

PLANNING COMMITTEE

Wednesday, 1 December 2010

Present:

Councillor D Mitchell (Chair)

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

Deputies:

Councillors W Clements (In place of E Boulton)

114 MINUTES

The Director of Law, HR and Asset Management submitted the minutes of the meetings held on 21 October 2010 and 9 November 2010.

Resolved – That the minutes be received.

115 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.

116 REQUESTS FOR SITE VISITS

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

The following request for a site visit was unanimously approved;

APP/10/00999 – Melrose, 90 Oldfield Road, Heswall, CH60 6SG – Proposed extension and remodelling of the existing house and associated landscape works.

117 ORDER OF BUSINESS

The Chair agreed to vary the order of business.

118 APP/10/00597 - FENWALL, 151 MILL LANE, GREASBY, CH49 3NT - CHANGE OF USE OF LAND TO DOMESTIC CURTILAGE

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

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

Resolved (9:3) – 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or construction of boundary treatment or other means of enclosure over one metre in height around or within the area of land hereby approved in the garden area shall be erected unless expressly authorised.

119 **APP/10/00999 - MELROSE, 90 OLDFIELD ROAD, HESWALL, CH60 6SG - PROPOSED EXTENSION AND REMODELLING OF THE EXISTING HOUSE AND ASSOCIATED LANDSCAPE WORKS.**

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

120 **APP/10/01069 - LAND OFF BROADWAY (ST HILARY BROW), BROADWAY, LISCARD, CH45 - (AMENDED ADDRESS) - ERECTION OF PART SINGLE AND PART TWO STOREY MEDICAL CENTRE, INCLUDING PHARMACY, ASSOCIATED CAR PARKING AND SOFT LANDSCAPING.**

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

On a motion by Councillor Dave Mitchell and seconded by Councillor John Salter 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. Before any construction commences, samples of the facing, roofing and 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 and retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

3. No development (including geotechnical, geo-chemical site investigations, alteration of existing/new Statutory undertakes equipment) will take place at the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. All works shall be carried out

and completed as approved, unless otherwise agreed, in writing by the Local Planning Authority.

The written scheme of investigation shall include the following components:

- i. An archaeological evaluation;
- ii. An archaeological recording programme the scope of which will be informed by the results of the evaluation.
- iii. The programme for post investigation assessment.
- iv. Provision for the:
 - Analysis,
 - Publication, dissemination and,
 - Deposition of the archive of the site investigations and records

4. No development shall be commenced until full details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species and heights of all existing and proposed trees, shrubs and hedge planting and all existing and proposed grassed and hard surfaced areas and any other natural or proposed features. Such landscaping works shall be completed prior to the first use of the building hereby permitted.

5. Any trees or shrubs removed, dying or severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted unless otherwise approved in writing by the Local Planning Authority.

6. Development shall not commence until a scheme for the provision of cycle parking has been submitted to and agreed in writing by the local planning authority. The cycle parking facility shall be erected in accordance with the approved details prior to the occupation of the development hereby approved and retained as such thereafter.

7. No development shall commence until details of works to assist pedestrians crossing Broadway at its junction with Claremount Road have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved plans prior to first occupation of the development and retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

8. No development shall commence until details works to provide vehicle access onto Broadway have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved plans prior to first occupation of the development and retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

- 121 **APP/10/01104 - 57 ARGYLE STREET SOUTH, TRANMERE, CH41 9DA - CHANGE OF USE TO TWO SELF CONTAINED GROUND FLOOR APARTMENTS WITH SINGLE STOREY EXTENSION AND REAR STAIRCASE.**

Resolved - That the application be deferred to allow the applicant time to provide further information in support of the application at the request of officers

- 122 **APP/10/01193 - BIRKENHEAD HIGH SCHOOL, 86 DEVONSHIRE PLACE, OXTON, CH43 -1TY - THE ERECTION OF A NEW HALL AND DINING AND ASSOCIATED TEACHING AREAS FOR THE SECONDARY SCHOOL AND THE ERECTION OF A NEW HALL AND CLASS SPACES FOR THE INFANTS/JUNIOR SCHOOL. THE CONSTRUCTION AND LAYING OUT OF ASSOCIATED LANDSCAPE, PARKING, SPORTS AREAS AND COMMUNITY AREAS. THE ERECTION OF A NEW ENTRANCE TO THE SIXTH FORM BUILDING, AND THE CREATION OF AN ACCESSIBLE ACCESS TO THE SIXTH FORM SCIENCE AREAS. THE PROPOSAL IN**

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

Ward councillors addressed the meeting.

On a motion by Councillor Dave Mitchell and seconded by Councillor David 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. 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 authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works for the provision of:

1) a speed reduction measures in Devonshire Place and Manor Hill, between Egerton Road and Palm Grove.

2) advisory signing indicating 'right turn only' at the exit to the drop-off area to the south of the development site.

3) 'School Keep Clear' markings at the appropriate school accesses on Devonshire Place including associated signing and traffic regulation orders.

The occupation of the development shall not begin until those works have been completed in accordance with the local planning authority's approval and

have been certified as complete by or on behalf of the local planning authority unless otherwise agreed in writing with the Local Planning Authority.

4. 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.

5. Prior to the first occupation of the development a School Travel Plan shall be submitted to and approved in by the local planning authority. The provisions of the School Travel Plan shall be implemented in accordance with the programme contained therein and shall not be varied other than through agreement with the local planning authority. A review of the Travel Plan should be submitted to the local planning authority on an annual basis which, for the avoidance of doubt, should include:

- An updated action plan;
- A progress report; and
- Monitoring report including data from the latest travel surveys.

6. Prior to first commencement of the development details of all vehicle crossings and tactile paving shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with the approved plans and retained as such thereafter unless agreed in writing with the Local Planning Authority. For information tactile paving to be provided at crossing positions and at radii at junctions of Devonshire Place and Sandyway and Grosvenor Place.

7. No works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include:

A; the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule.

B; 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, 1989, Recommendations for tree work.

C; the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837).

D; the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 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 Construction Exclusion Zones (section 9 of BS5837).

F; the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)

G; 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.

H; 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.

I; 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.

J; 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.

K; the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837).

L; the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).

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

8. All excavations within the crown spreads of existing trees, situated on or off site, shall be undertaken manually by hand with the use of hand tools and only upon the prior written approval of the local authority shall the use of a mechanical digger be permitted within the crown spreads of trees. Severance of tree roots is to be avoided and under no circumstances shall roots of a diameter 25mm or greater be removed, severed or damaged.

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

a, No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.

b, No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.

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 mixing of cement or use of other materials or substances shall take place within a RPA, or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA

e, No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA.

f, No mechanical digging or scraping shall be carried out within a root protection area or within areas cordoned off by protective barrier fencing.

10. Prior to the first occupation of the new Academy a Community use scheme for all indoor and outdoor sports facilities shall be submitted to and approved in writing with the Local Planning Authority. The scheme shall include details of pricing policy, hours of use, access by non-school users, management responsibilities and include a mechanism for review. The approved scheme shall be implemented in full upon commencement of use and retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

11. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape

areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is sooner, for its permitted use. The approved landscape management plan shall be carried out as approved.

12. Prior to the commencement of development details, including the number and the location of bird nesting boxes and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The boxes shall be erected in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

13. 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.

14. The development hereby permitted shall not be commenced until such time as a scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by the local planning authority.

Note - The discharge of surface water from the proposed development is to mimic that which discharges from the existing site. If surface water is to discharge to mains sewer, United Utilities Plc should be contacted for confirmation of the acceptable discharge rate. For discharges above the allowable rate, attenuation will be required for up to the 1% annual probability event, including allowances for climate change.

The discharge of surface water should, wherever practicable, be by Sustainable Drainage Systems (SuDS). SuDS, in the form of grassy swales, detention ponds, soakaways, permeable paving etc., can help to remove the harmful contaminants found in surface water and can help to reduce the discharge rate.

15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

16. The development hereby approved shall be carried out in accordance with the details shown the plans received by the Local Planning Authority on 02/11/2010

17. The proposed multi use games area as indicated on plan reference: 09-396-RL 008 shall be for school use only between the hours of 8am and 8pm Monday to Saturday and at no time on Sundays or Bank Holidays.

123 **APP/10/01281 - HAYFIELD SCHOOL, MANOR DRIVE, UPTON, CH49 4LN - INSTALLATION OF A 5-A-SIDE PITCH AND ERECTION OF A 2.5 METRE HIGH PALADIN PERIMETER FENCE.**

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

A petitioner addressed the meeting.

On a motion by Councillor Dave Mitchell and seconded by Councillor John Salter 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 proposed 5-a-side pitch shall not be used between 19.00 hours and 08.00 hours

124 **NO. 36 KALE CLOSE, WEST KIRBY: REQUEST TO GRANT CONSENT IN RESPECT OF THE OCCUPANCY OF THIS PROPERTY IN KALE CLOSE “OTHERWISE THAN BY ELDERLY PERSONS”.**

A report of the Director of Technical Services informed the Planning Committee of a request made to the local planning authority to grant consent for the above named property to be occupied “otherwise than by elderly persons”. Enquiries in relation to the local planning authority’s proposed attitude to granting such a consent had been submitted by solicitors acting on behalf of the vendor of the property. An enquiry had also been received from a prospective purchaser of the property, Mr Steven Smart. It was recommended that it would be appropriate to grant consent.

Resolved; (12:00) That

(1) in respect of No. 36 Kale Close that consent be granted for occupation of the dwelling otherwise than by elderly persons.

(2) the Director of Technical Services be authorised (under delegated powers) to consider similar future requests as might arise in relation to this legal agreement.

125 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 30/10/2010 AND 18/11/2010.**

The Director of Technical Services submitted a report informing members of Planning Applications decided under his delegated powers between 30 October, 2010 and 18 November, 2010.

Resolved – That the report be noted.
