

PLANNING COMMITTEE

Tuesday, 10 August 2010

Present: Councillor D Mitchell (Chair)

Councillors D Elderton P Johnson
E Boulton M Johnston
P Gilchrist S Kelly
P Hayes D Realey

Deputies: Councillors G Davies (In place of J Salter)
C Meaden (In place of B Kenny)
G Watt (In place of J Keeley)

48 MINUTES

The Director of Law, HR and Asset Management submitted the minutes of the meeting held on 6 July 2010.

Resolved – That the minutes be received.

49 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 Hayes declared a prejudicial interest in application APP/10/00394 as the applicant was known to him.

Councillor Watt declared a personal interest in application APP/10/00445 as his wife had been employed at Thornton Manor for a short period earlier in the year.

50 REQUESTS FOR SITE VISITS

Members were asked to request site visits before any applications were considered. No such requests were made.

51 ORDER OF BUSINESS

The Chair agreed to vary the order of business.

52 APP/10/00445 - THORNTON HOLDINGS LTD, THORNTON MANOR, MANOR ROAD, THORNTON HOUGH, CH63 1JB - PROPOSED ERECTION OF THREE MARQUEES WITHIN THE THORNTON MANOR - ESTATE AT THE DELL, THE WALLED GARDEN AND AT THE LAKE TO BE USED FOR PRIVATE FUNCTIONS AND CONFERENCES

Councillor Watt declared a personal interest in application APP/10/00445 as his wife had been employed at Thornton Manor for a short period earlier in the year.

Resolved – That consideration of this item be deferred for further information.

53 **APP/10/00111 - PLOUGH INN, 190 HOYLAKES ROAD, MORETON, CH46 8TH - DEMOLITION OF THE EXISTING PUBLIC HOUSE (A4) AND THE ERECTION OF A CONVENIENCE STORE (A1) WITH ASSOCIATED PARKING AND SERVICING DETAILS.**

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.

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

"That the application be refused on the grounds that

- 1) The Local Planning Authority considers the proposal unacceptable in that vehicles waiting on the highway at the proposed address or manoeuvring in the carriageway to enter and/or leave the site of the proposed development would create hazardous conditions, contrary to the interests of highway safety and the free flow of traffic. (R06E).
- 2) The Local Planning Authority considers the proposal would be contrary to the interests of highway safety in that an inadequate provision has been made within the site to cater for the servicing needs likely to be generated by the proposal. (R07D)".

The motion was put and lost (4:7).

It was moved by Councillor Mitchell and seconded by Councillor Elderton:

"That the application be approved."

The motion was put and carried (8:4).

Resolved – 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 premises shall be closed for the development hereby permitted between 23.00 hours and 06.00 hours.**
- 3. No deliveries shall take place at the site outside the hours of 06.00 hours until 22.00 hours unless otherwise agreed in writing by the Local Planning Authority.**

4. Commercial waste collection shall not take place between the hours of 21.00 hours and 07.00 hours.

5. Before development commences details of the position, type and insulation of external refrigeration and ventilation equipment should be submitted to and agreed in writing by the Local Planning Authority and retained thereafter.

6. Details of the positioning of security lights should be submitted to and approved in writing by the Local Planning Authority prior to the store opening, and retained thereafter.

7. Development shall not commence until detailed proposals for indicating the in/out arrangement of the vehicle accesses have been submitted and approved in writing. The approved proposals shall be implemented to the satisfaction of the Local Planning Authority prior to first opening.

8. 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. The submitted proposals shall include details of cycle parking for both staff and customers and clear, safe cycle access routes to that parking.

9. No part of the development shall be brought into use until detailed proposals for clear, safe pedestrian routes from the highway to the store entrance have been submitted to and approved in writing by the Local Planning Authority, and retained thereafter.

10. No part of the development shall be brought into use until detailed proposals for alterations to the westernmost vehicle access to facilitate safe access by larger service vehicles have been submitted to and approved in writing by the Local Planning Authority, and retained thereafter.

11. Development shall not commence until detailed proposals for tactile paving to be provided on each side of both vehicle accesses have been submitted and approved in writing by the Local Planning Authority and retained thereafter.

12. Delivery and service vehicles servicing the premises shall be no more than the overall length of 11m.

54 APP/10/00441 - 68 EGERTON STREET, NEW BRIGHTON, CH45 2LT - CHANGE OF USE FROM A SINGLE DWELLING TO 8 SELF CONTAINED FLATS (AMENDED DESCRIPTION).

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

A petitioner addressed the meeting.

The applicant addressed the meeting and informed the Committee that he wished to withdraw the current application.

Resolved – That the Committee agreed and noted that the application be withdrawn.

55 **APP/10/00394 - LAND ADJACENT TO 28 FAIRVIEW AVENUE, LISCARD, CH45 4RF - DEMOLITION AND REBUILD OF EXISTING OFFICE/WAREHOUSE TO FORM NEW OFFICES INCLUDING REBUILD OF EXISTING WALLS AND REPLACE THE EXISTING ROOF AND NEW WINDOW OPENINGS.**

(Councillor Hayes, having declared a prejudicial interest in this application (see minute 245), left the room during its consideration).

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

A petitioner addressed the meeting.

On a motion by Councillor Mitchell, seconded by Councillor George Davies, it was -

Resolved (12:0) – 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 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.

3. Before the development hereby permitted is brought into use the first floor window in the extension elevation facing south west shall be fixed and obscurely glazed with frosted glass and shall be retained as such thereafter.

4. The proposed rooflights shall be up to a height of 1.8 metres above the internal finished floor level, as shown in the typical section drawing number WH1037-02 Rev A and shall be retained as such thereafter.

5. The premises shall not be used except between the hours of: 08.00 hours and 18.00 hours Mondays to Fridays and at no time on Saturdays, Sundays and Bank Holidays without the written consent of the Local Planning Authority.

6. The building hereby approved shall be used for B1 Business Use restricted to (a) Offices not within Class A2 and (b) Research and development of products, laboratories, high technology and for no other purpose (including any other purpose in Class B1, B2 or B8 of the schedule to the Town and Country Planning Use Classes (Amendment) Order 2005, or any subsequent Order or statutory provision revoking or re-enacting that Order.

56 **APP/10/00677 - GANNEYS MEADOW NURSERY SCH, GANNEYS MEADOW ROAD, WOODCHURCH, CH49 7N - ERECTION OF 12 NO. DWELLINGS (AMENDMENT TO PLANNING PERMISSION APP/2008/5857)**

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

A ward councillor addressed the meeting.

On a motion by Councillor Mitchell, seconded by Councillor Realey, it was -

Resolved (12:0) - 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 materials used in the construction of the dwellings hereby approved shall be in accordance with the details submitted at Question 10 within the application form.**
- 3. Prior to the first occupation of the dwellings hereby permitted, a 2 metre high close-boarded fence shall be erected between the application site and The Woodchurch Hotel and on the boundary with the houses on New Hey Road and retained as such thereafter.**
- 4. Notwithstanding the submitted details, within three months of the date of this permission a full scheme of works to provide vehicle access from the highway into the development site, including all associated surfacing, kerbing, tactile paving, road markings, street lighting and surface water drainage requirements and all necessary alterations to the existing public highway, shall be submitted to and approved in writing by the Local Planning Authority. 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.**

57 **APP/10/00668 - GRIFFITHS FUNERAL HOME, GRANGE BANK, GRANGE ROAD, WEST KIRBY, CH48 4DY - CHANGE OF USE OF LAND TO FRONT OF THE RED DOOR TO PROVIDE AN OUTDOOR SEATING AREA.**

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

On a motion by Councillor Mitchell, seconded by Councillor Boulton, it was -

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

- 1. That the development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2. Development shall be built in accordance with plans received on 7 July 2010.**
- 3. The outside area shall not be used for the consumption of food or drink between the hours of 2130 hours and 1200 hours.**
- 4. No live or recorded music or amplified voices shall be played in the outside area at any time.**

5. Before any part of the development hereby approved is brought into use details of the siting, scale and design of removable bollards to enclose the seating area, measuring no more than 1m in height, shall be submitted to and approved in writing by the Local Planning Authority. The bollards shall be retained during the permitted hours of use thereafter unless otherwise agreed by the Local Planning Authority in writing.

6. Notwithstanding the details shown on the submitted plan reference BS-GB-2009-29 there shall be no tables, chairs or other items of furniture within 4 metres measured from the south-west corner of the existing building at any time.

58 **APP/09/06430 - TESCO SUPERSTORE, TELEGRAPH ROAD, HESWALL, WIRRAL, CH60 7SE - INSTALLATION OF COMBINED HEAT & POWER (CHP) UNIT AND RELOCATION OF TWO EXISTING CONTAINERS (AMENDED DESCRIPTION)**

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

On a motion by Councillor Mitchell, seconded by Councillor Elderton it was -

Resolved (12:0) – 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 Combined Heat and Power (CHP) unit hereby approved shall be operated in accordance with the Congenco PUREnergy statement submitted on 20 November, 2009 unless otherwise agreed in writing with the Local Planning Authority.

59 **APP/10/00505 - APPLE TREE COTTAGE, 86 THURSTASTON ROAD, HESWALL, CH60 - CHANGE OF USE OF LAND. DRIVEWAY ENTRANCE/EXIT TO BE RELOCATED FROM THURSTASTON ROAD TO ADJACENT CHURCH FARM COURT.**

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

On a motion by Councillor Mitchell, seconded by Councillor George Davies it was -

Resolved (11:1) – 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 obsolete access on Thurstaston Road shall be reinstated to standard foot way levels following a time scale agreed with the Local Planning Authority. The time scale of works and details shall be submitted to the Local Authority

within 3 months of the decision, the reinstatement of the foot way shall be retained as such thereafter.

3. Before any construction commences, samples of the wall 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.

60 PROPOSED ADOPTION OF THE OXTON CONSERVATION AREA APPRAISAL - 2010

The Director of Technical Services submitted a report on the proposed adoption of the Oxton Conservation Area Appraisal 2010.

Resolved (12:0) - That the Committee adopts the Oxton Conservation Area Appraisal 2010 document as a material reference in planning and conservation matters, and that this report be referred to Cabinet for approval.

61 PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 12/07/2010 AND 30/07/2010

The Director of Technical Services submitted a report detailing applications delegated to him and decided upon between 12/07/2010 and 30/07/2010.

Resolved – That the report be noted.

62 ANY OTHER BUSINESS

Matthew Davies Development Control Manager circulated various items of information to members of the Committee and reminded members of the forthcoming training event on 22 September 2010.
