

MINUTES OF THE JANUARY 2022 COUNCIL MEETING
OF BIRCHWOOD TOWN COUNCIL,
HELD AT PARKERS FARM, DELENTY DRIVE, WA3 6AN,
ON TUESDAY 25TH JANUARY 2022, 6PM

Present: Councillor Bowden in the Chair
Councillors Allen, Atkin, Ball, Dempsey, Ellis, Evans, Reeves, Scott, Sheridan
and Simcock

Clerk – Mrs. F. McDonald
RFO / Deputy Clerk – Mrs C. Caddock

3 residents

Apologies: Councillor Brereton (health)

Code of Conduct – Declaration of Interests

The Chair reminded members of their responsibility to declare any personal interest or prejudicial interest which they have in any item of business on the agenda, no later than when the item is reached.

Councillor Ellis – Birchwood Youth and Community Centre, and Development Management Committee (WBC)

Councillors Atkin, Simcock and Reeves – Birchwood Carnival Committee

467/21-22 **PUBLIC PARTICIPATION**

(a) **Police Monthly Update**

PCSO Titans had sent his Police Report to the Council earlier in the day, which was circulated to Members, prior to the meeting. The report is as follows:

The following comprises the Police report to Birchwood Town Council for the month of January to date. This includes the period of December not covered in the previous report. This is not an exhaustive list of all crimes and incidents recorded by Police. Incidents of a sensitive nature, or those not of public concern, have been excluded.

Burglaries

- *3 reported burglaries of business premises*

Vehicle Thefts/Crime

- *4 reports of theft of motor vehicle*
- *1 report of theft from motor vehicle – vehicle left unsecure and goods of a low value taken by unknown persons*
- *1 report of tampering with a motor vehicle – unknown persons tampering with an HGV*

Thefts

- *4 reports of shoplifting*
- *6 reports of theft*

Criminal Damage

- *3 reports of criminal damage*
- *3 reports of criminal damage to a vehicle*

Antisocial Behaviour

- *9 reports of nuisance/antisocial behaviour*
- *7 reports of suspicious persons/activity*

Hate Incidents

- 3 reported hate incidents

Traffic-related incidents

- 8 reported road-related offences

Other incidents of note

- *A report was received of an unknown male carrying what was described as a “gun”, which was likely to be a BB gun or air-pistol, and that the male was pointing it and firing it towards a member of the public whilst walking on a footpath. House-to-house enquiries were completed in the surrounding area, however there was no further information to corroborate this report, nor were any further reports or complaints received.*

Members noted the receipt of the above report.

(b) Objection to Planning Application Raised by Residents

Councillor Ellis declared an interest, as he is a member of the Borough Council’s Development Management Committee. He left the room and took no part in any of the discussions regarding this application.

Three residents attended tonight’s meeting to raise their objections to a local planning application: Application No. 2021/40696 Land at Trident Business Park (north of Daten Avenue, west of Trident Way). Proposed demolition of existing premises & redevelopment of site to provide buildings for employment use (use classes E(g)(iii) / B8) access and car parking, landscaping and associated works.

The Council has also been contacted by residents via email who have asked for the Town Council’s support in objecting to this planning application.

The residents presented their strong objections to the above planning application.

One resident presented very detailed reasons why the application should, in their opinion, be refused. They commented that the documents presented by the developers do not give the full picture when it comes to various issues – such as massing, noise, light and air pollution.

Detailed emails from other residents had also been circulated to Members prior to the meeting.

Following discussions, Members agreed with the residents that the planning application should not be approved.

They noted that there is an assumption of vehicle movements in the developer’s documents (taken from pages 13 and 14 of the Acoustics Report) of 14 per hour during the day and 16 per hour at night (for units T83 and T43 combined). If this is a twelve-hour day and twelve-hour night, that is approximately 360 vehicle movements every day of the year.

It could be considerably higher, depending on the type of business that moves into the proposed buildings.

It was unanimously resolved that the Town Council will submit an objection, mainly of the grounds of:

Loss of amenity for residents.

Massing – the size of the buildings will be unacceptably overbearing in relation to nearby residents' homes.

Noise pollution – HGVs accessing the site 24/7, plant noise, operational noise, reversing beepers, etc.

Light pollution – a site operating 24 hours a day will require floodlighting to ensure that pedestrians and vehicles can move safely during operations. Light 'leaks', particularly vehicle headlights, flashing amber beacons on plant, and external lighting, no matter what the size or direction of the building.

Loss of light – the 'sun path' diagram on page 15 of the Design and Access Statement shows that the light from the sun (rising in the East and setting in the West) will potentially be 'blocked' by the new buildings, given that they will be 50ft and 42 ft high respectively. During winter months, would the sun even get high enough to enable any direct sunlight to reach the nearby residential properties?

Air pollution – the developer's documentation from one of their consultants concluded that it was *'not considered necessary to undertake a detailed air quality assessment as part of the planning application'* despite the unknown (at least 360 every day of the year according to the developer's documents) – but very large number of additional HGV movements in the local area, some passing directly in front of residents' homes 24 hours a day, seven days a week.

Members are very concerned that the local infrastructure will be unable to cope with a development of this size.

Drainage - Local roads already often flood making them impassable in areas for pedestrians, due to water run-off, as the drains cannot cope.

In the Flood Risk Assessment & Drainage Strategy it is stated, *'It is proposed to attenuate flows using proprietary below ground systems; the final discharge for each catchment will be to the existing United Utilities surface water sewer network.'*

If the discharge is into the same network that the residential homes on Warrington Road and Cross Lane South feed into, these drains are already unable to cope with rainfall, with Cross Lane South, in particular, often being flooded.

Traffic congestion - There is already plenty of anecdotal, and possibly WBC monitored evidence, regarding traffic levels and congestion in the area. The addition of hundreds of vehicular movements a day will only exacerbate this problem.

Damage to local roads due to the significant number of HGVs that will be using them - HGVs coming from the East Lancashire Road / Leigh direction will probably use Warrington Road, coming through Glazebrook and Culcheth, despite it having a 7.5 tonne limit, recently approved. Sections of Warrington Road have recently been resurfaced due to damage caused by the amount and type of traffic using this route.

There is no indication of what type of businesses will use the buildings – if they become distribution warehouses, requiring dozens of pick-ups from couriers every day, in addition to deliveries to the site, this could create even more additional vehicular movements per day.

Loss of livelihood for the small businesses that will be displaced - there are many small to medium-sized local businesses currently operating from the site.

Jobs within the new buildings are very unlikely to mitigate for the loss of these specific businesses.

Ecological concerns – The developer’s Ecological Report / Survey notes that evidence has been found of bats in the old Noggin building (B2) and in building B3, both of which are to be demolished and that *‘the proposed demolition works on building B2 will have an impact upon at least two bat roosts, one pipistrelle and one brown long eared.’*

Bats and their roosts are protected by law.

In the ‘Preliminary Ecological Appraisal’ report, it was noted that, *‘individual specimen trees were recorded in grassland across the site, particularly in the north in the grounds of The Noggin, where there are some early mature oaks Quercus robur. Two oak trees within the site have potential bat roost features. These trees are marked on the Habitat Plan and are T22 and T28 on the Tree Survey Plan.’*

These two trees, one of which is a Category A tree, are marked for removal as part of the development. This will not only affect potential roosts, but also destroy two ‘early mature oaks’.

Councillors are concerned that it appears there are many trees with tree protection orders (TPOs) on the site, which could be affected, either by actual removal or by work being undertaken around them.

It was **unanimously resolved** that the Council wishes to object to the application, and Members are prepared to speak against the application, should it go to Development Management Committee.

Action Clerk’s office to send a letter of objection to WBC Planning regarding the above application.

Councillor Ellis was invited back into the meeting.

As there were no other issues raised by members of the public, the Chair called Public Participation to a close.

Residents thanked the Council and left the meeting.

Minute’s Silence

Before continuing the meeting, the Chair asked Members to observe a minute’s silence in memory of Mr Gary Crowe, who passed away very recently. Gary retired last year from the Town Council, where he had worked for over thirty years. He is sadly missed by his friends and colleagues.

468/21-22 **DECEMBER 2021 COUNCIL MEETING MINUTES**

Councillor Atkin **proposed**, Councillor Scott **seconded** and it was **resolved** that: The Minutes of the Town Council Meeting held on 14th December 2021 be approved as an accurate record and signed by the Chair.

469/21-22 **PROPOSED PUBLIC MEETING**

The Clerk reported that a date needs to be arranged for the meeting and the new Police Sergeant, Sgt Nathan Gulam, will be invited.

470/21-22 **MOBILE SPEED SIGN**

The Clerk reported that we have chased the return of the speed sign and accessories to our offices. Apparently the charger is missing.

471/21-22 **BIRCHWOOD CARNIVAL COMMITTEE**

The Clerk reported that next meeting of the Birchwood Carnival Committee is scheduled to take place via Teams on 27th January 2022.

472/21-22 **ACCESS ISSUES – BIRCHWOOD RAILWAY STATION**

The Clerk reported that this remains ongoing and is one of several continuing and unresolved items that were raised at a partnership meeting that took place on 2nd December with WBC.

All the issues have been chased with WBC, but we have not yet received feedback regarding any of the items raised at the meeting.

473/21-22 **YOUR HOUSING GROUP (YHG)**

The Clerk stated that the walkabout with YHG took place in Locking Stumps on 13th January. Councillors Ellis and Scott were able to attend, along with herself and the Senior Maintenance Operative.

The Clerk had circulated notes from the meeting to Councillors in their papers.

Paul McNeilly is following up on options for the replacement of the concrete bollards on the Village Green, off Ainscough Road.

A discussion took place relating to The Birches area, owned by YHG, which was destroyed several years ago in an arson attack.

The next walkabout is taking place in February 2022. It is proposed that Whinchat Drive and surrounding areas be covered on this walkabout. Councillor Sheridan asked if Whitethroat Walk could also be included.

474/21-22 **FLOODING ON ROBERTS FOLD**

The Clerk stated that this was discussed at the recent partnership meeting with WBC. It remains an ongoing issue.

475/21-22 **HS2 HIGH SPEED RAIL (CREWE – MANCHESTER)**

The laptop, on which HS2 documents can be viewed (in digital format) will be delivered to us on 26th January 2022. Residents will be able to make an appointment to view the documents during office hours.

476/21-22 **UPDATE – PLANNING**

Re: Application No. 2021/39954 Car parking areas adjacent to 2 Kelvin Close, Birchwood, WA3 7PB. Part retrospective alterations to the layout of the site to provide additional car parking, landscaping and associated works.

We still do not have any additional information regarding the application at this time.

Councillor Ellis stated that he has chased this directly. He has written to Torus twice and is still awaiting a reply.

Councillor Bowden stated that, if necessary, he can raise this issue at a quarterly meeting that he attends with Torus.

477/21-22 **REMOTE COUNCIL MEETINGS**

As requested at the January meeting, the Clerk's office has written in support of remote council meetings to the local MP and the Minister for Levelling up Communities.

478/21-22 **PLANNING UPDATE**

Application No. 2021/40405 Land East of Kelvin Street, Birchwood Park, Warrington.
Proposed 3 no. general industrial and/or warehouse distribution (Use Classes B2 and/or B8) units (714, 715 and 716), access, parking and associated landscaping.

As requested, the Clerk contacted WBC regarding potential Section 106 conditions, if the application is approved.

The feedback received was that a Section 106 condition is usually only awarded if it would mitigate some negative impact that a development would have on the area surrounding the development.

NEW ITEMS RAISED UNDER THE CLERK'S REPORT TO THE COUNCIL

479/21-22 **WARRINGTON BOROUGH COUNCIL**

- (a) Sent/received – various emails / online reports / telephone calls following contact from residents re: flytipping, fallen trees, flooding, barriers knocked down, damaged play equipment, blocked drains, speeding traffic, overgrown landscaping, etc.
- (b) Circulated by Councillor Ellis – short training guide re: Personal Safety for Councillors, published by the Local Government Association.

480/21-22 **YOUR HOUSING GROUP (YHG)**

Sent/received – various emails / reports following contact from residents re: fallen trees, flytipping, etc.

481/21-22 **MISCELLANEOUS CORRESPONDENCE**

- (a) Received – various emails from Warrington Voluntary Action (WVA).
- (b) Received / sent – email correspondence with a resident re: pavement parking on Armstrong Close. This has also been sent to our PCSO.
- (c) Received – complaint re: speeding on Glover Road. This has been shared with Councillor Ellis (with the resident's permission) as he has recently been working with WBC on this matter.

Councillor Ellis reported that he has replied directly to the resident.

482/21-22 **CHESHIRE POLICE**

- (a) Various Neighbourhood Alerts.
- (b) Received – 'Stakeholder Special – Budget Consultation 2022/23'.
- (c) Received – Email re: survey relating to the budget consultation.

- (d) Received – Email from PCSO Titans re: Community Speedwatch on Warrington Road.

PCSO Titans had been working towards putting a case forward for setting up a Community Speedwatch scheme on Warrington Road, as there was some interest from residents local to Warrington Road.

PCSO Titans has told us that, *'I have been informed that we cannot have Community Speedwatch schemes enforcing on roads where Police enforcement is already in operation. The reasoning behind this decision is that it would be inconsistent for both to take place in the same location, as one driver caught speeding could be sent a letter if caught by the Speedwatch, whereas another driver caught speeding in the same location would be given a penalty notice and points.'*

I will, nonetheless, see what can be done to escalate Police enforcement on that road.'

- (e) The Clerk emailed PCSO Titans with a number of queries (copy in Members' papers).

483/21-22 **CHESHIRE ASSOCIATION OF LOCAL COUNCILS (CHALC), NATIONAL ASSOCIATION OF LOCAL COUNCILS (NALC), SOCIETY OF LOCAL COUNCIL CLERKS (SLCC)**

- (a) Received – NALC publications including the Chief Executive's Bulletins, events information, etc. These included a link to a petition regarding 'remote meetings'.
- (b) Received – ChALC weekly e-bulletins with various attachments, details of training sessions, etc. These included details of a NALC Policy Consultation Briefing – 'OFCOM' Postal Regulation Consultation.
- (c) Received – SLCC – various updates, briefings, news items, etc.

484/21-22 **PUBLICATIONS RECEIVED**

- (a) Various LGC e-mail correspondence/briefings, and 'The Clerk' – SLCC 50th Anniversary Edition.
- (b) To note that, after receiving our press release 'The Clerk' asked us to submit a full-page article for publication in their March 2022 edition, relating to BTC's purchase of electric vehicles; which we have done (there was a 5th January deadline for copy submission).

485/21-22 **CURRENT PLANNING APPLICATIONS FOR COMMENT AND OBSERVATION AND OTHER RELATED PLANNING ISSUES**

- (a) **Warrington Borough Council - Development Management Committee (DMC)**

Documents were available on the WBC website for the DMC that took place on 12th January 2022. There were no items specific to Birchwood on the main agenda for discussion. The next DMC is scheduled for 3rd February 2022 – there were no documents available for this meeting at the time of writing.

- (b) **Planning Decisions**

- (i) Application No. 2021/40072 1 Daniel Close, WA3 6QL. Proposed single storey front and side extension. **Approved with conditions.**
- (ii) Application No. 2021/40421 Land off Garrett Field, Birchwood, WA3 6NG. Proposed installation of a 20 metre high monopole tower and associated radio equipment housing, including one that will wrap around the base of the mast, and ancillary development hitherto. **Approved with conditions.**

- (iii) Application No. 2021/40428 49 Woolmer Close, WA3 6TT. Proposed single storey side extension. **Approved with conditions.**
- (iv) Application No. 2021/40557 66 Inglewood Close, Birchwood, WA3 6UJ. Proposed single storey extension to rear to extend beyond the rear wall by 5m to a maximum height 3.95m and a height at the eaves 2.5m. **Prior approval not required.**
- (v) Application No. 2021/39052 1 Raglan Court, Birchwood, WA3 6SZ. Request for Discharge of Conditions 3 and 5. **Approved.**
- (vi) Application No. 2021/40460 59 Woolmer Close, Birchwood, WA3 7TT. Amendment to approved application ref: 2020/37543 to include additional areas of render and inclusion of double doors to front elevation. **Approved with conditions.**
- (vii) Application No. 2021/40493 Dominion House, Temple Court, Daten Avenue, Birchwood, WA3 6GD. External alterations to the building including the creation of a ground floor terrace, roof terrace, roof lights, installation of cladding with feature planting and associated works. **Approved with conditions.**
- (viii) Application No. 2021/40187 7 Rossendale Drive, Birchwood, WA3 6UD. Proposed single storey side extension to existing house to create new garage space. **Approved.**
- (ix) Application No. 2021/39767 Petrol Service Station, Oakwood Gate, Ordnance Avenue, Birchwood, WA3 6RW. Proposed installation of self service car wash bay, screen and relocate air/water and vacuum. **Approved with conditions.**
- (x) Application No. 2021/39381 696 Warrington Road, Birchwood, WA3 6AU. Proposed single storey rear extension, single storey front porch extension and two storey side extension. **Approved with conditions.**

(c) **Planning Applications**

All plans can be viewed via:

http://www.warrington.gov.uk/home/transport_planning_and_environment/Planning/Se_arch_planning_applications/

Certain applications are not Planning Applications; therefore there is no statutory opportunity to allow 21 days for comments, e.g: Non material amendment applications, Lawful development certificates (S192) and 28 day prior approval/determination applications. These types of applications are received for information only.

- (i) Application No. 2021/40722. Parcel 701 and 702 Birchwood Park, Warrington, WA3 6AE. Discharge of Condition 5 (Foul and Surface Water), Condition 9 (Characterisation and Remediation and Verification) Condition 14 (Extraction and Ventilation) and Condition 15 (Acoustically insulated) on previously approved application 2015/26044 (combination of offices (B1); light and general industrial (B1/B2); warehousing development (B8) and ancillary retail/ financial & professional services/ non-residential institutions/ assembly and leisure (A1/A2/D1/D2) floor space.)

- (ii) Application No. 2021/40663. 47 Harcourt Close, Birchwood, WA3 6PU. Change of use to residential garden.
- (iii) Application No. 2021/40725 47 McCarthy Close, Birchwood, WA3 6RS. Proposed single storey side extension.
- (iv) Application No. 2022/40800 10 Darnaway Close, Birchwood, WA3 6TR. Proposed single storey side extension and porch/front extension.

The Council had no comments or objections to make to the above applications at this point in time.

- (v) Application No. 2021/40696 Land at Trident Business Park (north of Daten Avenue, west of Trident Way). Proposed demolition of existing premises & redevelopment of site to provide buildings for employment use (use classes E(g)(iii) / B8) access and car parking, landscaping and associated works.

See Minute 467/21-22 (b) above. The Council is objecting to this application.

(d) **Planning Appeal**

Appeal Reference: APP/M0655/W/21/3288180. Land to the North of Junction 11 of the M62, Warrington.

Environmental Assessment Application, Outline Planning Permission (Major) including details of access - Proposed Erection of a Motorway Service Area including Facilities Building, up to 100 bedroom Hotel, service yard, Fuel Filling Station, Electric Charging Station, parking facilities landscaping and amenity areas and associated infrastructure, all other details (Appearance, Landscaping, Layout and scale) reserved for subsequent applications (re: Planning Application 2019/35726).

Several residents have contacted the office with new objections. They have been advised that, at this stage of the process, they need to contact the Planning Inspectorate directly.

The Town Council has sent additional comments to the Planning Inspectorate.

This part of the meeting concluded at 6.35 pm.