



Planning Committee

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| Date: | Thursday, 26 July 2012 |
| Time: | 6.00 pm |
| Venue: | Committee Room 1 - Wallasey Town Hall |

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- 1. MINUTES (Pages 1 - 22)**
- 2. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members of the Committee are asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.
- 3. REQUESTS FOR SITE VISITS**

Members are asked to request all site visits before any application is considered.
- 4. OUT/12/00002 PORT SUNLIGHT GOLF RANGE AND PITCH AND PUTT, NEW CHESTER ROAD, NEW FERRY, CH62 4RE - OUTLINE APPLICATION FOR REDEVELOPMENT OF THE PORT SUNLIGHT GOLF CENTRE SITE FOR RESIDENTIAL DEVELOPMENT INCLUDING MEANS OF ACCESS WITH ALL OTHER MATTERS RESERVED AND DEMOLITION OF EXISTING GOLF CENTRE BUILDINGS AND ASSOCIATED STRUCTURES. (Pages 23 - 36)**
- 5. APP/12/00131: 23 ASHVILLE ROAD, BIRKENHEAD, CH41 8AU - ERECTION OF A SINGLE STOREY FRONT EXTENSION TO PROVIDE 2 BEDROOMS & MODIFICATIONS TO EXISTING EXTERNAL STORE, WITH NEW ACCESS TO COURTYARD. (Pages 37 - 40)**

6. **APP/12/00206: GREAT EASTERN, NEW FERRY ROAD, NEW FERRY, CH62 1BN - REMOVAL OF CONDITION 10 OF APPROVAL APP/10/00223 (ERECTION OF 10 NO 2 STOREY HOUSES) - TO REMOVE THE NEED FOR DETAILS OF THE PROPOSED MEASURES TO BE INCORPORATED WITHIN THE BUILDING TO ACHIEVE 10% OF THE PREDICTED ENERGY REQUIREMENTS OF THE SITE FROM RENEWABLE SOURCES. (Pages 41 - 46)**
7. **APP/12/00253: WHITES FARM SHOP, STATION ROAD, THURSTASTON, CH61 0HN - CHANGE OF USE TO MIXED USE COMPRISING FARM SHOP AND ASSOCIATED CAFE (RESUBMISSION OF REF: APP 10/01234) (Pages 47 - 54)**
8. **APP/12/00468: 74 OLDFIELD DRIVE, HESWALL, CH60 9HA - REMODELLING OF EXISTING DWELLING INCLUDING A TWO-STOREY SIDE EXTENSIONS, FRONT DORMER WINDOW EXTENSIONS, A REAR BALCONY AND A SINGLE STOREY REAR EXTENSION. (Pages 55 - 60)**
9. **APP/12/00513: FROM ROUNDABOUT SOUTH OF 1408 NEW CHESTER ROAD, EASTHAM TO PUMP HOUSE, COMMERCIAL ROAD BROMBOROUGH - APPLICATION FOR A NEW PERMISSION TO REPLACE EXTANT PLANNING PERMISSION 08/05472 (FOR THE INSTALLATION OF 2 NO. CROSS COUNTRY PARALLEL PIPELINES FROM ROUNDABOUT AT JUNCTION 4 OF M53 MOTORWAY TO COMMERCIAL ROAD, BROMBOROUGH) IN ORDER IN ORDER TO EXTEND THE PERIOD OF IMPLEMENTATION BY A FURTHER THREE YEARS. (Pages 61 - 110)**
10. **APP/12/00530 : THE WRO GRANGE ROAD, WEST KIRBY - VARIATION OF CONDITION 4 OF APPROVED PLANNING APPLICATION APP/99/06362. THE PROPOSED CONDITION SHALL READ "THE PREMISES SHALL BE CLOSED BETWEEN 00.30 AND 09.00 HOURS EXCEPT ON THE FOLLOWING OCCASIONS; THE PREMISES SHALL BE CLOSED BETWEEN 01.30 AND 09.00 HOURS ON CHRISTMAS DAY, AND SHALL BE CLOSED BETWEEN 02.30 AND 09.00 HOURS ON 27TH DECEMBER, AND SHALL BE CLOSED BETWEEN 02.30 AND 09.00 HOURS ON NEW YEAR'S DAY." (Pages 111 - 118)**
11. **APP/12/00546: VACANT SHOP, 88 THE RAKE, BROMBOROUGH, CH62 7AL - CHANGE OF USE FROM A SEWING SHOP TO A PRIVATE HIRE BOOKING OFFICE AND RESTROOM FOR DRIVERS. (Pages 119 - 122)**
12. **APP/12/00625: 90 DINGWALL DRIVE, GREASBY, CH49 1SQ - LOFT CONVERSION (Pages 123 - 126)**
13. **APP/12/00084: MUZZY CHARCOAL GRILL, 29 LISCARD VILLAGE, LISCARD, CH45 4JG - ERECTION OF SINGLE STOREY EXTENSION AT REAR (RETROSPECTIVE) (Pages 127 - 130)**

14. **APP/12/00200: 33 CLIFTON ROAD, TRANMERE, CH41 2SF - CONVERSION OF EXISTING BASEMENT INTO A TWO-BEDROOM FLAT AND WIDENING OF DRIVE TO IMPROVE (Pages 131 - 134)**
15. **APP/12/00422: 6 BURRELL CLOSE, PRENTON, CH42 8QE - RETROSPECTIVE HOUSEHOLDER PLANNING APPLICATION FOR REAR CONSERVATORY AND DECKING, AND TO RETAIN CLEAR GLASS TO SIDE ELEVATION TO CONSERVATORY (AMENDED DESCRIPTION) (Pages 135 - 138)**
16. **APP/12/00745: BRICK KILN COTTAGE, 2 HARGRAVE LANE, RABY, CH64 1RX - DOUBLE STOREY SIDE EXTENSION (Pages 139 - 142)**
17. **APP/12/00803: 1 KINGSMEAD GROVE, OXTON, CH43 6XP - FIRST FLOOR SIDE EXTENSION AND PORCH (AMENDED DESCRIPTION) (Pages 143 - 146)**
18. **ADV/12/00815: GRASS VERGE BETWEEN A5137(BRIMSTAGE ROAD) AND B5151(MOUNT ROAD) JUNCTION, CLATTERBRIDGE,WIRRAL - RAISED SIGNAGE BOARD ON VERTICAL SUPPORTS WITH PITCHED ROOF CANOPY (Pages 147 - 150)**
19. **ERECTION OF SINGLE STOREY CHICKEN SHEDS AND FEED/STORAGE SHEDS, AND THE EXCAVATION OF A POND AT A SITE ADJACENT TO 151 MILL LANE, GREASBY, CH49 3NT (Pages 151 - 154)**
20. **NO EXPEDIENCY FOR ENFORCEMENT ACTION AGAINST THE ERECTION OF TWO-STOREY SIDE EXTENSION AT 19 STANLEY AVENUE, HIGHER BEBINGTON NOT IN ACCORDANCE WITH APPROVED PLANNING APPLICATION APP/07/06709 (Pages 155 - 160)**
21. **30 DARMONDS GREEN, WEST KIRBY – NON ACCORDANCE WITH APP/2007/6826 (Pages 161 - 166)**
22. **NO EXPEDIENCY FOR ENFORCEMENT ACTION AGAINST THE ERECTION OF A DETACHED OUTBUILDING AT 100 GARDEN HEY ROAD, SAUGHALL MASSIE (Pages 167 - 172)**
23. **117 BANKS ROAD, WEST KIRBY – NON ACCORDANCE WITH APP/2007/6879 (Pages 173 - 178)**
24. **ADOPTION OF THE OXTON CONSERVATION AREA MANAGEMENT PLAN. (Pages 179 - 204)**
25. **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 16/06/2012 AND 18/07/2012 (Pages 205 - 234)**

26. EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC

The following items contain exempt information.

RECOMMENDATION: That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.

27. EXEMPT APPENDIX 1 (Pages 235 - 236)

28. EXEMPT APPENDIX 2 (Pages 237 - 240)

29. EXEMPT APPENDIX 3 (Pages 241 - 250)

30. EXEMPT APPENDIX 4 (Pages 251 - 260)

31. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR

Public Document Pack Agenda Item 1

PLANNING COMMITTEE

Thursday, 28 June 2012

Present: Councillor B Mooney (Chair)

Councillors D Elderton D Realey
E Boulton J Walsh
P Johnson P Hayes
S Kelly A Leech
B Kenny

Deputies: Councillors J Crabtree

24 MINUTES

The Director of Law, HR and Asset Management submitted the minutes of the meeting held Thursday 24 May 2012.

Resolved – That the minutes be received.

25 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were 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.

No such declarations were made

26 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:

APP/12/00131 - Erection of a single storey front extension to provide 2 bedrooms & modifications to existing external store, with new access to courtyard - 23 ASHVILLE ROAD, BIRKENHEAD, CH41 8AU (Councillor Realey)

APP/12/00468 - Remodelling of existing dwelling including a two-storey side extensions, front dormer window extensions, a rear balcony and a single storey rear extension - 74 OLDFIELD DRIVE, HESWALL, CH60 9HA (Councillor Johnson)

APP/12/00084 - Erection of single storey extension at rear (retrospective) - Muzzy Charcoal Grill, 29 LISCARD VILLAGE, LISCARD, CH45 4JG (Councillor Kenny)

27 **APP/11/00964 - FIVE OCEANS INTERNATIONAL REMOVERS, 93 CHESTER STREET, BIRKENHEAD, CH41 5DE - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 28 APARTMENTS (EXTENSION OF TIME 05/5224)**

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

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

Resolved (11:0) – 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. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**
- 3. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include proposed finished levels; means of enclosure; the materials to be used in the surfacing of car parking spaces, vehicle and pedestrian access and circulation areas; the provision of minor artifacts and structures such as furniture, refuse or other storage units, signs and lighting; the provision of proposed and the protection of existing functional services above and below ground such as drainage power, communications cables, pipelines and indicating lines, manholes and supports.**
- 4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with**

the local planning authority.

5. A landscape management plan, including management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the local planning authority prior to the occupation of any part of the development. The landscape management plan shall be carried out as approved.

6. No external security or floodlighting other than that included within the approved details of hard and soft landscape works shall be installed within the site unless details have previously been submitted to and approved in writing by the local planning authority.

7. No development shall take place until a noise survey has been carried out to ascertain the likely effect on the apartments hereby permitted from traffic noise on Chester Road. The survey shall be submitted to and approved in writing by the local planning authority. If the survey identifies any of the apartments as coming within noise exposure categories B and C as set out in the table of recommended noise exposure categories in Annex 1 of PPG24 "Planning and Noise", a scheme of noise insulation for these apartments shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before any of the apartments identified in the survey are occupied. Thereafter the approved scheme shall be retained.

8. No development shall take place until a scheme for the secure storage of cycles within the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out before any of the apartments hereby permitted are occupied and retained thereafter.

9. No development shall take place until a Green Travel Plan has been submitted to and approved in writing by the local planning authority. The submitted Green Travel Plan shall include information on public transport services within the area, measures for encouraging the use of alternative modes of travel to the car and a mechanism for monitoring and reviewing the Green Travel Plan, including the submission of an annual review and action plan to the local planning authority. The information on public transport services and measures for encouraging more alternative modes of travel contained in the approved Green Travel Plan shall be provided to the first occupiers of the apartments hereby permitted. Thereafter, the approved Green Transport Plan shall not be varied except as agreed in writing with the local planning authority or through the annual review and action plan.

28 **APP/11/01528 - SEACOMBE FERRY HOTEL, VICTORIA PLACE, SEACOMBE, CH44 6NR - CONSTRUCTION OF 20 NEW DWELLINGS COMPRISING TWO HOUSES AND 18 APARTMENTS WITH CAR PARKING, APPLICANT: PLANT BUILDING CONTRACTORS**

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

Two petitioners addressed the meeting

The applicant addressed the meeting

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

Resolved (9:2) – 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. Details of materials for all external work including samples, shall be submitted to and approved by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the details as approved.**
- 3. The proposed landscaping shall be completed before the accommodation hereby approved is occupied and thereafter shall be maintained to the satisfaction of the Local Authority.**
- 4. Before the development is brought into use, the bathroom and corridor windows in the western elevation shall be obscurely glazed and non opening up to a height of 1.7m above the internal floor level and retained as such thereafter.**
- 5. None of the dwellings hereby approved shall be occupied until details of replacement signage explaining the restricted vehicular access to the site has been agreed in writing with the Local Planning Authority. The approved signage shall be erected before the dwellings are occupied.**
- 6. The development shall be carried out in accordance with the amended plans received on 18/5/2012,**
- 7. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 13 July 2011, 14 July 2011 and 18 May 2012 and listed as follows: 1137(5)001, 1137(5)002, 1137(5)003, 1137(5)004, 1137(5)005B, 1137(5)006B, 1137(5)007B, 1137(5)008B, 1137(5)009B, 1137(5)010B and 1137(4)010.**

29 **APP/12/00030 - CAMMELL LAIRD, CAMPBELTOWN ROAD, TRANMERE, CH41 9BP - TEMPORARY PLANNING PERMISSION FOR THREE YEARS TO ERECT AMENITIES (PORTACABINS, SUB STATIONS X 2, WAREHOUSE STORAGE BUILDING, STORAGE TANK, GANGWAY AND PONTOON, PALISADE FENCING, ACCESS GATES AND 6 LIGHTING TOWERS) TO FACILITATE THE COORDINATION OF CONSTRUCTION OF PARTS OF THE GWYNT Y MOR OFFSHORE WIND FARM.**

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

On a motion by Councillor Boulton and seconded by Councillor Realey it was:

Resolved (11:0) – That the application be approved subject to the following conditions;

- 1. The use hereby permitted shall be discontinued and the land restored to its former condition on or before 28th June 2015 in accordance with a scheme of works submitted to and approved by the Local Planning Authority.**
- 2. The proposed illumination shall be shielded away from the highway and neighbouring houses in a manner to be agreed with the Local Planning Authority to prevent glare. The shielding shall be retained thereafter**
- 3. If, during development, contamination is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.**
- 4. The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.**
- 5. The development hereby permitted shall not be commenced until such time as a scheme to install oil and petrol separators has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.**
- 6. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 30 January and 9 February 2012 and listed as follows: REN/GYAM/0089/A (dated**

06.01.2012); REN/GYAM/0089/B (dated 30.01.2012); REN/GYAM/0092/A (dated 06.01.2012); REN/GYAM/0092/B (dated 30.01.2012); LE11198-002 (dated 30.01.2012); FS/0381024-1 (dated 30.01.2012); FS/0381024-11 (dated 30.01.2012)
FS/0381024-4 (dated 30.01.2012); FS/0381024-5 (dated 30.01.2012); FS/0381024-6 (dated 30.01.2012); FS/0381024-7 (dated 30.01.2012); FS/0381024-8 (dated 30.01.2012); FS/0381024-12 (dated 30.01.2012); FS/0381024-10 (dated 30.01.2012); FS/0381024-09 (dated 30.01.2012); FS/0381024-14 (dated 30.01.2012); FS/0381024-15 (dated 30.01.2012); FS/0381024-02 (dated 30.01.2012); FS/0381024-15 (dated 30.01.2012); FS/0377940-1 (dated 30.01.2012); FL/2011/0377940-3 (dated 30.01.2012); 205233/1 (dated 30.01.2012); 205233/2 (dated 30.01.2012) & 205233/3 (dated 30.01.2012)

7. The site must be drained on a total separate system, with only foul drainage ultimately connected into the public foul sewerage system

8. All fuel and chemical storage tanks must have adequate bund walls with outlets. The bund must be capable of holding more than the largest tank within it.

- 30 **APP/12/00131 - 23 ASHVILLE ROAD, BIRKENHEAD, CH41 8AU - ERECTION OF A SINGLE STOREY FRONT EXTENSION TO PROVIDE 2 BEDROOMS & MODIFICATIONS TO EXISTING EXTERNAL STORE, WITH NEW ACCESS TO COURTYARD.**

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

- 31 **APP/12/00253 - WHITES FARM SHOP, STATION ROAD, THURSTASTON, CH61 0HN - CHANGE OF USE TO MIXED USE COMPRISING FARM SHOP AND ASSOCIATED CAFE (RESUBMISSION OF REF: APP 10/01234)**

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

A ward Councillor addressed the meeting.

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

Resolved (10:1) - That consideration of the item be deferred for further information.

- 32 **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.

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

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

Resolved (8:3) – That the item 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 built in accordance with details shown on plans submitted to and received by the Local Planning Authority dated 19th April 2012.**
- 3. The detached garage shall be built in accordance with details shown as 'Option 2' on amended plan received by the Local Planning Authority dated 19th April 2012**
- 4. The rear balcony shall be built in accordance with details shown on amended plan received by the Local Planning Authority dated 19th April 2012.**
- 5. The material used within the external finish of the balcony shall be constructed from timber and stained with a suitable colour to be agreed in writing with the Local Planning Authority in accordance with details shown on amended plan received by the Local Planning Authority on 19th April 2012.**
- 6. Before the balcony hereby approved is constructed, details of a 1.8 metres high screen to be erected along the full length of both sides of the balcony shall be submitted to and approved in writing by the local planning authority. The approved screen shall be erected in strict accordance with such details to be approved and before the balcony is first brought into use and shall be retained as such thereafter.**
- 7. Before the development commences a detailed drawing at a scale of 1:20 showing the dimensions and finish of the balcony and balustrade shall be submitted to and approved in writing by the Local Planning Authority. The balcony and balustrade shall be implemented in accordance with the approved detail, and retained as such thereafter.**
- 8. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 19 April, 2012**

(as amended).

- 33 **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.**

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

A ward Councillor addressed the meeting

A petitioner addressed the meeting

The Agent addressed the meeting

On motion by Councillor Kenny and seconded by Councillor Elderton it was

Resolved (11:0) – 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 or two years from the date of the approval of the last of the reserved matters, whichever is the later.

2. Details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

- a) Layout**
- b) Scale**
- c) Appearance**
- d) Access and**
- e) Landscaping**

Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved.

3. Prior to the occupation of the development, hereby approved, a scheme for the provision of affordable housing to be provided, shall be submitted to and agreed in writing by the Local Planning Authority (LPA). The scheme shall include the occupancy criteria to be used in determining the identity of prospective and successive occupier of the affordable housing and the means

by which such occupancy can be enforced. The approved scheme shall be implemented in full and in perpetuity unless otherwise agreed in writing with the LPA.

4. Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and retained as such thereafter.

5. 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.

6. Development shall not commence until details of works to provide a Toucan Crossing on Orrysdale Road have been submitted to and agreed in writing by the Local Planning Authority. First occupation of the development shall not commence until works have been completed in accordance with the agreed details, to the satisfaction of the Local Planning Authority.

7. No works or development shall take place until a detailed Method Statement for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with the approved method statement. For the avoidance of doubt, the method statement shall include:

- a) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work.
- b) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837).
- c) the details and positions of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- d) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837).

- e) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837).
- f) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground.
- g) the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
- h) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction.
- i) the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.
- j) the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.
- k) the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837).
- l) the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).
- m) the timing of the various phases of the works or development in the context of the tree protection measures.

8. No development shall commence until details of the proposed measures to be incorporated within the buildings to achieve 10% of the predicted energy requirements of the site from renewable sources have been submitted to and agreed in writing by the Local Planning Authority, unless it has previously been demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable. The development shall be implemented in accordance with the approved details and operated as such thereafter.

9. Development shall not commence until details of works to widen the existing footway to 2.0 metres along the east side of Orrysdale Road from

Bridge Road to the southernmost extent of the site have been submitted to and agreed in writing by the Local Planning Authority. First occupation of the development shall not commence until those works have been completed in accordance with the agreed details, to the satisfaction of the Local Planning Authority.

10. Development shall not commence until details of works to provide a shared cycle / footpath along the line of the existing footpath on the grassed area to the east of Orrysdale Road from Bridge Road to the southernmost extent of the site have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the details hereby submitted shall include a maintenance schedule. Prior to first occupation the works shall be completed in accordance with the written approval to the satisfaction of the Local Planning Authority and shall be retained as such thereafter and maintained in accordance with the approved maintenance schedule.

11. Development shall not commence until details of works to provide a footpath linking Orrysdale Road and Bridge Road have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the details hereby submitted shall include a maintenance schedule. Prior to first occupation the works shall be completed in accordance with the written approval to the satisfaction of the Local Planning Authority and shall be retained as such thereafter and maintained in accordance with the approved maintenance schedule.

12. Development shall not commence until details of works to provide a shared cycle / footway along the west side of Orrysdale Road from the above mentioned Toucan Crossing to Grange Road Toucan Crossing have been submitted to and agreed in writing by the Local Planning Authority. First occupation of the development shall not commence until those works have been completed to the satisfaction of the Local Planning Authority.

13. Development shall not commence until details of works to widen Bridge Court and provide a turning head at its southernmost extent have been submitted to and agreed in writing by the Local Planning Authority. First occupation of the development shall not commence until those works have been completed to the satisfaction of the Local Planning Authority.

14. Development shall not commence until details of a regime for servicing and deliveries for the Health Care Facility have been submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented upon first occupation of the site and shall be retained as such thereafter. For the avoidance of doubt, all deliveries and servicing shall only take place between the hours of 07.00 and 22.00 Monday to Saturday. On Sundays and Bank Holidays, deliveries and servicing shall only take place between the hours of 09.00 and 17.00.

15. The following activities must not be carried out under any circumstances:

- a) No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.**
- b) No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.**
- c) No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.**
- d) No mixing of cement or use of other materials or substances shall take place within a RPA, or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA**
- e) No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.**

16. All excavations within the crown spreads of existing trees, situated on or off site, shall be undertaken manually by hand with the use of hand tools and only upon the prior written approval of the local authority shall the use of a mechanical digger be permitted within the crown spreads of trees. Severance of tree roots is to be avoided and under no circumstances shall roots of a diameter 25mm or greater be removed, severed or damaged.

17. A Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority within 6 months of occupation of the development hereby approved. The provisions of the Travel Plan shall be implemented and operated in accordance with the programme and shall not be varied other than through agreement with the Local Planning Authority. For the avoidance of doubt a travel plan should include, but shall not be limited to:

- I. A commitment to the principals outlined in the draft Framework Travel Plan;**
- II. Any changes to the existing transport services to the site;**
- III. Results of the initial staff travel survey;**
- IV. Details of visitor travel patterns;**
- V. Revised targets for modal shift or split based upon the travel survey;**
- VI. Identification of a Travel Plan co-ordinator;**
- VII. An action plan of measures with a timescale for implementation;**
- VIII. Detail of measures and resource allocation to promote the Travel Plan; and**
- IX. Mechanisms for monitoring (which include mode share and exact numbers of staff) and reviewing the Travel Plan, including the submission of an annual review and action plan to the Local Planning Authority.**

18. The development hereby permitted shall not be commenced until such

time as a datum for measuring land levels has been submitted to and agreed in writing by the Local Planning Authority. Full details of existing and proposed ground levels and proposed finished floor levels shall be taken from that datum, notwithstanding any such detail shown on previously submitted plans. The development shall be carried out in accordance with the approved details and retained as such thereafter.

19. The development hereby permitted shall not be commenced until such time as a scheme for the management of overland flow from surcharging of the site's surface water drainage system is submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed ground levels and proposed finished floor levels. The development shall be implemented in accordance with the approved scheme..

20. The development hereby permitted shall not be commenced until such times as a scheme for the provision and implementation of a surface water regulation system has been submitted to, and approved in writing by, the local planning authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable Drainage Systems (SuDS) and the results of the assessment provided to the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

21. Prior to the commencement of development approved by this planning permission the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing by the Local Planning Authority:

- 1) A preliminary risk assessment which has identified:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways & receptors
 - Potentially unacceptable risk arising from contamination at the site
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site
- 3) The site investigation results and the detailed risk assessment (2) and, based on remediation measures required and how they are to be undertaken
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local

Planning Authority. The scheme shall be implemented as approved.

22. Notwithstanding the submitted details, and having regard to the submitted Design Out Crime Advice, the development authorised by this permission shall not begin until the Local Planning Authority has approved in writing the details of measures to be incorporated for the prevention of crime. The detail shall include the following measures:

- **CCTV cameras to be installed to the building and car park;**
- **Roller shuttering or 6.4mm laminated glazing to be installed to ground floor vulnerable windows;**
- **Bollards, planters or an alternative feature to the front elevation of the health centre capable of stopping a vehicular attack to the building.**

The development shall be implemented in accordance with the approved details, and retained as such thereafter.

23. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 20 March 2012.

- 34 **APP/12/00468 - 74 OLDFIELD DRIVE, HESWALL, CH60 9HA - REMODELLING OF EXISTING DWELLING INCLUDING A TWO-STOREY SIDE EXTENSIONS, FRONT DORMER WINDOW EXTENSIONS, A REAR BALCONY AND A SINGLE STOREY REAR EXTENSION.**

Resolved – That the application be resolved for a formal site visit.

- 35 **APP/12/00476 ROCK FERRY - MORECROFT ROAD, ROCK FERRY, CH42 1NX - PROPOSED NEW BUILD OF 17NO. DWELLINGS. 15NO. FOR DISCOUNTED RENT AFFORDABLE HOUSING (PLOTS 11 TO 25) CONSISTING OF 8NO. 2 BED BUNGALOWS AND 7NO. 3 BED 2 STOREY & 2½ STOREY HOUSES AND 2NO. FOR PRIVATE MARKET SALE, 3 BED 2 STOREY HOUSES, ALL WITH ASSOCIATED HARD & SOFT LANDSCAPING**

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

On a motion by Councillor Boulton and seconded by Councillor Elderton. It was:

Resolved (11:0) – That the item 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. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained, unless otherwise agreed in writing with the Local Planning Authority in accordance with the approved scheme. The scheme shall include:

- 1) The numbers, type, tenure and location of the site of the affordable housing provision to be made;**
- 2) The timing of construction of the affordable housing;**
- 3) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing and the means by which such occupancy can be enforced.**

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the enlargement, of the dwelling(s) or any addition to the roof or the erection or construction of a porch shall not be carried out.

5. No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in full before the first occupation of the development hereby permitted, in accordance with the approved details, and shall be retained as such thereafter.

6. Details of a scheme for landscaping shall be submitted to and approved by the Local Planning Authority. The proposed landscaping shall be completed before the proposal hereby approved is occupied and thereafter shall be maintained to the satisfaction of the Local Authority.

7. Landscaping works to be carried out in accordance with the approved details as set out in Condition 6

8. Construction of the development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works for the construction of new highway and amendment of existing highway made necessary by this development, including details of all traffic calming measures, traffic regulation orders, traffic signs, road markings, tactile paving and accesses onto New Chester Road. The approved works shall be completed in accordance with the local planning authority's written

approval and in accordance with a written timetable to be agreed with the local planning authority prior to commencement of construction. The scheme shall be implemented in full and retained as such thereafter.

9. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 5th April 2012 & 29th May 2012 and listed as follows: 10-025-225 Rev A (dated Nov 11); 10-025-111 Rev E (dated Sept 11); 10-025-112 Rev F (dated Sept 11); 10-025-220 (dated Nov 11); 10-025-221 (dated Nov 11); 10-025-222 (dated Nov 11); 10-025-223 (dated Nov 11) & 10-025-224 (dated Nov 11).

10. Pr10. Prior to commencement of development a ground contamination survey shall be undertaken, taking into account any potential contaminants from all known previous land uses. Should this survey identify any such contaminants, then a scheme of remediation to render the site suitable for use shall be submitted to the Local Planning Authority for approval prior to such works being undertaken. A statement giving precise details of the nature and extent of any such remediation, together with certification that the site has been made suitable for its intended use, shall be submitted to and approved by the Local Planning Authority before commencing any development of the site. The approved scheme shall be implemented in full and retained as such thereafter.

- 36 **APP/12/00084 - MUZZY CHARCOAL GRILL, 29 LISCARD VILLAGE, LISCARD, CH45 4JG PROPOSAL: ERECTION OF SINGLE STOREY EXTENSION AT REAR (RETROSPECTIVE)**

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

- 37 **APP/12/00263 - 7 CRANFORD CLOSE, EASTHAM, CH62 9DH - PROPOSAL: DOUBLE STOREY REAR AND SIDE EXTENSION, AND FRONT PORCH ALTERATIONS**

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

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

Resolved (11:0) – 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 14 March 2012 and listed as follows: 129_2011_01 (dated 14 Dec 2011) & 129_2011_02 (dated 14 Dec 2011).

38 APP/12/00310 - 11 CAVENDISH ROAD, BIRKENHEAD, CH41 8AX - ERECTION OF A DETACHED SIDE GARAGE

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

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

Resolved (11:0) - 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 16th May 2012 and listed as follows: Existing and Proposed Plans, drawing number 100_2011_01, dated 24.08.2011

3. All doors which form part of the extension hereby approved shall be constructed in timber, and retained as such thereafter.

4. No development shall commence until a samples of the materials to be used in the construction of all external surfaces including the type of roof material and rain water goods have been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details and retained as such thereafter.

39 APP/12/00402 - 18 BELFIELD DRIVE, OXTON, CH43 5SJ - PROPOSAL: PROPOSED GARAGE CONVERSION, SINGLE-STOREY REAR EXTENSION, NEW GARAGE AND AREA OF EXTENDED DECKING TO REAR.

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

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

Resolved (11:0) – 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 16 April 2012 and listed as follows: Drawing no. 37_2012_01 (dated 27.02.2012); Drawing no. 37_2012_02 (dated 27.02.2012) & Drawing no. 37_2012_03 (dated 27.02.2012).

3. The garage door hereby permitted shall be metal or timber, unless otherwise agreed with the Local Planning Authority, and retained thereafter.

40 APP/12/00477 - 11 HARLIAN AVENUE, MORETON, CH46 0RT - PROPOSAL: ERECTION OF TWO STOREY SIDE EXTENSION

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

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

Resolved (11:0)- 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 5 April 2012 and listed as follows: 57_2012_01 (dated 22.03.2012), 57_2012_02 (dated 22.03.2012) and 57_2012_03 (dated 22.03.2012).

41 APP/12/00525 - 15 KNIGHTSBRIDGE COURT, NOCTORUM, CH43 9HF - PROPOSAL: FIRST FLOOR REAR EXTENSION

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

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

Resolved (11:0) – 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 30 May 2012 and listed as follows: 60_2012_01 (dated 10.04.2012).

3. Prior to the extension being brought in to use, the first floor side window in the south west facing elevation of the development hereby permitted shall be obscurely glazed and non-opening up to a height of 1.7 metres from the internal finished floor level, and shall be retained as such thereafter.

42 **APP/12/00554 - 9 GARDEN HEY ROAD, MEOLS, CH47 5AS - PROPOSED GARAGE CONVERSION WITH BAY WINDOW, SINGLE STOREY REAR EXTENSION AND LOFT CONVERSION WITH HIP TO GABLE ALTERATIONS AND REAR DORMER WINDOW (AMENDED DESCRIPTION)**

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

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

Resolved (11:0) – 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 30 May 2012 and listed as follows: 67_2012_01 (dated 14.04.2012), 67_2012_02 (dated 16.04.2012) and 67_2012_03 (dated 16.04.2012).

3. Prior to the extension being brought in to use, the new second floor side window in the north east facing elevation of the development hereby permitted shall be obscurely glazed and non-opening up to a height of 1.7 metres from the internal finished floor level, and shall be retained as such thereafter.

43 **APP/12/00654 - SKOMER, NOCTORUM LANE, BIDSTON, CH43 9UA - SINGLE STOREY SIDE EXTENSION**

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

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

Resolved (11:0) – 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 16th May 2012 and listed as follows: 08_2012_01 (dated 02/03/2010); 08_2012_02 (dated 02/03/2010).**

44 **PROPOSED EXTENSION TO BURBO BANK OFFSHORE WIND FARM**

A report by the Director of Regeneration, Housing and Planning informed Members of a consultation that has been received from DONG Energy, regarding the proposed development of an extension to the west of the existing Burbo Bank wind farm, some 7km from the North Wirral Coast off Hoylake and Meols.

Councillor Watt addressed the meeting as a representative of a coastal ward.

On an amended motion by Councillor Elderton and seconded by Councillor Realey it was:

Resolved (11:0)– That the Committee wishes to express support in principle for renewable energy development, but in relation to the specific development proposed for the Burbo Bank Offshore Wind Farm, that the Council responds to the Section 42 consultation highlighting areas of visual impact , noise, recreational navigation, socio-economics, ecology and tourism as key areas of importance to the Local Authority as the project and associated Environmental Impact Assessment is progressed.

45 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 15/05/2012 AND 14/06/2012**

The Director of Regeneration, Housing and Planning submitted a report detailing applications delegated to him and decided upon between 15/05/2012 and 14/06/2012.

Resolved – That the report be noted.

46 **PLANNING APPEALS DECIDED BETWEEN 15/05/2012 AND 14/06/2012**

The Director of Regeneration, Housing and Planning submitted a report detailing planning appeals decided upon between 15/05/2012 and 14/06/2012

Resolved – That the report be noted.

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

Councillor Eddie Boulton addressed the meeting to speak of his disappointment with the failure of technical equipment

The Committee and members of the public were assured by the Planning Service Manager (Development Management) that in future meetings provisions will be taken to prevent this from happening again.

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Planning Committee

26 July 2012

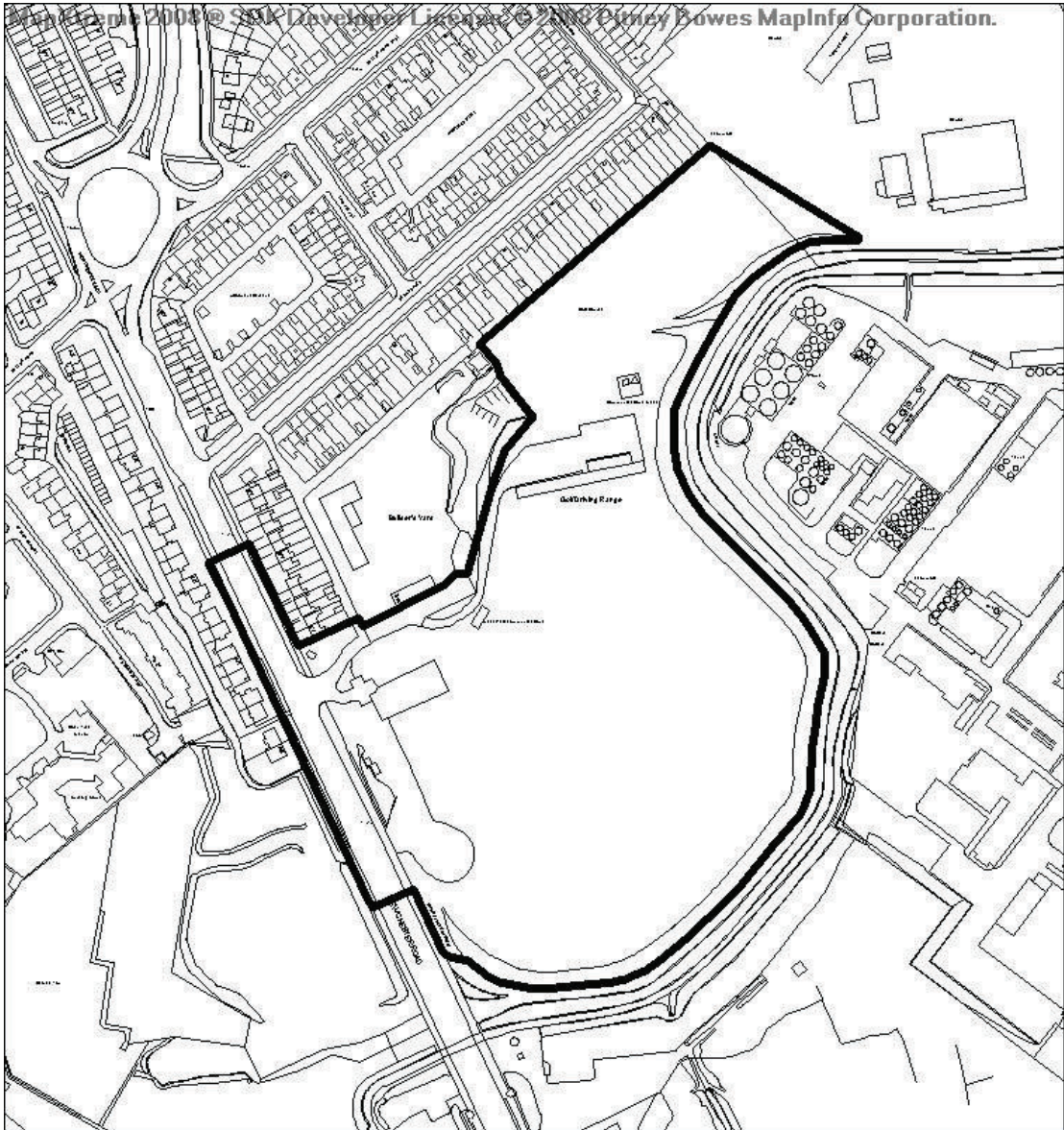
Reference: OUT/12/00002 **Area Team:** South Team **Case Officer:** Ms C Berry **Ward:** Bromborough

Location: Port Sunlight Golf Range and Pitch and Putt, NEW CHESTER ROAD, NEW FERRY, CH62 4RE

Proposal: Outline application for redevelopment of the Port Sunlight Golf Centre site for residential development including means of access with all other matters reserved and demolition of existing Golf Centre buildings and associated structures.

Applicant: Merepark Homes and Bromborough Regeneration LLP
Agent : HOW Planning

Site Plan:



Development Plan allocation and policies:

Road Corridor subject to Environmental Improvement

Primarily Residential Area

Primarily Industrial Area

Planning History:

Previous approvals relating to the golf driving range facility.

APP/02/05663 - Erection of 45 dwelling houses with public open space and associated road improvements, refused 07/06/2002, appeal dismissed, 06/11/2002

APP/11/00585 - Closure of existing highways access point and creation of new highways access point incorporating controlled junction, new pedestrian crossing facility on Chester New Road, replacement car parking, new access arrangements and frontage boundary treatments for builders merchants and other associated highways works as necessary, approved 15/09/2011

APP/11/00106 - Upgrades to existing vehicular access and junction, new pedestrian crossing facility on Chester New Road, replacement car parking and new access arrangements for builders merchants and other associated highways works as necessary, approved 28/03/2011

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

Having regard to the Council's Guidance for Publicity on Planning Applications, 147 notifications were sent to adjoining properties and a site notice was displayed near the site. One letter of support has been received from the Port Sunlight Golf Centre.

One letter of objection has been received from Corporate Property Solutions on behalf of Unilever UK Ltd as owners of The River Dibbin, objecting to the proposal until they are assured that there will be no negative impact on the river.

Merseyside Cycling Campaign raises the issue that there should be a provision of cycle parking and storage.

The Bromborough Society set out the following concerns:

1. Choice of site given the potential contamination and need for remediation
2. Effect on residents given if remediation measures included piling
3. Off street parking should be provided
4. Only one access entrance/exit may result in problems on the highway
5. Current tree screening needs to be enhanced and any clearance should be prohibited during bird nesting season
6. The Archaeological Desk Based Assessment fails to do justice to the full history of the area

Two letters have been received from the occupiers of 245 New Chester Road and 84 Shore Drive raising concern over:

1. The use of the access road at the rear of the houses on New Chester Road may be used as a cut-through
2. Potential overlooking if the buildings are built close to their garden

CONSULTATIONS

Director of Technical Services (Traffic and Transportation Division) - No objection

Department of Law, HR and Asset Management (Pollution Control) - No objection

Environment Agency - No objection subject to conditions

United Utilities - set out standard guidance for works adjacent to water pipelines

Police Architectural Liaison - No objection

Fire & Rescue Service - The development should comply with the County of Merseyside Act 1980 and state that water supplies should be risk assessed in accordance with United Utilities.

Wirral Wildlife - Recommend that suitable conditions are applied to protect wildlife including foraging bats, toads and hedgehogs, birds and to ensure that proposed landscaping includes native species to attract invertebrates to help and improve biodiversity.

Natural England - Awaiting comments at the time of writing the report.

Health & Safety Executive - Do not advise against the granting of planning permission on safety grounds

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application is defined as Major Development and as such, under the provisions of the Council's adopted Scheme of Delegation for Determining Planning Applications, is required to be considered by the Planning Committee.

INTRODUCTION

The proposal is an outline application for redevelopment of the Port Sunlight Golf Centre site for residential development including means of access with all other matters reserved and demolition of existing Golf Centre buildings and associated structures.

SITE AND SURROUNDINGS

The site comprises land at Port Sunlight Golf Centre and along the frontage to New Chester Road in Bromborough. Access is from New Chester Road, which also serves the builders' merchants immediately adjacent to the site. Adjacent to this access are houses along New Chester Road to the north. The site is well screened when viewed from the road, with various trees and landscaping along this boundary and the A41 frontage. Part of the A41 frontage includes the 'white' bridge across the River Dibbin, which bounds the site to the east and separates the site from the industrial areas associated with the Wirral International Business Park, which is accessed separately from Pool Lane and Dock Road South. There are houses on Shore Drive along the northern boundary of the site separated by landscape bunding.

Although greenfield in appearance, the site is classed as previously developed and historically has comprised uses that have resulted in tipping and extensive earthwork, associated with the reclamation of former tank farm on the site. As a result the topography of the site comprises varying levels effectively made up of mounds and bunding. Levels within the site are relatively flat apart from the areas leading down to the river. The south western part of the site drops significantly towards the bridge fronting New Chester Road and the eastern and southern boundaries also slope steeply leading down to the river. The remainder of the site to the north levels out and lies between 3 and 5 metres above the houses on Shore Drive. There is extensive landscaped bunding along this boundary.

The wider area consists of a mix of uses including houses within Port Sunlight Conservation Area across New Chester Road and employment/commercial uses located at the gateway of Wirral International Business Park.

A separate outline application has also been submitted, for a mixed use residential and employment scheme on land at the former Unichema Chemicals / Croda site, on the opposite bank of the River Dibbin, which may allow joint benefits to be negotiated through the respective reserved matters applications.

PRINCIPLE OF DEVELOPMENT AND POLICY CONTEXT

The site is designated as part of a Primarily Industrial Area and a proposal for residential development is a departure from the Wirral Unitary Development Plan.

National Policy

The National Planning Policy Framework (NPPF) states that the long term protection of employment sites should be avoided where there is no reasonable prospect of a site being used for employment purposes. Applications for alternative uses should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities (paragraph 22). The Framework supports sustainable housing development which encompasses good design, widens the choice of high quality homes, make a positive contribution to an area whilst optimising the opportunity to improve the character and quality of an area.

Regional Policy

RSS policies set out the need to provide 500 new homes per year in Wirral whilst addressing the need for affordable housing provision and the re-use of brownfield sites. The site is in the Outer Area of the Liverpool City Region where economic development should be focused to address worklessness and the quality and choice of housing should be expanded to support the Inner Area as a priority for growth and investment.

Wirral Unitary Development Plan

Policy URN1 states that full and effective use should be made of land and focuses on the importance of bringing neglected, unused or derelict land into use.

Policy EM8 applies to sites within Primarily Industrial Areas where uses falling within classes B1, B2 and B8 will be permitted in addition to proposals for the extension or expansion of existing businesses.

Policy HS4 - requires that the proposal in general terms must relate well to adjacent properties and not result in a detrimental change in the area or to the amenity of neighbouring properties.

Policy TR9 - sets out the requirement for off street parking provision within new development and road safety and traffic management considerations.

Policy GR5 - establishes the requirement for new developments to make a positive visual statement through new landscaping and the protection of existing landscape features.

Policy GR6 - sets out the need to provide new public open space within new family housing developments.

Policy GR7 - sets out the criteria to assess the need to protect trees by having regard to health and structure of existing trees with a view to provide replacement trees.

Policy NC7 - states that development that may have an adverse effect on wildlife species protected by law will not be permitted unless means of their protection can be secured through the use of planning conditions.

Interim Planning Policy for New Housing Development (IPP)

The site falls within a regeneration priority area and is not subject to the restrictions set out within the policy.

APPEARANCE AND AMENITY ISSUES

The proposal is an outline application with means of access included and matters of appearance, layout, scale and landscaping are reserved for subsequent approval. The details of access are in essence the same as a previously approved application and subject to proposed conditions, the access is considered acceptable.

Although the details of layout and scale are reserved, an indicative layout plan has been submitted which shows the siting of a mix of detached, semi-detached houses and apartments totaling 233 residential units. This equates to a density of 12 dwellings per

hectare, which represents an efficient use of the site in keeping with surrounding residential development. As the layout is indicative the number of units is not fixed but the submitted layout plan illustrates that this number could be accommodated within the site allowing for adequate separation distances, satisfactory garden areas, off street parking and provision of open space and a children's play area within the site to comply with UDP Policy GR6. The design principles are set out within the design and access statement and will inform the future submission of reserved matters to ensure that the design and appearance reflects a high quality sustainable development.

The layout of the development is influenced by its location close to the River Dibbin and will provide green linkages to the river corridor. The differences in site levels and gradients along the boundary will also be used to provide green corridors around the periphery of the site with pedestrian and cycle linkages to the riverside and beyond to the landfill site, which is currently being restored to provide additional open space. Matters of landscaping are reserved but the design principles acknowledge the importance of the provision of landscaping, especially on the boundary with adjacent residential development.

The majority of the proposed dwellings will be two and three-storey with the smaller properties located along the boundary with Shore Drive. Four storey apartments are proposed at the front of the site and will serve as feature buildings along the frontage to the A41. The layout and scale principles show that the heights of proposed buildings will respect surrounding development and that separation distances can be achieved.

A condition is proposed to ensure that the design principles contained within the submitted Design & Access Statement will be reflected in any subsequent reserved matters application.

LOSS OF EMPLOYMENT LAND

The applicant has marketed the site for employment uses and compiled a commercial property market analysis to demonstrate that the site would not be viable for new employment development. A report submitted alongside the application sets out details of the marketing activities undertaken since January 2004. Officers are satisfied that on the basis of the information supplied that there is no reasonable prospect of this site being used for employment purposes.

The Wirral Employment Land and Premises Study 2009 identified the area to the north of the Dibbin, outside the flagship Wirral International Business Park, as a relatively underused and underdeveloped area. Although the frontage area was prominent, access was poor and the few buildings were of relatively low quality. The Study concluded that the regeneration of this area for alternative uses would not have serious consequences to Wirral's economy or property market (paragraph 7.68 refers) but still included land along the frontage to the A41 as part of the future employment land supply (Table 49, site 80, 1.18ha refers).

Having regard to the above material considerations it is considered that the loss of employment land is acceptable in policy terms in the specific circumstances of this case and it is appropriate to consider this planning application on its merits.

AFFORDABLE HOUSING

The applicant has stated that it is not economically viable to provide affordable housing as part of the proposal due to the negative residual values and costs associated with developing the site including ground conditions which mean that some areas are undevelopable. A viability assessment has been submitted and has been reviewed by an independent consultant. The independent review has confirmed that it would not be economically viable to provide affordable housing on the site.

SEPARATION DISTANCES

Houses at the rear on Shore Drive along the northern boundary are separated by a landscaped bund and each has garden lengths of between 10 and 12 metres. The submitted layout plan is for illustrative purposes but demonstrates that sufficient distances can be achieved to allow for adequate separation distances. The guidance states that

where habitable room windows face each other a distance of 21 metres should be achieved. The design principles reflect this and the future submission of reserved matters will be informed by the need to achieve adequate separation distances. The details of landscaping will also acknowledge that the existing bund, which separates the houses on Shore Drive, will be retained and additional planting provided to serve as privacy screening.

An objection has been received stating concern over potential overlooking if buildings are built close to their garden (Shore Drive). The submitted illustrative layout plan shows that the required separation distances can be achieved and this along with the bund and screening will prevent any undue overlooking.

HIGHWAY/TRAFFIC IMPLICATIONS

The proposal reserves all matters except for access. A transport statement has been submitted in support of this proposal, which is based on 228 residential dwellings and includes an indicative road layout.

A proposed signalised junction onto New Chester Road (A41) would replace an existing priority access. There is a previous planning approval for this junction, which was granted under reference APP/11/00585 approved on 14 September 2011. The details of the access submitted with this outline application, duplicates the approved proposal. As such the details are considered acceptable and there is no objection on highway safety or congestion grounds, subject to a condition for the detail of the junction to be submitted for approval.

As the proposal is in outline, the internal road layout is indicative and would require further details regarding adoption and safety. An informative is proposed to advise the applicant to contact the Technical Services Department regarding this issue prior to the submission of reserved matters.

Objections received state concern over the access and possible use of an existing rear access road to the rear of houses on New Chester Road. The access has been assessed in terms of highway safety and a condition is proposed for the submission of the details of the junction. The internal layout of the roads will be designed to serve the proposed houses and will not provide access to the rear of the houses on New Chester Road.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The site is defined as previously developed land, on which filling and land raising has already taken place.

The re-development of the site would provide an opportunity to remediate the site whilst providing a sustainable development on a main transport route with good access to public transport.

Objections received point to concern over possible contamination and the need for remediation. Site investigations show evidence of inert brick, stones, concrete, inert spoil, soil and clay and that there are no concentrations of soil contaminants that would pose a risk to human health. Planning conditions are, however, proposed to ensure the continued safety of the site during and following the development. The imposition of the conditions recommended will also alleviate any harm or impact on occupants of the surrounding properties.

A tree survey has been submitted, which identifies that a significant number of the trees to be removed are in "an unacceptable structural condition to be retained". The loss of the trees is considered not to harm the visual amenity of the area due to their poor condition and the landscaping details required as part of the reserved matters will ensure adequate tree and shrubbery provision. A condition is proposed to ensure the protection of the retained trees within the site and that any works are carried out outside the bird breeding season.

An objection received states that tree screening needs to be enhanced. The requirement for

the landscaping details as part of any subsequent reserved matters will include details of tree screening.

Dibbinsdale Brook is an important wildlife corridor and the land alongside the watercourse is valuable in terms of ecology. It is therefore important to protect this area in addition to enhancing and providing areas to increase the value of local biodiversity. A condition is recommended to allow for an undeveloped buffer zone along the river corridor to ensure that the development conserves and enhances local biodiversity.

An ecology report has been submitted detailing the method and timing of the surveys that have been carried out. The findings show that reptiles are not present on site but acknowledge the presence of hedgehogs and common toads along with the need (and legal requirement) to protect breeding birds, bats and other wildlife. Although the protection of such wildlife is set out in statute under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010, the protection of habitats and species is a material planning consideration.

There is a legal requirement and duty to have regard to the requirements of the Habitats Directive. As the competent authority, the Local Planning Authority is required to screen the proposal having regard to any protected species. The Conservation of Habitats and Species Regulations 2010 states that outline planning permission must not be granted unless the competent authority are satisfied (whether by reason of the conditions and limitations to which the outline planning permission is to be made subject, or otherwise) that no development likely adversely to affect the integrity of a European site or a European offshore marine site could be carried out under the permission, whether before or after obtaining approval of any reserved matters.

There is an application for a mixed use development currently under consideration for the site on the opposite side of the River, OUT/12/0017. The combined impacts of the two developments need to be considered in terms of any negative impact on protected species, habitats and the River. As such the Merseyside Environmental Advisory Service (MEAS) are carrying out the necessary assessments, the findings will be reported and relevant and necessary planning conditions are recommended.

A Flood Risk Assessment has been submitted and assessed and accepted by the Environment Agency. Planning conditions are recommended to prevent and reduce the risk of flooding.

ARCHAEOLOGY

A desk based archaeological assessment has been carried out due to the close proximity of the Bromborough Court House Site on the south side of the river, which is a scheduled ancient monument. There is no indication of habitation or significant points of archaeological interest within the site.

An objection has been received from the Bromborough Society that the Assessment fails to do justice to the full history of the area. Sufficient details have, however, been submitted to allow for the due consideration of the archaeological importance of the application site.

HEALTH ISSUES

There are no health implications relating to this application besides the issues related to ground contamination, referred to above, that will be dealt with by condition.

SECTION 106 AGREEMENT

The proposal includes provision of open space and a children's play area and the provision of a green corridor around the periphery of the site. A section 106 agreement will be necessary to ensure the future management and maintenance of these areas.

CONCLUSION

The applicant has demonstrated that the site has been marketed over a satisfactory period of time with no likelihood of being developed for employment purposes. Although a departure from development plan policies relating to industrial development, the proposed

development represents a sustainable regeneration opportunity for the re-use of a brownfield site with access to existing transport and community facilities. There is a presumption in favour of sustainable development and the Wirral Employment Land and Premises Study has accepted that alternative uses within this area would not have serious consequences to Wirral's economy. This accords with the approach outlined in the National Planning Policy Framework (NPPF) and weighs in favour of a development which is contrary to the UDP Policy EM8. The outline residential proposal is in accordance with the criteria set out in polices relating to new residential development and the proposal is recommended accordingly.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The applicant has demonstrated that the site has been marketed over a satisfactory period of time with no likelihood of being developed for employment purposes. Although a departure from development plan policies for industrial development, the proposed development represents a sustainable regeneration opportunity for the re-use of a brownfield site with access to existing transport and community facilities. There is a presumption in favour of sustainable development and the Wirral Employment Land and Premises Study has accepted that an alternative use would not have serious consequences to Wirral's economy. This accords with the approach outlined in the National Planning Policy Framework (NPPF) and weighs in favour of a development which is contrary to the UDP Policy EM8. The outline residential proposal is in accordance with the criteria set out in the polices relating to new residential development and the proposal is recommended accordingly.

Recommended Decision: Approve subject to a Section 106 Agreement

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of five years from the date of this permission or two years from the date of the approval of the last of the reserved matters, whichever is the later.

Reason: To comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

2. Details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval within five years from the date of this permission:

- (a) Layout
- (b) Scale
- (c) Appearance, and
- (d) Landscaping

Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92(as amended) of the Town and Country Planning Act 1990.

3. The submission of all the reserved matters shall be in accordance with the details and design principles contained within the Design and Access Statement, Revision C received by the Local Planning Authority on 25th May 2012. The development shall be carried out in strict accordance with the approved details.

Reason: For the avoidance of doubt and to define the permission.

4. The detailed plans submitted as reserved matters shall include a survey of existing and proposed ground levels, sections across the site and details of the finished slab level for each property. The ground levels across the site and finished slab levels for each property shall be as per the approved plans.

Reason: In the interests of privacy and amenity of neighbouring occupiers and to ensure that the development complies with Policy HS4 of the Wirral Unitary Development Plan.

5. The detailed landscaping plans submitted as reserved matters shall include:

- (i) details of boundary treatments and hard surfaces
- (ii) the location, size and species of all trees to be planted
- (iii) the location, size, species and density of all shrub and ground cover planting
- (iv) a schedule of implementation

Reason: In the interests of visual amenity and to ensure that the development complies with Policy HS 4 of the Wirral Unitary Development Plan.

6. Before any construction commences, samples of the facing (brick), roofing and window materials to be used in the external construction of the 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.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

7. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is sooner, for its permitted use. The approved landscape management plan shall be carried out as approved.

Reason: To ensure landscape features are properly considered and protected and to accord with Policy GR5 of the Wirral Unitary Development Plan.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

Reason: In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

9. The detailed plans submitted as reserved matters shall include details indicating the positions, design, materials and type of boundary treatment to be erected. The subsequent boundary treatment approved as part of the reserved matters shall be completed for each of the dwellings hereby approved as and when they are completed and before each relevant dwelling is first occupied. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To safeguard the visual amenities of the locality and the privacy/amenities of the existing adjoining and proposed new properties and to accord with Policy HS4 of the Wirral Unitary Development Plan.

10. The development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works for the construction of a signalised junction onto New Chester Road (A41) at the Port Sunlight Driving Range access, including:

- "Toucan" Crossing facilities to assist pedestrians and cyclists to safely cross both

New Chester Road (A41) and the improved site access and to link to the pathway between 322/324 New Chester Road.

- Waiting restrictions as appropriate.
- Traffic signs and road markings as appropriate.
- Alterations to the parking lay-by immediately to the north of the development site as appropriate.
- Independent Safety Audits as appropriate.

First use of the development shall not begin until those works have been completed in accordance with the local planning authority's approval and have been certified in writing as complete by or on behalf of the local planning authority.

Reason: In the interests of highway safety

11. No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors

12. Where land affected by contamination is found which poses unacceptable risks, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors

13. The approved remediation scheme shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the

development (or relevant phase of development) being brought into use.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors

14. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors

15. A monitoring and maintenance scheme of the effectiveness of the proposed remediation must be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented, and any reports produced as a result, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors

16. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the drainage system has been constructed and completed in accordance with the approved plans.

Reason: To prevent pollution of controlled waters and to accord with Policy HS4 of the Wirral Unitary Development Plan.

17. No dwelling hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and its Technical Guidance Note (or any subsequent version). Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface water;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure a satisfactory means of drainage and having regard to Policy HS4 of the Wirral Unitary Development Plan.

18. Before any equipment, machinery or materials are brought onto site, a 1 metre high fence or other barrier as agreed in writing with the Local Planning Authority, shall be erected around the outer limit of the crown spread of all trees, hedges or woodlands shown to be retained on the submitted details and tree survey. Such fencing shall be maintained in a satisfactory manner until the development is completed. During the period of construction, no material shall be stored, fires started or trenches dug within these enclosed areas without the prior consent in writing of the Local Planning Authority.

Reason: To prevent damage to the trees/ hedges in the interests of visual amenity and to comply with Policy GR7 of the Wirral Unitary Development Plan.

19. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1st March to 31st August inclusive unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect birds during their breeding season and to comply with Policy NC7 in the Wirral Unitary Development Plan.

20. Prior to commencement of development, full details of a scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and clearly identify the extent of the Japanese Knotweed on a scaled plan. It shall include measures that will be used to prevent the spread of Japanese knotweed during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant listed under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

Reason: To eradicate Japanese Knotweed from the development site, to prevent the spread of the plant through development works and to accord with the aims of Policy NC7 in the Wirral Unitary Development Plan.

21. The development shall be carried out in accordance with the recommendations and mitigation measures set out in the Extended Phase 1 Habitat Survey dated November 2011 received by the Local Planning Authority on the 27th January 2012 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard conservation of species/habitats and to comply with Policy NC7 in the Wirral Unitary Development Plan.

22. Prior to the commencement of development, a scheme for the provision and management of an undeveloped buffer zone alongside Dibbinsdale Brook shall be submitted to and agreed in writing by the local planning authority. Thereafter, the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed, in writing, with the local planning authority. The scheme shall include:

- plans showing the extent and layout of the undeveloped buffer zone
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
- details of any footpaths, fencing, lighting etc.

Reason: To ensure the development conserves and enhances local biodiversity and safeguarding the Dibbinsdale Brook ecological corridor in line with the National Planning Policy Framework and having regard to Policy NC7 in the Wirral Unitary Development Plan

23. The development hereby permitted shall not be commenced until such time as a scheme for the provision of compensatory flood storage on or in vicinity of the site to a 1 in 100 year (plus climate change) fluvial standard has been submitted to, and approved in writing

by, the local planning authority.

Reason: To avoid adverse impact on flood storage.

24. The submission of reserved matters shall include details that the finished floor levels are no lower than 8.06 metres above Ordnance Datum. The development shall be carried out in strict accordance with the approved levels.

Reason: To reduce the risk of flooding to the proposed development and future occupants

25. Prior to the first occupation of any dwelling hereby permitted, the developer will provide a publicly accessible recreational route along the length of the application site which border the River Dibbin watercourse. The details of the scheme shall be submitted to and approved in writing by the local planning authority prior to the commencement of any development.

Reason: In the interests of the recreational, health and amenity needs of future residents having regards to Policy RE1 of the Wirral Unitary Development Plan.

Further Notes for Committee:

1. There are aspects of the indicative layout that would not be suitable for adoption and that are potentially unsafe. Prior to submission of reserved matters for the layout of the site, the applicant should liaise with the Director of Technical Services to agree a suitable road layout and should contact Ian Hatton (0151) 606 2252 to arrange for this.
2. It may be possible to construct a foot/cycle bridge across the adjacent watercourse, linking this site with the Croda site. The subsequent reserved matters applications should consider setting aside sufficient space at points alongside the river so that a bridge could be provided in the future.
3. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws (North West Region) our prior written consent is required for any works, or structures, located in, under, over or within 8 metres of the bank top of Dibbinsdale Brook, designated "main river".

The Environment Agency has discretionary powers to undertake maintenance and improvement works on all "main river" watercourses to alleviate flood risk. However, the ultimate responsibility lies with the riparian land owner.

The Land Drainage Byelaws to control development will ensure that access arrangements to the watercourse are maintained. Any future development layouts on this site must ensure that there is a suitable and un-interrupted access strip between any new development and the bank top of the watercourse. Consents issued by the Environment agency could be refused where there could be unacceptable flood risk or ecological impacts.

4. The Environment Agency recommend that developers should:
 1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
 2. Refer to the Environment Agency Guidance on Requirements for Land Contamination Reports for the type of information that we require in order to assess risks to controlled waters from the site.
 3. Refer to the website at www.environment-agency.gov.uk for more information.

The recovery, treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an Environmental Permit.

Treatment of contaminated soil by mobile plant requires a mobile treatment permit. Soil may be re-used on-site as part of a soil recovery operation by registering an exemption with the Environment Agency or by obtaining an Environmental Permit.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

It is recommended that developers should refer to the Environment Agency's:

- Position statement on the Definition of Waste: Development Industry Code of Practice and;
- website at www.environment-agency.gov.uk for further guidance.

Last Comments By: 16/03/2012 08:40:26

Expiry Date: 27/04/2012

Agenda Item 5

Planning Committee

26 July 2012

Reference:
APP/12/00131

Area Team:
North Team

Case Officer:
Mrs S Williams

Ward:
Claughton

Location: 23 ASHVILLE ROAD, BIRKENHEAD, CH41 8AU

Proposal: Erection of a single storey front extension to provide 2 bedrooms & modifications to existing external store, with new access to courtyard.

Applicant: Mr M McKinley

Agent : Bryson McHugh Architects

Site Plan:



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Development Plan allocation and policies:

Urban Greenspace
Primarily Residential Area
Conservation Area (for illustrative purposes)

Planning History:

Concurrent Conservation Area Consent (CON/12/00132) - Erection of a single storey front extension to provide 2 bedrooms & modifications to existing external store, with new access to courtyard - Not Yet Determined (pending determination of this planning application).

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

Having regard to the Council's Guidance on Publicity for Applications, neighbour notifications were sent to 8 neighbouring properties. A site notice was also posted on site. As a result no representations were received.

CONSULTATIONS

Director of Technical Services (Traffic and Transportation Division) - no objections

Friends of Birkenhead Park - no formal objections, however stated that on balance, the proposal should lead to an improvement in the overall appearance of the property from Ashville Road, although it will mean that the visual difference between 22 Ashville Road and the adjacent, semi-detached property become more marked.

Director's Comments:

The application was deferred from Planning Committee on 28 June 2012 for a site visit.

REASON FOR REFERRAL TO PLANNING COMMITTEE:

Councillor Hale has requested the application be removed from delegation and considered by the Planning Committee on the following grounds:

Throughout the discussions with a senior Planning Officer, there appeared to be no issues with the content of the application in principle. The applicants are now distressed to find that the Conservation Officer has now passed comment on this application, at the eleventh hour, which are negative comments and totally go against the positive feedback received from the senior Planning Officer. The applicants do not accept the conservation justification given by the Conservation Officer as good enough reasoning to refuse the application as it is currently designed. The feedback given by the Planning Officer initially was that the proposals would improve the building significantly from Ashville Road, as there are currently various sloping roofs/buildings. The proposals seek to improve this by unifying the sloping roofs into one simple roof/building form. The Conservation Officer seems to want the existing high level parapet wall to remain, with the roof slopes as existing, for reasons which the applicants cannot understand.

INTRODUCTION

The proposal seeks planning permission for the erection of a single storey front extension to provide 2 bedrooms and modifications to existing external store, with new access to courtyard.

PRINCIPLE OF DEVELOPMENT

In principle the proposal is considered acceptable subject to relevant policies contained within Wirral's Unitary Development Plan.

SITE AND SURROUNDINGS

23 and 25 Ashville Road are symmetrical pair of late Victorian houses set within their own grounds. The houses are essentially dual-aspect, with the principal elevation facing onto Park Drive and the secondary elevation facing onto Ashville Road, with an entrance on the side. The secondary elevation appears to contain the service rooms, within the rear courtyard. This courtyard was designed to screen these service functions from public view, and these included the former outside toilets, coal store and kitchen.

The courtyard itself would have also functioned as a drying space that would have allowed clothes

and linen to be dried without being on public view. These drying spaces are encountered elsewhere within the Conservation Area, e.g adjacent at Central Lodge and are considered to be an important feature of its period housing. Apart from being a visual feature, they are a physical document of that age's preoccupation with privacy.

POLICY CONTEXT

The application property is located within land designated as Primarily Residential Area in Wirral's Unitary Development Plan, and the property falls under the use class C3 as it consists of self contained apartments. National Policy NPPF Section 12, HS11 – House Extensions, CH6 - Birkenhead Park Conservation Area and SPG11 – House Extensions are directly relevant in this instance.

NPPF Section 12 deals with conserving and enhancing the historic environment. The overall aim of this policy is that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations.

The main aim of CH6 is to preserve the character and appearance of an extensive Victorian public park. Additionally, CH2 acts to preserve unifying features of design, such as gate piers, boundary fences and stone walls and the nature and extent of landscaping through the area.

With regards to HS11, it is considered that extensions should be designed in such a way as to have no significant adverse effect on the appearance of the original property, the amenities of neighbouring properties, in particular through overlooking, or an adverse effect on the area in general. SPG11: House Extensions acts as a supporting document in relation to HS11.

APPEARANCE AND AMENITY ISSUES

The courtyard wall remains in the adjacent property, 25 Ashville Road. It is considered that the treatment of these features should be consistent such that the symmetrical character of the buildings is maintained. The proposal as it stands, would result in the removal of the boundary wall, to form an up stand or parapet between the two existing extensions, thus creating a marked change in character.

The Conservation Officer had requested amended plans to retain the courtyard wall, in its exterior personality and the new extension set back. It was considered that these amendments if received would have satisfied original concerns. However, unfortunately amended plans were not received.

From a design point of view, the low pitch of the roof to the extension would sit awkwardly with the steeper angle of the principal gable of the house. The absence of a window in the north facing gable is also undesirable as this gable would fail to engage with the street scene. Additionally, the north facing elevation of the application property is relatively prominent within the street environment of Ashville Road, and therefore requires a high standard of design that harmonies well with the main building.

Therefore, due to the above, The Local Planning Authority is unable to support this proposal in its current form as it is considered that the proposed development would form a negative impact to the appearance of the building and the character of the Conservation Area.

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal will result in a development which, by virtue of its scale and design, would have an adverse impact on the appearance of the original dwelling, the wider street scene and Birkenhead Park Conservation Area. This is considered to be contrary to National Policy NPPF section 12, policy CH6 and HS11 of Wirral's Unitary Development Plan.

Recommended **Refuse**
Decision:

Recommended Conditions and Reasons:

1. The proposal will result in a development which, by virtue of its scale and design, would have an adverse impact on the appearance of the original dwelling, the wider street scene and Birkenhead Park Conservation Area. This is considered to be contrary to National Policy NPPF section 12, policy CH6 and HS11 of Wirral's Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 21/03/2012
Expiry Date: 04/04/2012

Planning Committee

26 July 2012

Reference:
APP/12/00206

Area Team:
South Team

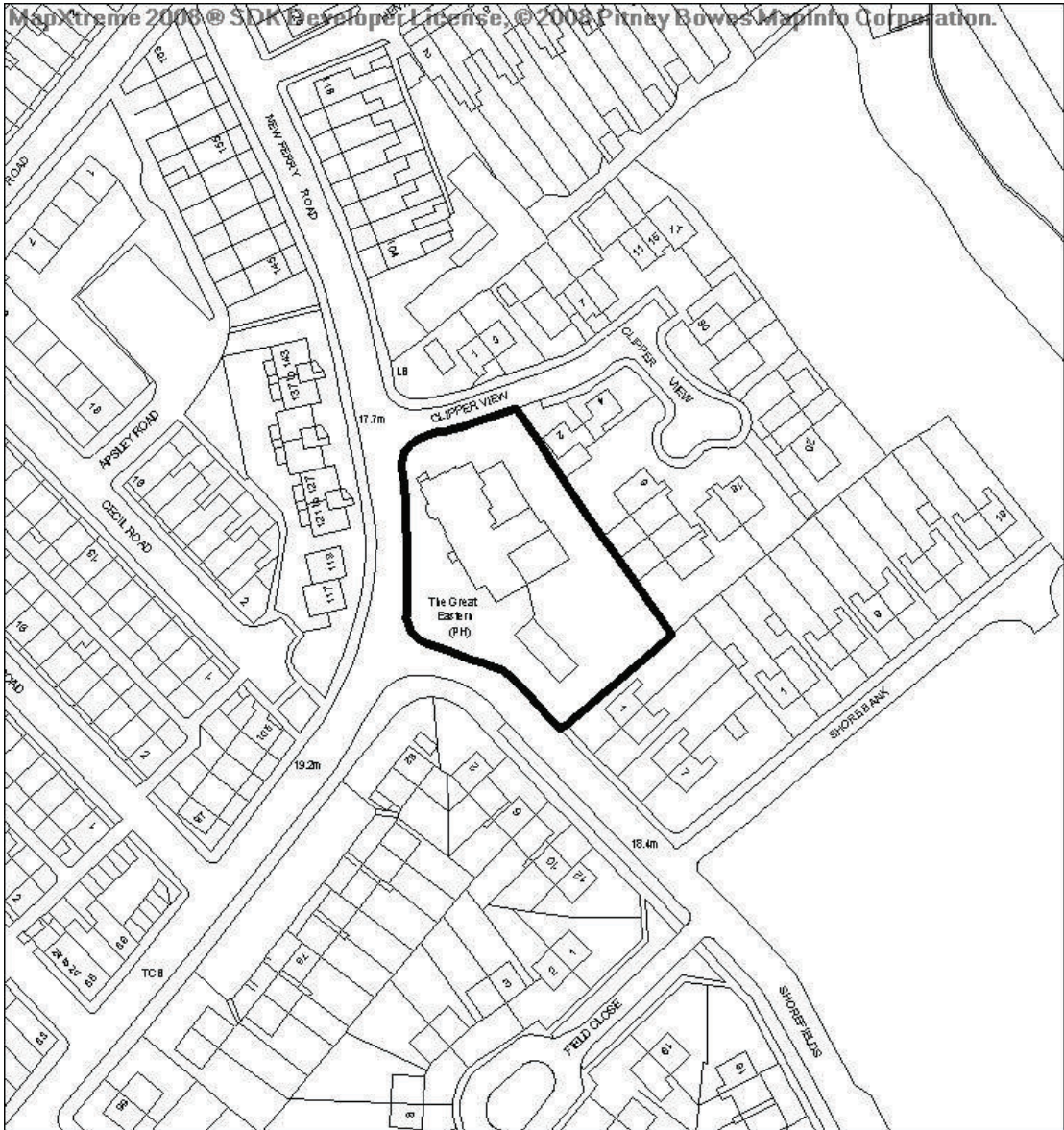
Case Officer:
Mr K Spilsbury

Ward:
Bromborough

Location: Great Eastern, NEW FERRY ROAD, NEW FERRY, CH62 1BN
Proposal: Removal of condition 10 of approval APP/10/00223 (Erection of 10 no 2 storey houses) - to remove the need for details of the proposed measures to be incorporated within the building to achieve 10% of the predicted energy requirements of the site from renewable sources.

Applicant: G & A Homes
Agent : The Kenefick Jones Partnership Ltd

Site Plan:



Development Plan allocation and policies:

Primarily Residential Area

Planning History:

OUT/08/05586 - Demolition of former public house and erection of two buildings containing 30 apartments (Outline) - Refused 22.08.2008

APP/08/00223 - Demolition of existing public house and erection of 10 two storey dwellings - Approved 07.07.2010

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

Having regard to the Council's Guidance on Publicity for Applications, neighbour notification letters were sent to 30 neighbouring properties, and a site notice was also posted. At the time of writing this report no representations have been received.

CONSULTATIONS

None required

Director's Comments:**REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application seeks variation of condition on an application which is defined as Major Development and is therefore required to be considered by the Planning Committee under the Council's adopted Scheme of Delegation for Determining Planning Applications.

INTRODUCTION

The application is for the removal of condition 10 of planning approval APP/10/00223 (Erection of 10 no 2 storey houses) - to remove the need for details of the proposed measures to be incorporated within the building to achieve 10% of the predicted energy requirements of the site from renewable sources.

PRINCIPLE OF DEVELOPMENT

The overall principle of the development has been established by the original approval APP/10/00223 - for the demolition of existing public house and erection of 10 no. 2 storey semi-detached dwellings. The applicant is seeking the removal of condition 10 of the approved scheme stating it is not economically viable to provide 10% of their predicted energy requirements through renewable or low-carbon sources and in any case they will achieve 33% energy saving per year through the construction of the buildings using energy efficient materials.

SITE AND SURROUNDINGS

The application site is the former Great Eastern public house located at the junction between Shorefields and New Ferry Road.

There is a mixture of housing styles and designs surrounding the site, predominantly two storey semi detached dwellings and terraces.

POLICY CONTEXT

Policy EM18 - Decentralised Energy Supply OF The North West of England Plan Regional Spatial Strategy to 2021 states that plans and strategies should encourage the use of decentralised and renewable or low-carbon energy in new development in order to contribute to the achievement of the targets set out in Table 9.6 and 9.7a-c. In particular, local authorities should, in their Development Plan Documents, set out: targets for the energy to be used in new development to come from decentralised and renewable or low-carbon energy sources, based on appropriate evidence and viability assessments; and the type and size of development to which the target will be applied. In advance of local targets being set, new non residential developments above a threshold of 1,000m² and all residential developments comprising 10 or more units should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources, unless it can be demonstrated by the applicant, having regard to the type of development involved and its

design, that this is not feasible or viable.

As the proposal was for the demolition of existing public house and erection of 10 no. 2 storey semi-detached dwellings, it was deemed appropriate to impose a condition for the applicant to secure 10% of their predicted energy requirements through renewable or low-carbon sources.

The applicant states that they are developing the scheme for Cosmopolitan Housing Association (CHA) who is a leader in promoting sustainable development and has been recognised for the innovative work in sustainability via a number of awards.

The Code for Sustainable Homes (CfSH) is a preferred nationally recognised tool to measure sustainable developments but takes a holistic, 'whole house', approach to measuring sustainability. The applicant states that the scheme will provide 100% affordable homes for CHA that will achieve Level 3 CfSH. This requires the development to achieve a significant improvement over current Building Regulations with better U-values and lower air leakage standards to reduce heat loss. It also requires standards to be met in terms of water usage and reduction of peak flow of water runoff from drainage, day lighting, energy efficiency of appliances and waste management. It encourages recycling in both the construction and life of the building and looks at the carbon footprint of the materials used in the construction, ensuring that they are responsibly sourced.

Their approach to CfSH also enables the building to be suitable for the lifetime of the residents (by meeting Lifetime Homes Standards) whilst the energy saving measures help reduce fuel poverty and therefore this scheme will be more sustainable across the life of the buildings than a scheme required to meet minimum Building Regs standards with 10% renewables added to satisfy EM18.

In achieving Level 3 priority of resources has been given to maximizing energy efficiency through the fabric of the building and reducing energy demand before renewable and low-carbon technologies are considered. This means the proposals at New Ferry Road provide homes that are energy efficient, reduce fuel bills for residents and meet the sustainability aspirations sought in the RSS policies.

It is also stated that the value of the land has reduced to half its original value when it was purchased 20 months ago. This coupled with the rising costs of materials and the added cost of installing renewable energy sources such as solar panels or other devices to achieve the 10% of the predicted energy requirements through renewable sources would make it very difficult for the development to become viable and will seriously put the project at risk.

APPEARANCE AND AMENITY ISSUES

There are no appearance or amenity issues relating to this proposal. However, if the development of the site is not viable due to rising costs and the need to provide 10% renewable sources, the site will be at risk of remaining vacant and potentially unsightly.

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The proposed scheme will achieve Level 3 Code for Sustainable Homes. This requires the development to achieve a significant improvement over current Building Regulations with better U-values and lower air leakage standards to reduce heat loss. It also requires standards to be met in terms of water usage and reduction of peak flow of water runoff from drainage, day lighting, energy efficiency of appliances and waste management. It encourages recycling in both the construction and life of the building and looks at the carbon footprint of the materials used in the construction, ensuring that they are responsibly sourced.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

It is considered that in this instance there is sufficient evidence to weigh in favour of removing condition 10 of the approved scheme. The development will secure energy efficient homes as they will be built to achieve Level 3 code for sustainable homes.

Their approach to CfSH also enables the building to be suitable for the lifetime of the residents (by meeting Lifetime Homes Standards) whilst the energy saving measures help reduce fuel poverty and therefore this scheme will be more sustainable across the life of the buildings than a scheme required to meet minimum Building Regs standards with 10% renewables added to satisfy EM18. The application is therefore recommended for approval.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

It is considered that in this instance there is sufficient evidence to weigh in favour of removing condition 10 of the approved scheme. The development will secure energy efficient homes as they will be built to achieve Level 3 code for sustainable homes. Their approach to CfSH also enables the building to be suitable for the lifetime of the residents (by meeting Lifetime Homes Standards) whilst the energy saving measures help reduce fuel poverty and therefore this scheme will be more sustainable across the life of the buildings than a scheme required to meet minimum Building Regs standards with 10% renewables added to satisfy EM18. The application is therefore recommended for approval.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. Before any construction commences, samples of the facing and roofing 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.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

3. The development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works for the alteration of the highway required by the development; including the removal of redundant vehicle accesses, the provision of new accesses and kerbs, resurfacing of the footway, alterations to street lighting and the provision of a traffic regulation order prohibiting waiting at the junction of New Ferry Road / Shorefields. The occupation of the development shall not begin until those works have been completed in accordance with the local planning authority's approval and have been certified as complete by or on behalf of the local planning authority.

Reason: In the interest of highway safety.

4. The development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works to provide pedestrian dropped kerbs at the junction of New Ferry Road / Shorefields, New Ferry. The occupation of any

part of the development shall not begin until those works have been completed in accordance with the local authority's approval and have been certified in writing as complete by or on behalf of the local planning authority.

Reason: In the interest of highway safety.

5. Prior to the commencement of development details of the proposed public art designation-focal point relating to the Great Eastern and IK Brunel as indicated on Drawing No. 09-103-10 shall be submitted to and agreed in writing with the Local Planning Authority and retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in full within a time frame to be agreed with the Local Planning Authority.

Reason: In the interest of amenity

6. The development hereby approved shall be carried out in accordance with the details shown on drawing number 09-103-10.

Reason: In the interests of secure-by-design

7. No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas, including the levels and contours to be formed and showing the relationship of proposed mounting to existing vegetation and surrounding landform. Details of soil stripping, storage and replacement shall be included where appropriate. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure landscape features are properly considered and protected and to accord with Policy GR5 of the Wirral Unitary Development Plan.

8. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is sooner, for its permitted use. The approved landscape management plan shall be carried out as approved.

Reason: To ensure landscape features are properly considered and protected and to accord with Policy GR5 of the Wirral Unitary Development Plan.

9. The development hereby approved shall be carried out in accordance with the details shown on the plans received by the Local Planning Authority on 14th May 2010.

Reason: In the interest of amenity

Further Notes for Committee:

Last Comments By: 31/03/2012 11:34:55

Expiry Date: 17/05/2012

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Planning Committee

26 July 2012

Reference:
APP/12/00253

Area Team:
North Team

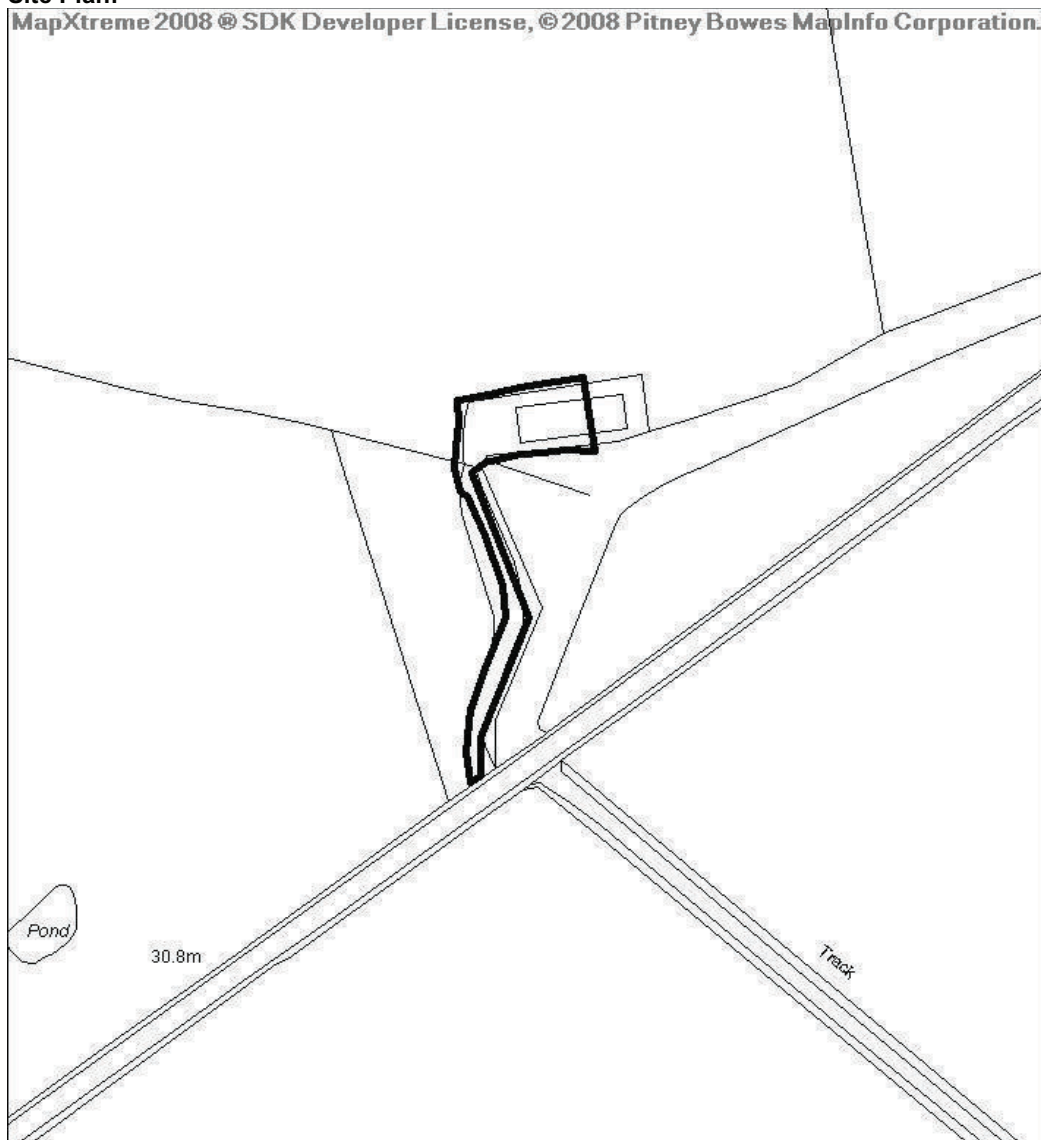
Case Officer:
Mr M Rushton

Ward:
**West Kirby and
Thurstaston**

Location: Whites Farm Shop, STATION ROAD, THURSTASTON, CH61 0HN
Proposal: Change of use to mixed use comprising farm shop and associated
cafe (resubmission of ref: App 10/01234)

Applicant: Whites Farm Ltd
Agent : N/A

Site Plan:



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Development Plan Designation:

Area of Special Landscape Value
Green Belt

Planning History:

APP/2001/07351 – Erection of an agricultural building – Refused 26/01/02
APP/2002/5752/D – Erection of an agricultural building – Approved conditionally 28/06/02
APP/2007/07359 – Retention of agricultural building and yard – Refused 01/08/08
APP/2010/00693 - Change of use of part of existing farmshop for the sale of light refreshments-
Withdrawn
APP/2010/01234 - Change of use of part of existing & farm shop for sale of light refreshments –
Refused 01/02/2011

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

Having regard to the Council's adopted Guidance on the Publicity of Planning Applications, a total of 11 letters were sent to neighbouring properties. 12 letters of opposition have been received from 11 properties, the grounds of opposition can be summarised as follows:

1. The proposal constitutes inappropriate development in the Green Belt for which very special circumstances are not demonstrated;
2. The development would have a detrimental impact to an Area of Special Landscape Value;
3. There is insufficient information provided regarding income from the farm shop – that provided is estimated and does not constitute fact;
4. There is no additional need in the local area for the sale of refreshments. There are already several outlets, and as a consequence the benefits of the change of use to the farm would be limited;
5. The owner has chosen to ignore planning procedure in the past, and has had to remove tables and chairs from the area surrounding the site, as well as a disused fire engine. There is concern that such structures would appear again, particularly given the indications of 'container planting' and fencing, to the detriment of an area of special landscape value;
6. Previous applications in relation to the site have been based on a Pick Your Own enterprise, which do not appear to have come to fruition, and are ignored in the figures provided with this application;
7. The planning application form has not been fully or correctly filled in and this invalidates the application;
8. Condition 5 of the grant of permission APP/2002/5752/D precludes the sale of refreshments at the site;
9. Concern at the potential impact to Barn Owls, which roost and nest in close proximity to the application site and are afforded the highest protection under wildlife law;
10. Planning Policy Statement 7 would not support the proposal, given the existing facilities meeting needs;
11. A right turn into the site from Station Road is hazardous;
12. The site has not been maintained or repaired since the festival held in 2010;
13. Concern that the café would, in time, operate independently to the farm shop, and the farm itself;
14. Potential for noise pollution from the installation of cooking equipment and extractor fans;

CONSULTATIONS

Wirral Society – The application is the same as that submitted previously, and whilst financial figures are now submitted, they are projections, and clearly show that the bulk of the business is trade sales rather than retail. It is not clear if toilet facilities form part of the proposal or currently exist. The proposal was originally in support of a Pick Your Own enterprise, and conditions were imposed to restrict the sale of refreshments – there is no clear logic for a removal of that condition. Generally, concern is expressed at any extension to the current use that will further impact to the Green Belt.

Irby, Thurstaston and Pensby Amenity Society – formally object on the following grounds (summarised): inappropriate development in the Green Belt; conflict with the character of the Area of Special Landscape Value; threat to wildlife; conflict with previous planning department ruling. Should the Planning Committee be minded to grant planning permission, ITPAS would wish that opening

hours be restricted to daytime hours, customer tables restricted to the inside of buildings and 'light refreshments' defined and restricted to farm produced food only.

Director of Technical Services (Traffic Management) – the existing access onto Station Road is inadequate and has short sightlines. Concerns are expressed at any intensification of use of the access, which would be detrimental to highway safety, particularly at times when traffic volumes on Station Road are higher than normal. Therefore a condition is requested to ensure that access is acceptable to cater for the potential intensification of use arising from the improved offer that the sale of light refreshments would represent, including: widening to allow two vehicles to enter and exit at the same time; sight lines of 2.4m x 45m onto Station Road; location and details of the access gate, and; space to be kept available within the site to allow vehicles to turn so as to enter and exit in a forward gear.

Director of Law, HR and Asset Management (Environmental Protection) – no objection

Wirral Wildlife – it is unlikely that daytime use will impact directly to barn owls, but a condition should be applied to restrict closing to 6.30pm or dusk, whichever is earlier.

Director's Comments:

The application was deferred from Planning Committee at the 28th June 2012, to allow further information to be presented to Members.

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Elderton requested this application be removed from delegation and considered by the Planning Committee following representations he has received from local residents that there is insufficient evidence to warrant consideration of very special circumstances for this development in the Green Belt, and given conflict with the conditions imposed to the grant of planning permission APP/02/05752 at the site.

INTRODUCTION

The application site is an agricultural building erected off Station Road, Thurstaston. Whilst permission was granted for an agricultural building in 2002, the building was not built in accordance with the application drawings. That said, the building was completed more than 7 years ago, and as such is immune from enforcement action.

The use of the building was the subject of an enforcement appeal, ref: APP/W3425/C/07/2042075 in December 2007. At that point, the Inspectorate considered that a material change of use of the building had not taken place, because the building, whilst not being used for a Pick-Your-Own function previous outlined by the applicant, was being used for the sale of produce from Lee Farm and Dawpool Farm. It was concluded that the sale of imported goods was likely to be 3-4% of total sales, and could therefore be considered *de minimis*. As such, the use of the site remains agricultural – the process and sale of produce from the farms is ancillary to that use.

The current application would seek to vary that use, to allow mixed use of the building as a (continued) farm shop and an associated cafe (Use Class A3). The submitted plans and application form would restrict the cafe area of some 46 square metres, approximately 15% of the overall floorspace. It is outlined that refreshments would include hot and cold beverages, sandwiches and batches filled with farm-produced meats, together with a variety of cakes and biscuits.

PRINCIPLE OF DEVELOPMENT

The site and surroundings lie within the Green Belt. The NPPF establishes the purposes of Green Belt land, and defines inappropriate development. The proposal is for a change of use which constitutes development - the statutory definition of development includes the making of any material change in the use of land. The making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt. There is a general presumption against inappropriate development in the Green Belt, which is, by definition, considered harmful in such locations. Very special circumstances must be demonstrated if such development is to be approved.

In considering whether very special circumstances might be demonstrated, it should be noted that the National Planning Policy Framework (NPPF) sets a supportive context for farm diversification, requiring (at Part 6) planning policies to support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should: support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings, and; promote the development and diversification of agricultural and other land-based rural businesses.

The NPPF also makes it clear that the extension, alteration or replacement of a building is not inappropriate development - provided that the buildings are of permanent and substantial construction. Similarly, UDP Policy GB3 outlines that permission will be granted for the re-use of existing buildings in the Green Belt, subject to criteria including: (iii) the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction; (iv) the form, bulk and general design of the buildings are in keeping with their surroundings.

In this instance, the building is not considered to be of permanent and substantial construction. As such, the principle of development is not acceptable under UDP Policy GB3, and very special circumstances must be demonstrated. Part 9 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

SITE AND SURROUNDINGS

The application site is part of Dawpool Farm, and is within a building adjacent to Station Road. There is a small copse and rough land adjoining the site. To the north east there is a residential property, Copperfields, whilst the land remains open to the south, west and east.

POLICY CONTEXT

As noted above, the NPPF, and UDP Policy GB2 require demonstration of very special circumstances if inappropriate development is to be permitted. In this instance, the use of the majority of the building would be retained as a farm shop, retaining its agricultural use (with no change of use proposed). Conditions might be imposed to ensure this. It is important to note that the premises does not benefit from an A1 retail use, as was initially indicated in the planning application submitted by the applicant. The proposal is that a portion of the building would change in use from agricultural use to use as a café, selling refreshments in order to diversify the offer at the farms and draw new custom into the farm shop.

The planning statement submitted outlines that there is 'excess' sales area within the farm shop, and that the proposal would both encourage retention of customers, and ensure a longer more leisurely visit. A financial appraisal has also been submitted, which outlines the applicant's very special circumstances – namely that it is necessary to increase the profitability of the shop to ensure the survival of White's Farm and that staff retention depends upon the proposal in the current economic climate. Whilst accounting records initially submitted were not particularly clear in their conclusions, latterly accounts have been submitted for the farm itself, to support the contention that there is a requirement for diversification at the farm – i.e. that the agricultural business is dependent on the proposal put forward. The accounts, drafted by Duncan Boxwell and Company Chartered Accountants, must be treated confidentially and have not been part of the public consultation on the planning application, but the accounts and synopsis make it clear that the farm has operated at a loss for a number of years. This information had not previously been demonstrated in support of the development put forward, but it is considered that it provides the evidence which can be considered the very special circumstances required to support inappropriate development in the Green Belt. Appendix 1 refers in more detail to this information.

It is also a material consideration that the proposal would be for a change of use within an existing building, and to a small area of that building. As such the harm to the Green Belt (beyond that by reason of inappropriateness), would be limited.

The application site also falls within land designated by the Unitary Development Plan under Policy

PA2 as an Area of Special Landscape Value (ASLV). UDP Policy LA1: Protection for Areas of Special Landscape Value applies, and states that the Local Planning Authority will protect the character and appearance of areas designated as ASLV from the adverse effects of development and will not permit proposals which would: (i) introduce new intrusive development within an otherwise open setting, especially along a prominent skyline or along the undeveloped coast; or (ii) result in the loss or erosion of distinctive landscape features; and (iii) other proposals which, in terms of their siting, scale, form and external appearance, would detract from the appearance of the Area or intrude within important views into or out of the Area. Similarly, the Council's adopted Landscape Character Assessment notes for the Dee Coastal Farmland areas, that any development which rose above the tree line or was visible on the skyline would not be consistent with the landscape character as built form is rarely visible on the skyline.

The proposed development is not considered to conflict with UDP Policy LA2 or the Character Assessment – no new built development would be introduced, and as such the open setting of the Dee Estuary in this location would not be affected, nor would distinctive landscape features be impacted to the detriment of the ASLV.

Lastly, consideration has been given to UDP Policy NC7: Species Protection, given the information provided that the area is important for Barn Owls. The policy makes it clear that development that would have an adverse effect on wildlife species protected by law will not be permitted unless the Local Planning Authority is satisfied that the protection of the species can be secured through the use of planning conditions and/ or planning obligations. In this case, the application site itself is not important for a protected species, rather the surrounding land. It is considered that a suitably worded planning condition restricting opening hours can ensure that the mixed use proposed does not negatively impact to Barn Owls nesting in the vicinity.

APPEARANCE AND AMENITY ISSUES

As noted above, the proposed change of use would have little impact to the openness of the Green Belt, being restricted to an existing agricultural building which is immune from enforcement action. It is considered that there is evidence in support of the contention that the proposed use would promote the diversification of an agricultural enterprise, and thereby assist in sustaining an appropriate use of land in the Green Belt. This evidence of the benefit of the proposal in support of a wider Green Belt purpose is considered to constitute very special circumstances, consistent with the provisions of the National Planning Policy Framework and UDP Policy GB2.

SEPARATION DISTANCES

Separation distances are not relevant to this type of application.

HIGHWAY/TRAFFIC IMPLICATIONS

The Director of Technical Services (Traffic Management), whilst raising no objection to the proposed development, has advised that the existing access onto Station Road is inadequate and has very short sightlines. Given that the development may increase use of that access, it is considered that a condition is required to secure details of works to widen the access, including: widening to allow two vehicles to enter and exit at the same time, sight lines of 2.4m by 45m onto Station Road, details of the access gate to Station Road, and the retention of open space to allow vehicles to turn within the site.

It is important that any such scheme of works is carefully conceived – so as to ensure that the upgrade for highway safety does not affect rural character and conserves or replaces the extent of existing hedgerow.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no environmental/sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

Information has been provided to demonstrate that the proposed change of use is necessary to support the diversification of an agricultural use of land. Consequently, it is considered that there has

been demonstration of the very special circumstances required to support inappropriate development in the Green Belt. The development is thereby consistent with to UDP Policies GB2, GB3, and the National Planning Policy Framework.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

Information has been provided which is considered to demonstrate that the proposed change of use is necessary to support the diversification of an agricultural use of land. Consequently, it is considered that there has been adequate demonstration of the very special circumstances required to support inappropriate development in the Green Belt. The development is thereby consistent with UDP Policies GB2, GB3, and the National Planning Policy Framework.

Recommended Approve
Decision:

Recommended Conditions and Reasons:

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The café hereby permitted shall be closed between 18.30 hours or dusk (whichever time is earlier), and 07.00 hours. For the avoidance of doubt dusk shall be defined as 30 minutes before sunset.

Reason: Having regard to residential amenity and the importance of the surrounding areas as breeding and foraging habitat for barn owls, having regard to UDP Policies NCO1 and NC7.

3. No materials or equipment shall be stored on the site other than inside the building.

Reason: In the interests of the amenity and the character of the area, having regard to UDP Policy LA2.

4. This permission shall enure for the benefit of the occupier(s) of the agricultural holding known as Whites Farm only, and the farm shop and cafe shall not be operated separately from Whites Farm.

Reason: Having regard to the location and the purpose of the development and its direct links to the farm it would not be appropriate to be operated separately pursuant to Policies AG1, GB2, GB3, SPD3 and the National Planning Policy Framework.

5. The farm shop hereby permitted shall not be used for the sale of any other items other than produce from the agricultural holding referred to in the application. The cafe use (Use Class A3) hereby permitted shall not exceed 46 square metres (gross) of floorspace as indicated in plan reference PWH-10-WF1-Rev A received by the Local Authority on the 27th February 2012.

Reason: To define the permission, and having regard to the provisions of UDP Policies AG1, GB2 and GB3.

6. Prior to the commencement of development details of works to improve the access onto Station Road, including:
- widening to allow vehicles to enter and exit at the same time;
 - sight lines of 2.4m by 45m onto Station Road;
 - location and details of the access gate;
 - space to be kept availability to allow vehicles to turn within the site so as to enter and exit in a forward gear,
- shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details prior to the first use of the mixed use hereby permitted.

Reason: In the interests of pedestrian and highway safety.

7. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 27th February 2012 and listed as follows: PWH-10-WF1-Rev A dated 18th May 2010.

Reason: For the avoidance of doubt and to define the permission.

Further Notes for Committee:

1. Consent under the Highways Act is required for the construction of a new or the amendment/removal of an existing vehicular access. Such works are undertaken at the developer's expense, including the relocation and/or replacement of street furniture as necessary. Please contact the Council's Highway Maintenance team on 0151 606 2004 prior to the commencement of development for further information.

Last Comments By: 19/04/2012 16:07:26
Expiry Date: 23/04/2012

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Planning Committee

26 July 2012

Reference: APP/12/00468 **Area Team:** South Team **Case Officer:** Miss A McDougall **Ward:** Heswall

Location: 74 OLDFIELD DRIVE, HESWALL, CH60 9HA
Proposal: Remodelling of existing dwelling including a two-storey side extensions, front dormer window extensions, a rear balcony and a single storey rear extension.

Applicant: Mr John Sweeney
Agent : Hughes Project & Management

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area
HS11
SPG11

Planning History:

No previous planning history.

Summary Of Representations and Consultations Received:**REPRESENTATIONS:**

Having regard to the Council Guidance on Publicity for Applications, 5 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 3 objections have been received, listing the following grounds:

1. Overlooking/loss of privacy to Ginns Croft due to balcony
2. Overbearing
3. Detrimental extent of remodelling on to the character of the area
4. Additional windows results in loss of existing privacy

Wirral Wildlife: Comments due to an SBI located to the south west of the plot - badger protection conditions.

The Heswall Society: No specific objection however feel that the roof could be softened in terms of impact and appearance.

CONSULTATIONS:

None required.

DIRECTORS COMMENTS:

The application was deferred from Planning Committee on 28 June 2012 for a site visit.

REASON FOR REFERRAL

Councillor Hodson requests the application be referred to Planning Committee due to the unneighbourly aspect of the development.

INTRODUCTION

The proposal is for the remodelling of the original dwelling. The changes proposed include; two-storey side, front and rear extensions with front dormer windows, a rear balcony and a single storey rear extension.

PRINCIPLE OF DEVELOPMENT

The dwelling is located within the designated Primarily Residential Area, the proposal is to extend an existing dwelling therefore the principle of development is acceptable.

SITE AND SURROUNDINGS

The existing dwelling is a detached two-storey house, the neighbouring properties are detached but all vary in terms of scale and size. The property is located on Oldfield Drive opposite the corner where Oldfield Drive meets Greenfield Lane, the houses on this side of Oldfield Drive and Greenfield Lane rear on to an open field that adjoins land designated as Special Biological Interest (SBI).

POLICY CONTEXT**HS11 House Extensions Policy**

Proposals for house extensions will be permitted subject to all the following criteria being complied with:

- (i) the scale of the extension being appropriate to the size of the plot, not dominating the existing building and not so extensive as to be unneighbourly, particular regard being had to the effect on light to and the outlook from neighbours' habitable rooms and not so arranged as to result in significant

overlooking of neighbouring residential property.

(ii) the materials matching or complementing those of the existing building;

(iii) design features such as lintels, sills, eaves and roof form and line matching or complementing those of the existing building;

(iv) dormer windows if used, being restricted to the rear of the dwelling and not projecting above the ridge, nor occupying the full width of the roof;

(v) flat roofs being restricted to the rear or side of the dwelling and only acceptable on single storey extensions;

(vi) where the rear extension is single storey on the party boundary and the existing dwelling semi-detached, the proposed extension projects a maximum of 3.0 metres from the main face of the existing houses;

(vii) where the rear extension is two storey and the existing house semi-detached, the proposed extension is set back at least 2.5 metres from the party boundary;

(viii) to avoid the effect of 'terracing', where two storey side extensions are added to the sides of semi-detached houses of similar style with a consistent building line and ground level, the first floor of a two storey side extension should be set back at least 1.5 metres from the common boundary; or at least 1.0 metre from the front elevation and 1.0 metre from the common boundary; or at least 2.0 metres from the front elevation;

(ix) single storey extensions on terraced dwellings allowing an adequate area of amenity space to be retained.

APPEARANCE AND AMENITY ISSUES

The proposal is for the remodelling of the existing two-storey dwelling, the footprint of the structure does not change dramatically however the design and impact of the house is greatly altered as the first floor is increased in terms of roof scale and upper floor use. The width of the house remains the same on the plot with alterations to the front including additional living accommodation at first floor, the proposal includes a two-storey stairwell to the central elevation and a dormer addition to bedroom 1 to create a shower room, to the rear of bedroom 1 is a part enclosed balcony. To the northern side, above the original flat roof garage is an additional bedroom (bedroom 4).

The house has good distances set between the side elevation of the houses on either side, to the two-storey section of Maenporth the houses are set 9m from each other and 8m to the side elevation of 76 Oldfield Drive. Although the house includes the raising of part of the roof in some areas of the house the side distances between the houses is retained, the additional side window to proposed bedroom 4 is a secondary window however due to its design and location will be conditioned as fixed and obscurely glazed to reduce any additional level of overlooking.

The bulk of the house has a visually greater impact due to its comparison in scale to the original house, the original house is predominantly ground floor, the remodelling creates a larger upper floor and whilst the house is larger in terms of its visual impact the new dwelling is not overbearing and does not have a detrimental impact onto the neighbouring properties having regard to outlook, privacy and dominance. The remodelled building is well contained in relation to the original footprint of the house and does not come closer to either property to the side.

The balcony to the rear has a solid wall to the south elevation and will not create any additional overlooking to number 76 Oldfield Drive, the extensions to the house do not harm the neighbouring properties, the alterations to the front elevation do not bring the house any further forward than the established building line, the plot can withstand the changes proposed to this dwelling and as such the scheme is compliant to Wirral's UDP Policy HS11 and SPG11.

SEPARATION DISTANCES

The plot itself is large and the house set a good distance into the plot from the highway the new windows to the front elevation are set over 45m from the dwellings opposite. The rear of the property

looks out over fields, the alterations include a rear balcony that is only open to the rear (west) and north towards Maenporth, the side elevation of the balcony is located 15m from the side boundary with Maenporth. As such the proposed alterations and additional windows to the remodelled dwelling meet the separation/interface distances set out in SPG11 of 21m habitable room window to habitable room window and 14m habitable room window to blank wall.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

CONCLUSION

The increase in scale and changes to the appearance of the dwelling are acceptable in terms of the relationship with the original house and the neighbouring properties. The extensions are therefore acceptable having regard to Wirral's UDP Policy HS11 and SPG11.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The increase in scale and changes to the appearance of the dwelling are acceptable in terms of the relationship with the original house and the neighbouring properties. The extensions are therefore acceptable having regard to Wirral's UDP Policy HS11 and SPG11.

Recommended Approve
Decision:

Recommended Conditions and Reasons:

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 3 April 2012.

Reason: For the avoidance of doubt and to define the permission.

3. The side window to bedroom 4 as shown on the plans facing north towards Maenporth, Greenfield Lane, shall be of fixed and obscure glazing on insertion into the hereby approved extension and retained as such thereafter.

Reason: In the interests of residential privacy having regard to Wirral's UDP Policy HS11.

4. Works approved as part of this planning application shall only take place between 8.00 hours and 18.00 hours.

Reason: Protection of badgers.

5. With regards to the work hereby approved, any holes, trenches left open overnight to have a means of escape provided e.g a wide scaffold plank and any materials especially those containing lime to be stored so that badgers cannot access them.

Reason: Badger Protection

Last Comments By: 30/05/2012
Expiry Date: 29/05/2012

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Planning Committee

26 July 2012

Reference:
APP/12/00513

Area Team:
South Team

Case Officer:
Mr M Rushton

Ward:
Eastham

Location: From roundabout south of 1408 New Chester Road, Eastham to Pump House, Commercial Road Bromborough

Proposal: Application for a new permission to replace extant planning permission 08/05472 (for the installation of 2 no. cross country parallel pipelines from roundabout at junction 4 of M53 motorway to Commercial Road, Bromborough) in order to extend the period of implementation by a further three years.

Applicant: King Street Energy (Cheshire) Ltd

Agent : Axis Ped Ltd

Site Plan:



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Development Plan Designations and Policies:

Proposed Cycle Route
Infill Village in the Green Belt
Major Developed Site in the Green Belt
Minor Highway Improvement
Site of Biological Importance
Site of International Importance for Nature Conservation
Green Belt
Coastal Zone
Urban Greenspace
Primarily Residential Area
Primarily Industrial Area
Employment Development Site
Road Corridor subject to Environmental Improvement
Countryside Recreation Site
Conservation Area (for illustrative purposes)

Planning History:

Various along the route within or adjacent the planning application boundary.

APP/2008/05472 – Installation of 2 no. cross country parallel pipelines from roundabout at Junction 4 of M53 motorway to Commercial Road, Bromborough – approved conditionally and subject to a s106 agreement, 19/08/2009.

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

Having regard to the Council's Guidance on Publicity for Applications, the application was advertised by way of a Press Notice and Site Notices displayed at intervals along the proposed route. At the time of writing no representations have been received.

CONSULTATIONS

Director of Law, Human Resources and Asset Management – Housing and Environmental Protection Division – No objection to the proposed development.

Director of Technical Services – Traffic Management Division – No objections – refer to Director's Comments.

Environment Agency – No objections.

Wirral Wildlife – whilst Wirral Wildlife objected to the original application through all its stages back in 2008-9, on the grounds that it would be harmful to wildlife, including (outside of Wirral BC's boundary) to protected species, it was held by the Inspector (in an appeal against elements of the scheme within Cheshire) to have 'acceptable' ecological impacts, an opinion with which Wirral Wildlife disagreed. Should planning permission be granted, it is requested that all the conditions imposed to the original approval are retained. Current concerns for that portion of the development falling within Wirral are:

- Does not accord with sustainable development principles: there is concern at the carbon-expensive construction of the project and waste of a natural mineral (the salt being deposited in the Mersey).
- Concern at the effect on Torr Park and parts of Eastham Country Park through 'planning blight' as improvement works are held up in case the pipeline comes through.

Bromborough Society – Comment on the need for the archaeological assessment undertaken in 2007 to be updated, to include the hamlet of Shodwell in particular, but other various entrees. Ask that these comments are treated as a positive contribution to the planning process in determining this application.

Merseyside Environmental Advisory Service - information provided by the applicant has allowed the completion of an updated Appropriate Assessment screening (the summary is included as an appendix to this report). The screening concludes that the development is unlikely to have a

significant effect on the Mersey Estuary SPA and Ramsar and therefore an Appropriate Assessment is not required. The screening report has been provided to Natural England, who must be consulted prior to determination of the planning application. As with the initial grant of permission, planning conditions are required to secure measures outlined by the applicant to mitigate potential impacts to the Mersey Estuary SPA and Ramsar site and confirm the response of 'no likely significant effects'.

Natural England – The views of Natural England are awaited and will be reported verbally to planning committee.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application seeks permission for a development of a considerable site area, which is defined as Major Development and is therefore required to be considered by the Planning Committee under the Council's adopted Scheme of Delegation for Determining Planning Applications.

PROPOSAL

The application seeks to extend the time limit for implementation of planning permission APP/2008/5472, which was granted on 19th August 2009, following approval by the Council's Planning Committee on the 30th October 2008 and the completion of a s106 Legal Agreement.

The development proposed remains identical to that for which permission was granted in 2009, and would consist a pumping station and associated structures at Commercial Road, Bromborough, and the installation of 2 no. pipelines:

- 1 no. estuary water pipeline for transporting estuary water from the Mersey Estuary to King Street, Northwich where it will be used for a solution mining process to create underground gas storage caverns as part of the 'King Street Gas Storage Project'
- 1 no. saltwater pipeline to transfer saltwater solution produced by the cavity washing in the reverse direction to the Mersey Estuary at Bromborough, via pumping stations, located at King Street and Frodsham.

The development granted permission under APP/2008/5472 formed part of a much larger project to develop a site at King Street, near Northwich, Cheshire for the purposes of storing natural gas. Ten underground salt cavities would be developed through the process of solution mining, and the construction of a gas processing facility for the storage of natural gas in the underground salt cavities at that site. In total, the parallel pipeline links to the project would be approximately 58km in length – of which approximately 5.8km of the corridor lies within Wirral. The route of the pipelines would include a number of adopted highways, a portion of Eastham Country Park, Torr Park, Eastham Lodge Golf Course, the Leverhulme Sports Fields and agricultural land, before passing under the M53 Motorway east of Junction 4.

The other elements of the King Street Gas Storage Project were the subject of separate applications (Planning Applications 4/07/2846/FZ5 and 3/P/2008/111/XX/59) to Cheshire County Council and associated Environmental Impact Assessments, which were granted on appeal and following a Public Inquiry in December 2009.

The current application is being made under provisions brought into force by the Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009, to enable the time limit for implementing existing permissions to be extended. The measure was introduced to enable Local Planning Authorities to 'extend' the life of a permission which might lapse (e.g. during an economic downturn).

The application being solely for an extension of the time limit for implementation of development, the main issue for consideration is whether, since the grant of planning permission, there have been changes to the development plan or new material considerations arising that would result in a different determination. This report only focuses on these matters, rather than re-visiting the principle of development previously accepted.

Following a formal scoping opinion, the applicant has provided an Environmental Statement

Addendum, including additional environmental information to accompany the application. Similarly, a planning statement has been submitted including the applicants overview of changes to development plan policy since the determination of the application in 2009.

POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

National Planning Policy:

National Planning Policy Framework (NPPF)

North West Plan Regional Spatial Strategy:

DP1 – Regional Development Principles
EM1 – Integrated Enhancement and Protection of the Region’s Environmental Assets.
EM5 – Integrated Water Management
EM7 – Minerals Extraction
RDF4 – Green Belts

Unitary Development Plan Policies:

Strategic Policies:

Policy AGR1 - The Protection of Agriculture fully reinstated.
Policy CHO1 The Protection of Heritage
Policy GRE1 The Protection of Urban Greenspace
Policy LAN1 Principles for Landscape
Policy NCO1 Principles for Nature Conservation
Policy URN1 Development and Urban Regeneration
Policy WAT2 Protection of the Water Environment

Detailed Policies:

Policy EM3 - Land for General Employment Use
Policy EM6 - General Criteria for New Employment Development
Policy EM7 - Environmental Criteria for New Employment Development
Policy EM8 - Development within Primarily Industrial Areas
Policy AG1 Development and Agriculture
Policy AG2 The Protection of Best Quality Agricultural Land
Policy CH10 Eastham Village Conservation Area
Policy CO1 Development within the Developed Coastal Zone
Policy CO8 Development in the Coastal Zone Requiring Environmental Assessment
Policy GB2 Guidelines for Development in the Green Belt
Policy GR1 The Protection of Urban Greenspace
Policy GR5 Landscaping and New Development
Policy GR7 Trees and New Development
Policy PO1 Potentially Polluting Development
Policy PO3 Noise
Policy PO5 Criteria for the Development of Contaminated Land
Policy WA2 Development and Land Drainage
Policy WA5 Protecting Surface Waters
Policy NC1 The Protection of Sites of International Importance for Nature Conservation
Policy NC3 The Protection of Sites of National Importance for Nature Conservation
Policy NC5 The Protection of Sites of Local Importance for Nature Conservation
Policy NC7 Species Protection

Principle of the Development:

The grant of planning permission APP/2008/5472 establishes the principle of development.

Changes to the Policy Context

The main change to the development plan is the adoption of the National Planning Policy Framework earlier in 2012, replacing previous Planning Policy Guidance and Statements, and replacing Mineral

Planning Statements as the national policy in relation to minerals. Paragraph 147 of the NPPF highlights the requirement for Mineral Planning Authorities to encourage underground gas and carbon storage and associated infrastructure if local geological circumstances indicate its feasibility.

The applicant cites a number of recent national policy publications as having weight as material considerations, notably National Policy Statements (NPS's) such as EN1: the overarching NPS for energy. Whilst the NPS's are intended to guide decisions made by the Infrastructure Planning Commission on nationally significant infrastructure projects, they can be a material consideration in ordinary planning applications considered under the Town and Country Planning Act.

EN1 highlights the UK's dependence on natural gas – the UK is one of Europe's biggest consumers of natural gas, and gas will continue to play an important part of the UK's fuel mix for many years to come. EN1 identifies that the balance of gas supply has shifted to one where the UK is now a net importer of gas – and as such there is an identified need for further gas supply infrastructure in order to reduce risks of supply and price risks to consumers. Notably, paragraph 3.8.9 of EN1 indicates that as UK Continental Shelf production declines, a range of infrastructure is likely to be required, including increased gas storage capacity, to provide close-to-market 'swing supply' to help meet peak demand. The NPS notes that demand varies considerably throughout the day and it is necessary for some sources to be close to the market so that gas is quickly available.

National Planning Statement EN4 also notes the limitations on natural gas storage underground, highlighting salt strata as suitable for such storage.

It should be noted that in determining the applications submitted to Cheshire at appeal, Government attributed weight to the underlying need for additional gas storage facilities within the UK. Similarly the applicant's statement highlights the Government's consideration of gas storage in relation to a more recent proposal for gas storage in Lincolnshire (WINGAS Storage UK, at Saltfleetby), quoting from the Department of Energy and Climate Change annual energy statement of 2010, which reiterated the need for additional gas storage capacity to provide greater assurance of delivery when gas is needed. Given the above, it is not considered that changes to the statutory development plan, or other policy considerations present a rationale for refusal of the current application to extend the permission granted.

SITE AND SURROUNDINGS

The proposed route of the estuary water supply and saltwater discharge pipelines from King Street, Northwich, to the Mersey Estuary generally passes through an undulating rural landscape which includes small settlements and individual, isolated dwellings.

The majority of the proposed pipeline crosses agricultural land, much of which is pasture (approximately 60%) although approximately 30% is in arable use. In most areas, settlements and urban developments are avoided, with the exception of the western end of the proposed route. In this area, i.e. Bromborough and Eastham, the proposed pipeline route passes through an urban setting, comprising roads, residential properties, industrial and commercial properties, and recreational land.

APPEARANCE AND AMENITY ISSUES

The potential for significant issues of appearance or amenity was given full consideration in the grant of planning permission APP/2008/5472. Taking the current application, it is necessary to decide whether the likely impacts of the development have changed in the intervening three years.

Government guidance on 'extension' applications such as this notes that "In the majority of cases where EIA was carried out on the original application, further information to make the environmental statement satisfy the requirements of the EIA Regulations is unlikely to be required..." (Greater Flexibility for Planning Permissions, DCLG 2010). In response to advice issued in a scoping response by the Local Planning Authority, however, an 'Environmental Statement Addendum' (referred to as the Addendum ES from herein) has been produced by the applicant, to consider whether there are additional likely impacts to those envisaged by the Environmental Statement submitted in 2008. Each of the original assessment chapters is considered, and appearance and amenity issues are considered under a number of headings, including 'Landscape and Visual Assessment' and 'Socio-Economics, Tourism and Community Impacts'.

The Addendum ES takes account of Wirral's Landscape Character Assessment, published in 2009 (after the determination of the 2008 application), concluding that the Assessment does not alter the conclusion that any adverse effects to landscape character would be short term, through temporary loss of hedgerows for example – features that would be fully reinstated once the pipeline is laid.

The conclusion of the Addendum ES finds no reason to modify the assessment of impacts to amenity held in the grant of APP/2008/5472.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

Ecology

As noted in 'Representations and Consultations' above, information provided by the applicant has allowed the completion of an updated Appropriate Assessment screening by the Merseyside Environmental Advisory Service (MEAS) on behalf of the Council as competent authority in this matter. The screening concludes that the development is unlikely to have a significant effect on the Mersey Estuary SPA and Ramsar and therefore an Appropriate Assessment is not required. The screening report has been provided to Natural England for a view, which will be reported verbally to Members. As with the initial grant of permission, planning conditions are proposed to secure measures outlined by the applicant to mitigate potential impacts to the Mersey Estuary SPA and Ramsar site and confirm the response of 'no likely significant effects'.

Given the time-dependent nature of ecological survey work, and on the advice of Natural England and MEAS (on behalf of the Local Planning Authority), the applicant has updated surveys based on the terrestrial element of the pipeline route. A habitat survey of the study area was carried out on 21st February 2012 by Argus Ecology, the site being walked and a review of the potential impacts to protected species being undertaken, including consideration of the suitability of ponds to Great Crested Newts. A biological record search was also undertaken by rECOrd.

A number of changes to habitat were recorded, mainly due to modifications in the use of land at Wirral International Business Park. The survey did not find any changes in habitat features likely to alter the findings of the 2007 and 2008 protected species assessments, with the exception of the identification of a new badger sett. New information is presented in relation to the pumping station site and access, which had not been mapped previously.

The Merseyside Environmental Advisory Service have reviewed the reports on behalf of the Local Planning Authority, and advise that the survey has been undertaken by a suitably qualified, experienced and licensed ecologist using appropriate methods in accordance with current best practice and is acceptable.

The site of the newly identified badger sett would not be directly affected by the pipeline; however it is close to the working area and there is considered some potential for disturbance to badgers. Further information has been requested on this matter, the conclusions of which will be reported verbally to Members of Planning Committee.

The surveys confirmed the presence of great crested newts within one pond (identified as P14-2). The pond will not be affected by the proposed pipeline and the applicant proposes to undertake construction of the pipeline during the winter months (November - March) when great crested newts will be in hibernation and therefore will not be impacted by the works. An additional planning condition is required to secure this timing constraint.

In addition, it is considered reasonable, having regard to the provisions set out in the National Planning Policy Framework to seek great crested newt habitat enhancement as part of the scheme, in line with paragraph 118 of the NPPF, and to contribute towards the biodiversity duty set out in Sections 40 and 41 of the Natural Environment and Rural Communities Act (NERC) 2006. The revised Phase 1 habitat survey recommends habitat improvements to pond 14-2 – it is considered that condition 13 of the original planning approval would provide the appropriate mechanism by which such enhancement can be agreed with the Local Planning Authority.

At the time of the grant of planning permission in 2008 some portions of the application site had not been surveyed, and a condition was imposed (condition 11) to require such survey work be

undertaken. Now that a full phase 1 survey has been undertaken, it has been identified that the site of the temporary site compound contains scrub vegetation which could provide nesting opportunities for breeding birds, which are protected under the general provisions of Section 1 of the Wildlife and Countryside Act 1981 as amended. To protect breeding birds, it is proposed that a condition is imposed to replace condition 11, should Members be minded to grant permission, requiring that no tree felling/scrub clearance/hedgerow removal/vegetation management/ground clearance should take place during the period 1 March to 31 August inclusive.

Water Quality and Resources

The Addendum ES considers changes to the way in which water quality is assessed and classified under the Water Framework Directive (2000). This was highlighted to the applicant by the Local Planning Authority as an important issue to be addressed – the Directive requires the prevention of deterioration in water quality in water bodies (such as the Estuary). The Addendum ES includes an assessment of the proposed development against the Water Framework Directive (WFD). It indicates that the proposed operation is unlikely to result in impact on water quality or aquatic ecology that would affect the ability of the Estuary to achieve its WFD status objective of 'good potential by 2027'. In general chapter 10 'Water Quality and Resources' of the Addendum ES provides a comprehensive evaluation of the impact of the proposals on water resources. Overall, the scope and depth with which issues are covered and the range of mitigation measures proposed is considered to have met the requirements of the WFD.

In order to mitigate the potential impacts on water quality as a result of disturbance of sediments it is proposed that chemical sampling will be undertaken as part of pre-commencement geotechnical survey. The findings of the investigation will be used to produce detailed construction method statement. The mitigation measures should be incorporated within a Construction Environmental Management Plan which would be secured by a suitably worded planning condition.

HIGHWAY/TRAFFIC IMPLICATIONS

It is noted within the Addendum ES that the Merseyside Local Transport Plan has replaced the then Third LTP. The proposed development is not considered by the applicant to hinder the achievement of any of the goals of the current LTP, nor is it considered that there have been any significant changes in traffic numbers since the submission of the original application. The Director of Technical Services (Traffic Management) has raised no objection to the proposed development

CONCLUSION

The proposal to replace an extant planning permission in order to extend the time limit for implementation by a further three years is considered to be acceptable, and to present no significant environmental impacts in conflict with the provisions of the development plan, notably the National Planning Policy Framework, North West of England RSS 2021 and the adopted Unitary Development Plan.

It is recommended that planning permission is granted, subject to additional or revised conditions to reflect the conclusions of the Addendum ES submitted, and to take account of permission subsequently granted under section 96a of the Town and Country Planning Act to secure non-material amendments to the wording of planning conditions imposed to permission APP/2008/5472.

It is also considered necessary to re-impose the requirement for the s106 Agreement which formed part of the original grant of planning permission, to include the elements below. It is understood that this can be achieved through a supplementary deed to link the obligation to the new permission.

- the resurfacing of the car park at the Leverhulme Sports Ground to a standard as directed by the local authority;
- the refurbishment of the former toilet block within Torr Park to provide a groundsman's facility in accordance with a scheme of works to be agreed in writing;
- a commuted sum to allow the Council to undertake a scheme of replacement tree planting within Torr Park;
- a Community Benefits Fund contribution as detailed in correspondence from the applicant dated 13th October 2008.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal to replace an extant planning permission in order to extend the time limit for implementation by a further three years is considered to be acceptable, and to present no significant environmental impacts in conflict with the provisions of the development plan, notably the National Planning Policy Framework, North West of England RSS 2021 and the adopted Unitary Development Plan.

Recommended Approve
Decision:

Recommended Conditions and Reasons:

1. The development to which this permission relates must be begun not later than the 19th August 2015.

 Reason: To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

 Reason: To ensure that the development reflects the character of the area in the interests of visual amenity. This condition is imposed having regard to policy EM6 (General Criteria for New Employment Development) or HS4 (Criteria for New Housing Development) of the Wirral Unitary Development Plan.

3. No development shall be commenced until full details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species and heights of all 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.

 Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and having regard to Policy GR5 (Landscaping and New Development.) of the Wirral Unitary Development Plan.

4. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted unless otherwise approved in writing by the Local Planning Authority.

 Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and having regard to Policy GR5 (Landscaping and New Development.) of the Wirral Unitary Development Plan.

5. All hard and soft landscape works shall be carried out in accordance with the approved details as set out in Condition 3. The works shall be carried out in accordance with a programme to be agreed with the Local Planning Authority;

 Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and having regard to Policy GR5 (Landscaping

and New Development.) of the Wirral Unitary Development Plan.

6. Prior to the commencement of development, a full tree survey for the length of the pipeline route corridor shall be undertaken in accordance with the methodology to be submitted to and agreed in writing by the local authority. For the avoidance of doubt, the survey shall accord with BS58337:2005 and shall provide details of all existing tree species, height, girth, spread, condition and an assessment of their suitability for retention.

Reason: To ensure that the works on the site properly take account of the future health of the trees and having regard to Policy GR7 (Trees and New Development) of the Wirral Unitary Development Plan.

7. Prior to the commencement of development, a Method Statement shall be submitted to and agreed in writing by the Local Planning Authority for the proposed protection of retained trees within the route corridor. No works or development shall take place until a scheme for the protection of the retained trees (in accordance with section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include:
 - a. a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
 - b. a schedule of tree works for all the retained trees in paragraph (a) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work.
 - c. the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837).
 - d. the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
 - e. the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837).
 - f. the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837).
 - g. the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground.
 - h. the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
 - i. the details of the working methods to be employed for the installation of any accesses and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction.
 - j. the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.
 - k. the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.
 - l. the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837).
 - m. the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).
 - n. the timing of the various phases of the works or development in the context of the tree

protection measures.

Reason: To protect trees which are of significant amenity value to the area and having regard to Policy GR7 (Trees and New Development) of the Wirral Unitary Development Plan.

8. The following activities must not be carried out under any circumstances:
- i. No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
 - ii. No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
 - iii. No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
 - iv. No mixing of cement or use of other materials or substances shall take place within a RPA, or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA
 - v. No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA.

Reason: To protect trees which are of significant amenity value to the area and having regard to Policy GR7 (Trees and New Development) of the Wirral Unitary Development Plan.

9. Prior to the commencement of development a Method Statement for all Arboricultural works, including replacement planting to mitigate for the loss of trees, shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the Statement shall include proposals for replacement tree planting at a minimum ratio of 2 trees for every 1 tree lost. For the avoidance of doubt the Statement shall include details of the tree species, maturity, and specific locations for proposed planting together with a detailed timetable for the implementation. The Statement shall outline a commitment to maintenance for a minimum period of 5 years. Replacement planting shall be undertaken in accordance with the agreed Method Statement.

Reason: To ensure that the Arboricultural work is carried out to a satisfactory standard and having regard to Policy GR7 (Trees and New Development) of the Wirral Unitary Development Plan.

10. Prior to the commencement all trees identified to be affected by the proposed development shall be surveyed by a bat specialist to confirm the presence or absence of bat species. For the avoidance of doubt the survey shall include:
- I. Stage one bat survey: on ground survey of all the trees to assess the potential and suitability for roosting bats.
 - II. Stage two bat survey: aerial tree survey to inspect the trees found with potential on the stage one bat survey to confirm presence or absence of bat roosts.
 - III. Dawn and dusk bat detector surveys; these surveys will be required where presence or absence during the stage two bat survey could not be confirmed.

A report of the survey shall be submitted to the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and having regard to Policy GR5 (Landscaping and New Development) of the Wirral Unitary Development Plan.

11. No tree felling, scrub clearance, hedgerow removal, vegetation management or ground clearance shall take place within the proposed temporary site compound at Commercial Road, Bromborough during the period 1 March to 31 August.

Reason: In the interests of ecology, to protect breeding birds.

12. Prior to the commencement of development, a detailed Bat Mitigation Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The mitigation scheme shall accord with the principles established in Natural England's guidance Bat Mitigation Guidelines (January 2004). The development hereby permitted shall be undertaken in accordance with the agreed details. For the avoidance of doubt, where tree felling is required it shall be undertaken outside the hibernation period (mid-march to October) under the supervision of a licensed bat specialist and in accordance with the felling procedure.

Reason: To ensure that the development does not cause disturbance to roosting bats and to ensure that inappropriate treatments are not used which could otherwise harm the bat populations identified at the site.

13. Prior to the commencement of development a detailed final Great Crested Newt Survey Report shall be submitted to and agreed in writing by the Local Planning Authority, in consultation with Natural England and the Environment Agency. The report shall detail a mitigation scheme to minimize direct threats to GCNs and compensate for any disturbance or loss of habitat as a result of the proposed development. The Survey Report shall include detail of the following mitigation measures:

- Habitat creation, restoration or enhancement
- Measures for the avoidance of disturbance, killing or injury
- Long term habitat management and Maintenance
- Post development monitoring

For the avoidance of doubt, proposed mitigation shall accord with the measures set out in English Nature's document Great Crested Newt Mitigation Guidelines (2001). The development shall be undertaken in accordance with the approved Report.

Reason: The development will detrimentally affect Great Crested Newts and has been allowed because of (exceptional circumstances). In order to ensure that the Great Crested Newts are conserved, it is necessary for adequate provision to be made to secure the recreation of the habitat outside the development area.

14. Prior to the commencement of development, and between the months of February and April, a pre-construction survey shall be undertaken of areas of known badger activity. The survey shall establish the presence of setts and badger paths that cross the proposed working corridor for the pipeline. If badger activity is confirmed, full details of a Method Statement for the avoidance of damage to setts or severance of regularly used paths shall be submitted to and approved by the Local Planning Authority prior to the commencement of work on site, including a timetable for the implementation of methods outlined. Development shall be carried out in accordance with the approved statement. For the avoidance of doubt, the Method Statement shall include the following measures:

- Any holes or trenches left overnight are to have a means of escape provided for badgers.
- Materials containing lime are to be stored so that they are inaccessible to badgers.

Reason: To protect the local badger population.

15. Prior to the commencement of any event, site clearance or development works on the site, a Habitat Management Plan for the application site shall be submitted to and approved in writing by the Local Planning Authority. The developer shall undertake further ecological surveys of the site to investigate the presence of any protected species. If the survey(s) confirms the presence of protected species that may be disturbed by the development works, or the use of the land as approved, a mitigation report to prevent disturbance of these species, including restoration measures shall be submitted with the Habitat Management Plan. No event, site clearance or development works shall take place until these mitigation and restoration measures have been agreed in writing with the Local

Planning Authority. The application site shall be managed in strict accordance with the approved Habitat Management Plan unless otherwise first agreed in writing by the Local Planning Authority. The Habitat Management Plan shall include suitable avoidance measures for any protected species including Reptiles, Water Vole, Brown Hare, Barn Owls & Other Breeding Birds and the development shall proceed only in accordance with the approved Habitat Management Plan.

Reason: To protect the interests of any protected species that may be present within the application site, in accordance with UDP Policy NC7 and the National Planning Policy Framework.

16. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Environment Agency. For the avoidance of doubt, the CEMP shall outline measures to manage those procedures outlined within Volume 2 Part 1 paragraph 15.3.1 to the submitted Environmental Statement, and include a detailed construction method statement informed by chemical sampling undertaken as part of pre-commencement geotechnical surveys. The development hereby permitted shall be undertaken in accordance with the agreed details.

Reason: To ensure the satisfactory environmental management of the proposed development and the prevention of pollution.

17. Prior to the commencement of development, a Site Waste Management Plan (SWMP) shall be submitted to and agreed in writing by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the agreed details

Reason: To ensure the satisfactory environmental management of the proposed development and the prevention of pollution.

18. Before any works are undertaken, the site must be surveyed by an approved environmental consultant for the presence of Japanese Knotweed and a copy of this survey sent to the Local Planning Authority. Please note that Japanese Knotweed can be far more extensive than the visible parts on the surface and that the underground parts of the plant may extend laterally up to 7 meters beyond this. Therefore, this survey must also note any knotweed adjoining the site. If Japanese Knotweed is confirmed, full details of a Method Statement for its eradication and/or control shall be submitted to and approved by the Local Planning Authority prior to the commencement of work on site, including a timetable for the methods outlined. Development shall be carried out in accordance with the approved schedule.

Reason: To prevent the spread of the plant, which is an offence under the Wildlife and Countryside Act (1981).

19. Prior to the commencement of development, a Traffic Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the Traffic Management Plan shall include detail of those measures outlined in Table 11.12 of the Environmental Statement, notably full detail of the methods and standards to be adopted for highway reinstatement works; details of all proposed road or Public Right of Way closures, associated traffic, pedestrian and cyclist management measures to be implemented, and the requirement for notification of Wirral MBC Traffic Management. The development hereby permitted shall be undertaken in accordance with the agreed details.

Reason: To ensure the satisfactory management of traffic and reinstatement of the public highway.

20. Prior to the commencement of development, a full Pre-Construction Condition Survey shall be submitted to and agreed in writing by the Local Planning Authority, in accordance with a methodology to be agreed in writing by the Local Planning Authority. The Condition Survey

shall be undertaken to inform the standard to be achieved for restoration/reinstatement works to each part of the proposed development. For the avoidance of doubt, the Condition Survey shall include all highways, public rights of way, sports facilities and playing fields, and agricultural land.

Reason: To ensure satisfactory reinstatement of the public highway.

21. Prior to the commencement of development a desk study shall be submitted to and approved in writing by the Local Planning Authority that identifies previous site uses, potential contaminants associated with those uses, and any potentially high risk areas (as defined by the CIRIA Report 2 'Contaminated Land Risk Assessment: A Guide to Good Practice') that could arise from contamination at the site. No construction works should be undertaken in areas where the potential for high risks from contaminated land are identified until a site investigation scheme, intrusive investigation and risk assessment have been submitted to and approved in writing by the Local Planning Authority. Where required, a scheme of remediation to render the site suitable for use shall be submitted to the Local Planning Authority for approval prior to the commencement of construction works in areas where the potential for high risks from contamination are identified. A statement giving precise details of the nature and extent of any such remediation, together with certification that the site has been made suitable for its intended use, shall be submitted to and approved by the Local Planning Authority before commencement of construction works within the area identified. All operatives on site should be made aware of the health and safety implications from any contaminants present on the site prior to commencing work.

Reason: In the interests of the amenities of the occupants of the adjoining residential properties and having regard to PO1 of the Wirral Unitary Development Plan.

22. Prior to the commencement of development, the Local Planning Authority shall be notified of and agree in writing any alterations to the proposed working corridor as identified within the approved plans.

Reason: In the interests of the amenities of the occupants of the adjoining residential properties and having regard to GR1, HS15, LAN1 of the Wirral Unitary Development Plan.

23. No development shall commence other than in accordance with a programme of archaeological work to be submitted to and approved in writing by the Local Planning Authority. The approved programme of works shall subsequently be implemented and, where appropriate, completed in accordance with the approved details. The programme shall include written schemes of investigation for evaluation and watching briefs. For the avoidance of doubt, the evaluation and watching brief shall include the Bromborough-Eastham township boundary and those areas where there are no documented sites but, which have apparently been undisturbed since at least the 19th century.

Reason: In the interests of archaeological research.

24. Prior to the commencement of development, details of a proposed saline discharge environmental monitoring plan shall be submitted to and agreed in writing by the Local Planning Authority, in consultation with the Environment Agency. For the avoidance of doubt, the monitoring plan shall include details of measures to ensure the saline discharge does not increase background levels of salinity beyond 10 per cent of the current levels over a specified area of exceedence (490m up-stream or 470m down-stream depending on the tide), with significant exceedence within 30m of the diffuser. The plan shall include an indication of trigger levels at which, when exceeded, discharge would cease. The monitoring plan shall include the requirement to submit regular monitoring reports to the Council and Environment Agency.

Reason: In the interests of ecology and the protection of the Mersey Estuary SPA, Ramsar and SSSI.

25. Prior to the commencement of development, details of a proposed programme of

monitoring of invertebrate communities on the inter-tidal areas of the Mersey Estuary SPA/SSSI/Ramsar site shall be submitted to and agreed in writing by the Local Authority in consultation with Natural England. The monitoring plan shall include the requirement to submit regular monitoring reports to the Council and Natural England.

Reason: In the interests of ecology and the protection of the Mersey Estuary SPA, Ramsar and SSSI.

26. Prior to any works being undertaken within the Mersey Estuary, a detailed Method Statement for the proposed construction of the intake and discharge structures located within the Mersey Estuary shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Environment Agency and Natural England and following further analysis of estuary sediments. For the avoidance of doubt a direct piling method ('vibro-piling') shall be used unless it has been demonstrated to the satisfaction of the Local Planning Authority that an alternative method would have no adverse impact upon the Mersey Estuary SPA. The development shall be implemented in accordance with the agreed Method Statement.

Reason: In the interests of ecology and the protection of the Mersey Estuary SPA, Ramsar and SSSI.

27. Piling works within the Mersey Estuary shall only to only be undertaken between the months of April and September.

Reason: So as to ensure that the proposed development has no long term adverse impact to the integrity of the Mersey Estuary SPA/Ramsar/SSSI.

28. Prior to the commencement of development, a detailed Method Statement shall be submitted to and approved in writing including mitigation measures to prevent disturbance to over-wintering birds during the construction of the Bromborough pumping station. The development shall be implemented in accordance with the agreed Method Statement.

Reason: In the interests of ecology.

29. Prior to the commencement of works within the Mersey Estuary, details shall be submitted to and agreed in writing by the local authority, in consultation with the Environment Agency, of fish monitoring equipment to be installed at Woolston Weir fish trap. The agreed monitoring equipment shall be installed prior to the commencement of works to the Mersey Estuary and shall be maintained for the duration of the development proposed. If at the time the works within the estuary are due to commence the fish monitoring has been installed, then a study into fish passage at the Woolston Weir shall be undertaken. The details of this study shall be agreed in writing by the Local Planning Authority, in consultation with the Environment Agency, prior to the commencement of works within the Mersey Estuary.

Reason: To enable monitoring of any impact on migrating salmonids as a result of the discharge.

30. Construction works shall not take place outside the following working hours unless otherwise agreed in writing by the Local Planning Authority:

- Monday to Friday 7.30am to 6pm; and
- Saturdays 7.30am to 1pm

Reason: In the interests of residential amenity.

31. Vehicular Access to the Levershulme Sports Ground shall be maintained at all times.

Reason: In the interests of the safety of the users of the site.

32. Prior to commencement of the development a playing field restoration scheme for the Levershulme Sports Ground and for Torr Park shall be submitted and approved in writing by the Local Planning Authority after consultation with Sport England. The restoration scheme shall provide details of the following:
- a. Existing and proposed ground levels
 - b. Existing and proposed soil profiles
 - c. Measures to strip, store and re-spread soils to avoid soil loss or damage
 - d. Measures to dispose of/accommodate waste materials on the site
 - e. Drainage measures including where appropriate under drainage
 - f. Proposed seeding, feeding, weeding and cultivation measures
 - g. Boundary treatment
 - h. 5 year aftercare and maintenance arrangements
 - i. Installation of equipment (e.g. goal posts)
 - j. Restoration and maintenance programme

For the avoidance of doubt, the works at Levenshulme shall be undertaken outside the Rugby Football season (September to April inclusive) and the works to the cricket pitch at Torr Park shall be undertaken outside the Cricket season (May to September inclusive) unless otherwise agreed in writing. The playing field shall be restored in accordance with approved scheme.

Reason: To ensure the site is restored to a condition fit for purpose and to accord with UDP Policy RE5.

33. Prior to the commencement of development, a scheme for the temporary replacement provision of the existing rugby and football pitch at Levershulme Sports fields and cricket pitch at Torr recreation ground which will be temporarily lost as a result of the proposed development, shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme shall ensure that the pitches are at least as accessible and at least equivalent in terms of size, usefulness, attractiveness and quality and include a timetable for implementation to ensure that the replacement pitches are provided and available for use prior to the commencement of each phase of development relating to these specific sites. The approved scheme shall be complied with in full throughout each phase of the development relating to these two specific sites.

Reason: To protect the existing playing fields/playing pitches from damage, loss or availability of use during each phase of development and to accord with national planning policy guidance contained in the National Planning Policy Framework.

34. The existing playing fields, pitches and sports facilities at Levershulme Sports fields and Torr recreation ground falling within the land edged red (but outside of the proposed working corridor edged green) as shown on drawing number 41514271/01/008/1501 Revision C shall not be used for access, parking, storage of vehicles, equipment or materials or in any other manner in connection with the carrying out of the development hereby permitted.

Reason: To protect those existing playing fields/playing pitches and sports facilities falling outside of the working corridor from damage, loss or availability of use during each phase of development and to accord with national planning policy guidance contained in the National Planning Policy Framework.

35. Access to the existing tennis courts and bowling green adjacent to the working corridor edged green on drawing number 41514271/01/008/1501 Revision C at Torr recreation ground shall be made available at all times during construction and restoration works in connection with this phase of the development.

Reason: To protect those sports facilities falling outside of the working corridor from damage, loss or availability use during this particular phase of development and to accord with national planning policy guidance contained in the National Planning Policy

Framework.

36. Prior to the commencement of any development at Torr recreation ground, details of protective fencing to be erected around the existing cricket square adjacent to the working corridor edged green on drawing number 41514271/01/008/1501 Revision C, to include location, height, type and materials shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected in accordance with the approved details before the development commences in this location and thereafter retained and maintained during this particular phase of the development.

Reason: To protect the existing cricket square falling outside of the working corridor from damage or loss during this particular phase of development and to accord with national planning policy guidance contained in the National Planning Policy Framework.

37. Prior to any construction works associated with the pipeline trunk road crossing (M53), a scheme of works confirming the detailed location, design, construction methods (including risk assessments) and carriageway condition monitoring for the pipeline trunk road crossings shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Highways Agency. The development shall be implemented in accordance with the approved scheme of works. For the avoidance of doubt, the scheme shall confirm that no trunk road network earthworks are placed at risk, and that no drainage from the proposed development will run off into the motorway drainage system nor adversely impact upon any motorway drainage.

Reason: To ensure that the trunk road network might continue to fulfill its purpose as a national system of routes for all traffic, in accordance with section 10(2) of the Highways Act 1980, maintaining the safety of traffic on the road.

38. Prior to any construction works associated with the pipeline trunk road crossing (M53), a remediation strategy shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Highways Agency to ensure that the pipeline presents no risk to the condition and operation of the trunk road network once the associated mining operations are completed. The development shall be implemented in accordance with the approved strategy.

Reason: To ensure that the trunk road network might continue to fulfill its purpose as a national system of routes for all traffic, in accordance with section 10(2) of the Highways Act 1980, maintaining the safety of traffic on the road.

39. All construction works and development within 250m of pond P14-2 (referred to in the submitted 2012 Extended Phase 1 Habitat Survey (Wirral Section) must be undertaken within the winter period of 1st November to 1st March inclusive, and at no other time.

Reason: To prevent impacts to great crested newts, having regard to UDP Policy NC7.

40. The development hereby permitted shall be carried out in accordance with the approved plan received by the local planning authority on 18th April 2012 and listed as follows: 1254-01-01, April 2012.

Reason: For the avoidance of doubt and to define the permission.

Last Comments By: 21/06/2012 19:01:15
Expiry Date: 31/07/2012

Summary of Screening Report – Planning Application APP/12/00513

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| Brief description of the project or plan: |
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1. The project is for the proposed installation of an estuary water and saltwater pipeline as part of the King Street Gas Storage project. The pipelines will run from King Street, Northwich, Cheshire to sites within the Mersey Estuary off the coast of Bromborough, Wirral. The project proposes to abstract estuary water from the Mersey Estuary which will travel via the pipeline to salt mine cavities where these cavities will be enlarged through controlled solution mining. The resultant salt water will then travel via a second parallel pipeline to an outfall in the Mersey Estuary off the coast at Bromborough.
2. This project was subject to a previous planning application APP/2008/5472 which gained planning permission. This current application is to extend the time period for implementation of this project. The project details and proposals have not changed since the previous application, therefore this HRA has not revisited the conclusions made regarding likely significant effects from the project. This report has only revisited the in combination effects assessment to assess this project against any projects which have come forward since the previous planning application in 2008. In addition, the report has been updated to reflect legislation and policy changes as a result of the Habitats Regulation 2010 and the National Planning Policy Framework.
3. The project will involve abstraction of estuary water from the estuary via a screened intake structure located approximately 120m offshore, 50m outside of Natura 2000 Mersey Estuary Site. Saltwater will be discharged via an outfall and diffuser arrangement in Middle Deep channel approximately 800m offshore and 450m outside of Mersey

Estuary SPA and Ramsar sites. These structures are approximately 7km from the Mersey Narrows and North Wirral Foreshore pSPA and pRamsar. Pipeline sections which run through the Mersey Estuary are to be tunnelled under the bed of the estuary, however, intake and outfall structures will need to be constructed on the bed of the estuary and this will be by vibropiling.

4. It is intended that the project will run for 6-7 years, after which time it is intended that the pipelines could be used for other projects which require similar services. Any further use of the pipeline for other projects will require screening under the Habitat Regulations. This screening considers this project only. Once there are no further uses the pipelines will be decommissioned according to industry standards, abstraction and discharge points will be removed when the pipelines are decommissioned.

Background

5. The pipeline links to other elements of the King Street Gas Storage Project which involves the installation of an underground gas storage facility to be created through controlled solution mining at King Street, Northwich (subject to a separate planning application).

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| Brief description of the Natura 2000 sites |
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Natura 2000 sites in Wirral

6. The proposal lies within the boundary of the following two Natura 2000 sites:
 - Mersey Estuary Special Protection Area (SPA)
 - Mersey Estuary Ramsar

7. Two other Natura 2000 sites lie to the north of the proposal site these are:
 - Mersey Narrows and North Wirral Foreshore potential SPA
 - Mersey Narrows and North Wirral Foreshore proposed Ramsar

8. These are coastal sites. Mersey Estuary SPA and Ramsar share the same boundary as do Mersey Narrows and North Wirral Foreshore pSPA and pRamsar. The main habitat interests in these sites are sandflats, mudflats, rocky shore, saltmarsh and saline lagoon. Birds are the main species of interest.

9. Brief descriptions of each of these sites, plus their conservation objectives and vulnerabilities are set out in Appendix 1.

Other Natura 2000 sites

10. There are other Natura 2000 sites in neighbouring local authority areas, which have links especially in terms of bird movements with these sites in Wirral. These include Dee Estuary SPA and Ramsar sites, the Ribble and Alt Estuaries SPA and Ramsar and with Martin Mere SPA and Ramsar, also designated primarily for its birdlife.

The closest Natura 2000 sites to this project include:

- proposed Mersey Narrows and North Wirral Foreshore SPA
- proposed Mersey Narrows and North Wirral Foreshore Ramsar Site
- Ribble and Alt Estuaries SPA
- Ribble and Alt Estuaries Ramsar site
- Sefton Coast SAC
- Martin Mere SPA
- Martin Mere Ramsar site
- Dee Estuary SPA
- Dee Estuary Ramsar and proposed Ramsar site

- Dee Estuary possible SAC
- Liverpool Bay potential SPA

Advice is that Habitats Regulations Assessment should be 'appropriate' and fit for purpose. Of the sites listed above we consider that only Mersey Narrows and North Wirral Foreshore requires screening against this project. We judge it inappropriate to screen this project against these sites if the screening of the Natura 2000 sites within the Mersey Estuary shows no significant effect i.e. no full Appropriate Assessment is required for them.

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| Assessment criteria |
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| 1. Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 sites. |
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Alone

11. The project is for the proposed installation of an estuary water and saltwater pipeline as part of the King Street Gas Storage project. The project proposes to abstract estuary water from the Mersey Estuary which will travel via the pipeline to salt mine cavities at King Street these cavities will be enlarged through controlled solution mining. The resultant salt water will then travel via a second parallel pipeline to an outfall in the Mersey Estuary off the coast of Bromborough.
12. The pipeline links to other elements of the King Street Gas Storage Project which involves the installation of an underground gas storage facility to be created through controlled solution mining at King Street, Northwich (subject to a separate planning application).

13. Individual elements of the project likely to give rise to impacts on the Natura 2000 sites are:
- Saline discharge into the Mersey Estuary on the saline regime of the Mersey Estuary SPA and Ramsar and Mersey Narrows and North Wirral Foreshore pSPA and pRamsar and the effect of this on bird prey items.
 - The potential for the release of historic pollutants from deep sediments into the Mersey Estuary during construction of the intake and discharge structure which may result in impacts to the SPA and Ramsar.
 - Disturbance to birds at the construction stage, specifically through the construction of the Bromborough pumping station, located 25-30m from the shoreline within Mersey Estuary SPA and Ramsar. Disturbance may also occur through construction of the intake and discharge within the Mersey Estuary.
 - Impacts from construction related pollutants entering the Mersey Estuary, either directly from construction works in connection with the Bromborough pumping station or indirectly from pipeline works close to water courses which discharge into the Mersey Estuary.
 - Direct land take within the Mersey Estuary from the outfall and intake structures. These are not within the SPA and Ramsar but significant land take could affect the integrity of the SPA and Ramsar.
14. Following review of these potential impacts against information provided by the applicant, we consider that there are no individual elements of the project which are likely to give rise to impacts on the Wirral Natura 2000 sites.

In combination

15. HRA requires both plans and projects that 'either individually and / or in-combination with other plans or projects' could have an effect on the Natura 2000 sites to be considered. Advice is that HRA should be 'appropriate' and fit for purpose and that the 'plans' focus should be on development plans.
16. Potential in-combination pathways of impact from this project and other plans and projects relate to the elements listed above and this section of the report focuses on these issues.

Unitary Development Plans, Local Development Frameworks and Plans

17. Each of the six Merseyside authorities – Sefton, Liverpool, Wirral, Halton, St. Helens and Knowsley – have an adopted Unitary Development Plan; and are at the various stages of work on the preparation of their Core Strategies and other Local Development Framework documents including HRA. This is set out in their Local Development Schemes.
18. These Core Strategies are still in progress and the HRAs are yet to be adopted. This project will apply the precautionary principle and will consider in-combination effects as far as possible given the stage each has reached. However, these Core Strategies are likely to be adopted within the project period and will need to be considered within the HRAs for Reserved Matters.

Wirral UDP and Core Strategy

19. The Wirral Unitary Development Plan (2000)¹ is the key land-use planning document for Wirral and includes policies for the protection and enhancement of Natura 2000 sites. HRA was not required for the UDP.

¹ Wirral Metropolitan Borough Council (2000). *Adopted Wirral Unitary Development Plan*

20. HRA has been undertaken for Wirral's developing Core Strategy², which identified a range of potential pathways of impact on Natura 2000 sites. These include: disturbance; atmospheric pollution; water resources and water quality; port and channel construction and maintenance; shipping; dredging and coastal squeeze. The HRA report identifies recreational disturbance as the main potential disturbance impact on Natura 2000 sites. Dredging and fishing are also identified as potential disturbance impacts to Natura 2000 site habitats. The HRA screening proposed a number of changes to draft preferred policies to ensure no likely significant effects. Progress on the Core Strategy is ongoing at the time of writing.

Draft Mersey Ports Master Plan

21. The draft Mersey Ports Master Plan³ outlines a 20-year vision for growth and future developments of the Mersey Ports. The draft Plan covers the Port of Liverpool and Manchester Ship Canal, and includes: Port of Liverpool; Liverpool Docks and Birkenhead; Port Wirral; Port Bridgewater; Port Ince; and Port Warrington. These sites are all located on the banks of the River Mersey, or up-stream on the Manchester Ship Canal and as such have potential to impact directly upon the Mersey Estuary SPA / Ramsar, Mersey Narrows and North Wirral foreshore SPA / Ramsar and Liverpool Bay SPA. A public consultation exercise on the draft Plan closed in September 2011. The draft Plan details Peel Ports Mersey's growth strategy and predicted volume forecasts up to 2030, which would see a 70% growth in tonnage handled by Peel Ports Mersey. The draft Plan sets out how the Port can best accommodate this growth whilst also capturing new business opportunities from a number of key developments.
22. The draft Plan includes development of Wirral Waters. The developments of Wirral Waters East Float, Northbank and Wirral

² Wirral Borough Council Core Strategy - Habitats Regulation Assessment, URS Scott Wilson August 2010

³ Mersey Ports Master Plan, Peel 2011

Waters ITC have already gained planning permission and have been subject to Habitats Regulation Assessment and are discussed in the project section (from paragraph 4.2.23).

23. HRA has not yet been undertaken for this plan and it is unclear whether HRA will be undertaken for the draft Plan or for the individual schemes. As the plan is an indicative framework for development and is not yet formalised it is not possible to determine if there will be in-combination impacts with this project.

Liverpool John Lennon Airport (LJLA)

24. The Airport has produced a Masterplan outlining their objectives for development of the airport up to 2030⁴. A number of projects are described in the Masterplan. However, none have as yet been brought forward. The Masterplan is accompanied by a Sustainability Appraisal (Peel, November 2007) which identifies possible environmental impacts of the Masterplan in broad terms. Halton Core Strategy HRA report⁵ has also assessed the impact on Natura 2000 sites. The findings of the wintering bird study carried out to inform the LJLA Masterplan suggest that the LJLA expansion is unlikely to result in adverse effects on the integrity of the Mersey Estuary SPA / Ramsar through direct land take, or disturbance to feeding or roosting birds. However, it is unclear whether this opinion has been accepted by Natural England.

Projects:

25. The following projects were considered for in-combination effects on the grounds that there are common potential pathways of impact:

- Biossence Eastham;
- Granox Ltd, single stream fluidised bed plant;
- Wirral Waters East Float;
- Wirral Waters Northbank East;
- Wirral Waters ITC;
- The Column;
- Mersey Gateway;
- Extension to the River Mersey dock facilities at Seaforth, Bootle;
- HBC Fields, Widnes;
- 3MG A5300 Link Road;
- Junction of A41 Rock Ferry/Bedford Road East and car park;
- Wellington Dock Waste Water Treatment Works (extension to Sandon Dock WwTW);

⁴ Liverpool John Lennon Airport Master Plan, Peel November 2007

⁵ Habitats Regulations Assessment, URS Scott Wilson, May 2011

- Stobart Park; and
- Alexandra Dock power plant;
- Croda

Biossence Eastham (APP/2007/5747):

26. This development was granted planning permission in February 2009 but is not yet operational. The purpose of the scheme is to process waste and extract biomass to fuel an on-site combined heat and power plant. Waste will arrive on site in sealed containers via road and barges. The barges will sail from Garston or Liverpool Docks across the Mersey to the Manchester Ship Canal and up to Hooton Wharf. The use of barges will require modification of the wharf, including installation of container cranes and floodlights. The site is located less than 100m from the Mersey Estuary SPA / Ramsar site.
27. The following pathways were identified⁶: disturbance to birds; contaminant release to waters; hydrodynamic changes; and loss of supporting habitat. The latter two were screened out, and pollution controls would be put in place to prevent contaminant emissions to water. Bird disturbance was considered to be minimal with no likely significant effect. Taking into account proposed mitigation and permit controls, it was concluded that no likely significant effects on the Mersey Estuary SPA / Ramsar site would occur. Due to the proximity of this site to the pipeline intake and outfall there is potential for in combination effects as a result of disturbance to qualifying bird species. However, both projects have concluded no likely significant disturbance impacts to birds and even when considered in combination any disturbance impacts are likely to be insignificant. **No likely significant in combination effects.**

⁶ MEAS (2008) Habitats Regulations Assessment – *Biossence Waste to Energy Facility, Hooton Park, Eastham*

Wirral Waters East Float (OUT/09/06509):

28. The project is for the creation of a new city neighbourhood at East Float, including a maximum of 13,521 residential units, office and research and development floor space, retail uses, hotel and conference, culture, education, leisure, community and amenity floor space and marina. In addition to associated car and cycle parking, structural landscaping, formation of public spaces and associated infrastructure and public realm works and including retention of and conversion works to Grade II Listed Hydraulic Tower. It is located 1.7km south west of Liverpool Waters, on the Wirral.
29. Pathways identified were^{7,8}: loss of roosting and feeding habitat for birds; disturbance to birds as a result of noise; recreational impacts arising from use of the dock as a marina; and increased numbers of residents seeking outdoor leisure opportunities on and adjacent to nearby Natura 2000 sites; disruption of flight lines of birds travelling between feeding and roosting areas; bird collisions with tall buildings (bird strike); surface water runoff or discharge with the potential for water quality changes; release of any existing on-site contamination during construction; release of pollutants such as construction dust and additional lighting.
30. It was concluded that there may be some disturbance to roosting and feeding cormorants and great crested grebes. However this will be mitigated for by a “minimal disturbance bird zone”. Replacement roosts would be provided as mitigation to reduce the impact of potential displacement of 48 cormorant and 27 great crested grebes on the site. Measures to control boat use of the dock would be employed. The other issues were found to not result in likely significant effects (i.e. no flight lines were recorded over the site), especially with the implementation of mitigation measures. Overall, and taking into

⁷ WSP Environmental UK (2009), *Wirral Waters East Float Outline Planning Application Environmental Statement*

⁸ MEAS (2010) Habitats Regulations Assessment - *Draft Screening Report for Wirral Waters East Float Major mixed use development*

account proposed mitigation measures a conclusion of no likely significant effects was reached. Given distance between these projects and differences in bird species present there are unlikely to be any significant in combination effects as a result of this project. **No likely significant in-combination effects.**

Wirral Waters Northbank East (APP/2009/5109):

31. The proposed development includes the construction of five buildings between 20 and 40 storeys, generally increasing in height towards the east. The proposed scheme is mixed use and includes 1,672 residential units. This is Phase 1 of the Wirral Waters proposal.
32. Identified pathways included⁹: bird disturbance; and water quality impacts. No likely significant effects were concluded as numbers of birds at risk of displacement was considered to be low, while water quality impacts were to be mitigated by planning conditions. Overall, and taking into account proposed mitigation measures a conclusion of no likely significant effects was reached. Given distance between these projects and differences in bird species present at these two project sites there are unlikely to be any significant in combination effects as a result of this project. **No likely significant in-combination effects.**

Wirral Waters ITC (OUT/11/00645)

33. A project located within Birkenhead Docks and part of Wirral Waters. It involves the demolition of existing buildings and the construction of buildings to be used as an International Trade Centre (comprising trade showrooms, storage, distribution and product assembly space, exhibition space, ancillary food and drink facilities, ancillary office and

⁹ MEAS (2009) *Habitats Regulations Assessment – Screening Report for Planning Application APP/2009/5109 Outline application for mixed use development project known as Wirral Waters Northbank East*

management accommodation, security facilities, and associated car parking, access points, servicing areas and landscaping).

34. Potential impacts from the project were identified as¹⁰: loss of roosting and feeding habitat for Natura 2000 qualifying bird species; disturbance to birds; surface water runoff or discharge with the potential for water quality changes; release of any existing on-site contamination during construction; release of pollutants such as construction dust; additional lighting; changes to air quality; and changes in number of boat / shipping movements.
35. It was concluded that there was a likelihood of disturbance to roosting and feeding cormorants and great crested grebes. However, this will be mitigated for by a “minimal disturbance bird zone”. The project is not likely to result in the release of air emissions or changes in water quality which will significantly impact the Mersey Estuary Natura 2000 sites. The changes to shipping movements were considered to have no likely significant effect. Overall, and taking into account proposed mitigation measures a conclusion of no likely significant effects was reached. Given distance between these projects and differences in bird species present at these two project sites there are unlikely to be any significant in combination effects as a result of this project. **No likely significant in-combination effects.**

The Column (APP/11/01272):

36. This project is located within East Float, Wirral Waters and is the siting of a public art installation known as ‘The Column’. The Column is a rotating and ascending column of air and water vapour. It is made visible by an outer skin of condensing water vapour and works via coherent convection. The Column will be approximately 30m in diameter and will lift off the surface of the water and ascend up to and beyond the cloud base. The art installation is for the London 2012

¹⁰ MEAS (2011) *Habitats Regulations Assessment - Draft Screening Report for Wirral Waters International Trade Centre*

Cultural Olympiad. It is a temporary installation for a period of 12 months from the end August 2012 to August 2013 for the installation and operational phase.

37. Potential impacts from the project were¹¹: disturbance to qualifying bird species using the East Float, namely cormorant and great crested grebe; impacts to bird flyways; and impacts to water quality.

38. The potential effects were assessed as not significant as the installation is temporary, and there is likely to be sufficient area within East float to allow a buffer between the installation and viewing area to prevent significant disturbance impacts to qualifying bird species within the Mersey Estuary SPA / Ramsar, Mersey Narrows and North Wirral Foreshore pSPA / pRamsar and Dee Estuary SPA / Ramsar. The project was not considered to impact on bird flyways. The project will not result in any significant changes in water quality. The applicant has agreed to undertake monitoring to ensure no likely significant effects on qualifying bird species. Taking into account the proposed mitigation measures and the time-limited duration of the project a conclusion of no likely significant effects was reached. Given distance between these projects and differences in bird species present there are unlikely to be any significant in-combination effects as a result of this project.

No likely significant in-combination effects.

Mersey Gateway (HAL04/001):

39. This project will provide a new crossing of the River Mersey alongside the existing Silver Jubilee Bridge (also referred to simply as “Runcorn Bridge”). The project was consented in early 2010 following a number of public inquiries. The Mersey Gateway was approved by the Secretaries of State (SoS) for Transport, and Communities and Local Government in 2010. The SoS concluded that the Mersey Gateway Bridge and the associated proposals which comprise the Project would

¹¹ MEAS (2011) *Habitats Regulations Assessment - Draft Screening Report for The Column, Tower Road*

not adversely affect the integrity of the European sites. This conclusion was supported by the Environmental Statement and the Shadow HRA, a thorough consideration of likely significant effects and took into account the proposed mitigation measures. Natural England withdrew its holding objection.

40. The Shadow HRA concluded that there will be no effects on the important bird populations of the Mersey Estuary SPA because they do not use the Upper Mersey Estuary, that will be crossed by the New Bridge, for feeding, roosting and any other purposes to any significant extent, and the bird populations of the Upper Mersey Estuary are not part of the SPA populations. In effect, no common pathways exist, and this project alone has no pathway to the European sites.
41. Further Applications were recently submitted by the applicant (January 2012). These applications clearly set out the changes from the approved proposals. MEAS has reviewed these applications and concluded that the Further Applications will not result in any material changes and that the previous conclusion of the SoS remains valid. Natural England undertook a HRA of the further application and also concluded no likely significant effects. Modifications to the Mersey Gateway were approved by the Council on 12 March 2012. There is potential for in-combination effects from bird disturbance from these two projects due to their proximity to each other.
42. However, the construction timetable for the pipeline will mean that the most disturbing phases of this project will be completed prior to any works on the gateway bridge commencing. Assessment of the bird disturbance impacts on birds within the Mersey Estuary as a result of the King Street pipeline are considered to be minimal. **No likely significant incombination effects.**

Extension to the Dock facilities at Seaforth, Bootle:

43. The Mersey Docks and Harbour Company applied for a Harbour Revision Order on 19 August 2005 for the construction and maintenance of works for:

- A new quay wall some 854 metres long from the south west corner of the Royal Seaforth Dock to the river wall at the Gladstone River Entrance and the formation of a berthing pocket on the seaward side of the wall;
- An extension to the existing Bootle Northern Outfall Sewer from the existing river wall at Gladstone Dock for a distance of some 200 metres to an outfall to be constructed in the proposed new quay wall;
- The dredging of the Outer Channel of the River;
- The extinguishment of public rights to parade and walk and the creation of new public footpath; and
- Related works.

44. The Harbour Revision Order was confirmed and authorised by the Secretary of State (Department of Transport) on 20 March 2007. In doing so, the Secretary of State accepted Natural England's views that the scheme would have no adverse effect on integrity of the Natura 2000 sites, provided the Mitigation and Monitoring Plan is implemented in full, and this is due to happen (para 4.1, SoS letter, 20 March 2007)¹². The documents indicate that the main effects needing mitigation would be on the Liverpool Bay Special Protection Area, and that sediment and erosion are likely to be the main issues.

45. There are no sediment and erosion issues associated with Liverpool Bay SPA as a result of the pipeline project, therefore there will be **no likely significant in-combination effects**.

A41 Rock Ferry (APP/11/00249):

¹² Department of Transport (2007b). Letter from Department of Transport (Head of Ports Division) "*The Mersey Docks and Harbour Company (Seaforth River Terminal) Harbour Revision Order*".

46. The project is located at the intersection of the A41 and Bedford Road East, along both Bedford Road East and Rock Lane East, east of the A41, and includes an area of land bounded by these roads. The project involves the construction of a signal controlled junction between the A41 Rock Ferry bypass and Bedford Road East; including the realignment of Bedford Road East and the separation of Rock Lane East and Bedford Road East.; and construction of a car park split into two parts, 40 spaces accessed from Bedford Road East and 10 from Rock lane East. The site is located approximately 5 metres from the Mersey Estuary Natura 2000 sites.
47. The pathways which could impact the Natura 2000 sites were identified as¹³; an increase in recreational activity leading to disturbance to feeding birds. This is due to a well developed existing use of the area for sailing (predominantly at high tide and during the summer) and local residents informal walking. Also access to the waterfront is via the Esplanade, a surfaced promenade. However this is a private structure and is closed to the public due to health and safety issues. The project will also include preventative measures to discourage any visitors from walking along the Esplanade or foreshore. Visitors will instead be directed through Rock Park Estate Conservation Area. Taking the mitigation measures into account a conclusion that there would be no likely significant effects was reached. This project due to its proximity to the pipeline intake and outfall site has the potential to result in in combination disturbance impacts to qualifying bird species. However, disturbance from both projects is considered to be minimal and even when considered together disturbance as a result of these projects is considered to be unlikely to result in any likely in combination effects.
- No likely significant in combination effects.**

Wellington Dock Waste Water Treatment Works (WwTW):

¹³ MEAS (2012) *Habitats Regulations Assessment Screening Report - Junction of A41 Rock Ferry/Bedford Road East and car park*

48. The Sandon Dock WwTW are currently at capacity. This project involves infilling of Wellington Dock to provide additional WwTW. Pathways identified were¹⁴: loss of supporting habitat; water emissions; and disturbance to birds. Pathways were not considered significant as the site was not considered to provide supporting habitat, water emissions would be controlled by Environmental Permit and bird use of the site was too low for disturbance to be an issue. The project is likely to have a positive contribution to the quality of water in the River Mersey. Overall, and taking into account proposed mitigation measures a conclusion of no likely significant effects was reached. There are no likely significant in combination effects with the King Street pipeline project. **No likely significant in combination effects.**

Alexandra Dock Power Plant:

49. Pre-application discussions regarding proposals for a power plant on the Alexandra Dock site are taking place but there are no details available at present. The findings of this report will inform consideration of in-combination effect with the Alexander Dock proposals.

Veolia Environmental Services, Combined Heat and Power (CHP) Facility at King Street, Liverpool (11F/1273):

50. This project involves the construction of a small building to house a CHP facility using waste solvents as a fuel source. The site is located adjacent to the Mersey Estuary SPA/Ramsar. Pathways identified were¹⁵: Release of ground contaminant pollutants during construction; Dust release during construction; Vehicle emissions during construction and operation; Storage of oil, fuel and chemicals during construction and operation; Contaminated surface water run-off (silt

¹⁴ Jacobs (2011) *Habitat Regulations Assessment Stage 1 Screening Report for Liverpool Wastewater Treatment Works extension*

¹⁵ MEAS (2012) *Habitats Regulations Assessment Screening Report – Veolia Environmental Services CHP Facility.*

and chemical) during construction and operation; Visual or noise disturbance to birds during construction and operation; and Air emissions during operation. The site setting would mean disturbance to birds would have no likely significant effects. Measures to control water and air emissions would be secured via a CEMP and revisions to the existing Environmental permits would be required. Overall, and taking into account proposed mitigation measures a conclusion of no likely significant effects was reached. Due to the distance between the pipeline intakes and outfall and the Veolia site as well as the limited potential for impacts from the Veolia project there is unlikely to be any in combination effects as a result of these projects. **No likely significant in combination effects.**

HBC Fields (11/00269/FULEIA):

51. This project site is located within part of the wider development known as the 3MG Mersey Multimodal Gateway. The application proposes an occupier-specific development for B8 use with ancillary B1. The application relates to the construction of a warehouse, a warehouse mezzanine, an office mezzanine, a bridge link, a 2-storey stair and lift tower and gatehouse, together with car parking, site road access, open space and landscaping. The proposal covers a total area of 31.6 hectares.
52. Pathways identified were¹⁶: noise disturbance to bird species; loss of roosting and feeding habitat for birds; accidental release of pollutants into surface water; release of pollutants into the estuary including construction dust and windblown waste materials; vehicle emissions; and abstraction of water from the mains supply. The site was not considered to have likely significant impacts on birds due to the

¹⁶ MEAS (2011) *Habitats Regulations Assessment - Screening Report for Planning Application 11/00269/FULEIA Proposed construction of a single rail-served building for storage and distribution, use class B8) together with associated infrastructure, parking, open space, landscaping and ancillary development. HBC FIELDS, Halebank Road, Widnes, Cheshire.*

distance from the Natura 2000 site and lack of use as supporting habitat. Mitigation to prevent surface water runoff discharging into the River Mersey would be put in place. Aerial emissions and abstraction were considered to have no likely significant effects. Taking into account the proposed mitigation including the Environmental Permit requirement, a conclusion of no likely significant effects was reached.

53. Due to the distance between the pipeline intakes and outfall and the HBC Fields site there is unlikely to be any in combination disturbance effects as a result of these projects. There is potential for both projects to impact on water quality within the Mersey Estuary, however, the HBC Fields project will result in increased water quality once construction is completed and therefore given there are no likely significant effects from the King Street pipeline on water quality within the Mersey Estuary SPA / Ramsar we conclude **no likely significant in combination effects**.

3MG A5300 Link Road

54. Construction of a new link road from the A562/A5300 junction southwards to the HBC Fields site. The new stretch of road will be a single carriageway and will be 1km long. The project includes extensive post-construction landscaping and the use an existing drain (north of the site) to discharge surface water into Ditton Brook, and the construction of a balancing pond (south of the site) that will also discharge into Ditton Brook. Therefore, there are potential in combination effects from changes to water quality within the Mersey Estuary. However, changes in water quality as a result of both the link road and pipeline are unlikely to result in any likely significant effects on the Mersey Estuary. **No likely significant in combination effects**.

Expansion of Stobart Park / 3MG, Widnes (11/00266/OUTEIA)

55. This project is located within the wider development known as the 3MG Mersey Multimodal Gateway. The project is located at National Grid Reference SJ486845 and is 150m from Mersey Estuary Natura 2000 sites at its closest point the main site area is approximately 300m from the Mersey Estuary SPA/Ramsar/SSSI. The project involves the following: comprehensive remediation due to the presence of galligu; construction of approximately 140,000m² of new B8 distribution and warehousing floorspace; vehicle parking; connection to the proposed and existing road network; construction of rail sidings and connection to existing rail freight terminal; surface water and foul water drainage to main drains and to Ditton and Stewards Brook; landscaping; all associated engineering works. The proposal covers an area of 34 Ha.
56. Pathways identified were: noise and visual disturbance to birds during construction, in particular those birds within Ditton Brook; release of existing on site contamination during construction and accidental release of construction related pollutants into Ditton and Stewards Brooks which feed into the Mersey Estuary; disturbance to birds through lighting; air emissions from HGV and trains which may impact Manchester Mosses.
57. HRA screening concluded no likely significant effects as disturbance is minimal and works to Ditton Brook are to be timed outside of the wintering bird period. Construction Environmental Management Plan and Site Remediation Strategy will prevent release of existing on site contamination and construction related pollutants. A lighting plan has been submitted to show that all lighting will be directed away from the brooks and Mersey Estuary. Air emissions as a result of the project are unlikely to significantly contribute towards air emissions at Manchester Mosses. Due to the distance between the pipeline intakes and outfall and the Stobart site there is unlikely to be any in combination disturbance effects as a result of these projects. There is potential for both projects to impact on water quality within the Mersey Estuary, however, the Stobart project will result in increased water

quality once construction is completed and therefore given there are no likely significant effects from the King Street pipeline on water quality within the Mersey Estuary SPA / Ramsar we conclude **no likely significant in combination effects.**

Granox (08/00344/FUL):

1. The project site is located on Desoto Road, Widnes. The Mersey Estuary Special Protection Area (SPA) and Ramsar sites lie approximately 150m to the south of the site. The Granox site currently operates a twin stream fluidised bed combustion plant, compression ignition engines and steam raising boilers. This project is for the proposed structural and fabric alterations to an existing building (Regal Building) to accommodate a single stream fluidised bed plant. The fluidised bed combustor is designed to combust biomass materials for the production of electricity. Associated plant and equipment will also be installed adjacent to Regal Building.
2. Potential impacts from this project were identified as¹⁷: deposition of atmospheric pollutants from the site chimney; water quality; disturbance to water birds; and release of dust and contaminants during the construction period. Taking into account proposed mitigation and permit controls, it was concluded that no likely significant effects on the Mersey Estuary SPA / Ramsar site would occur.
3. The potential in-combination effects were assessed and screened as not significant as the impacts to water quality, dust and lighting would all be minimised due to on site controls. Disturbance impacts to qualifying bird species within the Mersey Estuary SPA / Ramsar were assessed as insignificant impacts due to the distance between bird use areas and the site location. **No likely significant in combination effects.**

Granox Ltd - demolition of existing stores and construction of new stores (12/00026/FUL)

¹⁷ MEAS (2008) Habitats Regulations Assessment – *Draft Screening Report for proposed structural and fabric alterations to an existing building to accommodate a single stream fluidised bed plant, Granox Ltd, Desoto Road, Widnes*

4. The project is within Granox Ltd which is used as a rendering plant. The project includes the demolition of up to 6 existing buildings, within the applicant's land ownership, and the erection of one replacement building. The project area is approximately 1.16 hectares, of which the new building will be approximately 0.4 hectares, and is "broadly in line with existing stores". The new building will be used to store animal bi-products and electrical equipment. The new building will also contain an open sided trailer park for parking of lorry trailers. A retaining wall will be constructed to the north of the new building to facilitate the construction.
5. Possible impacts were identified as; release of existing on site contamination; noise disturbance; dust release, including asbestos containing material; and the combined increase in vehicle emissions due to other large construction works occurring within the vicinity of the project.
6. HRA screening concluded that there would be no likely significant effects upon the Natura 2000 sites. This was due to, methods to contain and stabilise the existing contamination; the new building construction being over 200 metres from the Natura 2000 sites and the demolition works being conditioned to be undertaken during the summer months; dust suppression techniques to in line with obligations under the Control of Asbestos Regulations; and confirmation from the APIS website that the Natura 2000 sites were not over their critical load for Nitrogen and the combined projects being unlikely to increase emission by 25%. Given the distance between this project and the pipeline intakes and outfalls within the Mersey Estuary there are unlikely to be any in combination effects as a result of these projects.
No likely significant in combination effects.

Dry Mortar Silo and Bagging Plant, Bromborough

7. The planning application for this proposal (application reference: 2007/5782) was granted planning permission on 28 March 2008. The

report to Planning Committee on 27 March 2008 concluded that the proposal either alone or in combination with other plans or projects would not have an unacceptable adverse impact subject to certain conditions being attached – the conditions related to lighting and discharges to air and water from construction. Natural England was satisfied that there would be no adverse impacts on the Mersey Estuary SPA and Ramsar with those conditions.

8. Accordingly, we consider that there are no adverse ‘in combination’ effects arising from the Dry Mortar Silo and Bagging Plant with current proposal.

Rock Park, Rock Ferry

9. The planning application (APP/2005/5735) is for the erection of 20 self contained flats in two blocks and underground car parking at Rock Park, Rock Ferry. The project is approximately 5 metres from the boundary of the Mersey Estuary SPA and Mersey Estuary Ramsar sites – the boundaries of these sites are the same here. There will be no incursion into the European sites by the project. The screening undertaken by Wirral Council concludes that the proposed development is unlikely to have a significant effect on Mersey Estuary SPA and Ramsar, either alone or in combination with other plans or projects. This finding requires confirmation by Natural England. A consultation draft of the screening is currently being considered by Natural England.

Ineos Chlor

10. This planning application is to construct and operate an energy from waste combined heat and power plant. This application was determined by the Secretary of State. The applicant has now submitted a EIA scoping opinion to vary a planning condition applied by the Secretary of State to ensure that 90% of waste was transported to the site by rail. The applicant no wishes to vary this to increase the proportion of road

transport. Given the distance between this project and the King Street pipeline there are unlikely to be any likely significant in combination effects as a result of these projects. **No likely significant in combination effects.**

Ince Marshes Resource Recovery Park

11. This planning application is for a resource recovery park including a integrated waste management facility and environmental technologies complex. The project includes proposals to transport waste by barge up the Mersey Estuary and into the Manchester Ship Canal. This application was subject to a public enquiry the outcome and the application was approved. The project has started with groundworks complete, however no further construction has as yet been completed. Given the distance between this project and the King Street pipeline there are unlikely to be any likely significant in combination effects as a result of these projects. **No likely significant in combination effects.**

12. Thus, we consider that there are no likely effects arising from this project in combination with other plans and projects.

Croda

13. The proposed project is located in the village of Bromborough Pool on the eastern side of the Wirral Peninsula, approximately 5km south of Birkenhead, in close proximity to the banks of the River Mersey. The proposed development is on the decommissioned Croda International chemical factory site, with Dibbinsdale Brook forming the northern boundary and Bromborough Pool village the south-eastern boundary. It is proposed to redevelop the site for mixed use, comprising employment and residential elements with open space and a river restoration scheme. This planning application has not yet been determined and the HRA assessment for this project is still being drafted. Potential likely significant impacts relate to noise, vibration , air quality and construction related dust.

2. Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 sites by virtue of:

- Size and scale;
- Land-take;
- Distance from Natura 2000 site or key features of the site;
- Resource requirements (water abstraction etc);
- Emissions (disposal to land, water or air);
- Excavation requirements;
- Transport requirements;
- Duration of construction, operation, decommissioning, etc.);
- Other.

14. This section will assess any likely direct, indirect or secondary impacts of the project (including 'in-combination' effects) on the Natura 2000 sites in Wirral.

Size, Scale and Land-take

15. No structures are located within the boundary of the Mersey Estuary SPA or Ramsar or within the Mersey Narrows and North Wirral Foreshore pSPA and pRamsar. Pipelines which will pass through the Mersey Estuary SPA and Ramsar are to be drilled through the bedrock and will not directly impact on these sites.
16. Outside of the Mersey Estuary SPA and Ramsar and Mersey Narrows and North Wirral Foreshore pSPA and pRamsar but within the Mersey Estuary there will be landtake from intake and discharge structures. The water abstraction site results in a landtake of 37.5m². At the discharge point the total land take would be 2,025m². The landtake from these structures equates to 0.0098% of the total area of the Mersey Estuary (approximately 11600 Ha) and will therefore not have a significant effect

on the overall integrity of the Mersey Estuary SPA and Ramsar or Mersey Narrows and North Wirral Foreshore pSPA and pRamsar.

17. We consider that there are no likely significant effects on the Natura 2000 sites.

Distance from Natura 2000 site or key features of the site

18. Intake will be 50m from Mersey Estuary SPA & Ramsar, discharge will be 450m from the Mersey Estuary SPA and Ramsar and c.7km from the Mersey Narrows and North Wirral Foreshore pSPA and pRamsar. Bromborough pumping station will be approximately 30m from the Mersey Estuary SPA and Ramsar and c.7km from the Mersey Narrows and North Wirral Foreshore pSPA and pRamsar.

19. We consider that there are no likely significant effects on the Natura 2000 sites.

Resource requirements (water abstraction etc)

20. Water abstraction from the estuary is predicted to be at estimated rate of 60MI/d. The applicant states that the volume of the Upper Estuary between Rock Light, New Brighton and Runcorn is quoted to be approximately 657,000 MI. The proposed abstraction rate therefore equates to 0.009% of the volume of the Upper Estuary. This is considered *de minimis*. (MWH statement to inform Appropriate Assessment, March 2008)

21. We consider that there is no likely significant effect on the Natura 2000 sites.

Emissions (disposal to land, water or air)

22. Discharge of saline water into the estuary will have a salinity of 220ppt. Discharge of this saline water would be at a rate of 29MI/ day. Salt water would be discharged into Middle Deep section of Mersey Channel.

Salinity modelling has shown that there will be no significant increase in salinity (not greater than 10% background level – this salinity level was agreed by the Environment Agency) within the SPA and Ramsar site. Salinity modelling shows that at for a short period of the tidal cycle (approx 30 mins) there will be an increase in salinity of between 0.5 -1ppt above the existing salinity levels within the Mersey Estuary SPA and Ramsar sites. This is within the salinity range of estuarine invertebrates and will not have a detrimental effect. There will be no change in salinity within Mersey Narrows and North Wirral Foreshore pSPA and pRamsar. Therefore there is unlikely to be a significant impact the Mersey Estuary SPA and Ramsar or the Mersey Narrows and North Wirral Foreshore pSPA and pRamsar from saline discharge.

23. A monitoring scheme is proposed to ensure that the modelling predictions are accurate. This will include monitoring at locations within the Mersey Estuary SPA and Ramsar sites. Monitoring will ensure that salinity limits for the discharge set by the Environment Agency through their Discharge Consent are maintained.
24. Initial proposals submitted with the planning application were to dredge the intake and discharge points within the estuary bed to allow their construction. However, following concerns over potential for release of historic contaminants held within deeper sediments and the potential for this to lead to impacts on bird prey items (plants and invertebrates) the applicant now proposes to pile using the vibropile technique to prevent disturbance of deeper sediments (Letter from HOW planning dated 24th July 2008).
25. There is potential for release of construction related pollutants into the Mersey Estuary directly through construction activities at the Bromborough pumping station site and indirectly through works further upstream. This has the potential to impact on the Mersey Estuary SPA and Ramsar and to a lesser extent Mersey Narrows and North Wirral

Foreshore pSPA and pRamsar. The applicant has proposed that impacts from construction related pollutants are be minimised through the adoption and compliance with British Standard for Earthworks, Pollution Prevention Guidance published by the Environment Agency and CIRIA guidance.

26. We consider that there are no likely significant effects on the Natura 2000 sites.

Excavation requirements

27. To prevent disturbance from excavation the applicant proposes vibropiling. However, there will still be some excavation of the bed in order to trim piles, install the supporting beam and secure the diffuser, however, this will be within the upper layers of sediment which are unlikely to be significantly contaminated as they are reworked and mobile due to the tide. Sampling and analysis of the bed material will be undertaken in advance of works.

28. We consider that there are no likely significant effects on the Natura 2000 sites.

Duration of construction, operation and decommissioning

29. The construction period is anticipated to take approximately 12 – 15 months. The operational period for this project is 6-7 years. However, the applicant has stated that the pipeline may be used for other uses following completion of this project. Any other future uses of the project will require screening against the Habitat Regulations. Decommissioning will include the removal of the intake and outfall structures within the Mersey Estuary. The decommissioning methods proposed will not result in a significant impact on the Mersey Estuary.

30. We consider that there is no likely significant effect on the Natura 2000 sites.

| |
|--|
| 3. Describe any likely changes to the site arising as a result of: |
| |
| <ul style="list-style-type: none">• Reduction of habitat area;• Disturbance to key species;• Habitat or species fragmentation;• Reduction in species density;• Changes in key indicators of conservation value (water quality etc.)• Climate change |

Reduction of habitat area

31. There will be no direct loss of habitat from within the boundary of the SPA and Ramsar.
32. There will be no loss of functional habitat within the SPA and Ramsar.
33. We consider that there are no likely significant effects on the Natura 2000 sites.

Disturbance to key species

34. There is potential for disturbance to key species during the construction period. However, the disturbance impacts are considered short term impacts (one winter season). RSPB confirm that low numbers of birds are present within intertidal areas adjacent to the proposed Bromobrough pumping station and intake and discharge structures (pers. comm Colin Wells). The applicant proposes to undertake vibropiling works outside of the overwintering bird season. Therefore the potential impact from disturbance is unlikely to result in a likely significant effect on key species.

35. We consider that there are no likely significant effects on the Natura 2000 sites.

Habitat or species fragmentation

36. No physical habitat or species fragmentation will occur within the Mersey Estuary SPA and Ramsar or Mersey Narrows and North Wirral Foreshore pSPA and pRamsar as the intake and outfall structures are located outside of the SPA and Ramsar.
37. Species fragmentation has the potential to occur through impacts on prey items from salinity levels, release of contaminants from sediments or release of construction related pollutants. These potential impacts have been considered in detail in previous sections and have been shown to be unlikely to result in significant impacts on Natura 2000 sites.
38. We consider that there are no likely significant effects on the Natura 2000 sites.

Reduction in species density

39. Reductions in species density may arise from loss of prey items through excess salinity or impacts from release of contaminants or direct disturbance to birds during the construction period. These are considered in detail in the above sections and are unlikely to result in a significant effect the Natura 2000 sites.
40. We consider that there are no likely effects on the Natura 2000 sites.

4. Describe any likely impacts on the Natura 2000 sites as a whole in terms of:

- Interference with the key relationships that define the structure of the sites;
- Interference with the key relationships that define the function of

the sites.

41. We do not think that there are any likely impacts on the Nature 2000 sites, taking each site as a whole, in terms of interference with the key relationships that define structure or function of the sites from this project.

5. Provide indicators of significance as a result of the identification of effects set out above in terms of:

- Loss;
- Fragmentation;
- Disruption;
- Disturbance;
- Change to key elements of the site (e.g. water quality etc.)

42. Subject to natural change, maintain in favourable condition the habitats for the internationally important populations of regularly occurring migratory species, in particular: Intertidal sediments, rocky shores, saltmarsh.

43. Subject to natural change, maintain in favourable condition the habitats for the internationally important assemblage of waterfowl.

44. No significant reduction in numbers or displacement of birds from an established baseline, subject to natural change.

As set out in conservation objectives (English Nature 2001) Mersey Estuary. English Nature's advice given under Regulation 33 (2) of the Conservation (Natural Habitats and C.) Regulations 1994 as amended.

6. Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.

45. We have identified potential impacts and considered their significance against the measures within the Favourable Conservation tables for the Natura 2000 sites.
46. We think that there are unlikely to be any significant or unknown impacts.

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Planning Committee

26 July 2012

Reference:
APP/12/00530

Area Team:
North Team

Case Officer:
Mrs S Lacey

Ward:
Hoylake and Meols

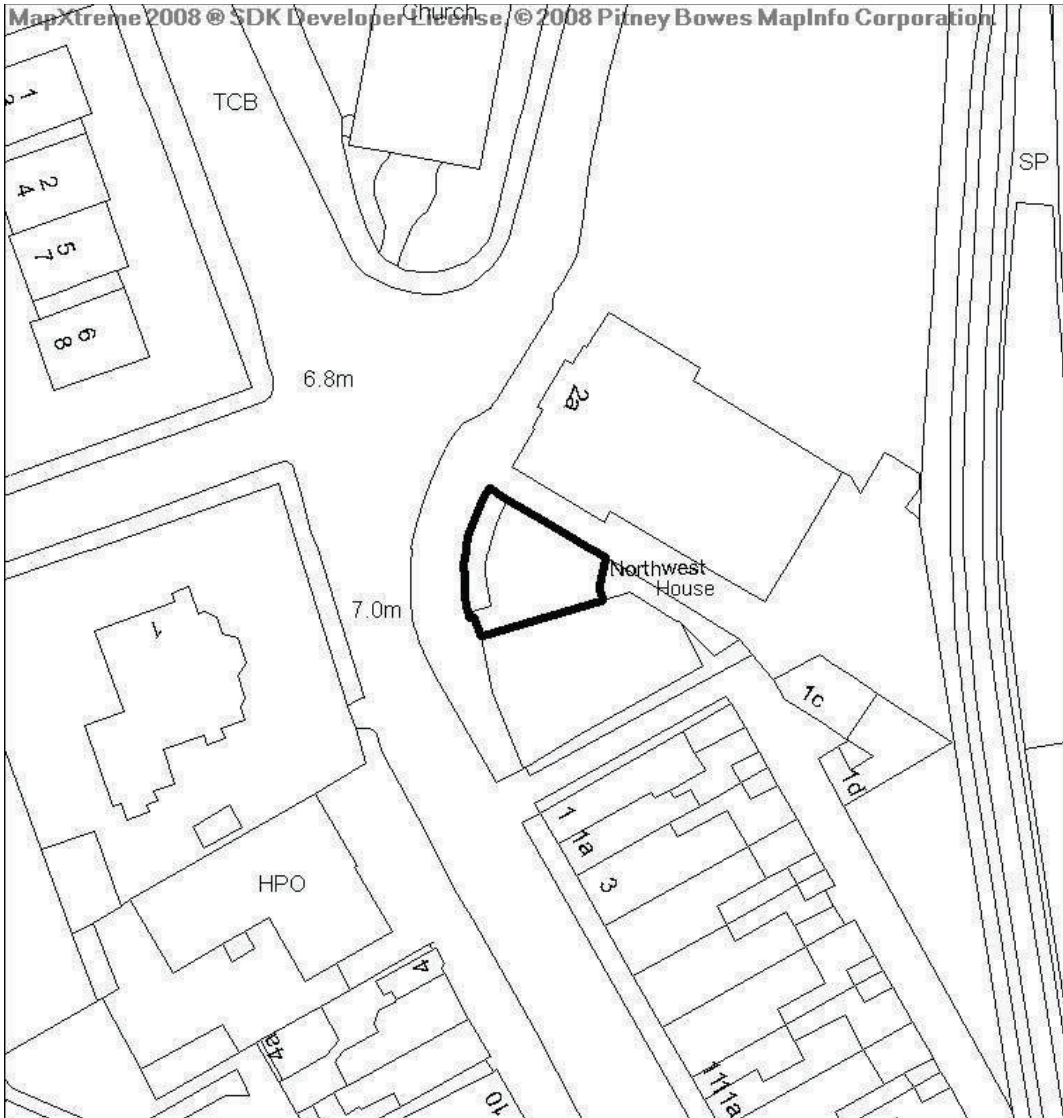
Location:
Proposal:

The Wro GRANGE ROAD, WEST KIRBY
Variation of condition 4 of approved planning application APP/99/06362. The proposed condition shall read "the premises shall be closed between 00.30 and 09.00 hours except on the following occasions; the premises shall be closed between 01.30 and 09.00 hours on Christmas Day, and shall be closed between 02.30 and 09.00 hours on 27th December, and shall be closed between 02.30 and 09.00 hours on New Year's Day."

Applicant:
Agent :

The Wro
Strutt & Parker LLP

Site Plan:



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Development Plan allocation and policies:

Key Town Centre
Tourism Development Site

Planning History:

APP/1999/6362 Change of use to restaurant (ground floor only) - Approved 10/09/1999

APP/2008/5733 Introduction of pavement café – Approved 04/08/2008

APP/2008/6601 Change of use from first floor office to lounge bar café Approved 13/11/2008

APP/11/01449 Variation of condition 4 of approved planning application APP/99/06362. The proposed condition shall read "The premises shall be closed between 23.30 hours and 09.00 hours except on the following occasions: the premises shall be closed between 00.30 hours and 09.00 hours on up to 10 occasions a year, and shall be closed between 01.30 hours and 9.00 hours on Christmas day, and shall be closed between 02.30 hours and 09:00 hours on 27th December in each calendar year and shall be closed between 02.30 hours and 09:00 hours on New Years day". - Refused 10/02/2012

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 8 letters of notification were sent to neighbouring properties and a site notice was displayed on the highway.

Objections were received from no.8 Riverside Court (on behalf of all 10 residents at Riverside Court) and no. 1, 4, 6 and 7 Riverdale Road. The objections are summarised below:

1. The site is in a residential area, and families are woken late at night to revellers returning to their vehicles;
2. Noise and nuisance including shouting and vehicle doors slamming;
3. The extension of hours on Christmas Day, Boxing Day and New Years day are unacceptable as residents still work these days;
4. Double glazing does not combat the problem;
5. Concerns regarding security and safety;
6. Private driveways are used as a turning point for people exiting Riversdale Road;
7. Vomit on the pavement outside the Wro bar and Wro Lounge;
8. Broken glasses and bottles on Riversdale Road;
9. The site is located near a busy and difficult to navigate junction. Taxis negotiating a U-turn to collect passengers is an increasing issue. They show no regard to pedestrians and cause noise and result in a hazard. Extended hours would cause more noise later at night;
10. Extended opening times will extend delivery times. The double yellow lines are ignored by drivers and cause a hazard on the highway;
11. To grant the application would seriously damage residents' quality of life and potentially further jeopardise the health and safety of residents. The measures the owners of the Wro propose are unreliable and do not address many of the negative issues an extension of hours will bring;
12. An offensive banner has been displayed from the balcony of the Wro bar;
13. The statement submitted with the application includes untrue assertions;
14. Whilst there is inconsistency between the licensing hours and the planning conditions, these are assessed under different criteria. Planning consent takes into account social and environmental conditions. Conditions are imposed for the protection of the amenity of the local community;
15. Each property is considered on its individual and specific location. In the case of the Wro it is located on the edge of a town centre, in a concentration of six licensed premises, immediately abutting a residential area consisting mainly of houses occupied by families with children;
16. Mojoes is used as a comparison, but this is situated in the town centre surrounded by commercial properties, and a few residential flats above shop premises;
17. The Planning conditions reflect different circumstances and logically to remove inconsistency the licensing hours should be changed to reflect the planning conditions;
18. It is claimed by the applicant local planning policy is out of date, however the local planning policy is current and has been enacted by the elected representatives of the local community on how they wish the community to be regulated, and carries more weight than non-specific planning

policy;

19. The claims of improvements to the property are misleading - the installation of noise limiters to regulate noise was a requirement of Environmental Health following monitoring of external noise levels resulting from complaints of excessive noise. A complaint was made to the Police, Licensing and Environmental Health on 24 April 2012 at 22.45. It seems clear the Wro management switch off the limiters when it is inconvenient, and the wide glazed frontage is not soundproof;
20. The issue is not just about noise from the property but consequent noise and general disruption generated by customers as they access and exit the premises;
21. The applicant claims the impact of deliveries to Aldi is likely to provide more disturbance than the proposal. This demonstrates complete lack of understanding that the essence of residents complaints relates to timing. Noise at 21.00 hours is significantly different to noise at 00.30 hours when ambient noise is at its lowest and even normal conversation carries some distance. The absence of any off-street car parking exacerbates this situation with Riversdale Road being the nearest and preferred place for customer parking;
22. The social and economic arguments put forward by the applicant are not justified. Claims of unfairness resulting from differing opening hours suggest all licensed premises should be treated equally irrespective of their location. This argument is illogical and unreasonable. The comment about commercial disadvantage is useful because it emphasises that if the application was approved, applications can be expected from the other bars for ever increasing opening hours at the expense of the amenity of the local community;
23. The applicant claims the application is supported by a number of stakeholders, which is misleading. Inspector Blease and the Licencing Manager of Wirral Council have confirmed they are in no position to support the application. This casts doubt on the veracity of other claims presented.
24. The applicant's petition of support is not from local residents whose lives are tainted by the presence of the Wro;
25. The Council has not consulted widely enough;
26. The previous planning application was refused on noise and disturbance and this remains valid;
27. The distances measured between the Wro and residential properties are misleading.

Councillor Hale objected to the application on the grounds it will give rise to noise and nuisance to residents in the area, which is why a similar application by a bar next door was refused.

A petition of support was submitted with the application with 650 signatures and 3 individual letters of support.

CONSULTATIONS:

The Director of Law, HR and Asset Management (Environmental Health): No objection.

The Director of Technical Services (Highway Management): No objection.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application has been removed from delegation by Councillor Jeff Green on the grounds that the Wro is in a town centre location and that it is only right that the significant contribution this business makes to the Borough in terms of investment, employment opportunities and economic contribution be evaluated by Members before a decision is taken.

INTRODUCTION

The application proposes the variation of condition 4 of approved planning application APP/99/06362. The proposal is for the extension of opening hours 09:00 until 00:30 hours 7 days a week, and to open until 01:30 on Christmas Day, and 2:30 on 27th December and New Years Day.

A previous planning application for the variation of hours was refused February 2012. The description of the refused application is as follows: "The premises shall be closed between 23.30 hours and 09.00 hours except on the following occasions: the premises shall be closed between 00.30 hours and 09.00 hours on up to 10 occasions a year, and shall be closed between 01.30 hours and 9.00 hours on Christmas day, and shall be closed between 02.30 hours and 09:00 hours on 27th December in

each calendar year and shall be closed between 02.30 hours and 09:00 hours on New Years day". The application was refused on loss of amenity to neighbouring residential properties by resulting in excessive noise and disturbance.

PRINCIPLE OF DEVELOPMENT

The proposal is acceptable in principle subject to the provisions of policy SH1 Criteria for Development in Key Town Centres of the adopted Wirral Unitary Development Plan, SPD3 Hot Food Takeaways, Restaurants, Cafes and Drinking Establishments and the National Planning Policy Framework (NPPF).

SITE AND SURROUNDINGS

The unit comprises of a restaurant/drinking establishment situated within the commercial Key Town Centre area of West Kirby, and adjacent to a Primarily Residential Area. There is a good mix of uses within the immediate vicinity of the site including A1, A3, A4 and A5 uses at ground floor and residential at first floor. No.1 Riversdale Road is a residential dwelling situated 26m from the proposal.

POLICY CONTEXT

The proposal shall be assessed against the relevant Unitary Development Plan Policy SH1 Criteria for Development in Key Town Centres of the adopted Wirral Unitary Development Plan (UDP), SPD3 Hot Food Takeaways, Restaurants, Cafes and Drinking Establishments and the National Planning Policy Framework (NPPF). It is considered there is no conflict between the UDP and NPPF, and the UDP should be given due weight in the decision making process.

UDP policy SH1 requires that development within Key Town Centres should not undermine the vitality and viability of the area and should have no detrimental impact on highway safety. Care must be taken that the proposal will not cause nuisance to neighbouring occupiers as a result of noise and disturbance, on street parking or delivery vehicles. It recommends suitable conditions should be imposed on hours of opening/operation. Supplementary Planning Guidance 3 states that restaurants, drinking establishments and hot food takeaways are generally acceptable within Key Town Centres provided it does not harm nearby residential properties.

The NPPF encourages sustainable development, sustainable meaning ensuring better lives for ourselves and future generations, and development meaning growth. The three dimensions of sustainability are the economic, social and environmental roles, none of which should be taken in isolation because they are mutually dependant.

APPEARANCE AND AMENITY ISSUES

The principle concern with extending hours of opening of a late night use to 00:30 hours throughout the week and until 01:30 on Christmas Day, and 2:30 on 27th December and New Years Day is the impact on residential amenity by reason of noise and disturbance.

UDP Policy SH1 requires that development within Key Town Centres should not undermine the vitality and viability of the area and shall not cause nuisance to neighbouring occupiers as a result of noise and disturbance. Supplementary Planning Guidance 3 states that restaurants, drinking establishments and hot food takeaways are generally acceptable within Key Town Centres provided it does not harm nearby residential properties.

It is considered the proposed extension in the hours of use into the night would generate excessive noise to the detriment of residential amenity, and is contrary to the requirements of the UDP and NPPF. Objections received from residents cited concerns of existing noise and disturbance from the late night use, and a potential rise in noise and disturbance. Disturbance issues specifically included customers leaving the premises, when they are beyond the noise mitigation controls the applicant proposes.

No.1 Riversdale Road is a residential dwellinghouse, the principle elevation of which is 26m from the site, and is situated in a Primarily Residential Area. Whilst properties in Key Town Centres should reasonably expect higher levels of disturbance, it is deemed the properties situated in Primarily Residential Areas and within 40m of the site should expect a higher level of residential amenity. The proposal for the operation of the business into the morning hours 7 days a week is deemed unacceptable given the nature of the use and the proximity of neighbouring dwellings. In addition the

later opening times into the mornings of Christmas Day, the 27th December and New Years Day are considered to be Bank Holidays where families are likely to be home and expect higher levels of residential amenity.

An application for a change of use to a drinking establishment was approved at the adjacent site, the Red Door, by the Planning Inspectorate (appeal reference APP/W4235/A/09/2110313) subject to conditions to protect the living conditions of nearby residents. The Inspector's report states *"The potential for noise and disturbance can, in my view, be mitigated by imposing appropriate planning conditions... Given the proximity of residential uses, I consider the conditions relating to hours of operation are reasonable and necessary to protect the living conditions of nearby residents"*. The opening hours imposed were 12.00 hours - 23.30 hours daily.

A further application to extend the hours of use of the Red Door was submitted and refused by the Local Planning Authority. Whilst the appeal was allowed on appeal, the Inspector only allowed the earlier opening hours, and did not allow the extension of the evening hours (appeal reference APP/W4325/A/10/2136535/NWF), and the Red Door closes at 23.30 hours. Both these appeal decisions are considered to be material in the determination of this application due to their proximity to the site.

The other late night uses in the vicinity are also restricted to 23.30 hours. This includes no. 1-1a Grange Road (Use Class A3), 2 Grange Road (Use Class A3), 9 Grange Road (Use Class A3), 13 Grange Road (Use Class A3), 15 Grange Road (Use Class A3), and 9 Dee Lane (Use Class A5).

Policy SH1 clearly states proposals which would cause nuisance to neighbouring uses or lead to loss of amenity will not be permitted. The NPPF states development must give equal weight to its economic, social and environmental roles for it to be sustainable. It is considered the proposal to extend the opening hours later into the night would result in additional noise and disturbance that would be more intrusive at a time when ambient noise level are lower and residents should expect higher levels of amenity. As such the application is considered contrary to policy SH1 Criteria for Development in Key Town Centres of the Wirral Unitary Development Plan (adopted February 2000), Supplementary Planning Document 3 Hot Food Takeaways, Restaurants, Cafes and Drinking Establishments and the National Planning Policy Framework.

RESPONSE TO APPLICANTS COMMENTS

The applicant suggests the NPPF puts emphasis on the economic role and achieving growth.

The Wro bar has achieved the accolade "Wirral's Most Professional Bar Team" on four occasions, was shortlisted for "Merseysides Best Bar" in 2009, an award which it won in 2010 and 2011. It attracts customers across the Wirral and outside the area. As such it is considered to be an important business which contributes socially and economically. The National Planning Policy Framework encourages economic growth. However no evidence has been presented that would form a material consideration that would override the LPA concerns regarding noise and disturbance, and the extension of hours is not considered to be sustainable. The applicant provided information to demonstrate the number of sales of drink has reduced since last year. No full set of business accounts has been submitted, and the information submitted does not demonstrate the business is not profitable. The applicant submitted a list of people requesting a midnight bar for private functions. Whilst there may be a demand for longer hours it is not within the remit of the LPA to grant planning permission on this basis. No evidence has been submitted to suggest the current hours of opening would jeopardise the viability of the business, it is not considered the current hours of opening are unreasonable, and the needs of local residents holds weight alongside the needs of customers.

The applicant suggests the granting of a Premises Licence is a material consideration and planning permission should be in line with this decision.

Planning and licensing are separate legislative frameworks and whilst the objectives are similar, proposals are assessed separately. Whilst the licence may be a material consideration this does not override planning policy and there are other material considerations with the potential for harm in this instance. Under appeal reference APP/W4325/A/10/2120945 the Inspector noted the appellant traded in line with their premises license, however he concluded licensing and planning restrictions are separate legislative regimes with different objectives, and because planning permission runs with

the land rather than the operator this did not form a material consideration and the appeal was dismissed 4 June 2010. Therefore in refusing the application, limited weight was given to the surrounding licensing operating practices.

The applicant suggests the adopted Wirral Unitary Development Policy (UDP) is out of date and the National Planning Policy Framework (NPPF) must be given greater weight.

The NPPF states policies adopted before 2004 should be given due weight according with their degree of consistency with the NPPF, the closer the policies in the local plan to the policies in the framework, the greater the weight that may be given (Annex 1). Both the Wirral UDP and the NPPF refer to residential amenity. The NPPF states planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life, and mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions. As such the UDP and NPPF are not considered to be in conflict and the UDP should be given due weight in the decision making process.

The applicant suggests the noise mitigation measures including a noise limiter monitor and closing the main front doors when live music is playing.

The noise mitigation measures the Wro proposes cannot control the level of noise when customers leave the premises, which is a principle concern of residents in the adjacent properties.

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development in terms of overlooking or loss of privacy.

HIGHWAY/TRAFFIC IMPLICATIONS

Objections were received relating to taxis and delivery vans causing hazards on the highway. The proposed extension of hours is not considered to result in highway implications.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The proposal is considered unacceptable in noise and disturbance and is not considered to be a sustainable development.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

It is considered the proposal would result in noise and disturbance that would be detrimental to the amenities neighbouring residents should expect to enjoy at a time when ambient noise levels are lower. As such the application is considered contrary to policy SH1 Criteria for Development in Key Town Centres of the Wirral Unitary Development Plan (adopted February 2000), Supplementary Planning Document 3 Hot Food Takeaways, Restaurants, Cafes and Drinking Establishments, and National Planning Policy Framework.

Recommended Refuse
Decision:

Recommended Conditions and Reasons:

1. It is considered the proposal would result in noise and disturbance that would be detrimental to the amenities neighbouring residents should expect to enjoy at a time when ambient noise levels are lower. As such the application is considered contrary to policy SH1 Criteria for Development in Key Town Centres of the Wirral Unitary Development Plan (adopted February 2000), Supplementary Planning Document 3 Hot Food Takeaways, Restaurants, Cafes and Drinking Establishments and National Planning Policy Framework (March 2012).

Further Notes for Committee:

Last Comments By: 12/06/2012 15:17:57
Expiry Date: 28/06/2012

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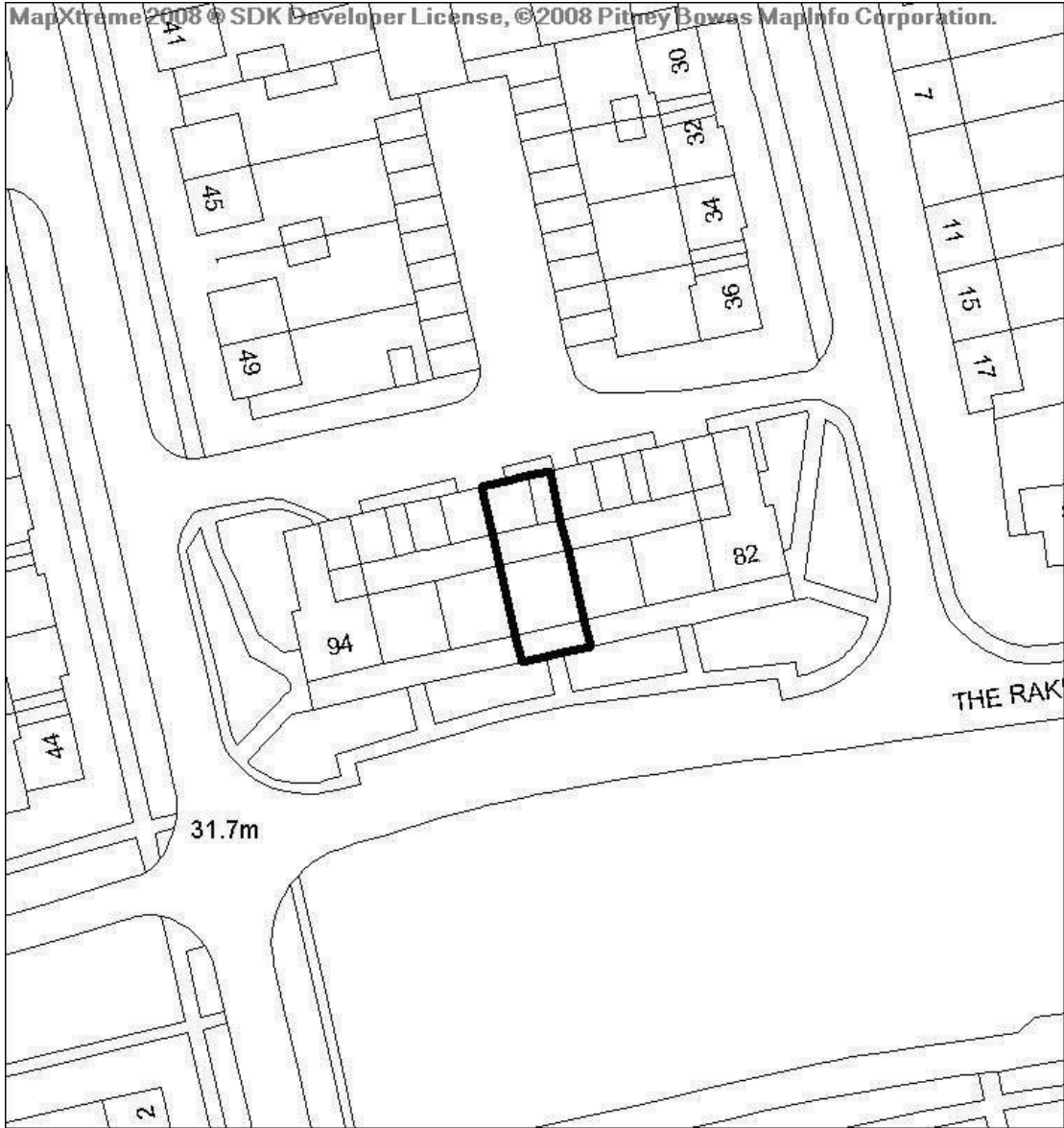
Planning Committee

26 July 2012

Reference: APP/12/00546 **Area Team:** South Team **Case Officer:** Miss A McDougall **Ward:** Bromborough

Location: Vacant Shop, 88 THE RAKE, BROMBOROUGH, CH62 7AL
Proposal: Change of use from a sewing shop to a private hire booking office and restroom for drivers.
Applicant: Mr Roy Garton

Site Plan:



Development Plan allocation and policies:

Primarily Residential Area
HS15
SH4

Planning History:

No relevant planning history

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 21 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 3 objections have been received and a qualifying petition containing 64 separate household signatures, listing the following grounds:

1. Existing taxi service in Bromborough Village
2. Noise and disturbance
3. Highway safety and Parking problems

CONSULTATIONS:

The Director of Technical Services (Traffic & Transportation Division): No objection

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

A qualifying petition of objection has been submitted containing signatures from 64 separate household.

INTRODUCTION

The proposal is for the change of use of a vacant retail unit to a private hire booking office and restroom for drivers.

PRINCIPLE OF DEVELOPMENT

The proposal is for a sui generis use within an established row of shops in a residential area, the principle of development is acceptable.

SITE AND SURROUNDINGS

The premises is a mid terrace unit within a built for purpose retail block located in a residential area, the block is three storey and there are 7 units in total, the application site is the central unit. The block faces onto a grassed area that separates the commercial units from the residential, the dwellings to the south are 50m away. The appearance of the area has a positive spatial definition with the buildings being set back and landscaping between the houses and the highway, the retail block is quite stand alone and other than the flats above is set approximately 50m from the nearby residential units.

POLICY CONTEXT

SH4 Small Shopping Centres and Parades Policy

Within small shopping centres and parades in Primarily Residential Areas, development falling within Class A1, Class A2 and Class A3 of the Town and Country Planning (Use Classes) Order 1987, will be permitted, subject to Policy HS15 and the following criteria as appropriate:

- (i) where a proposal for Class A3 uses is located on a street containing similar establishments, cumulative levels of noise and disturbance, from both the existing and proposed activities, should not exceed a level likely to be detrimental to the amenity of the area;
- (ii) proposals for Class A3 uses should include measures to mitigate smell and internally-generated noise - these measures should not be visually intrusive in the street scene and should be fully installed before the business commences trading;
- (iii) the proposal does not cause nuisance to neighbouring uses, or lead to loss of amenity, particularly

in respect of noise and disturbance, on-street parking or delivery vehicles - where necessary a suitable condition will be imposed on hours of opening/ operation;

(iv) proposals for Class A3 uses should be located a reasonable distance from the principal elevation of the nearest dwelling house or block of flats;

(v) proposals for Class A2 uses should incorporate the provision of a shop front and permanent window display.

HS15 Non-Residential Uses in Primarily Residential Areas Policy

Within the Primarily Residential Areas as defined on the Proposals Map, proposals for small-scale built development and changes of use for non-residential uses will only be permitted where the proposal will not:

(i) be of such scale as to be inappropriate to surrounding development;

(ii) result in a detrimental change in the character of the area; and,

(iii) cause nuisance to neighbouring uses, particularly in respect of noise and disturbance, on-street parking and deliveries by vehicle.

Proposals should make adequate provision for off-street car parking standards and servicing requirements.

APPEARANCE AND AMENITY ISSUES

The proposed change of use does not propose to alter the external appearance of the building. The unit will be used to take bookings for private hire and as a restroom for the drivers. The block is an existing retail parade that serves the local community.

There are concerns with regards to the impact of a 24 hour business on the local area, the applicant has requested a private hire booking office and rest stop for drivers whilst working in this area. A taxi service is a relatively detached business with calls being taken and sent out to drivers already in a car in a different location to the business premises. However providing a 24 hour premises for vehicles, staff and customers in a residential area during evening and early morning will have a level of nuisance that is currently not experienced in the area.

The applicant has not supplied sufficient information to demonstrate that the business operations will not result in any noise and disturbance to local residential amenity. The intention is to operate the business on a 24 hour basis with drivers using the premises as a base and rest area. The likelihood is that a number of vehicles will be present at the premises throughout the day and night increasing the level of activity usually present in a residential area. The primary nuisance arises from trips to and from the premises by cars and customers. The starting/stopping, closing of car doors and manoeuvring can be a source of nuisance outside the normal working day and such activity becomes more noticeable and sensitive to residents as the background noise levels are lower.

SEPARATION DISTANCES

Separation distances do not apply in this instance. ,

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

CONCLUSION

The increase in activity due to the proposal and business operations on a 24 hour basis is likely to lead to a level of noise and disturbance that would be harmful to the residential amenity of the local area. The proposal is therefore contrary to Policies HS15 and SH4.

Recommended **Refuse**
Decision:

Recommended Reason:

1. The use of the premises as proposed would introduce a level of activity that is likely to result in an unacceptable level of noise and disturbance. This would be detrimental and harmful to the residential amenity of the occupiers of nearby residential properties and is therefore contrary to Wirral's UDP Policies HS15 and SH4.

Last Comments By: 06/06/2012 09:13:19

Expiry Date: 20/06/2012

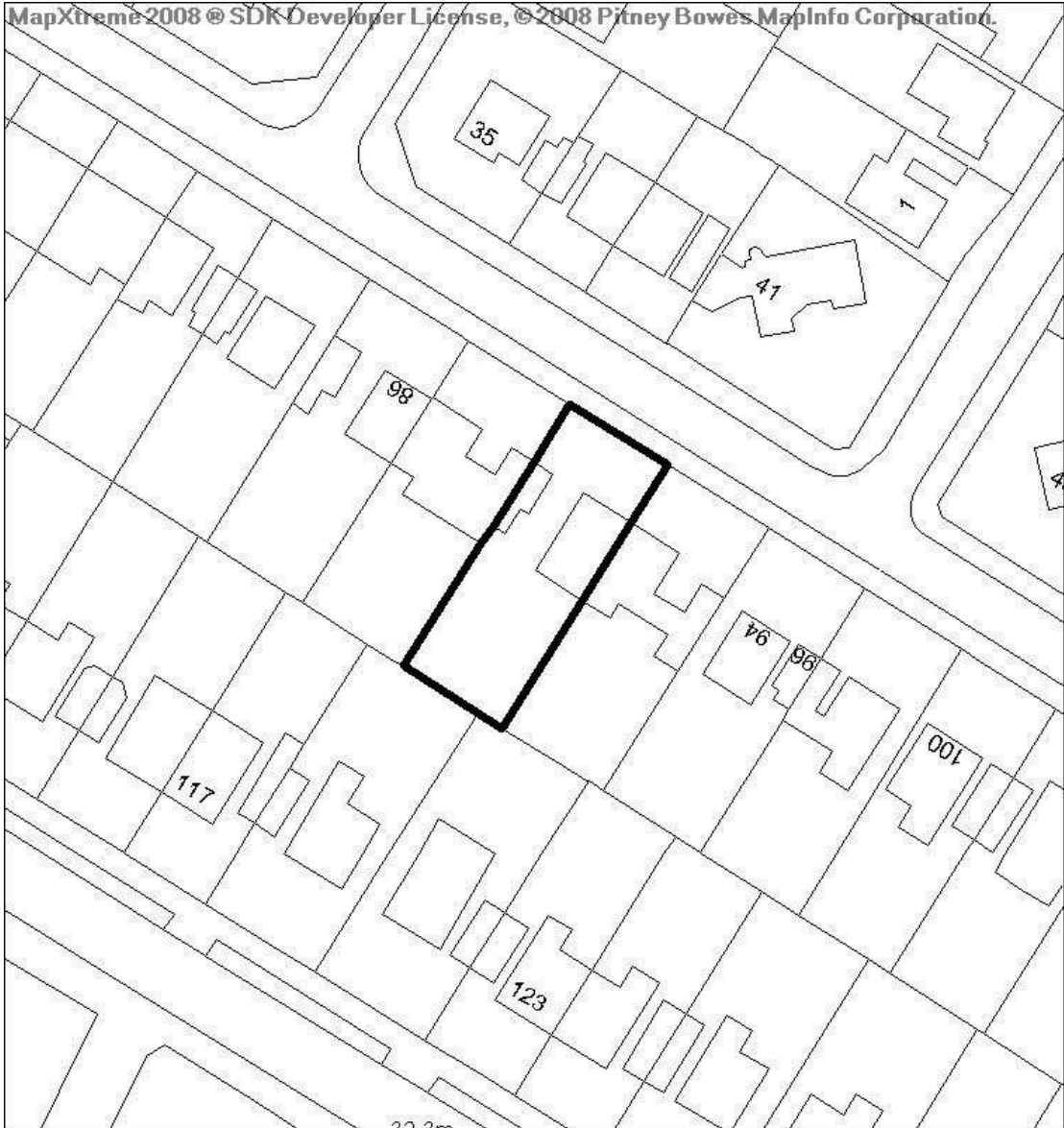
Planning Committee

26 July 2012

| | | | |
|--|--|---|---|
| Reference: APP/12/00625 | Area Team: North Team | Case Officer: Mrs S Williams | Ward: Greasby Frankby and Irby |
|--|--|---|---|

| | |
|-------------------|--------------------------------------|
| Location: | 90 DINGWALL DRIVE, GREASBY, CH49 1SQ |
| Proposal: | Loft conversion |
| Applicant: | Mr Richard Avery |
| Agent : | M Survey Chartered Surveyors |

Site Plan:



Development Plan Designation:

Primarily Residential Area

Planning History:

APP/2000/7223 - Erection of two-storey extension to the side - Approved 08.02.2001

APP/11/00775 - Proposed loft conversion and erection of a sloping roof over existing rear extension - Refused 11.08.2011

LDP/11/01315 - A loft conversion, replacing flat roof for sloping roof and making the rear of the garage storage area flush with the rear of the house - Certificate Issued

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

Having regard to the Council's Guidance on Publicity of Planning Applications, 7 letters of notification were sent to occupiers at neighbouring properties and in addition a site notice was displayed. No representations have been received.

CONSULTATIONS

None required.

Director's Comments:**REASON FOR REFERRAL TO PLANNING COMMITTEE**

Councillor Clements requested this application be removed from delegation and considered by the Planning Committee following representations she has received from local residents on the grounds that the application should be approved, given the policy contained within the National Planning Policy Framework at paragraphs 7 and 61.

Paragraph 7 outlines that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles, and in this case the social role is considered to be a material consideration:

"A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being."

Paragraph 61 states:

"Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."

INTRODUCTION

The proposal seeks planning permission to convert the loft of the building, including a hip to gable roof extension. The proposal is a resubmission of a previously refused planning application, referenced APP/11/00775. The original application was refused as it was considered that the hip to gable alteration would have a negative impact to the streetscene, unbalancing the pair of semi-detached properties, in conflict with Supplementary Planning Guidance SPG11 and with UDP Policy HS11.

It should be noted that a Lawful Development Certificate (LDP/11/001315) has been issued for a loft conversion without a hip to gable alteration (including a flat roof rear dormer and other alterations such as the replacement of a flat roof for a sloping roof and making the rear of the garage storage area flush with the rear of the house). It was deemed that planning permission was not required for this development, and the Certificate was consequently issued. The proposed development currently

sought does, however, require planning permission given the volume of the resulting roof when compared to the original dwelling.

The proposed development introduces a hip to gable extension and would convert the loft of the property to accommodate two extra bedrooms, a shower room and additional storage. The application includes a statement in support of the proposed development, outlining that the need for the extra habitable space arises from the applicant's commitment to giving a secure, safe, comfortable and spacious home to foster children and a growing family, and the current state of the housing market, which is preventing the applicants from successfully relocating. It is outlined that other options for providing the additional space have been exhausted through existing extensions. Implementation of the development for which a Lawful Development Certificate has been issued would result in very restricted head height and would create no real additional living space. There are a very limited number of seven bedroom properties in the locality, and the applicant is committed to the local area.

PRINCIPLE OF DEVELOPMENT

In principle house extensions within Primarily Residential Areas are acceptable subject to consideration of the National Planning Policy Framework and policy HS11 of Wirral's Unitary Development Plan. Supplementary Planning Guidance SPG11 offers supplementary advice on the interpretation of UDP Policy HS11.

SITE AND SURROUNDINGS

90 Dingwall Drive is a traditional semi-detached dwellinghouse located within a primarily residential area. The original property was extended following the grant of planning permission APP/2000/07223. The hip to gable alteration would be above this two-storey extension to the side of the property. The properties within the immediate area vary from semi-detached to detached two-storey dwellinghouses. A number of properties in the vicinity have been extended.

The rear boundaries of the site contain wooden fencing and sporadic vegetation screening. The rear elevation of the adjoining property, 92 Dingwall Drive matches the rear elevation of the application property.

The neighbouring property, 88 Dingwall Drive contains a two-storey side extension. There is a clear glazed first-floor window located on the side elevation of this property facing towards No.90. This window is a secondary window serving a room within the building.

POLICY CONTEXT

The application property is located within land designated as a Primarily Residential Area in Wirral's Unitary Development Plan. UDP Policy HS11 – House Extensions and SPG11 – House Extensions are directly relevant in this instance.

APPEARANCE AND AMENITY ISSUES

The design of the hip to gable was the reasons why the original application was refused. UDP Policy HS11 outlines, at criteria (iii) the requirement that design features such as roof form and line match or complement those of the existing building, and the supporting text to the policy makes it clear that extensions should be designed in such a way as to have no significant adverse effect on the appearance of the original property, or an adverse effect on the area in general. SPG11 offers further guidance, noting that "Side dormers or proposals to create gable end roofs on one side of pairs of semi-detached and detached dwellings where both sides were originally hipped will not be allowed".

Having regard to the Policy and Guidance, planning application APP/11/00775 was refused planning permission. The current application is very similar in form - all that has changed is the proposal to install several front facing rooflights. Due to this, the same reason for refusal is considered valid.

It is noted that there are some examples of other residential properties within the surrounding area of the application site (20-22 Dingwall Drive and properties sited in Brookdale Avenue South) have undertaken hip to gables. However, the Local Planning Authorities records show that relevant planning applications for these extensions were not received and therefore suggests that these extensions were undertaken under permitted development.

The introduction of a gable end does not match the adjoining property and will therefore have a negative impact on the appearance of the pair of semi-detached dwellings and consequently to the

wider street scene. The applicant has submitted an appendix to their supporting statement detailing alterations to properties at Lloyd Drive, Caulfield Drive, Dinwall Drive and Brookdale Ave South (all Greasby), each of which includes a hip-to-gable roof alteration to one of a pair of semi detached properties. Although it is accepted that there is some variety of roof types and a number of similar extensions have been constructed within the surrounding area it is not considered that the character of the streetscene has altered sufficient to warrant approval contrary to the UDP Policy and Guidance, especially given that the adjoining property roof type remains as a hip.

SEPARATION DISTANCES

All required separation distances would be met.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no highway implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no environmental/sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The introduction of the gable would have a negative impact on the appearance of the pair of semi-detached dwellings and therefore on the street scene itself. The proposal is therefore contrary to policy HS11 of Wirral's Unitary Development Plan and SPG11: House Extensions.

Recommended Refuse
Decision:

Recommended Reason:

1. The proposed hip to gable extension would have a negative impact to the streetscene by virtue of unbalancing a pair of semi-detached properties in conflict with Supplementary Planning Guidance SPG11 and UDP Policy HS11 of Wirral's Unitary Development Plan.

Last Comments By: 20/06/2012 16:12:44

Expiry Date: 05/07/2012

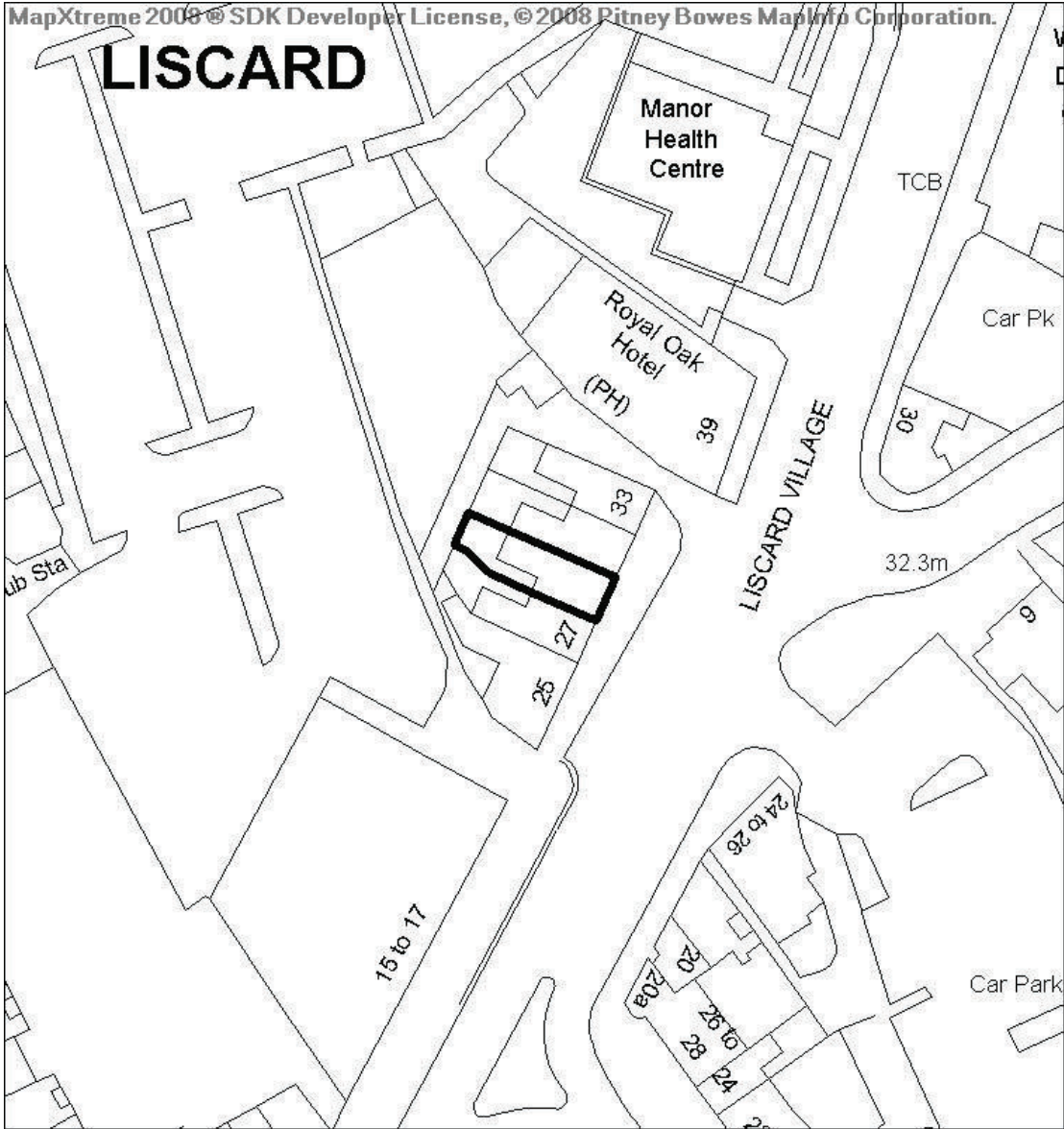
Planning Committee

26 July 2012

Reference: APP/12/00084 **Area Team:** North Team **Case Officer:** Miss K Elliot **Ward:** Liscard

Location: Muzzys Charcoal Grill, 29 LISCARD VILLAGE, LISCARD, CH45 4JG
Proposal: Erection of single storey extension at rear (retrospective)
Applicant: Muzzys Charcoal Grill
Agent : Mr D Doughty

Site Plan:



Development Plan allocation and policies:
Key Town Centre

Planning History:

APP/02/07155 - Change of use to hot food takeaway - Approved 14/05/2003

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

Having regard to the Council's Guidance on Publicity for Applications, four letters of notification were sent to the occupiers of adjoining properties. A Site Notice was also displayed. At the time of writing this report, one representation had been received from No.31 Liscard Village and this can be summarised as follows:

1. The structure is already in place and is made from poor quality materials;
2. The structure utilises the shared boundary wall and no party wall notice was served;
3. The roof of the structure overhangs the neighbouring property and currently has no gutter;
4. The structure has no common character with the existing building and casts a shadow over the neighbour's rear yard;
5. Waste from the business is stored in the alleyway at the rear and not in the waste storage area as suggested;
6. The materials do not correspond with those referred to on the application forms;
7. The stated opening hours are not in line with the actual use of the premises.

CONSULTATIONS

Director or Law, HR & Asset Management (Pollution Control Division) - no objections.

Director's Comments:

The application was deferred from Planning Committee on 28 June 2012 for a site visit.

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application is submitted by SDA Architects and Surveyors, a partner and architect of which is an elected Member of the Council. The application was also removed from delegated powers by Councillor Dodd on behalf of local residents on the grounds that it breaks a number of planning rules, is of a poor standard of construction and has caused damage to neighbouring properties.

INTRODUCTION

The proposal is for the erection of a single storey rear extension. The application is retrospective.

PRINCIPLE OF DEVELOPMENT

The principle of the development is acceptable subject to Policy SH1 of Wirral's Unitary Development Plan (UDP) and part 2 of the National Planning Policy Framework (NPPF).

SITE AND SURROUNDINGS

The site comprises of a mid-terrace commercial unit within Liscard town centre. The property is an established hot food takeaway, which was granted planning permission in 2003. There are commercial premises on either side of the site at ground floor. There is an alleyway to the rear of the property which runs the length of the small parade of units, all of which have small rear yards enclosed by 1.8 metre boundary walls. Beyond this is a large car park and enclosed area of private land.

POLICY CONTEXT

Policy SH1 of Wirral's UDP and part 2 of the NPPF are directly relevant in this instance. Policy SH1 states that proposals should support the vitality and viability of existing centres and should not cause nuisance to neighbouring properties in respect of noise and disturbance. The siting, scale, design, choice of materials and landscaping is not detrimental to the character of the area. This approach is supported by part 2 of the NPPF which seeks to ensure the vitality of town centres.

APPEARANCE AND AMENITY ISSUES

The application has arisen as the result of an enforcement complaint relating to its unauthorised construction. The extension measures 2 metres in depth, 2.2 metres in width and 3.1 metres in height with a pitched roof. The eaves of the extension are approximately 0.6 metres above the boundary wall between the application property and No.31. There is a perspex unit in the side of the extension facing No.31 but this is non-opening and above average eye level therefore it is not considered to

result in overlooking. Amongst the objections received from No.31 were its impact on the use of the yard by members of staff and overshadowing of this area. Due to the relatively small projection and height of the structure, it is not considered to result in a significant loss of light or outlook to No.31 or appear over-dominant when viewed from this side. In addition to this, commercial properties can not expect the same levels of amenity as a residential property. For example, the rear yard is unlikely to be used as frequently as a garden area and any loss of outlook from a staff room or office would not carry the same weight as a habitable room, although this is not considered to be an issue in this instance.

The other principle concerns with the extension are its impact on the character of the original building and whether it detracts from the visual amenity of the surrounding area. The yard of the premises is enclosed by 1.8 metre boundary walls and the alleyway at the rear is not a through access. The extension is not visible from the car park to the far rear of the application site or any other public areas. It is also not visible from the general street scene of Liscard Village or in wider views of the building. Therefore it is considered that it does not cause demonstrable harm to the character of the original building. The extension is less than 5 square metres in area and is used for storage purposes ancillary to the established use of the premises.

In response to the other objections raised by No.31, the fact that extension was built retrospectively would not in itself be a reason to refuse the application. Equally, the issues relating to encroachment over the party boundary and lack of requisite notice is a civil matter between the two owners. It is not the Council's responsibility to enforce the Party Wall Act. Issues over the design were also raised in that the extension does not bear any relation to the existing building. At present the extension has an unfinished appearance, therefore to address this issue a condition has been recommended to ensure that the walls of the extension are suitably rendered which will help it to blend in with the boundary wall. It is unlikely that the extension could be finished in facing brick without further encroachment on to the party boundary.

Concerns were also raised about the poor quality of materials used in the construction of the extension, however this is a Building Regulations issue with regard to the structural integrity of the extension. The discrepancies in the forms with regard to waste storage in the alleyway and hours of trading are a separate matter. In summary, the extension is not considered to have an adverse impact on neighbouring properties or how they operate. The proposal is not considered to be detrimental to the character of the original building or the amenity of the surrounding area. The extension is acceptable in terms of the existing use of the site and is recommended for approval subject to appropriate conditions.

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal complies with Policy SH1 of Wirral's Unitary Development Plan and part 2 of the National Planning Policy Framework and is not considered to have an adverse impact on neighbouring uses or detract from the visual amenity of the surrounding area.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has

considered the following:-

The proposal complies with Policy SH1 of Wirral's Unitary Development Plan and part 2 of the National Planning Policy Framework and is not considered to have an adverse impact on neighbouring uses or detract from the visual amenity of the surrounding area.

Recommended Decision: Approve

Recommended Conditions and Reasons:

1. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 18 April 2012 and listed as follows:
25_2012_01 (03.08.2012).

Reason: For the avoidance of doubt and to define the permission.

2. The walls of the extension hereby permitted shall be rendered in accordance with details to be submitted to and approved in writing by the Local Planning Authority within three months of the date of this permission. The development shall be implemented in accordance with the details submitted within three months of their approval and shall be retained as such thereafter.

Reason: In the interests of visual amenity.

Further Notes for Committee:

Last Comments By: 25/05/2012 15:36:42

Expiry Date: 13/06/2012

Planning Committee

26 July 2012

Reference:
APP/12/00200

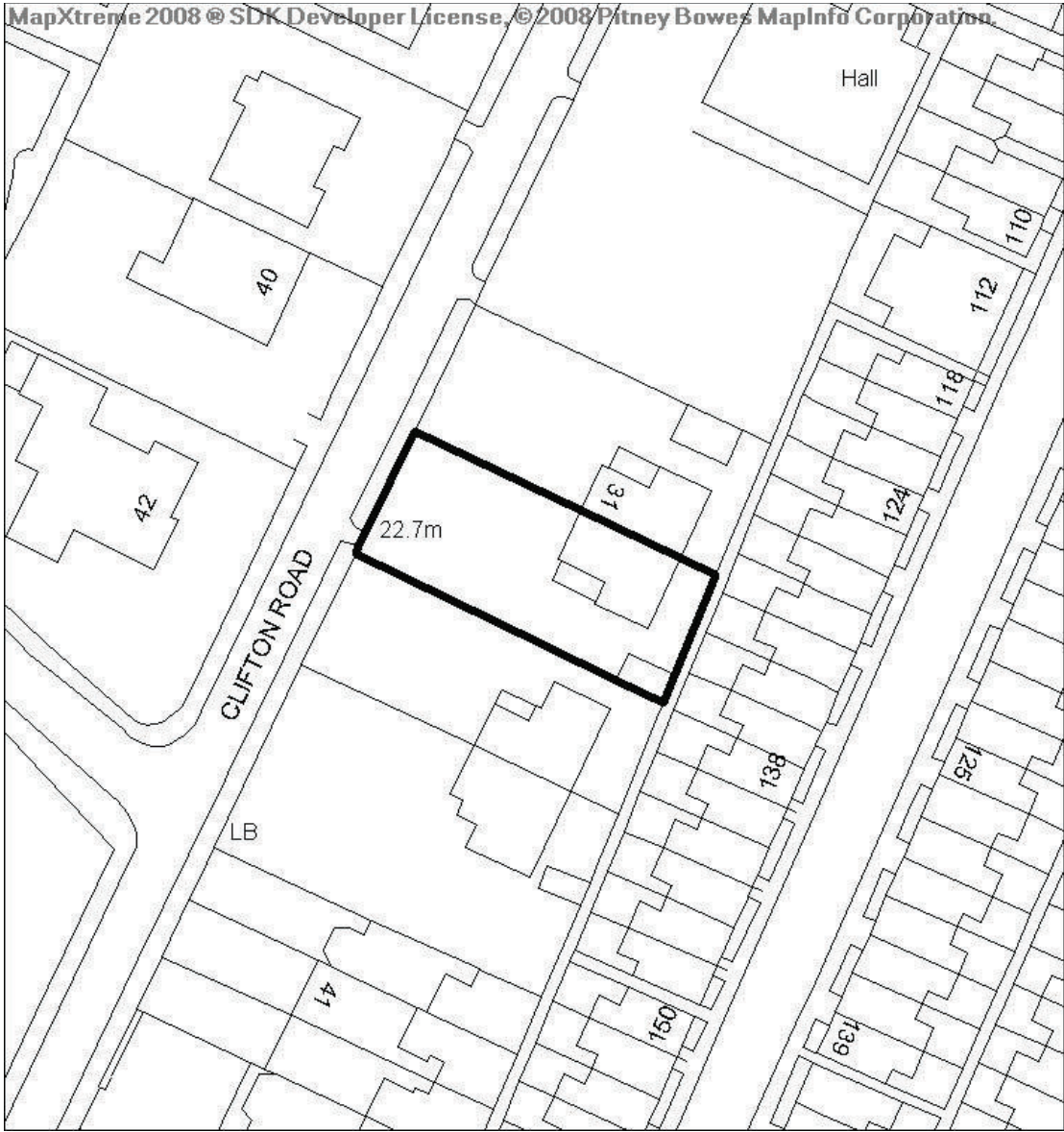
Area Team:
South Team

Case Officer:
Mr N Williams

Ward:
**Birkenhead and
Tranmere**

Location: 33 CLIFTON ROAD, TRANMERE, CH41 2SF
Proposal: Conversion of existing basement into a two-bedroom flat and widening of drive to improve vehicular access
Applicant: Harbour Housing
Agent : SDA Architects & Surveyors

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area

Planning History:

LBC/2012/00201 - Listed Building Consent for alterations in association with this application (undetermined)

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

Having regard to the Council Guidance on Publicity for Applications, 16 notifications were sent to adjoining properties. A site notice was also displayed. There were no comments received.

Merseyside Cycling Campaign object to the proposal because there is no internal covered cycle storage for future residents.

CONSULTATIONS

Director of Technical Services (Traffic Management Division) - No objection

Director of Law, HR & Asset Management (Environmental Health) - No objection

Director's Comments:**REASON FOR REFERRAL TO PLANNING COMMITTEE:**

The application is submitted by SDA Architects and Surveyors, a partner and architect of which is an elected Member of the Council.

INTRODUCTION

The application is for the conversion of the existing basement into a two-bedroom flat, and widening of the drive to improve vehicular access.

PRINCIPLE OF DEVELOPMENT

The principle of the creation of a new residential unit within a Primarily Residential Area, along with minor alterations to a Listed Building, is considered acceptable subject to relevant policy.

SITE AND SURROUNDINGS

33 Clifton Road is a Grade II Listed Building, located within Clifton Park Conservation Area, and within a Primarily Residential Area.

POLICY CONTEXT

The proposal is subject to Wirral's Unitary Development Plan Policy HS4: Criteria for New Housing Development and Policy HS13: Self-Contained Flat Conversions, along with Supplementary Planning Document 2: Designing for Self-Contained Flat Development and Conversions.

The alterations to a Grade II Listed Building is also subject to Policy CH1: Development Affecting Listed Buildings and Structures. This policy states that development should be of a nature and scale appropriate to retaining the character and design of the building and it's setting. The proposal is also subject to Policy CH2: Development Affecting Conservation Areas.

APPEARANCE AND AMENITY ISSUES

The creation of a new residential unit in this location is considered to be acceptable, given that it is a Primarily Residential Area and is not in an area subject to the Interim Planning Policy.

The rear windows do not require any excavation of the outside area in order to comply with guidelines which state that two-thirds of the window should be above garden level. There is a rear terrace level which, although lower than the main garden level, will allow sufficient light into the rear windows - windows for the main living area and a bedroom.

The window to the front, however, is set lower than the garden level with only a small light well to the front. The proposal will see part of the garden excavated for a larger light well. Whilst this is not normally considered acceptable, this proposal will not harm the appearance or character of the

building. In addition, the proposal does not explicitly depend upon this light well being created - the rear windows comply with the policy and the creation of a new residential unit is therefore considered to be acceptable. The creation of an additional room and increased light well is therefore considered to be acceptable in this instance. The proposal is therefore considered to comply with Policy HS4 and HS13 of Wirral's Unitary Development Plan, and SPD2.

The basement does contain some original features of significance: plank doors, a cast iron kitchen range and the stairs that extend up to the ground floor. These features are protected as part of the listing and must be retained as part of the development. It is not acceptable to dismantle the stairs that lead up the ground floor – although the plans show these are to be removed, it is envisaged that these will be retained through the application for Listed Building Consent (LBC/2012/00201).

The proposal will have minimal impact on the integrity of the Listed Building, with the finer details of the minor alterations being controlled by conditions. The proposal is therefore considered to comply with Policy CH1 of Wirral's Unitary Development Plan.

SEPARATION DISTANCES

All required separation distances are met.

HIGHWAY/TRAFFIC IMPLICATIONS

The widening of the existing vehicular access is not considered to have any significant highway safety implications.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal will not harm the character or integrity of the Listed Building, nor will it harm the amenity of neighbouring properties and as such, it is considered to comply with Policy HS4, HS13 and CH1 of Wirral's Unitary Development Plan.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal will not harm the character or integrity of the Listed Building, nor will it harm the amenity of neighbouring properties and as such, it is considered to comply with Policy HS4, HS13 and CH1 of Wirral's Unitary Development Plan.

Recommended Approve
Decision:

Recommended Conditions and Reasons:

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 02/03/2012 and listed as follows:
19_2012_01 (dated 13/02/2012) and 19_2012_02 (dated 13/02/2012)

Reason: For the avoidance of doubt and to define the permission.

3. No development shall take place before all new doors proposed, architraves and insulation materials, together with a Method Statement for ceiling sound attenuation and fire proofing has been submitted to and approved in writing by the local planning authority and shall be retained as such thereafter.

Reason: To safeguard the special architectural or historic interest, character, appearance and integrity of the listed building and to comply with Policies CH01 and CH1 of the adopted Wirral Unitary Development Plan.

4. No development shall take place before a specification for the proposed new steps and handrails to the rear terrace and extended front light-well have been submitted to and approved in writing by the local planning authority, and retained as such thereafter.

Reason: To safeguard the special architectural or historic interest, character, appearance and integrity of the listed building and to comply with Policies CH01 and CH1 of the adopted Wirral Unitary Development Plan.

5. Details of the treatment and method of restoration of the cast iron kitchen range shall be submitted in writing to the local planning authority prior to the commencement of development.

Reason: To safeguard the special architectural or historic interest, character, appearance and integrity of the listed building and to comply with Policies CH01 and CH1 of the adopted Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 13/04/2012 08:22:44

Expiry Date: 27/04/2012

Planning Committee

26 July 2012

Reference: APP/12/00422 **Area Team:** South Team **Case Officer:** Ms C Berry **Ward:** Prenton

Location: 6 BURRELL CLOSE, PRENTON, CH42 8QE
Proposal: Retrospective householder planning application for rear conservatory and decking, and to retain clear glass to side elevation to conservatory (amended description)
Applicant: Mr Keith Stewart
Agent : SDA

Site Plan:



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Development Plan allocation and policies:

Density and Design Guidelines Area
Primarily Residential Area

Planning History:

APP/07/07310 - Erection of conservatory and decking at rear of property - Refused 25/01/08

APP/08/05818 - Retention of conservatory and decking at rear of property (re-submission of APP/07/07310) - Approved 23/07/08

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regards to the Council's Guidance on Publicity for Applications, neighbour notifications were sent to the occupiers of 6 neighbouring properties and a Site Notice was also displayed. Two letters have been received from the occupiers of 5 Burrell Close objecting to the application for the following reasons:

1. Overlooking from the conservatory and decking
2. Threat to privacy
3. Impact on future value of their property
4. The occupiers of number 6 should erect a screen to guarantee privacy

CONSULTATIONS

None required

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application is submitted by SDA Architects and Surveyors, a partner and architect of which is an elected Member of the Council.

INTRODUCTION

The application is for the retention of clear glass in the side elevation of a rear conservatory and decking. The application is retrospective as the clear glass is fitted in the conservatory and the decking is in place in line with approval APP/2008/05818.

A previous application APP/07/07310 for the conservatory and decking was refused as the siting close to the adjacent property 5 Burrell Close was considered to result in an unacceptable level of visual intrusion that would be detrimental to the occupiers of this property. The proposal was amended to remove the element of the decking that formed a seating area and an amended application was submitted APP/08/05818. This application was subsequently approved subject to a condition requiring that the side elevation facing 5 Burrell Close should be fitted with obscure glazing.

An application for rear decking/balcony to allow a second exit from the bungalow through patio doors was submitted for 5 Burrell Close in 2011, reference APP/11/00378. This was assessed on the basis that there would be no undue overlooking, mainly due to a detached garage located to the side of 5 and 6 Burrell Close and the fact that the decking would face the existing conservatory at 6 Burrell Close. The existence of the conservatory at number 6 and the decking at number 5 presents a situation usually seen in properties located side-by-side, for example, it is quite usual to exit through the rear of a property and look into an adjacent garden area.

The occupiers of 6 Burrell Close now seek to reinstate the decking with a sitting out area originally sought through the refused application APP/07/07310. And to retain the clear glass in the side elevation as they consider that there is now no undue overlooking as a result of the decking and balcony present at 5 Burrell Close, erected since the original refusal and subsequent approval that reduced the decking and was subject of a condition requiring obscure glazing. As the obscure glazing has not been inserted into the side elevation of the conservatory as required by the condition attached to approval APP/08/05818 the Local Planning Authority are considering prosecution as a breach has occurred.

PRINCIPLE OF DEVELOPMENT

The proposal is acceptable in principle subject to the criteria set out in Policy HS11

SITE AND SURROUNDINGS

Burrell Close is a cul-de-sac that rises steeply from east to west. 6 Burrell Close is a detached bungalow located in a row of similar bungalows situated on the lower level of Burrell Close. The bungalows are immediately to the left when entering the Close and the road rises up to the end of the cul-de-sac. The bungalows along this row are at road level but the rear gardens slope steeply down where they are parallel with Mount Road. The bungalows were originally built with no rear access to the garden due to the vast difference in ground levels. Many of the bungalows have formed new exit/openings from the rear elevation and decking with steps that allow access to the rear gardens.

POLICY CONTEXT

The proposal is assessed against Policy HS11 House Extensions where it states that the scale of proposals should be appropriate to the size of the plot, not dominate the existing building and not be so extensive as to be unneighbourly, particular regard being had to the effect on light to and the outlook from neighbours' habitable rooms and not so arranged to result in significant overlooking of neighbouring residential property.

APPEARANCE AND AMENITY ISSUES

The decking has been constructed in line with the approval, APP/08/05818 (amended scheme) however the side elevation of the conservatory has clear glass as opposed to the obscure glazing required by the planning condition. At the time of imposing the condition in 2008, the site conditions and officer's assessment concluded that there would be an element of overlooking to 5 Burrell Close. The degree of overlooking has now been reduced and in fact is balanced by the existence of the balcony at 5 Burrell Close approved in 2011. The extent of overlooking is now equal for each property as the view into 5 Burrell Close from the proposed decking and existing conservatory is similar to that from the existing balcony at 5 Burrell Close. The occupiers of 5 Burrell Close raise concerns relating to overlooking and loss of privacy. However, it is considered that the proposed decking and conservatory at number 6 will result in a neutral impact that would not be any more harmful than the overlooking currently from the decking at 5 Burrell Close. Mainly as the proposed decking and conservatory will be sited at the same level, which represents a typical situation where properties and gardens are adjacent to each other and a level of two-way view exists.

Since imposing the condition requiring obscure glazing in the side elevation of the conservatory, the circumstances have changed due to the siting and location of the decking and balcony at 5 Burrell Close. For the reasons set out above, the issue of overlooking is not considered to be significantly increased by approving the decking with a sitting out area and in addition, fitting the side elevation with obscure glazing is no longer relevant or necessary. The sitting out area will be located outside the conservatory doors facing the existing balcony at number 5, therefore overlooking from the conservatory will not be any more harmful considering the decking at both properties. Given this, although there is a breach of condition relating to the provision of obscure glazing attached to approval APP/08/05818, it is considered unnecessary to pursue the prosecution as it is no longer in the public interest. Government guidance states that before considering the use of legal powers the Council should be satisfied that such action is the right thing to do and furthermore that action should only be taken where serious harm to local public amenity is being caused.

SEPARATION DISTANCES

Separation distances do not apply in this instance.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

It is considered that the proposed decking and retention of clear glass in the side elevation of the conservatory will not introduce significant overlooking that warrants refusal of the planning application or the requirement to pursue the prosecution of the breach of condition. The proposal accords with Policy HS11 House Extensions as is recommended accordingly.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

It is considered that the proposed decking and retention of clear glass in the side elevation of the conservatory will not introduce significant overlooking that warrants refusal of the planning application. The proposal accords with Policy HS11 House Extensions as is recommended accordingly.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on the 27th April 2012 and listed as follows: 01 Revision A and 02 Revision A dated 05.11.07

Reason: For the avoidance of doubt and to define the permission.

Further Notes for Committee:

Last Comments By: 17/07/2012 13:41:06
Expiry Date: 22/06/2012

Planning Committee

26 July 2012

Reference:
APP/12/00745

Area Team:
South Team

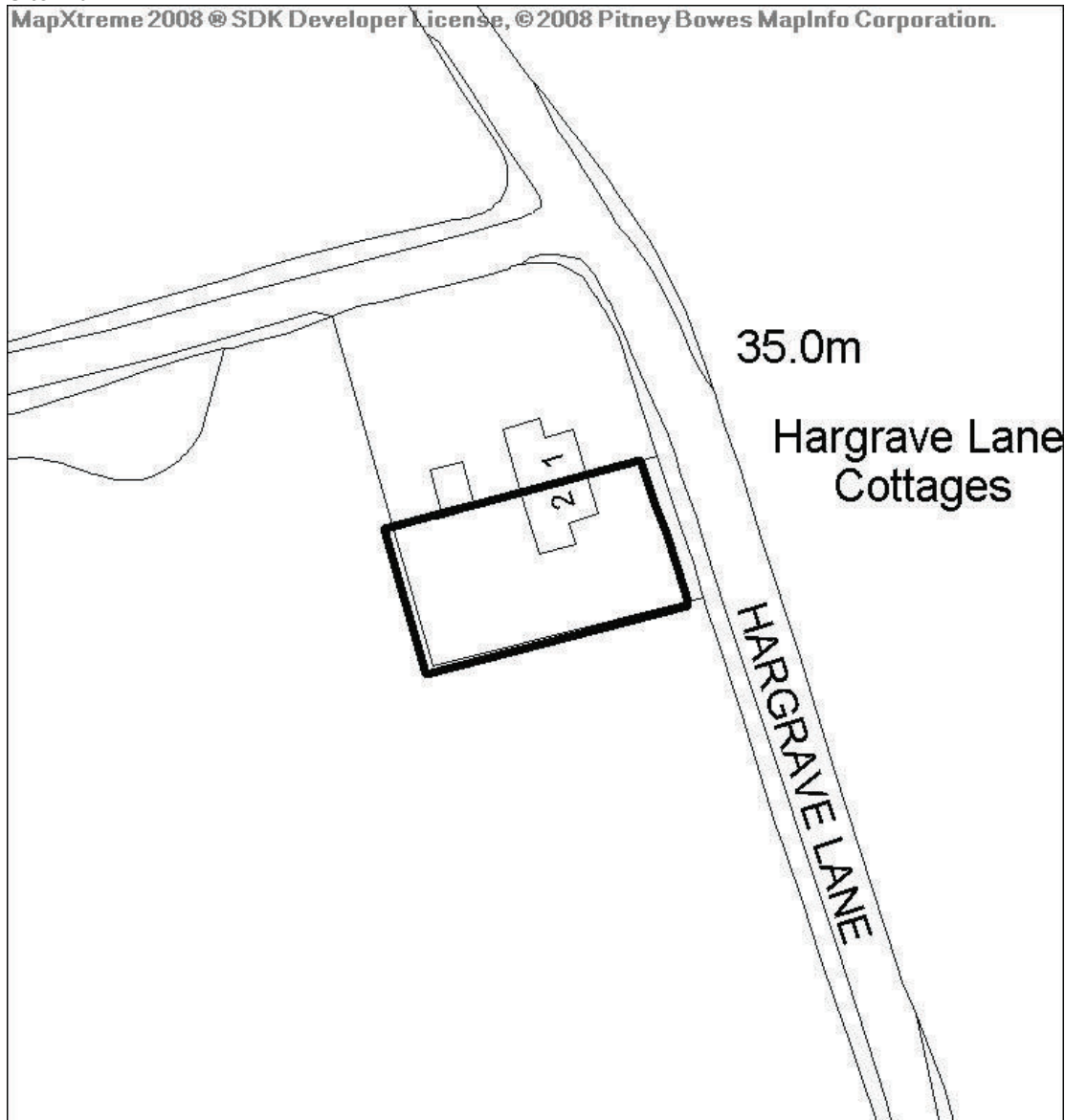
Case Officer:
Mr K Spilsbury

Ward:
Clatterbridge

Location: Brick Kiln Cottage, 2 HARGRAVE LANE, RABY, CH64 1RX
Proposal: Double storey side extension with side balcony (Resubmission of application APP/12/00506).

Applicant: Mr Ward
Agent : SDA

Site Plan:



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Development Plan allocation and policies:

Green Belt

Planning History:

APP/12/00506 Double storey side extension WITHDRAWN

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regard to the Council's Guidance on Publicity for Applications, five letters of notification were sent to the occupiers of adjoining properties. A Site Notice was also displayed. At the time of writing this report, no letters of objection have been received

CONSULTATIONS

The Director of Technical Services (Traffic and Transportation Division) - no objections.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application is submitted by SDA Architects and Surveyors, a partner and architect of which is an elected Member of the Council.

INTRODUCTION

The proposal is for the erection of a two storey side extension with a side balcony.

The scheme is a resubmission of a previously withdrawn application (APP/12/00506) that has been reduced in size following consultation with the local planning department.

PRINCIPLE OF DEVELOPMENT

The proposal is for a house extension within the green belt and as such is acceptable in principle subject to Policy GB5 of Wirral's Unitary Development Plan (UDP) and SPG11.

SITE AND SURROUNDINGS

The site comprises a semi detached property set within the rural context of Raby. The dwelling is a two storey cottage style property with a tile roof and a pebble dash facade. The site is set back from the road and well screened by mature trees and a hedgerow. There is a large garden to the rear of the site that is well screened by mature trees over 10m in height to the east.

POLICY CONTEXT

The proposal relates to a two storey side extension within the green belt.

Policy GB5 states: The extension of existing dwellings in the Green Belt will be permitted, provided that the floorspace of the resultant dwelling is no more than 50% larger than that of the habitable floorspace of the original dwelling, and subject also to the enlarged dwelling not having a harmful visual impact on its surroundings.

The existing floorspace of the dwelling is approximately 65m² and the proposed floorspace of the extension is 33m². Consequently the extension represents a 50.7% increase in habitable floorspace. It is considered that the proposed development is sympathetic in design and will not result in a detrimental impact upon the open character of the area.

SPG11 is also directly relevant in this instance. In its criteria for development of this nature it outlines that the extension should not result in a significant loss of privacy, daylight or sunlight to neighbouring properties nor be visually overbearing or dominant when viewed from adjoining houses. SPG11 states that it is always important to consider the specific character of the building to be extended and to take into account the context of the property. The size and scale of the resulting extension should not over dominate the existing dwelling.

APPEARANCE AND AMENITY ISSUES

The proposed two storey extension will occupy the land to the south of the property adjacent to the boundary with the open green belt land. The extension is sympathetic in design with a hipped roof

dormer.

The two storey extension represents an increase in the original floorspace of the dwelling but is not so extensive as to have an adverse impact upon the surrounding properties or harm to the green belt as it will be sited away from the nearest residential property and is also well screened by the large trees running along the boundary of the site..

The proposal is not considered to have an adverse impact on the amenities which the occupiers of neighbouring properties can reasonably expect to enjoy. The location of the balcony ensures that there will be no overlooking of adjacent property and is therefore in accordance with SPG11 and ensures that all surrounding properties have adequate outlook.

In summary, the proposal is not considered to have an adverse impact on neighbouring properties. The proposal is in keeping with the design of the original dwelling and ties in with the character of the building and surrounding area. The proposal is acceptable in terms of scale and design and complies with Policy GB5 and SPG11.

SEPARATION DISTANCES

SPG11 states that habitable room windows directly facing each other should be at least 21 metres apart. Main habitable room windows should be at least 14 metres from any blank gable. The proposal does not look out towards any residential properties as the site is surrounded by fields. The proposal is therefore not considered to result in direct overlooking to neighbouring properties.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no highway issues relating to this proposal. There is sufficient off street parking within the curtilage of the site.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is not considered to have a significantly detrimental impact on the amenities which the occupiers of the neighbouring properties can reasonably expect to enjoy in terms of loss of light or outlook. The proposed extension is not considered detrimental to the character or openness of the area. The proposal is acceptable in terms of scale and design, complies with the provisions of Policy GB5 - Extension of Existing Dwellings in the Green Belt of the adopted Wirral Unitary Development Plan and SPG11-House Extensions.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is not considered to have a significantly detrimental impact on the amenities which the occupiers of the neighbouring properties can reasonably expect to enjoy in terms of loss of light or outlook. The proposed extension is not considered detrimental to the character or openness of the area. The proposal is acceptable in terms of scale and design, complies with the provisions of Policy GB5 - Extension of Existing Dwellings in the Green Belt of the adopted Wirral Unitary Development Plan and SPG11-House Extensions.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building(s) hereby approved.

Reason: To safeguard the amenities of the occupiers of adjoining property and the area generally and to accord with Policy GB5 of the Wirral Unitary Development Plan.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no building, enclosure or swimming pool falling within Part 1, Class E, shall be erected on any part of the land.

Reason: To safeguard the amenities of the adjoining occupiers & appearance of the area and to accord with Policy GB5 of the Wirral Unitary Development Plan.

4. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 19 June 2012 and listed as follows:
49_2012_02 Rev A (dated 07.06.2012)

Reason: For the avoidance of doubt and to define the permission.

Further Notes for Committee:

Last Comments By: 18/07/2012 10:40:00

Expiry Date: 14/08/2012

Planning Committee

26 July 2012

Reference:
APP/12/00803

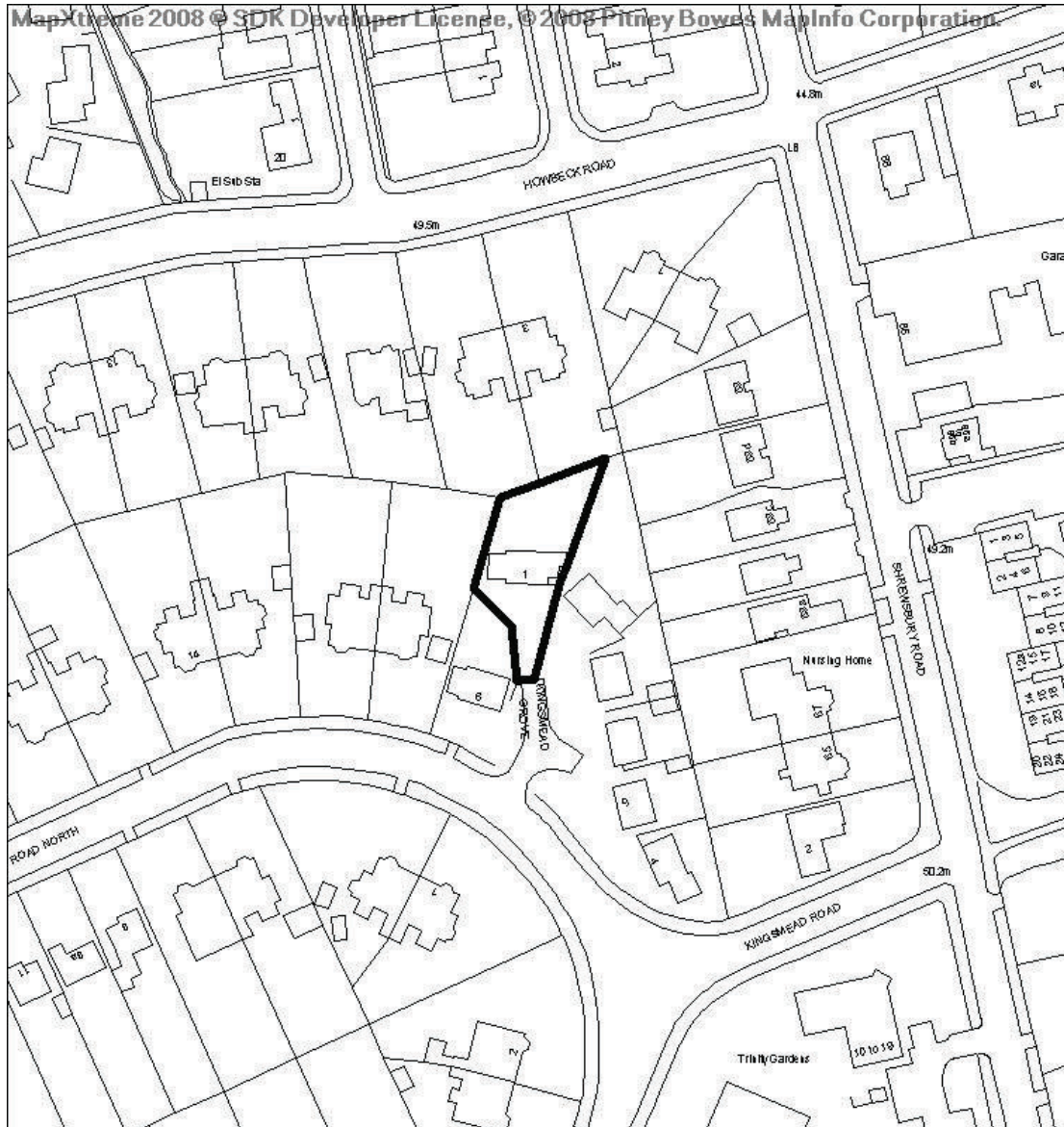
Area Team:
North Team

Case Officer:
Miss K Elliot

Ward:
Claughton

Location: 1 KINGSMEAD GROVE, OXTON, CH43 6XP
Proposal: First floor side extension and porch (Amended description)
Applicant: Mr R Burn
Agent : SDA

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area
Density and Design Guidelines Area

Planning History:

No relevant planning history.

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

Having regard to the Council's Guidance on Publicity for Applications, six letters of notification were sent to the occupiers of adjoining properties. A Site Notice was also displayed. At the time of writing this report, no representations had been received.

CONSULTATIONS

None required.

Director's Comments:**REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application is submitted by SDA Architects and Surveyors, a partner and architect of which is an elected Member of the Council.

INTRODUCTION

The proposal is for the erection of a first floor side extension.

PRINCIPLE OF DEVELOPMENT

The principle of the development is acceptable subject to the provisions of Policy HS11 (House Extensions) of Wirral's Unitary Development Plan and SPG11 (House Extensions).

SITE AND SURROUNDINGS

The site comprises a detached two storey dwelling in a small close of properties of similar design. The plot is tucked away at the head of Kingsmead Grove and is bounded by residential properties on all sides. The neighbouring properties to the side and rear of the site are larger three storey properties. Those adjoining the site in Kingsmead Grove are two storey like the application property. The property has an existing attached garage at the side. There is mature vegetation in front, and to the side, of the garage.

POLICY CONTEXT

The proposal relates to a first floor side extension, therefore Policy HS11 and SPG11 are directly relevant in this instance. In its criteria for development of this nature it outlines that where a two storey extension would occupy the gap between the side of the property and the common boundary, and the property is on a consistent building line and ground level, the first floor of the extension should be set back at least 1.5 metres from the common boundary; or at least 1 metre from the front elevation and 1 metre from the common boundary; or at least 2 metres from the front elevation. This is supplemented by SPG11 which recommends that they have a lower ridge height and retains 1 metre to the side boundary for maintenance purposes. In more general terms Policy HS11 and SPG11 state that the scale of the extension must be appropriate to the size of the plot, not dominating the existing building and not so extensive as to be unneighbourly. Front porches should be restricted in size and scale and be no more than one fifth of the front garden or 1.5 metres in depth.

APPEARANCE AND AMENITY ISSUES

The proposed first floor side extension will occupy the same footprint as the existing attached garage. This feature is already set back 1 metre from the principal elevation of the property and therefore the proposed extension will be also. The roof of the extension has been designed with a gable end to match the existing house and incorporates a lower ridge height in accordance with Policy HS11 and SPG11. The proposal is no closer to the common boundary than the existing garage and retains adequate spacing to the side. The proposed extension is considered to remain subordinate to the original property and does not over-dominate the host dwelling. The proposal will not be particularly visible within the general street scene due to the set back of the plot behind No.6.

In terms of the impact on the proposal on neighbouring properties, the main issues to consider are whether it will impact on outlook or privacy. The front and rear facing windows in the extension are relatively close to the boundaries with No.6 Kingsmead Grove and No.8 Kingsmead Road North

respectively. In order to protect the privacy of the occupiers of these neighbouring properties, a condition restricting the type of opening and glazing in the units is recommended. The positioning of the extension is not considered to compromise the outlook from the rear windows of No.8 Kingsmead Road North which retain a 45 degree outlook. The location of the first floor windows are acceptable and are not considered to result in a loss of privacy to the occupiers of neighbouring properties.

The proposed porch, which was not originally advertised in the description of the proposal, is no more than the recommended 1.5 metres in depth and is in proportion with the existing dwelling. It is not particularly obvious within the street scene and is in keeping with the design of the original house. In summary, the proposals are acceptable in terms of scale and design, meeting the requirements of Policy HS11 and SPG11. The proposed extension is not considered to have an adverse impact on the amenities which the occupiers of neighbouring properties can reasonably expect to enjoy. The proposal is in keeping with the design of the host dwelling and is therefore recommended for approval subject to conditions.

SEPARATION DISTANCES

SPG11 states that habitable room windows directly facing each other should be at least 21 metres apart. Main habitable room windows should be at least 14 metres from any blank gable. The proposed rear facing windows retain approximately 34 metres to properties at the rear of the site in Howbeck Road. The proposed front facing windows would be within 10 metres of the boundary with No.6 and therefore will be obscurely glazed to prevent direct overlooking in this direction. Due to the proximity of the front and rear windows serving the two en-suite rooms to the boundaries with neighbouring properties to the front and side, a condition has been recommended that these units are obscurely glazed and top opening only. There are no proposed side facing windows in the extension at first floor. The proposal is therefore not considered to result in direct overlooking to neighbouring properties.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is not considered to have a detrimental impact on the amenities which the occupiers of the neighbouring properties can reasonably expect to enjoy in terms of loss of privacy or outlook. The proposed extension is not considered detrimental to the character of the area. The proposal is acceptable in terms of scale and design, complies with the provisions of Policy HS11-House Extensions of the adopted Wirral Unitary Development Plan and SPG11-House Extensions.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is not considered to have a detrimental impact on the amenities which the occupiers of the neighbouring properties can reasonably expect to enjoy in terms of loss of privacy or outlook. The proposed extension is not considered detrimental to the character of the area. The proposal is acceptable in terms of scale and design, complies with the provisions of Policy HS11-House Extensions of the adopted Wirral Unitary Development Plan and SPG11-House Extensions.

Recommended Decision: Approve

Recommended Conditions and Reasons:

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 19 June 2012 and listed as follows: Drawing No.87_2012_01 (dated 23.05.2012) and Drawing No.87_2012_02 (dated 23.05.2012).

Reason: For the avoidance of doubt and to define the permission.

3. Prior to the extension being brought in to use, the windows in the north and south facing elevation of the first floor side extension hereby permitted shall be obscurely glazed and non-opening to a minimum height of 1.7 metres from the internal finished floor level, and shall be retained as such thereafter.

Reason: To safeguard the amenities of occupiers of adjoining properties and to comply with Policy HS11 of Wirral's Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 24/07/2012 15:46:29

Expiry Date: 14/08/2012

Planning Committee

26 July 2012

Reference:
ADV/12/00815

Area Team:
South Team

Case Officer:
Miss A McDougall

Ward:
Clatterbridge

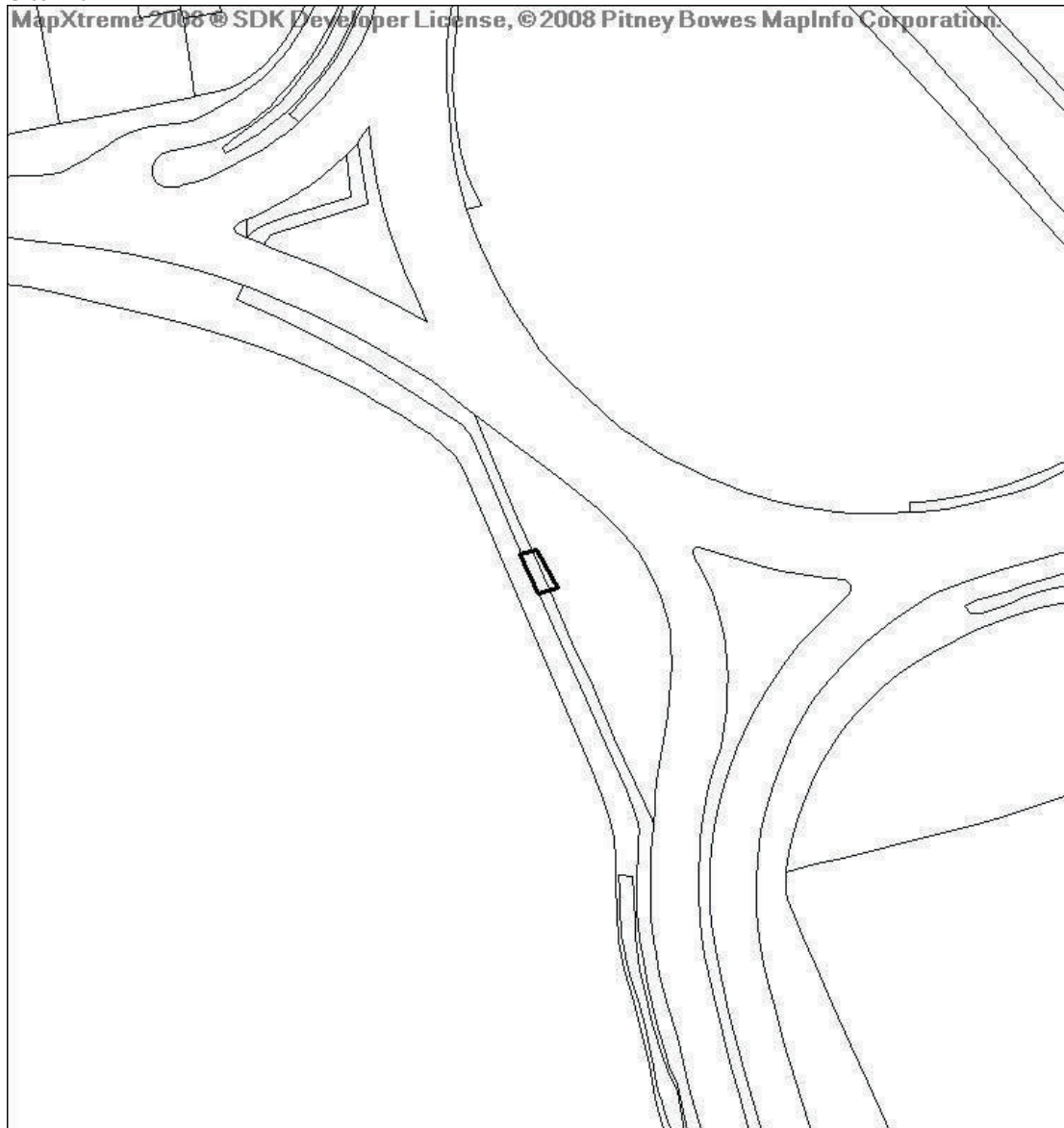
Location: Grass Verge between A5137(Brimstage Road) and B5151(Mount Road) Junction, Clatterbridge, Wirral

Proposal: Raised signage board on vertical supports with pitched roof canopy

Applicant: Thornton Holdings Ltd

Agent : SDA

Site Plan:



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Development Plan allocation and policies:

Green Belt
GB2
National Planning Policy Framework

Planning History:

No relevant planning history

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 2 notifications were sent to adjoining properties. At the time of writing this report 2 objections have been received on the following grounds:

1. Highway Safety
2. Green Belt Policy
3. Appearance

CONSULTATIONS:

The Director of Technical Services (Traffic & Transportation Division): Object due to distraction to drivers and siting on public highway.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application is submitted by SDA Architects and Surveyors, a partner and architect of which is an elected Member of the Council.

Councillor Sykes has requested that the application be removed from delegated powers due to the proposal being a distraction to drivers.

INTRODUCTION

The proposal is for advertisement consent for an informational/directional sign to Thornton Manor. The sign is located within a raised signage board that has a pitched roof including solar panels that will power the illumination of the sign.

PRINCIPLE OF DEVELOPMENT

The principle of erecting an advert is acceptable.

SITE AND SURROUNDINGS

The sign is located to the south west bend of the motorway roundabout between Mount Road and Brimstage Road, the siting of the sign is approximately 20m from the edge of the grass verge to the road as Mount Road exits onto the roundabout. The piece of land that the sign is proposed on faces toward the roundabout and is located within the Green Belt.

POLICY CONTEXT

The National Planning Policy Framework states; Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

GB2 Guidelines for Development in the Green Belt Policy

Within the Green Belt there is a general presumption against inappropriate development and such development will not be approved except in very special circumstances. Planning permission will not be granted for development in the Green Belt unless it is for the purposes of:

- (i) agriculture and forestry;

(ii) essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

(iii) the limited extension, alteration or replacement of existing dwellings, subject to Policy GB4 and Policy GB5;

(iv) the limited infilling in existing villages, subject to Policy GB6, including limited affordable housing subject to local community needs;

(v) the limited infilling or redevelopment of major existing developed sites identified under Proposal GB9;

Such appropriate development shall not damage the visual amenities of the Green Belt by virtue of its siting, materials or design.

APPEARANCE AND AMENITY ISSUES

The sign itself is located within a raised structure that has a height of 4.8m to the top of the pitched roof, the sign has two raised legs which has a width of 3.4m, the bottom of the sign itself is 1.3m from ground level. The sign is illuminated from solar panels mounted on the pitched roof.

The sign is mounted on a large free standing structure near to a pedestrian walkway facing the motorway access roundabout within the designated Green Belt, the siting of a sign of this scale in this locality has an overbearing visual effect onto the surroundings.

Having regard to the impact onto the Green Belt, the sign itself has not been deemed appropriate however the development as it stands is unacceptable by reason of having a negative visual impact onto the amenities of the Green Belt by virtue of its siting and scale.

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

HIGHWAY/TRAFFIC IMPLICATIONS

This proposal is likely to be a distraction to drivers on the adjacent highway by virtue of its size and design.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

CONCLUSION

The scale and siting of the sign structure is unacceptable having regard to the guidance set out in the NPPF and Wirral's UDP Policy GB2.

Recommended Refuse
Decision:

Recommended Conditions and Reasons:

1. The siting, scale and appearance of the sign would result in a feature that is negative and overbearing and its visual impact onto the surroundings is unacceptable. The proposal would therefore detract from visual amenity and is contrary to the National Planning Policy Framework and Wirral's UDP Policy GB2
2. The proposal would create a distraction to highway users by virtue of its size and design, the sign is therefore unacceptable having regard to highway and public safety. The proposal is contrary to the National Planning Policy Framework

Last Comments By: 23/07/2012 10:33:01

Expiry Date: 15/08/2012

WIRRAL COUNCIL

PLANNING COMMITTEE

26TH JULY 2012

| | |
|--------------------------------------|--|
| SUBJECT: | ERECTION OF SINGLE STOREY CHICKEN SHEDS AND FEED/STORAGE SHEDS, AND THE EXCAVATION OF A POND AT A SITE ADJACENT TO 151 MILL LANE, GREASBY, CH49 3NT |
| WARD/S AFFECTED: | GREASBY, FRANKBY AND IRBY |
| REPORT OF: | DIRECTOR OF REGENERATION, HOUSING & PLANNING |
| RESPONSIBLE PORTFOLIO HOLDER: | COUNCILLOR PAT HACKETT |
| KEY DECISION? | NO |

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to advise members of the erection of a number of single storey chicken sheds and feed/storage sheds (9 no. in total), and the excavation of a pond at a site adjacent to 151 Mill Lane, Greasby, CH49 3NT. Together, the structures and development comprise a 'poultry compound' that is located on hardstanding to the northern boundary of the land identified in the map provided.

2.0 RECOMMENDATION

2.1 No expediency for enforcement action.

3.0 REASONS FOR RECOMMENDATION

3.1 Whilst the site does not benefit from agricultural permitted development rights, being below the size threshold of 4 hectares required by the Town and Country Planning (General Permitted Development) Order 1995, the nature of the development is considered to be appropriate in the Green Belt, given the agricultural purpose to which they are designed. The scale, design and materials utilised within the compound are not considered to be out of character with the surroundings or wider rural landscape character, comprising a series of small wood-and-wire structures, and a modest pond. Nor is it considered that the development impact to the openness of the Green Belt, or to the purposes of including land within it, having regard to the National Planning Policy Framework and UDP Policy GB2.

3.2 A portion of the development site shares a boundary with an adjoining residential property, Iona, and there are residential properties to the south and

west (though separated by some distance). Given this, consideration must be given to the impact to residential amenity, having regard to the criteria of UDP Policy AG5: Criteria for Agricultural Nuisances, which requires the Local Planning Authority to be satisfied that the potential for nuisance to residents or other users of non-agricultural land and property nearby can be brought within acceptable limits before permission is granted. UDP Policies HS11: House Extensions and HS15: Non-Residential Development in Primarily Residential Areas might also be considered relevant, establishing criteria for the assessment of harm to residential amenity from built development adjoining it.

- 3.3 The scale of development is not considered unacceptable having regard to these policies – the heights of the structures are modest by comparison to residential permitted development allowances for example (though this is not a residential curtilage), whilst their ‘livestock’ capacity is very limited, naturally limiting the potential for nuisance. There is a separation distance of approximately 15m from the shed to the nearest residential property, Iona, avoiding overbearance or significant impact to the outlook and enjoyment of that property. The party boundary between the two properties is characterised by fencing and screen vegetation, which negates the potential for impact from the structures to the garden space of Iona. Given this, it is no conflict is found with adopted UDP Policies.

4.0 BACKGROUND AND KEY ISSUES

The following is a brief outline of the recent planning history at the site:

1. An enforcement complaint was received 01st November 2006, the complaint being made at ‘the formation of a race track and the erection of poles (floodlights)’.
2. Planning Application APP/2007/6444 received 06th July 2007, for ‘construction of an all weather horse arena’. This application was granted permission by the Council’s Planning Committee on 14th December 2007.
3. Lawful Development Certificate LDC/2008/6081 received 18th June 2008 seeking a certificate ‘for existing use of land and erection of stables incidental to the enjoyment of the dwellinghouse’. A certificate was issued 3rd November 2008.
4. Lawful Development Certificate LDC/2009/5196 received 05th March 2009 seeking a certificate ‘for existing use of land as residential curtilage incidental to the enjoyment of the dwellinghouse’. A certificate was not issued, and the decision to refuse was notified to the applicant on the 15th September 2009. An appeal against the refusal of LDC/2009/5196 was started in November 2009, but withdrawn on 20th April 2010.
5. Planning Application APP/2010/00597 received 14th May 2010, for ‘change of use of land to domestic curtilage’. This application was granted permission by the Council’s Planning Committee 02nd December 2010.
6. Lawful Development Certificate LDC/2011/01209 received 10th October 2011, seeking a certificate for an existing static residential caravan, for a series of existing chicken sheds, feed store, storage sheds and pond that form a poultry compound, storage container and extension to the existing barn. A certificate was issued in relation to some elements of development at the site

on 11th January 2012 – it was accepted that a metal container, barn extension and a covered area/shed were lawful and immune from enforcement action.

7. Planning Application APP/2011/1210 received 10th October 2011, for a 'field shelter'. This application was granted permission 22nd December 2011.

It should be noted that none of the above permissions granted or the Certificates issued give permission or confirm the lawfulness of the poultry compound considered here.

The hardstanding upon which the compound structures are located is not considered to require planning permission, given that permitted development rights enable an agricultural holding to develop hardstanding up to an area of 465 square metres. Similarly, the chicken run areas associated with the sheds would benefit from permitted development rights set out within Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 1995 which allows the erection, construction, maintenance, improvement or alteration of a gate, fence, wall, or other means of enclosure up to a height of 2.0m.

- 4.1 Whilst the initial enforcement case at the site related to works being undertaken on another part of the land, site visits and correspondence with a number of complainants during the course of the above applications has informed the current assessment of the site.
- 4.2 Whilst agents acting on behalf of the owner of the site have indicated that a planning application might be submitted to regularise the development, no application has been forthcoming to date.
- 4.3 The agents have contended that some of the sheds might be considered to fall outside the definition of development, being 'temporary' in nature by virtue of their construction, and that other parts of the compound might be lawful by virtue of the length of time they have remained in situ. No Certificate of Lawfulness application has been submitted, however, and evidence submitted to the Local Planning Authority by complainants conflicts with this latter argument, and as such a decision must be taken whether it is expedient to pursue enforcement action.
- 4.4 Given the location, scale and setting of the compound, if an application were to be submitted it is considered that the development would be supported and granted planning permission. The scale of the development is minimal and is appropriate development in the Green Belt. The development does not cause harm to neighbouring residential amenity or the character of the area.
- 4.5 For the reasons set out above, it is considered that there is no expediency to take enforcement action against the development.

5.0 RELEVANT RISKS

5.1 None relevant.

6.0 OTHER OPTIONS CONSIDERED

6.1 None relevant.

7.0 CONSULTATION

7.1 None required.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 There are no direct implications for the above.

9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

9.1 There are no direct implications for the above.

10.0 LEGAL IMPLICATIONS

10.1 There are no direct implications for the above.

11.0 EQUALITIES IMPLICATIONS

11.1 None relevant

11.2 Equality Impact Assessment (EIA)

(a) Is an EIA required? No

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no direct implications for the above.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no direct implications for the above.

REPORT AUTHOR: **Matthew Rushton**
Principal Planning Officer
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APPENDICES

OS Plan

REFERENCE MATERIAL

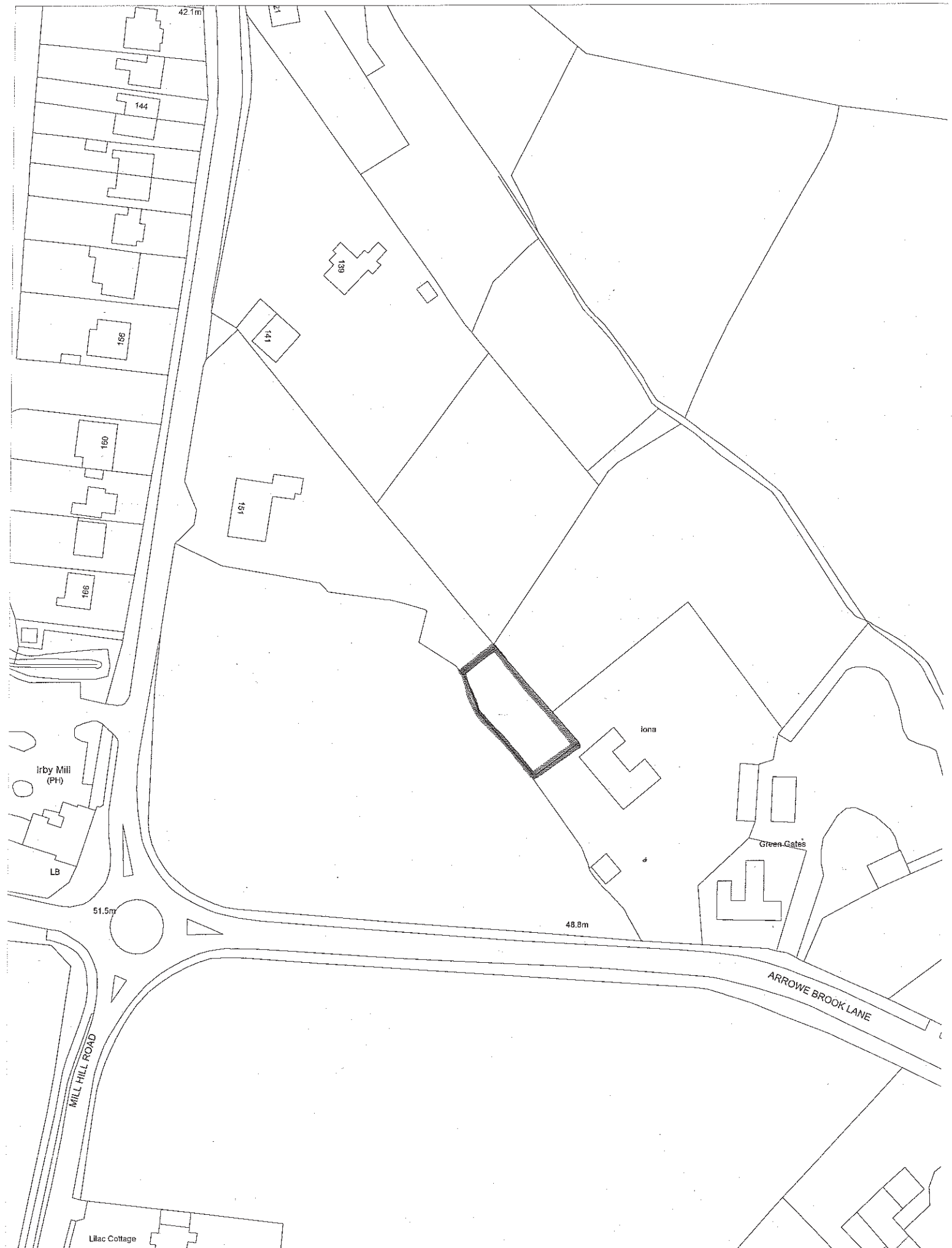
None

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|---|--------------------|
| Planning Committee – consideration of application | 14th December 2007 |

| | |
|---|--------------------------------|
| APP/2007/6444 for 'construction of an all weather horse arena'. | |
| Planning Committee – consideration of application APP/2010/00597 for 'change of use of land to domestic curtilage'. | 02 nd December 2010 |

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WIRRAL COUNCIL

PLANNING COMMITTEE

26 JULY 2012

| | |
|--|--|
| SUBJECT: | NO EXPEDIENCY FOR ENFORCEMENT ACTION AGAINST THE ERECTION OF TWO-STOREY SIDE EXTENSION AT 19 STANLEY AVENUE, HIGHER BEBINGTON NOT IN ACCORDANCE WITH APPROVED PLANNING APPLICATION APP/07/06709 |
| WARD/S AFFECTED: | BEBINGTON |
| REPORT OF: | DIRECTOR OF REGENERATION, HOUSING & PLANNING |
| RESPONSIBLE PORTFOLIO HOLDER: | COUNCILLOR PAT HACKETT |
| KEY DECISION? <i>(Defined in paragraph 13.3 of Article 13 'Decision Making' in the Council's Constitution.)</i> | NO |

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to advise members of the erection of two-storey side extension at 19 Stanley Avenue, Higher Bebington, which has not been built in accordance with the approved planning application reference APP/07/06709. It is recommended that there is no expediency to take enforcement action against the extension.
- 1.2 The extension as built is materially different to the approved plans. The differences include a single window has been inserted in the front elevation rather than the two windows shown on the plan, a single garage door rather than two smaller garage doors, an additional velux rooflight and coining details.

2.0 RECOMMENDATION

- 2.1 It is not expedient to take enforcement action.

3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 The site comprises a dwellinghouse located within the Mountwood conservation area as set out in Wirral's Unitary Development Plan 2000.

- 3.2 The alteration to a single window, the single garage door and velux window are considered acceptable in scale and design and are not considered to harm the character of the original building or the character of the conservation area. Whilst previous planning applications for a single garage door were refused planning permission (APP/05/07618 and APP/06/05989) there are no Permitted Development restrictions on the property. It is considered these amendments could be done without requiring planning permission under the Town and Country Planning (Permitted Development) Order 2008.
- 3.3 The coining details to the front elevation of the extension require planning consent. Whilst the alterations do not represent an original feature to the character of the original property, the house is categorised as having a neutral impact on the conservation area. Therefore it is not considered the coining detail is harmful to the original building or to the character of the conservation area. It is the opinion of the Local Planning Authority that a refusal of the extension as constructed could not be upheld.
- 3.4 For these reasons it is considered that there is no expediency to take enforcement action against the development.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 A complaint was received on 26th November 2009 regarding the erection of the development at 19 Stanley Avenue not in accordance with the approved planning application APP/07/06709.
- 4.2 A site visit was conducted and it was noted that the extension was materially different to the approved plans. The differences included a single window has been inserted rather than the two windows shown on the plan, a single garage door rather than two smaller doors, an additional velux rooflight and coining details.
- 4.3 The Council wrote to the owner of the property 30 November 2010 requesting a planning application to retain the extension. The Council also met with the owners and their agent to discuss the proposal. To date no planning application has been received.

5.0 RELEVANT RISKS

- 5.1 I am not aware of any direct risks

6.0 OTHER OPTIONS CONSIDERED

- 6.1 The Council wrote to the owner on 30 November 2012 inviting a planning application for the retention of the extension. To date no application has been received.

7.0 CONSULTATION

- 7.1 None required.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 There are no opportunities to involve voluntary, community and faith organisations.

9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

9.1 There are no direct financial , I.T., staffing or assets implications.

10.0 LEGAL IMPLICATIONS

10.1 There are no direct legal implications.

11.0 EQUALITIES IMPLICATIONS

11.1 None relevant.

11.2 Equality Impact Assessment (EIA)

- | | |
|---------------------------------------|-----|
| (a) Is an EIA required? | No |
| (b) If 'yes', has one been completed? | N/A |

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no direct carbon usage implications or other relevant environmental issues.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no direct community safety implications.

REPORT AUTHOR: Sarah Lacey
Planning Officer
telephone: (0151) 606 2503
email: sarahlacey@wirral.gov.uk

APPENDICES

OS Plan Attached

REFERENCE MATERIAL

The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008
Policy HS11 House Extensions and CH2 Development Affecting Conservation Areas of the adopted Wirral Unitary Development Plan (2000)

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|------------------------|-------------|
| None Applicable | |



Appendix 1

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WIRRAL COUNCIL
PLANNING COMMITTEE
 (26TH JULY 2012)

| | |
|--|---|
| SUBJECT: | 30 DARMONDS GREEN, WEST KIRBY – NON- ACCORDANCE WITH APP/2007/6826 |
| WARD/S AFFECTED: | WEST KIRBY AND THURSTASTON |
| REPORT OF: | DIRECTOR OF REGENERATION, HOUSING & PLANNING |
| RESPONSIBLE PORTFOLIO HOLDER: | COUNCILLOR PAT HACKETT |
| KEY DECISION? <i>(Defined in paragraph 13.3 of Article 13 'Decision Making' in the Council's Constitution.)</i> | NO |

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to advise members of the non-accordance with an approved planning application at No.30 Darmonds Green, West Kirby. It is recommended that there is no expediency to take enforcement action.

2.0 RECOMMENDATION

2.1 No expediency for enforcement action.

3.0 REASON/S FOR RECOMMENDATION

3.1 The original planning application was for the construction of two storey rear and side extensions and other alterations at No.30 Darmonds Green. The proposal involved a first floor extension above an existing ground floor outrigger and the reconfiguration of the existing single storey outrigger at the rear of the property. The site is within a Primarily Residential Area and therefore Policy HS11 (House Extensions) and SPG11 are directly relevant in this instance.

3.2 The alterations made to the extensions are not considered to significantly alter the appearance of the proposal and it remains proportionate to the existing dwelling and large plot. The proposal, as constructed, is not considered to have an increased impact on the amenities, which the occupiers of neighbouring residential properties can reasonably expect to enjoy in respect of a loss of privacy or outlook. The works are not considered to compromise the open appearance of the corner plot and have been finished to a high standard.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 The initial complaint was received on 21st June 2010. Following a number of unsuccessful attempts to gain access to the property, and several letters requesting contact from the owner, a site investigation took place on 22nd May 2012. During the visit it was found that there were some discrepancies in the extensions as constructed when compared to the approved plans. These alterations include an increase in the width of the two storey extension by 1 metre and the insertion of an additional garage door at ground floor level. The roof over the new two storey bay window (bedroom 2) has also been altered and instead of being conjoined to the main roof of the house, a gully has been left between the two sections. In order to regularise the changes made, a new planning application was requested in a letter to the owner on 24th May 2012. Contact was made with the owner but no application was submitted within the initial 21 days and therefore a second letter was sent on 15th June 2012 requesting the same. No application has been received within the given time scale.
- 4.2 In terms of the criteria set out in Policy HS11, it states that the scale of the extension should be appropriate to the size of the plot, not dominating the existing building and not so extensive as to be unneighbourly. This is supplemented by SPG11, which states that extensions on corner plots should not exceed half the width of the original house or that of the side garden. The house is situated in an elevated position and at an angle to the road. The dwelling is an L-shaped design and the front door is located within the recessed area facing in to the site. The increase in the width of the extension is not considered to over-dominate the existing building and is no more than half the width of the original house when viewed from Darmonds Green. The extension also retains a good separation distance to both boundaries with Belmont Road and Darmonds Green. It is not considered to compromise the open appearance of the corner plot or appear imposing within the street scene. The inclusion of an additional garage floor in this part of the extension is considered acceptable and does not materially change the appearance of the extension.
- 4.3 The alterations to the roof design over the bay window are also not considered to adversely affect the appearance of the extension. The changes made do not impact on the immediate adjoining property at No.28 and replicate a feature of the existing property. If an application had been submitted for the changes made to the originally approved application, this would have been supported.
- 4.4 The works as completed do not differ significantly from the originally approved plans in the context of the house and its large plot. The increase in the width of the extension is not particularly noticeable in the street scene and the aesthetic changes to the roof of the bay window and alterations to the garage doors have no additional impact on neighbouring properties. The proposal as constructed is therefore not considered to result in loss of privacy or create any direct overlooking as a result. The revisions to the proposals are also considered acceptable in design terms.
- 4.5 For the reasons set out above, it is considered that there is no expediency to take enforcement action against the development.

5.0 RELEVANT RISKS

5.1 None relevant.

6.0 OTHER OPTIONS CONSIDERED

6.1 None relevant.

7.0 CONSULTATION

7.1 None required.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 There are no direct implications for the above.

9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

9.1 There are no direct implications for the above.

10.0 LEGAL IMPLICATIONS

10.1 There are no direct implications for the above.

11.0 EQUALITIES IMPLICATIONS

11.1 None relevant

11.2 Equality Impact Assessment (EIA)

(a) Is an EIA required? No

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no direct implications for the above.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no direct implications for the above.

REPORT AUTHOR: **Katie Elliot**
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APPENDICES

OS Plan

REFERENCE MATERIAL

Initial Council letter dated 10th November 2011

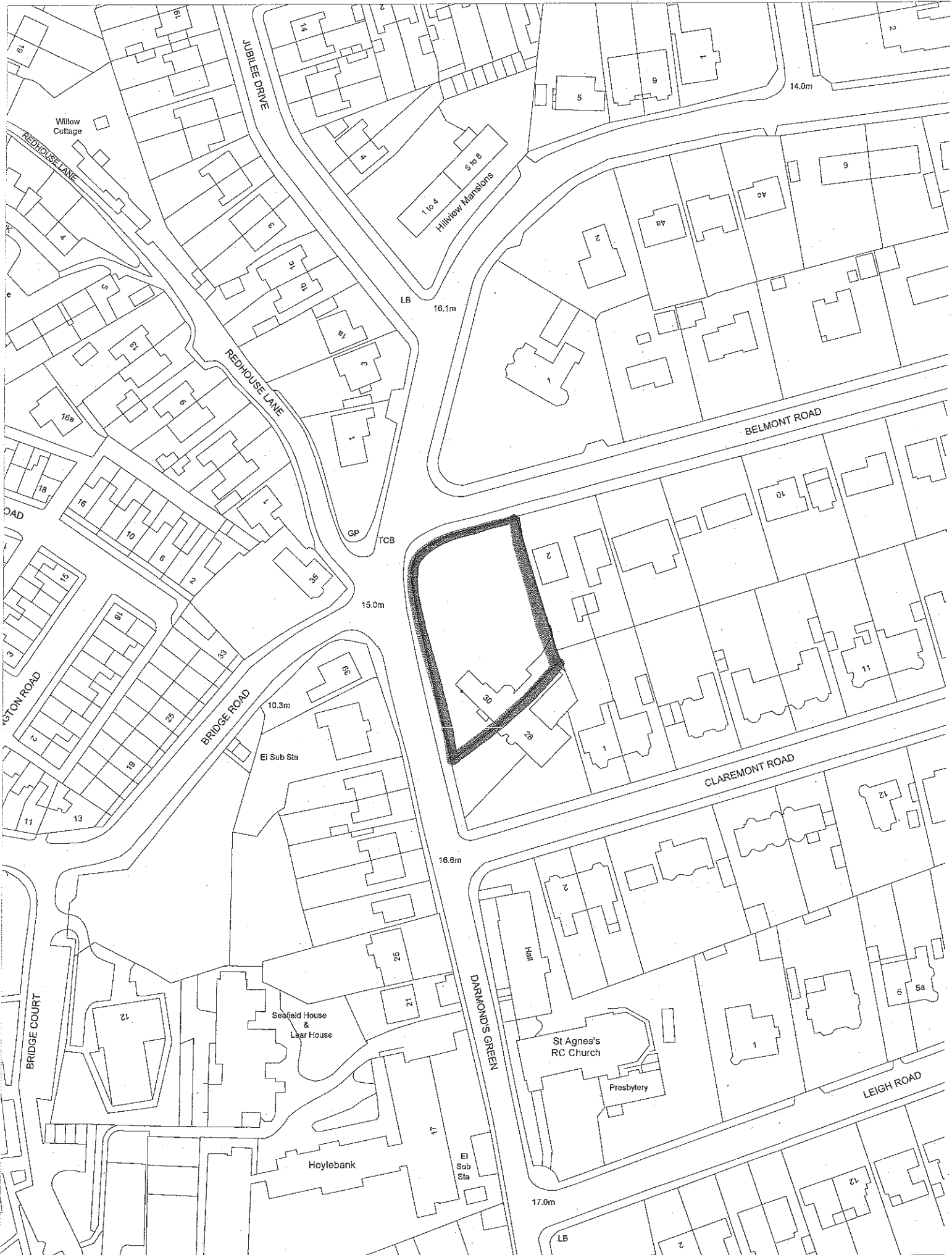
Further Council letter 17th January 2012

Follow up Council letter 13th April 2012

Site Investigation 22nd May 2012
Second follow up Council letter 24th May 2012
Contact from owner 29th May 2012
Follow up Council letter 15th June 2012

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|------------------------|-------------|
| None Applicable | |



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WIRRAL COUNCIL
PLANNING COMMITTEE
26 JULY 2012

| | |
|--------------------------------------|--|
| SUBJECT: | NO EXPEDIENCY FOR ENFORCEMENT ACTION AGAINST THE ERECTION OF A DETACHED OUTBUILDING AT 100 GARDEN HEY ROAD, SAUGHALL MASSIE |
| WARD/S AFFECTED: | MORETON WEST AND SAUGHALL MASSIE |
| REPORT OF: | DIRECTOR OF REGENERATION, HOUSING & PLANNING |
| RESPONSIBLE PORTFOLIO HOLDER: | COUNCILLOR PAT HACKETT |
| KEY DECISION? | NO |

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to advise members of the erection of an outbuilding measuring 3.5 metres in height adjacent to the rear boundary. It is recommended that there is no expediency to take enforcement action against the outbuilding.

2.0 RECOMMENDATION

2.1 It is not expedient to take enforcement action.

3.0 REASON/S FOR RECOMMENDATION/S

3.1 The site comprises a dwellinghouse located within the green belt as set out in Wirral's Unitary Development Plan 2000. The property has a long rear garden measuring 60 metres in length, and the proposed outbuilding is at the bottom of the garden on the footprint of a previous outbuilding. The immediate vicinity is characterised by residential properties with long rear gardens and there is a garden nursery to the west with associated outbuildings.

3.2 There are no permitted development restrictions and as such the property can erect detached outbuildings without requiring planning permission on the provision the footprint does not exceed 50% of the total area of the curtilage (excluding the original dwelling), does not come forward of the principle elevation of the original dwelling, is no higher than 4 metres in the case of a dual pitch roof or 2.5 metres within 2 metres of the boundary.

- 3.3 The outbuilding is incidental to the enjoyment of the dwellinghouse. It is no more than 50% of the total area of the curtilage. The outbuilding is to the rear of the property and will not harm the amenity of the streetscene. Whilst it is 3.5 metres in height adjacent to the curtilage boundary, it remains over 40 metres away from the nearest residential property.
- 3.4 The outbuilding by reason of its size and separation distances is not considered to result in an overdominant structure that would form a visually obtrusive feature, or result in overlooking or loss of privacy to neighbouring properties.
- 3.5 For these reasons it is considered that there is no expediency to take enforcement action against the development.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 A complaint was received on 14th October 2010 regarding the erection of a detached building to the rear of 100 Garden Hey Road. A further complaint was lodged regarding the storage of waste materials on the site.
- 4.2 A site visit was conducted on 26th April 2012 and it was noted that the measures 3.5 metres in height. No evidence was found of storage of waste materials.

5.0 RELEVANT RISKS

- 5.1 I am not aware of any direct risks

6.0 OTHER OPTIONS CONSIDERED

- 6.1 The Council wrote to the owner on 26 April 2012 inviting a planning application for the retention of the outbuilding. To date no application has been received.

7.0 CONSULTATION

- 7.1 None required.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 8.1 There are no opportunities to involve voluntary, community and faith organisations.

9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 9.1 There are no direct financial implications.

10.0 LEGAL IMPLICATIONS

- 10.1 There are no direct legal implications.

11.0 EQUALITIES IMPLICATIONS

11.1 None relevant.

11.2 Equality Impact Assessment (EIA)

(a) Is an EIA required? No

(b) If 'yes', has one been completed? N/A

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no direct carbon usage implications or other relevant environmental issues.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no direct community safety implications.

REPORT AUTHOR: Sarah Lacey
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APPENDICES

OS Plan Attached

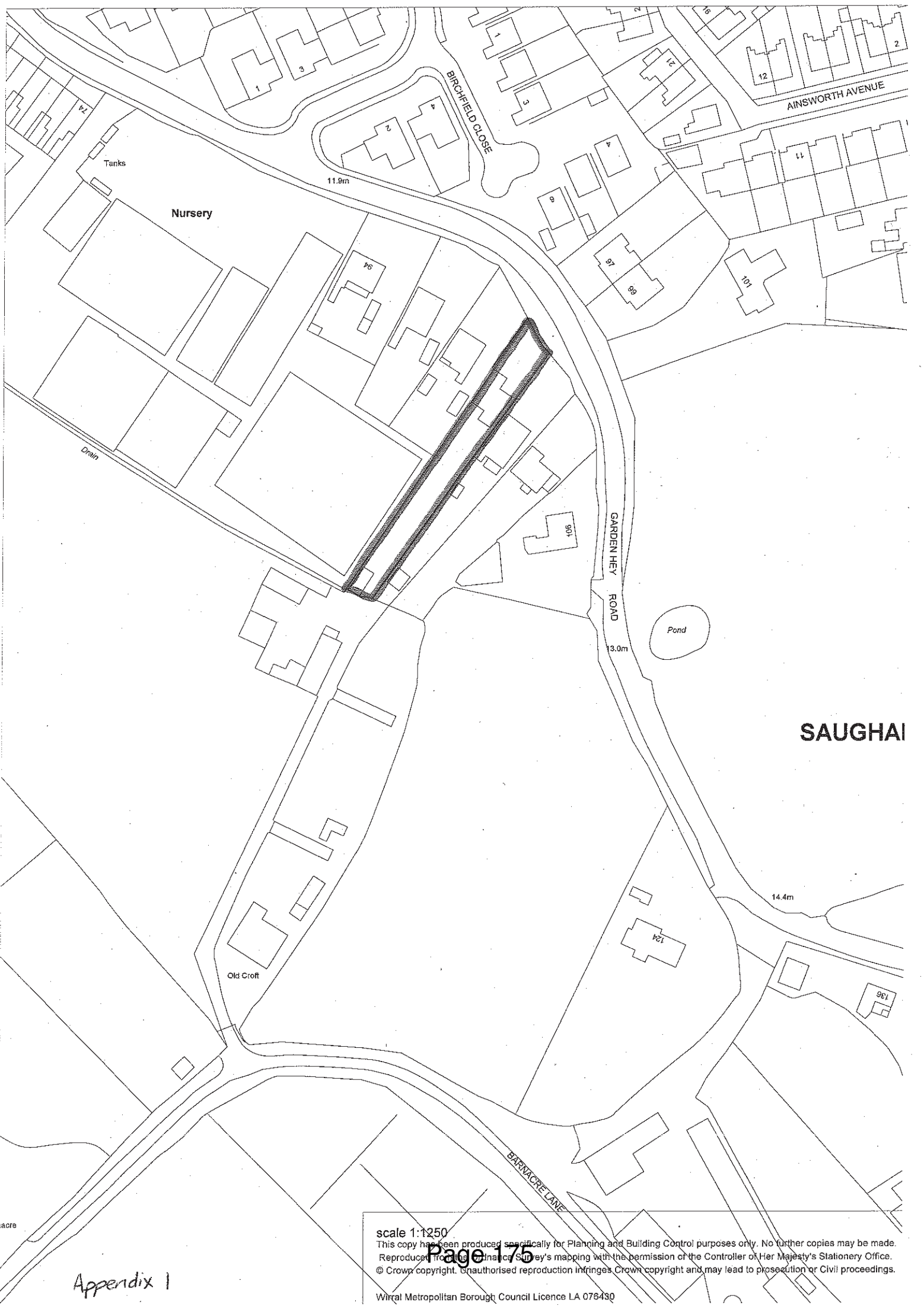
REFERENCE MATERIAL

The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008
Policy HS11 House Extensions of the adopted Wirral Unitary Development Plan (2000)

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|-----------------|------|
| None Applicable | |

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Appendix 1

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WIRRAL COUNCIL

PLANNING COMMITTEE

26TH JULY 2012

| | |
|--|--|
| SUBJECT: | 117 BANKS ROAD, WEST KIRBY – NON- ACCORDANCE WITH APP/2007/6879 |
| WARD/S AFFECTED: | WEST KIRBY AND THURSTASTON |
| REPORT OF: | DIRECTOR OF REGENERATION, HOUSING & PLANNING |
| RESPONSIBLE PORTFOLIO HOLDER: | COUNCILLOR PAT HACKETT |
| KEY DECISION? | NO |

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to advise members of the non-accordance with an approved planning application at No.117 Banks Road, West Kirby. It is recommended that there is no expediency to take enforcement action.

2.0 RECOMMENDATION

- 2.1 No expediency for enforcement action.

3.0 REASON/S FOR RECOMMENDATION

- 3.1 The original planning application was for the reconstruction of an existing two storey outbuilding in connection with the existing shop at No.117 Banks Road. The proposal retained the same footprint and dimensions as the original outbuilding, which had fallen in to a state of disrepair. The site is within West Kirby town centre and therefore Policy SH1 (Criteria for Development in Key Town Centres) and part 2 of the National Planning Policy Framework are directly relevant in this instance.
- 3.2 The approved planning application specified an existing rear entrance being omitted, and the retention of the existing window and door openings in the rear elevation of the outbuilding, which face on to an alleyway at the rear of the site. A new door and window opening have been inserted in the rear elevation of the building however it is considered that this has no significant impact on the neighbouring residential property at No.1 South Road or on the character of the building.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 The initial complaint was received on 8th February 2011. An initial site investigation took place on 10th November 2011 and during the visit it was found that there were some minor discrepancies in the building as constructed when compared to the approved plans. These alterations include the insertion of an additional door and a substitute window for a door at ground floor level. In order to regularise the relatively small nature of the changes made, a non-material amendment application was requested in a letter to the owner on 3rd April 2012. No application was submitted within the initial 21 days and therefore a second letter was sent on 18th May 2012 requesting the same. No application has been received within the given time scale.
- 4.2 The works as completed do not differ significantly from the originally approved plans and would have been supported had an application for a non-material amendment been submitted. The door is in virtually the same position as a previous doorway and the window, which has been substituted for the door shown on the original plans, faces in to the alleyway. The residential property immediately facing the proposal at No.1 South Road has an obscurely glazed window in its gable end but this is positioned at a higher level than all of the openings in the outbuilding. The proposal as constructed is therefore not considered to result in a loss of privacy or create any direct overlooking as a result. The proposals are also considered acceptable in design terms and do not cause demonstrable harm to the character of the building.
- 4.3 For the reasons set out above, it is considered that there is no expediency to take enforcement action against the development.

5.0 RELEVANT RISKS

- 5.1 None relevant.

6.0 OTHER OPTIONS CONSIDERED

- 6.1 None relevant.

7.0 CONSULTATION

- 7.1 None required.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 8.1 There are no direct implications for the above.

9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

9.1 There are no direct implications for the above.

10.0 LEGAL IMPLICATIONS

10.1 There are no direct implications for the above.

11.0 EQUALITIES IMPLICATIONS

11.1 None relevant

11.2 Equality Impact Assessment (EIA)

(a) Is an EIA required? No

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no direct implications for the above.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no direct implications for the above.

REPORT AUTHOR: **Katie Elliot**
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APPENDICES

OS Plan

REFERENCE MATERIAL

Site investigation 10th November 2011
Initial Council letter dated 3rd April 2012
Contact from owner 10th April 2012
Further Council letter 18th May 2012

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|------------------------|-------------|
| NOT APPLICABLE | |

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WIRRAL COUNCIL

PLANNING COMMITTEE

26 July 2012

| | |
|--------------------------------------|---|
| SUBJECT: | ADOPTION OF THE OXTON CONSERVATION AREA MANAGEMENT PLAN. |
| WARD/S AFFECTED: | OXTON |
| REPORT OF: | DIRECTOR OF REGENERATION, HOUSING & PLANNING |
| RESPONSIBLE PORTFOLIO HOLDER: | COUNCILLOR PAT HACKETT |
| KEY DECISION? | NO |

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to inform Members of the completion of the Conservation Area Management Plan for the Oxton Conservation Area. Wirral Council has prepared the Management plan in partnership with The Oxton Society.
- 1.2 The Authority has a statutory duty to protect and enhance the character of conservation areas and to preserve its listed buildings in accordance with National Guidance contained in the National Planning Policy Framework (NPPF) and other guidance. In order to meet those obligations, we need to develop policies which identify clearly what features of the area should be preserved or enhanced and set out how this can be done. Character appraisals provide a clear assessment and definition of an area's particular interest and management plans set out the action needed to protect it. Within this, the most important policy is a presumption against the loss of elements which have been identified in the character appraisal as making a positive contribution to the special interest for which the area was designated. The Management Plan and Character Appraisal documents for Oxton will eventually sit alongside the conservation policies contained within the Local Development Framework.

2.0 RECOMMENDATIONS

- 2.1 For Members to approve the adoption of the Management Plan as a material reference in planning and conservation matters, and that this report is referred to Cabinet for approval.

3.0 BACKGROUND

- 3.1 Oxton Conservation Area was designated in 1979, and the designation has been instrumental in preserving the historic buildings within its boundary. However, policies over and above the Council's Unitary Development Plan (UDP) and general planning policies are required in order to promote the enhancement and conservation of particular features that are under threat.
- 3.2 The Oxton Conservation Area Appraisal was adopted by Wirral Council in 2010. The recommended boundary amendments were the subject of a further Committee Report, adopted in July 2011. The next stage of the process of affording protection for the built heritage of Oxton is the formal adoption of the Management Plan.
- 3.3 The use of such plans is set out in the Government's publication, "Guidance on the Management of Conservation Areas" and "Valuing Places: Good Practice in Conservation Areas". The Management Plan itself reflects the contents of the Oxton Conservation Area Appraisal, which sets out the special character of Oxton, the threats to it and the opportunities for enhancement in the longer term.
- 3.4 The format of the Plan has been based on similar plans already adopted for other conservation areas in Wirral, broadened here in order to take account of the complexity of the Oxton CA and its circumstances. Both the material and structure of the Plan reflects the content of discussions with the Oxton Society over the past two years.
- 3.5 The Oxton Society cannot represent everybody within the designated area, but enjoys a substantial local membership and has a constructive relationship with the Local Authority. After recommending a series of amendments to the text, the Society has written to the Authority and has offered its support for the adoption of the Plan.
- 3.6 The partnership with the Oxton Society and the wider community is crucial if the objectives of the Plan are to be achieved. If the environment of Oxton is to be maintained and enhanced, it will require the commitment, co-operation and support of all residents.
- 3.7 In terms of planning controls, the Management Plan sets out the criteria against which all development and all proposals affecting the historic environment should be considered by the Authority. The document must be consulted alongside other local and national planning and conservation guidance. This Plan does not introduce any additional planning controls - it merely offers some more specific advice on how the present controls can be employed more effectively.
- 3.8 The impetus to the adoption of the Management Plan has been the extension of the Conservation Area in line with the recommendations contained within the Character Appraisal, this being successfully concluded in summer 2011. It made sense to defer the compilation of the Management Plan until the Area had been formally extended.

4.0 THE OXTON CONSERVATION AREA AND ITS MANAGEMENT

- 4.1 The built heritage of Oxton is extraordinarily diverse, ranging from pre-industrial cottages to polite Edwardian developments, commercial businesses and post-war housing. In and amongst these developments lie a variety of curious and irregular spaces, landscaping, trees, roads and alleyways.
- 4.2 Each aspect of the area's character needs to be protected. The appraisal sets out the contribution of each type of asset within Oxton and the Management Plan gives an indication of how this should be enhanced and protected. The aim of the guidance is to:
- (i) encourage all Council departments and associated organisations and the local community to work in tandem to help realise conservation objectives.
 - (ii) provide guidance to home and business owners on how policies might be developed and implemented to support successful conservation - through conscientious design, choice of materials and constructional elements, landscaping, archaeology, and an improved public realm.
- 4.3 In terms of alteration and loss of features, an Article 4 Direction would help to strengthen controls. Until a Direction has been adopted, it should be possible to promote the retention of more features through education and the use of planning enforcement under existing powers. For example, planning permission is required in advance of making material alterations such as changes to windows and doors on non-dwelling houses, i.e. flats or commercial premises etc. Similarly, Conservation Area Consent is required for the removal of more than 50% of a front boundary wall, occasionally taken down in order to create off-road parking to the great detriment of the street scene.

5.0 PUBLIC CONSULTATION

- 5.1 The contents of the Management Plan have been publicised on the Council's website since December 2011, with an advertisement placed in the local paper in early Spring 2012. No adverse comments have been received. A public notice was placed in a local paper in February 2012 and this has not solicited any comments. There are few practical implications of the Plan for residents, the approach being centred on future curatorial policy for a variety of agencies and groups.
- 5.2 The Oxton Society has responded with a written submission supporting the adoption of the Management Plan, and has made some recommendations regarding a slight re-drafting of some sections - this has been carried out in line with their wishes. One of the Society's principal comments was to highlight the importance of the Area's sandstone walls in creating a harmonious and traditional street scene, and of the need to address these features specifically rather than simply grouping them in with the assemblage of historic building features within each property.

6.0 POLICY IMPLICATIONS

6.1 The NPFF sets out the Government's objectives for the historic environment and the reasons for its conservation. This document is integral to plan making and is an important material consideration, alongside adopted local planning policies, when assessing development that will affect a heritage asset, including conservation areas.

6.2 Local policies including Wirral's UDP Policy CH01: The Protection of Heritage, CH2: Development Affecting Conservation Areas, Policy CH3 Demolition Control with Conservation Areas and Policy CH7 Oxtown Village Conservation Area, will be reinforced by the Management Plan.

6.3 Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that it shall be the duty of a Local Planning Authority "from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are Conservation Areas." It is considered appropriate to introduce the Management Plan in order to improve opportunities for enhancement and preservation within the designated area.

6.4 Section 72 of the Act states that, "In the exercise, with respect to any buildings or other land in a Conservation Area, of any functions under or by virtue of any of the provisions mentioned in subsection, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area." The Management Plan provides guidance on precisely how this might be achieved.

6.5 English Heritage's "Understanding Place: Conservation Area Designation, Appraisal and Management" (2011) provides a comprehensive discussion on the benefits of good practice in Conservation Areas. The production of the Plan is in accordance with this guidance.

7.0 FINANCIAL AND STAFFING IMPLICATIONS

7.1 The Plan has already been produced and would remain in force until it was edited, re-written or withdrawn. There are no further staffing implications.

8.0 EQUAL OPPORTUNITY IMPLICATIONS / EQUALITY IMPACT ASSESSMENT

8.1 There are no implications arising directly from this report under this heading.

9.0 HEALTH IMPLICATIONS / IMPACT ASSESSMENT

9.1 There are no implications arising directly from this report under this heading.

10.0 COMMUNITY SAFETY AND LOCAL AGENDA 21 IMPLICATIONS

10.1 There are no implications arising directly from this report under this heading

11.0 ANTI-POVERTY IMPLICATIONS

11.1 There are no implications arising directly from this report under this heading

12.0 SOCIAL INCLUSION AND HUMAN RIGHTS IMPLICATIONS

12.1 There are no implications arising directly from this report under this heading

13.0 LOCAL MEMBER SUPPORT IMPLICATIONS

13.1 This document will be of interest to Ward Members for Oxton and the Members assigned to the Oxton Conservation Area.

14.0 BACKGROUND PAPERS

- Conservation Area Appraisal for Oxton Conservation Area (2010)
- English Heritage Guidance on the Management of Conservation Areas (2006)
- National Planning Policy Framework (March 2012)

Kevin Adderley

Director of Regeneration, Housing and Planning

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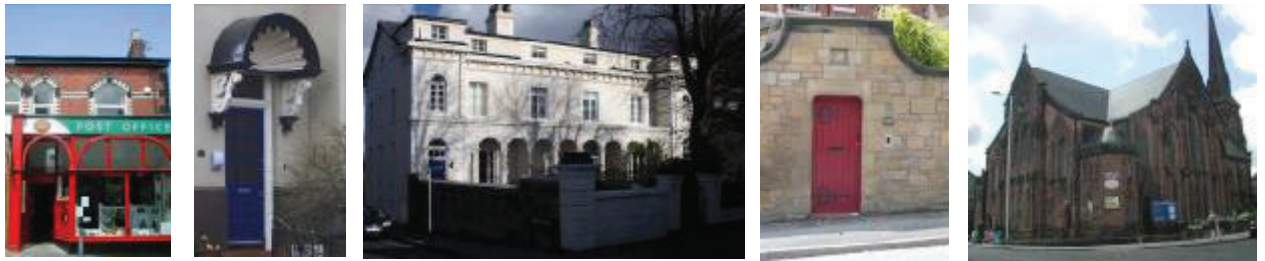
REFERENCE MATERIAL

Oxton Village Conservation Area Appraisal:
<http://www.wirral.gov.uk/my-services/environment-and-planning/builtconservation/conservation-areas/oxton-village>

Draft Management Plan, here attached.

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|---|-----------------------|
| Planning Committee (item 60): Proposed Adoption of the Oxton Conservation Area Appraisal - ADOPTED | 10 August 2010 |



OXTON VILLAGE CONSERVATION AREA MANAGEMENT PLAN

Prepared by Wirral Council in conjunction with The Oxton Society
Final version 2012-07

SECTION 2 – CONSERVATION AREA MANAGEMENT PLAN

- 1.0 BACKGROUND TO THE STUDY**
- 2.0 ROLE OF THE MANAGEMENT PLAN AND IMPLEMENTATION**
- 3.0 SUMMARY OF SPECIAL INTEREST**
- 4.0 THE PLANNING POLICY CONTEXT**
- 5.0 ISSUES, POLICIES AND RECOMMENDED ACTIONS**
- 6.0 ARTICLE 4 DIRECTIONS**

APPENDICES

- A Map A showing existing conservation area boundary outlined in red**
- Map B showing locations of Listed Buildings**
- Map C showing locations of Study zones**
- Map D showing contributions of Boundary Walls**
- Map E showing contribution of trees to the street scene**
- Map F showing building contributions to the Conservation Area**
- Map G showing proposed extensions to the Conservation Area**

PREFACE

1 Background to the Study

This management plan has been prepared by Wirral Council in partnership with The Oxton Society. It follows on from the Conservation Area Appraisal prepared by Donald Insall Associates, adopted by the Council in 2010, and the boundary changes therein recommended. The Society has provided much information and support to the local authority and the content of this document is partly a reflection of that process.

2 Role of the Management Plan and Implementation

The plan is underpinned by the appraisal, which provides the evidence-base and analysis to support the recommended policies and actions in the following sections. The appraisal document, in addition to identifying the special character of Oxton Village highlights some threats and challenges to its survival - some real, others potential. It is in part the purpose of the management plan to help create a culture of co-operative working between the local authority and partner organisations, in part by fostering an appreciation of Oxton's heritage and the demands that its appropriate conservation places on all organisations, public and private.

The aim of the guidance is to:

- (i) encourage the need for all Council departments and associated organisations, e.g. statutory undertakers to work in tandem to help realise conservation objectives.
- (ii) to provide guidance to home- and business owners on how policies might be developed and implemented to support successful conservation.
- (iii) encourage the need for further research and investigations to be undertaken to support specific needs, e.g. traffic management.

This guidance is based in part on the English Heritage publication "Guidance on the Management of Conservation Areas", published in 2006, and its follow-up document, "Valuing Places: Good Practice in Conservation Areas".

3 Summary of Special Interest

The special interest of Oxton Conservation Area is not easy to summarise as it contains a surprising degree of variety within a compact urban area. This is reflected later in this analysis by the use of smaller 'character

zones' within the whole CA.

The key elements of this special interest may be summarised as follows:

- Variety within a limited range of building development forms
- Sense of seclusion from the greater urban area of Birkenhead
- General high quality of buildings and structures
- unifying effect of historic sandstone walls which bind together a diverse range of building types.
- Heavy tree canopy providing green-ness and a good air quality
- Generally small scale but unexpected large mature dwellings
- A rural remnant
- Openness towards the edges, but compactness in the middle
- A largely intact early – mid 19th C idyll

4 The Planning Policy Context

Since the 1967 Civic Amenities Act local authorities have been empowered to designate as Conservation Areas those areas within their districts which were considered 'special'. The subsequent Planning (Listed Buildings and Conservation Areas) Act of 1990 consolidated those powers and defined Conservation Areas as:-

"areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance".

Such areas are diverse. They may be large or small; residential or commercial; civic or industrial; old or relatively modern. They may represent social ideals or civic pride. They may be specifically designed or speculatively produced; modest or grand. They may contain Listed Buildings of architectural or historic interest or may simply have local historic association. However, common to all will be an identifiable environmental quality that should be protected from unsympathetic redevelopment or alteration.

Wirral Council has designated 25 Conservation Areas throughout the Borough reflecting the variety of building styles and environments exhibited within its borders.

The content of the Planning (Listed Buildings and Conservation Areas) Act 1990 is clarified by national Planning Policy Statement 5 (PPS5): Planning and the Historic Environment. This document places a distinct emphasis on significance, now given equal prominence to considerations of character, to which latter characteristic the legislation still principally refers. PPS5 contains a new emphasis on local distinctiveness and undesignated assets, such as unscheduled

archaeology, landscapes and artistic values, and replaces former PPGs 15&16.

The principles of these documents are further supported by Wirral Council's local Heritage Conservation policies contained within its adopted Unitary Development Plan (February 2000).

Forthcoming LDF

Wirral Borough Council will progressively replace the adopted UDP with the Local Development Framework (LDF) for the Borough. The LDF Core Strategy is at an advanced stage of preparation and sets out the Council's long-term planning and development priorities. Following its adoption a series of more detailed documents will set out the local and site specific implications.

The emerging Core Strategy has identified the protection of local distinctiveness and high quality design as important policy objectives. Subsequent LDF documents, including Settlement Area policies will contain specific conservation and design policies, updated to reflect the present day challenges of traditional buildings and townscapes, and reflecting the content of appraisals and management plans.

5.0 ISSUES, POLICIES AND RECOMMENDED ACTIONS

5.1 UNITARY DEVELOPMENT PLAN AND OTHER EXISTING PLANNING POLICY

5.1.1 The vast majority of land within Oxton is classed as 'Primarily Residential', but with commercial businesses operating from the village centre, and there being some green spaces also, e.g. the bowling green. Interim policies, which will be replaced by the emerging Core Strategy, currently restrict the potential for new dwellings for sale on the open market, although there is no specific impediment to the creation of new "affordable" housing. Applications for planning permission would be assessed for compliance with the policies set out in the Council's UDP and in particular policies CH01, CH1, CH2 and CH7 as set out in Section 11, as well as Supplementary Guidance Notes, e.g. SPG21, and alongside any general strategic policies in the emerging Core Strategy.

5.1.2 The emerging Core Strategy proposes to formally designate the village centre as a Local Centre for neighbourhood level shops and services to serve everyday needs.

DESIGNATION OF LAND WITHIN THE LDF

| Issue | Location |
|--|-----------------|
| The future re-designation of land within or around the conservation area in the Local Development Framework may be detrimental to its character or setting. | Throughout |
| Policy | |
| The future re-designation of land within or around the conservation area in the Local Development Framework should be considered in terms the effects on of its special character and setting. | |
| Action | Priority |
| Consider special character of area and its appropriate management, undertake appropriate consultation and develop specific conservation policies before any proposed changes are realised. | Mid-long-term |

| APPLICATION AND INTERPRETATION OF EXISTING AND FUTURE POLICY | |
|---|-----------------|
| Issue | Location |
| Policies CH01, CH1, CH2 and CH7, together with the guidance in PPS5, may not always be rigorously applied during the planning process, resulting in development or changes to buildings which are detrimental to the character of the conservation area. | Throughout |
| Policy recommendation | |
| Ensure that all new development within the conservation area complies with policies CH01, CH1, CH2 and CH7, SPG 21 (including prospective LDF policies), together with the relevant sections of PPS5 and other government guidance. | |
| Action | Priority |
| Rigorous inspection of planning, conservation area and listed building consent applications. Improve allocated resources and knowledge of planning, heritage and conservation staff to ensure that proper consideration is given to these issues in applications. | Immediate |

5.2 NEW DEVELOPMENT AND ALTERATION TO EXISTING BUILDINGS AND SITES

- 5.2.1 In the event of new development being allowed under the criteria set out above, the following recommendations are made regarding the quality and character of new development, scale, materials, and effect on views:

QUALITY OF NEW BUILDINGS

| Issue | Location |
|--|-----------------|
| Any potential buildings constructed within the conservation area may not be of an equal quality and do not have the design attributes of the historic buildings that characterise the area, therefore cannot be shown to be preserving or enhancing its character. | Throughout |
| Policy recommendations | |
| In any new development within the Oxton Conservation Area, there should be a presumption in favour of using traditional materials such as red or London buff brick, natural buff sandstone, lime stucco render, timber joinery, slate and cast iron / lead / zinc for rainwater goods. | |
| Any new buildings should match the quality of materials and level of architectural design of the original buildings. | |
| The use of contrasting modern materials of the highest quality may be appropriate if it can be satisfactorily demonstrated that they do not have an adverse effect on the setting of neighbouring existing buildings. | |
| The use of imitation materials such as poor quality reconstituted stone or artificial slate should not be permitted. | |
| Action | Priority |
| Use more stringent design criteria in determining future planning applications and require that all applications are accompanied by relevant design details including materials, sections and schedules of work / method statements. | Immediate |

| SCALE, MASSING, POSITION OR PROPORTIONS OF NEW BUILDINGS | |
|--|-----------------|
| Issue | Location |
| New buildings may detract from existing buildings in terms of their scale, massing, position or proportions.\ | Throughout |
| Policy recommendations | |
| New buildings generally should be no higher than existing buildings comparable within their immediate vicinity in terms of both their eaves and ridge heights. | |
| New buildings should respect the footprint sizes of existing neighbouring buildings and their relationships with each other (spacing), the road and their site boundaries. | |
| New buildings should match the floor-to-ceiling heights and general proportions of existing neighbouring historic buildings. | |

| Action | Priority |
|--|-----------|
| Promote an understanding of the special qualities of the conservation area. Use more stringent design criteria in determining future planning applications and require that all applications are accompanied by relevant design details. | Immediate |
| | |

| EFFECT OF DEVELOPMENT ON KEY VIEWS | |
|--|------------|
| Issue | Location |
| New development or extensions to existing buildings may adversely affect key views within, or the setting of, the conservation area. | Throughout |
| Policy recommendation | |
| Applications for planning permission for new development or significant extensions to existing buildings within the conservation area must demonstrate, where appropriate, that key views or the setting of the conservation area are not adversely affected, by incorporating contextual street elevations and CAD projections. | |
| Action | Priority |
| Take into account the impact of any proposed new building on the key views, for example those identified in the Character Appraisal, when determining planning applications | Immediate |

5.2.2 SPG 16 “Landscaping and New Development” and SPG 17 “Trees and Development” set out guidance on landscaping throughout Wirral. The following are matters which have been identified as particular issues in the Oxton Village Conservation Area:

| LANDSCAPING ASSOCIATED WITH NEW OR EXISTING BUILDINGS | |
|--|------------|
| Issue | Location |
| Oxton has a rich and well appreciated arboriculture and mature gardens – its contribution needs to be acknowledged in any development scheme. Poor or inappropriate landscaping around new buildings or extensions to existing buildings can detract from the character of the area. | Throughout |
| Policy recommendations | |
| A detailed landscaping scheme should be submitted with any planning application for new buildings or significant alteration to existing sites. | |

| <p>The magnitude of necessary car parking should be considered alongside the level of occupation of any proposed building. Schemes for buildings that require an extent of car parking / number of cars that will detract from the character of the conservation area should be rejected.</p> | |
|---|------------------|
| <p>New buildings should preserve existing areas of mature trees and other landscaping. Where any trees are removed, they should be replaced with semi-mature trees of the same or more appropriate species (e.g. native).</p> | |
| Action | Priority |
| <p>Use more stringent landscape and urban design criteria in determining future planning applications and require that all applications for substantial new built development are accompanied by full landscaping schemes.</p> | <p>Immediate</p> |

| PROTECTION, RETENTION AND PROVISION OF HEDGES AND TREES | |
|---|-------------------|
| Issue | Location |
| <p>To maintain and enhance the character of the area attention needs to be paid to the retention of trees and boundary hedges.</p> | <p>Throughout</p> |
| Policy recommendations | |
| <p>Trees which contribute to the character of the conservation area should be retained and if needing to be removed for reasons of health, replaced by trees of appropriate species and maturity.</p> | |
| <p>Planting of further trees and hedges of native species should be promoted, particularly in areas devoid of such trees and hedges. The Oxton Society's Tree Group has been a valued partner in preserving the diverse arboricultural interest of Oxton, and the tradition of close co-operation between this group and the local authority should be further fostered.</p> | |
| Action | Priority |
| <p>Promote an understanding of the special qualities of hedges and trees within the conservation area. Use more stringent design criteria in determining future planning applications and require that all applications are accompanied by clear proposals for the treatment of trees and hedges and any replacement planting. Encourage the use of Tree Preservation Orders and review existing TPOs to ensure that they are still relevant and consider whether new TPOs are needed to protect significant elements of the area's mature landscaping.</p> | <p>Immediate</p> |

5.2.3 Extensions to dwellings are covered by Policy HS 11 in the UDP in terms of house extensions. The policy covers matters relating to scale, materials, design details, dormers, set backs of extensions and retention of amenity space. The following are additional matters which have been identified as particular issues in the Oxton Village Conservation Area:

| EXTENSIONS TO BUILDINGS | |
|---|-----------------|
| Issue | Location |
| Extensions to buildings within the conservation area may detract from the significance of the individual building or the setting of adjoining buildings. | Throughout |
| Policy Recommendations | |
| Extensions to those buildings that have been shown to contribute to the conservation area should only be permitted where it can be satisfactorily demonstrated that the additional structure has no adverse impact on the principal elevations of the parent structure. Extensions should be subservient to the parent building | |
| The choice of the materials of the extension should be considered so as to provide the minimum visual distraction from the original structure. Generally, it should be assumed that materials should match in terms of colour and texture. Traditional and/or natural materials such as sandstone, brick, timber, lead / zinc / iron, terracotta on and slate should be used unless an alternative can be adequately justified in terms of its visual effect on the conservation area. Where buildings are extended using traditional forms and materials, the subtle dating of the new element should be encouraged. | |
| Where a building has existing detrimental features, the opportunity should be taken to secure improvements as part of the new building work. | |
| There should be a strong presumption against extensions that adversely affect the balance of pairs or groups of buildings that have symmetry and visual balance as one of their original predominant design characteristics. | |
| Dormers, if acceptable, should be confined to rear elevations, situated below the ridge and of a scale and design appropriate to the building on which they are mounted. | |
| Action | Priority |
| Use more stringent design criteria in determining future planning applications taking into account the approach outlined above. | Immediate |

5.2.4 In carrying out conversions or alterations to the fabric of buildings and boundaries the following good conservation practice should be applied:

| ALTERATION TO THE FABRIC OF HISTORIC BUILDINGS | |
|--|-------------------------------|
| Issue | Location |
| Alterations to the historic fabric of a building can lead to the loss of some of its visual history and aesthetic value and can be detrimental to the visual setting of the area as a whole. | All higher category buildings |
| Policy recommendations | |
| Where alterations can be justified to be necessary for the continued use of the building they should be prioritised towards the less significant areas of the building. | |
| Alterations should be chosen that require the least possible degree of permanent loss of or change to historic fabric. For instance, secondary glazing should be installed in preference to the wholesale replacement of existing windows. | |
| Where replacement of existing original or early fabric is proven necessary it should always be done on a like-for-like basis where possible, not exchanging materials for modern alternatives. | |
| Existing original or early features should be retained if at all possible. Where their replacement is necessary, it should be on a like-for-like basis in terms of materials and design. Any changes to primary features such as historic windows, doors, chimneys should be avoided if at all possible. | |
| Action | Priority |
| Use more stringent design criteria in determining future planning applications and require that all applications are accompanied by relevant design details. Prepare guidance leaflets for local residents. Consider the introduction of an Article 4 Direction to remove permitted development rights on undesignated buildings as and when resources permit. To work with the Oxton Society to create a register of significant historic buildings, and their valuable features, to assist with their ongoing preservation and enhancement. Take enforcement action where appropriate. | Immediate |

| INSTALLATION OF NEW FIXTURES | |
|---|-----------------|
| Issue | Location |
| Particular care should be taken in the use and location of microgeneration equipment to minimise intrusion on the | All buildings |

| | |
|---|-----------------|
| building or its setting. | |
| Policy recommendation | |
| The installation of rooflights and solar panels into existing roof slopes should not generally be permitted unless it can be demonstrated that they are not visible from public areas or adversely affect the setting of other buildings. Any rooflights installed should be of a 'conservation' type and fixed flush with the roof covering. | |
| Building owners should be strongly encouraged to only install satellite dishes and aerials in positions not visible from public areas or adversely affect the setting of other buildings | |
| Building owners should be strongly encouraged not to install ventilators and other fixtures onto roof slopes or prominent elevations. Where they are absolutely necessary their visual impact should be minimised in terms of their location, number, size and design. | |
| Whilst microgeneration of energy is to be encouraged in terms of conservation principles, the impact on buildings and their settings within the conservation area should be minimised by careful positioning on building elements and locations not visible from public areas. | |
| Action | Priority |
| Use more stringent design criteria in determining future planning applications and require that all applications are accompanied by relevant design details. Take enforcement action where appropriate. The relevant planning policies should be rigorously applied. | Short term |

| | |
|--|-----------------|
| LOSS OR ALTERATION TO BOUNDARY WALLS | |
| Issue | Location |
| The loss of or alteration to boundary walls, traditional gates and gateposts could affect a significant feature of the character of the conservation area and detract from its integrity. | Throughout |
| Policy recommendation | |
| All existing historic boundary walls and gateposts should be retained. Alteration as part of any planning permission should only be permitted in exceptional circumstances and when fully justified and mitigated. Should be a strong presumption in favour of resisting the loss of traditional boundary walls and vegetation in order to create accesses or forecourt parking. | |
| Action | Priority |

| | |
|---|-----------|
| Consider the introduction of an Article 4 Direction, as and when resources permit, to selectively remove permitted development (pd) rights on works to sandstone walls. Continue to work with the Oxton Society to create a register of the location and condition of all historic walls and gate posts to assist in their ongoing preservation and enhancement. Take enforcement action where the majority of a wall has removed unlawfully in excess of that allowed under pd rights. | Immediate |
|---|-----------|

| CHANGES OF USE | |
|---|-----------------|
| Issue | Location |
| Changes of use of an existing building (subject to existing policy) can result in a number of incremental changes which result in an adverse effect on the conservation area. | All buildings |
| Policy recommendation | |
| In considering applications for change of use, the council will require information on the design of refuse storage, waste pipes, ventilation fixtures, satellite dishes and aerials, any other fixtures, servicing, signage and car parking. | |
| Action | Priority |
| Promote an understanding of the special qualities of the conservation area. Use more stringent design criteria in determining future planning applications and require that all applications are accompanied by relevant design details. | Immediate |

5.3 GENERAL GUIDANCE AND IMPROVEMENTS

5.3.1 The following are recommendations relating to building condition, management of the public realm, highway matters, and involvement of local groups in securing improvements to the Conservation Area. They have major implications in terms of staff resource and finance but are set out as an agenda for future action.

| CONDITION / MAINTENANCE OF EXISTING PUBLIC REALM AREAS | |
|---|-----------------|
| Issue | Location |
| The existing public realm areas may be insufficiently maintained or specified and act as a poor example to conservation area residents. | Throughout |

| Policy recommendation | |
|---|-----------------|
| The existing public realm areas should be maintained and where necessary replanted / resurfaced to a standard that befits the conservation area and enhances the setting of the existing buildings. | |
| Action | Priority |
| Regularly monitor condition of public realm areas, identify improvements and agree action with other Council departments and statutory undertakers. | Short-term |

| DETRIMENTAL CHANGES TO LISTED BUILDINGS | |
|--|------------------|
| Issue | Location |
| There have in the past been a number of detrimental changes to listed buildings, such as insertion of replacement windows and changes to chimneys, boundary walls and roof coverings. These are not only detrimental to the appearance of the individual buildings and their immediate setting, but they are also setting a poor precedent to other building owners. | Listed buildings |
| Policy recommendation | |
| Owners of listed buildings should be notified of unauthorised changes to their buildings. Where evidence is available, (e.g. in the form of dated photographs) enforcement should be taken to ensure the reinstatement of the original fabric unless retrospective consent can be given. | |

| CONDITION OF INDIVIDUAL SITES AND BUILDINGS | |
|--|-----------------|
| Issue | Location |
| The condition of an individual site or building can be detrimental to the appearance of the area and may set a poor example to other owners. | Throughout |
| Policy recommendation | |
| The local authority should serve section 215 notices on owners of buildings or land whose condition adversely affects the amenity of the area, requiring them to remedy the detriments or face the necessary costs for the local authority to do so. | |
| Under section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Urgent Works Notices should be used to secure emergency or immediate repairs on any unoccupied building (or part of a building) within a Conservation Area where it adversely affects the character of the area. Where the building is unlisted a direction from the Secretary of State will be required. | |
| Use Empty Property Legislation to secure the proper security, stability and | |

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|--|-----------------|
| <p>eventual constructive reuse of problem buildings and sites.</p> <p>Continue to issue guidance leaflets to all residents and businesses within the conservation area explaining the benefits of good, regular maintenance and appropriate repair techniques.</p> | |
| Action | Priority |
| <p>Regularly visit the conservation area, noting any sites or buildings in a poor condition. Serve relevant notices where appropriate.</p> | <p>Ongoing.</p> |

| HIGHWAYS - SURFACES, MARKINGS AND SIGNAGE | |
|--|----------------------------|
| Issue | Location |
| <p>Highway markings and signage can be visually intrusive and detrimental to its character and appearance. Highway features, such as speed control measures may be visually obtrusive and of an inappropriate design / materials. Unmade roads should be treated sympathetically, with minor resurfacing carried out in natural materials such as brick pavements, gravel and stone set in bitumen. In the past, cast iron street and other traditional signage has not always been faithfully reinstated or repaired after failure, removal or maintenance.</p> | <p>Roads and pavements</p> |
| Policy recommendations | |
| <p>Reconsider all existing signage, highways features and markings and make necessary improvements to enhance the character of the area, whilst maintaining / enhancing the safety of all village users.</p> | |
| <p>Encourage the retention, repair and the increased use of traditional paving, such as cobbles and York stone flags, within the designated area, especially where these could contribute to speed control measures on secondary and tertiary routes.</p> | |
| <p>Ensure that all cast iron and other traditional signs are reinstated faithfully in a cast metal replica, as and when they are removed for whatever reason.</p> | |
| <p>Ensure that all future highway features, such as speed control measures, railings etc are proven to be necessary and are of an appropriate design and constructed of appropriate materials.</p> | |
| Action | Priority |
| <p>Undertake an assessment of existing signage, highway features and markings in terms of their impact on the character of the area. Obtain advice on appropriate</p> | <p>Mid-term</p> |

| | |
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| alternatives (e.g. narrower lines etc). Pursue statutory undertakers who abuse footpaths and roads by not faithfully reinstating surfaces like-for-like. Establish protocols for these actions, including consultation with amenity groups about the installation of replacement replica street signs. | |
|--|--|

| TRAFFIC | |
|---|-----------------|
| Issue | Location |
| The level and type of traffic through the village is at times detrimental to the village’s character and can be in conflict with the free movement of pedestrians, cyclists and disabled users. There is an increasing pressure on parking spaces often resulting in anti-social or problematic parking in the village centre and its immediate environs. | Roads |
| Policy | |
| There is an aspiration for a Traffic Management and Parking Plan that would protect and enhance the historic character of Oxton Village, improve circulation, reduce conflict between pedestrians, cyclists and vehicles and reduce existing problems with parking. | |
| Action | Priority |
| Draw up a traffic management and parking plan in consultation with local societies, residents and businesses. Should be part of a Public Realm Strategy. Identify opportunities for short-term, minor and inexpensive improvements to traffic circulation and parking; implement as and when resources permit. | Ongoing |

| ARCHAEOLOGY | |
|--|-----------------|
| Issue | Location |
| The character of Oxton village is that of an area that contains buildings from many periods, with much modern development in between more historical buildings. However, some buildings and sites may extend further back into the past and incorporate earlier structures. Other pre-industrial remains may lie under and within the curtilage of more modern structures. | - |
| Policy recommendations | |
| Promote the understanding and appreciation of archaeology from all periods | |

| amongst the community and in terms of conservation planning within the local authority. | |
|---|-----------|
| Ensure that qualified conservation staff are consulted on all development and demolition applications within and adjacent to the conservation area, especially where archaeological potential is highlighted in the record. | |
| Action | Priority |
| Maintain a fully functional and accessible Historic Environment Record for Wirral / the region, with dedicated, qualified staff, as a repository of all archaeological records within the Borough. Secure the provision of professional archaeological advice. Ensure good communication between all parties. | Immediate |

| SHOP FRONTAGES | |
|--|-----------|
| Issue | Location |
| The central area of Oxton village contains the area's principal retail activity, with a range of smaller shops that cater for local needs. Several of these shops still retain their traditional appearance and joinery / fenestration, but are vulnerable to unsympathetic alteration, the installation of inappropriate signage and roller shutters. Metal shutters have not only an adverse visual effect – they can create a threatening and unwelcoming ambience throughout the local area if they are allowed to proliferate. Where security concerns exist, these can be better tackled through the use of thicker glass and interior lattice or timber shutters. | - |
| Policy recommendations | |
| Promote the understanding and appreciation of traditional shopfronts, ensure that the Council's shopfronts policy SPG 43 is rigorously applied. | |
| Ensure that qualified conservation staff are consulted on all applications relating to shopfront alterations and retail units within and adjacent to the conservation area. | |
| Action | Priority |
| Enforce against breaches of planning control where the installation of exterior roller shutters and other unauthorised alterations adversely affect the appearance of shops and their immediate environment. Promote more suitable means of securing shops against damage without recourse to roller shutters. | |
| Promote the use and appreciation of Shopfront Design Guidance, and develop a new policy on Shop frontages for | Immediate |

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|-----------------------|--|
| the forthcoming LDF . | |
|-----------------------|--|

| PUBLIC AWARENESS AND CONTRIBUTION | |
|--|-----------------|
| Issue | Location |
| Residents are sometimes unaware of the purpose of a conservation area, the benefits designation may have for them and how they may influence the future of conservation in their area. The skills and expertise of local residents groups, individuals or stakeholders may be underutilised. The Oxton Society has contributed in great measure to the production of both the Appraisal and the Management Plan. | Throughout |
| Policy recommendations | |
| Make conservation area information readily available to residents, using the internet and other displays to publicise conservation projects. | |
| Encourage dialogue between local residents groups and major landowners to promote enhancement and appropriate maintenance works within the conservation area. | |
| Action | Priority |
| Continue to promote an understanding of the special qualities of the conservation area by issuing guidance leaflets for residents and businesses. To work in partnership with the Oxton Society and other amenity groups to promote the special character of Oxton and its appropriate conservation in the longer term. | Immediate |

6.0 Article 4 Directions

- 6.2.1 The Town and Country Planning (General Permitted Development) Order 2008 allows building owners to carry out a range of minor developments without planning consent subject to limits and conditions. These 'permitted development' rights are automatically limited within conservation areas: restrictions include the addition of dormer windows, various types of cladding, the erection of satellite dishes fronting a highway and the reduction in the size of extensions.
- 6.2.2 Article 4 of the General Permitted Development Order enables local authorities to withdraw some specified permitted development rights on buildings or land, such as removal of a chimney, changes around the front boundary of a building, construction of porches, painting of houses or removal of architectural features such as windows and doors. Local authorities should notify local people and take account of their opinions before confirming an Article 4 direction. Approval from the Secretary of State is no longer a requirement for an Article 4 (1) direction.

6.2.3 Article 4 directions are not just an automatic consequence of conservation area designation, but should be borne out of a careful assessment of what is of special interest within an area that should be preserved. Permitted development rights should only be withdrawn where there is evidence to prove that such works would damage the character of a conservation area and are of current concern.

6.2.4 In the case of Oxton, the following items have been identified within the Conservation Area Appraisal part of this document as being important to the character of the area and therefore it should be considered whether it is practicable to place a direction across a selection of category A and B buildings (within a designated pilot area) to protect them from loss or change without consent for the following elements:

- Windows
- Doors
- Roof coverings
- Removal / application of stucco render to walls
- Solar Panels & microgeneration equipment
- Loss of chimneys
- The creation of new, or the blocking up, of old openings over a certain size in house walls.
- Alterations to, or partial demolition of, property boundaries fronting onto a highway.

Similarly, it would be prudent to extend any Article 4 Direction to terraces of housing that exhibit a consistent set of building forms and details, and where any departure from a consistent aesthetic would be detrimental to the overall character, for example sections of Birch Road.

In addition, the appraisal identifies the critical contribution made by historic boundary walls to the character and appearance of the area, in particular those constructed traditionally in sandstone. Further consideration should therefore be given to their inclusion in an Article 4 Direction to protect them from further loss or change without consent.

Practical considerations in relation to operational realities may need to be addressed, since not all sandstone walls enclose character properties of a higher category. Therefore the direction may have to be not only targeted at a set of features but also be sufficiently consistent and straightforward so that residents were able to identify a simple set of procedures to follow.

| ARTICLE 4 DIRECTIONS | |
|---|-----------------|
| Issue | Location |
| Small scale alterations to buildings in the conservation area | All higher |

| | |
|---|--|
| <p>can lead to a gradual and progressive loss to its character. Article 4 directions can bring such alterations under control as matters requiring planning permission</p> <p>The loss of or alteration to boundary walls and gateposts would adversely affect a significant feature of the character of the conservation area and detract from the architectural integrity of the area as a whole.</p> | <p>category buildings and historic terraces.</p> <p>All historic walls</p> |
| <p>Policy recommendation</p> | |
| <p>Consider whether it is practicable to instate an Article 4 directions in respect of withdrawal of permitted development rights for removing / altering specific building and landscaping elements.</p> | |
| <p>Action</p> | <p>Priority</p> |
| <p>Consider the introduction of Article 4 Direction to remove permitted development rights on in respect of windows and doors / exterior joinery; boundary features and structures; roof coverings and roof features; colour and surface treatment of elevations; microgeneration installations - as and when resources permit. Take enforcement action where appropriate.</p> | <p>Short to mid-term</p> |

**Planning Applications Decided Under
Delegated Powers Between
16/06/2012 and 18/07/2012**

Application No.: LBC/08/05977 **Application Type:** Listed Building Consent
Ward: Unallocated **Decision Level:** Delegated
Decision Date: 03/07/2012 **Decision:** (special - deleted record)
Case Officer: Sara Millington
Applicant: Mr Test applicant **Agent:**
Location: 37 ROSCLARE DRIVE, LISCARD, CH45 6UU
Proposal: Created in error - Planning Portal App already given number

Application No.: DLS/10/01402 **Application Type:** Reserved Matters
Ward: Oxtou **Decision Level:** Delegated
Decision Date: 13/07/2012 **Decision:** Withdrawn
Case Officer: Mr M Rushton
Applicant: Mr & Mrs J Buckingham **Agent:** Bromilow Architects Ltd
Location: 5 BIRCH CLOSE, OXTON, CH43 5XE
Proposal: The general design of the proposed dormer bungalow and its setting in the garden of No 5 Birch close, including its access, appearance, landscaping, layout and scale - Amended plans received

Application No.: APP/11/00249 **Application Type:** Full Planning Permission
Ward: Rock Ferry **Decision Level:** Delegated
Decision Date: 11/07/2012 **Decision:** Approve
Case Officer: Ms J Storey
Applicant: **Agent:** Aecom
Location: Junction of A41 Rock Ferry bypass and Bedford road east and land to the South-East bounded by the river mersey and Rock lane east.
Proposal: Construction of a 3 arm signal controlled junction on the A 41 Rock Ferry bypass at the location of Bedford Road east. Re-alienmentof the western end of bedford road east. Construction of a new 50 space car park accessed from Bedford Road east. New planting to replace lost trees/shrubs due to the planned works. Erection of new railings along the front boundary of the sailing club. Amended Plans.

Application No.: APP/11/00312 **Application Type:** Full Planning Permission
Ward: Clatterbridge **Decision Level:** Delegated
Decision Date: 03/07/2012 **Decision:** Permitted development
Case Officer: Miss A McDougall
Applicant: Mr Neil Gunn **Agent:** Mr Vodrey
Location: 3 GRENVILLE CRESCENT, BROMBOROUGH, CH63 0JT
Proposal: Single storey rear extension to kitchen and lounge areas

Application No.: APP/11/01437 **Application Type:** Full Planning Permission
Ward: Oxton **Decision Level:** Delegated
Decision Date: 13/07/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: Mr & Mrs Buckingham **Agent:** Bromilow Architects Ltd
Location: 5 Birch Close, Oxton, Wirral CH43 5XE
Proposal: Proposed new build dwelling to site adjacent to 5 Birch Close, Oxton Wirral. Outline permission granted for site in App 2003/7691 & App/2007/5061 and appeal W4325/A/07/2050585. Current reserved matters app not yet determined. Fresh application to enlarge red line site area (SITE LOCATION AMENDED).

Application No.: APP/12/00123 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 06/07/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: Mr Canner **Agent:** The Kenefick Jones Partnership
Location: Callotts, MILL HEY ROAD, CALDY, CH48 1ND
Proposal: Renewal of extant permission 08/6996. Demolition of existing garage and erection of two new garages and single storey rear extension enclosing existing swimming pool.

Application No.: APP/12/00167 **Application Type:** Full Planning Permission
Ward: Leasowe and Moreton East **Decision Level:** Delegated
Decision Date: 25/06/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** Paddock Johnson Partnership
Location: Leasowe Estate, LEASOWE, CH46 2RY
Proposal: New front boundary walls and railings to properties within the Leasowe Estate

Application No.: APP/12/00277 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 21/06/2012 **Decision:** Approve
Case Officer: Mrs S Williams
Applicant: Mrs Deborah Paterson **Agent:** Dream Home & Garden
Location: 114 FRANKBY ROAD, NEWTON, CH48 9UX
Proposal: Erection of a two-storey side extension, front porch and a single storey rear extension.

Application No.: APP/12/00326 **Application Type:** Full Planning Permission
Ward: Rock Ferry **Decision Level:** Delegated
Decision Date: 02/07/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: P A Lawlor **Agent:** Paterson Macaulay & Owens
Location: 9 WELL LANE, ROCK FERRY, CH42 4QN
Proposal: Erection of new building containing two independant flats (1no 1 bed and 1no 2 bed) and associated external works.

Application No.: DPP3/12/00351 **Application Type:** Work for Council by Council
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 29/06/2012 **Decision:** Withdrawn
Case Officer: Ms C Berry
Applicant: **Agent:** Wirral Council
Location: Arrowe Country Park, ARROWE PARK ROAD, WOODCHURCH
Proposal: The retrofitted installation of solar photovoltaic array to the existing roof structure to generate renewable energy.

Application No.: DPP3/12/00352 **Application Type:** Work for Council by Council
Ward: Bebington **Decision Level:** Delegated
Decision Date: 27/06/2012 **Decision:** Approve
Case Officer: Ms C Berry
Applicant: **Agent:** Wirral Council
Location: Civic Centre, CIVIC WAY, BEBINGTON, CH63 7PN
Proposal: The retrofitted installation of solar photovoltaic array to the existing roof structure to generate renewable energy.

Application No.: DPP3/12/00357 **Application Type:** Work for Council by Council
Ward: Heswall **Decision Level:** Delegated
Decision Date: 19/06/2012 **Decision:** Approve
Case Officer: Ms C Berry
Applicant: **Agent:** Wirral Council
Location: Heswall Library, 109 TELEGRAPH ROAD, HESWALL, CH60 0AF
Proposal: The retrofitted installation of solar photovoltaic array to the existing roof structure to generate renewable energy.

Application No.: APP/12/00364 **Application Type:** Full Planning Permission
Ward: Cloughton **Decision Level:** Delegated
Decision Date: 02/07/2012 **Decision:** Approve
Case Officer: Mrs S Day
Applicant: Mr Shaun Leatt **Agent:** Bryson McHugh Architects
Location: Sherwood, 41 VYNER ROAD SOUTH, BIDSTON, CH43 7PW
Proposal: Erection of a detached garage

Application No.: APP/12/00390 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 10/07/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: **Agent:** GVA Humberts Leisure
Location: Links View Caravan Park, PARK ROAD, MEOLS, CH47 7BE
Proposal: Change of use of land to form extension to approved caravan park and retention of amended layout across the site.

Application No.: APP/12/00400 **Application Type:** Full Planning Permission
Ward: Upton **Decision Level:** Delegated
Decision Date: 10/07/2012 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: **Agent:**
Location: Upton Community Fire Station, ARROWE PARK ROAD, UPTON, CH49 0UF
Proposal: Demolition of existing training tower, to be replaced with a steel training tower.

Application No.: APP/12/00408 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 10/07/2012 **Decision:** Approve
Case Officer: Mrs S Williams
Applicant: Mr Peter Henery **Agent:** Tom Bennett Design
Location: 12 SOUTHBOURNE ROAD, WALLASEY VILLAGE, CH45 8QB
Proposal: Proposed partial demolition of existing garden house, removal of shed (portable) and demolition of existing frontal brick hall. Erection of single storey side extension to provide bedroom/wetroom/store and part garden room

Application No.: DPP3/12/00410 **Application Type:** Work for Council by Council
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 26/06/2012 **Decision:** Approve
Case Officer: Ms C Berry
Applicant: **Agent:** Wirral Council
Location: Pensby Infant School, KENTMERE DRIVE, PENSBY, CH61 5XW
Proposal: This application covers all aspects of external lighting to the site of Pensby-Stanley New School - phase 1 and 2 stages of the development. This includes all lighting columns and bollards and up-lighters to the hard and soft landscape areas plus the car parking area along with the boundary of the site. Siting of cycle stands and retention of GRP Water Holding Tank and substation.

Application No.: APP/12/00440 **Application Type:** Full Planning Permission
Ward: Seacombe **Decision Level:** Delegated
Decision Date: 16/07/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: Mr Brian Seward **Agent:** The Property Centre
Location: 368 POULTON ROAD, POULTON, CH44 4DD
Proposal: Change of use from a sunbed shop to a fastfood takeaway

Application No.: APP/12/00448 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 02/07/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: Mr Robert Carter **Agent:** Mr Alan Stewart
Location: 75 BELVIDERE ROAD, LISCARD, CH45 4RX
Proposal: Amendment to application reference APP/11/01433. Removal of existing precast concrete garage and replacement with two storey side extension with rear dormer bedroom to roof space. Construction of rear dormer to existing roof space. Alteration to existing conservatory and construction of new terrace.

Application No.: APP/12/00461 **Application Type:** Full Planning Permission
Ward: Rock Ferry **Decision Level:** Delegated
Decision Date: 11/07/2012 **Decision:** Approve
Case Officer: Mr K Spilsbury
Applicant: **Agent:** Bryson McHugh Architects
Location: Haddon Nursing Home, 38 HADDON ROAD, ROCK FERRY, CH42 1NZ
Proposal: Extensions & remodelling works to provide additional bedrooms and en-suites at first & second floor, new en-suite structures to existing bedrooms on ground and first floors, new kitchen and laundry extension, Remodelling of conservatory at ground floor and new rooflight structure to existing games room.

Application No.: APP/12/00466 **Application Type:** Full Planning Permission
Ward: Eastham **Decision Level:** Delegated
Decision Date: 26/06/2012 **Decision:** Approve
Case Officer: Mr K Spilsbury
Applicant: Mr Paul Candlin **Agent:**
Location: 20 PLYMYARD AVENUE, BROMBOROUGH, CH62 6BN
Proposal: Demolition of existing dining room and conservatory & construction of single storey day room/dining extension with pitched roof to rear of property.

Application No.: APP/12/00472 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and Irby **Decision Level:** Delegated
Decision Date: 27/06/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** Civitas Planning Ltd
Location: Church Hall, St Chads Church, ROSLIN ROAD, IRBY, CH61 3UH
Proposal: Variation of condition 6 of planning permission APP/1999/7152 to allow the building to be used by Dawpool Church of England pre-school

Application No.: APP/12/00480 **Application Type:** Full Planning Permission
Ward: Bidston and St James **Decision Level:** Delegated
Decision Date: 18/06/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mr & Mrs Jackson **Agent:** 4 Seasons Ltd
Location: 5 STATHAM ROAD, BIDSTON, CH43 7XS
Proposal: Erection of single storey orangery extension

Application No.: APP/12/00490 **Application Type:** Full Planning Permission
Ward: Cloughton **Decision Level:** Delegated
Decision Date: 20/06/2012 **Decision:** Refuse
Case Officer: Miss K Elliot
Applicant: Mr Ravenscroft **Agent:** CADStation Ltd
Location: The Priory Rectory, 29 PARK ROAD WEST, CLAUGHTON, CH43 1UR
Proposal: Ground floor side extension

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| Application No.: | APP/12/00499 | Application Type: | Full Planning Permission |
| Ward: | Oxton | Decision Level: | Delegated |
| Decision Date: | 28/06/2012 | Decision: | Approve |
| Case Officer: | Miss K Elliot | | |
| Applicant: | Dr Joanne Haidon & Mr Edward Saul | Agent: | |
| Location: | 488 WOODCHURCH ROAD, PRENTON, CH43 0SF | | |
| Proposal: | Alterations to vehicular access | | |
| Application No.: | APP/12/00501 | Application Type: | Full Planning Permission |
| Ward: | Oxton | Decision Level: | Delegated |
| Decision Date: | 28/06/2012 | Decision: | Approve |
| Case Officer: | Miss K Elliot | | |
| Applicant: | Mr Brian Maddocks | Agent: | |
| Location: | 486 WOODCHURCH ROAD, PRENTON, CH43 0SF | | |
| Proposal: | Construction a vehicular crossing | | |
| Application No.: | APP/12/00509 | Application Type: | Full Planning Permission |
| Ward: | West Kirby and Thurstaston | Decision Level: | Delegated |
| Decision Date: | 18/07/2012 | Decision: | Approve |
| Case Officer: | Mrs S Lacey | | |
| Applicant: | Mr & Mrs J White | Agent: | Strutt & Parker |
| Location: | Rose Cottage, STATION ROAD, THURSTASTON, CH61 0HL | | |
| Proposal: | Increase in the roof height of the bungalow to allow the creation of living accommodation in the roofspace. | | |
| Application No.: | APP/12/00512 | Application Type: | Full Planning Permission |
| Ward: | Hoylake and Meols | Decision Level: | Delegated |
| Decision Date: | 21/06/2012 | Decision: | Approve |
| Case Officer: | Mrs S Williams | | |
| Applicant: | Dr Brian Scott | Agent: | |
| Location: | 32 LEIGHTON AVENUE, MEOLS, CH47 0LZ | | |
| Proposal: | Single storey rear and side extension | | |
| Application No.: | APP/12/00521 | Application Type: | Full Planning Permission |
| Ward: | Birkenhead and Tranmere | Decision Level: | Delegated |
| Decision Date: | 02/07/2012 | Decision: | Refuse |
| Case Officer: | Mrs S Lacey | | |
| Applicant: | Mr Aminur Khan | Agent: | |
| Location: | 217 CHURCH ROAD, TRANMERE, CH42 0LD | | |
| Proposal: | Resubmission of approved planning application APP/12/00159 for change of use to cafe/restaurant selling hot food on premises (Use Class A3) | | |

Application No.: APP/12/00528 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 22/06/2012 **Decision:** Approve
Case Officer: Mrs J Malpas
Applicant: Mr Paul Halliwell **Agent:**
Location: Beechcroft, 150 MILNER ROAD, BARNSTON, CH60 2SJ
Proposal: Erection of rear kitchen and dining room extension and extension to dormer over (kitchen extension)

Application No.: ADV/12/00529 **Application Type:** Advertisement Consent
Ward: Leasowe and Moreton East **Decision Level:** Delegated
Decision Date: 25/06/2012 **Decision:** Approve
Case Officer: Mrs S Williams
Applicant: **Agent:** spencer signs ltd
Location: A T S Euromaster Ltd, 83 HOYLAKE ROAD, MORETON, CH46 9PY
Proposal: Installation of 1no part internally illuminated fascia sign, 1no non-illuminated fascia sign, 1no part internally illuminated projecting sign 2no non-illuminated dibond signs (welcome & services panel) and 1no set of 2 garage vinyl graphics.

Application No.: APP/12/00531 **Application Type:** Full Planning Permission
Ward: Moreton West and Saughall Massie **Decision Level:** Delegated
Decision Date: 19/06/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mrs Reid **Agent:** N.Robinson Design Ltd
Location: 44 BRUNSFIELD CLOSE, SAUGHALL MASSIE, CH46 6HE
Proposal: Single storey rear conservatory

Application No.: APP/12/00535 **Application Type:** Full Planning Permission
Ward: Birkenhead and Tranmere **Decision Level:** Delegated
Decision Date: 19/06/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: **Agent:** Aedas Building Consultancy Ltd
Location: St Werburghs RC Aided Primary School, PARK GROVE, TRANMERE, CH41 2TD
Proposal: Replacement and increase height of existing fencing with new retaining wall.

Application No.: APP/12/00536 **Application Type:** Full Planning Permission
Ward: Bidston and St James **Decision Level:** Delegated
Decision Date: 05/07/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: **Agent:** Wrigley Associates
Location: Bidston Observatory, BOUNDARY ROAD, BIDSTON, CH43 7RA
Proposal: Changeof use to form four residential apartments; internal alterations and refurbishment and external repairs; landscaping and construction of bicycle and bin store.

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| Application No.: | LBC/12/00537 | Application Type: | Listed Building Consent |
| Ward: | Bidston and St James | Decision Level: | Delegated |
| Decision Date: | 05/07/2012 | Decision: | Approve |
| Case Officer: | Mr M Rushton | | |
| Applicant: | | Agent: | Wrigley Associates |
| Location: | Bidston Observatory, BOUNDARY ROAD, BIDSTON, CH43 7RA | | |
| Proposal: | Changeof use to form four residential apartments; internal alterations and refurbishment and external repairs; landscaping and construction of bicycle and bin store. | | |

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| Application No.: | APP/12/00539 | Application Type: | Full Planning Permission |
| Ward: | Heswall | Decision Level: | Delegated |
| Decision Date: | 20/06/2012 | Decision: | Approve |
| Case Officer: | Miss J Wood | | |
| Applicant: | Mr & Mrs Simpson | Agent: | The Kenefick Jones Partnership Ltd |
| Location: | Constantine House, 6 CONSTANTINE AVENUE, HESWALL, CH60 5SU | | |
| Proposal: | Loft Conversion | | |

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| Application No.: | APP/12/00542 | Application Type: | Full Planning Permission |
| Ward: | Heswall | Decision Level: | Delegated |
| Decision Date: | 25/06/2012 | Decision: | Approve |
| Case Officer: | Mrs J McMahon | | |
| Applicant: | Mr Jonathan Waddington | Agent: | C W Jones |
| Location: | 9 RIVERBANK ROAD, HESWALL, CH60 4SQ | | |
| Proposal: | Change hip to gable. Ground floor side and front extension with bedrooms in roofspace and rear dormers. | | |

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| Application No.: | APP/12/00544 | Application Type: | Full Planning Permission |
| Ward: | Seacombe | Decision Level: | Delegated |
| Decision Date: | 20/06/2012 | Decision: | Approve |
| Case Officer: | Miss K Elliot | | |
| Applicant: | Mr M Navaratnarajah | Agent: | Mr Benjamin Downey |
| Location: | 172 POULTON ROAD, POULTON, CH44 4BZ | | |
| Proposal: | Erection of a single storey lean to extension with a flat roof to the rear of 172 Poulton Road, Wallasey. | | |

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| Application No.: | APP/12/00545 | Application Type: | Full Planning Permission |
| Ward: | West Kirby and Thurstaston | Decision Level: | Delegated |
| Decision Date: | 06/07/2012 | Decision: | Approve |
| Case Officer: | Mrs S Lacey | | |
| Applicant: | Mrs Lynda Arnold | Agent: | J H Consulting |
| Location: | Beechwood, 164 CALDY ROAD, CALDY, CH48 1LN | | |
| Proposal: | Demolition of PVC conservatory on South elevation and introduction of new single storey extension to south aspect incorporating orangery themed kitchen-family area together with minor internal/external reordering and utilisation of second floor roofspace to provide additional bedrooms and ancillary accommodation. | | |

Application No.: APP/12/00549 **Application Type:** Full Planning Permission
Ward: Oxtou **Decision Level:** Delegated
Decision Date: 19/06/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: Ms Gill Pritchard **Agent:** EC Harris
Location: Oxtou St Saviours C of E Aided Primary School, HOLM LANE, OXTON, CH43 2HT
Proposal: External alterations including new window and door openings, roller shutters, elevation and roof alterations

Application No.: ADV/12/00550 **Application Type:** Advertisement Consent
Ward: Liscard **Decision Level:** Delegated
Decision Date: 19/06/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: **Agent:** HLP UK Ltd
Location: Card Warehouse, 9 LISCARD WAY, LISCARD, CH44 5TL
Proposal: Installation of 1, internally illuminated fascia sign and 1 internally illuminated projecting sign

Application No.: APP/12/00552 **Application Type:** Full Planning Permission
Ward: Cloughton **Decision Level:** Delegated
Decision Date: 20/06/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** Aedas Building Consultancy Ltd
Location: St Peters RC Aided Primary School, ST PETERS WAY, NOCTORUM, CH43 9QR
Proposal: Replacement of existing windows and timber fascias with UPVC windows and fascias.

Application No.: APP/12/00555 **Application Type:** Full Planning Permission
Ward: Clatterbridge **Decision Level:** Delegated
Decision Date: 22/06/2012 **Decision:** Permitted development
Case Officer: Mrs J McMahon
Applicant: Mr Warren **Agent:** Arc design
Location: 12 HOLLY AVENUE, BEBINGTON, CH63 3EP
Proposal: Demolition of existing kitchen and erection of new kitchen/dining/family room with utility room constructed at rear of existing garage

Application No.: APP/12/00558 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 19/06/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr Swift **Agent:** Hoole Technical Solutions Ltd
Location: 4 WHEATLAND ROAD, BARNSTON, CH60 1XY
Proposal: Single storey side and rear extension, alterations to front and rear dormers.

Application No.: APP/12/00559 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 19/06/2012 **Decision:** Approve
Case Officer: Mrs S Williams
Applicant: Ms Jenny Bakkali **Agent:** Bromilow Architects Ltd
Location: 26 CALDY ROAD, WEST KIRBY, CH48 2HG
Proposal: Proposed single storey rear extension to property to include a raised deck area

Application No.: APP/12/00560 **Application Type:** Full Planning Permission
Ward: New Brighton **Decision Level:** Delegated
Decision Date: 25/06/2012 **Decision:** Refuse
Case Officer: Mrs S Lacey
Applicant: Mr R Parkin **Agent:** Paddock Johnson Partnership
Location: 21 MONTPELLIER CRESCENT, NEW BRIGHTON, CH45 9JZ
Proposal: Removal of existing verandah, refurbishment including renovation of existing side wing and erection of new double garage within front garden. Reinstatement of dormer window to main roof and rooflight.

Application No.: LBC/12/00561 **Application Type:** Listed Building Consent
Ward: New Brighton **Decision Level:** Delegated
Decision Date: 25/06/2012 **Decision:** Refuse
Case Officer: Mrs S Lacey
Applicant: Mr R Parkin **Agent:** Paddock Johnson Partnership
Location: 21 MONTPELLIER CRESCENT, NEW BRIGHTON, CH45 9JZ
Proposal: Removal of existing verandah, refurbishment including renovation of existing side wing and erection of new double garage within front garden. Reinstatement of dormer window to main roof and rooflight.

Application No.: APP/12/00562 **Application Type:** Full Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 20/06/2012 **Decision:** Approve
Case Officer: Miss J Wood
Applicant: Mrs Elizabeth Godden **Agent:** Astra Property Care Ltd
Location: 113 HEYWOOD BOULEVARD, THINGWALL, CH61 3XE
Proposal: Remove small conservatory, construct a utility room

Application No.: APP/12/00563 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 26/06/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr C Williams **Agent:** C W Jones
Location: Newbourne, 7 OLDFIELD WAY, HESWALL, CH60 6RJ
Proposal: Single and two storey side extension to house swimming pool. New boundary wall/fence along front boundary.

Application No.: APP/12/00564 **Application Type:** Full Planning Permission
Ward: Clatterbridge **Decision Level:** Delegated
Decision Date: 25/06/2012 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: Mr Tony O'Brien **Agent:**
Location: Rose Cottage, BRIMSTAGE ROAD, BRIMSTAGE, CH63 6HE
Proposal: Proposed extension to the rear of the house, consisting of a ground floor family room, utility room, toilet, first floor bedroom and ensuite shower and toilet

Application No.: APP/12/00565 **Application Type:** Full Planning Permission
Ward: Bromborough **Decision Level:** Delegated
Decision Date: 20/06/2012 **Decision:** Withdrawn
Case Officer: Miss A McDougall
Applicant: Mr Brian Bining **Agent:** Bryson McHugh Architects
Location: 241 NEW CHESTER ROAD, NEW FERRY, CH62 4RE
Proposal: Ground Floor Extension & Remodelling To Provide Extended Retail Area With First Floor Extension To Provide Two Residential Units.

Application No.: ADV/12/00569 **Application Type:** Advertisement Consent
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 25/06/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: **Agent:** BDS
Location: 3-4 THE QUADRANT, HOYLAKE
Proposal: Retention of illuminated fascia 'box' sign.

Application No.: ADV/12/00570 **Application Type:** Advertisement Consent
Ward: New Brighton **Decision Level:** Delegated
Decision Date: 04/07/2012 **Decision:** Approve
Case Officer: Mrs S Williams
Applicant: **Agent:** Roman Summer Associates Ltd
Location: Marine Point, MARINE PROMENADE, NEW BRIGHTON
Proposal: Installation of two illuminated totem-style signs (to replace two previously approved signs)

Application No.: APP/12/00573 **Application Type:** Full Planning Permission
Ward: Bromborough **Decision Level:** Delegated
Decision Date: 25/06/2012 **Decision:** Approve
Case Officer: Mr K Spilsbury
Applicant: Mr Millican **Agent:** Fletcher Smith Architects
Location: 1 POOL LANE, BROMBOROUGH, CH62 4UE
Proposal: Proposed showroom extension to front and side to conform with new VW corporate identity, re-positioning of site access.

Application No.: APP/12/00574 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 19/06/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: Mr D West **Agent:** Everest Ltd
Location: 10 HARROW CLOSE, LISCARD, CH44 2HQ
Proposal: Replacement of the existing single storey ground floor conservatory on the rear elevation of the property. The existing base is to remain.

Application No.: APP/12/00575 **Application Type:** Full Planning Permission
Ward: Leasowe and Moreton East **Decision Level:** Delegated
Decision Date: 25/06/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mr D Wylde **Agent:** THi Services
Location: 300 TWICKENHAM DRIVE, LEASOWE, CH46 2QF
Proposal: Car port to side of single storey extension

Application No.: APP/12/00577 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and Irby **Decision Level:** Delegated
Decision Date: 21/06/2012 **Decision:** Approve
Case Officer: Mrs S Williams
Applicant: Mr & Mrs Wild **Agent:** The Kenefick Jones Partnership Ltd
Location: 5 HALL DRIVE, GREASBY, CH49 1RN
Proposal: Erection of a two-storey side extension

Application No.: APP/12/00578 **Application Type:** Full Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 20/06/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: **Agent:** Bryson McHugh Architects
Location: Havan Care, 202 PENSBY ROAD, HESWALL, CH60 7RJ
Proposal: Change of use to A2 and hip to gable loft conversion and rear dormer

Application No.: APP/12/00579 **Application Type:** Full Planning Permission
Ward: Bromborough **Decision Level:** Delegated
Decision Date: 19/06/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mrs G Jones **Agent:**
Location: 27 ALLPORT LANE, BROMBOROUGH, CH62 7HH
Proposal: To open a cake shop/tea rooms offering an upmarket establishment with a quaint, homely feel to it. Serving afternoon tea in traditional china cups and saucers, along with speciality coffees, hot chocolate, cold drinks (all non alcoholic). Home made cake, cookies, etc, small selection of savoury food (ie. sandwiches, home made soup). I also wish to carry on my existing cake business "Gayle's Yummy Cakes" (website www.gaylesyumycakes.co.uk) where I will continue to take orders for bespoke wedding cakes, birthday cakes etc. I will also offer for sale home made cakes and cupcakes to be sold by the slice to be taken away or eaten on the premises.

Application No.: APP/12/00585 **Application Type:** Full Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 22/06/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mrs O'Brien **Agent:** THi Services
Location: Clovelly, 8 RICHMOND WAY, PENSBY, CH61 6XH
Proposal: Retention of detached outbuilding at rear.

Application No.: APP/12/00586 **Application Type:** Full Planning Permission
Ward: Bebington **Decision Level:** Delegated
Decision Date: 05/07/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr C Craig **Agent:**
Location: 29 GORSEYVILLE ROAD, HIGHER BEBINGTON, CH63 2QE
Proposal: Single storey flat roof rear extension with roof lantern and sliding folding door.

Application No.: APP/12/00587 **Application Type:** Full Planning Permission
Ward: Birkenhead and
Tranmere **Decision Level:** Delegated
Decision Date: 02/07/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: **Agent:**
Location: 67-69 GRANGE ROAD WEST, BIRKENHEAD, CH41 4BZ
Proposal: The proposal is for a change of use from A3 to D1. The current usage of the premises is as an Indian Restauarant and the applicant wishes to open a creche in the premises.

Application No.: APP/12/00588 **Application Type:** Full Planning Permission
Ward: Claughton **Decision Level:** Delegated
Decision Date: 06/07/2012 **Decision:** Approve
Case Officer: Mrs S Day
Applicant: **Agent:** Ainsley Gommon Architects
Location: Birkenhead 6th Form College, PARK ROAD WEST, CLAUGHTON, CH43 8SQ
Proposal: Erection of a three storey art block

Application No.: APP/12/00589 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 19/06/2012 **Decision:** Approve
Case Officer: Mrs S Day
Applicant: Mr Mike Atherton **Agent:** ABC Solutions
Location: 22A BIRKENHEAD ROAD, HOYLAK, CH47 3BW
Proposal: Small single storey extension to rear to provide sanitary accommodation.

Application No.: APP/12/00590 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 25/06/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mr Kevin Roberts **Agent:** Valentines Estate Agents
Location: Eye Style Ophthalmic Optician, 273 WALLASEY VILLAGE, CH45 3LR
Proposal: Change of use from A1 shop to Tattoo shop

Application No.: APP/12/00593 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and Irby **Decision Level:** Delegated
Decision Date: 20/06/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: Mrs J Paterson **Agent:**
Location: 3 BROMSGROVE ROAD, GREASBY, CH49 2QL
Proposal: Remove old porch and rebuild new one

Application No.: APP/12/00596 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and Irby **Decision Level:** Delegated
Decision Date: 17/07/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: Mr Alan Dabner **Agent:** Mr Danny Fitzpatrick
Location: Newton AFC, Milford Ground, FRANKBY ROAD, GREASBY, CH49 3PE
Proposal: Demolition of existing single-storey dressing room facilities and rebuild in accordance with Football Association specification, and associated works.

Application No.: APP/12/00597 **Application Type:** Full Planning Permission
Ward: Upton **Decision Level:** Delegated
Decision Date: 28/06/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** Cunliffes Ltd
Location: Upton Hall RC Aided School, MORETON ROAD, UPTON, CH49 4NZ
Proposal: Erection of a single-storey languages teaching block and a single-storey link between the new building and the existing sports hall

Application No.: APP/12/00598 **Application Type:** Full Planning Permission
Ward: Upton **Decision Level:** Delegated
Decision Date: 28/06/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** Cunliffes Ltd
Location: Upton Hall RC Aided School, MORETON ROAD, UPTON, CH49 4NZ
Proposal: Erection of a two-storey languages teaching block and a single-storey link between the new building and the existing sports hall

Application No.: APP/12/00599 **Application Type:** Full Planning Permission
Ward: Rock Ferry **Decision Level:** Delegated
Decision Date: 21/06/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr J Lear **Agent:** Mr Raymond Lear
Location: 11 THORNTON ROAD, PRENTON, CH63 5PN
Proposal: Erection of single storey extension to front of garage

Application No.: APP/12/00600 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 25/06/2012 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: Mr R Bennett **Agent:** M Survey Chartered Surveyors
Location: 58 BAYSWATER ROAD, WALLASEY VILLAGE, CH45 8ND
Proposal: First floor extension to rear outrigger

Application No.: APP/12/00603 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 05/07/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr & Mrs Smith **Agent:** MC Architecture + Design
Location: 19 BRIMSTAGE ROAD, BARNSTON, CH60 1XA
Proposal: Addition of first floor side extension, two storey side extension & rear sun room.

Application No.: APP/12/00604 **Application Type:** Full Planning Permission
Ward: Eastham **Decision Level:** Delegated
Decision Date: 21/06/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr & Mrs Waring **Agent:** Peter Goddard
Location: 16 DUDLEY CRESCENT, EASTHAM, CH65 1AW
Proposal: Side and Rear Extension

Application No.: APP/12/00605 **Application Type:** Full Planning Permission
Ward: Prenton **Decision Level:** Delegated
Decision Date: 21/06/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr & Mrs Lightfoot **Agent:** MgMaStudio Ltd.
Location: 1 CORNWALL DRIVE, PRENTON, CH43 0RW
Proposal: Erection of a single storey rear extension.

Application No.: APP/12/00607 **Application Type:** Full Planning Permission
Ward: Upton **Decision Level:** Delegated
Decision Date: 25/06/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: Mr R Wilson **Agent:**
Location: 15 SANDFIELD ROAD, WOODCHURCH, CH49 7LY
Proposal: UPVC conservatory to rear.

Application No.: APP/12/00608 **Application Type:** Full Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 02/07/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr K Furneaux **Agent:** CSPlanningEnforcementSolutions
Location: CROFT END, 13 THORNCROFT DRIVE, BARNSTON, CH61 1AG
Proposal: Conversion of existing outbuilding (summer room and stables) to a single dwelling house.

Application No.: APP/12/00609 **Application Type:** Full Planning Permission
Ward: New Brighton **Decision Level:** Delegated
Decision Date: 04/07/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** Roman Summer Associates Ltd
Location: Marine Lake, MARINE PROMENADE, NEW BRIGHTON
Proposal: Seven pavement cafe areas

Application No.: APP/12/00610 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 25/06/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: Claudia Rietbrock **Agent:** RADM Architects
Location: 165 BANKS ROAD, WEST KIRBY, CH48 3HU
Proposal: Single storey covered store room

Application No.: APP/12/00611 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 06/07/2012 **Decision:** Approve
Case Officer: Mrs S Williams
Applicant: Mr Raymond Hibbert **Agent:**
Location: Coniston House, Carr Lane, West Kirby, Wirral, CH48 1RB
Proposal: Erection of single storey side extensions

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| Application No.: | DEM/12/00612 | Application Type: | Prior Notification of Demolition |
| Ward: | Wallasey | Decision Level: | Delegated |
| Decision Date: | 13/07/2012 | Decision: | Prior approval is not required |
| Case Officer: | Mrs S Lacey | | |
| Applicant: | | Agent: | FTS Demolition Ltd |
| Location: | Classic Cars Of Wirral Ltd, WALLASEY VILLAGE, CH45 3LP | | |
| Proposal: | Demolition of car showroom | | |
| Application No.: | APP/12/00613 | Application Type: | Full Planning Permission |
| Ward: | Birkenhead and Tranmere | Decision Level: | Delegated |
| Decision Date: | 06/07/2012 | Decision: | Approve |
| Case Officer: | Miss A McDougall | | |
| Applicant: | | Agent: | Brock Carmichael Architects |
| Location: | 2-20 SHORE ROAD, BIRKENHEAD, CH41 1AG | | |
| Proposal: | New passive ventilation louvre x 4 into central pitch of existing roof, not visible from Shore Road. New heat pump behind gate post to car park elevation | | |
| Application No.: | APP/12/00618 | Application Type: | Full Planning Permission |
| Ward: | Greasby Frankby and Irby | Decision Level: | Delegated |
| Decision Date: | 25/06/2012 | Decision: | Approve |
| Case Officer: | Mrs S Williams | | |
| Applicant: | Mr David Horton | Agent: | C W Jones |
| Location: | 115 ARROWE ROAD, GREASBY, CH49 1RZ | | |
| Proposal: | Terrace at rear | | |
| Application No.: | APP/12/00619 | Application Type: | Full Planning Permission |
| Ward: | Pensby and Thingwall | Decision Level: | Delegated |
| Decision Date: | 04/07/2012 | Decision: | Approve |
| Case Officer: | Miss J Wood | | |
| Applicant: | Mr C McGrath | Agent: | C W Jones |
| Location: | 85 KYLEMORE DRIVE, PENSBY, CH61 6XS | | |
| Proposal: | First floor side extension | | |
| Application No.: | APP/12/00620 | Application Type: | Full Planning Permission |
| Ward: | Clatterbridge | Decision Level: | Delegated |
| Decision Date: | 04/07/2012 | Decision: | Approve |
| Case Officer: | Miss J Wood | | |
| Applicant: | Mr Peter Mattison | Agent: | C W Jones |
| Location: | 31 HERONPARK WAY, SPITAL, CH63 9FN | | |
| Proposal: | Front/side extension to erect new garage convert existing garage to habitable use | | |

Application No.: APP/12/00623 **Application Type:** Full Planning Permission
Ward: Prenton **Decision Level:** Delegated
Decision Date: 11/07/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mrs A Welford **Agent:** Collins Architecture
Location: 18 PRENTON HALL ROAD, PRENTON, CH43 0RA
Proposal: Single storey rear extension to existing dwelling

Application No.: APP/12/00624 **Application Type:** Full Planning Permission
Ward: Oxtou **Decision Level:** Delegated
Decision Date: 06/07/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Ms Christine Wray **Agent:** Andy Foster Architects
Location: 15 FAIRVIEW ROAD, OXTON, CH43 5SD
Proposal: Erection of two-storey rear extension

Application No.: APP/12/00626 **Application Type:** Full Planning Permission
Ward: New Brighton **Decision Level:** Delegated
Decision Date: 04/07/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** Roman Summer Associates Ltd
Location: Brooklyn's Restaurant Unit 2, MARINE PROMENADE, NEW BRIGHTON, CH45 2PB
Proposal: Change of use of land at both front and rear of Brooklyn's restaurant to form a sitting out 'pavement cafe' at the front and an external eating terrace at the rear (overlooking the lake)

Application No.: ADV/12/00627 **Application Type:** Advertisement Consent
Ward: New Brighton **Decision Level:** Delegated
Decision Date: 04/07/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** Roman Summer Associates Ltd
Location: Brooklyn's Restaurant Unit 2, MARINE PROMENADE, NEW BRIGHTON CH45 2PB
Proposal: Advertisements on awnings and means of enclosure at front of premises forming the pavement cafe

Application No.: APP/12/00630 **Application Type:** Full Planning Permission
Ward: Upton **Decision Level:** Delegated
Decision Date: 06/07/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** Cunliffes Ltd
Location: Upton Hall RC Aided School, MORETON ROAD, UPTON, CH49 4NZ
Proposal: Temporary planning permission to relocate the existing mobile class base unit within the school site whilst a proposed new build is to be constructed. At the end of the construction period of the new build the mobile units will be removed from the school site and the temporary location made good.

Application No.: APP/12/00633 **Application Type:** Full Planning Permission
Ward: Birkenhead and Tranmere **Decision Level:** Delegated
Decision Date: 02/07/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr Tim Coleman **Agent:**
Location: 1 SANDFORD STREET, BIRKENHEAD, CH41 1BN
Proposal: To change the use of a vacant piece of land to a carpark. Land is currently open access and subject to illegal tipping and parking - Resubmission of 06/6667

Application No.: APP/12/00634 **Application Type:** Full Planning Permission
Ward: Seacombe **Decision Level:** Delegated
Decision Date: 02/07/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: **Agent:** BR Testing
Location: Various properties within Seacombe Ward (CH44), east of Poulton Bridge Road, South of Poulton Road and Love Lane, east of Gorsey Lane and north of Limekiln Lane
Proposal: Proposed installation of externally applied insulation to the rear and gables of properties with either a coloured render or pebble dash finish.
Various properties within Seacombe Ward (CH44), east of Poulton Bridge Road, South of Poulton Road and Love Lane, east of Gorsey Lane and north of Limekiln Lane - properties fronting Gorsey Lane, Poulton Bridge Road, Sherlock Lane, Adelaide Street, Austin Road, Balfour Road, Bishop Road, Chamberlain Street, Chester Street, Claughton Drive, Kendal Road, Limekiln Lane, Morley Road, Mostyn Street, Norwood Road, Old Barn Road, Poulton Road, Rankin Street and Stirling Street.

Application No.: APP/12/00635 **Application Type:** Full Planning Permission
Ward: Liscard **Decision Level:** Delegated
Decision Date: 02/07/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: **Agent:** BR Testing
Location: Various properties within Liscard Ward (CH44), east of Rice Hey Road, Rice Lane and Crescent Road, north of Church Street, west of King Street and south of Trafalgar Road.
Proposal: Proposed installation of externally applied insulation to the rear and gables of properties with either a coloured render or pebble dash finish.
Various properties within Liscard Ward (CH44), properties fronting Charlotte Road, Church Street, Clifton Grove, Clysdale Road, Comely Bank Road, Crescent Road, Glenamond Street, Guilford Street, Lea Road, Mossy Bank Road, Rice Hey Road, Rice Lane and Union Street.

Application No.: APP/12/00636 **Application Type:** Full Planning Permission
Ward: Bidston and St James **Decision Level:** Delegated
Decision Date: 06/07/2012 **Decision:** Approve
Case Officer: Mrs S Williams
Applicant: Mr Alan Maxwell **Agent:**
Location: Toll Bar Cottage, 33 BIDSTON VILLAGE ROAD, BIDSTON, CH43 7QT
Proposal: Erection of a two-storey rear extension

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| Application No.: | APP/12/00637 | Application Type: | Full Planning Permission |
| Ward: | Claughton | Decision Level: | Delegated |
| Decision Date: | 04/07/2012 | Decision: | Approve |
| Case Officer: | Miss K Elliot | | |
| Applicant: | | Agent: | Mr S P Brewer |
| Location: | William Hill Licenced Betting Office, 4-4A UPTON ROAD, CLAUGHTON, CH41 0DF | | |
| Proposal: | Installation of new shop front | | |
| Application No.: | APP/12/00638 | Application Type: | Full Planning Permission |
| Ward: | New Brighton | Decision Level: | Delegated |
| Decision Date: | 09/07/2012 | Decision: | Approve |
| Case Officer: | Miss K Elliot | | |
| Applicant: | | Agent: | Brassey Partnership |
| Location: | Queens Royal Hotel, MARINE PROMENADE, NEW BRIGHTON, CH45 2JT | | |
| Proposal: | Enclosure of existing terrace and entrance porch | | |
| Application No.: | APP/12/00639 | Application Type: | Full Planning Permission |
| Ward: | Eastham | Decision Level: | Delegated |
| Decision Date: | 22/06/2012 | Decision: | Approve |
| Case Officer: | Mrs J McMahon | | |
| Applicant: | Mr & Mrs Pimblett | Agent: | SN Amery Architectural Services |
| Location: | 1A ELGAR AVENUE, EASTHAM, CH62 8AZ | | |
| Proposal: | First floor side extension over garage and front porch | | |
| Application No.: | CON/12/00641 | Application Type: | Conservation Area Consent |
| Ward: | Hoyleake and Meols | Decision Level: | Delegated |
| Decision Date: | 13/07/2012 | Decision: | Approve |
| Case Officer: | Miss K Ellison | | |
| Applicant: | Mr Andrew Brodbelt | Agent: | Mr Lars Wiegand |
| Location: | Gap Cottage, 32 THE KINGS GAP, HOYLAKE, CH47 1HF | | |
| Proposal: | Demolition of existing extensions, car port and garage to the rear of the dwelling and replacement with single/two storey rear extension comprising kitchen/living area, garage, utility and games room | | |
| Application No.: | DEM/12/00643 | Application Type: | Prior Notification of Demolition |
| Ward: | Seacombe | Decision Level: | Delegated |
| Decision Date: | 19/06/2012 | Decision: | Prior approval is not required |
| Case Officer: | Mrs S Williams | | |
| Applicant: | | Agent: | |
| Location: | The Pallet Centre, BIRKENHEAD ROAD, SEACOMBE, CH44 7BU | | |
| Proposal: | <p>The main site building has been damaged by fire. It comprises a steel frame clad with steel profiled sheets 25mx25m single storey. Two smaller buildings. The buildings stand in their own grounds. There are no asbestos products present. Demolition will be by tracked excavators fitted with hydraulic shears</p> <p>Buildings unsafe and of no economic use.</p> <p>By tracked excavator fitted with hydraulic shear</p> <p>The area is concreted, the building base slab will remain in place</p> <p>tds site</p> | | |

Application No.: APP/12/00644 **Application Type:** Full Planning Permission
Ward: Moreton West and Saughall Massie **Decision Level:** Delegated
Decision Date: 17/07/2012 **Decision:** Approve
Case Officer: Mrs S Williams
Applicant: Mr Andrew Evans **Agent:**
Location: 51 Pasture Road, Moreton, Wirral, CH46 7TQ
Proposal: Construction of a vehicular crossing

Application No.: APP/12/00647 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 02/07/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr & Mrs Murray **Agent:** Daccus ACM
Location: 1 WOODBURN DRIVE, GAYTON, CH60 8QG
Proposal: Proposed minor amendments to front porch (replacing existing single skin with cavity construction) and rear extension to form kitchen dining.

Application No.: APP/12/00650 **Application Type:** Full Planning Permission
Ward: Liscard **Decision Level:** Delegated
Decision Date: 02/07/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: **Agent:** BR Testing
Location: Various properties within Liscard Ward (CH44), east of Stringhey and Rice Hey Road, north of Tobin Street, west of Egremont Promenade and south of Manor Drive.
Proposal: Proposed installation of externally applied insulation to the rear and gables of properties with either a coloured render or pebble dash finish.
Various properties within Liscard Ward (CH44), properties fronting Blenheim Road, Egremont Promenade, Cliff Drive, Cunard Avenue, King Street, Kinglake Road, Poole Road, Cunard Avenue, Ismay Drive, Rudgrave Place, Rudgrave Square, Seabank Avenue, Seabank Road, King George Drive, St Brides Road, St Elmo Road, St Lucia Road, St Vincents Road, Trafalgar Avenue, Trafalgar Road, King George Drive, Poole Road, Richard Chubb Drive, Seabank Road, Wright Street, Whitley Drive and Webster Avenue.

Application No.: APP/12/00651 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 10/07/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mr Simon Allen **Agent:** Mrs Mandy Biagetti
Location: 16 MEADOW ROAD, NEWTON, CH48 9XL
Proposal: Erection of porch and single storey side and rear extension

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| Application No.: | APP/12/00652 | Application Type: | Full Planning Permission |
| Ward: | Prenton | Decision Level: | Delegated |
| Decision Date: | 28/06/2012 | Decision: | Approve |
| Case Officer: | Mr K Spilsbury | | |
| Applicant: | | Agent: | |
| Location: | Cartridge World, 259 WOODCHURCH ROAD, PRENTON, CH42 9LE | | |
| Proposal: | Change of use to social enterprise, including education, training and cafe. | | |
| Application No.: | APP/12/00655 | Application Type: | Full Planning Permission |
| Ward: | Hoylake and Meols | Decision Level: | Delegated |
| Decision Date: | 10/07/2012 | Decision: | Approve |
| Case Officer: | Miss K Elliot | | |
| Applicant: | Mrs Marilyn Josey | Agent: | Ainsley Gommon Architects |
| Location: | West Kirby Residential School, MEOLS DRIVE, WEST KIRBY, CH48 5DA | | |
| Proposal: | Construction of a ground floor, single storey extension to existing classroom to create a new science laboratory. | | |
| Application No.: | APP/12/00657 | Application Type: | Full Planning Permission |
| Ward: | Upton | Decision Level: | Delegated |
| Decision Date: | 06/07/2012 | Decision: | Approve |
| Case Officer: | Mrs S Lacey | | |
| Applicant: | | Agent: | Drivers Jonas Deloitte |
| Location: | Asda Superstore, WOODCHURCH ROAD, WOODCHURCH, CH49 5JZ | | |
| Proposal: | Application for variation of condition 1 of planning permission APP/04/07335 to read as follows "The premises shall not be open to the public for business outside the hours of 0600 and 2200 hours Monday to Saturday and 1000 to 1800 Sundays and Bank Holidays". | | |
| Application No.: | APP/12/00658 | Application Type: | Full Planning Permission |
| Ward: | Bidston and St James | Decision Level: | Delegated |
| Decision Date: | 13/07/2012 | Decision: | Approve |
| Case Officer: | Mrs S Lacey | | |
| Applicant: | Mr Scott Ward | Agent: | D J Cooke & Company |
| Location: | 81 DUKE STREET, BIRKENHEAD, CH41 8BR | | |
| Proposal: | Proposed conversion of first floor from nail bar and beauty salon to self contained flat. | | |
| Application No.: | APP/12/00660 | Application Type: | Full Planning Permission |
| Ward: | Greasby Frankby and Irby | Decision Level: | Delegated |
| Decision Date: | 02/07/2012 | Decision: | Approve |
| Case Officer: | Mrs S Day | | |
| Applicant: | Mrs Fiona Oshea | Agent: | |
| Location: | 28 WOODSIDE ROAD, IRBY, CH61 4UL | | |
| Proposal: | Single storey extension and demolition of existing single garage. | | |

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| Application No.: | APP/12/00661 | Application Type: | Full Planning Permission |
| Ward: | Moreton West and Saughall Massie | Decision Level: | Delegated |
| Decision Date: | 10/07/2012 | Decision: | Approve |
| Case Officer: | Mrs S Williams | | |
| Applicant: | | Agent: | Evolve Design Limited |
| Location: | Co Op Late Shop, 194 SAUGHALL MASSIE ROAD, UPTON, CH49 4LD | | |
| Proposal: | Installation of a new automated sliding door to replace the existing manual entrance door. New covered holding area to be constructed at the rear of the building and new goods delivery door. | | |
| Application No.: | APP/12/00662 | Application Type: | Full Planning Permission |
| Ward: | West Kirby and Thurstaston | Decision Level: | Delegated |
| Decision Date: | 02/07/2012 | Decision: | Approve |
| Case Officer: | Mrs S Day | | |
| Applicant: | Mr Michael Hall | Agent: | Kenneth J Banks Chartered Surveyor |
| Location: | 11 Hilbre Court, SOUTH PARADE, WEST KIRBY, CH48 3JU | | |
| Proposal: | Construction of double glazed enclosure of existing balcony at first floor level and construction of second floor balcony above. | | |
| Application No.: | APP/12/00663 | Application Type: | Full Planning Permission |
| Ward: | Clatterbridge | Decision Level: | Delegated |
| Decision Date: | 10/07/2012 | Decision: | Approve |
| Case Officer: | Mrs J McMahon | | |
| Applicant: | Mr Hopkins | Agent: | Hunt Planning Services Ltd |
| Location: | 5 KENT CLOSE, BROMBOROUGH, CH63 0EF | | |
| Proposal: | Single storey front extension | | |
| Application No.: | APP/12/00665 | Application Type: | Full Planning Permission |
| Ward: | Moreton West and Saughall Massie | Decision Level: | Delegated |
| Decision Date: | 13/07/2012 | Decision: | Approve |
| Case Officer: | Mrs S Lacey | | |
| Applicant: | Mr Andrew Lancaster | Agent: | ABC Solutions |
| Location: | 46 BEECH AVENUE, UPTON, CH49 4NJ | | |
| Proposal: | Erection of a two-storey side extension with front and rear dormer windows, and front porch | | |
| Application No.: | APP/12/00667 | Application Type: | Full Planning Permission |
| Ward: | Clatterbridge | Decision Level: | Delegated |
| Decision Date: | 06/07/2012 | Decision: | Approve |
| Case Officer: | Ms C Berry | | |
| Applicant: | | Agent: | Taylor Young |
| Location: | Clatterbridge Centre for Oncology, CLATTERBRIDGE ROAD, CLATTERBRIDGE, CH63 4JY | | |
| Proposal: | The works comprise external alterations to the Mersey Ward Building of the Clatterbridge Cancer Centre, including; the removal and replacement of the existing windows; the infill of an existing courtyard at first floor level; a new ground floor fire escape stair door with side light and a new render finish treatment to the existing north-east and north-west elevations. | | |

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| Application No.: | DEM/12/00668 | Application Type: | Prior Notification of Demolition |
| Ward: | Birkenhead and Tranmere | Decision Level: | Delegated |
| Decision Date: | 29/06/2012 | Decision: | Prior approval is not required |
| Case Officer: | Miss K Elliot | | |
| Applicant: | | Agent: | Wirral Borough Council |
| Location: | 8-20 & 11-19 BELMONT, BIRKENHEAD, CH41 2TY | | |
| Proposal: | Demolition of properties 8-20 and 11-19 Belmont | | |
| Application No.: | APP/12/00669 | Application Type: | Full Planning Permission |
| Ward: | Pensby and Thingwall | Decision Level: | Delegated |
| Decision Date: | 27/06/2012 | Decision: | Approve |
| Case Officer: | Mrs J McMahon | | |
| Applicant: | Mrs H M Doyle | Agent: | The Kenefick Jones Partnership Ltd |
| Location: | 11 RYLAND PARK, THINGWALL, CH61 9QJ | | |
| Proposal: | Extension of first floor | | |
| Application No.: | APP/12/00672 | Application Type: | Full Planning Permission |
| Ward: | Heswall | Decision Level: | Delegated |
| Decision Date: | 10/07/2012 | Decision: | Approve |
| Case Officer: | Mrs J McMahon | | |
| Applicant: | Mr Barry Pilgram | Agent: | Edward Welch Design |
| Location: | 2 DELAVOR CLOSE, HESWALL, CH60 4SX | | |
| Proposal: | Single storey extensions to either side, new garage to lower ground level at the front, open porch to front elevation and raise height of main roof including front and rear dormers. | | |
| Application No.: | APP/12/00673 | Application Type: | Full Planning Permission |
| Ward: | Greasby Frankby and Irby | Decision Level: | Delegated |
| Decision Date: | 16/07/2012 | Decision: | Approve |
| Case Officer: | Miss K Elliot | | |
| Applicant: | Mr & Mrs Dodd | Agent: | Mr J Penni |
| Location: | Newstead House, 270 IRBY ROAD, IRBY, CH61 2XQ | | |
| Proposal: | Proposed ground and first floor roof extension and alteration | | |
| Application No.: | APP/12/00674 | Application Type: | Full Planning Permission |
| Ward: | Bromborough | Decision Level: | Delegated |
| Decision Date: | 02/07/2012 | Decision: | Approve |
| Case Officer: | Mrs J McMahon | | |
| Applicant: | Mr D Doughty | Agent: | Hoole Technical Solutions Ltd |
| Location: | 260 SPITAL ROAD, BROMBOROUGH, CH62 2AW | | |
| Proposal: | Erection of a single storey side extension | | |

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| Application No.: | APP/12/00675 | Application Type: | Full Planning Permission |
| Ward: | Leasowe and Moreton East | Decision Level: | Delegated |
| Decision Date: | 17/07/2012 | Decision: | Approve |
| Case Officer: | Mrs S Williams | | |
| Applicant: | Mrs Ann Griffiths | Agent: | |
| Location: | 21 REEDS AVENUE WEST, LEASOWE, CH46 1RE | | |
| Proposal: | Erection of a two storey side extension | | |
| Application No.: | APP/12/00678 | Application Type: | Full Planning Permission |
| Ward: | Leasowe and Moreton East | Decision Level: | Delegated |
| Decision Date: | 02/07/2012 | Decision: | Approve |
| Case Officer: | Mr M Rushton | | |
| Applicant: | Mr Drury | Agent: | |
| Location: | 2 PEMBROKE AVENUE, MORETON, CH46 0TP | | |
| Proposal: | Proposed UPVC Conservatory to the rear of the property | | |
| Application No.: | APP/12/00680 | Application Type: | Full Planning Permission |
| Ward: | Prenton | Decision Level: | Delegated |
| Decision Date: | 10/07/2012 | Decision: | Approve |
| Case Officer: | Mrs J McMahon | | |
| Applicant: | Mr Abdul Salam | Agent: | N Robinson Design Ltd |
| Location: | 20 CURZON ROAD, PRENTON, CH42 8PH | | |
| Proposal: | Single storey rear conservatory | | |
| Application No.: | APP/12/00681 | Application Type: | Full Planning Permission |
| Ward: | Hoylake and Meols | Decision Level: | Delegated |
| Decision Date: | 17/07/2012 | Decision: | Approve |
| Case Officer: | Miss K Elliot | | |
| Applicant: | Mr Collings | Agent: | Ultraseal Ltd |
| Location: | 32 SHERWOOD ROAD, MEOLS, CH47 9RT | | |
| Proposal: | Erection of rear conservatory | | |
| Application No.: | APP/12/00682 | Application Type: | Full Planning Permission |
| Ward: | Bidston and St James | Decision Level: | Delegated |
| Decision Date: | 18/07/2012 | Decision: | Approve |
| Case Officer: | Mrs S Lacey | | |
| Applicant: | | Agent: | Bryson McHugh Architects |
| Location: | 13-24 GAYWOOD CLOSE, BEECHWOOD, CH43 7TT | | |
| Proposal: | Change of use to Residential Institution (Use Class C2). Proposed internal remodelling works to provide 18 No. residential bedrooms and various ancillary accommodation. Single-storey extension and external alterations. | | |

Application No.: APP/12/00684 **Application Type:** Full Planning Permission
Ward: Bebington **Decision Level:** Delegated
Decision Date: 10/07/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr Terry Lock **Agent:** RADM Architects
Location: 28 MOUNT DRIVE, HIGHER BEBINGTON, CH63 5NX
Proposal: Single storey glass extension to rear of existing property.

Application No.: APP/12/00688 **Application Type:** Full Planning Permission
Ward: Birkenhead and
Tranmere **Decision Level:** Delegated
Decision Date: 17/07/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: **Agent:** GVA
Location: Diamond Engineering, 81 CANNING STREET, BIRKENHEAD, CH41 1AF
Proposal: Change of use from industrial premises (B2) to education facility for the teaching of brick laying, plastering and associated trades (D1)

Application No.: APP/12/00689 **Application Type:** Full Planning Permission
Ward: Eastham **Decision Level:** Delegated
Decision Date: 11/07/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr Andrew Wallis **Agent:**
Location: 8 MANOR ROAD, EASTHAM, CH62 8BN
Proposal: Two storey rear extension

Application No.: APP/12/00691 **Application Type:** Full Planning Permission
Ward: Bebington **Decision Level:** Delegated
Decision Date: 10/07/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mrs Sandie Bateman **Agent:** Square Deal Architectural Services
Location: 2 TEEHEY CLOSE, HIGHER BEBINGTON, CH63 2JD
Proposal: Loft conversion and rear dormer extension.

Application No.: APP/12/00692 **Application Type:** Full Planning Permission
Ward: Bromborough **Decision Level:** Delegated
Decision Date: 10/07/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr William Smith **Agent:** Abacus Design
Location: 57 LONGFELLOW DRIVE, NEW FERRY, CH62 5JS
Proposal: 2 Storey extension to rear and side comprising kitchen/dining extension and bedroom and office (1st floor) with a ground floor cloakroom extension (re-submission).

Application No.: APP/12/00693 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 11/07/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr David Alexander **Agent:** Mr Richard Hughes
Location: Applegarth, 33 RECTORY LANE, HESWALL, CH60 4RZ
Proposal: Proposed 2 storey side extension and single storey extension on opposite side (re-submission).

Application No.: APP/12/00696 **Application Type:** Full Planning Permission
Ward: Moreton West and Saughall Massie **Decision Level:** Delegated
Decision Date: 13/07/2012 **Decision:** Approve
Case Officer: Ms J Storey
Applicant: **Agent:** Ainsley Gommon Architects
Location: Plots 16 &17 Town Meadow Lane, Moreton, CH46 7TB, Wirral
Proposal: Raising of Block H (plots 16 & 17) by approximately 550mm. (Block H previously approved under application number 11/0727)

Application No.: APP/12/00702 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 06/07/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: Mr James Kerwick **Agent:**
Location: 1 GRESFORD AVENUE, NEWTON, CH48 6DA
Proposal: New pitched roof to replace existing flat roof over existing 2 storey side extension.

Application No.: APP/12/00703 **Application Type:** Full Planning Permission
Ward: Bebington **Decision Level:** Delegated
Decision Date: 13/07/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mrs Ursula Boulton **Agent:**
Location: 56 HIGHER BEBINGTON ROAD, BEBINGTON, CH63 2PR
Proposal: Proposed rear conservatory

Application No.: APP/12/00704 **Application Type:** Full Planning Permission
Ward: Bebington **Decision Level:** Delegated
Decision Date: 06/07/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr Ian Clulow **Agent:** Mr David Peters
Location: Bowman, LEVER CAUSEWAY, STORETON, CH63 6HT
Proposal: Part ground floor and part first floor rear extension, single storey side extension to link garage to house and side conservatory extension.

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| Application No.: | APP/12/00710 | Application Type: | Full Planning Permission |
| Ward: | Bebington | Decision Level: | Delegated |
| Decision Date: | 13/07/2012 | Decision: | Approve |
| Case Officer: | Mrs J McMahon | | |
| Applicant: | Mr & Mrs Robinson | Agent: | The Kenefick Jones Partnership Ltd |
| Location: | 59 DERWENT ROAD, HIGHER BEBINGTON, CH63 2LF | | |
| Proposal: | Single storey side extension and new pitched roof. | | |
| Application No.: | APP/12/00713 | Application Type: | Full Planning Permission |
| Ward: | Heswall | Decision Level: | Delegated |
| Decision Date: | 13/07/2012 | Decision: | Approve |
| Case Officer: | Mrs J McMahon | | |
| Applicant: | Mr Roger Smart | Agent: | Cheshire Oak Structures Ltd |
| Location: | 15 LIGHTFOOT LANE, GAYTON, CH60 2TP | | |
| Proposal: | To erect a 2 bay green oak open fronted garage under a slate roof | | |
| Application No.: | APP/12/00721 | Application Type: | Full Planning Permission |
| Ward: | West Kirby and Thurstaston | Decision Level: | Delegated |
| Decision Date: | 13/07/2012 | Decision: | Approve |
| Case Officer: | Mr M Rushton | | |
| Applicant: | Mr & Mrs Gaskell | Agent: | Architectural Services |
| Location: | 8 GLEGGSIDE, NEWTON, CH48 6DZ | | |
| Proposal: | Removal of rear conservatory, timber garage and reconstruction with single storey side extension and front store. | | |
| Application No.: | APP/12/00722 | Application Type: | Full Planning Permission |
| Ward: | Upton | Decision Level: | Delegated |
| Decision Date: | 13/07/2012 | Decision: | Approve |
| Case Officer: | Mr M Rushton | | |
| Applicant: | Mr P Evans | Agent: | RADM Architects |
| Location: | 4 UPTON PARK DRIVE, UPTON, CH49 6JP | | |
| Proposal: | Single storey extension | | |
| Application No.: | APP/12/00727 | Application Type: | Full Planning Permission |
| Ward: | Heswall | Decision Level: | Delegated |
| Decision Date: | 13/07/2012 | Decision: | Approve |
| Case Officer: | Mrs J McMahon | | |
| Applicant: | Mr & Mrs R Smart | Agent: | Architects-Direct.com |
| Location: | 15 LIGHTFOOT LANE, GAYTON, CH60 2TP | | |
| Proposal: | Single storey side extension to provide new living room and utility, new porch. | | |

Application No.: APP/12/00735 **Application Type:** Full Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 17/07/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr William James Graham **Agent:**
Location: 134 IRBY ROAD, PENSBY, CH61 6XQ
Proposal: Vehicle Access across grass verge

Application No.: APP/12/00738 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 13/07/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr Ian Yates **Agent:** Escudo Design Ltd
Location: Kenmar, 11 PARK WEST, HESWALL, CH60 9JE
Proposal: Proposed single extension to the rear and demolition and re-building of front entrance porch. Including enlargement of ground floor window serving living room

Application No.: APP/12/00748 **Application Type:** Full Planning Permission
Ward: Prenton **Decision Level:** Delegated
Decision Date: 16/07/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr M Regan **Agent:** Neville Pickard
Location: 167 DURLEY DRIVE, PRENTON, CH43 3BQ
Proposal: Two storey side and rear extension, single storey rear extension and alterations to existing porch

Application No.: APP/12/00836 **Application Type:** Full Planning Permission
Ward: Oxtton **Decision Level:** Delegated
Decision Date: 16/07/2012 **Decision:** Withdrawn
Case Officer: Miss K Elliot
Applicant: Mr Gary Taylor **Agent:** Mr Paul Hetherington
Location: 20 BOLLINGTON CLOSE, OXTON, CH43 2GT
Proposal: Single storey side garage and utility room

Total Number of Applications Decided: 146

Summary of data

| | Total Per |
|--------------------------------|-----------|
| (special - deleted record) | 1 |
| Approve | 131 |
| Permitted development | 2 |
| Prior approval is not required | 3 |
| Refuse | 5 |
| Withdrawn | 4 |
| Report Total | 146 |

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