

PLANNING COMMITTEE

Thursday, 15 February 2018

Present:

Councillor A Leech (Chair)

Councillors

E Boulton
P Cleary
D Elderton
P Hackett
K Hodson
T Johnson

S Kelly
I Lewis
D Realey
J Walsh
I Williams

Deputies:

Councillors C Meaden (In place of S Foulkes)

131 MINUTES

The Director for Business Services submitted the amended minutes of the meeting held on 18 January 2018.

Resolved- That the minutes be approved.

132 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to declare any disclosable pecuniary and non-pecuniary interest in connection with any items on the agenda and state the nature of the interest.

Councillor I Lewis declared a non-pecuniary interest in Agenda Item 5 by virtue of sitting on a council working party regarding HMO's.

Councillor C Meaden declared a pecuniary interest in Agenda Item 9 by virtue of personally knowing the applicant.

133 REQUESTS FOR SITE VISITS

The following site visits were unanimously approved.

AGENDA ITEM 4. OUT/15/00249: LAND AT 26 CORNELIUS DRIVE, IRBY, CH61 9PR: Demolition of existing bungalow, formation of vehicular access onto land, erection of ten dwellings

AGENDA ITEM 7. APP/17/01217: LORD STREET & CLEVELAND STREET, BIRKENHEAD, CH41 6BL: Alteration of the existing building to create a roof and a side extension. Conversion of the existing building to create 200 student units with associated facilities, including external landscaping and recreational area and internal communal areas

AGENDA ITEM 11. APP/17/01363: LAND NORTH OF OLD CROFT, BARNACRE LANE, SAUGHALL MASSIE, CH46 5NE: Alterations to reduce the size of existing newly constructed barn following planning appeal

AGENDA ITEM 13. APP/17/01489: 4 MILL LANE, GREASBY, CH49 3NU: Demolition of existing single and two storey rear outriggers, and construction of 2 storey rear outrigger. Alteration to front area of property and formation of dropped kerb and pavement crossing to provide off street parking within site boundary

AGENDA ITEM 14. APP/17/01514: 277 TELEGRAPH ROAD, HESWALL, CH60 6RN: Demolition of existing detached house to be replaced with new build apartment block containing 5 apartments with provision for resident parking and bike storage. New access point from Telegraph Road to improve access to and from the site.

The Site Visits will take place on Tuesday 20 March starting at 10.15am at Wallasey Town Hall.

No decision has been made to the order that these sites will be visited.

- 134 **OUT/15/00249: LAND AT 26 CORNELIUS DRIVE, IRBY, CH61 9PR: DEMOLITION OF EXISTING BUNGALOW, FORMATION OF VEHICULAR ACCESS ONTO LAND, ERECTION OF TEN DWELLINGS**

Resolved- That this application be deferred for a formal site visit.

- 135 **APP/17/00743: ELMEE'S DISCOUNT, 186 BOROUGH ROAD, SEACOMBE, CH44 6NJ: RETENTION OF SHOP AT GROUND FLOOR AND CHANGE OF USE OF THE REAR STORE, FIRST AND SECOND FLOOR OF THE BUILDING TO A 5 BEDROOM HMO (USE CLASS 4) WITH ASSOCIATED ALTERATIONS. (AMENDED SCHEME)**

The Managing Director for Delivery submitted the above application for consideration.

A Ward Councillor addressed the Committee.

On a motion for refusal moved by Councillor P Hackett and seconded by Councillor D Realey it was:

Resolved- (13:0) That the following application be refused on the following grounds:

Having regards to the number of bedrooms proposed, the property is considered to be of insufficient size to accommodate the proposed development. The development would result in an over-intensive use of the property by creating 5 bedrooms for which, given the potential number of occupants, the proposed kitchen/dining/ lounge facilities is considered to be inadequate, resulting in a standard of accommodation that the Council considers would be substandard contrary to the objectives of Policy HS14 of the Wirral Unitary Development Plan and the principles of the National Planning Policy Framework, which seeks to secure high quality

accommodation and a good standard of amenity for all future occupants of land and buildings.

136 **APP/17/01009: THE SHIP INN, 208 BRECK ROAD, WALLASEY VILLAGE, CH44 2ED: ERECTION OF 9 NEW DWELLINGS AND ASSOCIATED LANDSCAPING ON LAND ADJACENT TO THE FORMER SHIP INN, BRECK ROAD, WALLASEY**

The Managing Director for Delivery submitted the above application for consideration.

The Lead Petitioner addressed the Committee.

The Applicant addressed the Committee.

On a motion moved by Councillor D Realey and seconded by Councillor K Hodson it was:

Resolved-(10:3) That the application be approved subject to the following conditions.

1. The development hereby permitted shall be begun before the expiration of 3 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 hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 14th August 2017 and listed as follows: 2717 P-150 Rev 00 (Dated 08.17), 2717 P-151 Rev 01 (Dated 08.17), 2717 P-152 Rev 01 (Dated 08.17), 2717 P- 250 Rev 01 (Dated 11.17), 2717 P-251 Rev 01 (Dated 08.17), 2717 P- 252 Rev 02 (Dated 12.17), 2717 P-253 Rev 01 (Dated 08.17), UG_11533_LAN_DRW_HL_L01 Rev P01 (Dated 11.08.17), UG_11533_LAN_DRW_HL_L02 Rev P02 (Dated 11.08.17), UG_11533_LAN_DRW_HL_L03 Rev P02 (Dated 11.08.17), UG_11533_ARB_TPP_02 Rev P02 (Dated 02.08.17), UG_11533_ARB_TRP_02 Rev P02 (Dated 02.08.17), UG_11533_LAN_DRW_GA_L01 Rev P02(Dated 30.11.17),

4. 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.

5. No works or development shall take place until a scheme for the protection of the retained trees- The Tree protection plan (section 5.5, BS 5837:2012,Trees in relation to design, demolition and construction - Recommendations) has been agreed in writing with the LPA. This scheme shall include:

A. the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule.

B. a plan or relevant drawings, including proposed site layout plans, to a scale and level of accuracy appropriate to the proposal that shows constraints posed by existing trees (section 5.2 BS 5837), the position, crown spread and Root Protection Area (section 4.6 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.

C. 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, 2010, Tree work-Recommendations.

An arboricultural method statement (section 6 BS 5837) containing;

D. the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 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 Ground Protection Zones (para 6.2.3 of BS5837).

F. the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6 of BS5837).

G. the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (para 5.5.6 of BS5837).

H. the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.5.6 of BS5837) of any retained tree, including those on neighbouring or nearby ground.

I. the details of any special engineering required to accommodate the protection of retained trees (section 7 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)

J. the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees (section 7 BS 5837).

K. 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 (section 7.4 BS 5837)

L. 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.

M. 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.

N. the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 6.2.2.3 of BS5837).

O. the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).

P. the timing of the various phases of the works or development in the context of the tree protection measures.

6. No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

7. Prior to the first occupation of the dwellings arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the local planning authority. The approved details shall be implemented in full unless otherwise agreed in writing with the local planning authority.

8. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;**
- ii. loading and unloading of plant and materials;**
- iii. storage of plant and materials used in constructing the development;**
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- v. wheel washing facilities;**
- vi. measures to control the emission of noise, dust and dirt during construction;**
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.**

9. No development shall commence until details of works to provide vehicle accesses and a 2m wide footway between the site and Breck Road have been submitted to and approved in writing by the Local Planning Authority. For the benefit of doubt, the crossfall on the footway and vehicle crossings shall not be steeper than 1 in 40. The works shall be completed in accordance with the approved details prior to first occupation of the development hereby approved and retained as such thereafter.

10. Prior to commencement of development a geotechnical land survey shall be carried out in order to assess the stability of the land. The survey shall be submitted to and agreed in writing with the local planning authority prior to commencement and the agreed findings implemented in full.

- 137 **APP/17/01217: LORD STREET & CLEVELAND STREET, BIRKENHEAD, CH41 6BL: ALTERATION OF THE EXISTING BUILDING TO CREATE A ROOF AND A SIDE EXTENTION. CONVERSION OF THE EXISTING BUILDING TO CREATE 200 STUDENT UNITS WITH ASSOCIATED FACILITIES, INCLUDING EXTERNAL LANDSCAPING AND RECREATIONAL AREA AND INTERNAL COMMUNAL AREAS.**

Resolved- That this application be deferred for a formal site visit.

- 138 **APP/17/01263: 3-5 TOBIN STREET, EGREMONT, CH44 8DF: INSTALLATION OF 3 NO. ADDITIONAL WINDOWS TO THE NORTH EAST SIDE ELEVATION OF THE BUILDING (AMENDED DESIGN).**

This application was withdrawn from the Agenda.

- 139 **APP/17/01266: DARLINGTONS YARD, CHESTER ROAD, GAYTON, CH60 3RZ: RELOCATION OF EXISTING CAR WASH AND THE ERECTION OF A SINGLE STOREY OFFICE/CAR WASH BAY BUILDING**

The Managing Director for Delivery submitted the above application for consideration.

Councillor C Meaden left the room for this application.

On a motion moved by Councillor D Elderton and seconded by Councillor E Boulton it was:

Resolved (12:0) That the application be approved subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 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 17 October 2017 and listed as follows: 17-106-SK02 Rev C & 17-106-SK03 Rev B.

3. The car wash shall not be used except between the hours of: - 0900 hours and 1800 hours Mondays to Saturdays and 1000 hours and 1700 on Sundays and Bank Holidays without the written consent of the Local Planning Authority.

4. Within one month of the start of trading at the approved car wash, the existing car wash shall cease operation, in accordance with the relocation of the existing business.

- 140 **APP/17/01287: 21 GULLS WAY, HESWALL, CH60 9JG: RESUBMISSION: REMOVAL OF EXISTING ROOF AND NEW ROOF WITH RECONFIGURED LAYOUT INCLUDING FRONT AND REAR DORMER WINDOWS. NEW SINGLE STOREY SIDE AND REAR EXTENSION. REMODELLED FRONT ELEVATION INCLUDING NEW FRONT PORCH.**

The Managing Director for Delivery submitted the above application for consideration.

The Lead Petitioner addressed the Committee.

The Agent addressed the Committee.

On a motion moved by Councillor D Realey and seconded by Councillor K Hodson it was:

Resolved- (12:1) That the application be approved subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of 3 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 06/10/17 and 28/11/17 and listed as follows: Drawing No. 001 Revision P2, 002 Revision P2, 003 Revision P2, 004 Revision P2, 005 Revision P2, 006 Revision P4, 007 Revision P4, 008 Revision P2, 009 Revision P3, 010 Revision P3, 011 Revision P1.**
- 3. The window(s) hereby permitted at first floor on the North East (rear) elevation shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7m above the internal floor level of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.**

- 141 **APP/17/01363: LAND NORTH OF OLD CROFT, BARNACRE LANE, SAUGHALL MASSIE, CH46 5NE: ALTERATIONS TO REDUCE THE SIZE OF EXISTING NEWLY CONSTRUCTED BARN FOLLOWING PLANNING APPEAL.**

Resolved- That this item be deferred for a formal site visit.

- 142 **APP/17/01383: ARROWE BROOK LODGE, ARROWE BROOK ROAD, UPTON, CH49 1SX: PROPOSED EXTENSION TO RESIDENTIAL PROPERTY TO BE USED AS A SMALL BUSINESS FOR DOG GROOMING (3 DOGS PER DAY).**

The Managing Director for Delivery submitted the above application for consideration.

On a motion moved by Councillor D Realey and seconded by Councillor D Elderton it was:

Resolved (12:0 1 absent) That the application be approved subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 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 20 November 2017 and listed as follows: drawing numbers A0-1A (dated October 2017) and A0-2A (dated October 2017).
3. There shall be no more than 3 dogs groomed on the premises in any one day.
4. The premises shall not be used as a dog grooming business except between the hours of 0900 hours and 1800 hours Mondays to Saturdays.
5. This permission allows use of the application premises for dog grooming by Mr and Mrs Owen only and cannot be transferred with the land or used by any other person or persons obtaining an interest in it.
6. When the dog grooming business ceases to exist, the extension hereby approved shall only be used in association with the existing dwelling house and shall not be occupied or sold off separately as an independent unit.

- 143 **APP/17/01489: 4 MILL LANE, GREASBY, CH49 3NU: DEMOLITION OF EXISTING SINGLE AND TWO STOREY REAR OUTRIGGERS, AND CONSTRUCTION OF 2 STOREY REAR OUTRIGGER. ALTERATION TO FRONT AREA OF PROPERTY AND FORMATION OF DROPPED KERB AND PAVEMENT CROSSING TO PROVIDE OFF STREET PARKING WITHIN SITE BOUNDARY.**

Resolved- That this item be deferred for a formal site visit.

- 144 **APP/17/01514: 277 TELEGRAPH ROAD, HESWALL, CH60 6RNL: DEMOLITION OF EXISTING DETACHED HOUSE TO BE REPLACED WITH NEW BUILD APARTMENT BLOCK CONTAINING 5 APARTMENTS WITH PROVISION FOR RESIDENT PARKING AND BIKE STORAGE. NEW ACCESS POINT FROM TELEGRAPH ROAD TO IMPROVE ACCESS TO AND FROM THE SITE.**

Resolved- That this item be deferred for a formal site visit.

- 145 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 09/01/2018 AND 06/02/2018**

The Managing Director for Delivery submitted a report detailing planning applications decided under delegated powers between 09/01/2018 and 06/02/2018.

Councillor D Realey raised concerns that application APP/16/01163 Prenton Rugby Club as to why it had been refused permission - as the funding had been given out of the Constituency Fund.

Officers unable to respond at the meeting so will come back to Councillor D Realey regarding the reasons for refusal.

Resolved- That the report be noted.

146 **JUDICIAL REVIEW UPDATE**

The Assistant Director for Environmental Services updated members on

Thornton Manor Hotel – At the end of January the Judicial Review was heard the Judge is reserving judgement so awaiting a decision on this case.