

PLANNING COMMITTEE

Tuesday, 9 June 2020
6:00 PM

<u>Present:</u>	Councillor	S Kelly (Chair)	
	Councillors	S Foulkes K Hodson S Hayes G Davies S Frost B Kenny	P Stuart S Whittingham I Williams B Berry M Jordan A Corkhill
<u>Deputising:</u>	Councillors	L Rennie	
<u>Apologies:</u>	Councillors	I Lewis	

126 MINUTES

The Director of Governance and Assurance submitted the minutes of the meeting held on 26 May 2020 for approval.

Resolved – That the minutes of the meeting held on 26 May 2020 be approved.

127 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

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

Councillor Stuart Kelly declared a personal interest in respect of item 3 by virtue of his son being a current pupil at the School attributed to the Planning Application.

Councillor Leslie Rennie declared a personal interest in respect of item 5 by virtue of the matter relating to matters within her Ward and stated that she had had no dealings or correspondence on the matter.

Councillor S Foulkes declared a prejudicial interest in respect of item 5 by virtue of his position as a board member of the Transport Authority.

128 **APP/19/01181 - TOWNFIELD PRIMARY SCHOOL, TOWNFIELD LANE, OXTON, CH43 2LH - PROPOSED SINGLE STOREY CLASSROOM BLOCK COMPRISING OF 6 NO. CLASSROOMS AND ASSOCIATED WORKS INCLUDING DROP-OFF/PICK-UP AREA (REVISED PROPOSAL)**

The Corporate Director of Regeneration and Place submitted the above application for consideration.

A Ward Councillor addressed the Committee.

The Applicant addressed the Committee.

On a motion by Councillor S Kelly and seconded by Councillor B Berry it was –

Resolved (7:7 and on the chairs casting vote) – that the application be approved subject to a 106 legal agreement and 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 12 March 2020 and listed as follows: (00)001, (00)002, (20)001 Rev. A, (20)100, (20)101**
- 3. Prior to any development above ground level approval of the following details shall be obtained from the local planning authority;**
 - i. Samples or details of all facing materials including all new windows and doors**

The stated details shall be approved in writing and such approved details shall be implemented in the development hereby approved in full:

- 4. A scheme of landscape proposals including a timetable of works shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the proposed development. The scheme shall include (where practical) but not be limited to, species of local provenance and native and non-native flowering perennial species and features such as bird boxes, log piles, bug boxes, solitary bee houses and hedgehog homes to encourage net gains in biodiversity and full plans and specifications for all hard and soft landscape works and indications of all existing trees and hedgerows on the land, including those to be retained.**

All planting, seeding and/or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the

development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

5. No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.

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

- a. No fires to be lit within 20 metres of existing trees and shrubs to be retained.
- b. Storage of removed topsoil should be located outside of the Root Protection Areas of retained trees and away from those parts of the site allocated for soft landscaping.
- 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 builders debris or other materials to be stored within the Root Protection Areas.
- e. No mixing of cement, associate additives, chemicals, fuels, tar and other oil based liquids and powders shall occur within 10 metres of any tree Root Protection Area. A dedicated washout area shall be a used and located not within 10 metres of any Root Protection
- f. No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA.
- g. No excavations, trenches, stripping, cultivation with a rotavator or changes in surface level to occur within the Root Protection Area, unless authorised.

7. No works shall start on site until an Arboricultural Method Statement has been submitted to and approved in writing by The Local Planning Authority. These details shall include the retention of an Arboricultural Consultant to monitor and periodically report to the LPA, the status of all tree works and tree protection measures throughout the course of development. The development shall then be carried out strictly in accordance with the approved Arboricultural Method Statement.

8. Before any development or construction work begins, a pre-commencement meeting shall be held on site and attended by the developers

appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority (LPA) to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed OR that all tree protection measures have been installed in accordance with the approved tree protection plan. The development shall thereafter be carried out in accordance with the approved details or any variation as may subsequently be agreed in writing by the LPA.

9. The Arboricultural Method Statement submitted in support of the application shall be adhered to in full, subject to the pre-arranged tree protection monitoring and site supervision, by a suitably qualified tree specialist.

10. Prior to first use of the development hereby approved full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period.

All tree planting shall be carried out in accordance with those details and at those times. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

11. No tree felling, scrub clearance, hedgerow removal, vegetation management is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

12. Prior to first occupation, a “lighting design strategy for biodiversity” for the developed area shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a. identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging;

and

b. show how and where external lighting will be installed (through the

provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

13. The development hereby approved shall be occupied in accordance with the hedgehog RAMMS unless otherwise agreed in writing with the Local Planning Authority.

14. The development hereby approved shall be occupied in accordance with the bat RAMMS unless otherwise agreed in writing with the Local Planning Authority.

15. Rhododendron and yellow variegated archangel is an invasive species and is identified as being within the site. The Invasive Species Management Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

16. Notwithstanding the submitted details, prior to the commencement of development the applicant shall submit for the written approval of the Local Planning Authority a Travel Plan in accordance with the aims and objectives of National Planning Policy Framework.

The applicant shall implement and monitor the approved travel plan and thereafter maintain and develop the travel plan to the satisfaction of the Local Planning Authority.

129 **APP/19/01931 - 8A SILVERDALE ROAD, OXTON, CH43 2JR - ERECTION OF A THREE-STOREY REAR EXTENSION TO FORM ENCLOSED STAIRWELL (AMENDED PLANS)**

The Corporate Director of Regeneration and Place submitted the above application for consideration.

On a motion by Councillor S Kelly and seconded by Councillor B Berry it was -

Resolved (14:0) – 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 24th December 2019 and listed as follows:

**Location Plan, received 24th December 2019;
2019 063 300 003/02, received 19th May 2020; and
2019 063 300 004/02, received 19th May 2020.**

3. The external finishes of the development hereby permitted shall be carried out in accordance with those showing on drawing no. 2019 063 300 003/02, received 19th May 2020.

130 **APP/20/00251 - VARIOUS LOCATIONS ON NETWORK RAIL LAND BETWEEN BIDSTON AND NEW BRIGHTON RAILWAY STATIONS - THE INSTALLATION OF FIVE 8.6-METRE-HIGH TELECOMMUNICATION MASTS, EACH COMPRISING 4 NO. ANTENNA, PLUS ONE ELECTRICITY CABINET AND ASSOCIATED EQUIPMENT, TO SUPPORT AND ENHANCE INTERNET CONNECTIVITY FOR THE FUTURE MERSEYRAIL FLEET**

Having previously declared a prejudicial interest in respect of this item, Councillor S Foulkes left the meeting during consideration of this application.

Prior to consideration of this item, A motion was put to the Committee by Councillor S Whittingham and seconded by Councillor L Rennie that

The application be deferred to ask the applicant to consider further consultation with local residents and Ward Members.

In reaching their decision, Members of the Committee had regard to advice from the Legal Advisor surrounding the requirements of the applicant and Authority to consult. They heard how it is not a statutory duty of the Applicant to consult and that the Planning Authority had conducted its statutory consultation requirements

Resolved (11:2) – That the application be deferred to ask the applicant to consider further consultation with local residents and Ward Members.

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