

## PLANNING COMMITTEE

Thursday, 24 May 2012

Present:

Councillor	B Mooney (Chair)	
Councillors	E Boulton D Elderton S Foulkes P Hayes P Johnson	B Kenny S Kelly A Leech D Realey J Walsh

### 1 MINUTES

The Director of Law, HR and Asset Management submitted the minutes of the meeting held on Tuesday 24 April 2012.

**Resolved – That the minutes be received.**

### 2 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked whether they had any personal or prejudicial interests in connection with any application on the agenda and, if so, to declare them and state the nature of the interest.

Councillor Steve Foulkes declared a prejudicial interest in respect of planning application OUT/12/00331 – Bridge Court, West Kirby – Outline planning application for (A) construction of forty eight two- bed apartments with associated car parking, and (B) a new healthcare facility with associated car parking by virtue of discussions he had with the applicant under his previous role as Leader of the Council.

Councillor Paul Hayes declared a prejudicial interest, by virtue of his employment, in respect of planning application APP/12/00148 – 64 Stanley Road, Hoylake, CH47 1HZ, proposal for the erection of a detached domestic garage with accommodation ancillary to the main.

### 3 APPOINTMENT OF VICE CHAIR

On a motion by Councillor Brian Kenny and seconded by Councillor Steve Foulkes it was:

**Resolved - That Councillor Denise Realey be appointed Vice-Chair of the Planning Committee.**

#### 4 **REQUESTS FOR SITE VISITS**

Members were asked to submit their requests for site visits before any planning applications were considered.

The following requests for site visits were unanimously approved:

***ITEM 11 APP/12/00260 – 8 STANLEY ROAD, HOYLAKES – ERECTION OF A SINGLE STOREY REAR EXTENSION, DEMOLITION OF EXISTING DETACHED GARAGES AND ERECTION OF A NEW DOUBLE GARAGE/BBQ ROOM, REAR WALL WITH GATE OPENING, NEW FRONT PORCH (REPLACEMENT), AND INSTALLATION OF A FIRST FLOOR REAR FACING BALCONY. (Councillor Boulton)***

***ITEM 13 OUT/12/00331 – BRIDGE COURT, WEST KIRBY - OUTLINE PLANNING APPLICATION FOR (A) CONSTRUCTION OF FORTY EIGHT TWO-BED APARTMENTS WITH ASSOCIATED CAR PARKING, AND (B) A NEW HEALTHCARE FACILITY WITH ASSOCIATED CAR PARKING. (Councillor Elderton)***

#### 5 **ORDER OF BUSINESS**

The Chair agreed to vary the order of the business.

#### 6 **APP/11/01365 - ASDA SUPERSTORE, WELTON ROAD, BROMBOROUGH, CH62 3PN- APPLICATION TO REPLACE AN EXISTANT APPROVED PLANNING APPLICATION (08/5084) - CONSTRUCTION OF MEZZANINE FLOOR.**

The Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Eddie Boulton and seconded by Councillor David Elderton it was:

**Resolved (11:00) That the application be approved subject to a s106 legal agreement and the following conditions;**

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2. The net retail sales and display floorspace within the store shall not exceed 5,960 square metres, of which the net sales and display floorspace for non-food comparison goods shall not exceed 2,900 square metres unless agreed otherwise in writing by the Local Planning Authority.**
- 3. Development shall not be commenced until a Travel Plan has been submitted to and approved in writing by the local planning authority. The provisions of the Travel**

Plan shall be implemented and operated in accordance with the programme contained therein for as long as any part of the development is occupied and shall not be varied other than through agreement with the local planning authority. For the avoidance of doubt, such a plan shall include:

- Access to the site by staff, visitors and deliveries
- Information on existing transport services to the site and staff travel patterns;
- Travel Plan principles including measures to promote and facilitate more sustainable transport;
- Realistic targets for modal shift or split;
- Identification of a Travel Plan co-ordinator and the establishment of a travel plan steering group;
- Measures and resource allocation to promote the Travel Plan; and
- Mechanisms for monitoring and reviewing the Travel Plan, including the submission of an annual review and action plan to the local planning authority.

4. Development shall not commence until a scheme for the provision of cycle parking has been submitted to and agreed in writing by the local planning authority. The cycle parking facility shall be erected in accordance with the approved details prior to the occupation of the development hereby approved and retained as such thereafter.

5. The development hereby permitted shall be carried out in accordance with the approved plans and supporting documents received by the local planning authority on 28 November, 2011 and listed as follows: Job 07/409 Drw No P001 (dated 14.11.2011); Job AAR4775 Drg No PL01 (dated 26.09.2007); Job AAR4775 Drg No PL02 (dated 26.09.2007); Job AAR4775 Drg No PL03 (dated 26.09.2007); Job AAR4775 Drg No PL21 (dated 30.11.2007); Job AAR4775 Drg No PL22 (dated 30.11.2007); Job AAR4775 Drg No PL23 (dated 30.11.2007) & Job AAR4775 Drg No PL24 (dated 19.12.2007)

7 **APP/12/00047 - PEEL HEY, FRANKBY ROAD, FRANKBY, CH48 1PP - NEW EXIT AND DRIVEWAY.**

The Director of Regeneration, Housing and Planning submitted the above application for consideration.

A Ward Councillor addressed the meeting.

On a motion by Councillor Denise Realey and seconded by Councillor Steve Foulkes it was:

**Resolved (7:3) – That the application be approved subject to the following conditions;**

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The external finishes of the splays hereby permitted shall match those of the

existing boundary wall in material, colour, style, bonding and texture.

3. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 29 February 2012 and listed as follows: PWH 02 FR3 REV E dated January 2012.

4. Before any construction commences, details of the materials to be used in the construction of the proposed access shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

8 **APP/12/00119 - 5 ALISTAIR DRIVE, BROMBOROUGH, CH63 0LG - A FIRST FLOOR EXTENSION TO PROVIDE BEDROOMS WITH A SINGLE STOREY EXTENSION TO THE LEFT ELEVATION. (RESUBMISSION OF ORIGINAL APPLICATION 11/1425)**

The Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Denise Realey and seconded by Councillor Joe Walsh it was:

**Resolved (11:00) That the application be approved subject to the following conditions;**

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2. Before any construction commences, samples of the facing materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

3. Before the development hereby permitted is brought into use the two first floor side windows on the east elevation facing 7 Alistair Drive shall be fixed shut and obscurely glazed with frosted glass and shall be retained as such thereafter.

4. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 1 February, 2012.

9 **APP/12/00142 - CHESTER ROAD INDUSTRIAL UNITS, CHESTER ROAD, GAYTON - ERECTION OF 2 UNITS FOR B8 USE**

The Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Peter Johnson and seconded by Councillor Brian Kenny it was:

**Resolved (11:00) That the application be approved subject to the following conditions:**

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2. Before any construction commences, samples of the facing/roofing/window materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.**
- 3. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.**
- 4. The development hereby permitted shall be carried out in accordance with the approved plans and supporting documents received by the local planning authority on 29 February, 2012 and listed as follows: 371 01 Rev A (dated 22.08.2011); 371 02 Rev B (dated 22.08.2011) & 371 03 Rev A (dated 22.08.2011).**

10 **APP/12/00148 - 64 STANLEY ROAD, HOYLAKE, CH47 1HZ - DETACHED DOMESTIC GARAGE WITH ACCOMMODATION ANCILLARY TO THE MAIN**

Councillor Paul Hayes declared a prejudicial interest in respect of this item and left the meeting whilst the application was considered.

On a motion by Councillor Steve Foulkes and seconded by Councillor Eddie Boulton it was:

**Resolved (9:1) That the application be approved subject to the following conditions:**

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2. The development hereby approved shall be used solely for purposes incidental to the occupation and enjoyment on the existing dwelling as one residential unit and shall not be used as a separate unit of accommodation.**
- 3. The development hereby approved shall be carried out in accordance with the details shown on the plans received by the Local Planning Authority on 16/04/2012.**
- 4. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on and listed as follows: BR1 (dated February 2012) & BR2 Rev B (dated February 2012).**

11 **APP/12/00221- THE OVAL SPORTS CENTRE, OLD CHESTER ROAD, HIGHER BEBINGTON - THE ERECTION OF A SINGLE STOREY FURTHER EDUCATION SPORTS COLLEGE TOGETHER WITH A BRICK BUILT SECURE COMPOUND TO THE REAR FOR PARKED COLLEGE VEHICLES**

The Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion as amended by Councillor David Elderton and seconded by Councillor Steve Foulkes it was:

**Resolved (11:00) - That the application be approved subject to the following conditions;**

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2. Before any construction commences, samples of the facing/roofing/window materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.**
- 3. A Travel Plan should be submitted to and approved in writing by the local planning authority within 6 months of occupation. The provisions of the Travel Plan shall be implemented and operated in accordance with the programme contained therein for as long as any part of the development is occupied and shall not be varied other than through agreement with the local planning authority. For the avoidance of doubt, such a plan shall include:**
  - Access to the site by staff, visitors and deliveries**
  - Information on existing transport services to the site and staff travel patterns;**
  - Travel Plan principles including measures to promote and facilitate more sustainable transport;**
  - Realistic targets for modal shift or split;**
  - Identification of a Travel Plan co-ordinator and the establishment of a travel plan steering group;**
  - Measures and resource allocation to promote the Travel Plan; and**
  - Mechanisms for monitoring and reviewing the Travel Plan, including the submission of an annual review and action plan to the local planning authority.**
- 4. Development shall not commence until a scheme for the provision of cycle parking has been submitted to and agreed in writing by the local planning authority. The cycle parking facility shall be erected in accordance with the approved details prior to the occupation of the development hereby approved and retained as such thereafter.**
- 5. Prior to the commencement of development details of all security measures including boundary treatments shall be submitted to and agreed in writing with the**

Local Planning Authority. The approved scheme shall be implemented in full and retained as such thereafter.

6. The development authorised by this permission shall not begin until the local planning authority has approved in writing details of servicing arrangements including a suitable access route for refuse collection vehicles and including details of how this will be controlled and managed. The occupation of the development shall not begin until those works have been completed in accordance with the local planning authorities approval and have been certified in writing as complete by or on behalf of the local planning authority and retained as such thereafter.

7. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 22 February 2012 and listed as follows: 11-033 G01-206 PL0 (dated 15 FEB 12); 11-033 G01-205 PL0 (dated 15 FEB 12); 11-033 G01-203 PL0 (dated 15 FEB 12); 11-033 G06-202 PL0 (dated 15 FEB 12); 11-033 G09-201 PL0 (dated 06 FEB 12); 11-033 G00-201 PL0 (dated 20 FEB 12); 11-033 G07-205 PL0 (dated 15 FEB 12); 11-033 G07-206 PL0 (dated 20 FEB 12) & 11-033 G08-201 PL0 (dated 25 JAN 12)

8. The development hereby approved shall be used as a further education sports college and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

9. Prior to first occupation, a scheme of works detailing all external mechanical extraction/ventilation points plus any air conditioning units, including the sound power levels for all such units, shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation and retained as such thereafter.

- 12     **APP/12/00260 - 8 STANLEY ROAD, HOYLAKE, CH47 1HW - ERECTION OF A SINGLE STOREY REAR EXTENSION, DEMOLITION OF EXISTING DETACHED GARAGES AND ERECTION OF A NEW DOUBLE GARAGE/BBQ ROOM, REAR WALL WITH GATE OPENING, NEW FRONT PORCH (REPLACEMENT), AND INSTALLATION OF A FIRST-FLOOR REAR FACING BALCONY.**

**Resolved-** That consideration of the item be deferred for a formal site visit.

- 13     **APP/12/00300 - CHATSWORTH ROAD, PENSBY - PROPOSED CHANGE OF USE OF LAND FROM AGRICULTURAL LAND TO USE FOR DOG AGILITY TRAINING (NON-COMMERCIAL)**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

A petitioner addressed the meeting.

The applicant addressed the meeting.

On a motion as amended by Councillor Steve Foulkes and seconded by Councillor David Elderton it was:

**Resolved (11:00)- That the application be approved subject to the following conditions;**

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2. The use of the land for dog training purposes shall be restricted to 2 days between the hours of 09.00 and 17.00 Monday to Friday and 1 day between the hours of 09.00 and 17.00 Saturday to Sunday.**
- 3. There shall be no more than two dogs being trained on the application site at any one time during the hours of 09.00 and 17.00.**
- 4. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 7 March, 2012.**
- 5. This consent shall enure for the benefit of the applicant, Professor Anne McArdle only, and shall not enure for the benefit of the land. For the avoidance of doubt, upon cessation of the use hereby permitted, as outlined within the submitted application, the use of the land shall revert to an agricultural purpose.**

- 14 **OUT/12/00331 - BRIDGE COURT, BRIDGE ROAD, WEST KIRBY - OUTLINE PLANNING APPLICATION FOR (A) CONSTRUCTION OF FORTY EIGHT TWO BED APARTMENTS WITH ASSOCIATED CAR PARKING, AND (B) A NEW HEALTHCARE FACILITY WITH ASSOCIATED CAR PARKING.**

**Resolved- That consideration of the item be deferred for a formal site visit.**

- 15 **APP/12/00416 - BROOKHURST PRIMARY SCHOOL, BROOKHURST ROAD, BROMBOROUGH, CH63 0EH - RETROSPECTIVE PLANNING APPLICATION FOR THE ERECTION OF TRIM-TRAIL CLIMBING APPARATUS WITHIN THE REAR PLAYGROUND AREA OF THE SCHOOL SITE.**

The Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Denise Realey and seconded by Councillor Joe Walsh it was:

**Resolved (11:00) – That the application be approved**



**APP/11/00461 CHAMPIONS BUSINESS PARK, ARROWE BROOK ROAD, UPTON - RETENTION OF THE FORMER CHAMPION SPARK PLUGS SITE FOR MIXED BUSINESS, INDUSTRIAL, RECORDING STUDIO AND DISTRIBUTION PURPOSES WITH TRADE COUNTER) (USE CLASSES B1, B2 AND B8), AND CARAVAN STORAGE**

The Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Brian Kenny and Seconded by Councillor Anita Leech it was:

**Resolved (11:00) – That the application be approved subject to the following conditions;**

- 1. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 27 May 2011 and listed as follows: 401/03B dated 15 February 2011; 401/04 dated 23 February 2011; 401/04A dated April 2009; 401/05A dated 23 December/April 2009, 401/06 dated April 2009; 401/07D dated April 2009 amended October/November 2009, 401/07A dated April 2009; 401/08 dated April 2009.**
- 2. Any sales from the development hereby approved to those physically visiting the site shall be to representatives of established businesses and to the trade only and not to visiting members of the general public. .**
- 3. The trade counter area(s) shall not exceed a total of 190 square metres gross floorspace in the area annotated as 'Arrowe Kitchens' and 440 square metre gross floorspace in the area annotated as 'Home Outlet Limited' as shown on the approved plan drawing no. 401/07D and shall not be located in any other part of the site. Use of the trade counter areas shall permanently cease if the remainder of those units cease to be used for the assembly, storage and distribution of kitchen units/furniture.**
- 4. Full details of the space and facilities for cycle parking within the site shall be submitted for approval in writing by the Local Planning Authority within 6 months of the date of this planning permission. The approved facilities shall be installed within 3 months of the written approval from the Local Planning Authority and shall be permanently retained thereafter.**
- 5. Within 3 months of the date of this decision Full Travel Plans for each occupier shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority. For the avoidance of doubt the Travel plan shall include:**
  - Access to the site by staff;**
  - Information on existing transport services to the site and staff travel patterns;**
  - Travel Plan principles including measures to promote and facilitate more sustainable transport;**
  - Realistic targets for modal shift or split;**
  - Identification of a Travel Plan co-ordinator and the establishment of a Travel**

Plan steering group;

- Measures and resource allocation to promote the Travel Plan; and
- Mechanisms for monitoring and reviewing the Travel Plan, including the submission of an annual review and action plan to the Local Planning Authority.

6. Full details of a landscaping scheme for the external area in the south east corner of the site fronting the Home Outlet building between Arrowe Park Road and Arrowe Brook Road shall be submitted for approval in writing by the Local Planning Authority within 6 months of the date of this planning permission. The landscaping scheme shall detail the positions, species and heights of existing and proposed trees, shrubs and hedge planting and all existing and proposed grassed and hard surfaced areas and any other natural or proposed features. Following written approval from the Local Planning Authority, all landscaping works shall be carried out within the first planting season in accordance with the approved scheme, which shall be maintained as such thereafter and any trees or plantings which are removed, die or become seriously damaged or diseased within a period of 5 years after the date of planting shall be replaced in the following planting season.

7. The caravan and vehicle storage shall only be located within the areas shown on the approved plan drawing no. 401.03B and no other part of the site. For the avoidance of doubt, the caravan storage area shall have a gross floor space of no greater than 4360 square metres.

8. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 27 May 2011 and listed as follows: 401/03B (dated 15.02.2011); 401/04 (dated 23.02.2011); 401/04A (dated April 2009); 401/05A (dated April 2009); 401/06 (dated April 2009); 401/07D (dated April 2009); 401/07A (dated 22.04.2009) & 401/08 (dated April 2009).

17 **APP/12/00251- 63 OSMASTON ROAD, PRENTON, CH42 8LR - SINGLE STOREY SIDE AND REAR EXTENSION WITH DORMER LOFT CONVERSION**

The Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Eddie Boulton and seconded by Councillor David Elderton it was:

**Resolved (11:00) - That the application be approved subject to the following conditions;**

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 27 February 2012 and listed as follows: 15\_2012\_01 (dated 06.02.2012); 15\_2012\_02 (dated 06.02.2012) & 15\_2012\_03 (dated 06.02.2012)

18 **APP/12/00413 - 48 MARLOWE ROAD, LISCARD, CH44 3DG - SINGLE STOREY SIDE/REAR EXTENSION**

The Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Peter Johnson and seconded by Councillor Eddie Boulton it was:

**Resolved (11:00) – That the application be approved subject to the following conditions;**

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2. The external finishes of the development hereby permitted shall match those of the existing building in material, colour, style, bonding and texture.**
- 3. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 21 March 2012 and listed as follows: 46\_2012\_01 (dated 12.03.2012)**

19 **APP/12/00438 - 11 RESERVOIR ROAD NORTH, PRENTON, CH42 8LT - DOUBLE STOREY REAR AND SIDE EXTENSIONS AND INTERNAL ALTERATIONS WITH ROOF DORMERS PROVISION OF SECOND VEHICULAR ACCESS AND DRIVE AND SINGLE STOREY BUILDING TO THE SIDE**

The Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Peter Johnson and seconded by Councillor Elderton it was:

**Resolved (11:00) – That the application be approved subject to the following conditions;**

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2. Before any construction commences, samples of the facing materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.**
- 3. Before the development hereby permitted is brought into use all the first floor windows in both side elevations facing 9 and 13 Reservoir Road shall be fixed shut and obscurely glazed with frosted glass and shall be retained as such thereafter.**
- 4. The development hereby permitted shall be carried out in accordance with the**

approved plans received by the local planning authority on 27 March 2012 and listed as follows: 164\_2011\_01 (dated 18.01.2012) & 164\_2011\_02 (dated 18.01.2012)

20 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 16/04/2012 AND 14/05/2012**

The Director of Regeneration, Housing and Planning submitted a report detailing applications delegated to him and decided on between 16/04/2012 and 14/05/2012

**Resolved** – That the report be noted.

21 **PLANNING APPEALS DECIDED BETWEEN 16/04/2012 AND 14/05/2012**

The Director of Regeneration, Housing and Planning submitted a report detailing planning appeals decided upon between 16/04/2012 and 14/05/2012

**Resolved** – That the report be noted

22 **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR**

23 **APP/11/01418 - RED CAT, GREASBY ROAD, GREASBY, CH49 3AT - ERECTION OF BUILDINGS FOR RETAIL UNIT (A1) AND VETS SURGERY (D1 )**

The Director of Regeneration, Housing and Planning submitted a report in relation to an Appeal against non-Determination for the above application for consideration.

On a motion by Councillor Elderton and seconded by Councillor Kelly it was:

**Resolved** (11:00)- That the Planning Inspector be asked to dismiss the appeal for the reason that;

**1. The Local Planning Authority considers that the proposal would result in unsustainable development in that it could lead to the loss of valued facilities and services and prevent established shops facilities and services being able to develop and modernize in a way that is sustainable and retained for the benefit of the community. The proposed use would, therefore, be contrary to the National Planning Policy Framework” and UDP Policies SHO1 ‘Principles for New Retail Development’ and Policy SH9 ‘Criteria for Out of Centre and Edge of Centre Retail Development’.**

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