

## DEVELOPMENT MANAGEMENT COMMITTEE

*At a meeting of the Development Management Committee on Monday, 3 July 2023 at Civic Suite, Town Hall, Runcorn*

Present: Councillors Leck (Vice-Chair, in the Chair), Bevan, Carlin, Davidson, C. Loftus, Philbin, C. Plumpton Walsh, Polhill and Woolfall

Apologies for Absence: Councillors S. Hill and Thompson

Absence declared on Council business: None

Officers present: A. Jones, T. Gibbs, A. Plant, A. Evans, M. Webster, L. Wilson-Lagan, I. Dignall and A. Blackburn

Also in attendance: 32 members of the public and one member of the press

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

*Action*

DEV5 MINUTES

The Minutes of the meeting held on 5 June 2023, having been circulated, were taken as read and signed as a correct record.

DEV6 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.

DEV7 22/00318/FUL - PROPOSED DEVELOPMENT COMPRISING 328 DWELLINGS INCLUDING A MIX OF 1, 2, 3, 4 AND 5 BEDROOM UNITS, AFFORDABLE HOUSING PROVISION, CREATION OF TWO NEW ACCESS POINTS FROM LUNT'S HEATH ROAD AND ASSOCIATED LANDSCAPING, OPEN SPACE, PLAY SPACE AND PARKING PROVISION ON LAND NORTH OF LUNT'S HEATH ROAD, WIDNES

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

Since the publication of the agenda updates were provided in the published AB list relating to amendments requested by MEAS from the applicant, which had been submitted but further comments on these from MEAS were still awaited. Lead Local Flood Authority (LLFA) comments had been received with no objections made. The list of proposed conditions had also been amended following the LLFA comments, to those listed on the update. It was noted that one further representation had been received from a member of the public. The Officer also outlined the approach to Green Belt Compensation and that Open Space payments were to be made and that these would be spent on Council owned sites within the remaining Green Belt. The Highways Officer provided the Committee with a highways update.

The Committee was addressed by Mr Harper, who opposed the application. He argued the following, *inter alia*:

- The loss of Green Belt land;
- No compensatory improvements had been made on the application and questioned why it was submitted without these;
- Quoted figures relating to compensation made for other Developments such as Bellway Homes;
- Quoted areas of developable land and numbers of housing developed per hectare;
- Made reference to the design and access document;
- HBC Committee should consider the residents of Farnworth when making the decision;
- There was a shortage of local services and facilities in the area;
- The Council's job was to manage a balance of homes; and
- This application did not meet the Council's objective and should be rejected.

The Committee was then addressed by Ms Burns, who represented the applicant. She stated the following *inter alia*:

- Public's concerns were incorporated into the scheme following a public consultation in early 2021;
- This was a widely scrutinised application;
- Although the site could accommodate 381 dwellings, only 328 were planned;
- A mix of dwellings will be available, from one to 5 bedrooms with varying tenure options;
- The layout and scale of the site was well considered,

as was the open space areas which included cycle and footpath lanes;

- S106 contribution had been agreed;
- New residents would receive free 12 month bus passes; and
- This was a high quality, sustainable development that would provide environmental and social gains to North Widnes.

After consideration of the application, updates and comments made by speakers, the proposal was moved and seconded and the Committee voted to approve the application.

RESOLVED: That authority be delegated to the Operational Director – Planning, Policy and Transportation, to determine the application in consultation with the Chair or Vice Chair of the Committee, following the satisfactory resolution of the outstanding issues relating to highways amendments, updated in line with comments from MEAS and updated comments from the LLFA.

Upon satisfactory resolution the application is to be approved subject to the following:

- a) S106 Agreement;
- b) schedule of conditions set out below; and
- c) that if the S106 Agreement is not signed within a reasonable period of time, authority is given to refuse this planning application.

Recommended conditions as follows, with any additional conditions recommended through the resolution of the Highways amendments, updates in line with comments from MEAS and updated LLFA comments to be added to the list below:

1. Standard 3 year permission;
2. Condition specifying plans;
3. Levels;
4. External materials;
5. Hard and soft landscaping;
6. Tree protection measures;
7. Bird breeding protection;
8. Soft tree felling measures;
9. Japanese knotweed scheme;
10. Japanese knotweed validation report;
11. Construction Environmental Management Plan

- (CEMP);
12. Natural England Licence;
  13. Bird and bat boxes scheme;
  14. Site wide waste management plan;
  15. Noise mitigation measures;
  16. Energy and sustainability measures;
  17. Air quality mitigation measures;
  18. Landscape Ecological Management Plan (LEMP);
  19. Construction hours;
  20. Tactile crossings;
  21. Remediation strategy;
  22. Verification report for contaminated land;
  23. Unidentified contamination;
  24. Lighting scheme;
  25. Cycle parking details;
  26. Vehicle access, service areas and parking;
  27. Permitted development removed;
  28. Archaeology methodologies and mitigation;
  29. New watercourse crossing details; and
  30. SUDs verification report.

DEV8 22/00377/FUL - PROPOSED DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF RESIDENTIAL DEVELOPMENT (USE CLASS C3) WITH ASSOCIATED LANDSCAPING, ACCESS/EGRESS, CAR PARKING, DRAINAGE, AND OTHER NECESSARY SUPPORTING INFRASTRUCTURE ON LAND AT SOUTH LANE, WIDNES

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

Since publication of the agenda four additional responses had been received from members of the public. Two raised questions concerning their own respective property boundaries in relation to the application site – these were responded to by officers. The Officer also outlined the approach to Green Belt Compensation and that Open Space payments were to be made and that these would be spent on Council owned sites within the remaining Green Belt. There were two other responses received, as detailed in the update list. The additional conditions that were recommended to be added to the schedule of planning conditions were noted, along with the three conditions that were to be deleted from the schedule.

The Highways Officer advised that this site and the previous application were joined and considered sustainable.

The Committee was addressed by Mr Harper, who opposed the application. He argued the following, *inter alia*:

- Reference to the loss of Green Belt land as with the previous application;
- Nothing in report to do with Green Belt improvements;
- The Council should conform to the requirements of the Local Plan in relation to house building numbers – current housing trajectory was above what was required for Halton;
- The Council should pause all house building for 18 months;
- Insufficient consideration given to Farnworth – there is a shortage of facilities which the Council say were not needed;
- There is already congestion at key junctions, this will worsen in future; and
- Questioned cycle lanes provision – these were under used by the public and queried whether this was the best use of tax payer money and disruption brought as a result of its installation, such was the case at Birchfield Road and Lunts Heath Road junction.

Mr Dawber, a representative of the Applicant then addressed the Committee. He advised that Prospect Homes GB was part of the Riverside Group. He advised:

- The site is allocated as residential development (SRL7);
- The development would count towards the HBC housing needs strategy;
- It will consist of mixed dwellings of 2, 3 and 4 bedroomed family homes – 20% of which will be affordable;
- Ten of the first homes will be offered below market value for first time buyers;
- A small number of trees are to be removed but would be replaced with 68 new ones;
- The scheme had been designed with care and was compliant with all planning policies;
- They supported the Council's stance on the S106 request made by Cheshire Police;
- The proposal is sustainable, has a landscaping strategy and includes cycle and pedestrian routes;
- A S106 Agreement was in place; and
- New residents would receive free 12 month bus passes.

After hearing the concerns made by Mr Harper on

behalf of local residents', Councillor Woolfall stated that although the Committee had sympathy with Farnworth residents, he referred to the objections being made today regarding the loss of Green Belt and suggested that these should have been made during the consultation period of the Local Plan prior to its adoption in March 2022. He reminded everyone that as the new Local Plan had been adopted, these areas were now defined for residential developments.

Councillor Philbin commented that he was pleased to see an active travel provision through the site and on previous sites, underlining importance of delivery for this form of infrastructure. In relation to comments made by Mr Harper, Councillor Philbin noted that not all elements of active travel delivery would result in disruption to road users.

Clarity was provided to Members on their concerns with regard to speed restrictions in the area. It was confirmed that as South Lane bordered Warrington, Highways Officers were liaising with Warrington Borough Council to reduce the speed limit to 30mph.

Comments were also made in relation to affordable housing, social housing and the need to look at availability of school places as this may become a concern in future.

The application was moved and seconded and the Committee agreed to approve the application.

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

- a) S106 Agreement that secures the terms set out in the Legal Agreement section of this report;
- b) schedule of conditions set out below; and
- c) that if the S106 Agreement is not signed within a reasonable period of time, authority be given to refuse this planning application.

Recommended conditions as follows:

1. Time limit – full permission;
2. Approved plans;
3. Contaminated land identification and remediation strategy;
4. Contaminated land validation report;
5. External facing materials;
6. Structural details of all retaining walls within 4m of a

- highway;
7. Boundary;
  8. EV charge parking spaces to be detailed;
  9. Construction management plan including avoidance measures re habitat / mammal / bird nesting / amphibians;
  10. Construction waste audit;
  11. Hedgehog highway network measures;
  12. Ecological protection strategy;
  13. Replacement of existing hedgerow;
  14. Ecological habitat management plan;
  15. Bird and bat boxes details;
  16. Domestic refuse storage details;
  17. SUD's verification report;
  18. Removal of GPDO Schedule 2, Part 1, Class F – no fences forward of front elevation;
  19. Standard 3-year permission;
  20. Approved plans;
  21. Construction Environment Management Plan (CEMP);
  22. Lead Local Flood Agency (LLFA) – details;
  23. LLFA – validation report;
  24. Prior to development a noise impact assessment;
  25. Contaminated land investigation and remediation;
  26. Landscape management plan;
  27. Archaeology;
  28. Bat licence;
  29. Traffic calming measures;
  30. Provision of cycleway connection to site allocation to east;
  31. Emergency access provision;
  32. Widening of path to 3.2m onto South Lane;
  33. LLFA, existing and proposed levels relating to plots, road and estimated river and sea level;
  34. Noise impact assessment measures;
  35. Air quality impact assessment;
  36. Measure for reducing carbon emissions and adapting to climatic conditions;
  37. Waste audit; and
  38. Lighting scheme to limit impact on nocturnal species.

*In order to avoid any potential allegation of bias, Councillor C. Plumpton Walsh did not take part in the debate or vote on this item, as she had been a customer in the past when it was a Sports Bar.*

DEV9 22/00602/COU - PROPOSED CHANGE OF USE FROM BAR/BED AND BREAKFAST TO A 17 BEDROOM HOUSE IN MULTIPLE OCCUPATION, INCLUDING EXTERNAL ALTERATIONS AT BRIDGE VIEW SPORTS BAR, 78 HIGH STREET, RUNCORN, WA7 1JH

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

Officers advised of an error on page 94 of the report; it stated that updated comments were awaited from Highways, but these had been included in the report.

The published AB update list confirmed that a response had been received by the Council's Regeneration Officer who had maintained his objection regarding the application, for the reasons given in the List. A response was also provided from Environmental Health, who raised no objections. Local Councillors for Mersey Ward had also requested their objections be taken into consideration, as they were unable to attend the meeting.

The Committee was addressed by Mr O'Rourke, who was the Planning Consultant for the Applicant. He stated the following:

- The application was fully compliant with planning policies;
- The proposed new use of the building was justified;
- The previous business was no longer viable and the property was currently vacant;
- The scheme was in character with the surrounding area;
- Discussed the sustainable nature of the site;
- Amended plans were submitted and considered acceptable by the Local Planning Authority; and
- In conclusion – it met housing demands and was affordable; was effective land utilisation; would provide economic benefits (jobs, use of local businesses); affords housing opportunities to individuals; and would provide a social and community feel for residents.

In response to the objection made by the Regeneration Officer, it was noted that the Town Centre Team were not consultees on this application as they were not experts, the Environmental Health Department was the consultee in this case. Members raised the Council Tax 'loophole' with HMO's and it was commented that matters relating to the conduct of tenants and landlord's responsibilities was a licensing matter; this application must be determined in accordance with the policies within the Development Plan and law.

Clarity over the provision of en-suite shower facilities



for each unit and communal kitchen facilities was provided.

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

1. Reason for decision;
2. Standard time conditions;
3. Specifying approved plans;
4. External materials to match existing;
5. Details of refuse store to be agreed; and
6. Implementation and retention of cycle storage area.

#### DEV10 MISCELLANEOUS ITEMS

It was noted that the following Appeals had been received / were in progress:

##### **22/00019/PLD**

Application for a Lawful Development Certificate for a proposed use of development for the installation of a solar farm (ground mounted solar photovoltaic panels) at Liverpool John Lennon Airport, land bounded by Dungeon Lane, Hare Road and Baileys Lane, to the East of Liverpool John Lennon Airport, Speke, Liverpool, L24 1YD.

##### **22/00285/ADV & 22/00284/FUL**

The retrospective application for planning consent for the installation of a car park management system on existing car park comprising 4 no pole mounted automatic number plate recognition (ANPR) cameras and 6 no. park and display machines at car park at Green Oakes Shopping Centre, Widnes, WA8 6UA.

##### **21/00016/OUT**

Outline application, with all matters other than access reserved for the erection of two semi-detached dwellings and four detached dwellings on the existing Church field and the retention of the existing scout hut at Hough Green Scout and Guide Group Hall and Church Field, Hall Avenue, Widnes.

It was noted that the following Appeal had been determined:

##### **22/00103/FUL**

Proposed construction of front dormer and rear dormer to newly formed first floor at 265 Hale Road, Hale, Liverpool, L24 5RF - **Dismissed**

*Meeting ended at 7.40 p.m.*