

PLANNING COMMITTEE

Tuesday, 1 June 2010

Present: Councillor D Mitchell (Chair)

Councillors D Elderton P Johnson
B Kenny M Johnston
E Boulton J Keeley
P Gilchrist S Kelly
P Hayes J Salter

Deputies: Councillors J Crabtree (In place of D Realey)

1 MINUTES

The Director of Law, HR and Asset Management submitted the minutes of the meeting held on 31 March 2010 and 22 April 2010.

Resolved – That the minutes be received.

2 APPOINTMENT OF VICE CHAIR

On a motion by Councillor Mitchell and seconded by Councillor Peter Johnson it was;

Resolved - That Councillor Phil Gilchrist be appointed Vice-Chair of the Planning Committee.

3 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 P S C Johnson declared a prejudicial interest in application APP/10/00157 by virtue of his son being the applicant.

Councillor D M Elderton declared a prejudicial interest in application APP/10/00214 and LBC/10 / 00215 by virtue of having previously expressed concern over this development in the public domain and also that the Director of Corporate Services has 'written in support of the application'. As Cabinet member for Culture, Tourism and Leisure (recently appointed) Councillor Elderton believed that this role could be in conflict with his role as a member of the Planning Committee.

Councillor J Salter declared a prejudicial interest in application APP/10/00240 by virtue of a relative having submitted an objection to the application.

4 REQUESTS FOR SITE VISITS

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

The following requests for site visits were unanimously approved;

Application 09/06528 – 2-4 Euston Grove, Birkenhead, CH43 4TY – retention of change of use from solarium and repair of MG sports car to offices and storage and elevational changes (amended description).

Application 10/00223 – Great Eastern, New Ferry Road, New Ferry, CH62 1BN – demolition of existing public house and erection of 10 No 2 storey semi-detached dwellings.

Application 10/00240 – 33A Caithness Drive, Egremont CH45 7PN – conversion of existing garage to create loft and introduction of two roof dormer extensions facing Lincoln Drive.

- 5 **09/06500 - 17 WESTBANK ROAD, TRANMERE, CH42 7JL - CHANGE OF USE - CLASS C3 TO CLASS C2. DWELLING HOUSE TO RESIDENTIAL INSTITUTION - SUPPORTED HOUSING FOR VULNERABLE ADULTS WITH 24HR CARE.**

The Director of Technical Services submitted the above application for consideration.

A petitioner addressed the meeting.

The applicant's agent addressed the meeting.

A ward councillor addressed the meeting.

On a motion by Councillor Salter and seconded by Councillor Kelly it was –

Resolved (12:00) – That the application be refused for the following reasons;

The proposed development would result in a detrimental change in the character of the area, and result in an over-concentration of such uses in the area. The proposal is considered contrary to Unitary Development Plan Policies HS4 and HS8.

- 6 **APP/10/00157 - THE OLD FARMHOUSE, OLDFIELD ROAD, HESWALL, CH60 6SG - INSTALLATION OF ONE 11KW GAIA WIND TURBINE MOUNTED ON AN 18M FREE STANDING BASE ON A 5SQM CONCRETE BASE. THE TURBINE IS TWIN-BLADED AND THE BLADES ARE MANUFACTURED AS A SINGLE COMPOSITE UNIT 13M IN DIAMETER**

Councillor P S C Johnson declared a prejudicial interest by virtue of his son being the applicant and left the room while the application was being considered.

A ward Councillor addressed the meeting.

On a motion by the Councillor Mitchell and seconded by Councillor Salter it was –

Resolved (11:1) – That the application be refused for the following reasons:

- 1 The proposed development will clearly be visible from a wide area of the Dee Coast and Heswall Dales which is an area of special landscape value. The introduction of this alien stand alone feature will create an intrusive development within an otherwise open setting. The siting of the development along the prominent skyline of the Dee Coast and Heswall Dales, as well as the scale, form and external appearance of the proposal will detract from the appearance of the area and intrude upon the important views into and out of the Area. The proposed development is therefore considered contrary to Policies LA1 and LA2 of Wirral's Unitary Development Plan.**
- 2 The very special circumstances put forward by the applicant are not considered sufficient to warrant overriding Green Belt Policy GB2 as the overall harm to the open appearance of the landscape would be considerable. The proposed development is therefore considered contrary to Wirral's Unitary Development Plan Policy GB2 and Planning Policy Guidance Note 2 Green Belt.**
- 3 Insufficient information has been submitted with the application to determine the effect upon the local wildlife of the area, including protected species such as Bats and Greater Crested Newts. The Local Planning Authority is therefore unable to appropriately consider the application in full and as a result the development is contrary to policy NC7 – Species Protection of Wirral's Unitary Development Plan.**

- 7 APP/09/06439 - 10 HADFIELD AVENUE, HOYLAKE, WIRRAL, CH47 3DJ - DEVELOPMENT OF A C2 USE (RESIDENTIAL INSTITUTION) SATELLITE UNIT PROVIDING CLOSE CARE, RESIDENTIAL ACCOMMODATION FOR PEOPLE IN NEED OF CARE (FOR THE YOUNGER PATIENT WITH PHYSICAL AND SENSORY DISABILITY) SPECIFICALLY FOR PEOPLE BETWEEN THE AGES OF 16-65.**

The Director of Technical Services submitted the above application for consideration.

On a motion by Councillor Mitchell and seconded by Councillor Elderton it was;

Resolved (12:00) – that the application be approved subject to the following conditions:

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2 The proposal hereby permitted shall be used as a C2 Residential Institution under the Town and Country Planning Order 2008 and for no other purpose.**
- 3 The number of residents at the premises shall not exceed 4 at any time.**
- 4 The amenity area(s) so designated within the site shall be suitably landscaped in accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to occupation. The landscape work to be completed during the first available planting season following completion of**

the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

5 The development hereby approved shall be carried out in accordance with the details shown on the plans received by the Local Planning Authority on 27th January 2010.

- 8 **APP/09/06528 - 2-4 EUSTON GROVE, BIRKENHEAD, CH43 4TY - RETENTION OF CHANGE OF USE FROM SOLARIUM AND REPAIR OF MG SPORTS CAR TO OFFICES AND STORAGE AND ELEVATIONAL CHANGES (AMENDED DESCRIPTION)**

The Director of Technical Services submitted the above application for consideration.

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

- 9 **APP/10/00214 - HILLBARK HOTEL, HILL BARK ROAD, FRANKBY, CH48 1NP - ERECTION OF A MARQUEE**

Councillor D M Elderton declared a prejudicial interest in application APP/1000214 by virtue of having previously expressed concern over this development in the public domain and also that the Director of Corporate Services has 'written in support of the application'. As Cabinet member for Culture, Tourism and Leisure (recently appointed) Councillor Elderton believed that this role could be in conflict with his role as a member of the Planning Committee.

The Director of Technical Services submitted the above application for consideration.

It was moved by Councillor Keeley and seconded by Councillor Hayes:-

"That the application be refused as the development is inappropriate and in contravention to GB2 and further that the applicant has not demonstrated special circumstances."

The motion was put and lost (5:6)

It was moved by Councillor Mitchell and seconded by Councillor Kelly:-

"That the application be approved subject to the following conditions:-

- 1 **This permission shall be for a limited period of 5 years only expiring on 1 May, 2015 when (unless a further application has been submitted to and approved by the Local Planning Authority) use hereby approved shall be discontinued and the marquee and/or works hereby approved shall be removed and the land reinstated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**

- 2 Within one month of the permission hereby granted, details of a boundary hedge to be planted along the south and south-western perimeters of the site shall be submitted to and approved in writing by the local planning authority. Such details shall include the precise location and species to be used in the hedgerow and the scheme shall be implemented and maintained in accordance with a timescale to be approved in writing with the local planning authority.**
- 3 Before development commences, full details (including material and colour) of the drapes to be used for dressing the external elevations of the proposed marquee shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and retained as such thereafter.**
- 4 The marquee hereby approved shall not be open to customers or visitors or used for events outside the hours of 0800 and 0030.**
- 5 No live music, amplified music or live entertainment shall take place within the marquee between the hours 0000 (midnight) and 0930**
- 6 Notwithstanding the details shown in drawing number 1640-104, the bridge link shall be implemented in accordance with the detail shown in drawing number 1640-105 'Alternative Link Treatment', submitted 16th April 2010.**
- 7 Prior to the commencement of development, a scheme of noise insulation to the proposed marquee shall be submitted to and approved in writing by the Local Authority. The development shall be implemented in accordance with the approved scheme, and retained as such for the duration of the permission.**

The motion was put and carried (6:5) (by virtue of the Chair's casting vote)

Resolved – (6:5) (by virtue of the Chair's casting vote) - That the application be approved subject to the following conditions and subject to a Section 106 Agreement:

- 1 This permission shall be for a limited period of 5 years only expiring on 1 May, 2015 when (unless a further application has been submitted to and approved by the Local Planning Authority) use hereby approved shall be discontinued and the marquee and/or works hereby approved shall be removed and the land reinstated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**

- 2 Within one month of the permission hereby granted, details of a boundary hedge to be planted along the south and south-western perimeters of the site shall be submitted to and approved in writing by the local planning authority. Such details shall include the precise location and species to be used in the hedgerow and the scheme shall be implemented and maintained in accordance with a timescale to be approved in writing with the local planning authority.
- 3 Before development commences, full details (including material and colour) of the drapes to be used for dressing the external elevations of the proposed marquee shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and retained as such thereafter.
- 4 The marquee hereby approved shall not be open to customers or visitors or used for events outside the hours of 0800 and 0030.
- 5 No live music, amplified music or live entertainment shall take place within the marquee between the hours 0000 (midnight) and 0930
- 6 Notwithstanding the details shown in drawing number 1640-104, the bridge link shall be implemented in accordance with the detail shown in drawing number 1640-105 'Alternative Link Treatment', submitted 16th April 2010.
- 7 Prior to the commencement of development, a scheme of noise insulation to the proposed marquee shall be submitted to and approved in writing by the Local Authority. The development shall be implemented in accordance with the approved scheme, and retained as such for the duration of the permission.

10 **APP/10/00223 - GREAT EASTERN, NEW FERRY ROAD, NEW FERRY, CH62 1BN - DEMOLITION OF EXISTING PUBLIC HOUSE AND ERECTION OF 10 NO. 2 STOREY SEMI-DETACHED DWELLINGS**

The Director of Technical Services submitted the above application for consideration.

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

11 **LBC/10/00215 - HILLBARK HOTEL, HILL BARK ROAD, FRANKBY, CH48 1NP - ERECTION OF A MARQUEE**

Councillor D M Elderton declared a prejudicial interest by virtue of having previously expressed concern over this development in the public domain and also that the Director of Corporate Services has 'written in support of the application'. As Cabinet member for Culture, Tourism and Leisure (recently appointed) Councillor Elderton believed that this role could be in conflict with his role as a member of the Planning Committee.

The Director of Technical Services submitted the above application for consideration.

On a motion by Councillor Mitchell and seconded by Councillor Kelly it was;

Resolved – That the application be approved subject to the following conditions;

- 1 This permission shall be for a limited period of 5 years only expiring on 1 May, 2015 when (unless a further application has been submitted to and approved by the Local Planning Authority) use hereby approved shall be discontinued and the marquee and/or works hereby approved shall be removed and the land reinstated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
- 2 Within one month of the permission hereby granted, details of a boundary hedge to be planted along the south and south-western perimeters of the site shall be submitted to and approved in writing by the local planning authority. Such details shall include the precise location and species to be used in the hedgerow and the scheme shall be implemented and maintained in accordance with a timescale to be approved in writing with the local planning authority.
- 3 Before development commences, full details (including material and colour) of the drapes to be used for dressing the external elevations of the proposed marquee shall be submitted to and approved in writing by the Local Planning Authority.
- 4 The marquee hereby approved shall not be open to customers or visitors or used for events outside the hours of 0800 and 0030.
- 5 No live music, amplified music or live entertainment shall take place within the marquee between the hours 0000 (midnight) and 0930
- 6 Notwithstanding the details shown in drawing number 1640-104, the bridge link shall be implemented in accordance with the detail shown in drawing number 1640-105 'Alternative Link Treatment', submitted 16th April 2010.

12 **APP/10/00240 - 33A CAITHNESS DRIVE, EGREMONT, CH45 7PN - CONVERSION OF EXISTING GARAGE TO CREATE LOFT AND INTRODUCTION OF TWO ROOF DORMER EXTENSIONS FACING LINCOLN DRIVE.**

Councillor J Salter declared a prejudicial interest by virtue of a relative having submitted an objection to the application.

The Director of Technical Services submitted the above application for consideration.

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

13 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 14/04/2010 AND 19/05/2010**

The Director of Technical Services submitted a report detailing applications delegated to him and decided upon between 14 April 2010 and 19 May 2010.

Resolved – That the report be noted.

14 **ANY OTHER BUSINESS**

ANY OTHER BUSINESS - APP/09/06430 – TESCO SUPERSTORE, TELEGRAPH ROAD, HESWALL – INSTALLATION OF CHP UNIT AND RELOCATION OF TWO EXISTING CONTAINERS (AMENDE DESCRIPTION)

Further to Minute 139 28/01/2010 Councillor Peter Johnson requested that members be given a progress report on the above item.

Resolved – That the Director of Technical Services submit a report to the next meeting of the Planning Committee.
