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PLANNING COMMITTEE

Tuesday, 23 June 2020

Present:

Councillor S Kelly (Chair)

| | | |
|-------------|-----------|---------------|
| Councillors | S Foulkes | S Whittingham |
| | K Hodson | I Williams |
| | S Hayes | B Berry |
| | G Davies | I Lewis |
| | S Frost | M Jordan |
| | B Kenny | A Corkhill |
| | P Stuart | |

131 MINUTES

The Director of Governance and Assurance submitted the minutes of the meeting held on 23 June 2020 for approval

Resolved – That the minutes of the meeting held on 23 June 2020 be approved.

132 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.

No such declarations were made.

133 APP/19/01302 - MARINE LAKE, MARINE PROMENADE, NEW BRIGHTON, INSTALLATION OF WATERSPORTS AND ADVENTURE PARK AT MARINE LAKE, NEW BRIGHTON.

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

On a motion by Councillor S Foulkes and seconded by Councillor B Kenny it was:

Resolved (13:0: with one not voting due to technical difficulties) 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 Installation works are to be restricted to the period of April to September inclusive (outside of the non-breeding bird season).

3. Operational activities of the waterpark and the events pontoon will be restricted to the period 16 March to 14 October inclusive (outside of the non-breeding bird season) unless otherwise previously agreed with the Council.

4. An annual report detailing dates of use and non-use and levels of use shall be provided for the first three years. In addition, desk-based bird usage for the marine lake is also to be provided annually. This is required to confirm the conclusions of the HRA.

5. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 22nd August 2019 and listed as follows: PL 03 A, PL 04 A, PL 02 C and PL 01 B received by the LPA 17th March 2020.

134 **APP/19/01642 - THE BUNGALOW, THORNTON HOUSE, THORNTON COMMON ROAD, THORNTON HOUGH, CH63 4JU, ERECTION OF ONE DETACHED DWELLING WITH ASSOCIATED ACCESS PARKING AND LANDSCAPING.**

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

A Ward Councillor addressed the Committee

The Agent addressed the Committee

A motion moved by Councillor M Jordan and seconded by Councillor Lewis was put to the Committee to refuse the application:

“ The development proposed is of a scale that does not relate well to surrounding properties. The new dwelling would result in a unacceptable relationship with neighbouring properties and would give rise to a loss of privacy as a result of the positioning of windows, particularly in the rear elevation, that would result in overlooking of adjacent private garden areas to the detriment of the amenities of the occupants of neighbouring properties. Furthermore, having regard to the size of the plot and the relationship of the proposed new dwelling with the site boundaries, the development would result in a cramped appearance that would be detrimental to the character of the area. Therefore, the development proposed would be contrary to Policy HS4 (Criteria i and ii) – criteria for new housing development and policy GB7 – Infill villages in the Green Belt of the Wirral Unitary Development Plan”

The motion was put and lost (4:9: with one member not voting due to technical difficulties)

On a motion by Councillor S Foulkes and seconded by Councillor S Whittingham it was:

Resolved (9:4: with one member not voting due to technical difficulties) 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. Unless modified by other conditions of this consent, the development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 15 November 2019 and listed as follows:

B101 Revision A (Proposed Site Plan)

B102 (Proposed Plans)

B103 (Proposed Elevations)

3. NO DEVELOPMENT SHALL TAKE PLACE until a Written Scheme of Investigation for a programme of archaeological work, prepared by a qualified Archaeologist, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the archaeological work, and development, shall take place in accordance with the approved details.

4. NO WORKS TO TREES OR HEDGES SHALL TAKE PLACE, NOR SHALL ANY PLANT OR MATERIALS BE BROUGHT ONTO SITE UNTIL:

i. A revised schedule of works to trees and hedges has been submitted to and approved in writing by the Local Planning Authority. Such schedule shall be designed to maintain an effective tree and hedge screen to the boundary of the site with Thornton House;

ii. A revised tree protection plan and method statement has been submitted to and approved in writing by the Local Planning Authority which demonstrates the provision of root protection area fencing in line with the requirements of British Standard 5837:2012 'Trees in Relation to Construction - Recommendations' or any subsequent amendment to that document, around all trees, hedges, shrubs or other planting to be retained, ground protection, and no-dig construction methods for any hard surfacing within or immediately adjacent to root protection areas; and

iii. The tree protection fencing and ground protection has been installed in accordance with the approved details.

Thereafter the root protection area fencing and ground protection shall be retained until all construction authorised by this permission is complete. There shall be no excavation or other alteration of ground levels, storage of materials or plant, parking of vehicles, deposit of soil or rubble, lighting of fires or disposal of liquids within any area fenced off as part of the tree protection plan and specification.

5. NO DEVELOPMENT ABOVE GROUND FLOOR SLAB LEVEL SHALL TAKE PLACE UNTIL

i. sample panels of the proposed external stone walling and brick boundary walling have been erected on site and approved in writing by the Local Planning Authority. The sample panels shall measure at least 1 square

metre in area and demonstrate the type, size, colour, pointing, dressing and coursing (as applicable) of the material to be used;

ii. Samples of the other external walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority.

Thereafter development shall be carried out as approved.

6. NO DEVELOPMENT ABOVE GROUND FLOOR SLAB LEVEL SHALL TAKE PLACE UNTIL a detailed scheme for landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise of a plan and specification and demonstrate:

i. The materials to be used for hard and soft surfacing;

ii. Compensatory tree planting to replace those specimens removed as part of the development to include the location, number, species and size of trees to be planted;

iii. Any earthworks required;

iv. The location and design of fences, gates, walls, railings or other means of enclosure; and

v. The timing of implementation of the scheme.

Thereafter development shall be carried out as approved.

7. If, within a period of five years from the date of planting of any tree under the landscaping scheme approved under condition 6, that tree or any tree planted in replacement for it, is removed, uprooted, destroyed or dies or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted in the same place unless the Local Planning Authority agrees to any variation.

8. No vegetation removal shall take place within the main bird nesting season (March to September inclusive) until a pre-commencement check is carried out by a qualified ecologist no earlier than 48 hours before works take place and the qualified ecologist confirms in writing to the Local Planning Authority, within 48 hours of the check taking place, that no actively nesting birds will be affected by the works.

9. THE DWELLING HEREBY APPROVED SHALL NOT BE OCCUPIED UNTIL details of bird boxes to be erected on site, to include number, type and location, on a suitably scaled plan, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the boxes shall be installed in accordance with the approved details.

10. NO PLANT OR MATERIALS SHALL BE BROUGHT ONTO SITE UNTIL a pre-commencement check for terrestrial mammals has been carried out by a qualified ecologist and if discovered, any relevant species have been removed to a place of safety. Thereafter, during the construction phase:

i. all trenches and excavations shall have a means of escape (such as a ramp)

ii. any exposed open pipe systems shall be capped to prevent mammals gaining access; and

iii. materials shall be stored on raised pallets to prevent mammals using them for shelter.

11. There shall be no alteration to the existing stone wall forming the eastern boundary of the site until a method statement for its partial dismantling and re-erection has been submitted to and approved in writing by the Local Planning Authority. The method statement shall make provision for:

- i. A photographic record of the existing wall prior to any alteration to be used as a guide for its post construction re-erection and a methodology for its dismantling;**
- ii. The secure storage of the stone during construction of the dwelling;**
- iii. A specification for its re-construction to include construction drawings and the mortar mix to be used; and**
- iv. A timescale for the re-construction of the wall.**

Thereafter the works shall take place as approved.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or any Order revoking and re-enacting the provisions of that Order, no extensions, additions or alterations to the roof, porches, garages or other outbuildings shall be erected without the further grant of planning permission by the Local Planning Authority.

13. The first floor windows to the north west and south east side elevations of the dwelling hereby approved (to include the entirety of the stairwell window to the north west elevation) shall be fitted with glazing obscured to at least level 3 of the Pilkington scale of privacy prior to first occupation. Thereafter the obscured glazing shall be retained.

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