning Authority.

Members were advised that no objections had been received based on the appearance of the cameras and poles or the park and display machines. Officers' advised that it was considered that the design and appearance of the proposed ANPR cameras, associated structures and pay machines would not result in harmful impact on the visual amenity of the area and no conflict with current local or national policy had been identified. Regarding the impacts of advertisements on amenity and public safety, these were not considered to be inappropriate in scale and location to the area in which they are situated. Officers advised therefore, that they considered that refusal of planning permission for either of the applications could not be sustained on these grounds.

In summary the proposals for the ANPR cameras and poles were considered appropriate in terms of their design and appearance and were appropriate to their surroundings. The application for retrospective permission for their retention was acceptable and the application for the advertisements were considered acceptable in accordance with the relative DALP policies.

The Committee was addressed by Mr McLoughlin, who objected to the applications on behalf of the Widnes Market Traders Committee, citing the following:

- He has been a trader for 20 years and since the introduction of the parking charges, has seen footfall fall by 25% initially, to down by 50% now;
- The retail trade was just picking up after suffering two years of the impacts of Covid and now it was worse than ever;
- Customer parking has dispersed into the Town Centre and surrounding roads and the car park is hardly used even at peak times of the day;
- There is no provision for disabled badge users;
- Local businesses were struggling and their livelihoods were at risk; and
- Shoppers from surrounding towns were avoiding Widnes as a shopping destination since the introduction of the parking charges.

Councillor Jones, one of the local Ward Councillors then addressed the Committee, objecting to the applications. He argued that:

- The applications were contrary to Council policies

- and detrimental to the reputation of the Council;
- Halton has a free parking policy and the Council did not support these applications;
 - Both were retrospective applications;
 - Vehicles were being dispersed onto surrounding roads;
 - This would be a reversal of historical precedence in relation to free parking policy and have an adverse effect on communities;
 - The Council has the responsibility for the wellbeing of the people of the Borough and should encourage footfall into the Town centre not decrease it;
 - He supported the Market Traders whose businesses and livelihoods were in jeopardy; and
 - The same reduced footfall was being felt in Greenoaks Mall as well.

In summary Councillor Jones stated that Widnes has always been attractive to local and out of town shoppers because of the free parking. People did not come anymore because of the parking charges and the risk of being fined.

Councillor Teeling, another Ward Councillor, then addressed the Committee. She argued that if local traders and retailers had to comply with rules regarding signage then why did companies at a corporate level get away with breaching the rules. She stated that both applications were discriminatory – people with disabilities, especially those with partial sight, were discriminated against because the pay machines were small and signs were difficult to read. She also stated that they discriminated against residents without smart devices and internet access. She said the whole physical aspect of the applications were in question and should not be allowed.

The Planning Officer provided clarity on the principle planning considerations to be applied to these proposals, those being scale and design of the proposed infrastructure and signage. He reiterated that there was no conflict with current local or national policies identified and it was not considered that refusal of planning permission could be sustained on these grounds.

Further, Officers read out the outcome of an appeal made against a refusal of a similar application in another authority, where the appeal was upheld and the applicant was awarded full costs.

Committee Members discussed the applications in detail, taking into consideration the comments made by the

speaker, local Ward Councillors and the responses and advice provided by Officers.

In response to questions over the retrospective nature of the application for planning permission, it was noted that legislation did allow retrospective applications to be made to local authorities.

The Legal Advisor advised that the applications must be determined in accordance with the Development Plan and clarified what was a material condition and what was not a material condition. She also reiterated that if the applications were refused and the applicant submitted an appeal, which was highly likely, this would be lost – this was also the opinion of the Planning Officers. Some information on the appeal procedure of the Planning Inspectorate was provided by the Operational Director for the benefit of the members of the public seated in the public gallery.

Upon conclusion to the debate one Member moved a motion to depart from the officer recommendation and refuse the applications due to the lack of provision for free parking to accommodate shoppers in Widnes, and because the signage was detrimental to the amenity area and has an adverse impact upon the Town Centre. This was seconded and the motion was carried. Members voted by a show of hands and both applications were refused.

RESOLVED: That both applications are refused for the following reasons:

Full application

1. the lack of provision of free car parking spaces and the wider impact on the Town Centre and businesses in Widnes; and

Advert application

2. the signage is detrimental to the amenity of the area and the adverse impact on the Town Centre.

DEV20 22/00407/FUL - PROPOSED SINGLE STOREY SIDE EXTENSION AT 7 CHELTENHAM CRESCENT, RUNCORN, WA7 4YT

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

The application was in column A of the published AB update list and the Committee agreed that no further explanation was required and the application was approved.

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

1. Standard 3 year expiry;
2. In accordance with approved plans; and
3. Materials to match existing.

Meeting ended at 7.25 p.m.